



CITY OF SAN LEANDRO PLANNING

FREQUENTLY ASKED QUESTIONS

Handout Sheets

CITY OF SAN LEANDRO
Community Development
Department

835 East 14th Street
San Leandro, CA 94577
T: (510) 577-3325
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www.sanleandro.org

ZONING 101

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ZONING 101

Zoning District / Land Use

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What are zoning regulations?

Zoning is a tool used by the City to regulate the uses and development of land and is intended to: Protect property values; Avoid conflicts between uses; Guide new growth, and; Influence the design of new or expanded buildings.

Zoning permits certain types of uses and prohibits others.

Zoning regulates many aspects of construction, including:

- Height and bulk of buildings
- Density of buildings
- Required setbacks, yard and open space
- Off-street parking
- Fence height

How many zones does San Leandro have?

There are 32 zones that largely fall into commercial, residential, industrial, and open space categories.

What zone is my property in?

There are several ways to find out your property's zoning.

- The City's zoning map is online at: <http://www.sanleandro.org/civicax/filebank/blobdload.aspx?blobid=7517>
- You may contact Planning at 510-577-3325
- Visit our Permit Center at 835 East 14th Street during business hours.

What is a Conditional Use?

A Conditional Use is a use that is not outright allowed in a given Zoning District. A Conditional Use Permit runs with the land (and not the business or person). Conditional Uses require a Board of Zoning Adjustments hearing in order to determine if the proposed use:

- Is necessary or desirable to the neighborhood
- May have negative impacts on the surrounding environment
- Complies with the City's General Plan.



PLANNING DRAWINGS

Site Plan / Setback / Daylight Plane

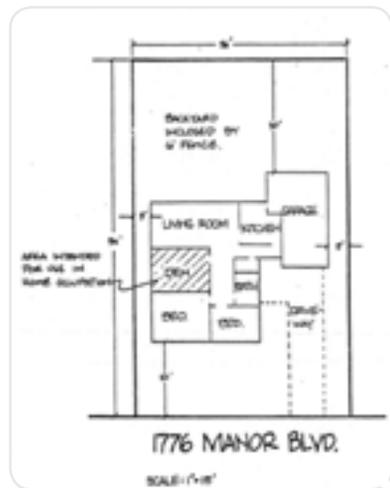
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What is a Site Plan?

A Site Plan is a detailed, to-scale drawing of proposed improvements to a given lot.

- Draw and label the property line and all setbacks.
- Show all structures on property, including sheds and patio covers.
- Label all dimensions of structures and space between structures.



What is a Setback?

The Setback is the distance from the front, side, and rear property line that cannot be built upon except where permitted in the Zoning Code.

What is a Daylight Plane?

[1-304]

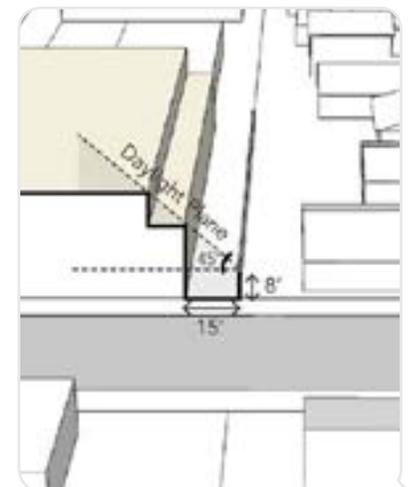
A Daylight Plane is an angled building height limit that defines the building envelope. All new structures and additions must fall within this envelopment.

[2-537]

• In RS, RS-40, RS-VP, RO, RD Districts: The Daylight Plane begins at 19 ft 6 in above grade at each setback line and shall slope inwards at a 45° angle.

[2-680.B]

• In C or P Districts: The Daylight Plane begins 8 ft above grade at a side or rear property line and shall slope inwards at a 45° angle.





ACCESSORY STRUCTURES

Garages, Sheds, Workshops

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What is the required Setback for Accessory Structures?

