



## Legislation Text

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**File #:** 19-648, **Version:** 1

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**RESOLUTION 2020-001** of the Planning Commission of the City of San Leandro Recommending City Council approval of an Ordinance to amend and re-chapter the San Leandro Zoning Code, to accommodate recent changes in State law, to correct errors and inconsistencies, and to discontinue the pilot program limitation on cannabis product manufacturing.

**WHEREAS**, the San Leandro City Council adopted the current General Plan in September 2016; and

**WHEREAS**, the San Leandro Zoning Code may be periodically amended to incorporate clarifications or corrections to existing designations, as well as substantive changes; and

**WHEREAS**, the San Leandro Zoning Code currently utilizes a two-tier numbering system, an organizational methodology that imposes certain limitations for online publishing, searching, hyperlinking and indexing; and

**WHEREAS**, the proposed Amendments primarily consist of a re-chaptering to adjust the Zoning Code's indexing methodology to be consistent with the San Leandro Municipal Code and Administrative Codes; and

**WHEREAS**, the purpose of re-chaptering the Zoning Code is to improve its accessibility and ease of use, and does not modify, alter or affect the implementation of existing Zoning Code provisions; and

**WHEREAS**, the State of California passed a substantial number of new planning, zoning and housing laws that took effect on January 1, 2020, including additional provisions that necessitate changes to the City's regulation and processing of Accessory Dwelling Units and Large Family Home Child Care Facilities; and

**WHEREAS**, the proposed Amendments are in response to State legislative mandates and are necessary to bring the Zoning Code into compliance with State law; and

**WHEREAS**, the proposed Amendments include a provision to conclude the City's pilot program limitations on Cannabis Product Manufacturing, established under Ordinance 2017-014 on July 17, 2017; and

**WHEREAS**, the proposed Amendments include non-substantive editing measures to clean-up identified errors, typos and inconsistencies; and

**WHEREAS**, the proposed Amendments are consistent with the General Plan and other adopted Specific Plans; and

**WHEREAS**, the proposed Zoning Code amendments have been determined to be non-substantive and necessary to achieve consistency with the goals, policies, and actions in the General Plan, other adopted plans and State law; and

**WHEREAS**, the proposed Zoning Code Amendments have been determined to not be subject to the California Environmental Quality Act (CEQA) because 1) the proposed Amendments constitute non-substantive corrections and adjustments that will not result in a direct or reasonably foreseeable indirect physical change in the environment; 2) the proposed Amendments are covered by the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment; and 3) any project that has the potential to cause a significant effect on the environment will be evaluated through a separate environmental review process in accordance with CEQA.

**WHEREAS**, the Community Development Department provided notice of the proposed Zoning Code amendments by publishing a public hearing notice in the East Bay Times' Daily Review newspaper on January 3, 2020; and

**WHEREAS**, the Planning Commission of the City of San Leandro did on the 16<sup>th</sup> day of January, 2020, hold a duly noticed Public Hearing for consideration of the Zoning Code amendments and did consider all public comments and testimony received prior to and during the hearing; and

**WHEREAS**, the City's General Plan, Zoning Code, Municipal Code and Administrative Code are incorporated herein by reference, and are available for review at City Hall during normal business hours.

**NOW, THEREFORE**, the Planning Commission of the City of San Leandro does hereby **RESOLVE** as follows:

The forgoing recitals are true and correct and made part of this resolution.

**BE IT FURTHER RESOLVED THAT:** The Planning Commission of the City of San Leandro does hereby make the following findings and determinations regarding the proposed amendments to the San Leandro Zoning Code:

1. The Planning Commission hereby finds that the proposed amendments to the San Leandro Zoning Code, as shown in Exhibit A, are in general agreement and are consistent with the goals, policies and actions of the San Leandro General Plan because they do not increase or intensify previously established development standards and because they are intended to clarify and consolidate established development standards found in the General Plan, adopted specific plans, and other sections of the Zoning Code, to allow for the continued high quality of development in the City, as further explained in the staff report associated with this Resolution, incorporated herein by reference.
2. The Planning Commission recommends the City Council approve an Ordinance

amending and re-chaptering the Zoning Code, as shown in Exhibit A of this Resolution, attached hereto and incorporated herein by this reference.