



Legislation Details (With Text)

File #: 12-131 **Version:** 2 **Name:** Ordinance Adopting Zoning Code Amendments re: Assembly Uses, Commercial Recreation, Entertainment Activities

Type: Ordinance **Status:** Passed

On agenda: 4/2/2012 **In control:** City Council

Enactment date: 4/2/2012 **Final action:** 4/2/2012

Enactment #: Ordinance 2012-004

Title: ADOPT: Ordinance No. 2012-004, an Ordinance Amending Provisions of the San Leandro Zoning Code Relating to Miscellaneous Changes to the IL, IG, IP Zoning Districts and Creation of IL (AU), IG (AU), and IP (AU) Zoning Districts Related to Assembly Uses, Commercial Recreation and Entertainment Activities

Sponsors: Luke Sims

Indexes:

Code sections:

Attachments: 1. Ordinance Attachment A - Commercial Recreation Zoning Code Excerpt Amended 2

Date	Ver.	Action By	Action	Result
4/2/2012	1	City Council	Adopted	Pass
3/19/2012	1	City Council	Passed to Print	Pass

Ordinance No. 2012-004, an Ordinance Amending Provisions of the San Leandro Zoning Code Relating to Miscellaneous Changes to the IL, IG, IP Zoning Districts and Creation of IL (AU), IG (AU), and IP (AU) Zoning Districts Related to Assembly Uses, Commercial Recreation and Entertainment Activities

WHEREAS, the City of San Leandro solicited and received extensive community input related to evaluating various commercial districts along East 14th Street to identify and distinguish between core retail activity and areas that could include residential uses. These efforts included the North Area Plan (early 1990’s), the East 14th Street South Area Development Strategy (2002-2004), and the Downtown Transit-Oriented Development Strategy (2005-2007); and

WHEREAS, Assembly Uses are Conditionally Permitted uses in Residential Districts and some, but not all, Commercial Districts. Commercial Districts that conditionally permit residential uses may also consider Assembly Uses; and

WHEREAS, the 1999-2002 General Plan Update represented an extensive community engagement process with a 52-member General Plan Advisory Committee that advised the Planning Commission and City Council on the General Plan Update. As part of the process, the core values of the industrial districts as a major industrial, technology and office employment center were established; and

WHEREAS, General Plan Goal 7: Industrial and Office Districts states: *Continue to develop a strong and healthy industrial and office employment base in the community*; Policy 7.03 of the General Plan states: *TECH-SECTOR RECRUITMENT: Attract and retain technology (“high tech”)*

companies by improving technology infrastructure, targeting such companies through marketing, supporting incubator and start up firms, and maintaining development regulations which facilitate the adaptive reuse of older industrial buildings; and Policy 10.4 states: **INDUSTRIAL SANCTUARY: Protect the City's major industrial areas from encroachment by uses that are potentially incompatible with existing viable industrial activities, or which may inhibit the ability of industry to operate effectively.** These General Plan goals and policies speak to the importance of the industrial area as a sanctuary for high quality employment; and

WHEREAS, the City of San Leandro performs periodic reviews of the Zoning Code and has determined that some revisions and updates are recommended to Assembly Uses, Commercial Recreation, Cultural Institutions and Entertainment Activities uses in several commercial zones (NA-2, SA-2, DA-3) and in the industrial zones (IL, IG, IP, IL (AU), IG (AU) and IP(AU)); and,

WHEREAS, the City has prepared an Initial Study and Negative Declaration for the Zoning Code Amendments, pursuant to the California Environmental Quality Act ("CEQA").

NOW THEREFORE, the City Council of the City of San Leandro ordains as follows:

SECTION 1. Sections 2-702, 2-704, 2-706, 2-708, 2-710, 2-712 and 2-714 of Article 7 of the City of San Leandro Zoning Code are hereby amended as set forth in Exhibit A, which is attached hereto and incorporated by reference into this Ordinance.

SECTION 2. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of the Ordinance is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part hereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase of the Ordinance irrespective of the fact that one or more of them would be declared unconstitutional or invalid. To this end, the provisions of the Ordinance are declared to be severable.

SECTION 3. Effective Date and Publication.

This ordinance shall take effect thirty (30) days after adoption and the title thereof shall be published once prior to adoption.

Introduced by Councilmember Gregory on this 19th day of March, 2012, and passed to print by the following called vote:

Members of the Council:

AYES:	Councilmembers Gregory, Prola, Reed, Souza, Starosciak; Mayor Cassidy	(6)
NOES:	Councilmember Cutter	(1)
ABSENT:	None	(0)

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