CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-01

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING RENEWAL OF A USE PERMIT FOR THE CLUBHOUSE BAR FOR THE USE OF A REAR PATIO AND LAWN AREA FOR OUTDOOR SEATING AREA AT 1215 PARK STREET.

WHEREAS, the Club House Bar ("Applicant") is requesting approval for renewal of a Use Permit to use an existing rear patio and yard area for outdoor customer seating at 1215 Park Street ("Project"); and

WHEREAS, the subject property is designated as Community Commercial in the General Plan; and

WHEREAS, the subject property is located in a C-C-T, Community-Commercial-Theatre Combining District; and

WHEREAS, the Planning Board held a duly noticed public hearing on January 10, 2022 for the Project and examined pertinent maps, drawings, and documents.

NOW THEREFORE, BE IT RESOLVED, that the Planning Board finds this project categorically exempt from environmental review pursuant to CEQA Guidelines Section 15301 - Existing Facilities, and finds that none of the exceptions to the categorical exemptions apply. As a separate and independent basis, the project is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 (projects consistent with General Plan and Zoning); and

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Use Permit application:

1. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** As conditioned the proposed outdoor patio is compatible with other commercial and residential land uses in the surrounding neighborhood area. The project is conditioned to prohibit live or amplified music or announcements in the patio that would be incompatible with neighboring residential uses. Additionally the hours for customers to use the outdoor patio area are limited to minimize disturbances to the surrounding neighborhood area.

2. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The location of the project is fully developed and does not require additional service facilities. The proposed outdoor patio is an option for customers and the patio seating alone will not increase the vehicle traffic or parking demand of the bar use. The Park Street Business District has several City operated parking lots and street parking within walking distance to the bar, as well as bike parking facilities throughout the district. The site is located on Park Street which is served by AC Transit bus routes 20, 21, 51A, O and W.

3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposed outdoor seating, as conditioned, will not adversely affect the surrounding properties, or hurt existing business districts or the local economy. The proposed use is a low-intensity use that is consistent with the pedestrian-oriented commercial uses facilitated by the Community Commercial zoning regulations. The proposal does not involve design changes

to the exterior of the building. Compliance with the conditions of approval will further minimize the possibility of adverse effects on adjacent property.

4. **The proposed use relates favorably to the General Plan.**
   The proposed outdoor seating for a bar will provide a low-intensity use compatible with the Community Commercial General Plan designation. The proposal is consistent with the General Plan because the proposed use would not have any negative impacts upon the surrounding properties and commercial businesses. General Plan Policy 2.5.a also calls for providing enough retail business and services to provide Alameda residents with a full range of services.

BE IT FURTHER RESOLVED, that the Planning Board approves a Use Permit to allow an outdoor seating area in the rear patio and yard area at 1215 Park Street, subject to the following conditions:

1. Limitations Outdoor Patio Area Hours of Use: The use of the outdoor areas shall be limited to the following locations and times:

   - The lawn area will be closed to use Monday through Friday. On Saturday and Sunday, the lawn area will be limited to the hours of 11:00 am to 6 p.m. or dusk, whichever comes first.
   - The patio area will be open 11:00 am to 9:00 p.m. Sunday through Thursday and until 10 p.m. on Friday and Saturday.

2. Signs. Signs shall be posted in the back yard and patio area informing patrons of the need to be respectful, mindful, and courteous of the adjacent neighbors.

3. Video. The back patio area shall be equipped with surveillance cameras to enable the staff to monitor activities on the patio area at all times.

4. Phone Numbers. The applicant shall provide neighbors with a direct line that can be used to talk to the staff when the noise in the rear patio or yard is becoming excessive or if patrons are not acting courteous or mindful of the needs of the neighbors.

5. Prohibitions on Amplified Sound: No amplified speakers are allowed in the outdoor patio or garden.

6. Prohibition on Smoking: No smoking is allowed in the outdoor patio area. A “No Smoking” sign shall be posted in the outdoor patio area at all times.

7. Exterior Lighting: Exterior lighting fixtures shall be limited to the patio area and shall be low intensity, directed downward and shielded to minimize offsite glare consistent with the City’s Dark Skies Ordinance, AMC Section 30-16.c.

8. Privacy Screening: The applicant shall install a new privacy fence along the rear property line that is eight feet tall, as permitted in AMC Section 30-5.14. Final design shall have input from adjacent residential neighbors.

9. Landscaping Buffer: The applicant shall maintain landscaping features such as shrubs, trees, and flowers in the approximately two feet between the lawn area and neighboring fences in order to discourage patrons from approaching fences.
10. Posting of Use Permit and Conditions: A copy of this Use Permit and conditions of approval shall be posted on the premises at all times. Bar employees shall be informed of these conditions of approval and limits of this Use Permit.

11. Revocation: This Use Permit may be modified or revoked by the Zoning Administrator, Planning Board, or City Council, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator, Planning Board, and/or City Council determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building, and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 10th day of January 2022, by the following vote to wit:

AYES: (7) Cisneros, Curtis, Hom, Rothenberg, Ruiz, Saheba, and Teague

NOES: (0)

ABSENT: (0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-02

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AND DEVELOPMENT PLAN AMENDMENT APPLICATION NO. PLN21-0459 TO ALLOW THE CONSTRUCTION OF EIGHT TOWNHOME DWELLINGS WITHIN AN EXISTING 1.29-ACRE RESIDENTIAL DEVELOPMENT AT 2607 – 2619 SANTA CLARA AVENUE & 1514 – 1518 BROADWAY.

WHEREAS, an application was made on September 28, 2021 by Branagh Land, Inc., for a Design Review and Development Plan Amendment Application to allow the construction of eight townhome dwellings within an existing 1.29-acre residential development located at 2607 - 2619 Santa Clara Avenue & 1514 - 1518 Broadway; and

WHEREAS, the application was accepted as complete on January 24, 2022; and

WHEREAS, the subject property is designated as Medium Density Residential on the General Plan Diagram; and

WHEREAS, the subject property is located in R-5-PD (General Residential - Planned Development) and R-4-PD (Neighborhood Residential – Planned Development) Zoning Districts; and

WHEREAS, on November 23, 2020, the Planning Board held a duly noticed public hearing and approved Planning Board Resolution No. PB-20-25 for Development Plan and Density Bonus Application No. PLN19-0448 for the residential development. The Planning Board also held a duly noticed public hearing and approved Planning Board Resolution No. PB-20-26 for Tentative Map Tract 8534 to subdivide the existing 1.29-acre property into 12 lots; and

WHEREAS, on January 19, 2021, the City Council held a duly noticed public hearing and approved Resolution No. 15737 for Tentative Map Tract 8534 and Density Bonus Application PLN19-0448; and

WHEREAS, on February 14, 2022, the Planning Board held a duly noticed public hearing to review the proposed Design Review and Development Plan Amendment application PLN21-0459 for the construction of eight townhome dwellings and examined all pertinent maps, drawings, and documents; and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board finds Design Review Approval for a permitted use is not subject to CEQA. *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80, Public Resources Code Section 21080. As a separate and independent basis, the development plan amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15332, In-fill Development, and none of the exceptions apply; and

BE IT FURTHER RESOLVED, that pursuant to AMC Section 30-4.13(f)(3), the Board has made the following findings relative to proposed Development Plan:

1. **The development is a more effective use of the site than is possible under the regulations for which the PD district is combined.** The proposed development is a more effective use of the site because the proposal will include the construction of eight additional residential units, and deed restriction of two very low-income affordable housing units on the property. The Development Plan and Density Bonus Waivers allow for a site plan that achieves the additional residential units while providing access, parking, and usable open space areas for the residential development.

2. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** The eight proposed townhomes are located at the center of the residential development, and will have minimal visibility from the street. Surrounding properties include similar residential uses to the proposed project. The proposed use, as conditioned, is consistent with the General Plan designation and the Zoning Ordinance, and will be operationally compatible with the surrounding area. The architectural designs of the buildings are architecturally, aesthetically harmonious with the community and the surrounding development.

3. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The bus stop for the AC Transit lines 51A and 851 is located at the corner of Broadway and Santa Clara Avenue adjacent to the site. In addition, existing bike lanes are located along Broadway and Santa Clara Avenue provide connections to the bicycle network throughout Alameda. The site is located within walking distance to the pedestrian oriented Park Street Commercial District.

4. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The eight proposed townhomes are located at the center of the residential development, and will have minimal visibility from the street. The addition of eight residential units will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.

5. **The proposed use relates favorably to the General Plan.** The proposed Development Plan to allow the construction of eight townhomes is consistent with the Medium Density Residential land use designation of the General Plan. In addition, the additional housing units contribute to the City meeting Goal No. 1 of the 2015-2023 Housing Element by providing opportunities to support, maintain, and enhance Alameda’s diverse community and excellent quality of life and provide for the housing needs of Alameda's future residents and regional housing needs. The project location adjacent to the existing AC Transit stop and within walking proximity to the Park Street

commercial area supports Goal No.3 of the Housing Element by creating transit oriented pedestrian friendly neighborhoods to reduce regional and local greenhouse gas emissions and local traffic congestion.

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Density Bonus Application:

1. The proposal qualifies for a density bonus pursuant to State Density Bonus Law and Alameda Municipal Code Section 30-17. The applicant is proposing that 7% of the 28 base units (i.e., two (2) units) will be available to very low-income households, which qualifies the project for a 25% density bonus or 7 "bonus" units, for a total project size of 35 residential units on the 1.29 acre site. The applicant is proposing 30 residential units in the development plan.

2. Pursuant to AMC section 30-17, the project is eligible for an unlimited number of waivers from development standards that would "physically preclude" the project from developing at the allowed density. To enable development of the permitted density, the Planning Board grants the following density bonus waivers because each of the development standards below would "physically preclude" the project from developing at the permitted density:

    a. Multifamily Housing Waiver. AMC section 30-53 prohibits multifamily housing in Alameda. It is not possible to fit the eight new units on the property as conforming single-family or duplex units in conformance with AMC 30-53. The proposed waiver allows for construction of a three-unit multifamily building and a five-unit multifamily building. The request for a waiver from the multifamily prohibition would not result in any specific, adverse health or safety impacts, or impacts to the physical environment.

    b. Front Yard Setback Waiver. AMC sections 30-4.4 and 30-4.5 require 20 foot front yard setbacks for all development. As shown on the Development Plan, none of the proposed lots for the existing 11 buildings provide a 20 foot front yard setback. (The front yard setbacks for the existing buildings range from 5 feet to 15 feet.) The three new buildings would not front onto a public street. The waiver would not result in any specific, adverse health and safety impacts, or impacts to the physical environment.

    c. Rear Yard Setback Waiver: AMC sections 30-4.4 and 30-4.5 require 20 foot rear yard setbacks for all development. The Development Plan provides rear yard setbacks of 20 feet for three of the existing residential buildings. The rear property lines for the existing buildings reflect the location of existing fence lines. The new townhomes would have 11 foot rear yard setbacks. The waiver from the rear yard setback standard would not result in any specific, adverse health or safety impact, or impacts to the physical environment.

    d. Side Yard Setback Waiver: AMC sections 30-4.4 and 30-4.5 require 5 foot side yard setbacks. The Development Plan provides side yard setbacks that range between 1

foot and 5 feet from the side property lines. As shown on the plans, the new property lines and "no build" easements have been placed to ensure compliance with California Building Code fire and life safety requirements for a minimum distance between buildings. The waivers are necessary to create the necessary lots for each of the existing buildings and to accommodate the additional eight units. The plan has been reviewed by the Building and Fire Department to ensure that it conforms to all life safety requirements. The waiver from the side yard setback standard would not result in any specific, adverse health or safety impact, or impacts to the physical environment.

e. Open Space Waiver: AMC sections 30-4.4, 30-4.5, and 30-5.12 requires 4,000 square feet of open space for the 20 units in the R-5 district (200 square feet per unit) and 2,400 square feet for the six units in the R-4 district (400 square feet per unit.) The five single family homes on Lots 4, 5, 6, 7, and 8 contain private back yards on individual lots and are not included in the open space calculations. Although the applicant is able to provide 4,630 square feet of common open space, a waiver for the open space requirements is required because the project does not have enough space on site to provide the required private open space that meets the dimension and setback requirements of the AMC. The private open space is required to provide a 5 foot side yard setback, a 10 foot rear yard setback, and have a minimum width of 10 feet. Because of these dimension requirements the applicant is unable to physically fit private open space in the development and therefore is requesting a waiver from the open space requirements. The requested waiver will not result in any specific, adverse health or safety impact, or impacts to the physical environment.

f. Minimum Lot Size and Width Waiver. AMC sections 30-4.4 and 30-4.5 require a minimum lot size of 5,000 square feet and minimum lot width of 50 feet. The Tentative Map lots range in size from 1,341 square feet to 15,194 square feet and in width from 34 feet to 100 feet. Lots 1-2, 4-8, 10 and 11 are less than 5,000 square feet in size. Lots 3-9 and 11 are less than 50 feet in width. The proposed lots, however, are largely reflective of existing conditions, including existing fence lines. The proposed lot sizes are not uncommon in Alameda and will not result in any specific, adverse health or safety impact, or impacts to the physical environment.

3. Pursuant to State Density Bonus Law, Government Code Section 65915(d)(2)(A), the project qualifies for one incentive or concession because more than 5% of the "base density" units will be affordable to very low income households. The applicant is requesting a concession to waive the requirements that 30% (three) of the new units satisfy the Universal Design requirements set forth in AMC section 30-18.4(b). Although the applicant is able to meet the 100% visitability requirement, they are not able to meet the 30% universal design requirement that requires that 30% (three (3)) of the eight units also provide an accessible route to an accessible bathroom, an accessible common use room, an accessible bedroom, an accessible kitchen, accessible common or private open space; accessible laundry facility, and adaptable internal stairs. To do so in a townhome building would require installation of an elevator

which is not economically feasible or a larger footprint for each building, which is not physically feasible. The concession or incentive results in actual or identifiable cost reductions to provide for affordable housing costs.

BE IT FURTHER RESOLVED, the Planning Board made the following findings relative to the Design Review approval PLN21-0459:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual. The proposal includes materials, architectural elements, and building colors to match and complement the existing buildings on the site and the surrounding neighborhood.

2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses. This project involves the construction of two residential buildings containing eight townhome dwellings located within an existing residential development. The architectural design is a modern interpretation of the adjacent buildings; the design incorporates the gabled roof forms, windows, and materials that are prevalent in the neighborhood. The exterior features include a combination of smooth sided vertical and horizontal siding, and shingle siding that relates to the varied siding elements of the surrounding neighborhood. Other notable features include decorative metal canopies over entrances, belly band, decorative lighting, wood trim and accent, and a boxed-window surround. The proposed three-story townhomes are approximately 37.5 feet tall, which is within the 40 feet maximum height limit and similar to the height of the three-story buildings fronting Broadway. In addition, the site has minimal visibility from the street and a large open space buffer between residents to the south, and therefore results in an appropriate transition in height and scale with the adjacent neighborhood.

3. The proposed design of the structure and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development. The proposed modifications are designed to be compatible with the surrounding neighborhood and will utilize similar roof forms, exterior siding, windows, and decorative wood trim around the building which are also compatible with the design elements found on buildings in the surrounding neighborhood; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves Design Review and Development Plan Application No. PLN21-0459 to allow the construction of eight townhome dwellings at 2607 - 2619 Santa Clara Avenue & 1514 - 1518 Broadway, subject to the following conditions:

1. Planning Board Resolution PB-20-25: The project shall comply with all conditions of approval in Planning Board Resolution No. PB-20-25. In the event in a conflict between the conditions contained in this resolution and resolution PB-20-25, the conditions of approval in this resolution shall govern.

2. Building Permit Conditions: The conditions contained in this resolution and in Planning Board Resolution No. PB-20-25 and City Council Resolution No. 15737 shall be printed on the first pages of all building plans and improvement plans.

3. Substantial Compliance with Approvals: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by Hunt, Hale, Jones Architects, received on February 2, 2022, and on file in the office of the City of Alameda Planning, Building & Transportation Department, except as modified by the conditions listed in this resolution.

4. Changes to Approved Plans: This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.

5. Vesting: This Design Review approval shall expire two (2) years after the date of approval or by **February 14, 2024** unless substantial construction or use of the property has commenced under valid permits. Upon written request and payment of appropriate fees submitted no later than the expiration date of the Design Review approval, the Applicant may apply for a time extension not to exceed two (2) years. An extension request will be subject to approval by the Planning Director and must be filed prior to the date of expiration.

6. Affordable Housing Agreement: Prior to issuance of building permits, the project applicant shall execute an Affordable Housing Agreement with the City in conformance with the requirements of AMC Section 27-1. The Affordable Housing Agreement will require two (2) on-site residential units affordable to Very Low-Income households.

7. Development Impact Fees: Prior to the issuance of building permits, the applicant/developer shall pay all applicable Development Impact fees pursuant to AMC Section 27-3.5.

8. Public Art Requirement: Prior to final building inspection, the Applicant shall demonstrate compliance with the Public Art Ordinance (AMC Section 30-98).

9. Bicycle Parking: The project shall provide 8 short term and 2 long term bicycle parking spaces as required by AMC Section 30-7.15. Locations for bicycle parking consistent with the AMC bicycle requirements shall be shown on the Building Permit plans. The bicycle facility should be located in a secure and safe location and accessible from high pedestrian/bicycle traffic areas, such as at the street frontage, to the satisfaction of the Planning, Building & Transportation Department.

10. Building Permit Plans: Prior to submittal of building permits, the applicant shall incorporate the following into the building permit plan set:
    a. Incorporate the alternative entry canopy design that utilizes 3-foot deep

alternating flat and shed roof metal canopies.

b. Incorporate decorative bollards along the eastern edge of the parking lot to protect the common open space area from vehicles.
c. Ensure the project meets the Fair Housing guidelines
d. Provide a photometric study to ensure the lighting plan meets the minimum requirements for egress lighting.

11. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable

12. Dark Skies Ordinance: Plans submitted for building permits shall demonstrate compliance with the Alameda Dark Skies Ordinance (AMC Section 30-5.16.c), as applicable

13. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, Applicant/Developer shall submit a complete WELO Landscape Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d), subject to the approval of the Planning, Building, and Transportation Director.

14. Landscape Maintenance Agreement. Prior to issuance of building permits, the applicant shall include a landscape maintenance agreement, service contract or other guarantee for the long-term maintenance and upkeep of the open space within Lot 12. The requirement for such long-term landscape maintenance guarantee shall be included in the CC&Rs for the development, and be subject to approval by the Planning, Building, and Transportation Director.

15. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a dust control program is implemented consistent with City and BAAQMD requirements. Construction activities shall be subject to the requirements of the Alameda Municipal Code, which restricts construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.

16. Building Permit plans shall incorporate the approved window schedule.
17. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
18. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify Planning staff at least four days prior to the requested Planning Inspection dates.

19. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.

20. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director or designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.

Public Works Conditions

21. Replace the existing sidewalk at the adjacent bus stop along Broadway Avenue southerly of Lot 3 (fronting APN 070-156-023) as required by City Engineer.

22. Upgrade existing streetlights fronting the project to current City Standards, including reinstallation of traffic signs from streetlight posts to stand alone posts per City Standards.

23. Project shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project Civil Improvement plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

24. The project shall be developed to create or replace less than 10,000 square feet of impervious surface. The developer shall submit with the Civil Improvement Plans a stormwater exhibit detailing the impervious and pervious surfaces throughout the project. The City Engineer shall make the final determination whether the project creates or replaces less than 10,000 square feet of impervious surface and is therefore not subject to the City's National Pollution Discharge Elimination System (NPDES) Permit Provision C3 "Regulated Project" stormwater discharge requirements

25. The redevelopment area of the project is subject to full trash capture requirements of the City's NPDES permit. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site.

26. Prior to the issuance of any permits for the development, the Applicant shall submit with the Civil Improvement Plans a Stormwater Quality Management Plan that indicates the LID designs of the improvement plans and Stormwater Quality

Management Plan are consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.

27. Prior to the issuance of any permits for the project, the Applicant shall submit for review and approval by City Engineer a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan for the pervious pavement LID design measures and trash capture device(s) at the site. This O&M Plan shall be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist.

28. Prior to project acceptance and any certificate of occupancy, the Property Owner of the parcel subject to the proposed redevelopment shall execute a C3-LID Stormwater Measures Maintenance Agreement with the City, complete with the approved Operations and Maintenance Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.

29. Prior to project acceptance and any certificate of occupancy, the Applicant shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project stormwater site design and trash capture measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the site design measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; any required on-site testing results conform with approved plans and specifications; site design measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the stormwater site design measures comply with plan specifications. The Report shall be submitted in a form acceptable to the City Engineer.

30. The Civil Improvement plans submittal shall include construction-phase appropriate erosion and sedimentation control program and plan for review and approval. The plan shall describe construction activity best management practices to be implemented in conformance with the City's erosion, sediment and discharge-control standards and shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances and other generally accepted engineering practices for construction-phase pollution control.

31. The Applicant shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system and/or waters of the State.

Fire Department

32. All new buildings will have automatic sprinkler systems to NFPA 13R standard.

33. Fire Department Connection to Fire Sprinkler system will be in front of each new building.

34. Provide final fire hydrant plan as needed to ensure minimum fire hydrant flow required for the project.

35. HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 14th day of February 2022, by the following vote to wit:

AYES: (6) Cisneros, Hom, Rothenberg, Ruiz, Saheba, and Teague

NOES: (1) Curtis

ABSENT: (0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-03

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THE CITY COUNCIL APPROVE TENTATIVE TRACT MAP NO. 8468 AND A CONDOMINUM PLAN (PLN21-0587) TO SUBDIVIDE 2350 SARATOGA STREET INTO THREE COMMERCIAL CONDOMINIUM UNITS

WHEREAS, an application was made on December 30, 2021 by Jonah Hendrickson on behalf of Alameda Point Redevelopers LLC for Tentative Tract Map No. 8468 and a Condominium plan (PLN21-0587) to subdivide 2350 Saratoga Street into three commercial condominium units; and

WHEREAS, this application was accepted as complete on February 24, 2022; and

WHEREAS, the subject property is designated as Mixed Use on the General Plan Diagram; and

WHEREAS, the subject property is located in the AP-AR, Alameda Point Adaptive Reuse Zoning District; and

WHEREAS, on October 24, 2016 the Planning Board approved a Development Plan, Design Review, and a Master Use Permit to renovate the existing building and create up to 88 new Work/Live units; and

WHEREAS, Alameda Municipal Code (AMC) Section 30-15, defines Work/Live units as commercial or industrial units with incidental residential accommodations and the AMC requires the recordation of a deed restriction requiring the maintenance of active business licenses and valid Work/Live permits for Work/Live units,; and

WHEREAS, on October 9, 2017 the Planning Board approved Development Plan and Design Review Amendments to expand the size of rooftop improvements; and

WHEREAS, on November 19, 2019 the City Council adopted Ordinance No. 3255, which reduced the minimum unit size requirement for Work/Live units to 500 square feet; and

WHEREAS, on February 10, 2020 the Zoning Administrator approved an amendment to the Master Use Permit to allow up to 250 Work/Live units which became possible under Ordinance No. 3255; and

WHEREAS, the Planning Board held a duly noticed public hearing on March 28, 2022 for this Tentative Tract Map and Condominium Plan application, and examined all pertinent maps, drawings, and documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds the subject Tentative Tract Map is exempt from environmental review pursuant to CEQA Guidelines Section 15315, which categorically exempts minor land divisions, and none of the exceptions apply; and

BE IT FURTHER RESOLVED, that pursuant to AMC Section 30-78.5, the Planning Board makes the following findings relative to Tentative Tract Map Application PLN21-0587:

1. **The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, Zoning, and Master Plan for this site.** The proposed Tentative Tract Map is consistent with the Mixed-Use General Plan designation and AP-AR, Alameda Point Adaptive Reuse, zoning regulations for the property. The proposed Tentative Tract Map will allow the continued renovations to the property consistent with the approved Development Plan, Design Review, and amended Master Use Permit.

2. **The site is physically suitable for the type and proposed density of the development.** The site is fully developed with a 270,000 square foot building with parking and landscaping improvements. The Tentative Tract Map will not allow more than the maximum number of Work/Live units previously approved by the amended Master Use Permit.

3. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The development of the site will not introduce hazards that are inconsistent with the standard adaptive re-use of historic buildings within the NAS Alameda Historic District. The previously approved Development Plan and Design Review include conditions of approval to ensure that no unintended environmental damage or exposure of future occupants to environmental dangers could occur.

4. **The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** All required easements are to be retained.

5. **The design of the subdivision and its improvements will not cause serious public health problems.** The previously approved and amended Development Plan, Design Review, and Master Use Permit include conditions of approval that assure the property is free of hazardous materials and would not adversely affect public health; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends the City Council approve Tentative Tract Map No. 8468 and a Condominium Plan, subject to the following conditions.

General

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, “Tentative Tract Map No. 8468” prepared by Keith S. Bush received December 30, 2021, and on file in the office of the Alameda Planning, Building and Transportation Department.

2. The subdivider shall record the Final Map within twenty-four (24) months of approval, or conditional approval of the Tentative Map by the City Council. An extension of time, not to exceed and additional twelve (12) months, for the filing of the Final Map may be granted by expiration of the approved or conditionally approved Tentative Map.

3. Covenants, Conditions and Restrictions (CC&Rs) shall be prepared to the satisfaction of the City of Alameda. Copies of the recorded CC&Rs and condominium plan shall be provided to the City Engineer.

