



Legislation Text

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RESOLUTION 2021-010 of the San Leandro Planning Commission Recommending City Council Adoption of an Ordinance Amending the San Leandro Zoning Code by Adding Section 4.04.336, Multi-family and Mixed-Use Residential Development, and Adopting Miscellaneous Zoning Code Amendments Related to Objective Development Standards for Multi-Family and Mixed-Use Residential Development Citywide

WHEREAS, the State of California and the City of San Leandro face an unprecedented housing shortage and affordability crisis. In 2019, the Legislature concluded that “California has a housing supply and affordability crisis of historic proportions”; and

WHEREAS, the Housing Accountability Act, Government Code section 65589.5, restricts the City of San Leandro’s ability to deny or reduce the density of all housing development projects (including residential development, transitional and supportive housing, and residential mixed used development) that are consistent with objective development standards; and

WHEREAS, per Senate Bill 35 (“SB 35”) (2017), Government Code section 65913.4, establishes a developer-initiated process to streamline the review and approval of housing developments (i.e., those proposing two or more multifamily units) meeting specific criteria, including affordable housing requirements and labor requirements. Such housing projects will be eligible for ministerial approval, which means the project is exempt from environmental review under CEQA and will only be subject to “objective” development standards; and

WHEREAS, the City seeks to adopt measurable and clear objective development standards applicable to multi-family and mixed-use developments (“Objective Standards”), in accordance with State law; and

WHEREAS, such Objective Standards will be applicable to multi-family and mixed-use housing development projects, as defined by the Housing Accountability Act, and as mandatory standards for all qualifying projects seeking streamlined, ministerial review under SB 35; and

WHEREAS, the State provided grant funding to the City of San Leandro to develop Objective Standards through the SB2 Planning Grants Program; and

WHEREAS, the City solicited input from community members throughout the multi-year process to create Objective Standards, including stakeholder interviews, a community design preference survey, two online workshops, an online survey tool, releasing a public review draft, and holding virtual office; and

WHEREAS, the proposed Zoning Code amendments would establish objective development and design standards to achieve high-quality multi-family and residential mixed-use development projects consistent with the City of San Leandro General Plan, which provides for the following

policies:

- **Policy CD-5.4 Architectural Consistency.** In established neighborhoods, protect architectural integrity by requiring infill housing, replacement housing, and major additions or remodels to be sensitive to and compatible with the prevailing scale and appearance of adjacent development.
- **Policy LU-6.1 Downtown Plans.** In accordance with the adopted Downtown Plan and Urban Design Guidelines and the Downtown San Leandro Transit Oriented Development Strategy, ensure that new downtown development is attractive and creates an image conducive to revitalization.
- **Housing Element Policy 59.01 Zoning Regulations.** Ensure that the development standards, use restrictions, parking requirements, and other regulations contained in the San Leandro Zoning Code enable the production of housing for all income groups. Overly restrictive or redundant requirements should be strongly discouraged.

WHEREAS, a staff report dated November 4, 2021, incorporated herein by reference, described and analyzed the proposed amendments for the Planning Commission; and

WHEREAS, the City of San Leandro Planning Commission held a duly noticed Public Hearing on November 4, 2021 for consideration of the proposed amendments, at which time all interested parties had the opportunity to be heard, and did consider all information pertaining to the proposed amendments, including the staff report, the findings, and all public comments and testimony received prior to and during the hearing.

NOW, THEREFORE THE PLANNING COMMISSION FOR THE CITY OF SAN LEANDRO RESOLVES THAT: The above recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED THAT: The Planning Commission hereby recommends that the City Council adopt San Leandro Zoning Code Section 4.04.336, Multi-family and Mixed-Use Residential Development, and Amendments to the San Leandro Zoning Code as shown in attached “Exhibit A” and incorporated herein by reference.

BE IT FURTHER RESOLVED THAT: The recommendation of the Planning Commission is based on a finding that the proposed additions and amendments of the San Leandro Zoning Code are consistent with the San Leandro General Plan in that the amendments further General Plan Policy CD-5.4, LU-6.1, and Housing Element Policy 59.01 by establishing appropriate objective development standards applicable to multi-family and mixed-use developments that will result in high-quality design without restricting the production of housing. The recommendation of the Planning Commission is also based on a finding that the proposed additions and amendments of the San Leandro Zoning Code are consistent with the purposes of the San Leandro Zoning Code because, in part, they will achieve progressively the land development described in the General Plan and improve the design and aesthetic quality of new development.

BE IT FURTHER RESOLVED THAT: In their recommendation to City Council, the Planning Commission finds that the proposed amendments are exempt pursuant to the California

Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment as the Ordinance has no potential to result in a direct, or reasonably foreseeable indirect impact on the environment, and because the amendments implement State law.