[2-546]

For structures \leq 120 square feet in area:

- 0 to 5 feet if \leq 8 feet in height (at ridge)

For structures $>$ 120 square feet in area:

- 3 feet, if within 25 feet of rear property line
- 5 feet, if not within 25 feet of the rear property line

If there is an existing legal nonconforming structure closer to the property lines than described above, it may be rebuilt and repaired in the same size and in the exact same place, as long as the structure is not demolished prior to application for building permits; an Administrative Exception can be requested for extenuating circumstances (such as reduced setbacks) in certain situations.

What is the maximum height of an accessory structure?

[2-546.E]

For structures \leq 120 square feet in area:

- Ridge height of 8 feet if within 5 foot setback
- Average height of 12 feet and ridge height of 15 feet

For all structures $>$ 120 square feet in area:

- Average height of 12 feet and ridge height of 15 feet

How large can a detached garage or shed be?

[2-546.C]

Maximum size of an accessory structure is 500 ft

[2-574]

An Administrative Exception can be requested to exceed the size, subject to Zoning Enforcement Official (ZEO) discretion



NONCONFORMING / NON-PERMITTED STRUCTURES

Lot, Structures, Additions

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There is a nonconforming structure on the property I just bought. What can I do?

[4-2000]

A structure that conformed to a previous Code but no longer conforms to the current Code for setbacks, height, FAR, driveways, or open space is considered “nonconforming”, but its use can be continued, repaired, and maintained – but not expanded in any way – with the exception of single-family and two-family residential.

[2-574]

The Zoning Enforcement Official may approve an Administrative Exception for (1) an extension of an existing building line in a single-family residence within the required setback; (2) Height and setbacks for Accessory Structures, and (3) Required Daylight plane.

[4-2004]

A conditional use permit may be requested for the expansion of a nonconforming single family or two-family dwelling, based on (1) impacts to the surrounding area and (2) visual compatibility.

There are non-permitted structures or additions on the property I just bought. What can I do?

Any work that was done without permits, no matter what their current “age”, must be legalized to the current Building, Zoning and Fire codes, or removed if they cannot conform to current requirements.

My lot is smaller (width or area) than the minimum requirement in the zoning district. What can I do?

[4-1650]

R District: The property is still subject to the same yard, setback, density, and FAR as the current code and you can have 1 dwelling on it. You’ll need a use permit for any other proposed new use.

Other Districts: You’ll need a use permit for any proposed new use, whether permitted or conditional.



RESIDENTIAL ADDITIONS SUMMARY TABLE

Setbacks / Heights / Coverage / Density / Floor-to-Area Ratio

SUMMARY TABLE (Exceptions may apply)									
	RO	RS	RS-40	RS-VP	RD	RM-3000	RM-2500	RM-2000	RM-1800
Min Site Area per Unit (sf)	8,000	5,000	5,000	5,000	2,500	3,000	2,500	2,000	1,800
Min Lot Area (sf)	8,000	5,000	5,000	5,000	5,000	6,000	7,500	10,000	10,000
Min Lot Width (ft)	60	50	50	50	50	60	75	100	100
Min Front Yard (ft)	20	20	20	20	20	20	15	15	15
Min Side Yard (ft) *	6 to 12 [1]	5	5	5	5	min 6, avg 10			
Min Rear Yard (ft) **	10 to 25 [1]	15	15	15	15	15	15	15	15
Max Height (ft)	30 [2]	30	30	18	30	40	45	50	50
Max Site Coverage (incl. garage/carport)	33-1/3%	50%	50%	50%	50%	50%	50%	60%	70%
Max Density	Depends [3]	1 unit + 1 accessory dwelling			Two-Family	14.5 du/acre	17.5 du/acre	22 du/acre	24 du/acre
Max FAR (Lot < 5,000 sf)	50% + 500 sf garage; Max livable 4,000 sf	50% + 450 sf for garage; Max livable area 2,500 sf			No FAR regulations, but see Zoning Code Section 2-558 RM Districts Requirements for Open Space				
Max FAR (Lot 5,0001- 8,000 sf)		50% + 500 sf for garage; Max livable area 4,000 sf							
Max FAR (Lot > 8,000 sf)	[4]	[3]							