4. The front sheet of the Final Map and Condominium Plan shall be amended to include the following restrictions under "Notes":

    a. Rental and Sale Limitations
        i. No work/live studio, or any portion thereof, shall be sold as an individual unit.
        ii. No portion of a work/live studio may be separately rented or sold as a commercial space for a person or persons not living in the premises or as a residential space for a person or persons not working in the same studio.
        iii. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall result in legal action against the property owner.
    b. Lease Agreements. The property owner or manager of the property shall ensure that all work/live studio leases include provisions requiring maintenance of a valid Work/Live Permit and valid business license.
    c. Business License Required. At least one (1) occupant of each work/live studio shall maintain a current City of Alameda business license for a business located in that studio.
    d. Mixed Occupancies. If a building contains mixed occupancies of work/live studios and other nonresidential uses, occupancies other than work/live shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the work/live studios and other occupancies, as determined by the Building Official.
    e. Notice to Occupants Required. The owner or developer of any building containing work/live studios shall provide written notice to all work/live occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in residential areas. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the district where the project is located. For purposes of noise control, work/live studios shall be classified as commercial property under Table II in Section 4-10.4 of the Alameda Municipal Code.
    f. Change of Use From Work/Live Studio. No work/live studio shall be changed to exclusively residential use in any building where residential use is not permitted. The conversion of an existing work/live studio to exclusively residential or nonresidential use is permitted with a

Conditional Use Permit amendment and when the conversion meets all other applicable Alameda Municipal Code requirements for the proposed use. Such a change shall be subject to all applicable requirements for the district where the proposed dwelling unit is located.

g. Increase in Residential Use. No work/live studio shall be changed to increase the floor area devoted to residential use without review and approval of the Planning Director. In no case shall the floor area devoted to residential use be increased to more than four hundred (400) square feet or thirty (30%) percent of the gross floor area of the unit, whichever is less.
h. Additions to Building Envelope. All changes to the exterior of work/live structures shall comply with the purposes set out in subsections 30-15.1g. and h. and with the required finding set out in subsection 30-15.6d.
i. Deed Restriction Required. Prior to the City issuing a building permit for any work/live studio, the property owner shall file with the county recorder a declaration of restrictions, which has been approved by the City Attorney as to its form and content, specifying the limitations of use and operation included in the use permit and all Additional Requirements specified in AMC section 30-15.5.
j. Landscaping. Where a building with work/live use is adjacent to residentially-zoned land, screening landscaping shall be provided and maintained as a buffer between the work/live building and adjacent residentially-zoned land where feasible in light of building setbacks, existing and required parking and whether there is land available along the property boundary.
k. Hazardous/Toxic Materials. A Phase I Environmental Assessment for a site proposed for work/live occupancy, including but not limited to an expanded site investigation to determine whether lead based paint and asbestos hazards exist, is required to be submitted as part of the application for a use permit. The purpose of this requirement is to assess whether there are any hazardous or toxic materials on the site that could pose a health risk. Where the Phase I shows that there are potential health risks, a Phase 2 Environmental Assessment shall be prepared and submitted to determine if remediation may be required.

5. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California.

6. The proposed work shall comply with Chapter 30, Article 6 of the Alameda Municipal Code (Real Estate Subdivision Regulations) and Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.

7. The proposed work shall comply with Alameda's Standard Plans and Specifications and Standard Subdivision Specifications and Design.

8. The fee for plan checking and inspection shall be calculated in accordance with the latest Schedule of Fees & Charges as approved by the City Council.

Maps and Easements

9. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.

10. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.

11. The Applicant shall pay all fees prior to approval of final map.

12. The Final Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all public right-of-way and easements to be dedicated and the Certificate of City Clerk shall list all public easements and right-of-way to be abandoned with recording information as part of the final map.

13. The subdivider shall pay for all reasonable office and engineering costs expended by the City Engineer's office, including overhead, in conjunction with reviewing the Final Map, easements, and in obtaining the map signature of the City's consulting surveyor.

14. The subdivider shall provide a Mylar and a digital copy acceptable to the City Engineer.

Stormwater Quality Protection and Treatment

15. The Green Roof Maintenance Plan for 2350 Saratoga Street (September 2019, and/or as further amended) shall be updated and verified by the developer to be consistent with current green roof configurations and to identify and include name and contact information of all parties responsible for the long-term maintenance consistent with current Condominium Plan and Tentative Map and Exhibits.

16. Provide City of Alameda Public Works Clean Water Program office with a signed submittal of the Green Roof Maintenance Plan for 2350 Saratoga Street, consistent with any necessary revisions and updates described in Condition no. 15 above.

17. The subject Project's Declaration of Covenants, Conditions and Restrictions (CC&Rs) shall accurately, thoroughly, and explicitly clarify maintenance responsibilities for the project Green Roof and on-site stormwater site design and drainage measures, consistent with current Condominium Plan and Tentative Map proposals and Exhibits.

18. Developer shall provide City of Alameda Public Works Department with a copy of the project site's current Declaration of Covenants, Conditions and Restrictions, consistent with Condominium Plan and Tentative Map proposals and Exhibits.

19. Developer/Owner shall be responsible for timely providing the City of Alameda's Public Works Department Clean Water Program with a copy of any subsequent revisions or amendments to the project site's CC&Rs resulting from further revisions and/or "Future Expansion."

20. Project/site Green Roof and on-site stormwater site design measures and drainage systems shall remain consistent with previous project Conditions of Approval.

21. All projects shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

22. The project shall be developed to create or replace less than 5,000 square feet of impervious surface. The developer shall submit a stormwater exhibit detailing the impervious and pervious surfaces throughout the project. The City Engineer shall make the final determination whether the project creates or replaces less than the threshold of 5,000 square feet of impervious surface and is therefore not subject to the City's National Pollution Discharge Elimination System (NPDES) Permit Provision C3 "Regulated Project" stormwater discharge requirements. Prior to issuance of the Permit, the Applicant shall submit for review and approval by City Engineer a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the stormwater treatment, including trash capture, and LID design measures at the site. This O&M Plan shall be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist.

23. The development is subject to full trash capture requirements of the City's NPDES permit, regardless of impervious surface area. The developer shall provide a full trash capture system, device, or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The developer shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Applicant shall submit an O&M plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.

24. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall provide the following:

Verification that the following have all been incorporated with the CC&Rs of the relevant HOA: O&M plans for all stormwater treatment, trash control and design measures to be maintained by any homeowners' association or property owners' association, the template for annual self-reporting, and assurances for property access for City verification inspections.

25. The Civil Improvement Plans shall provide the Public Works Department Clean Water Program the construction-phase appropriate erosion and sedimentation control program and plan for review and approval. The plans shall describe construction activity best management practices to be implemented in conformance with the City's erosion, sediment and discharge-control "Urban Runoff Best Management Practices Standards", consistent with the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances and other generally accepted engineering practices for construction activity pollution prevention, sediment, and erosion control.

26. The Developer shall obtain all necessary permits from other regulatory agencies for projects within sensitive areas or which have significant stormwater pollution potential. Other regulatory agencies include, but are not limited to, the Regional Water Quality Control Board, Department of Fish and Wildlife, Army Corps of Engineers, and the Bay Conservation and Development Commission.

27. Projects proposed for construction between October 1st and April 15th, shall have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of on-site earthwork. Installation of all components of these plans shall be completed by October 1.

28. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.

Sewer and Water

29. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation. All permits, easements, and/or approvals for modifications to the sewer system required by EBMUD shall be obtained prior to issuance of any building permits by the City.

30. Subdivision map shall clearly state extents of public and private sewerage, including pipes, structures, and pump stations. Lower (public) and upper (private) sewer laterals shall be separated by a two-way cleanout or manhole. All public sanitary sewer facilities shall be in public streets or in public utility easements.

31. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore the Applicant shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. This Common Interest Development must be

issued a Compliance Certificate by EBMUD. Please review the program requirements and cost for Compliance Certificates: http://www.eastbaypsl.com/eastbaypsl/.

32. The subject Project's Declaration of Covenants, Conditions and Restrictions (CC&Rs) shall identify the individual or entity responsible for the maintenance of the project's sanitary sewer upper lateral.

33. The Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of all water service for the project.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protect these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building & Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 28th day of March, 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Hom, Rothenberg, Ruiz, and Teague

NOES: (0)

ABSENT: (1) Saheba

ABSTENTIONS: (0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-04

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AMENDMENT APPLICATION NO. PLN21-0438 TO ALLOW THE CONSTRUCTION OF AN APPROXIMATELY 61,300-SQUARE-FOOT TWO-STORY SENIOR CONVALESCENT LIVING FACILITY AT 1245 MCKAY AVENUE

WHEREAS, on June 8, 2020, the Planning Board approved Design Review No. PLN20-0047 to rehabilitate Building 2 for adaptive reuse as a senior convalescent facility on an approximately 3.65 acre site located at 1245 McKay Avenue; and

WHEREAS, the subject property is designated as Medium Density Residential on the General Plan Diagram; and

WHEREAS, the subject property is located within the A-P, Administrative Professional Zoning District; and

WHEREAS, the Planning Board's decision was appealed to the City Council, and on July 21, 2020, the City Council approved Design Review No. PLN20-0047 (Resolution No. 15683), thereby upholding the Planning Board's decision; and

WHEREAS, on May 6, 2021, the Historical Advisory Board (HAB) approved Certificate of Approval No. PLN20-0431 to demolish the two main buildings (Buildings 1 and 2), and four accessory buildings on the site (Buildings 8, 9, 10 and 13); and

WHEREAS, the HAB's decision was called for review, and on July 6, 2021, the City Council approved a Certificate of Approval to demolish Buildings 1 and 2 and the four accessory buildings (Resolution No. 15792), thereby upholding the HAB's decision; and

WHEREAS, Doug Biggs for Alameda Point Collaborative submitted an application on September 16, 2021 requesting Design Review amendment to allow the construction of an approximately 61,300-square-foot senior convalescent living center on the subject property; and

WHEREAS, the application was accepted as complete on March 10, 2022; and

WHEREAS, on December 4, 2018, following the Planning Board's recommendation, the City Council adopted a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) in compliance with the California Environmental Quality Act (CEQA), and took action to change the land use designations for the property previously occupied by the federal government to facilitate its reuse for the McKay Wellness Center (project) (Resolution No. 15461 and Ordinance No. 3234); and

WHEREAS, on September 7, 2021, the City Council approved Design Review No. PLN20-0077 (Resolution No. 15813), thereby upholding the Planning Board's decision; and

WHEREAS, on March 28, 2022, the Planning Board held a duly noticed public hearing to review the proposed Design Review Amendment application PLN21-0438 for an approximately 61,300-square-foot senior convalescent living facility, and examined all pertinent maps, drawings, and documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds Design Review Approval for a permitted use is not subject to CEQA. *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80, Public Resources Code Section 21080. As a separate and independent basis, on December 4, 2018, the City of Alameda adopted a Mitigated Negative Declaration in compliance with CEQA and an Addendum thereto was prepared on April 29, 2021, and no further environmental review is required pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162 because the environmental effects of the project were considered and disclosed in the MND and there have been no changes to the project or circumstances in which it is undertaken that would result in new significant or substantially more severe environmental effects than were identified in the previously adopted MND and Addendum. The 2018 MND disclosed potential environmental impacts from a similar project, which would be reduced to a Less than Significant Level with the implementation of mitigation measures. Those impacts include air quality, biological resources, cultural resources, hazardous materials, water quality, and geology. The revised project adds 11 units and an additional 10,000 sf of floor area to the building, but it would not generate new, or increase the significance of environmental impacts than already disclosed in the 2018 MND. The revised project must still implement all identified mitigation measures Mitigation Monitoring and Reporting Program; and

BE IT FURTHER RESOLVED, the Planning Board hereby makes the following findings relative to the Design Review Amendment approval PLN21-0438:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual. The project is consistent with all of the development standards for the property. The senior convalescent living facility is a permitted use in the A-P, Administrative Professional Zoning District, and uses that are permitted in the respective zoning district are also consistent with the General Plan. The proposed senior convalescent living facility design is architecturally compatible with the surrounding neighborhood and consistent with the design guidelines for set forth in the Design Review Manual.

2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses. This project involves the construction of a new senior convalescent living facility building that reflects characteristics of the existing building with its strong horizontal lines, two story form, and the same orientation along McKay Avenue. The architectural features include a horizontal flat roof with decorative parapet similar to the existing building and the adjacent apartment buildings and EBRPD buildings; in keeping with these architectural elements the building complements the other buildings in the neighborhood. The

building also features deep recessed windows with dark bronze finish similar to the approved medical respite building on the site. These windows stretch horizontally across each level of the building elevations. Other notable exterior features include a prominent entrance with blade signage, trowel finished building accents, horizontal projecting band at each level, decorative wall sconce and bollard lighting, and exterior colors that are compatible with the surrounding neighborhood. The new two-story building design incorporates a modern style of architecture that complements the surrounding apartment buildings, condominiums and commercial buildings along Central Avenue and McKay Avenue. The new building meets the maximum height allowed in the A-P District, and therefore the project does not change the building's relationship with adjacent or neighboring buildings, nor does it affect the transitions in scale and character of existing buildings in the neighborhood. Overall, the proposed building is compatible with neighboring buildings and its surroundings, and promotes harmonious transitions in scale and character in areas between different uses in the immediate neighborhood.

3. The proposed design of the structure and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development. The proposed modifications are designed to be compatible with the surrounding neighborhood and will utilize similar fixed windows, stucco siding, horizontal features, and a parapet roof design around the building which are compatible with the design elements found on buildings in the surrounding neighborhood; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves Design Review Amendment Application No. PLN21-0438 for an approximately 61,300-square-foot senior convalescent living center located at 1245 McKay Avenue, subject to the following conditions:

1. Building Permit Conditions: These conditions shall be printed on the first page of all building plans and improvement plans.

2. Substantial Compliance with Approvals: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by Pyatok Architects, received on March 1, 2022, and on file in the office of the City of Alameda Planning, Building & Transportation Department, except as modified by the conditions listed in this resolution.

3. Changes to Approved Plans: This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any substantial changes to the approved scope of the project shall be submitted to the Planning Building and Transportation Department for review and approval.

4. Vesting: This Design Review approval shall expire two (2) years after the date of approval or by **March 28, 2024** unless substantial construction or use of the

property has commenced under valid permits. Upon written request and payment of appropriate fees submitted no later than the expiration date of the Design Review approval, the Applicant may apply for a time extension not to exceed two (2) years. An extension request will be subject to approval by the Planning Director and must be filed prior to the date of expiration. If litigation is filed challenging this Design Review approval, or its implementation, then the time period stated above is automatically extended for the duration of the litigation.

5. CEQA Mitigation Measures: Final plans for building permits shall include a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on December 4, 2018 for the McKay Wellness Center. The checklist shall be printed on the Building Permit plans.
6. Final Architectural Details: Prior to issuance of building permits, the building permit plans shall include the following to the satisfaction of the Planning Director:
    a. Provide landscape screening in the front yard to improve privacy for units along the McKay street frontage.
    b. Lighting plan for the facility.
    c. Provide a more decorative metal gate design.
    d. Revise the bright accent colors to a more muted color palette.
7. Building Permit plans shall incorporate the approved window schedule.
8. The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.
9. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify Planning staff at least four business days prior to the requested Planning Inspection dates.
10. Bicycle Parking: Locations for bicycle parking consistent with the AMC bicycle requirements shall be shown on the Building Permit plans. The bicycle facility shall be located in a secure and safe location and accessible from high pedestrian/bicycle traffic areas, such as at the street frontage, to the satisfaction of the Planning, Building & Transportation Director.
11. Building Signage: Any temporary or permanent signage shall be subject to separate Sign Permit approval pursuant AMC Section 30-6.
12. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, Applicant shall submit a complete WELO Landscape Document Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3.d, subject to the approval of the Planning, Building & Transportation Director.
13. Bird Safe Ordinance: Building Permit plans shall demonstrate compliance with the

Alameda Bird-Safe Building Ordinance (AMC Section 30-5.16.b), as applicable.

14. Dark Skies Ordinance: Plans submitted for building permits shall demonstrate compliance with the Alameda Dark Skies Ordinance (AMC Section 30-5.16.c), as applicable.
15. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director or designee. Major modifications that are not consistent with, or not in furtherance of, this design review approval or these conditions, as determined by the Planning Director, shall be subject to review and approval of the Planning Board.

Public Works Conditions

16. The applicant shall acquire the necessary permits and approvals for any work affecting the McKay Avenue right of way from all other regulatory agencies with jurisdiction over the project, including the East Bay Regional Parks District and State of California.

17. Plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California. The Improvement Plans and all documentation listed below, except as noted, shall be approved by the Public Works Department prior to issuance of any Building Permit for the development.

18. Plans shall identify datum. If not NADV88, show conversion.

19. Site plans shall include applicable Standard Construction Notes, latest edition, from Public Works.

20. The developer shall provide as-built drawings of all site and right of way improvements prior to issuance of final Certificate of Occupancy. Provide drawings in both durable hard copies and digital PDFs.

21. The deposit for plan review shall be paid prior to review of the Public Works Development Permit. The deposit for inspection services shall be paid prior to issuance of the Public Works Development Permit. The fees for plan checking and inspection shall be calculated in accordance with the latest Schedule of Fees & Charges as approved by the City Council.

22. The street section for any private access roads shall be designed by a registered civil engineer and is subject to approval by the City Engineer.

23. All sidewalks shall comply with ADA and Title 24 requirements for cross slope, including driveway approaches and curb ramps. Where existing driveways are removed, the developer shall replace the curb, gutter, and full width of sidewalk to

current standards.

24. Parking layout shall be constructed in conformance with City's off-street parking design standards, Alameda Municipal Code Section 30, Article 1, Chapter 6 Off-Street Parking and Loading Regulations. Accessible stalls, compact stalls, ramps, loading and unloading platforms, slope and grade of ramps, landings, signs, striping, width of landings and such details as are required shall comply with applicable City and State Standards.

25. The Applicant shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, construction dewatering, and pavement design. Recommendations should also address the structural section required for repair of McKay Avenue. The improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.

26. Any retaining walls, which are adjacent to a property line, shall be masonry, metal, or concrete. Any existing retaining walls to remain are to be evaluated by the Applicant's geotechnical/structural engineer for integrity and applicability to the geotechnical engineer's recommendations.

27. Prior to issuance of the first Temporary Certificate of Occupancy, the geotechnical/soils engineer shall submit a letter report to the City at completion of construction certifying that grading, drainage and backfill installation was performed in general compliance with recommendations in the geotechnical report. All material testing reports shall be attached to the certification letter report.

28. All on-site surface drainage shall be collected and conveyed in an adequately designed underground storm drainage system in a manner to be approved by the City Engineer. The site shall be graded consistent with California Building Code Section J109.4 "Drainage Across Property Lines," which states drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

29. A storm drainage hydrology analysis, identifying the total peak drainage flow quantities to be generated by the proposed project, as fully built out, shall be prepared in accordance with the Alameda County Flood Control District Hydrology and Hydraulics Manual by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The analysis shall assess the impact of the proposed stormwater load on the private 12"

RCP in Crown Harbor that this system drains into, and its 18" outfall into the Bay, and determine on-site and off-site improvements, if any, needed to ensure sufficient capacity for this project and Crown Harbor.

30. Improvement plans shall clearly show the extent of public vs private storm drainage facilities, including basins, pipes, structures, and pump stations. All public drainage facilities shall be in public streets or in public drainage easements.

31. The developer shall be responsible to maintain access to and function of existing utilities, including, but not limited to, stormdrain, water and sanitary sewer lines, that run onto and/or through the developer's property.

32. Stormwater shall be dispersed, diffused, detained, or otherwise infiltrated on-site to the extent feasible. Downspouts shall not be directly connected to public or private storm drain facilities. Use of splash blocks directed towards landscape areas is encouraged. Stormwater, including roof drainage, shall not be directed across sidewalks or driveways.

33. All projects shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

34. The development shall incorporate permanent post-construction stormwater quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.

35. The development is subject to full trash capture requirements of the City's NPDES permit. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Improvement Plan sheets shall include location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The developer shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Applicant shall submit an O&M plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.

36. Prior to the issuance of any permits for the development, the Applicant shall submit

a Stormwater Quality Management Plan complete with the individual drainage management areas identified, a completed Stormwater Requirements Checklist, and a stamped, signed City of Alameda C3 certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to City Engineer that indicates the LID and treatment measure designs of the improvement plans and Stormwater Quality Management Plan meet the established sizing design criteria for stormwater treatment measures. The Civil Improvement Plans shall be consistent with the approved Stormwater Quality Management Plan submittal.

37. Prior to the issuance of any permits for the project, the Applicant shall submit for review and approval by City Engineer a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the stormwater treatment, including trash capture, and LID design measures at the site. This O&M Plan shall be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist.

38. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall execute a Stormwater Treatment Measures Maintenance Agreement with the City, and recorded against the property title, complete with an approved O&M Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.

39. Prior to project acceptance and any certificate of occupancy, the Applicant shall submit a Certification Report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials are per approved plans and specifications and meet the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the City Engineer.

40. The developer shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to the issuance of the Permit for any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances, the City's "Urban Runoff Best Management Practices Standards", and other generally accepted engineering practices for construction activity pollution

prevention, sediment, and erosion control.

41. Prior to the issuance of any permits for the project or the approval for any building demolition, the applicant shall assess and verify for the potential of PCBs in Building Demolition materials by:
    - Reviewing the packet "PCBs in Priority Building Materials: Model Screening Assessment Applicant Package (August 2018)" (Packet);
    - Completing the two-page "PCBs Screening Assessment Form" AND submitting a signed copy to Public Works for review; AND
    - IF Part 3 of the "PCBs Screening Assessment Form" is applicable and necessary, submit all necessary assessment records also referenced in attached guidance document prior to issuance of building/demolition permit AND provide verification to the City prior to closeout of the permit of the proper management and disposal of the relevant materials.

42. The Applicant shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system and/or waters of the State.

43. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay," or equivalent, as approved by the Public Works Director.

44. Sanitary sewerage shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation. All permits, easements, and/or approvals for modifications to the sewer system required by EBMUD shall be obtained prior to issuance of any building permits by the City.

45. A sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The analysis shall confirm that the proposed project flow, at full build-out and occupancy, will not adversely impact the existing private sewer and sanitary sewer pump station, nor the City of Alameda system it ties into on Central Avenue.

46. The Applicant shall include the City and EBMUD recommended improvements, if any, from the sewer flow analysis into the project's improvements plans prior to approval of the PWD permit.

47. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore, the Applicant shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. Please review the program requirements and cost for Compliance Certificates: http://www.eastbaypsl.com/eastbaypsl/.

48. Prior to issuance of building permits, the Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of water or sewer service connections for the project.

49. The Applicant shall design and construct water, power, telecom, gas, and other utilities in accordance with applicable utility standards.

50. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).

51. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the Alameda County Waste Management Authority's Mandatory Recycling Ordinance (ACWMA Ord. 2012-01). Signage clearly identifying how to sort materials into three waste streams shall be posted at each storage/disposal area. The storage/disposal area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand, consistent with written City guidance and as determined by the Public Works Director.

52. The design, location, access, and provisions for waste hauler collection of all external enclosures for solid waste, recycling, and organics shall be of sufficient size and design to serve the development as approved by the Public Works Department prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the PWD prior to establishment of the use.

53. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system. Any trash enclosure facilities with a water supply shall also drain to the sanitary sewer.

54. A 40-foot turning radius or equivalent hammer head must be provided for any street or alley that would otherwise require the collection truck to back up a distance greater than 150 feet.

55. Trash enclosure(s) shall comply with Best Management Practices in accordance with the Clean Water Act. These facilities shall be designed to prevent water run-on to the area and runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or otherwise discharged to the storm drain system. Design shall incorporate a solid roof, impervious floor, solid walls on three sides, and a lockable gate on the fourth side. Trash enclosures attached to buildings shall have fire sprinklers.

56. Trash enclosures serving restaurant and other food-related uses shall include a water supply, a drain to the sanitary sewer, and a grease trap and/or water/oil separator.

57. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.

58. The Project shall comply with Chapter 21, Article 6 of the Alameda Municipal Code and submit a Waste Management Plan documenting the diversion of project related construction and demolition debris to the satisfaction of the Public Works Director.

59. The landscape and irrigation plans for on-site improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org, and the Bay Friendly Coalition, the AMC, the Alameda Master Tree Plan, the Alameda Tree Removal Policy, the Integrated Pest Management Policy, as well as conditions of approval by the Planning Board, and other applicable standards, as applicable. Landscaping shall be designed to improve curb appeal while promoting low maintenance plant material and xeriscaping.

60. Prior to issuance of a PWD permit the applicant shall demonstrate approval for work within the right of way from the appropriate approval agency.

61. Prior to issuance of a PWD permit the applicant shall demonstrate that fire truck access entering and leaving the site does not conflict with on street parking.

62. The applicant is encouraged to contact the Public Works Department at 510-747-7930 to schedule a pre-application meeting prior to the first submittal of any subdivision maps, parcel maps or improvement plans to discuss submittal requirements, project review timeline, and fees associated with the processing, filing, and construction of this development.

63. A current title report shall be submitted to identify current ownership and any existing easements or land use restrictions.

64. Project shall incorporate permanent stormwater low impact development (LID) design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Project plans shall indicate the efforts taken to minimize impervious surface areas, especially directly connected impervious surface areas.

65. Prior to issuance of the Permit, the Applicant shall submit an updated Stormwater Quality Management Plan complete with the individual drainage management areas identified, an updated Stormwater Requirements Checklist, and a stamped, signed City of Alameda C3 certification form from a qualified independent (i.e. different engineering firm) civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to City Engineer that indicates the LID and treatment measure designs of the improvement plans and Stormwater Quality Management Plan meet the established sizing design criteria for stormwater

treatment measures. The Civil Improvement Plans shall be consistent with the approved Stormwater Quality Management Plan submittal.

66. Prior to issuance of the Permit, the Applicant shall submit for review and approval by the City Engineer a Stormwater C3-LID Measures Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations, and maintenance requirements of all of the stormwater treatment, including trash capture, and LID design measures at the site. This O&M Plan shall be consistent with the City of Alameda's C3-LID Measures O&M Plan Checklist. The development shall incorporate permanent post-construction stormwater quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.

67. Plans shall be consistent with documents already submitted and approved of by Public Works, including the Stormwater Quality Management Plan and Stormwater Requirements Checklist. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual.

68. The development is subject to full trash capture requirements of the City's NPDES permit, regardless of impervious surface area. The developer shall provide a full trash capture system, device, or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include location, detail and cross-sectional drawings of the stormwater full trash capture device(s) necessary to treat the entirety of the site. The developer shall confirm that the full trash capture device(s) included in the development plan are on the State Water Resources Control Board's list of certified full trash capture systems. Trash capture shall occur on site, not in the public right of way downstream. Applicant shall submit an O&M plan detailing the necessary maintenance tasks and schedule required to maintain all on-site trash capture devices.

69. Prior to project acceptance and any certificate of occupancy, the Property Owner(s) shall provide the following:

    a. Executed C3-LID Treatment Measures Maintenance Agreement with the City, complete with an approved Operations and Maintenance Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.

b. Verification that the following have all been incorporated with the CC&Rs of the relevant HOA: O&M plans for all stormwater treatment, trash control and design measures to be maintained by any homeowners' association or property owners' association, the template for annual self-reporting, and assurances for property access for City verification inspections.

c. Certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the City Engineer.

70. The developer shall comply with the State Water Quality Control Board's Construction General Permit requirements. Copies of the required "Notice of Intent" (NOI) and "Storm Water Pollution Prevention Plan" (SWPPP) along with the WDID# shall be submitted to the City Engineer prior to the issuance of the Permit for any site work. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances, the City's "Urban Runoff Best Management Practices Standards", and other generally accepted engineering practices for construction activity pollution prevention, sediment, and erosion control.

