



Legislation Text

File #: 12-057, Version: 2

Ordinance No. 2012-002, an Ordinance Amending Provisions of the San Leandro Zoning Code Relating to Miscellaneous Changes to the NA-2, SA-2, and DA-3 Zoning Districts Related to Assembly Uses and Cultural Institutions

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 include 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 which 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 advising 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").

WHEREAS, on February 21, 2012, the City Council continued the portion of the public hearing on Commercial Recreation and Entertainment Activities uses in the industrial zones (IL, IG, IP; and

the proposed new IL (AU), IG (AU) and IP (AU)) to March 19, 2012.

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

SECTION 1. Sections 2-624, 2-630, 2-640 of Article 6 of the City of San Leandro Zoning Code are hereby amended as set forth in Exhibit A, which is attached 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 Souza on this 21st day of February, 2012, and passed to print by the following called vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Prola, Reed, Souza, Starosciak; Mayor Cassidy	(7)
NOES: None	(0)
ABSENT: None	(0)