CORNER LOTS	RO	RS	RS-40	RS-VP	RD	RM-3000	RM-2500	RM-2000	RM-1800
Min Site Area per Unit	8,000	6,000	6,000	6,000	3,000	3,000	2,500	2,000	1,800
Min Lot Area (sf)	8,000	6,000	6,000	6,000	6,000	7,000	8,500	12,000	12,000
Min Lot Width (ft)	60	60	60	60	60	70	85	120	120
Min Side Yard (ft)	10	10	10	10	10	20	15	15	15

[1] Zoning Code [Section 2-550 RO Additional Setbacks and Lot Coverage Requirements](#)

[2] Zoning Code [Section 2-536 RO Additional Height Restriction](#)

[3] Zoning Code [Section 2-554 Additional Dwelling Units in RO](#)

[4] Zoning Code [Section 2-539 Maximum Floor Area Ratio \(FAR\)](#)

SOME EXCEPTIONS

Building projections (porches, chimneys, eaves) are allowed with specific allowances [\[4-1654\]](#)

* Existing side setbacks less than 5 feet for single-family residential can be extended with an Administrative Exception [\[2-574\]](#)

** Rear yard can be reduced to 10 feet, if an open area of 400 sf, min. dimension of 15 ft, is maintained free of structures [\[2-542.E\]](#)



RESIDENTIAL ADDITIONS CALCULATING AREA

Coverage / Livable Area / Floor-to-Area Ratio

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How much livable area is allowed on my lot?

[2-539]

It varies by lot size and zone. For lots less than 8,000 sf, the maximum livable area may not exceed 50% of the total area of the lot. See Residential Additions- Overview.

How much of the lot can be covered with structures?

[2-538]

50% of the lot may be covered in RS, RD and RM-3000 zones. In RO districts, no more than 33.3 percent of the lot may be covered.

Does livable space include my garage?

[2-578.D]

No. Garages, carports, accessory buildings, basements, attics or lofts with a ceiling height of less than 7 feet and balconies, and porches and decks that are unenclosed on at least one side are not counted as livable floor area.

Does coverage include my garage? Carport?

[2-546.C]

Yes, structures that are enclosed on all sides are counted as part of the lot coverage. Carports, porches, decks, or other accessory structures that are unenclosed on at least two sides, 50% of the roof area is counted towards the coverage.

Does floor-to-area ratio include my garage?

[1-304]

No. The floor area of a building excludes the area used exclusively for vehicle parking and loading.



RESIDENTIAL ADDITIONS SITE PLAN REVIEW

Zoning / Size / # of Stories

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Can I add a second story?

[2-580]

Yes, but all additions to a second story or to add a new second story require design review (Residential Site Plan Review). This requires noticing adjacent property owners and a decision by the ZEO. Depending on the size and location of your property, there may need to be a public hearing. This is a minimum 6 week process.

Can I double the size of my home?

[2-580]

Yes, but if you add more than 100% of the livable area, the project requires a Residential Site Plan Review.

[2-582]

Any addition in the RS-VP district requires design review. (Residential Site Plan Review.)

[4-1704]

PARKING: If proposing more than 4 br or over 4,000 sf of livable area, you'll need to provide 1 more uncovered space. Can be tandem if set back 30 ft from property line.

What type of site plan review will I need for my project?

It depends on the zoning, the size, and the number of stories involved.

[2-584]

ONE-STORY RESIDENTIAL	RS / RO / RS-40	RS-VP
< 250 sf	None Required	Minor Site Plan Review Notice Adjacent + ZEO Decision
> 250 sf, but < 2x current livable sf	None Required	Major Site Plan Review Notice 500' + Hearing + ZEO
> 2x current livable sf	Major Site Plan Review Notice Adjacent + Hearing + ZEO	
> 4,000 sf livable or > 6,000 sf multi-family	Major Site Plan Review Notice Adjacent + Hearing + BZA	Major Site Plan Review Notice 500' + Hearing + BZA
TWO-STORY RESIDENTIAL	RS / RO / RS-40	RS-VP
Additions / New Home	Minor Site Plan Review Notice Adjacent + ZEO Decision	Major Site Plan Review Notice 500' + Hearing + BZA
> 2x current livable sf	Major Site Plan Review Notice Adjacent + Hearing + ZEO	
> 4,000 sf livable or > 6,000 sf multi-family	Major Site Plan Review Notice Adjacent + Hearing + BZA	



RESIDENTIAL ADDITIONS EXTERIOR CHANGES

Windows / Ramps / Material Finishes

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What types of exterior finishes are allowed?