71. Projects proposed for construction between October 1st and April 15th, shall have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of on-site earthwork. Installation of all components of these plans shall be completed by October 1.

72. Prior to issuance of a PWD permit the applicant shall demonstrate that trash truck access entering and leaving the site does not conflict with on street parking. A 40-foot turning radius is adequate for solid waste collection vehicles.

73. The project shall be designed to accommodate three waste streams: recycling, organics, and trash; as required by the City of Alameda Municipal Code: Chapter 21 – Solid Waste and Recycling Signage clearly identifying how to sort materials into three waste streams shall be posted at each storage area.

74. The design, location, access, and provisions for waste hauler collection of all

external enclosures for solid waste, recycling, and organics shall be of sufficient size and design to serve the development as approved by the Public Works Department.

75. Driveways or aisles shall provide unobstructed access for collection vehicles and personnel and provide at least the minimum clearance required by the collection methods and vehicles used by the City's designated collector or hauler. For safety reasons, a turnaround must be provided for any street that would otherwise require the collection truck to back up a distance greater than 150 feet.

76. Provide a concrete pad in front of the trash enclosure to accommodate the truck weight while serving the dumpsters.

77. The design and construction of the storage area(s) shall:

    a. Be compatible with the surrounding structures and land uses;
    b. Contain a concrete pad within the fenced or walled area(s) and a concrete apron which facilitates handling of the individual bins and containers; and
    c. Provide a 6-inch wide curb or parking bumpers along the interior perimeter of the enclosure walls to protect them from damage by the dumpster.
    d. Maintain a minimum space of 12 inches between the dumpster(s) and the walls of the enclosure and the recycling container(s) to allow for maneuvering the dumpster(s); and
    e. Protect the area(s) and containers from adverse environmental conditions, which might render the collected materials non-collectible, noxious, unsafe, or in the case of recyclable materials, unmarketable.

78. Trash enclosures serving restaurant and other food-related uses shall include a water supply, a drain to the sanitary sewer, and a grease trap and/or water/oil separator.

79. The storage area(s) and the individual bins and containers provided within shall be adequate in capacity, number and distribution to serve the anticipated demand as determined by the Public Works Director.

80. A sign clearly identifying each exterior solid waste and recyclable material storage area and the accepted material(s) is required. Each sign shall not exceed two square feet in area and shall be posted on the exterior of the storage area adjacent to all access points

81. All projects which the City reasonably determines will cost one hundred thousand ($100,000.00) dollars or more to construct] Prior to approval of the Permit, the applicant/developer shall submit for review and approval by Public Works a waste management plan (WMP) demonstrating how the project will achieve California's Green Building Standards Code (CALGreen) diversion requirements for construction waste and will achieve a minimum recycling rate of 65%. The WMP shall be consistent with the Public Works Department's guidance checklist on preparing a WMP and can be completed by creating an account and submitting a plan via http://alameda.wastetracking.com

Fire Department

82. The fire truck turnarounds shall be clearly marked with red curbs and signage.

83. All fire access roads shall be a minimum of 20 feet wide.

84. Fire Code requires fire sprinkler systems to be located within 100 feet of a fire hydrant. A private hydrant may be required if the system is located beyond 100 feet of a fire hydrant.

85. Vehicle gates shall be a minimum of 14 feet wide and have a knox lock switch keyed to the City of Alameda Fire Department.

Alameda Municipal Power

86. Prior to approval of Improvement Plans, the Applicant shall coordinate with Alameda Municipal Power (AMP) regarding power requirements.

87. The Applicant shall comply with AMP's Rules and Regulations and "Material and Installation Criteria for Underground Electrical Systems" (available at www.alamedamp.com) which provides service options, standards, and minimum clearances from electrical transformers and other utility electrical equipment.

88. New street trees shall maintain clearances from electrical utilities as follow: a) street/pathway lights and utility poles – 25 feet; b) joint trench and all underground electrical lines – five feet; c) front of electrical pad-mounted equipment (e.g. switches, transformers and capacitors) – ten feet. Verify minimum clearance distances of trees/shrubs from all sides and back of electrical pad-mounted equipment with Alameda Municipal Power (AMP).

89. All service installations shall be underground.

90. The Applicant shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection.

91. The applicant will also be billed for 100% cost of distribution line extension (except transformers that are rated less than 750 kVA). AMP will require a refundable deposit for transformers rated 750 kVA and higher based on their capacity utilization.

92. Applicant shall allocate space for pad-mounted transformers and switches in addition to the primary and secondary boxes and conduits that will be required to provide power to the development. AMP will require easements for

all transformers, primary and secondary boxes, and conduits.

93. The Applicant shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

94. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate, and AMP shall take over ownership and will be responsible for maintaining all new substructures for underground primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.

95. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. Remote metering is not allowed.

96. The development will be served from 208/120V or 480/277V sources, not 120/240V.

97. The Applicant shall provide completed “Service Planning Sheets” for AMP’s review.

98. The Applicant shall provide information on the location of transformers and total load in kilowatts or kilovolt-amp (kVA) to AMP for approval prior to building permit issuance. The location, number and type of electric facilities, such as transformers and primary cables, cannot be finalized until electric estimates of each unit are provided. Special loads, such as EV chargers, and solar installations should be identified.

99. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per AMP specifications. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables.

100. The Applicant shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box, for traffic rated boxes consult AMP’s “Materials and Installation Criteria”). Any

deviations from this standard shall be approved by the AMP Engineering Manager or designee in writing.

101. The Applicant shall furnish and install code-size service cables in code-size conduit from each electric metering facility to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.

102. AMP's transformer pad or cubicle switch box/pad shall be no further than 15 feet from a drivable surface. The drivable surface shall have a minimum width of 20 feet.

103. AMP poles along McKay Ave. near the project site may need to stay due to providing service to other customers. The overhead 12kV conductors paralleling McKay Ave. on the east side of the construction area will have to stay pending re-design by AMP (if feasible). AMP's underground primary conductors will be proposed to be connected across the street at an existing AMP pull box on McKay Avenue.

104. Indemnification. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified

that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 28th day of March 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Hom, Rothenberg, Ruiz, and Teague

NOES: (0)

ABSENT: (1) Saheba

ATTEST:

Allen Tai

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-05

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING A USE PERMIT FOR OUTDOOR COMMERCIAL AND ENTERTAINMENT EVENTS AT 1435 WEBSTER STREET.

WHEREAS, an application was made by the West Alameda Business Association ("Applicant") requesting approval for a Use Permit to use an existing parking lot at 1435 Webster Street for outdoor commercial entertainment events; and

WHEREAS, the subject property is designated as Community Mixed Use in the General Plan; and

WHEREAS, the subject property is located in a C-C, Community-Commercial District; and

WHEREAS, the Planning Board held a duly noticed public hearing on April 11, 2022 for the project and examined pertinent maps, drawings, and documents.

NOW THEREFORE, BE IT RESOLVED, that the Planning Board finds this project categorically exempt from environmental review pursuant to CEQA Guidelines Section 15301 - Existing Facilities, and finds that none of the exceptions to the categorical exemptions apply. As a separate and independent basis, the project is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 (projects consistent with General Plan and Zoning); and

BE IT FURTHER RESOLVED, that the Planning Board makes the following findings relative to the Use Permit application:

1. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.** As conditioned the proposed outdoor commercial use is compatible with other commercial and residential land uses in the surrounding neighborhood area. The project is conditioned to limit the days of the week, the hours of the day, and the hours of amplified music to minimize disturbances to the surrounding neighborhood area.

2. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The location of the project is fully developed and does not require additional service facilities. The Webster Street Business District has a City operated parking lot and street parking within walking distance to the site, as well as bike parking facilities throughout the district. The site is served directly by AC Transit lines 51A, 20, 96, 78, O, and W.

3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.** The proposed use of the site for outdoor commercial and entertainment events, as conditioned, will not adversely affect the surrounding properties, or hurt existing business districts or the local economy. The proposed use is consistent with the pedestrian-oriented commercial uses facilitated by the Community Commercial zoning regulations. Compliance with the conditions of approval will further minimize the possibility of adverse effects on adjacent property.

4. **The proposed use relates favorably to the General Plan.** The proposed events will support the economic recovery of the commercial district from the COVID-19 pandemic. Transforming the underutilized surface parking lot into an al fresco dining park and community space for art, fundraising and other community events is consistent with General Plan Policy LU-8, which calls for promoting a diversity of arts and cultural facilities and programs throughout the city for people of all ages. General Plan Policy LU-10 also calls on the city to support, promote and enhance our historic "Main Streets" with a broad mix of retail stores, restaurants, and entertainment; the outdoor dining and events at this location are consistent with these policies and help ensure the ongoing vitality and viability of the Webster Street district; and

BE IT FURTHER RESOLVED, that the Planning Board approves a Use Permit to allow outdoor use of the parking lot at 1435 Webster Street for commercial and entertainment uses, subject to the following conditions:

1. Type of Events: Types of events may include music (live, recorded, DJ, amplified, and acoustic), live dance performances, crafts markets, art exhibitions, "flea market" type fundraisers, spoken word events, free community events (such as yoga), and private events such as corporate rentals and wedding receptions.

2. Event Days per Week. Use of the site for commercial and community events, whether with or without amplified sound, shall be limited to no more than three (3) event days per week.

3. Event Days of Week. Use of the site for commercial and community events, whether with or without amplified sound, shall be limited to Thursdays, Fridays, Saturdays and Sundays.

4. Amplified Sound. Concerts and other events with amplified sound exceeding the ambient noise levels in the area (i.e. live band, DJ) shall:

    a. Be limited to no more than one (1) day per calendar month on Friday or Saturday.

    b. Terminate at **8:00 p.m.** and be limited to a total of three (3) hours per day, plus an additional one (1) hour maximum for pre-event sound checks only.

    c. Comply within a maximum noise level up to 85 dBA when measured at

adjacent residential property lines. The applicants shall monitor and record the noise level at every event and shall provide the noise measurements upon request of the City. Upon three-verified violations of the maximum noise level, the Planning Board shall hold a revocation hearing of the Use Permit at the cost of the applicant.

5. Event Time of Day. Events times, whether they have amplified sound or not, shall be limited as follows:
    a. Thursday events limited to the hours of 5:00 pm to 8:00 pm.
    b. Friday events limited to the hours of 5:00 pm to 9:00 pm.
    c. Saturday events limited to the hours of 9:00 am to 9:00 pm. Between 9:00 and 11:00 am, events are limited to 30 people or less.
    d. Sunday events limited to the hours of 9:00 am to 8:00 pm. Between 9:00 and 11:00 am, events are limited to 30 people or less.
    e. Set up and breakdown activities may occur for up to 3 hours before and 2 hours after events.

6. Ticket Sales. Ticket sales shall be limited to 220 tickets per event.
7. Event Parking. Event organizers shall:
    a. Provide parking for staff and vendors at Beacon Bank and US Bank parking lots.
    b. Provide signs for the laundromat parking lot stating: “No event parking”. Provide staff to monitor to ensure non-laundromat customers are not using the laundromat lot.
    c. Provide secure bike parking onsite for 12 bicycles for events with 100 to 299 attendees, and for 18 bicycles for events with 300 or more attendees.
    d. Promote alternative forms of transportation (bicycling, AC Transit, walking and ride share) in all event advertising.
8. Public Right of Way. All activities shall be kept within the confines of the lot and traffic shall not be blocked on Taylor or Webster Street for any reason. Equipment and lighting may not obstruct vehicular traffic. No street closures shall be permitted. Attendees waiting to enter shall form a line along the sidewalk on Webster Street.

9. Public Safety. All physical structures and sound-proofing drapery shall be reviewed by the City of Alameda to ensure compliance with Building and Fire Codes. Fire extinguisher for general use shall be located at entrances and exits and readily accessible, classification 2A:10B:C. Generators shall not be located within 20 feet of tents/canopies or adjacent residential buildings. No pyrotechnics shall be allowed. Tent/Canopy location and layout shall be according to approved plans and shall not be located within 20 feet of buildings, lot lines and vehicles. No open flames are allowed under tents/canopies.

10. Organizer Contact and Event Schedule. Applicants will provide their contact information to residential and commercial neighbors by posting information on the site that informs the public who to call so that they may report on issues and concerns. Applicants shall provide an up to date calendar of events to the Planning Director, as well as post the calendar on the site.

11. Security. For ticketed events with 100 or more attendees, security staff shall be posted at both entrances and exits to the space.

12. Noise Ordinance. The events not covered by condition #4 above shall strictly comply with the Alameda Noise Ordinance (AMC Section 4-10). The applicants shall monitor noise level at every event and ensure compliance with the maximum allowable noise levels in Section 4-10.4.b.

13. Revocation: This Use Permit may be modified or revoked by the Zoning Administrator, Planning Board, or City Council, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator, Planning Board, and/or City Council determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, “Indemnitees”) from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney’s fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall

cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building, and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 11th day of April 2022, by the following vote to wit:

AYES: (4) Curtis, Hom, Ruiz, and Teague

NOES: (0)

ABSENT: (3) Cisneros, Rothenberg, and Saheba

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-06

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL ADOPT A GENERAL PLAN AMENDMENT AMENDING THE HEALTH AND SAFETY ELEMENT AND CONSERVATION AND CLIMATE ACTION ELEMENT OF THE ALAMEDA GENERAL PLAN 2040 TO ALIGN WITH THE CLIMATE ADAPTATION AND HAZARD MITIGATION PLAN 2022.

WHEREAS, Government Code section 65300.5 requires the City of Alameda (City) to maintain a General Plan that is an "integrated, internally consistent and compatible statement of policies for the adopting agency"; and

WHEREAS, the General Plan establishes the local development and conservation policies necessary to guide the long-term plan for the physical development of the City and protect the general health, safety and welfare of the community and the environment; and

WHEREAS, Alameda's General Plan 2040 was adopted November 30, 2021 by the City Council; and

WHEREAS, in 2022, the City of Alameda developed the *Climate Adaptation and Hazard Mitigation Plan* to serve as Alameda's Local Hazard Mitigation Plan (LHMP or Mitigation Plan).

WHEREAS, the LHMP for the City of Alameda planning area was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and followed FEMA's 2011 Local Hazard Mitigation Plan guidance; and

WHEREAS, the LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities; and

WHEREAS, staff recommends revisions to policies in both the Health and Safety Element and Conservation and Climate Action Element of the General Plan so that the strategies and policies are aligned and consistent with the Mitigation Plan strategies; and

WHEREAS, incorporation of the recommended revisions outlined in the Addendum List (Exhibit 1) will align the strategies in the Mitigation Plan with the proposed General Plan policies. Staff is recommending that the General Plan be amended to reflect this alignment; and

WHEREAS, the draft General Plan amendments and the adequacy of the General Plan EIR were considered by the City Planning Board at a duly noticed public hearing on May 9, 2022, during which the Planning Board received and considered public testimony and written comments before making its recommendation to the City Council.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that on November 30, 2021, by Resolution No. 15841, the City Council certified a Final Environmental Impact Report (State Clearinghouse No. 2021030563) in compliance with the California Environmental Quality Act, and adopted written findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for the General Plan Amendment to update the Alameda

General Plan. Pursuant to CEQA Guidelines sections 15162 and 15163, none of the circumstances necessitating further CEQA review are present. The proposed General Plan amendments would not require major revisions to General Plan Amendment EIR due to new significant impacts or due to a substantial increase in the severity of the significant environmental effects. There have been no substantial changes with respect to the circumstances under which the policies would be implemented that would require major revisions of the General Plan Amendment EIR due to new or substantially increased significant environmental effects. Further, there has been no discovery of new information of substantial importance that would trigger or require major revisions to the General Plan Amendment EIR due to new or substantially increased significant environmental effects. For these reasons, no further environmental review with respect to the General Plan Amendment EIR is required.

AND BE IT FURTHER RESOLVED, that the Planning Board recommends that the City Council approve the General Plan amendments shown in Exhibit 1, and direct that the Climate Adaption and Hazard Mitigation Plan be incorporated by reference into the Alameda General Plan Safety Element.

****

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 9th day of May 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Rothenberg, Ruiz, Saheba and Teague

NOES: (0)

ABSENT: (1) Hom

ATTEST:

Allen Tai

Allen Tai, Secretary
City of Alameda Planning Board

Exhibit 1:

The Conservation and Climate Action Element policies shall be amended as follows:

CC-16

Water Efficiency and Conservation. Minimize water use in existing and new construction and landscaped areas to make Alameda more resilient to drought and generate less wastewater.

Actions:

- ***a. Water Efficient Landscape Requirements.*** *Maintain up-to-date water-efficient landscaping regulations and ordinances to reduce water use in both private and public landscapes that include healthy, drought tolerant soils, diverse native plant species, non-invasive drought tolerant/low water use plants, and high-efficiency irrigation systems.*
- ***b. Water-Efficient Buildings.*** *Require low-flow fixtures, such as low-flow toilets and faucets in new construction.*
- ***c. Recycled and Reclaimed Water.*** *Promote the production and usage of recycled and reclaimed water (sometimes called "grey water") for potable and non-potable uses.*
- ***d. Pesticides, Herbicides, and Fertilizers.*** *Limit the use of pesticides, herbicides, and fertilizers throughout the city by fostering healthy soil practices, which include organic carbon amendments (e.g. compost and mulch) on all non-turf planting areas.*
- ***e. Soil Health.*** *Encourage soil health by promoting and educating the public about the benefits of organic carbon soil amendments that improve water retention in local landscapes.*
- *f.* ***EBMUD.*** *Work with EBMUD to improve effectiveness of water conservation programs and increase drought awareness.*
- *g.* ***City Buildings.*** *Implement water-saving technologies at all City-owned buildings and post visible signage to educate visitors.*

CC-21

~~**Sea Level Rise Plans**. Develop neighborhood shoreline sea level rise protection and funding plans to 50 years of the Ocean Protection Council's Medium-High Risk Aversion, high emissions scenario of sea level rise in addition to a 100-year storm in the initial design and funding mechanisms to pay for later adaptation improvements to address future sea level and groundwater increases above that level. (See also Policies HS-18 and HS-22).~~ **Adaptation Pathway Master Plan.** Develop an adaptation pathway master plan that includes updated vulnerability studies, groundwater rise studies and other data collection as needed to identify the range of shoreline protection, groundwater management and adaptation strategies over time from short- to long-term as well as land use, building and infrastructure design standards needed to help Alameda and the entire San Leandro Bay and Oakland-Alameda Estuary area adapt to rising sea and groundwater levels. The plan should include economic analysis and cost estimates to facilitate the development of funding strategies and regional cooperation, (See also Policies LU-14, CC-24, and HS-24).

CC-22

Critical Public Assets. Ensure resilience and long-term functionality of ~~the transportation network. Implement improvements to move or protect~~ critical public assets threatened by earthquakes, sea level rise or rising groundwater. (See also Policy HS-1~~2~~7).

Actions:

- ***a. Stormwater System.*** *Identify funding sources to improve the public stormwater infrastructure and ensure it meets current needs and is prepared for the effects of sea level rise and climate change.*
- *b.* ***Sewer System.*** *Protect vulnerable wastewater systems and facilities to minimize disruption to the systems following ground shaking and extreme weather events.*
- *c.* ***Electric System.*** *Ensure electrical infrastructure is flood-proofed or elevated. Where possible, move assets out of the hazard zone.*
- ***d. Transportation.*** *Work with Caltrans and the Alameda County Transportation Commission to identify funding to adapt the regional and local roadways in Alameda.*

CC-23

Rising Groundwater. Prepare for the impacts of rising groundwater levels on private and public property. (See also Policy HS-24).

Actions:

- ***a. Infrastructure and Access.*** *Develop plans and strategies to protect and/or relocate critical infrastructure and maintain access to impacted property.*
- ***b. Building Codes.*** *Prepare and adopt revised zoning and building codes to increase resilience of new buildings against the impacts of rising groundwater.*
- ***c. Annual Review.*** *Annually monitor groundwater levels and progress on specific strategies to mitigate impacts.*
- *d.* ***Data.*** *Collect new data, add groundwater monitoring wells, analyze additional contaminants and potential landfill risks, update liquefaction zones and continue to refine the quality of the groundwater model.*

SPOTLIGHT: BUILDING ELECTRIFICATION BENEFITS

Fiscal Responsibility and Inevitability: Key regional and state decision-makers, including PG&E, have indicated the desire and intention to go all-electric and eventually discontinue gas service.

Equity: As natural gas costs rise over time, customers will switch to all-electric appliances and homes at faster and faster rates. Coordinating and subsidizing a timely and fair transition for lower-income and more vulnerable residents is critical.

Healthy Air: Gas appliances emit pollutants and increase risk of respiratory illness, cardiovascular disease, and other long-term illnesses. Children living in homes with gas stoves are 40% more likely to develop asthma**.** ~~According to the Rocky Mountain Institute, children who grow up in buildings with natural gas stoves were 42% more likely to develop asthma.~~

Resilience and Safety: Buildings that depend on natural gas may have to wait up to 6 months following severe earthquake events for service to return (compared to up to 1 week with electric appliances). Removing gas infrastructure reduces the risk of fires in the event of an earthquake.

Climate: Replacing gas appliances with electric appliances will reduce methane emissions from natural gas use, which is 86 times stronger than carbon dioxide, having significant impacts on climate change. Electrification transitions building energy use to clean energy from a renewable grid and supports green jobs.

The Health and Safety Element policies and Spotlights shall be amended as follows:

NEW SPOTLIGHT

Local Hazard Mitigation Plan. The Local Hazard Mitigation Plan (LHMP) for the City of Alameda was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and followed FEMA's 2011 Local Hazard Mitigation Plan guidance. The LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The LHMP is available for review at https://www.alamedaca.gov/HazardMitigationPlan

HS-3

Emergency Coordination ~~Mutual Aid Agreements~~. Coordinate local emergency preparedness efforts with the Federal Emergency Management Agency, California Office of Emergency Services, Coast Guard, United States Maritime Administration Ready Reserve Fleet, the San Francisco Bay Area Water Emergency Transportation Authority, Alameda County, East Bay Municipal Utility District, the Port of Oakland, adjacent jurisdictions, CalWARN, the Alameda Unified School District, the various private schools in Alameda, local hospitals, housing facilities for seniors or individuals with disabilities, and other local and regional police, fire and public health agencies in preparation for natural and man-made disasters, and ensure that the City's disaster response communication technologies are compatible with other agency communication technologies. (See also Policy CC-3).

HS-4

Public Communication. Maintain and promote community programs to train volunteers, support vulnerable community members like seniors and individuals with disabilities, coordinate with food banks and other local aid organizations, and assist police, fire, and civil defense personnel during and after a major earthquake, fire, or flood. (See also Policy CC-1).

Actions:

a. ***Volunteers.*** *Maintain community based emergency preparedness training programs targeted to neighborhoods and business groups, such as Community Emergency Response Teams and ~~including~~ outreach and coordination with Voluntary Organizations Active in Disasters (VOAD) and other community based programs.*

b. ***Education.*** *Prepare and/or make available public education and awareness materials in multiple languages on all aspects of emergency preparedness, including the type and extent of hazards in the community, measures to reduce the likelihood of damage and injury, provisions for emergency supplies, steps to take immediately after a disaster, and the location of shelters and medical facilities.*
c. ***Targeted Communication.*** *Engage Alamedans using a wide range of tools, languages and strategies to communicate about all types of threats and planning, with a special emphasis on the most vulnerable people who are least likely to know about or be able to adapt to various threats.*
d. ***Resilience Hubs.*** *Promote resilience hubs, community-serving facilities augmented to support residents, coordinate resource distribution and services before, during, or after a natural hazard event, and reduce carbon pollution while enhancing quality of life.*

7.2 SEISMIC + GEOLOGIC HAZARDS

Figure 7.2 illustrates Alameda's susceptibility to severe liquefaction in the event of ground shaking. Climate change may increase the risk of liquefaction. Rising sea levels will cause rising groundwater levels in Alameda. Liquefiable soils that become saturated with groundwater are at increased risk of liquefaction. As the risks grow, so does the need for Alameda to strengthen its requirements to make buildings safer and more resilient to severe ground shaking and liquefaction.

HS-9
Building and Infrastructure Standards. Maintain up-to-date building codes and encourage or require new and existing buildings and infrastructure to be designed or retrofitted for timely restoration of service (functional recovery) following an earthquake, with particular attention on the effects of liquefaction on buildings and infrastructure.

HS-12
City Buildings and Infrastructure Continue to strengthen and rehabilitate city buildings and infrastructure, including but not limited to waste water systems and pump stations, storm water systems and pump stations, and electric systems and facilities to ensure that the City can respond effectively to a seismic event and to provide resilience and long-term functionality. (See also Policies CC-4, CC-5, CC-13, CC-14, ~~and~~ CC-16, and CC-22).

a. **Stormwater System.** Rehabilitate the existing storm system conveyances and pump stations to increase capacity and resilience during storms, high tides, sea level rise, seismic events, and power outages, thereby decreasing the chance of flooding of nearby streets, utilities, and buildings.
b. **Sewer System.** Protect vulnerable wastewater system and facilities to minimize disruption to the systems following ground shaking and extreme weather events and consider the impact of rising groundwater levels and increasing salinity on buried utility infrastructure.
c. **Electric System.** Protect vulnerable electric systems and facilities. Ensure electrical infrastructure is flood-proofed or elevated and strengthened for earthquakes. Where possible, move assets out of the hazard zone, including elevating utility junction boxes and other electrical infrastructure on scaffolding.
d. **Transportation.** Work with Caltrans and the Alameda County Transportation Commission to identify funding to adapt and strengthen the regional and local roadways in Alameda.

HS-13

Private Buildings. Require owners of vulnerable structures, to the extent feasible, to retrofit existing structures to withstand earthquake ground shaking, and require retrofitting when such structures are substantially rehabilitated or remodeled.

