

City of San Leandro Planning Commission

RESOLUTION NO. 2026-XXX

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF SAN LEANDRO**

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND SECTIONS 1.12.108 AND 2.04.388 TO MODIFY REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS) AND DETERMINE THAT THE PROPOSED PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15282(H)

WHEREAS, the California State Legislature has enacted laws establishing standards for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) and circumscribed local authority to regulate such units; and

WHEREAS, the California Constitution, Article XI, Section 7, provides cities and counties with the authority to enact ordinances to protect the health, safety, welfare, and morals of their citizens; and

WHEREAS, the City updated its ADU and JADU regulations on December 19, 2022 by adopting Ordinance 2022-022, which amended Sections 1.12.108 AND 2.04.388, of the San Leandro Zoning Code (SLZC) to comply with State law; and

WHEREAS, since the adoption of Ordinance 2022-022, the State Legislature has approved, and the Governor has signed into law, a number of bills that, among other things, amend various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, the City Council desires to amend the City's Zoning Code provisions pertaining to ADUs and JADUs to comply with new state law; and

WHEREAS, the amendments would support Housing Element Goals 1 and 2, and Housing Element Programs 7, 13, and 14; and

WHEREAS, the SLZC authorizes the Planning Commission to review and make recommendations to the City Council on amendments to the SLZC; and

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; and

WHEREAS, on June 4, 2026, the Planning Commission held a duly noticed public hearing to consider the amendments, receive a Staff Report and Presentation dated June 4, 2026, take public testimony, and deliberate on the item; and

WHEREAS, the City's General Plan and Zoning Code are incorporated herein by reference and are available for review at City Hall during normal business hours and on the City's website at any time; and

WHEREAS, the amendments are exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15282(h), which exempts the adoption of a local ordinance to implement state ADU and JADU law.

NOW, THEREFORE IT BE RESOLVED 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 an ordinance amending Sections 1.12.108 and 2.04.388 of the SLZC as shown in attached Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED THAT: The Planning Commission does hereby make the following findings and determinations regarding the proposed amendments to the San Leandro Zoning Code considering the staff report and the whole of the record:

1. The proposed amendments are exempt from the requirements of CEQA per CEQA Guidelines Section 15282(h), which exempts the adoption of a local ordinance to implement state ADU and JADU law.
2. The proposed Zoning Code Amendments are necessary and desirable to achieve the purposes of the Zoning Code because they conform the Zoning Code to the requirements of State ADU and JADU law.
3. The proposed Zoning Code Amendments are internally consistent, and are consistent with the City's General Plan because they support Housing Element Goals 1 and 2, and Housing Element Programs 7, 13, and 14.

PASSED, APPROVED, AND ADOPTED, on this 4th day of June, 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Anthony Tejada
Chair of the Planning Commission

ATTEST:

Wayland Li, AICP
Secretary to the Planning Commission