



# City of San Leandro

Meeting Date: April 3, 2017

## Ordinance

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**File Number:** 17-107

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.K.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Cynthia Battenberg  
Community Development Director

**FINANCE REVIEW:** Not Applicable

**TITLE:** ORDINANCE Amending the San Leandro Zoning Map to Clarify and Correct Map Designations at 555 Estudillo Avenue and 100 Halcyon Drive

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**WHEREAS**, the San Leandro City Council adopted a revised General Plan in September 2016, including a revised Land Use Diagram; and

**WHEREAS**, the City Council adopted concurrent Zoning Map amendments in September 2016, in order to establish consistency between the General Plan and Zoning Maps; and

**WHEREAS**, the General Plan Land Use Diagram and Zoning Map may be periodically amended to incorporate clarifications and corrections to existing designations, as well as substantive and non-substantive changes; and

**WHEREAS**, the need for a few Land Use Diagram and Zoning Map clarifications and corrections have become apparent in the months since the revised General Plan's adoption; and

**WHEREAS**, these Amendments designate an un-zoned parcel at 555 Estudillo Avenue as Professional Office (P) and rezone a portion of a property located at 100 Halcyon Drive from Industrial Park, Assembly Overlay (IP-AU) to Industrial General, Assembly Overlay (IP-AU), as shown in attached Exhibit A, incorporated herein by reference; and

**WHEREAS**, these changes are non-substantive and consistent with the goals, policies, and actions in the General Plan; and

**WHEREAS**, the Planning Commission considered the proposed Amendments to the San Leandro Zoning Map at a public hearing held on February 16, 2017 and, after considering the staff report and public testimony, recommended City Council approval of the Amendments by adopting Planning Commission Resolution 2017-001; and

**WHEREAS**, on March 10, 2017, the Community Development Department published a public hearing notice in the East Bay Times Daily Review for the San Leandro City Council March 20, 2017 regular meeting regarding the proposed Amendments; and

**WHEREAS**, these changes were previously evaluated and addressed by an Environmental Impact Report adopted in September 2016 for the 2035 General Plan.

**NOW, THEREFORE**, the City Council of the City of San Leandro does **ORDAIN** as follows:

**SECTION 1. Recitals.** The above recitals are true and correct and made a part of this ordinance.

**SECTION 2. CEQA.** The changes are exempt from the California Environmental Quality Act, since they depict the uses intended under the 2016 General Plan, the impacts of which were previously addressed by an Environmental Impact Report adopted by the City Council in September, 2016;

**SECTION 3. Findings.** Based on the entirety of the record, the City Council hereby finds that the proposed Zoning Map Amendments as shown in attached Exhibit A are consistent with the 2035 General Plan adopted in September, 2016. The City Council further finds that consideration of the proposed Zoning Map Amendments complied with the notice and hearing provisions of the Zoning Code.

**SECTION 4. Approval.** The City Council hereby approves the Amendments to the City Zoning Map as shown in the attached Exhibit A, incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

**SECTION 5. Severability.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

**SECTION 6. Publication and Effective Date.** This Ordinance shall take effect thirty (30) days after adoption. The City Clerk of the City of San Leandro shall cause this Ordinance to be published in accordance with Section 36933 of the Government Code of the State of California.