Actions:

- ***a. Soft Story Program.*** *Continue to implement and expand the City's Soft Story Program, including mandatory requirements for substantially improving the seismic performance of multi-family wood frame residential buildings with open ground floor parking or commercial spaces known as soft stories.*
- ***b. Wood Framed Building Program.*** *Continue to implement and expand the City's Wood Framed Building Program, including ~~voluntary~~ requirements for substantially improving the seismic performance of one- and two-story wood frame residential buildings with vulnerable "cripple walls".*
- ***c. Non-ductile Concrete Buildings.*** *Identify, evaluate and retrofit non-ductile concrete residential and nonresidential buildings that are vulnerable to collapse in earthquakes.*
- ***d. Chimneys.*** *Encourage owners to remove or rebuild masonry or stone chimneys vulnerable to collapse in earthquakes.*
- ***e. Incentives.*** *Develop incentives and assistance to help property owners make their homes and businesses more earthquake-safe. Pursue a variety of funding sources, such as grants, low-interest loans, tax credits and zoning waivers and density bonuses, to assist residents and businesses with seismic upgrades. Provide exemptions from City zoning requirements, such as off-street parking and/or common open space to facilitate the retrofitting of vulnerable privately-owned buildings.*
- ***f. Shoreline Property Management.*** *Require owners of shoreline properties, to the extent feasible, to inspect, maintain, and repair the perimeter slopes to withstand earthquake ground shaking, consolidation of underlying bay mud, and wave erosion.*

- ***g. Cool/Green Buildings.*** *Incentivize and consider requiring the installation of cool roofs, green roofs, and/or other energy-efficient cool building methods to mitigate heat impacts and reduce runoff.*

HS-14

Flood Insurance. Continue the City's participation in the National Flood Insurance Program and the Community Rating System as a Class 8 community. I*dentify ways to increase Alameda's Community Rating to reduce flood insurance costs.*

HS-18

~~Preferred~~ Adaptation Strategies. In the Adaptation Pathways Master Plan (see Policy CC-21), develop sea level and groundwater rise adaptive strategies for different areas of the City for public discussion and evaluation, including but not limited to: avoidance/planned retreat, enhanced levees, setback levees to accommodate habitat transition zones, buffer zones, beaches, expanded tidal prisms for enhanced natural scouring of channel sediments, raising and flood-proofing structures, and/or provisions for additional flood water pumping stations, and inland detention basins to reduce peak discharges. (See also Policies LU-14 and CC-24).

a. ***Funding for Priority Flooding Mitigations.*** *Design and approve "shovel-ready" adaptation projects at areas of location-based priority flooding identified in the Local Hazard Mitigation Plan.*

HS-20

Tsunami Preparedness ~~Strategy~~. Prepare Alameda for tsunamis and prepare for a timely evacuation with a focus of access and functional needs populations. ~~, including Assess vertical evacuation options and develop an evacuation strategy, including wayfinding signs, with a focus on access and functional needs.~~

Actions:

a. ***Awareness.*** *Develop a public information campaign to educate the public about tsunami risks and evacuation procedures, with special emphasis on access and functional needs populations and maritime communities.*
b. ***Evacuation Emergency Annex****. Include and maintain an Evacuation Emergency Annex in the Emergency Operations Plan that includes a strategy for tsunami evacuation.*
c. ***Signs.*** *Place tsunami inundation zone and evacuation route signs.*
d. ***Vertical Evacuation.*** *Assess vertical evacuation options.*
e. ***Drills.*** *Conduct tsunami evacuation training and drills with schools.*
f. ***Partner.*** *Partner with Caltrans, Alameda County, AC Transit, the City of Oakland and Port of Oakland to plan for tsunami evacuation.*
g. ***Tsunami Ready.*** *Become recognized as a Tsunami Ready community by the National Weather Service.*

HS-22

New Development. Implement programs to require flood-proofing retrofits to existing buildings and redevelopment in flood-prone areas, and require all new development to design for sea level and associated groundwater rise based on the most current regional projections. (See also Polices LU-30 and CC-20).

Actions:

a. ***Waterfront Setbacks.*** *Require new development to provide adequate setbacks along waterfront areas for the future expansion of seawalls and levees to adapt to sea level rise.*
b. ***Data.*** *Update maps and publish open data that display these risks clearly as soon as new data or guidelines are created, such as a digital elevation model, sea level and groundwater risks, or the latest risk tolerance guidance provided by the State of California.*

c. ***Building Codes.*** *Amend local codes to require flood-proofing techniques in defined flood hazard zones and adjacent areas to protect them from future sea level rise. Consider incorporating sea level rise into the flood management section of the Building Code to encourage, incentivize, or require compliance with base floor elevation and flood-proofing requirements to mid-century sea levels.*

d. ***Risk Prioritization.*** *Inventory and prioritize highest at-risk buildings, including those serving vulnerable populations, for resiliency upgrades.*

e. ***Assistance.*** *Adopt fee waiver or small grant programs to help low-income households and other vulnerable residents pay for flood retrofits.*

HS-35

Contaminated Sites Cleanup. Work with county, regional, state, and federal agencies and private property owners to ensure that the necessary steps are taken to clean up residual hazardous wastes on any contaminated sites.

Actions:

a. ***New Construction.*** *Require that all new construction, including construction on former industrial sites, has been cleared for residential, commercial or industrial uses from the appropriate federal, state and local agencies and acts, including the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Program, the Resource Conservation and Recovery Act (RCRA), the California Department of Toxic Substances Control (DTSC), the Regional Water Quality Control Board (RWQCB) and the Alameda County Department of Environmental Health (ACDEH), which is the Certified Unified Program Agency (CUPA) responsible for implementing state environmental regulations related to hazardous waste and hazardous materials.*
b. ***Groundwater Rise.*** *Review remediation timelines for contaminated sites based on a groundwater model with projected sea level rise impacts. Work with applicable agencies to adjust remediation, as applicable.*

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-07

A RESOLUTION OF THE PLANNING BOARD CITY OF ALAMEDA FINDING THE VACATION OF AN EXCESS PORTION OF EVERETT STREET APPROXIMATELY 116 FEET NORTHEASTERLY OF BLANDING AVENUE TO BE IN CONFORMANCE WITH THE GENERAL PLAN

WHEREAS, on April 7, 2020, Apex Companies, LLC submitted, on behalf of the property owner, TC I 2421 Blanding LLC, an application for an encroachment permit for various improvements to a private parking lot serving 2421 Blanding Avenue, located at the north end of Everett Street; and

WHEREAS, approximately 960 square feet of right-of-way on Everett Street, approximately 116 feet northeasterly of Blanding Avenue, is located behind a privately owned mechanized gate providing access to the private property; and

WHEREAS, on August 6, 2020, the City of Alameda approved an encroachment permit for improvements to the parking lot, subject to a condition of approval requiring the owner to either remove the gate or complete a vacation of the excess right-of-way along Everett Street; and

WHEREAS, the excess portion of the public street is adjacent to the property owned by TC I 2421 Blanding LLC; and

WHEREAS, the private improvements on excess City right-of-way require the right-of-way to be vacated for orderly development; and

WHEREAS, the subject offer of dedication of the Everett Street right-of-way is not needed to serve the City's operational needs; and

WHEREAS, California Streets and Highways Code Section 8313 and Government Code Section 65402 require the location, purpose, and extent of a street vacation conform with the City's General Plan; and

WHEREAS, the subject right-of-way is designated General and Maritime Industry in the Alameda 2040 General Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds the vacation of the excess right-of-way is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets, involving negligible or no expansion of existing or former use, and on a separate and independent basis, Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed vacation will have a significant effect on the environment. The proposed action will vacate portions of the right-of-way not needed for public purposes and will not result in direct

or indirect physical changes in the environment. None of the exceptions in CEQA Guidelines Section 15300.2 apply; and

BE IT FURTHER RESOLVED, in accordance with Government Code Section 65402, the Planning Board finds that the location, purpose and extent of the vacation of public right-of-way along Everett Street as described in Exhibits 1, 2 and 3 to the accompanying staff report is in conformance with the General Plan. The street vacation is consistent with the Alameda 2040 General Plan Mobility Element. Policy ME-14 in the Mobility Element supports actions to improve the City's street network so that it is efficient and that individual streets function in ways that support their surrounding context. Therefore, the proposed vacation of this excess strip of right-of-way on Everett Street that is impassible for public traffic is consistent with the General Plan.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 23rd day of May 2022, by the following vote to wit:

AYES: (6) Cisneros, Hom, Rothenberg, Ruiz, Saheba and Teague

NOES: (0)

ABSENT: (1) Curtis

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-08

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE ALAMEDA POINT SITE A PROJECT, FOR THE PERIOD FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, the City of Alameda (City and Alameda Point Partners, LLC (APP) entered into that certain Development Agreement for the Alameda Point – Site A project dated as of August 31, 2015 (Development Agreement); and

WHEREAS, APP has initiated a Periodic Review of the Development Agreement with the City of Alameda, as required under Alameda Municipal Code Section 30-95.1; and

WHEREAS, the Planning Board held a duly noticed public hearing on this request on June 27, 2022, and examined pertinent documents; and

WHEREAS, the Planning Board finds that APP has complied with the terms and conditions of the Development Agreement for the Site A Development Project, for the period from January 1, 2021 through December 31, 2021, as summarized in the Annual Report Letter submitted by APP for Planning Board review, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement; and

WHEREAS, the Annual Review and reporting is exempt from the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby finds that APP has complied in good faith with the terms and conditions of the Development Agreement.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 27th day of June 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Hom, Rothenberg, Ruiz, and Saheba

NOES: (0)

ABSENT: (1) Teague

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-09

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE BOATWORKS PROJECT, FOR THE PERIOD FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, the City of Alameda (City) and Boatworks, LLC entered into that certain Development Agreement for the Boatworks project recorded November 6, 2020 as Document No. 2020299864 (Development Agreement); and

WHEREAS, Boatworks, LLC has initiated a Periodic Review of the Development Agreement, as required under Alameda Municipal Code Section 30-95.1; and

WHEREAS, the Planning Board held a duly noticed public hearing on this request on June 27, 2022, and examined pertinent documents; and

WHEREAS, the Planning Board finds that Boatworks, LLC has complied in good faith with the terms and conditions of the Development Agreement for the period from January 1, 2021 through December 31, 2021, as summarized in the Annual Report Letter submitted by Boatworks, LLC, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement; and

WHEREAS, the Annual Review and reporting is exempt from the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby finds that Boatworks, LLC has complied in good faith with the terms and conditions of the Development Agreement.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 27th day of June 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Hom, Rothenberg, Ruiz, and Saheba

NOES: (0)

ABSENT: (1) Teague

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-10

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE DEL MONTE PROJECT, FOR THE PERIOD FROM JANUARY 2021 THROUGH DECEMBER 2021

WHEREAS, the City of Alameda (City) and TL Partners I, LP (TLP) entered into that certain Development Agreement for the Del Monte Warehouse project dated as of January 15, 2015 and recorded in the Official Records of the County of Alameda (Official Records) on May 17, 2016 as Document No. 2016124746 (Original DA), as amended by that certain First Amendment to Development Agreement dated as of June 8, 2017 and recorded in the Official Records on June 15, 2017 as Document No. 2017130965 (First Amendment), and as further amended by that certain Second Amendment to Development Agreement dated as of July 18, 2018 and recorded in the Official Records on August 28, 2018 as Document No. 2018169332 (Second Amendment), and as further amended by that certain ministerial amendment dated October 25, 2018 (Ministerial Amendment), and as further amended by that certain second ministerial amendment dated September 25, 2019 (Second Ministerial Amendment), and that certain Third Amendment to Development Agreement dated January 4, 2021 and recorded in the Official Records on January 14, 2021 as Document No. 2021017275 (Third Amendment, and together with the Original DA, the First Amendment, the Second Amendment, the Ministerial Amendment, and the Second Ministerial Amendment, the Development Agreement or DA); and

WHEREAS, on October 9, 2019, the City granted its written consent to a partial assignment of certain rights and obligations under the Development Agreement from TLP to Alta Buena Vista Owner, LLC; and

WHEREAS, TLP and Alta Buena Vista Owner, LLC have initiated a Periodic Review of the Development Agreement with the City of Alameda, as required under Alameda Municipal Code Section 30-95.1; and

WHEREAS, the Planning Board held a duly noticed public hearing on this request on June 27, 2022, and examined pertinent documents; and

WHEREAS, the Planning Board finds that TL Partners I, LP and Alta Buena Vista Owner, LLC have complied in good faith with the terms and conditions of the Development Agreement, for the period from January 1, 2021 through December 31, 2021, as summarized in the Annual Report Letter submitted by TL Partners I, LP and Alta Buena Vista Owner, LLC, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement; and

WHEREAS, the Annual Review and reporting is exempt from the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby finds that TL Partners I, LP and Alta Buena Vista Owner, LLC have complied with the terms and conditions of the Development Agreement.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 27th day of June 2022, by the following vote to wit:

AYES: (5) Cisneros, Curtis, Hom, Rothenberg, and Saheba

NOES: (0)

ABSENT: (1) Teague

ABSTENTIONS: (1) Ruiz

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-11

APPROVING AN AMENDMENT TO THE SITE A DEVELOPMENT PLAN (PLN22-0172) AND DENSITY BONUS WAIVER APPROVALS FOR A 68 ACRE MIXED USE DEVELOPMENT IN THE WATERFRONT TOWN CENTER PLAN AREA AT ALAMEDA POINT

WHEREAS, Site A consists of a 68-acre portion of the former Naval Air Station Alameda designated as Mixed Use in the General Plan; and

WHEREAS, Site A is located within the AP-WTC, Alameda Point Waterfront Town Center Sub-district and Alameda Point Waterfront Town Center Specific Plan (Town Center Plan) area; and

WHEREAS, the Town Center Plan is a Specific Plan adopted pursuant to Government Code Section 65450 et seq. for transit-oriented development of the waterfront lands that surround the Seaplane Lagoon and the property at the entrance of Alameda Point between Main Street and Seaplane Lagoon; and

WHEREAS, on February 4, 2014, by Resolution No. 14891, the City Council certified the Final Alameda Point Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act (CEQA), California Public Resources Code Section 21000 *et seq*. and adopted written findings and a Mitigation Monitoring and Reporting Program (MMRP) for the Alameda Point Project, including the Town Center Plan area which contains Site A (Alameda Point EIR); and

WHEREAS, on May 11, 2015, by Resolution No. PB-15-09, the Planning Board approved the Site A Development Plan, and on May 22, 2017, by Resolution No. PB-17-08, the Planning Board approved an amendment to the Site A Development Plan; and

WHEREAS, on August 6, 2015, by Ordinance Nos. 3127 and 3128, the City Council approved the Site A Disposition and Development Agreement and the Site A Development Agreement to facilitate the redevelopment of Site A; and

WHEREAS, on November 30, 2021, by Resolution No. 15841, the City Council certified the FEIR (State Clearinghouse No. 2021030563) under CEQA, and adopted written findings, a Statement of Overriding Considerations, and a MMRP for the General Plan Amendment to update the Alameda General Plan (General Plan EIR), which evaluated the environmental impacts of 12,000 additional housing units in Alameda over 20 years, including 5,353 housing units to accommodate the RHNA between 2023 through 2031; and

WHEREAS, in 2022, the City of Alameda prepared a draft Housing Element as required by State Housing Law which requires the City of Alameda to facilitate the construction of up to 1,300 residential units on Site A to help meet the City of Alameda Regional Housing Allocation (RHNA); and

WHEREAS, the Planning Board held a duly noticed public hearing on July 25, 2022 to consider the amended Development Plan (PLN22-0172) to accommodate the City of Alameda's RHNA.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the following findings can be made in support of the Development Plan Amendment:

1. **The development is a more effective use of the site than is possible under the regulations for which the PD district is combined**. Site A is located at the center of the Waterfront Town Center Plan Area within 1/8 of a mile from the Seaplane Regional Ferry Service Terminal and immediately on the AC Transit lines to Alameda Point. The Site A lands are designated in the City's Specific Plan for high density residential development, and the Site A lands are designated in the May 2022 Draft Housing Element as an important housing opportunity site. The Development Plan Amendment allows for an increase in housing units from 800 to 1,300 in this transit oriented area planned for high density housing and it provides for the construction of new public infrastructure improvements, including mainline underground utilities, street surface and circulation, open space and park landscape and hardscape improvements, which create a network of bicycle and pedestrian paths that extend the Bay Trail and create public transit alternatives to help mitigate traffic impacts. The Development Plan Amendment achieves City policy goals and objectives to create a mixed use, transit- oriented development supported by new infrastructure, streets, parks and public open spaces.

2. **The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development**. The Development Plan Amendment is designed to provide compatible residential land uses with the adjacent existing Bayport residential neighborhood; compatible mixed-use development adjacent to the mix of commercial uses within the NAS Alameda Historic District; open spaces, transit infrastructure and parks to support the Alameda Point Collaborative and future residents within the adjacent Main Street neighborhood to the north and the surrounding Alameda community; and essential infrastructure, ferry terminal improvements, and commercial services to support the existing and future businesses and employers within the Enterprise Sub-district to the south of the site.

3. **The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.** The Development Plan Amendment provides for a comprehensive network of complete streets to support a transit oriented mixed use district and planned transit connections between downtown Oakland and BART, and a future ferry terminal at the foot of Pacific Avenue immediately to the south of the project site and the existing ferry terminal at the northern edge of Alameda Point. The Development Plan Amendment is also conditioned to require that property owners will provide dedicated financial support to expand transit services to users of the property and other transportation demand management services and programs consistent with the TDM Plan.

4. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy**. The proposed mix of uses and physical improvements will support a transit oriented mixed use community that is designed to minimize transportation impacts on the Alameda community, eliminate existing blighted conditions and buildings on the site, and replace substandard storm water, potable water, fire water, wastewater, and other essential utility and other facilities that do not meet current State or local codes, are not able to be owned and maintained by the local utility companies in their current form, and contribute to ongoing pollution in the San Francisco Bay. The proposed Development Plan Amendment is designed to be compatible with adjacent future uses by providing attractive improvements and pedestrian and bicycle amenities and with transit services contemplated in the approved Alameda Point Transportation Demand Management Plan (TDM Plan). The Development Plan Amendment is also subject to the environmental protections and mitigations imposed by the Alameda Point EIR and General Plan EIR, federal biological requirements stemming out of the U.S. Fish and Wildlife Service Biological Opinion, and coordination with the historic preservation requirements stemming out of the NAS Alameda Historic District designation.

5. **The proposed use relates favorably to and is consistent with the General Plan**. The Development Plan Amendment supports General Plan policies for the development of Alameda Point and helps balance jobs and housing through the provision of rental, for sale, and affordable housing options, retail, commercial, office, hotel development, R&D and live/work opportunities that help create an economically balanced mixed-use project. The Development Plan Amendment also provides for new public parks and open spaces, including the core of the Town Center to be used for public gatherings and events and the creation of passive and active outdoor recreational opportunities. It includes a mix of uses including affordable housing, mixed use residential uses with ground floor retail uses public waterfront parks, and job generating businesses to replace the jobs lost with the departure of the Navy. The Development Plan Amendment also supports the General Plan policy objectives to replace deteriorating infrastructure and streets with transit oriented complete streets and public transportation facilities and services.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board finds that the following findings can be made in support of the Density Bonus Waiver:

1. **The proposal qualifies for density bonuses, concessions and incentives and waivers pursuant to State of California Government Code Section 65915 et seq. and Alameda Municipal Code Section 30-17.** The proposed development will ensure that twenty five percent of all the units will be deed restricted for very low, low and moderate income households, which qualifies the proposed project for a density bonus, concessions and incentives, and waivers from development standards that physically preclude the development of the property with the permitted density for the property under California Government Code Section 65915 et seq. and AMC section 30-17.

2. **Pursuant to State Density Bonus Law and the Density Bonus Ordinance (AMC 30-17), the proposed project is consistent with, and qualifies for, a requested waiver from Section 26 of the City Charter and AMC Sections 30-50 through 30-53 Multiple Dwelling Units Prohibited.** Section 26 of the City Charter and AMC Sections 30-51 through 30-53 limits the maximum density for any residential development to one unit per 2,000 square feet of land, and prohibits multifamily housing in Alameda, including Site A. Section 26 of the City Charter and AMC Sections 30-51 through 30-53 therefore prohibit the applicant from developing a mixed use transit oriented development plan consistent with the Town Center Plan, and physically preclude the construction of 1,300 multifamily units on the site consistent with the requirements of the Town Center Plan. The requested waiver would not have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Finally, the requested waiver would not be contrary to state or federal law; and

BE IT FURTHER RESOLVED that the Planning Board finds that the Alameda Point project, including the Town Center Plan containing Site A, was adequately considered by the Alameda Point EIR and General Plan EIR, and that:

1. The Site A project is consistent with the General Plan, Zoning Ordinance, and Town Center Plan; and

2. The Alameda Point EIR was certified by the City Council for the Alameda Point Project, including amendments to the General Plan and Zoning Ordinance, as well as the Town Center Plan; and

3. There are no environmental impacts peculiar to Site A that were not analyzed in the Alameda Point EIR, or any such impact can be substantially mitigated by imposition of uniformly applied development policies or standards previously adopted by the City; and

4. There are no significant effects of the Site A project that were not analyzed as significant effects in the Alameda Point EIR; and

5. There are no potentially significant off-site impacts of the proposed Site A project and there are no cumulative impacts to which the proposed Site A project makes a considerable contribution which were not discussed in the Alameda Point EIR; and

6. There are no previously identified significant impacts of the proposed Site A project which, as a result of substantial new information which was not known at the time the Alameda Point EIR was certified, have been determined to have a more severe adverse impact than discussed in the Alameda Point EIR; and

BE IT FURTHER RESOLVED, that pursuant to the streamlining provisions of Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, no further environmental review of the Development Plan Amendment is required; and

BE IT FURTHER RESOLVED that the Planning Board of the City of Alameda hereby approves the amended Development Plan (PLN22-0172), subject to the following conditions, which shall supersede the conditions included in Planning Board Resolution Nos. PB-15-09 and PB-17-08 approving the Site A Development Plan (2015) and Site A Development Plan Amendment (2017):

1. Building Permit Plans: The plans submitted for the Building Permit shall be in substantial compliance with the Alameda Municipal Code and the plans prepared by BAR Architects dated July 25, 2022, on file in the office of the City of Alameda Planning, Building and Transportation Department.

2. Development Plan Revision: Prior to City Council consideration of the Development Agreement Amendment, the applicant shall revise the Development Plan Land Use Sheet to label all as-built and planned commercial square footage by block. The total amount of commercial floor area shall also be summarized in a table. The revisions shall be made to the satisfaction of the Planning Director.

3. Vesting: This Development Plan Amendment approval shall expire and become void unless actual construction under valid permits has commenced within two years after this approval or unless this Development Plan Amendment is vested for a longer period than two years by a Development Agreement or other vesting document.

4. CEQA: Prior to issuance of a building permit or site improvement permit, the applicant shall submit a Mitigation Measure Compliance Checklist confirming compliance with all required environmental mitigation measures contained in the MMRP adopted by the Alameda City Council on February 4, 2014, for the redevelopment and reuse of Alameda Point, including Site A.

5. Subdivision Maps: Prior to issuance of building permits for new construction in Phase 2 or Phase 3 or approval of the infrastructure improvement plans for any phase, the applicant shall submit a Tentative Subdivision Map or Tentative Parcel Map for each phase of development for review and approval by the Planning Board and City Council. Such map shall be consistent with the Development Plan Amendment and the DDA, and subject to the requirements of the AMC, and Alameda Point Master Infrastructure Plan (MIP), and such maps shall provide the dimensions of all proposed rights of way, public open space, and development parcels and include the proposed site grading, drainage improvements and utility and infrastructure phasing.

6. Infrastructure Improvement Plans: Prior to issuance of a building permit or site improvement permit, the applicant shall submit an infrastructure improvement plan for the improvement of the on-site and adjacent off-site streets, open space, waste water, storm water, potable water, recycled water, power, natural gas, and communications facilities for each phase of development. The improvement plans shall be reviewed for consistency with the DDA, and subject to the requirements of the MIP and AMC. The

plans shall be prepared, signed and stamped as approved by a registered civil engineer licensed in the State of California. The engineer shall also assume responsibility for inspection of the on-site construction work, including but not limited to parking lots, pathways, storm facilities and, sewer facilities, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, including a temporary occupancy permit, whichever comes first, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances, Public Works Department standards and the Subdivision Improvement Agreement entered into by the Developer and the City with respect to such improvements and shall include curbs, gutters, sidewalks, street trees, storm water treatment controls, landscaping and irrigation, streetlights, etc.

7. Affordable Housing: Prior to the issuance of the first building permit for vertical improvements for new construction on Blocks 10, 1a or any portion of Phase 2, the project applicant shall execute an Affordable Housing Agreement with the City of Alameda. The Affordable Housing Agreement will require, in part, phased construction of 193 affordable housing units on Block 10 and 17b.

8. Commercial Uses. All commercial land uses within Site A shall be consistent with the land use requirements of the Alameda Point Town Center and Waterfront Plan, except that: a) any hotel proposed for Site A must be a full-service hotel, which shall be defined as a hotel with a minimum of one hundred (100) sleeping rooms, containing a full service restaurant providing three meals per day and room service, and including at least one indoor and one outdoor recreational amenity. Hotels not meeting the definition of full service shall not be permitted in Site A; and b) commercial uses proposed on blocks number 10, 15, 16, and 17 shall be subject to the commercial mixed use (CMU) requirements of the Town Center and Waterfront Plan.

9. Parks and Open Space Plans. Final parks and open space plans shall be consistent with the Alameda Recreation and Parks Design Specifications. The landscape, hardscape, and irrigation plans for improvements in open space and parks that will be maintained by the City, shall be prepared, signed and stamped as approved by a licensed landscape architect. All design for construction or improvements to parks and open space, including shoreline flood and sea-level rise protection improvements, require review by the Recreation and Park Commission, approval by the Recreation and Parks Director, and design review by the Planning Board.

10. Architectural Design Diversity: The applicant/developer shall ensure a diversity of design within Site A. The same architectural firm shall not be responsible for the design review plans of any two facing blocks, but the same architectural firm may prepare the construction level drawings.

11. Design Review Approval: Prior to issuance of any building permit or site improvement permit in preparation of vertical development, the applicant shall submit an application for Design Review and approval by the Planning Board. The Design Review application shall include any buildings, landscape improvements, open spaces and parks, and/or

parking lots proposed for the area to be improved. All building plans and site improvement plans submitted for permits shall be reviewed for compliance with the Design Review findings of AMC Section 30-36 and 37 by the City of Alameda Planning Board.

12. NAS Alameda Historic District Certificate of Approval: Prior to issuance of a building permit or site improvement permit, for any portion of the 68-acre site within or immediately adjacent to the NAS Alameda Historic District, the applicant shall submit all final proposed changes to the cultural landscape to the Historical Advisory Board for review and approval. All building plans and site improvement plans submitted for permits within the NAS Historic District shall be reviewed for compliance with the NAS Alameda Historic District and Cultural Landscape Guidelines, the Secretary of Interior Standards for the Rehabilitation of Historic Structures, and AMC Section 13-21 Preservation of Historical and Cultural Resources by the City of Alameda Historical Advisory Board.