Any exterior changes should be compatible with the design of the existing building and the surrounding environment.

We do not allow you to use T-1-11 siding*, but other than that, we do not require design review for exterior changes unless it is in a large addition (over 100% of existing) or a two-story addition, where a Site Plan Review is then required.

Can I add a window?

Simple window changes are not subject to Planning review, unless the building(s) were originally approved under a Site Plan Review, Planned Development or other discretionary approvals. If so, Planning approval is required.

Can I add a handicap ramp?

[4-1654]

Handicap ramps can project into the front yard setback, but not the public right-of-way or driveway, with an Administrative Review.

*T1-11 siding considered a cheap wood or wood-based siding product that is more appropriate as a barn material and has been shown to have a high moisture absorption rate on the edges after being applied.



RESIDENTIAL ACCESSORY DWELLING UNITS

Attached / Detached

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Can I add a second kitchen
to my single-family
dwelling?

[2-576]

In R districts you may be allowed to add an accessory dwelling unit subject to size / coverage / height limitations + parking requirements + payment of additional fees.

- Parking (outside of setback): 1 more space, can be tandem if in the driveway
- Attached (max 750 sf): Lesser of: 10% of lot or 50% of heated
- Detached: Must meet setback requirements. See accessory structures.
- If in Garage: Parking must be replaced outside of setbacks.

UNDER REVISION.
UPDATED ACCESSORY DWELLING UNIT ZONING CODE
TO BE ADOPTED ON JANUARY 1, 2017



FENCES / WALLS / HEDGES

Maximum Heights / Design Restrictions

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Tubular Fence

How tall a fence can I build?

[4-1682]

In most R districts, 7 ft tall fences are permitted, except in the required front yard, where the maximum height is 3 ft.

- In RO, 6 ft tall fences are permitted, except in required front or corner side yard, max height is 3 ft.
- In RS-VP, any portion of a fence over three (3) ft tall must be constructed of transparent material.
- In Commercial and Industrial districts, the maximum height shall be 8 feet.
- Corner lots and properties in RO, RS, RS-40, RD and RS-VP districts are subject to additional restrictions.

[4-1682.C]

An administrative variance may be requested to the above, through a Fence Modification permit.

Do I need a Building Permit?

Possibly, if your fence meets either of the following:

- Brick, Stucco, or Masonry Wall over 4 ft tall
- Wooden Fence over 6 ft

What kind of a fence can I build?

[4-1678]

Razor/barbed wire are not permitted in any Residential districts or in most Commercial districts, and is only allowed 300 feet from public street frontage in certain Industrial districts.

[4-1682.A]

In RS-VP, any portion of a fence over three (3) ft tall must be constructed of transparent material.

How do I determine where my property line is?

Your property line is likely several feet behind the back of sidewalk, somewhere in your yard. Fences and walls are not allowed in the street right-of-way.

Call Planning at 510-557-3325 or visit the Permit Center to find out how to measure where your property line is because the right-of-way varies by street.



PERMIT TYPES

Conditional Use / Site Plan Review / Admin Review / Fence Modification

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The planners who've been here longer than me warn that the neighborhood around 579 Estudillo is very vocal and may oppose the addition of a massage business in the area. The conditional use permit runs with the property (and not the person), so there may be a fear that if you ever leave the location, a non-reputable massage business could easily move in. It's part of the risk of trying to get a conditional use permit and a public hearing. Even if the City supports the use, we'll need to make sure that the community would as well.

The \$7,500 deposit is used to cover the cost of time the City staff spend on your project (including reviewing your plans and noticing the neighbors.)

Staff will track how many hours they spend on your project and, if there is any remaining money left, whether or not the project gets approved, then you get that portion back.