13. Biological Regulations and On-Site Lighting: Prior to issuance of a design review, building or site improvement permit, the applicant shall submit a Biological Opinion Compliance Checklist confirming compliance with all required conditions set forth in the Declaration of Restrictions for the Former Naval Air Station Alameda (Declaration) consistent with the Biological Opinion issued by the U.S. Department of Fish and Wildlife, and Exhibit C of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs (Alameda Point Lighting Mitigation Measures).

14. Public Trust Exchange Act and Agreements: All use of land and buildings and new construction on Public Trust Lands shall be subject to the public trust for commerce, navigation and fisheries and shall be reviewed for consistency with the Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and the Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point.

15. Modifications: Minor project design details requested by the applicant may be established, modified, and approved by the Planning, Building and Transportation Director. Engineering standards and specifications requested by the applicant may be established, modified and approved by the Public Works Director, or designee. Major modifications that are not consistent with this development plan or these conditions shall be subject to review and approval of the Planning Board.

16. Other Agency Approvals: Prior to issuance of building permit(s) for work within jurisdictional lands, the applicant shall provide evidence that all required approvals, permits, or waivers from Bay Conservation and Development Commission (BCDC), Regional Water Quality Control Board (RWQCB), including a possible 401 Certification for the construction of a stormwater outfall, and/or the Army Corps of Engineers, if any, have been obtained. The final improvement plans shall incorporate all other agency requirements.

Subdivision

17. Subdivision Improvement Agreement: To guarantee completion of the required on-site and off-site improvements consistent with the MIP and DDA, the applicant/developer shall enter into an agreement with the City and provide security in a form and amount acceptable to the City prior to approval of the phased improvements plans and/or parcel/final map for each phase of development.

    In addition, the following is required as part of the Parcel or Final Map approval: a refundable cashier's check in the amount of $400 to guarantee a Mylar copy of the recorded Parcel or Final Map; payment for all reasonable office and engineering costs, including overhead, in conjunction with reviewing the Parcel or Final Map and associated improvement plans and easements; three copies of the approved on-site/off-site civil improvement plans and landscape plans, along with a velum or other reproducible set (plans only), and a CD or DVD digital copy acceptable to the City Engineer.

Improvement Plans

18. Engineer Approved: The improvement plans shall be prepared, signed, and stamped as approved by a registered civil engineer licensed in the State of California and be consistent with the Alameda Point Master Infrastructure Plan (MIP). The engineer shall also assume responsibility for inspection of the on-site construction work, and shall certify to the City, prior to acceptance of the work or issuance of any occupancy permit, that the installation of the on-site work (excluding the building and foundation) was constructed in accordance with the approved plans.

19. CC&Rs: In conjunction with the on-site improvement plans, the applicant/developer shall prepare Master Conditions, Covenants and Restrictions (CC&R's) for all properties within Site A, which CC&Rs shall establish a Master Homeowners' Association(s) (HOA) for the residential properties of the project and a Master commercial association (CA) for the commercial properties. All property owners must be a member of an HOA or the CA. The applicant/developer must submit Master CC&Rs, HOA, and CA requirements for the residential and commercial components of the Site A development to the City for approval prior to recording the Final Map and prior to having the documents recorded. The applicant/developer shall bear all costs for recording the documents. The submittal shall include an estimate of costs and proposed level of maintenance for each of the activities to be funded by the HOA or CA. The CC&R's shall provide for funding and provision of maintenance of all common facilities, including but not limited to streets, utilities, and parks and open spaces not accepted for maintenance by a public agency and TDM services outlined in the TDM Compliance Strategy. The CC&R's shall stipulate that the HOAs and CA are responsible for maintenance of landscaping along the streets (not in public ROW), paseos, on-site open spaces and set forth their obligations related to the TDM Compliance Strategy. The CC&Rs shall require that all private improvements adjacent to and visible from the public right of way be maintained in a first class condition consistent with other mixed-used developments in the Oakland Metropolitan submarket, taking into consideration water conservation and other measures that may apply to landscaping and other features from time to time to address state water shortage issues or concerns and will provide the City with the right to enforce the maintenance requirements and the right to perform such maintenance and

receive a reimbursement of expenses after notice and expiration of applicable cure periods.

20. Easements: The improvement plans and Parcel or Final Maps shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all easements to be dedicated and the Certificate of City Clerk shall list all public easements to be abandoned (with recording information) as part of the Parcel or Final Map.

21. Potable Water: The developer/applicant shall be responsible for potable water infrastructure consistent with the MIP to serve the project, whose design shall be shown on the Improvement Plans to the satisfaction of EBMUD, the Public Works Director, and the Fire Chief.

22. Storm Water Quality and Treatment Controls: The improvement plans shall incorporate appropriate pollution prevention source control measures, permanent low impact development (LID) measures, storm water treatment controls and/or design techniques to manage the quantity and quality of storm water runoff from the project site to prevent and minimize impacts to water quality and be consistent with the MIP and any existing or future conditions of a 401 certification for Alameda Point (401 Certification Conditions) and the Provision C3 requirements of the City's municipal stormwater permit. Efforts shall be taken to minimize impervious surface areas, especially directly connected impervious surface areas. Roof drains shall discharge and drain to an unpaved area wherever practicable. Design techniques may include green roofs, rainwater harvesting, vegetated swales, vegetated buffer zones, bio retention units, retention/detention basins and ponds, tree well systems, and the incorporation of pervious surface areas and LID measures. The Improvement Plans shall provide details sufficient to ensure that the storm water design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual, the MIP and the 401 Certification Conditions. Applicants may also refer to the Bay Area Storm Water Management Agencies Association (BASMAA) *Start at the Source Manual* for technical guidance. All storm water design and treatment measures for private development pads shall be consistent with the C3 requirements and 401 Certification Conditions and be located on the development pad or an adjacent private development pad and shall not be located on property planned for public parks or public rights of way.

23. Landscape Plans: The improvement plans shall include landscape and irrigation plans for both on-site and off-site improvements consistent with the Town Center Plan and MIP, including shoreline flood and sea-level rise protection improvements, as required by the MIP and DDA. The plans shall be prepared, signed, and stamped by a licensed landscape architect and civil engineer for flood and sea-level rise protection improvements and shall be in accordance with the AMC and other regional jurisdictional requirements. The landscape architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation in the public right-of-way was constructed in accordance with the approved plans.

24. Waste Water: A sanitary sewage flow analysis, identifying the total peak sanitary sewage flow quantities generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide the analysis to an independent consultant who will assess the impact of the proposed development on the City's sanitary sewer system and determine if any improvements to the City's system are required to ensure sufficient sewage capacity for this project and any anticipated growth within the associated sewer sub-area. The applicant/developer will pay for the cost of the modeling study. The applicant/developer will incorporate any recommended improvements from the sewer study into the project's improvements plans and be consistent with the MIP.

25. Waste Water Capacity: A sanitary sewage treatment capacity analysis for wet weather flows associated with the development, compared to existing or previous conditions, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The plan shall identify and mitigate any increase in wet weather flow capacities. The improvements plans will include any recommended improvements and be consistent with the MIP.

26. Storm Drainage: A storm drainage hydrology analysis identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The improvements plans will include any recommended improvements and be consistent with the MIP.

27. Fire Water: The improvement plans for the project site shall include a Fire Water System consistent with the MIP. The system shall be designed to the satisfaction of EBMUD and the Alameda Fire Department. The Applicant shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in improvements plans. Placement shall be shown on the improvement plans and shall be to the satisfaction EBMUD, the City Fire Chief and the City Engineer.

28. Fire Sprinklers: The improvement plans and building permit plans shall include fire sprinkler systems within each residential unit including the garage and attic spaces.

29. Fire Safety: Prior to approval of the Improvement Plans, the applicant shall submit plans for review and approval by the Public Works Director and the Fire Chief, that:

    a. Provide fire hydrants spaced throughout the project as required in California Fire Code Appendix C. Ensure sufficient fire flow for the development compliant with California Fire Code Appendix B and AMC 15-1.2 where a maximum reduction of the fire flow can be reduced by 50% for fire sprinklered buildings.
    b. Fire hydrant flows shall be a minimum of 1,500 G.P.M. from any one hydrant;
    c. Provide adequate turn around space or acceptable emergency vehicle through access for any street greater than 150 feet in length;
    d. Ensure that all roads that are required to be fire access roads have an adequate turning radii for fire apparatus (inside turning radius of 28" and outside turning radius of 44'8"); and

e. For all roads designated as fire access roads shall have a minimum fire lane width of 26' unobstructed for buildings taller than 30'. Should parking within the fire lane be required, the fire lane width shall be increased as required to meet fire access requirements.

30. Utilities: The improvement plans shall include facilities and improvements to ensure that utility services are maintained for existing users throughout the construction process and the access to such service for maintenance purposes is preserved throughout the construction process for new utilities. The improvement plans shall preserve access to the Cartwright Substation throughout the construction process.

31. Geotechnical Report: A geotechnical report, including recommendations, shall be prepared by a registered geotechnical engineer licensed in the State of California. The improvement plans shall incorporate all geotechnical recommendations in the report and be consistent with the MIP and DDA. The geotechnical engineer shall sign and stamp the improvement plans as conforming to its recommendations. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work that the work performed is adequate and complies with their recommendations.

Public Improvements

32. Maintenance: Maintenance of improvements not within the public ROW shall be the responsibility of the new development.

33. Street Resurfacing: Applicant/developer shall resurface the existing street pavement whenever a street is cut for utility or other improvement installations or the condition of the existing pavement requires improvements. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of an average of one and a half (1½) inch asphalt concrete overlay, with a minimum one inch asphalt concrete overlay.

34. Curb and Gutter: Applicant/developer shall replace any damaged curb, gutter, and sidewalk along street frontages to the satisfaction of the Public Works Director, in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

Water Quality

35. State Water Resources Control Board: The applicant/developer shall provide to the City Engineer or designee, prior to the issuance of the first combination building/grading permit, a copy of both the WDID# issued to the project site by the State Water Resources Control Board (SWRCB) and the required Storm Water Pollution Prevention Plan (SWPPP). These documents shall provide verification to the City that the project site is in compliance with SWRCB Order No. 2009-0009-DWQ. Information on this State Order is available at: http://www.waterboards.ca.gov.

36. Best Management Practices: The applicant/developer shall be responsible for ensuring

that all contractors and sub-contractors install, implement and effectively maintain appropriate sediment control, erosion control and other water quality protection measures to prevent any pollutants from entering the municipal storm water drainage system or the Seaplane Lagoon, either directly or indirectly, during all construction activities. All implemented measures shall be consistent with the City's urban runoff Best Management Practices (BMPs) standards. The applicant/developer shall pay for any required cleanup, testing, and/or City administrative costs resulting from consequence of construction materials entering the storm water drainage system.

37. Hydro Seeding: Hydro seeding of all disturbed pervious surface areas shall be completed in compliance with the requirements included in the State Water Resources Control Board (SWRCB) Order No. 2009-0009-DWQ.

38. Storm Water Quality Management Plan: The applicant/developer shall submit a stormwater quality management plan, consistent and concurrent with the finalized improvement plans, to demonstrate and verify appropriate site design for LID and stormwater treatment consistent with the Provision C3 requirements, the MIP and the 401 Certification Conditions. This Plan shall include: a completed City of Alameda's Stormwater Requirements Checklist; the determination and identification of drainage management areas (DMAs) for all proposed impervious surface areas on the proposed project site; the establishment of Provision C3-compliant stormwater quality measures for each DMA; a site plan map and inventory identifying each DMA and corresponding C3-compliant measure, including area values (in square feet) for all areas; a stamped, signed City of Alameda certification form from a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the Public Works Department that indicates the Plan and all LID and treatment measure designs meet the established sizing design criteria for stormwater treatment measures consistent with Provision C3 of the municipal stormwater permit.

39. Storm Water Trash Capture: Prior to the issuance of the first grading/building/combination permit for each project phase, the Improvement Plans shall indicate the storm water trash capture measure(s) being installed on the project site to ensure that the stormwater drainage from the project site is subject to full trash capture consistent with the City's municipal stormwater permit definition of a full trash capture device. Improvement plan sheets shall provide sufficient plan views and details of the full trash capture device installation(s) necessary for engineering review and approval. A full trash capture system or device is any single device or series of devices that trap all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include detail and cross-sectional drawings of any stormwater full trash capture device.

40. Storm Drains: All new storm drain inlets shall be clearly marked with the words 'No Dumping! Drains to Bay' by means approved by the Public Works Department. Permanently affixed thermoplastic, metallic or plastic laminate style markers are acceptable forms. The Improvement Plans shall clearly indicate this.

41. Operations and Maintenance Plan: The Applicant/Developer shall submit a stormwater

treatment measures Operations and Maintenance (O&M) plan for review and approval to the Public Works Department prior to the approval of and consistent with the improvement plans for each phase. The O&M plan shall include, but not be limited to: treatment and design measure(s) descriptions and summary inventory; a legible, recordable, reduced-scale (8.5"x11") copy(-ies) of the Site Plan indicating the treatment and design measure(s) location(s) and site drainage patterns; treatment measure(s) maintenance requirements and maintenance schedule; the approved plant list and planning plan; detailed description of the integrated pest management principals and techniques and/or Bay Friendly Landscaping Program techniques to be utilized during landscape maintenance to ensure pesticide/herbicide use-minimization in landscaped areas; name and contact information of current maintenance personnel; and template of the annual O&M report submittal to the City. The O&M plan(s) for all stormwater treatment and design measures to be maintained by any HOA or CA shall be incorporated with the CC&Rs of the relevant HOA/CA.

42. Stormwater Agreement: For any stormwater treatment or design measure not to be maintained by an HOA or CA, the Applicant/Developer shall execute a Stormwater Treatment Measures Maintenance Agreement (Stormwater Agreement) with the City prior to the issuance of the certificate of occupancy. The Stormwater Agreement shall include, but not be limited to: the O&M plan for all approved stormwater treatment measures; identification of the party responsible for implementing the O&M plan; assurances of access to inspect and verify the treatment system O&M for the life of the project; and assurances of the submittal of the annual O&M report to the City. The executed Stormwater Agreement shall be recorded, at applicant/developer's expense, with the County Recorder's Office of the County of Alameda.

43. Landscape Plans: Landscaping plans shall be designed to minimize runoff, promote surface infiltration, incorporate Bay Friendly Landscaping approaches, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution and be consistent with the MIP and 401 Certification Conditions

44. Backflow Prevention: Backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation, and fire water services and as required by the East Bay Municipal Utility District (EBMUD).

Transportation Facilities

45. Traffic Circulation Plan: The Applicant/Developer shall submit a traffic striping and signage plan for all on- and off-site improvements, including all crosswalks, bus stops, turn lanes, merge lanes, acceleration lanes, lane drops, etc., as part of the construction improvement plan submittal. The plan shall provide the queuing summary for all study locations and all project driveways. The traffic circulation plan shall include plan(s) showing truck turning templates including rear/front wheel and body tracking movement and shall include delivery trucks, fire engines, moving vans and waste management trucks. The Public Works Department will review and approve the internal and external circulation of the parking lot, including lane widths and access points. The plans shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California. The engineer shall sign and stamp the plans as approved. The plans shall

be reviewed and approved by the Public Works Director prior to approval of the improvement plans or Parcel or Final Map, whichever comes first. The plan shall include all necessary striping to ensure safe ingress and egress from the project site to the adjacent public streets.

46. Off Street Parking: For any off-street parking facilities the applicant/developer shall submit the improvement plans to the Community Development Department and Public Works Department for review and approval. The plans shall be prepared by a registered civil engineer licensed in the State of California and shall be signed and stamped as approved. The Community Development Department shall review and approve the parking lot layout, including number of spaces, dimensions of spaces, and Americans with Disabilities Act (ADA) requirements, and the Public Works Director shall review and approve the internal and external circulation of the parking lot, including lane widths and access points, prior to approval of the improvements plans or parcel/final map, whichever comes first.

47. Traffic Control Plan: At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant/developer shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared by a registered civil engineer or traffic engineer licensed in the State of California, and be in accordance with the California MUTCD standards. The engineer shall sign and stamp the plans as approved. In general, any public right-of-way shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, applicant/developer is required to obtain prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops. Construction work may not commence until the TCP is approved by the Public Works Director.

48. Lighting: Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections and be consistent with the Declaration and Alameda Point Lighting Mitigation Measures.

Solid Waste

49. Waste Management Plan: The applicant/developer shall submit a Waste Management Plan (WMP) to the Public Works Environmental Services Division for approval. The plan shall describe how the trash and debris will be handled. The WMP shall be submitted by the developer to Environmental Services via Green Halo (greenhalosystems.com) prior to start of the demolition, remodeling, or construction work. This must be done using Green Halo's web interface. The Public Works Environmental Services Division will review the WMP, and will provide comments that shall be incorporated into the plans for the project. The project is subject to the WMP requirement of section 21-24 of the AMC, and must recycle at least 50% of total debris hauled from the project.

50. Green Halo: Within thirty (30) days after the completion of the demolition work, the developer shall submit a Summary Report to the Public Works Environmental Services Division, via Green Halo (greenhalosystems.com) or other form approved by the Public Works Director. For approval, this reporting will specify actual tonnages disposed and/or recycled for each material, and the actual destination/processor. Disposal and/or recycling weight tags from that facility or facilities will be directly uploaded to Green Halo to verify this activity.

51. External Enclosures: Design of all external enclosures for solid waste, recycling, and organics consistent with this condition shall be approved by the Public Works Director prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash, and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings they shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Director.

52. Collection: Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number, and distribution to serve the anticipated demand for trash, recycling, and organics as determined by the Public Works Department. The trash collection areas shall be accessible to residents and employees. Each storage area shall be no more than 250 feet from any dwelling unit, or in the garage. Trash enclosures and/or recycling area shall be covered; no other area shall drain onto these areas. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. The applicant shall contact the City and East Bay Municipal Utility District (EBMUD) for specific connection and discharge requirements prior to building permit issuance. Discharges to the sanitary sewer are subject to the review, approval, and conditions of the City and EBMUD.

53. Fitted Lids: All solid waste containers, including dumpsters and individual cans or carts, must have fitted lids which shall remain closed at all times when the container is not being used

Construction Conditions

54. Hazardous Materials. The applicant/developer shall provide documentation from a qualified professional to the City of Alameda stating that adequate soils and ground water investigations and, where warranted, remediation, have been conducted to ensure that future site use complies with the regulatory requirements for hazard related risks as established by applicable Federal, State and local requirements. The project sponsor shall ensure that all proposed areas for demolition and abatement shall be assessed by qualified licensed contractors for the potential presence of lead-based paint or coatings, asbestos containing materials, and PCB-containing equipment prior to

issuance of a demolition permit. During Construction the developer/applicant shall ensure that all construction crews are properly trained and made aware of any site contamination issues consistent with the Alameda Point Site Management Plan (SMP) and MMRP.

55. Truck Plan: Prior to issuance of grading permit, developer/applicant shall submit a Truck Route Plan for hauling to be approved by the City Engineer. The Plan must be incorporated into any construction documents for every contract.

56. Notice to Neighbors: At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided to the City for review and approval at least five (5) business days in advance.

57. Construction Hours: Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration from heavy machinery such as pile drivers, drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible.

58. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a program of dust control is implemented consistent with City, MMRP and BAAQMD requirements.

59. Cultural Resources: In the event that previously unidentified cultural resources are discovered during site preparation or construction, work shall cease in the immediate area until such time as a qualified archaeologist and City of Alameda personnel can assess the significance of the find. If human remains are encountered, work shall halt within 50 feet of the find and the County Coroner shall be notified immediately.

60. Utilities: If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department, Alameda Municipal Power, and the Community Development Department, and carry out any necessary corrective action to their satisfaction.

Fire Safety

61. Fire Access: The developer/applicant shall provide adequate turn around space or through access for any street greater than 150 feet in length to the satisfaction of the Fire Chief and the City Engineer. Emergency Vehicle Access roads shall have an adequate turning radius for fire apparatus (inside turning radius of 28 feet, outside turning radius 44 feet 8 inches, minimum height 13 feet 6 inches, minimum width 20 feet) and 26 feet wide in the immediate vicinity or portion thereof buildings 30 feet or taller. All streets and courts within the development that are required to be fire access roads, shall be marked as fire access roads to the satisfaction of the Fire Chief. All roads that are required to be fire access roads shall be designed to handle fire apparatus weight of up to 35,000 pounds per axle. Parking shall be prohibited within the streets and alleys that are dedicated as fire lanes. CC&R's shall include an enforcement mechanism.

Alameda Municipal Power (AMP)

62. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.

63. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

64. Concurrent with submittal of Improvement Plans, the Applicant shall coordinate with AMP regarding power requirements. All submittals shall refer to AMP's "Material and Installation Criteria for Underground Electrical Systems" for minimum clearances of street trees/shrubs from streetlights, electrical transformers and other utility electrical equipment.

65. The Applicant shall provide and install street lighting consistent with AMP's standard specifications and AMP's "Material and Installation Criteria for Underground Electrical Systems". Cobra head light fixtures shall not be used for street lights and all street lights shall be designed to preserve "dark skies" and direct light downward toward the public right of way. No signs shall be installed or mounted on street light poles owned and/or maintained by AMP. All new signs shall be installed on dedicated sign posts.

66. Applicant/Developer shall have all streetlights included in the Improvement Plans, installed, fully functional and operating prior to issuance of a Certificate of Occupancy for any building unless a phasing plan is approved by the Director of Public Works.

Applicant/Developer shall pay to AMP the sum of Six Dollars ($6.00 as adjusted no more than annually for inflation) per streetlight per month, or portion of a month, for the streetlight energy costs until the applicable improvements are accepted for maintenance by City.

67. The Applicant shall be required to furnish two streetlight poles and LED fixtures of each type installed, at no cost, to AMP as a stock for future pole/fixture replacement on public street. If AMP agrees to maintain private streetlights, the Applicant/Developer shall also be required to furnish two additional streetlight assemblies (e.g. pole, fixture, arm, shroud, etc) of each type.

68. All public streets shall be lit with LED lighting. Streetlight layout shall be staggered for a more uniform light distribution. Applicant/Developer can provide alternate design if a better efficient light distribution is met. Applicant/Developer shall use AMP LED standard fixtures. LED streetlight fixtures shall offer tri-level lighting with the mid-level setting meeting IES RP-8-14.

69. The Applicant shall provide all necessary underground substructures, including conduits, pull boxes, electric utility equipment pads, etc. per the AMP specifications. AMP will require easements for all transformers, primary and secondary boxes, and conduits. AMP will furnish and install all required transformers, high voltage distribution cables, and secondary cables. Existing Alameda Point electric substructures will NOT be re-used.

70. The Applicant shall provide an easement for electric utility vehicle access to AMP's Cartwright Station. The easement shall encompass the entire perimeter of the substation, including buildings and exterior yards with a 25-foot minimum clearance from any structure (above or below grade), wall and fence. Applicant shall avoid planting any trees that will grow in fullness to the point they may encroach into the perimeter easement.

71. The Applicant/Developer shall install all electric pull boxes and vaults in-line with the conduit joint trench. No conduit bend will be allowed between electric pull boxes, unless conduit section terminates to an electrical equipment pad. All primary and secondary electrical distribution pull boxes shall not be greater than two section deep (34-inches from finish grade to bottom of pull box). Any deviations from this standard shall be approved by the AMP Project Engineer in writing.

72. Applicant/Developer will be required to provide an oil containment facility for all AMP owned pad-mount distribution switches and/or transformers installed within 100-feet of any body of water or in other critical locations. Applicant/Contractor shall contact AMP to verify all dimensions, elevations, and orientation before commencing work.

73. The Applicant shall furnish and install code-size service cables in code-size conduit from each customer electric meter switchgear to the nearest secondary pull box (or Service Point) in the public right-of-way, as designated by AMP. AMP will connect the service to the distribution transformer or to the secondary distribution system.

74. The improvement plans and all subdivision maps shall show all necessary easements and access to all electrical utility facilities that are in the private properties, at no charge to AMP.

75. Prior to issuance of Certificate of Occupancy, the Applicant shall furnish and install service equipment for each building. The service equipment shall meet Electric Utility Service Equipment Requirement Committee (EUSERC) standards. Electric meter(s) shall be located as close as practicable to the point of entry of the service-entrance conductors to the building. Outdoor meter locations are preferred. When meters are located within a building, the meter room shall be directly accessible from the exterior of the building. No remote metering.

76. Concurrent with acceptance of work by City Council, the applicant/developer shall dedicate and AMP shall take over ownership and will be responsible for maintaining all new substructures for under grounding primary and secondary circuits, and distribution transformers once the improvements have been inspected by AMP and found to have been properly installed. The Applicant or successor property owner(s) shall be responsible for the service cables and service equipment.

77. The Applicant/developer shall be responsible for all expenses involved in the duct/joint trench system engineering design, plan check, project coordination, and electrical construction inspection. The Applicant shall be responsible for the cost of AMP assigned inspector during construction.

78. The Applicant/developer shall submit, with the site improvement plans, detailed drawings showing the required site electric utility facilities.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, “Indemnitees”) from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney’s fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys’ fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in

writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 25th day of July 2022, by the following vote to wit:

AYES: (4) Ariza, Curtis, Hom, and Ruiz

NOES: (0)

ABSENT: (3) Cisneros, Saheba and Teague

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-12

RECOMMENDING APPROVAL OF THE ALAMEDA POINT SITE A DEVELOPMENT AGREEMENT FIRST AMENDMENT BY AND BETWEEN THE CITY OF ALAMEDA AND ALAMEDA POINT PARTNERS REGARDING 68 ACRES AT ALAMEDA POINT REFFERED TO AS THE ALAMEDA POINT SITE A PROJECT

WHEREAS, in order to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs and risk of development, the Legislature of the State of California enacted Section 65864 et seq. of the Government Code (the "Development Agreement Legislation") which authorizes a City and a developer having a legal or equitable interest in real property to enter into a binding, long-term development agreement, establishing certain development rights in the property; and

WHEREAS, pursuant to Government Code Section 65864, the City has adopted rules and regulations establishing procedures and requirements for consideration of development agreements, which procedures and requirements are contained in Alameda Municipal Code Chapter XXX, Article VII, Code Sections 30-91 through 30-95 (the "City Development Agreement Regulations"); and

WHEREAS, the City and Alameda Point Partners, a Delaware limited partnership ("the Developer") entered into a Disposition and Development Agreement dated August 6, 2015 and a Development Agreement dated August 6, 2015 approved by the City Council by Ordinance No. 3127 and 3128, for the acquisition and development of a 68-acre portion of the former Naval Air Station Alameda ("NAS Alameda") (the "Property"); and

WHEREAS, in accordance with the Development Agreement Legislation and the City Development Agreement Regulations, the Developer filed an application requesting the approval of a development agreement amendment for the Property. A draft of the proposed development agreement amendment was prepared and submitted as Exhibit 1, attached hereto; and

WHEREAS, the City is desirous of advancing the socioeconomic interests of City and its residents by promoting the productive use of the former NAS Alameda consistent with the NAS Alameda Community Reuse Plan (the "Reuse Plan") adopted by the Alameda Reuse and Redevelopment Authority in 1996 and re-entitling Site A to accommodate the Regional Housing Needs Allocation, and

WHEREAS, the Alameda Point project, as more fully described in the amended Development Plan, which was approved by the Planning Board on July 25, 2022, and subject to the Development Agreement, includes the following components:

a. Approximately 1,300 residential units, of which 25% will be affordable units as more specifically defined in the DDA;

b. A minimum of 300,000 square feet and up to 360,000 square feet of permitted and conditionally permitted non-residential uses (including but not limited to,

retail, commercial, civic and other commercial space) and, which may include the adaptive reuse of some of the existing structures on the Property;

c. New and/or upgraded public utilities, including water distribution system, wastewater collection system, recycled water storage and distribution system, storm water collection and Storm water Management Control System and other improvements as more particularly described in the Infrastructure Package attached to the DDA;

d. Up to approximately 10 acres of parks and open space;

e. New and/or upgraded streets and public ways as more particularly described in the Infrastructure Package;

f. Bicycle, transit, and pedestrian facilities as more particularly described in the Infrastructure Package; and

g. Such additional improvements and contributions set forth in the Infrastructure Package and required under the DDA, including obligations related to the Major Alameda Point Amenities; and

h. Freezes all zoning regulations (AMC Chapter XXX Development Regulations) in place as of the effective date of the Development Agreement First Amendment.

WHEREAS, the development of the Property in accordance with this proposed Development Agreement will accrue clear public benefits to the public that are in addition to those dedications, conditions and exactions required by existing City ordinances, regulations or policies, and which advance the planning objectives of the City and include the following public benefits: the construction of significant amounts of new affordable housing, increased public access and open space, transportation improvements, extensive infrastructure improvements that serve not only the Alameda Point project, but also deliver the necessary gateway infrastructure to the job-producing center that will be occurring south of West Atlantic Avenue; and

WHEREAS, the development of the Alameda Point project would be required to comply with the Transportation Demand Management Plan for Alameda Point ("TDM Plan"), the Reuse Plan, the General Plan, the Waterfront Town Center Specific Plan, the Zoning Ordinance (Alameda Municipal Code 30-4.24), and a Master Infrastructure Plan (“MIP”) (collectively, the “Planning Documents”); and

WHEREAS, after conducting a duly noticed public hearing on July 25, 2022, and hearing all qualified and interested persons and receiving and considering all relevant evidence, the Planning Board finds and determines as follows:

a. The notice of the public hearing was given for the time and in the manner as prescribed by law.
b. As proposed, the Development Agreement First Amendment will not be detrimental to the health, safety and general welfare and is consistent with the objectives, policies, general land uses, and programs specified in the Reuse Plan, the General Plan, the Town Center Plan and the Alameda Point Zoning

Ordinance and will promote the redevelopment and revitalization of the Property.

c. The Development Agreement First Amendment is consistent with the General Plan and the other land use regulations because it ensures that the amended Development Plan for Site A is implemented and completed in appropriate phases over time.

WHEREAS, the terms and conditions of this Development Agreement First Amendment have undergone extensive review by the City, the Developer and their respective legal counsel. The Planning Board at a publicly noticed meeting found the Development Agreement First Amendment to be in conformance with the General Plan, the Development Agreement Legislation, and the City Development Agreement Regulations; and

WHEREAS, the Planning Board finds that the economic interests of the City's residents and the public health, safety and welfare will be best served by entering into this Development Agreement First Amendment; and

WHEREAS, on February 4, 2014, by Resolution No. 14891, the City Council certified the Final Environmental Impact Report (FEIR) (State Clearinghouse No. 201312043) under the California Environmental Quality Act ("CEQA"), California Public Resources Code Section 21000 et seq. and adopted written findings and a Mitigation Monitoring and Reporting Program ("MMRP") for the Alameda Point project, including the Town Center Plan area, which contains the project site (Alameda Point EIR); and

WHEREAS, on November 30, 2021, by Resolution No. 15841, the City Council certified a FEIR (State Clearinghouse No. 2021030563) under CEQA, and adopted written findings, a Statement of Overriding Considerations, and a MMRP for the General Plan Amendment to update the Alameda General Plan (General Plan EIR), which evaluated the environmental impacts of 12,000 additional housing units in Alameda over 20 years, including 5,353 housing units to accommodate the RHNA between 2023 through 2031; and

WHEREAS, Staff has prepared an Environmental Checklist for Streamlined Review, which documents the application of the criteria for streamlining in Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 and concludes, based on substantial evidence, that no further review under CEQA is required; and

WHEREAS, the City and Developer for reasons cited herein have determined that the Project is a transit-oriented destination development for which this Development Agreement First Amendment is appropriate. This Development Agreement First Amendment will eliminate uncertainty regarding Project Approvals for the 20-year term thereby encouraging planning for, investment in and commitment to use and development of the Property; and

WHEREAS, continued use and development of the Property in accordance with this Development Agreement First Amendment is anticipated to, in turn, provide

substantial benefits and contribute to the provision of needed infrastructure for area growth, thereby achieving the goals and purposes for which the Development Agreement Statute was enacted; and

WHEREAS, on July 25, 2022, the Alameda Planning Board conducted a duly noticed public hearing on this Development Agreement First Amendment in accordance with Government Code section 65867 and the City Development Agreement Regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that:

As proposed, the Development Agreement First Amendment will not be detrimental to the health, safety and general welfare and is consistent with the objectives, policies, general land uses, and programs specified in the Reuse Plan, the General Plan, the Town Center Plan and the Alameda Point Zoning Ordinance and will promote the redevelopment and revitalization of the Property.

In addition, the Development Agreement First Amendment is consistent with the General Plan and the other land use regulations because it ensures that the Development Plan for Site A, as amended, is implemented and completed in appropriate phases over time.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 25th day of July 2022, by the following vote to wit:

AYES: (4) Ariza, Curtis, Hom, and Ruiz
NOES: (0)
ABSENT: (3) Cisneros, Saheba and Teague

ATTEST:

Allen Tai

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESO NO. PB-22-13

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING DESIGN REVIEW AMENDMENT APPLICATION NO. PLN21-0560 FOR THE CONSTRUCTION OF AN APPROXIMATELY 7,000 SQUARE FOOT VETERINARY CLINIC AND ADMINISTRATIVE OFFICE AT 2331 NORTH LOOP ROAD

WHEREAS, the subject property is located at 2331 North Loop Road in the Harbor Bay Business Park, and designated as Business + Employment on the General Plan Land Use Diagram; and

WHEREAS, the subject property is located in a C-M-PD, Commercial Manufacturing - Planned Development Zoning District; and

WHEREAS, the Planned Development for the Business Park was approved by PD-81-2 (Resolution No. 1203), and subsequently amended by PDA-85-4 and PDA05-0003; and

WHEREAS, PD-81-2 requires the Planning Board approve a Final Development Plan for every new development proposal within the Business Park; and

WHEREAS, in 2018 the Friends of the Alameda Animal Shelter (FAAS, or applicant) submitted an application for Design Review, Final Development Plan, Planned Development Amendment, and Use Permit to allow the construction and operation of an approximately 12,000 square foot animal shelter with two supervised outdoor dog runs; and

WHEREAS, the Planning Board held a duly noticed public hearing on June 10, 2019 and unanimously approved the Design Review, Final Development Plan, and Planned Development Amendment; and

WHEREAS, the Planning Board held a duly noticed public hearing on January 27, 2020 and unanimously approved the Use Permit; and

WHEREAS, on January 12, 2022 the Planning Director issued a 2-year extension of the approved Use Permit consistent with Alameda Municipal Code (AMC) Section 30-21.10; and

WHEREAS, on December 8, 2021 an application was made by Marieca Tye on behalf of FAAS requesting Design Review Amendment approval for a redesigned 7,000 square foot veterinary hospital with administrative offices; and

WHEREAS, the Planning Board held a duly noticed public hearing on June 13, 2022 for the Design Review Amendment and examined pertinent maps, drawings, and documents.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds no further environmental review is necessary pursuant to McCorkle Eastside Neighborhood Group v. City of St. Helena (2018) 31 Cal.App.5th 80, which found that design review for by right projects is a ministerial decision under Public Resources Code section 21080.

BE IT FURTHER RESOLVED that the Planning Board makes the following findings relative to the application (PLN21-0560):

DESIGN REVIEW FINDINGS:

1. **The proposed project design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.** The proposed building includes materials, architectural elements, and building colors that are compatible with the General Plan and Zoning Ordinance. The design of the building is complementary to existing buildings in the business park, and the building itself is visually interesting with architectural detailing and articulation as set forth in the Design Review Manual. Site features such as landscaping are incorporated to soften interfaces with adjacent residential homes. The overall development plan also conforms to the Harbor Bay Business Park development regulations and guidelines for compatibility with the adjacent airport environment and commercial development.

2. **The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.** The proposed building design is compatible with the surrounding office park and adjacent residential neighborhood. The project is sensitive to the adjacent single family homes by incorporating a "sensory garden" with landscaping and trees to separate the building and the homes. The building is similar in design and scale with other buildings in the business park and the adjacent office buildings. The overall building height is two stories and 29 feet tall, lower than the maximum allowed height of the adjacent residential neighborhood. Therefore, the proposed project, with conditions of approval, will be compatible with the adjacent surrounding development.

3. **The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.** Design elements have been incorporated into the building and site plan to ensure the compatibility of the project with the character and uses of adjacent development. Specifically, these design elements including keeping a building height of two-stories to match adjacent residential homes, including landscaped buffers along the property lines, and providing a formal walkway connecting the site along the path between the lagoon and the Harbor Bay shoreline.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Board approves file no. PLN21-0560 for Design Review Amendment for the construction of an approximately 7,000 square foot veterinary hospital with administrative offices at 2331 North Loop Road, subject to the following conditions:

1. Building Permit Conditions: These conditions shall be printed on the first page of all building plans and improvement plans.

2. Building Permit Plans: The plans submitted for the building permit shall be in substantial compliance with the plans prepared by Forge Architects, date stamped received on December 8, 2021, and on file in the office of the City of Alameda Planning, Building, and Transportation Department, except as modified by the conditions listed in this resolution.

3. ALUC/FAA Compliance: Prior to issuance of building permits, the applicant shall provide verification of final Federal Aviation Administration (FAA) and Alameda County Airport Land Use Commission compliance. The applicant shall provide the FAA a Form (currently designated 7460 although FAA may designate a substitute form), completed to FAA satisfaction, which describes the electronic and light emissions and reflections from the facility toward Port of Oakland runways and related information. The FAA Form 7460 or the equivalent regulates both building external elements and construction elements including temporary use of cranes. The applicant shall also provide evidence that any construction crane height is acceptable to the Port of Oakland. The applicant shall conform to FAA requirements in the Form 7460 or FAA-approved equivalent process. The applicant shall conform to any process of the Alameda County Airport Land Use Commission and shall provide verification to the Planning Director of compliance efforts.

4. Planning Board Resolution No. 1203 Compliance: Prior to issuance of Building Permits, the applicant shall provide verification of compliance with the conditions of Planning Board Resolution No. 1203, which are incorporated by reference and which shall be printed on the first page of all building plans and improvement plans.

5. Dust Control: Prior to issuance of building or grading permits, the developer/applicant shall ensure that a dust control program is implemented consistent with City and BAAQMD requirements. Construction activities shall be subject to the requirements of the Alameda Municipal Code, which restricts construction to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship. Design specifications shall incorporate Waste Management and Recycling elements for building and site demolition debris.

6. Noise: Prior to the issuance of building permits and prior to any future change in building use, the applicant shall submit an acoustical analysis meeting the requirements of Condition No. 60 of Resolution No. 1203 with the building permit applications.

7. Signage: Any temporary or permanent signage is subject to a sign permit approval. All signage shall be consistent with the requirements of the approved signage program for Harbor Bay Business Park.

8. Lighting: New exterior lighting fixtures shall be consistent with AMC Section 30-5.16.c, the Alameda Dark Skies Ordinance.

9. Water Efficiency Landscape Ordinance: Prior to issuance of building permits or improvement plans, Applicant/Developer shall submit a complete WELO Landscape Documentation Package, as defined by Alameda Municipal Code (AMC) Section 30-58.3(d), subject to the approval of the Planning Director.

10. Modifications: Minor project design details requested by the Applicant may be established, modified, and approved by the Planning Director. Engineering standards and specifications requested by the Applicant may be established, modified and approved by the Public Works Director, or his designee. Major modifications that are not consistent with this design review approval or these conditions shall be subject to review and approval of the Planning Board.

11. Expiration: This Design Review approval shall expire and become void unless actual construction under valid permits has commenced within two years after this approval. A

one-time extension for an additional two years may be granted by the Planning Director upon written request.

PUBLIC WORKS (GENERAL)

12. The project shall comply with Chapter 22 of the Alameda Municipal Code (Streets and Sidewalks) as determined by the City Engineer.

13. The project shall comply with all current, applicable, plans, standards, policies and guidelines including Alameda's Municipal Code (AMC), Standard Plans and Specifications, and Standard Subdivision Specifications and Design.

14. The fee for plan checking and inspection shall be calculated in accordance with the latest Schedule of Fees & Charges as approved by the City Council. A cash security deposit of an amount as determined by the City Engineer will be required prior to issuance of the improvement plans.

15. A current title report, less than six months old, shall be submitted to identify current ownership and any existing easements or land use restrictions.

16. An Encroachment Permit is required for all work within the Public Right-of-Way.

IMPROVEMENT PLANS

17. The Applicant shall submit for review and approval construction Improvement Plans for all on- and off-site improvements. The plans shall be prepared, signed and stamped as approved by a registered Civil Engineer licensed in the State of California. The Improvement Plans shall be approved by the Public Works Department prior to issuance of a Building Permit for the development.

18. An Engineer's Cost estimate for frontage and site improvements shall be submitted for review and approval by the Public Works Department. The developer shall provide a construction performance bond and a materials and labor bond equivalent to the cost of the public improvements within the right-of-way along the project frontage.

19. The developer shall construct and dedicate to the public full street improvements, including concrete curb, gutter, sidewalk, paving, drainage system, streetlights and landscaping, all to the satisfaction of the City Engineer. The existing street shall be resurfaced whenever a street is cut for utility or other installations. The pavement shall be resurfaced to the centerline of the street if the existing pavement is either damaged or the structural section is determined by the City Engineer to be inadequate for the intended traffic.

20. Any improvements to street lighting shall be designed in accordance with the City of Alameda Street, Parking Lot and Pathway Lighting Design Guide, latest edition. Any adjustments to bring street lighting up to City standards will be incorporated into final permit drawings.

21. The Applicant shall submit a soils investigation and geotechnical report for the proposed development, subject to the review and approval of the City Engineer. The report shall address the structural and environmental analysis of existing soils and groundwater and provide recommendations for all grading, retaining walls, bulkheads, surface and sub-surface drainage, lot drainage, utility trench backfilling, and pavement design. The

improvement plans shall incorporate all design and construction criteria specified in the report and shall be reviewed and signed by the Soils Engineer specifying that all recommendations within the report have been followed.

22. Any retaining walls, which are adjacent to a property line, shall be masonry, metal, or concrete. Any existing retaining walls to remain are to be evaluated by the Applicant's geotechnical/structural engineer for integrity and applicability to the geotechnical engineer's recommendations.

23. The geotechnical/soils engineer shall submit a letter report to the City at completion of construction certifying that grading, drainage and backfill installation was performed in general compliance with recommendations in the geotechnical report.

24. All development shall be designed to account for future predicted sea level rise to Elevation 13 feet, NAVD88 Datum.

25. Only two curb cuts per parcel will be allowed.

26. The improvement plans shall include a construction phase erosion and sedimentation plan for review and approval.

DRAINAGE AND STORMWATER TREATMENT

27. All on site surface drainage shall be collected and conveyed in an adequately designed underground storm drainage system in a manner to be approved by the City Engineer. The downstream drainage system shall be analyzed and inadequacies, if any, corrected as determined by the City Engineer. The site shall be graded so that no runoff is directed to adjacent properties.

28. A storm drainage hydrology analysis, identifying the total peak drainage flow quantities to be generated by the proposed development shall be prepared in accordance with the Alameda County Flood Control District Hydrology and Hydraulics Manual by a registered Civil Engineer licensed in the State of California and submitted as part of the construction improvement plans. The City will provide this data to an independent consultant who will assess the impact of the proposed development on the City's storm drainage system and determine the improvements, if any, to ensure sufficient capacity for this project and anticipated cumulative growth in the associated drainage basin. The applicant will pay for the cost of the modeling study. The Applicant shall include the recommended improvements into the project's improvements.

29. The project shall incorporate permanent stormwater design techniques and source control measures to manage the quantity and quality of stormwater runoff from the planned development to prevent and minimize impacts to water quality, in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit, and consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance Manual. Efforts should be made to minimize impervious surface areas, especially directly connected impervious surface areas.

30. The project shall incorporate permanent post-construction stormwater quality controls in accordance with the City of Alameda's National Pollution Discharge Elimination System (NPDES) Permit. Stormwater design and treatment measures shall be constructed consistent with the latest version of the Alameda County Clean Water Program's Provision

C3 Technical Guidance Manual.

31. The development is subject to full trash capture requirements of the City's NPDES permit. A full trash capture system or device is any single device or series of devices that traps all particles retained by a 5mm mesh screen and has a design treatment capacity of not less than the peak flow rate Q resulting from a one-year, one-hour storm in the sub-drainage area. Plan sheets shall include location, detail and cross-sectional drawings of any stormwater full trash capture device(s).

32. Prior to the issuance of any permits for the project, the Applicant shall include a finalized Stormwater Quality Management Plan with the Improvement Plans. The plans shall include detail drawings of the stormwater design and treatment measures consistent with the latest version of the Alameda County Clean Water Program's Provision C3 Technical Guidance.

33. The City of Alameda C3 certification form shall be submitted along with the Stormwater Quality Management Plan. The form shall be signed and stamped by a qualified independent civil engineer with stormwater treatment facility design experience, licensed in the State of California, and acceptable to the City Engineer that indicates the treatment meets the established sizing design criteria for stormwater treatment measures.

34. Prior to the issuance of any permits for the project, the Applicant shall submit for review and approval by the City Engineer a Stormwater Operations and Maintenance (O&M) Plan that provides a thorough discussion of the inspection, operations and maintenance requirements of all of the stormwater measures, including trash capture, stormwater treatment, and the pervious pavement measures of the site. This O&M Plan shall be consistent with the City of Alameda O&M Plan Checklist. Once approved as final, provide City Public Works a pdf file of the completed O&M plan.

35. Prior to issuance of the certificate of occupancy, the Property Owner(s) shall execute a Treatment Measures Maintenance Agreement with the City, complete with an approved Operations and Maintenance Plan, the template for annual self-reporting, and assurances for property access for City verification inspections.

36. Prior to issuance of the certificate of occupancy, the Applicant shall submit a certification report (Report) prepared by a registered civil engineer, licensed in the State of California, affirming that all project site stormwater treatment measures have been constructed per the City approved plans and specifications. As appropriate, the Report shall include, but not be limited to, assurances that: imported materials used for the treatment measure(s) are certified by the supplier; installation of these materials is per approved plans and specifications and meets the intent of the design engineer; required on-site testing results conform with approved plans and specifications; treatment measures conform to dimensions, grades and slopes on approved plans and specifications; all structural features of the treatment measures comply with plan specifications; the irrigation system is installed and functions as designed; healthy vegetation/ground cover is installed as shown on plans. The Report shall be submitted in a form acceptable to the City Engineer.

37. The Applicant shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system and/or waters of the State.

TRAFFIC AND TRANSPORTATION

38. The Applicant shall comply with all applicable policies and requirements of the current approved transportation plans, including Alameda's Bicycle Master Plan, the Pedestrian Master Plan, the Long Range Transit Plan, the Transportation Demand Management and Transportation System Management (TSM/TDM) Plan, and the Multimodal Circulation Plan, Transportation Element of the General Plan, and the Transportation Choices Plan. Bicycle parking shall be consistent with AMC 30-7.15 Bicycle Parking.

39. Transportation facilities, including streets, sidewalks, pathways, parking lots, striping, signage, and signalization, shall be designed in accordance with Alameda's Bicycle Facility Design Standards and Pedestrian Design Guidelines as well as the Caltrans Design Manual and Standard Plans and the California MUTCD.

40. Prior to the issuance of an Encroachment Permit, a traffic control plan that addresses pedestrian circulation around the site and parking and/or travel lane closures on the surrounding streets shall be submitted for review and approval by the City Engineer.

41. Parking layout shall be constructed in conformance with the City's off-street parking design standards, AMC Section 30-7.9 Off-Street Parking and Loading Space Regulations, and Accessible stalls and shall comply with all other applicable City and Caltrans and California MUTCD Standards.

42. No signs shall be installed or mounted on street light poles owned and/or maintained by the City. All new signs shall be installed on dedicated sign posts.

UTILITIES

43. Sanitary sewers shall be in accordance with the EBMUD Regional Standards for Sanitary Sewer Installation.

44. A sanitary sewage flow analysis identifying the total peak sanitary sewage flow quantities to be generated by the proposed development, shall be prepared by a registered civil engineer licensed in the State of California and submitted as part of the construction improvement plans. The analysis shall identify required improvements, if any, to ensure sufficient sewage capacity for this project and anticipated cumulative growth in the associated sewer sub-area.

45. The Applicant shall include the City and EBMUD recommended improvements, if any, into the project's improvements plans prior to approval of the improvement plan.

46. The City participates in the EBMUD Regional Private Sewer Lateral Program; therefore the Applicant shall comply with the provisions of this program prior to the issuance of Certificate of Occupancy. The project must be issued a Compliance Certificate by EBMUD.

47. Prior to issuance of building permits, the Applicant shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project.

48. The Applicant shall design and construct water, power, telecom, gas, and other utilities in accordance with applicable utility standards.

49. All new utilities shall be placed underground prior to the issuance of an occupancy permit.

50. Fire sprinkler system test water discharges shall be directed to the sanitary sewer system or to appropriately-sized onsite vegetated area(s).

51. The project shall accommodate three waste streams: recycling, organics, and trash; as required by the Alameda County Waste Management Authority's Mandatory Recycling Ordinance (ACWMA Ord. 2012-01). All solid waste containers shall have fitted lids.

52. All trash containers outside the building shall be stored in a roofed trash enclosure. The trash enclosure shall have a concrete pad, designed to prevent run-on to and runoff from the enclosure. The enclosure shall have solid walls on three sides with a lockable gate on the fourth side. If the trash enclosure is attached to the building it should have fire sprinklers.

53. The design, location, access, and provisions for waste hauler collection of all external enclosures for solid waste, recycling, and organics shall be of sufficient size and design to serve the development as approved by the Public Works Department prior to approval of the improvements plans, parcel/final map(s), or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the PWD prior to establishment of the use.

54. The Development shall comply with AMC Section 21-24Chapter 21, Article 6 of the Alameda Municipal Code and submit a Waste Management Plan documenting the diversion of project related construction and demolition debris to the satisfaction of the Public Works Director.

55. The landscape and irrigation plans for on-site and public right-of-way improvements shall be prepared, and signed and stamped as approved, by a licensed landscape architect. The plans shall be in accordance with the most recent version of the "Bay-Friendly Landscape Guidelines" developed by StopWaste.Org, and the Bay Friendly Coalition, the AMC, the Alameda Master Tree Plan, the Integrated Pest Management Policy, and other applicable standards.

56. Construction activities are restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship.

FIRE DEPARTMENT

57. The applicant shall be responsible for a water main extension to serve the project, whose design shall be shown on the improvement plans to the satisfaction of the East Bay Municipal Utility District, the Public Works Director, and the Fire Chief.

58. All fire lanes within the development shall be marked as fire access roads to the satisfaction of the Fire Chief.

59. A key box (Knox Box) shall be installed at a location approved by the fire code official. Key box to contain keys to enter the building for immediate access for life-saving or fire-fighting purposes. Keys to be placed within the box are to include the exterior door key(s), electrical room key, elevator equipment room key, elevator operations key, fire alarm control panel room key, fire alarm control panel key, and the fire sprinkler riser room key.

ALAMEDA MUNICIPAL POWER (AMP)

60. The applicant shall comply to AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.

61. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to Alameda Municipal Power (AMP) for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, “Indemnitees”) from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney’s fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys’ fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The Applicant is hereby further notified that the 90-day appeal period, in which the Applicant may protest these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the Applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the Applicant will be legally barred from later challenging such fees or exactions.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 13th day of June 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Hom, Ruiz, Rothenberg, Saheba, and Teague

NOES: (0)

ABSENT: (1) Ruiz

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-14

DECLARING A STATEMENT OF COMPLIANCE UNDER PERIODIC REVIEW FOR A DEVELOPMENT AGREEMENT FOR THE RESHAP PROJECT, FOR THE PERIOD FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

WHEREAS, in 2018, the City of Alameda (City) entered into the RESHAP Development Agreement with MidPen Housing Corporation (MidPen) and Alameda Point Collaborative, Building Futures With Women and Children, and Operation Dignity (the Collaborating Partners, and together with MidPen, the Developer); and

WHEREAS, Developer has initiated a Periodic Review of the Development Agreement, as required under Alameda Municipal Code Section 30-95.1; and

WHEREAS, the Planning Board held a duly noticed public hearing on this request on July 11, 2022, and examined pertinent documents; and

WHEREAS, the Planning Board finds that Developer has complied in good faith with the terms and conditions of the Development Agreement for the period from January 1, 2021 through December 31, 2021, as summarized in the Annual Report Letter submitted by Developer, and has demonstrated a continuing good faith effort to implement the terms and conditions as set forth in said Development Agreement; and

WHEREAS, the Annual Review and reporting is exempt from the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby finds that Developer has complied in good faith with the terms and conditions of the Development Agreement.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6. The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 10th day of January 2022, by the following vote to wit:

AYES: (7) Cisneros, Curtis, Hom, Rothenberg, Ruiz, , and Teague

NOES: (0)

ABSENT: (0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-15

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA FINDING THE ACCEPTANCE OF AN EASEMENT FROM ALAMEDA UNIFIED SCHOOL DISTRICT RELATED TO A ROUNDABOUT ON CENTRAL AVENUE AT THIRD STREET TO BE IN CONFORMANCE WITH THE GENERAL PLAN

WHEREAS, as part of the Central Avenue Safety Improvement Project, in association with a new roundabout at Central Avenue and Third Street, the City of Alameda (City) will accept an easement from Alameda Unified School District (AUSD) for a sidewalk, bikeway and landscaped bioretention area on a portion of the Encinal Junior & Senior High School property; and

WHEREAS, California Government Code Section 65402 requires the location, purpose and extent of an acquisition of real property be submitted to, and reported upon by, the Planning Board whenever a governmental entity proposes to acquire real property for public purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds the General Plan conformity finding exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities involving negligible or no expansion of use), 15304 (minor alterations to land), 15061(b)(3) (because it can be seen with certainty that there is no possibility that the proposed acquisition will have a significant effect on the environment), and 15183 (projects consistent with a community plan, general plan, or zoning), each as a separate and independent basis, and none of the exceptions in CEQA Guidelines section 15300.2 apply; and

BE IT FURTHER RESOLVED, in accordance with Government Code Section 65402, the Planning Board finds that the location, purpose and extent of the easement as described in the exhibits to the accompanying staff report is in conformance with the Alameda 2040 General Plan and is consistent with the Alameda 2040 General Plan Mobility Element. The easement facilitates construction of a roundabout and improvements to the Central/Third Avenue intersection that would address safety for pedestrians and students of the nearby schools. Mobility Element Policy ME-7 specifically calls out the use of roundabouts as a traffic calming measure.

HOLD HARMLESS. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, “Indemnitees”) from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal

costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building and Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 13th day of June 2022, by the following vote to wit:

AYES: (6) Cisneros, Curtis, Hom, Rothenberg, Saheba and Teague

NOES: (0)

ABSENT: (1) Ruiz

ATTEST:

Allen Tai

Allen Tai, Secretary

City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-16

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL ADOPT THE EQUITABLE BUILDING DECARBONIZATION PLAN

WHEREAS, Alameda's Climate Action and Resilience Plan (CARP) calls for citywide reduction in greenhouse gas emissions by 50% below 2005 levels by 2030; and

WHEREAS, CARP and the City's Climate Emergency Declaration (2019) includes a goal of becoming carbon neutral as soon as possible; and

WHEREAS, Alameda Municipal Power (AMP) began providing 100% clean, carbon free electricity to all customers in 2020; and

WHEREAS, 70% of Alameda's GHG emissions come from transportation, 27% from building energy use, and 3% from other sources such as waste, water, and wastewater; and

WHEREAS, with natural gas use in buildings accounting for all the GHG emissions from the building sector, zero emission buildings can be achieved by shifting natural gas use towards 100% clean electric energy, a process known as building decarbonization; and

WHEREAS, in 2021, the Alameda City Council required that all newly constructed buildings be fully electric; and

WHEREAS, zero emission buildings are an essential strategy to reach the City's carbon neutrality goals and the focus of the Equitable Building Decarbonization Plan; and

WHEREAS, achieving net zero buildings will not only further the City's climate and equity goals, it will create a healthier, safer, and more resilient community; and

WHEREAS, energy efficient, all-electric homes save money on energy bills, reducing utility costs for Alameda families and increasing comfort; and

WHEREAS, Alameda's Equitable Building Decarbonization Plan (Plan) provides a phased approach for equitably implementing the needed programs, policies, financing and engagement by 2030 to decarbonize existing buildings by shifting from natural gas use towards energy efficient, all-electric buildings; and

WHEREAS, implementation of the Plan should prioritize available funding and resources towards vulnerable communities and reducing barriers to access; and

WHEREAS, adoption of the Plan will further position Alameda as a state and regional leader in climate action and position Alameda to leverage the numerous existing and future state and federal grants and programs to achieve zero emission buildings as they become available.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board recommends that the City Council adopt the Equitable Building Decarbonization Plan with the following revisions to the text shown in strikeout/underline:

1. Change the recommendation in the Immediate phase of the Implementation Plan on pages 5 and 28, as follows:

    - "~~Develop~~ Explore ordinances requiring certain electrification and energy efficiency measures when renovating or upgrading appliances for already cost-effective electrification measures, with certain exceptions.

    - "Coordinate with ~~Rent Program~~ Alameda City staff and the Alameda community concerning the impact of electrification on landlords and tenants

2. Added a new Equity Principle on pages 4 and 19:

    - "Ensure policies and programs related to this plan doesn't have disproportionate impacts on low income households and communities of color."

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 12th day of September 2022, by the following vote to wit:

AYES: (7) Ariza, Cisneros, Hom, Ruiz, and Teague

NOES: (0)

ABSENT: (2) Curtis and Saheba

ATTEST:

Allen Tai, Secretary

City of Alameda Planning Board

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-17

RECOMMENDING THAT THE CITY COUNCIL ADOPT A GENERAL PLAN AMENDMENT TO UPDATE THE HOUSING ELEMENT FOR THE PERIOD 2023 THROUGH 2031.

WHEREAS, the California legislature has found that "California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives." (Gov. Code § 65589.5.); and

WHEREAS, the legislature has further found that "Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration." (Gov. Code § 65589.5.); and

WHEREAS, the legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that "In 2018, California ranked 49th out of the 50 states in housing units per capita… California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years"; and

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Alameda's (City) regional housing need allocation (RHNA) of 5,353 housing units, comprised of 1,421 very-low income units, 818 low-income units, 868 moderate-income units, and 2,246 above moderate-income units; and

WHEREAS, State law requires that the City take meaningful steps to promote and affirmatively further fair housing (Gov. Code § 65583(c) (5)); and

WHEREAS, State law requires that the City make zoning available for all types of housing, including multifamily housing (Gov. Code § 65583.2 and 65583(c)); and

WHEREAS, Alameda City Charter Article 26 prohibits construction of multifamily housing and residential densities above 21 units per acre; and

WHEREAS, State law generally states that the Housing Element and the City's zoning must support housing for all income levels, and residential densities under 30 units per acre do not support construction of housing for lower income households (Gov. Code § 65583.2(c)(3)(B)(iv)). Although State law may allow different densities, subject to a market study which considers market demand and financial feasibility, that option would ultimately require greater densities given that the City is located in the heart of the San Francisco Bay Area, a region with some of the highest land costs and highest construction costs in the country; and

WHEREAS, to address similar inconsistencies with State law, in 2012, the City adopted the Multi-Family (MF) overlay zone in Alameda Municipal Code (AMC) Section 30-4.23(b) (1) which allows densities of 30 residential units per acre and states, "In the event of a conflict between the provisions of the MF Combining District and the provisions of the underlying district or the Alameda Municipal Code or Alameda City Charter Article 26, the provisions of the MF District shall govern"; and

WHEREAS, the analysis of available sites to accommodate the City's RHNA of 5,353 housing units demonstrates that multifamily housing at densities of greater than 21 units per acre is necessary to accommodate the RHNA; and

WHEREAS, the Housing Element and amendments to AMC Chapter XXX (Development Regulations) must be adopted to comply with State law, accommodate the RHNA, affirmatively further fair housing, and facilitate and encourage a variety of housing types for all income levels, including multifamily housing (Gov. Code §§ 65583.2 and 65583(c)); and

WHEREAS, the preparation, adoption, and implementation of the Housing Element and companion zoning amendments requires a diligent effort to include all economic segments of the community; and

WHEREAS, the City conducted extensive community outreach over the last 18 months which included over 25 public workshops with the Planning Board, City Council, Commission on Persons with Disabilities, Transportation Commission, and Historical Advisory Board; and

WHEREAS, on May 25, 2022, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review. In July 2022, HCD contacted the City with a number of questions about the draft Housing Element, and based upon those questions, City staff revised the draft Housing Element to include additional information and analysis; and

WHEREAS, on August 25, 2022, the City received a letter from HCD stating that the draft Housing Element is in substantial compliance with State

Housing Element Law, and will comply with State Housing Element Law when it is adopted, submitted to and approved by HCD in accordance with Government Code section 65585; and

WHEREAS, on August 29, 2022, the City published the final draft Housing Element (i.e., determined to be in substantial compliance by HCD) on the City website and www.alameda2040.org and requested public comment on the final draft; and

WHEREAS, on September 12, 2022, the Planning Board conducted a duly noticed public hearing and reviewed the 2023-2031 Housing Element and General Plan Land Use Diagram update, zoning map and text amendments, and all pertinent maps, documents and exhibits, including the findings made by HCD and public comments, and provided a final list of revisions; and

WHEREAS, on September 26, 2022, the Planning Board conducted a duly noticed public hearing and reviewed the 2023-2031 Housing Element and zoning text amendments, and all pertinent maps, documents and exhibits, including the findings made by HCD and public comments.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that, based on substantial evidence in the record, the potential environmental impacts of the project have been evaluated and disclosed pursuant to CEQA. On November 30, 2021, by Resolution No. 15841, the City Council certified a Final Environmental Impact Report for the Alameda 2040 General Plan (State Clearinghouse No. 2021030563) in compliance with CEQA, and adopted written findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for the General Plan Amendment to update the Alameda General Plan (General Plan EIR), which evaluated the environmental impacts of 12,000 additional housing units in Alameda over 20 years, including 5,353 housing units to accommodate the RHNA between 2023 through 2031. Pursuant to CEQA Guidelines sections 15162 and 15163, none of the circumstances necessitating further CEQA review are present with respect to the General Plan EIR. Adoption of the General Plan Amendment and corresponding zoning amendments to implement the policies and goals of the Housing Element would not require major revisions to the General Plan EIR due to new significant impacts or due to a substantial increase in the severity of the significant environmental effects. There have been no substantial changes with respect to the circumstances under which the project would be undertaken that would require major revisions of the General Plan EIR due to new or substantially increased significant environmental effects. Further, there has been no discovery of new information of substantial importance that would trigger or require major revisions to the General Plan EIR due to new or substantially increased significant environmental effects. For these reasons, no further environmental review is required; and

BE IT FURTHER RESOLVED, that the Planning Board makes the

following findings pertaining to the General Plan Amendment to update the Housing Element of the General Plan:

1. The proposed General Plan amendments are consistent with the policies and intent of the General Plan. The proposed amendments to the General Plan clarify and improve existing Housing Element policies and objectives and ensure internal consistency between the Housing Element and Land Use Element. The amendments ensure consistency between the City General Plan and State law, which is necessary to achieve General Plan policies and objectives for equal access to housing, access to transportation improvement funds, and mixed use, transit oriented housing opportunities.

2. The proposed General Plan amendments will have acceptable effects on the general welfare of the community. Because several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria, the proposed amendments will facilitate the City's ability to attract new grant funds to improve transportation, infrastructure, open space, and housing. The amendments will also help ensure that households seeking different housing types and affordable housing will have opportunities to find housing in Alameda.

3. The proposed General Plan amendments are in the public interest. Maintaining consistency with State law requirements ensures that the City of Alameda General Plan is adequate for City decision making, preserves access to State funding sources and reduces the risk to the community of lawsuits over the adequacy of the General Plan; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends that the City Council adopt a General Plan Amendment to update the Housing Element of the General Plan as shown in Exhibit A,

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 26th day of September

2022, by the following vote to wit:

AYES:	(7) Ariza, Cisneros, Curtis, Hom, Ruiz, Saheba, and Teague
NOES:	(0)
ABSENT:	(0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

City of Alameda
2023-2031 Housing Element

Adoption Draft | September 2022

ALAMEDA

City of Alameda
2023-2031 Housing Element

Adoption Draft | September 2022

The Housing Element is Alameda's blueprint for how and where the community will meet the housing needs of current and future members of the community, including seniors, families, single-person households, single parent households, people with disabilities, lower-income households, and people experiencing or facing the prospect of homelessness.

PLACEWORKS

Prepared By: PlaceWorks

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Acknowledgements

This Draft Housing Element would not have been possible without the input, help, and suggestions from a wide variety of Alameda citizens, interest groups, and advocates who participated in the public process of creating this Housing Element over the last three years. The public planning process to create this Housing Element is described in more detail in Appendix A, Community Engagement and Consultation. An incomplete list of all those that have helped make this draft possible includes:

All the residents and speakers that have participated in the many public workshops held to date:

Alameda City Councilmembers, Mayor Ezzy Ashcraft, Vice Mayor Vella, and Council members Daysog, Knox White, and Herrera Spencer

Alameda Planning Board members

Alameda Commission on Persons with Disabilities

Alameda Transportation Commission

Alameda Historical Advisory Board

Alameda Housing Authority

Alameda Housing Working Group

Alameda Architectural Preservation Society

Alameda Citizens Taskforce

Alameda Point Collaborative

Alameda Unified School District

East Bay Housing Organizations

Eden Council for Hope and Opportunity

Everyone Home/Alameda County Continuum of Care

Centro Legal de la Raza

Renewed Hope Housing Advocates

Housing and Economic Rights Advocates

Regional Center of the East Bay

Yes in My Backyard (“YIMBY”)

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Introduction

Housing continues to be one of the biggest challenges facing the City of Alameda and the State of California. With some of the highest increases in rent in recent years and home prices continuing to rise, Alameda is facing an unprecedented housing crisis. As housing becomes less affordable and the demand outpaces supply, it is becoming harder for residents to afford housing, especially low- and middle-income families and individuals. Displacement pressures have intensified, the number of homeless individuals in Alameda continues to increase, and Alameda's most vulnerable communities, including low- and middle-income households and communities of color, continue to be disproportionately affected by the housing crisis. The Housing Needs Assessment (Appendix C) describes in detail the scope of the housing needs in Alameda.

In 2020, the City of Alameda, Eden Housing, and Alameda Point Partners opened the first two new residential buildings constructed on the former Naval Air Station in over 50 years. Corsair Flats provides 60 units for very low income seniors and veterans, and an adjacent building (not shown) provides 68 units for lower income families. The Aero Building (on the left) provides 200 market rate rental units. The land for the projects was provided by the City of Alameda. The City requires that 25 percent of all units constructed at Alameda Point be deed restricted for very low, low, and moderate income households.

The Housing Element of the General Plan establishes the goals, policies, and action programs necessary to ensure an adequate supply of housing to meet the Regional Housing Needs Allocation (the "RHNA") for the period 2023 to 2031 and foster inclusive communities free from barriers that restrict access to housing. The Housing Sites Inventory (Appendix D) provides a detailed description of the sites available to accommodate the RHNA and the wide variety of types of housing needed, including but not limited to multifamily rental housing, senior assisted living, supportive housing, shared and single-room occupancy housing, accessory dwelling units, transitional housing, and emergency shelters for the unhoused.

Equity, inclusion, and the need to affirmatively further fair housing are themes that are woven throughout the document to ensure that Alameda is an equitable and inclusive city that provides for the needs of the most vulnerable and historically disadvantaged communities. Housing Element policies and programs ensure that all people and all neighborhoods are considered equal and will have equal opportunities to provide for a safe, high quality of life for themselves and their families, free from discrimination, exclusion, displacement, and exposure to environmental or public health hazards.

Figure 1 The Alameda Landing Waterfront residential project and waterfront park helps to reconnect Alameda to its waterfront while providing a variety of housing for very low, low, moderate, work force, and above moderate-income households.

Affirmatively Furthering Fair Housing

State law requires Alameda to ensure that its laws, programs, and activities affirmatively further fair housing, which means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity and housing. Meaningful actions include actions that will promote equal access to housing for lower income households, including access to transitional, supportive, and subsidized housing.

As described in Appendix D Assessment of Fair Housing, Alameda, like many cities in the Bay Area, historically maintained local land use controls that served to restrict access to housing and therefore opportunities for lower income segments of the community. This Housing Element makes a commitment to specific actions to affirmatively further fair housing and foster inclusive communities free from barriers that restrict access to housing and opportunity. These actions, include but are not limited to:

- Amending the Alameda Municipal Code (AMC) to remove the citywide prohibition on multifamily housing of three or more units and removing the citywide prohibition on residential densities over 22 units per acre ensuring equal access to housing opportunities in all Alameda neighborhoods and mixed-use districts. (See Housing Programs 2, 3, and 4.)
- Amending the AMC to ensure that all housing types, including but not limited to multifamily housing, shared housing, transitional housing, supportive housing, assisted living housing, and subsidized affordable housing are permitted by right in all residential and mixed-use zoning districts ensuring equal access to housing opportunities in all Alameda neighborhoods and mixed use districts. (See Housing Programs 2, 3, 4, and 21.)
- Amending the AMC to ensure that housing opportunity sites are available in every residential and mixed-use district throughout Alameda, including High and Highest Opportunity Area as defined by the 2022 TCAC/HCD Opportunity Map (See Appendix E Housing Sites Inventory and Appendix D Assessment of Fair Housing Table D-10)
- Committing to meaningful actions, programs and services to affirmatively further fair housing, such as Housing Element Programs 8 and 9 regarding Affordable Housing Incentives and Waivers, Program 10 and 11 regarding housing for persons with disabilities and for persons experiencing homelessness, and Programs 12 and 13 regarding the City's rent control program, housing voucher program, educational opportunities, and tenant protection programs.

The Housing Sites Inventory

State Law requires an inventory of land suitable for residential development that can be feasibly developed during the 2023-2031 period and is sufficient to provide for the regional housing need for all income levels. The City of Alameda's Regional Housing Needs Allocation (RHNA) for the eight-year period from 2023 to 2031 is 5,353 units. As described in more detail in Appendix E Housing Sites Inventory, this Housing Element identifies all the properties in Alameda that are zoned appropriately and available to accommodate the regional housing need over the next 8 years.

As described in the Housing Element Programs (See Programs 2, 3 and 4), concurrent with adoption of this Housing Element, the City Council will adopt a comprehensive set of zoning amendments to ensure consistency between the General Plan, Alameda Municipal Code, State housing law, and the Housing Element sites inventory.

Consistent with Alameda General Plan policies, the Housing Element Site Inventory supports:

- **Transit Oriented Development.** The inventory facilitates development of new housing in transit oriented locations with excellent ferry service and/or excellent bus transit service. Over 75% of the housing identified in the Housing Inventory is located in areas identified as "Transit Rich" pursuant to California Public Resources Code sections 21064.3 and 21155.
- **Sustainable Development.** Over 75% of the housing sites are located in the Priority Development Areas (PDAs) designated by Plan Bay Area, the Region's Sustainable Communities Strategy to reduce greenhouse gas emissions and address climate change.
- **High Resource Inclusive Communities**. The inventory addresses the need for housing for each income group, and to affirmatively further fair housing, the land inventory includes sites within every neighborhood of Alameda. Approximately 50% of the land in the inventory is located in areas of Highest and High Resource according to the 2022 TCAC/HCD Opportunity Map. For more detail, see Appendix D Assessment of Fair Housing.
- **Public Lands**: The inventory includes housing sites on land made available by the City of Alameda, the Alameda Housing Authority, or the Federal Government (See Sites 1 North Housing, Site 2 Singleton, and Site 4 McKay.) Over 30% of the housing identified in the inventory is located on public lands.

General Plan Consistency

State law requires that "the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies." The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement, and development of housing within the city.

In November 2021, the City of Alameda City Council adopted a comprehensive update of the six other elements of the General Plan in preparation for the Housing Element update. All elements of the Alameda General Plan, including the Land Use and City Design Element, were updated in anticipation of the 2022 Housing Element Update, and they have all been reviewed for consistency in coordination with the update to the Housing Element. The City will continue to review and revise the Housing Element as necessary to maintain General Plan consistency. Concurrently with the Housing Element update, the City is amending as needed the Health and Safety Elements of the General Plan to include policies regarding hazard mitigation and flood hazard and management information, per Assembly Bill (AB) 162 (California Government Code Section 65302) and addressing environmental justice consistent with Government Code Section 65302(h).

Zoning Ordinance Consistency

Upon completion of the General Plan Update in 2021, the Planning Board and City Council began a systematic review and update to the Alameda Municipal Code Chapter 30 (Zoning Regulations) to ensure that adequate sites are appropriately zoned to accommodate the 2023-2031 RHNA. The zoning amendments to be adopted by the City Council, ensure that all of the sites listed in the Housing Sites Inventory (Appendix D) are appropriately zoned to accommodate housing and that Alameda's zoning regulations adequately address special needs housing, including emergency shelters, low barrier navigation centers, and supportive and transitional housing.

Draft Housing Element Public Review

Appendix A Community Consultation provides an overview and summary of the three-year process and consultations that supported the preparation of this Housing Element.

Throughout the process, the City of Alameda has made a diligent effort to include all economic segments of the community. Invitations to all community meetings were sent to local affordable housing organizations who represent low-income populations to encourage their participation. Affordable housing providers, housing advocacy groups, and citizens representing the more vulnerable communities of West Alameda were actively engaged in the preparation of this Element.

In 2021 and 2022, the Planning Board and City Council held monthly publicly noticed public workshops to provide direction to staff on strategies, policies, and programs to provide additional housing to accommodate the RHNA, affirmatively further fair housing, and ensure appropriate zoning controls and form-based standards to support a transit oriented, sustainable, inclusive and equitable housing plan. These formal public meetings continue to be supplemented with less formal meetings between city staff and neighborhood groups, interested parties, and advocates.

A first draft Housing Element was released on June 3, 2021 for public review and comment. The draft was made available on the City's website and was noticed to residents through the same methods as the Planning Board and City Council meetings. Additional direct noticing was sent to local housing advocate groups.

On April 5, 2022, a second draft Housing Element was circulated for a 30-day public review period. During the period, the Planning Board held two workshops, the Historic Advisory Board held a workshop, and the City Council held a public workshop to take in public comments and provide direction regarding the final Draft Plan to be submitted to the Department of Housing and Development (HCD) for review. All comments received during the comment period were carefully considered. Based upon the review of those comments, a number of revisions were made to the draft Housing Element before sending the Element to HCD for review.

Goals and Policies

The City's goals define success; policies guide future decision making to achieve the goals. The Housing Element is designed to achieve three goals for the Alameda community:

Goal 1: Provide an ample supply of housing to meet the existing and projected housing needs.

Goal 2: Affirmatively further fair housing to foster inclusive neighborhoods and remove barriers to housing for vulnerable communities.

Goal 3: End and prevent homelessness in Alameda.

Figure 2 In 2018, the Alameda Housing Authority opened 20 units for lower income families on Eagle Avenue. The land for the project was provided by the Alameda Unified School District and the City of Alameda. At over $900,000 per unit to construct, the project revealed for many the financial challenges that must be overcome to develop affordable housing in Alameda.

Goal 1: Provide an ample supply of housing to meet the existing and projected housing needs.

H-1 **Housing Production** Maintain an adequate supply of appropriately zoned land and take all necessary actions to support the production of at least 5,353 housing units in Alameda between 2023 and 2031 to accommodate the local and regional housing need.

H-2 **Diverse Housing for Diverse Needs**. Facilitate the construction of a wide range of different housing types to address the diverse housing needs by permitting a greater diversity of housing types, including multifamily housing, courtyard housing, single room occupancy housing, supportive housing, transitional housing, assisted living housing, and other types of housing in all neighborhoods and mixed-use commercial districts.

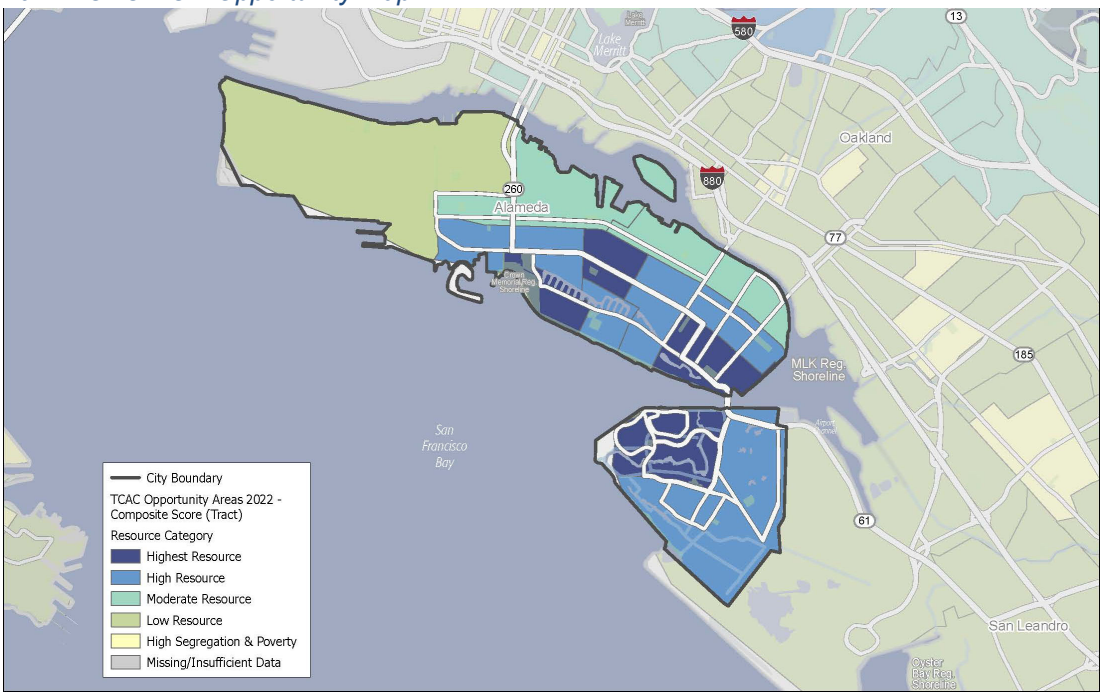
Figure 3 In 2018, Little John Commons opened for 31 very low-income seniors. The land for the project was provided by the City of Alameda.

H-3 **High Opportunity Housing**. Distribute new housing, affordable and market rate, supportive housing, and special needs housing across all neighborhoods and increase the supply of affordable housing and special needs housing in higher opportunity areas and in neighborhoods that currently have fewer affordable housing units or special needs housing to affirmatively further fair housing.

Spotlight: What Are Higher Opportunity Areas?

The Housing Element land inventory and identification of sites must be consistent with Alameda's duty to affirmatively further fair housing. A program to affirmatively further fair housing must include meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity for all groups by replacing segregated living patterns with integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity (without displacement); and fostering and maintaining compliance with civil rights and fair housing laws. As shown in the State's Opportunity Map, the "High Opportunity Areas" in Alameda are generally in eastern Alameda and Harbor Bay, and the lower opportunity areas are west of Webster Street and north of Central Avenue on the main island.

2022 TCAC/HCD Opportunity Map



H-4 **Affordable Housing**. Expand rental and for-sale housing for people of all income levels in all Alameda neighborhoods with units for extremely low-, very low-, low-, moderate-income and special needs households, including people with disabilities, senior citizens, and people in need of assisted, supportive, and/or transitional housing by:

- *Affordable Housing Impact Fees*. Developing and expanding financial resources for affordable housing such as the City of Alameda Affordable Housing Fee Ordinance, which imposes a housing impact fee on new commercial development in the City to fund affordable housing.
- *Inclusionary Housing.* Maintaining inclusionary affordable housing requirements for all new housing construction to ensure that at least 15 percent of all new housing units in new residential developments are deed restricted for households with very low, low, and moderate incomes, and at least 25 percent on-City owned land at Alameda Point.
- *Density Bonuses.* Continuing to promote the City Affordable Housing Density Bonus program to increase the number of deed restricted units in each development.
- *Land Trusts and Cooperatives*. Creating opportunities for land trusts and affordable housing providers to

Spotlight: What Is Inclusionary Zoning?

Inclusionary Zoning policies require that a percentage of new development be deed-restricted affordable housing. Plan Bay Area 2050 recommends requiring between 10 percent and 20 percent of units in all major housing projects as deed-restricted affordable housing, depending on the local context. The City of Alameda, as of July 2021, requires 15 percent of units in projects of five or more units to be deed-restricted affordable housing for 55 years and 25 percent of all units in projects at Alameda Point.

purchase multifamily buildings and operate them as cooperatives and keep them permanently affordable.

- *Creative Home Ownership Programs*. Creating programs to assist tenants to purchase their buildings.
- *Funding*. Applying for Federal and State funds for infrastructure improvements to support development of affordable housing.

H-5 **Alameda Point Public Lands for Affordable Housing.** Maximize opportunities for additional affordable housing in the Main Street Neighborhood Specific Plan area, in the Town Center Waterfront Specific Plan area, and in the former residential buildings in the Adaptive Reuse area of Alameda Point by:

- Reducing construction costs by utilizing public resources, federal and state grants, and proceeds from land sales at Alameda Point to fund infrastructure improvements for affordable housing and lessen the city's reliance on the private capital and market rate housing to fund needed infrastructure and affordable housing.
- Advocating for Federal and State funding for infrastructure and housing construction for lower and moderate-income housing construction.
- Supporting and providing land at no cost for affordable and mixed income home ownership projects.
- Maintaining public ownership of lands use for mixed income and affordable rental housing.
- Supporting less costly manufactured or modular construction to reduce construction costs on public lands as Alameda Point.

H-6 **Accessory Dwelling Units**. Continue to promote, facilitate, and permit accessory dwelling units in residential neighborhoods and mixed-use areas to increase the supply of smaller, more affordable rental units within existing neighborhoods.

H-7 **Sites included in Multiple Housing Cycles.** The City shall allow housing developments with at least 20 percent affordable housing by right on lower-income housing sites that have been counted in previous housing element cycles, consistent with Government Code Section 65583.2(c).

H-8 **Permit Processing Time and Cost.** Streamline the housing approval and construction process by:

- Maximizing the use of prior environmental reviews, tiered environmental reviews, program EIRs, and statutory and categorical exemptions to streamline the review of housing projects and reduce entitlement costs.
- Maintaining adopted Objective Design Review Standards to ensure consistent review and approval criteria for new residential development that is fair, objective, streamlined, clear, and consistent.
- Offering ministerial review for affordable housing and housing for the homeless.

H-9 **Sustainable and Resilient Housing.** Improve the resiliency and reduce the greenhouse gas emissions from Alameda's housing stock by:

- Minimizing displacement in the event of a natural disaster by identifying risks to the housing supply from natural disasters and the impacts of climate change; identifying funding and other resources to support the retrofitting of existing buildings to improve resilience and minimize risks; and planning for emergency housing needs that will result from disasters and climate events and post-disaster housing recovery that ensures an equitable response that considers the needs of Alameda's most vulnerable communities.
- Providing incentives and promote flexibility for the conversion of existing structures to provide new housing and reduce the greenhouse gas emissions resulting from demolition and new construction.
- Providing streamlined review, incentives, and flexibility for residential buildings that promote energy and resource conservation, particularly those that exceed existing green building standards.
- Continuing to offer residential customer energy conservation services, including but not limited to a weatherization cash grant program, a rebate program for energy efficient lights, a meter lending program, a rebate program for EnergyStar refrigerators, a second refrigerator pickup program, free energy audits, and an Energy Assistance Program to help low-income residents reduce their energy use.
- Continuing to support rooftop solar and other local renewable energy improvements to lower energy use and costs for housing.
- Providing materials and education to property owners, tenants, and homebuilders regarding environmentally sustainable residential development practices.

The adaptive reuse and expansion of the historic Del Monte Warehouse will provide for 360 multifamily rental units. Residents will begin moving in in 2022.

H-10 **Education Campaign.** Engage and educate Alameda residents about the benefits of building housing for citizens of Alameda, who are often essential workers, all income groups, special needs communities, and the unhoused by:

- Adopting an annual budget allocation for outreach and education and thwarting disinformation about housing.
- Preparing a video on affordable housing to be shown at public hearings on projects.
- Offering tours of affordable housing projects in the city.
- Developing programs to involve affordable housing residents as advocates for affordable housing.
- Preparing a written history of actions taken in Alameda to remove public housing after World War II, pass legislation such as Measure A in 1973 to prohibit any future construction of multifamily housing, and other events that resulted in the systematic reduction in the supply of affordable housing in Alameda.
- Engaging former residents in telling their stories, leading to a plan to offer them preferences to new housing. Such a program would inform and educate current residents and help Alamedans be more bound to their past. These housing initiatives can be part of the city's efforts to build social housing across the city.

Goal 2: Affirmatively further fair housing to foster inclusive neighborhoods and remove barriers to housing for vulnerable communities.

H-11 **Inclusive and Equitable Plans, Standards, and Regulations.** Promote inclusive and equitable housing plans, policies, and zoning regulations that are inclusive, nondiscriminatory, and culturally responsive; reduce disparities; promote equitable access; minimize the impacts of income disparity; minimize displacement; and promote fair and affordable housing.

H-12 **Fair and Inclusive Decision Making.** Ensure inclusive community participation in all housing planning, public investment, and development review decision making by:

- Actively engaging all segments of the community, especially those that have historically been less engaged in city decision making, such as lower-income families, people of color, and Native American tribes.
- Make engagement and outreach more accessible by meeting people where they are and providing compensation, food, and/or childcare, whenever possible.
- Ensuring that a cross-section of the community is represented on city-appointed boards and commissions addressing housing policy and regulation.

H-13 **Eliminate Barriers**. Eliminate barriers to housing that disproportionately affect populations in protected classes, lower income households, and special needs populations by rescinding or mitigating development standards that are exclusionary, discriminatory, or otherwise impede the development of housing that is affordable to lower income households, such as prohibitions on multifamily housing, prohibitions on density above 21 units per acre, and other standards that increase the cost to construct housing.

H-14 **Universal Design**. Require universal design in all new housing to ensure equal access to new housing for persons with disabilities. Advocate for changes to State Density Bonus law to prohibit waivers from local universal design requirements.

H-15 **Prevent Discrimination in Housing.** Provide services to counsel tenants and landlords on their rights and responsibilities.

H-16 **Rent Control Ordinance and Fair Housing and Tenant Protection Ordinance.** Maintain tenant protections by continuing to implement and enforce the City of Alameda Rent Control Ordinance and City of Alameda Fair Housing and Tenant Protection Ordinance to help maintain affordability and prevent displacement for Alameda renters.

H-17 **Monitor the Supply of Affordable Housing**. Continue to monitor the number and expiration date of existing deed restrictions and covenants and take action to minimize the loss of affordable housing as the result of expiring restrictions.

H-18 **Right of First Refusal**. Maintain and enforce right of first refusal requirements for tenants that are or have been displaced from their homes in Alameda as the result of capital improvements.

H-19 **Short-Term Housing**. Limit short-term rentals, conversions to hotels, which reduce the supply of long-term housing units for sale or rent.

H-20 **Home Ownership**. Promote more affordable ownership opportunities and ownership retention strategies to create stability and wealth building for underserved communities with ownership models such as shared and limited equity ownership.

New multifamily rental housing coming online in 2022 at the Alameda Marina project on Clement Avenue.

H-21 **Housing Conservation and Rehabilitation.** Provide resources to incentivize rehabilitation and improvement of existing housing, such as the City of Alameda Substantial Rehabilitation Program, which creates new rental units in existing vacant or underutilized residential structures; the Housing Rehabilitation Program, which provides grants and low-interest loans to help low- and very low-income homeowners repair and improve their homes; and the Minor Home Repair program.

H-22 **Housing Vacancy Tax.** Consider the benefits of adopting a housing vacancy tax to discourage long term vacancies.

H-23 **Homeowners Associations.** Educate and inform homeowner associations about Housing Element and Municipal Code provisions to encourage and support addition of housing units in existing and new residential neighborhoods. Homeowner associations that impose Homeowner Association enforced restrictions on the production of housing that obstruct the City's housing objectives shall be lowered in priority for discretionary local funding for community facilities, programs, and/or public improvements.

GOAL 3: End and prevent homelessness in Alameda.

H-24 **Prevention**. Promote and fund prevention, placement, and support programs and strategies that reduce the likelihood of residents experiencing homelessness as well as shorten the time someone experiences homelessness. Explore strategies and potential programs to increase employment opportunities and/or income for those at risk of becoming homeless.

H-25 **Housing-First**. Implement a Housing-First approach and coordinate service provision, appropriate housing, and the efficient access to information so as to rapidly match available services and housing to those most in need.

H-26 **Partnerships.** Strengthen the capacity of the affordable housing development community to locate, construct, and manage housing facilities for the homeless. Partner with local and regional agencies to provide an adequate supply of short-term and permanent housing in addition to supportive services throughout the city that are appropriate for and meet the specific needs of all persons who are homeless or at risk of homelessness.

H-27 **Emergency and Transitional Housing.** Provide an adequate supply of emergency and transitional housing for people who are homeless or are at a risk of becoming homeless. Continue to support and improve the existing shelter for women and develop an emergency shelter for men in Alameda. Explore the use of alternative housing types such as tiny homes for temporary housing solutions.

H-28 **Outreach.** Provide a high level of outreach targeted to chronically homeless people to inform them of their rights and opportunities to move into safe, permanent housing with appropriate support services. Continue to develop and improve the City's CARE program, which shifts emergency response to non-violent individuals facing mental health crises from the Police Department to the Fire Department.

H-29 **Education.** Provide opportunities for communities to dialogue and learn about root causes of homelessness, ways to help, and effective approaches to preventing and ending homelessness in an effort to correct common misunderstandings.

Programs

The following programs are required to address State and local Housing Element policy objectives.

Program 1: Alameda Point

The Alameda Point program requires the City to take all necessary actions to facilitate and support the construction of 1,482 new housing units on 55 acres of City-owned land at Alameda Point (APN: 74-1368-18) and a 2.4-acre parcel of privately owned land (APN: 74-1377-2) at Alameda Point generally referred to as the Site A Development area and the adjacent West Midway area. These lands are designated for residential use in the *Alameda General Plan 2040* and in the *Alameda Point Waterfront Town Center Specific Plan* and the *Alameda Point Main Street Neighborhood Specific Plan.* These lands have already been remediated for residential use, have already been conveyed to the City of Alameda, and are ready for residential development. Allowable densities under the zoning do not have a maximum, residential densities will vary block by block from a low 23 unit per acre for attached townhome blocks to a high of over 100 units per acre for multifamily, 4 to 5 story residential blocks to provide for a range of housing types. (See Table E-3 in Appendix E – Housing Sites Inventory for more information about the property). To facilitate and support the development of 1,482 units during the 6th Cycle, the City of Alameda shall:

<u>Site A Phase II Entitlements</u>: Execute an amended Development Agreement, amended Development Plan, and amended Disposition and Development Agreement with the City's selected development partner, Alameda Point Partners, LLC to increase the number of housing units, to be constructed on the remaining 18 acres of vacant lands described in the 2015 Site A Development Plan as Phase 1 and Phase 2 to ensure construction of at least 610 housing units during the 2023-2031 Housing Element cycle. The Alameda City Council approved the initial term sheet for the re-entitlement on June 5, 2022. Construction is scheduled to begin in 2024. On July 25, 2022, the Alameda Planning Board approved the revised Development Plan and recommended approval of the revised Development Agreement to the City Council. The Alameda City Council is scheduled to approve the final disposition and development agreements with Alameda Point Partners on September 6, 2022. The agreements allow for conveyance of all the City property to APP by end of 2022, preparation of construction documents in 2023, and actual construction to begin in late 2023 or early 2024.

<u>West Midway Entitlements</u>. Execute a Disposition and Development Agreement and Development Plan with the City's selected development partners, Catellus, Brookfield, and Mid Pen Housing to make 37 acres of City-owned land available for construction of approximately 782 units and 200 replacement units for the Alameda Point Collaborative (RESHAP). The Alameda City Council approved the initial term sheet for the public-private partnership on July 5, 2022. Per the term sheet, construction is scheduled to begin in 2025. In September 2022, the Alameda Planning Board will hold a study session to review the proposed Development Plan and recommended Development Agreement with Catellus/Brookfeild/RESHAP to the City Council. The Alameda City Council is scheduled to approve the final disposition and development agreements with Catellus/Brookfeild/RESHAP by December 2022. The agreements will allow preparation of construction documents in 2023 and actual construction of the necessary infrastructure to begin in late 2024 or early 2025.

US Navy Lands and Constraints. Work with the US Navy to expedite the remediation and conveyance of lands generally located in Site A Phase 3 to allow for additional housing development during the Housing Element cycle and ensure that any existing US Navy financial constraints on new housing construction to accommodate the City's RHNA are lifted.

School District and Privately Held Lands Work with the Alameda Unified School District and other owners of land within the Adaptive Reuse area of Alameda Point to construct additional housing in support of the RHNA.

Time Frame:	Adoption of agreements by end of 2022.
Funding Source:	Project application fees and Base Reuse Revenue Funds
Responsible Agency:	Planning Building and Transportation Department, Community Development Department and City Council.
Quantified Objective:	1,482 units, including 320 affordable units, 200 extremely low-income replacement units, and 962 market rate units by 2031

Program 2: Shopping Center Zoning Amendments

This program requires the City to up-zone approximately 100 acres of land at four shopping centers in Alameda that is occupied by low density, single-story commercial and service buildings, and large surface parking lots (see Table E-3 in Appendix E – Housing Sites Inventory) to allow for the development of at least 1,200 housing units. The sites are currently designated in the general plan for residential mixed use. The up zoning shall amend the Alameda Municipal Code (AMC) to:

- Permit multifamily housing, shared living, transitional housing, supportive housing, senior assisted living, and low barrier navigation centers by right. "By right" means the use shall not require a conditional use permit, planned unit development permit, or other discretionary review or approval. Design Review shall be conducted to ensure compliance with adopted Objective Design Review Standards.
- Replace the 21 unit per acre maximum density with a minimum density of 30 units per acre. New residential development will not be subject to maximum residential density standards.
- Ensure that each property has at least a 60-foot height limit, and other development standards that facilitate allowable densities.
- The Zoning Amendment shall be adopted prior to the start of the planning period. If that does not occur, the City will ensure compliance with Government Code Sections 65583, subdivision (c)(1) and 65583.2 subdivisions (h) and (i), which includes a requirement that at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses, or b) if accommodating more than 50 percent of the low- and very low-income regional housing need on sites designated for mixed uses, all sites designated for mixed uses must allow 100 percent residential use and require residential use to occupy at least 50 percent of the floor area in a mixed-use project.

- Procedures will be amended as needed to utilize objective standards and facilitate meeting approval findings in the development plan and design review process.

Time Frame: Adoption of Zoning Amendments by December 2022.

Funding Source: Community Planning Fee

Responsible Agency: Planning Building and Transportation Department and City Council.

Quantified Objectives: 1,200 units during cycle, improving access to jobs and services and encouraging place-based revitalization of underutilized areas.

Program 3: Commercial Transit Corridor Zoning Amendments

This program requires the City to amend the Community Commercial Zoning District (CC District), the Neighborhood Commercial District (C-1 District), and North Park Street District (NP District), comprising approximately 110 acres of land designated for commercial and residential mixed use in the General Plan along the Park Street and Webster Street transit rich commercial corridors (see Table E-3 in Appendix E – Housing Sites Inventory) to encourage and accommodate at least 400 residential units. The zoning amendments shall amend the AMC to:

- Permit multifamily housing by right, shared housing, transitional housing, supportive housing, senior assisted living, and low barrier navigation centers. "By right" means the use shall not require a conditional use permit, planned unit development permit, or other discretionary review or approval. Design Review shall be conducted to ensure compliance with adopted Objective Design Review Standards.
- Replace the 21 unit per acre maximum density with a minimum density of 30 units per acre. New residential development will not be subject to maximum residential density standards.
- Ensure that each property in the C-1 District has the same height limit as the adjacent residential zoning district, which will result in an increase in height limits of one to two stories depending on the height limit in the adjacent residential district.
- Ensure that all properties in the CC District have at least a 60-foot height limit consistent with the 60 foot height limit on Park Street in the CC District. On Webster Street between Lincoln Avenue and Central Avenue, any portion of the building over 40 feet in height, shall be setback 15 feet from the front property line to complement the existing to two to three story facades along those blocks.
- Rezone the "Webster Square" site at 1912 Webster Street from M-1/PD to Community Commercial.
- Procedures will be amended as needed to utilize objective standards and facilitate meeting approval findings in the development plan and design review process.
- Ensure each property has development standards that facilitate allowable densities.

The Zoning Amendment shall be adopted prior to the start of the planning period (January 31, 2023). If that does not occur, the City will ensure compliance with Government Code Sections 65583, subdivision (c)(1) and 65583.2 subdivisions (h) and (i).

Time Frame: Adoption of Zoning Amendments by December 2022.

Funding Source: Community Planning Fee

Responsible Agency: Planning Building and Transportation Department and City Council.

Quantified Objectives: 499 units during cycle, improving access to jobs and services and encouraging place-based revitalization of underutilized areas.

Program 4: Residential District Zoning Amendments

This program requires the City to amend the Municipal Code R-1, R-2, R-3, R-4, R-5, and R-6 residential zoning districts and rezone five parcels to remove barriers to housing construction and support construction of at least 995 units (400 projected ADUs (15a), 160 infill units (15b), 125 units rezone capacity (15c), 160 units rezone capacity (15d), and 150 units on R-6 (15e)). The amendments shall:

- Amend the R-1, R-2, R-3, R-4, R-5, and R-6 residential zoning districts to:
  - *Housing Types.* Permit multifamily housing, shared housing, transitional housing, supportive housing, residential care facilities, and warming centers by right. "By right" means the use shall not require a conditional use permit, planned unit development permit, or other discretionary review or approval. Design Review shall be conducted to ensure compliance with adopted Objective Design Review Standards
  - *Housing Density*. Increase the permissible residential density from 21 unit per acre to 30 du/acre in R-3, 40 du/acre in R-4, 50 du/acre in R-5, and 60 du/acre in R-6.
  - *Adaptive Reuse Incentives and Waivers*. Exempt adaptive reuse of an existing building for residential purposes from residential density limits and open space standards in all residential districts.
  - *Transit Oriented Housing Incentives and Waivers*. Exempt residential development on all residentially zoned parcels within one-quarter mile of high-quality transit routes from residential density and open space standards. New residential development within ¼ mile of transit will not be subject to maximum residential density standards. Residential projects in the R-1 through R-4 Districts within the ¼ mile transit area shall have at least a 40-foot height limit, if all the new units to be constructed are 1,000 feet in size or less. (The height limit in the R-5 District is currently 40 feet and the height in R-6 is currently 50 feet.)
  - *Accessory Dwelling Units*. Clarify that Accessory Dwelling Units are exempt from all density standards in all residential districts.
  - *Open Space*. Reduce on-site open space requirements in all residential districts to 60 square feet per unit.
  - *Building Separation*. Remove 20-foot separation requirements between main buildings in all residential districts.
  - *Navigation Centers*. Permit low barrier navigation centers in the R-6 by right.
- Rezone a vacant 4-acre site at 2199 Clement for residential use to accommodate at least 125 units with a minimum residential density standard of 30 units per acre.

- Rezone the four properties at 2363-2433 Mariner Square Drive (2.34 acres) for residential use to accommodate at least 160 units with a minimum residential density standard of 30 units per acre.
- The Zoning Amendment shall be adopted prior to the start of the planning period (January 31, 2023). If that does not occur, the City will ensure compliance with Government Code Sections 65583, subdivision (c)(1) and 65583.2 subdivisions (h) and (i).
- Procedures will be amended as needed to utilize objective standards and facilitate meeting approval findings in the development plan and design review process.
- *Monitoring Production:* Annually monitor the production and affordability of residential infill sites and the progress made according to the assumptions in the inventory. If necessary, make adjustments (e.g., incentives, rezones, etc.) within one year.

Time Frame: Adoption of Zoning Amendments by December 2022. Annually monitor infill production, make adjustments as needed within one year if production has not met assumptions.

Funding Source: Community Planning Fee

Responsible: Planning Building and Transportation Department and City Council.

Quantified Objectives: 995 units (400 projected ADUs (15a), 160 infill units (15b), 125 units rezone capacity (15c), 160 units rezone capacity (15d), and 150 units on R-6 (15e)) on approximately 2,522 acres (R-1 through R-6 Districts), with 25 percent of these units in higher resource areas and 25 percent in low resource areas, during cycle improving access to jobs and services and encouraging place-based revitalization of underutilized areas.

Program 5: Accessory Dwelling Units

The City shall promote and facilitate accessory dwelling unit (ADU) construction to facilitate an annual production of 50 units per year (400 units during cycle) by:

- Continuing to implement a public information and proactive outreach campaign via the City's website to encourage residents to construct ADUs, inform property owners of the standards for ADU development, permitting procedures, construction resources, and the importance of ADUs, including ADUs affordable to lower-income households.
- Continuing to work to reduce construction and permitting costs by working with small home manufacturers to develop and promote "pre-approved" building plans for small, universally designed, and electrically powered housing units.
- Continuing to waive Development Impact Fees for accessory dwelling units.
- Reduce construction costs by amending the ADU ordinance to waive ADUs from Construction Improvement Tax.
- Updating promotional materials and flyers regarding ADUs and make available at the Planning Building and Transportation Departments counter and to project applicants for all discretionary land use applications.

- At least annually, publish informational materials pertaining to ADUs through a combination of media, including the City's website and direct mailings.
- Exploring options for establishing a loan program to help homeowners finance the construction of ADUs. The City shall consider incentives to encourage homeowners to deed restrict ADUs for lower-income households.
- Collect and monitor data on ADU rents to better understand their role in the Alameda housing market and the income groups they serve and adjust or expand the focus of the education and outreach efforts through the 2023-2031 planning period.
- Promote the construction of ADUs in high resource areas and areas of concentrated affluence at least annually by supplying informational materials in community gathering places such as high-resource areas or mailers to residents of high-resource areas.
- Inform homeowner associations that covenants, conditions, and restrictions (CC&Rs) prohibiting ADUs are contrary to State law.
- Annually monitor the production and affordability of ADUs and the progress made according to the assumptions in the inventory. Take alternative actions within six months (i.e., additional incentives) if not meeting the assumptions.

Time Frame:	Make ADU materials available by July 2023; and implement proactive outreach campaign by June 2024; evaluate effectiveness of ADU approvals and affordability every other year, beginning in 2023; and identify additional site capacity, if needed, by 2025.
Responsible Agency:	Planning Building and Transportation Department
Funding Source:	Community Planning Fund
Quantified Objective:	50 ADUs annually, with approximately 25 percent of these units in higher resource areas and 25 percent in low resource areas, to improve housing mobility, address the displacement risk, and improve proximity to services and employment opportunities for lower- and moderate-income households.

Program 6: Large Sites and Multifamily Housing

To facilitate the development of affordable housing and provide for development phases of 50 to 150 units, the City will give high priority to processing density bonus applications and subdivision maps or other parceling that include affordable housing and multifamily rental housing. Projects with higher percentages of affordable housing and/or higher residential densities shall be given priority over projects with lower density and higher priced units. All multifamily rental projects and affordable housing projects will be reviewed against adopted Objective Design Standards, and no discretionary process will be used to reduce the number of units in the project below the number of units permitted by the applicable zoning district.

Additionally, to ensure the program is successful, the City will reach out to developers and property owners annually, and as projects are processed, of affordable housing and incorporate necessary strategies to facilitate parceling at appropriate sizes such as ministerial lot splits or other incentives. Pursue strategies to parcel and rezone portions of the site at appropriate sizes (e.g., 0.5 acres to 10

acres), including incentives and other mechanisms to facilitate affordability as assumed to meet the RHNA.

Time Frame:	Ongoing, as projects are processed through the Planning Building and Transportation Department; regulations/incentives will be adopted within one year of adoption of the Housing Element. Annually meet with developers and incorporate and revise strategies at least every two years.
Responsible Agency:	Planning Building and Transportation and Community Development Department(s)
Funding Source:	General Fund
Quantified Objective:	705 very low-income units and 562 low-income units on large sites of 10 acres or more. Complete all necessary planning entitlements and approvals multifamily and/or affordable housing projects within 150 days of application submittal.

Program 7: Inclusionary Housing Ordinance

Continue to implement the required 15 percent affordable housing requirement on all projects over 5 units in size in Alameda. Consider modifications to the ordinance to lessen or eliminate the 7% moderate income units and increase the 4% requirement for low- income units and 4% very low income units, given the larger need for lower income units.

Responsible Agency:	Planning Building and Transportation and Community Development Department(s)
Funding Source:	Community Planning Fee
Time Frame:	Ongoing, as projects are processed through the Planning Building and Transportation and Community Development Department(s). Hold public hearings to consider amendments to the ordinance in 2024.
Quantified Objective:	At least 803 deed restricted affordable units (15% of 5,353) over 8 years (100 per year) to expand housing mobility opportunities for lower- and moderate-income households.

Program 8: Affordable Housing Incentives and Waivers

The City will work with housing developers to expand opportunities for affordable lower-income housing for special-needs groups—including persons with physical and developmental disabilities, female-headed households, large families, extremely low-income households, and persons experiencing homelessness—by creating partnerships, providing incentives, and pursuing funding opportunities. Prioritize projects that promote housing mobility for target populations in high resource areas or reduce displacement risk due to overcrowding, overpayment, or other burdens, such as in west Alameda.

- Support affordable housing development for special-needs groups throughout the city, including in areas that are predominantly single-family residential. The target populations include seniors; persons with disabilities, including developmental disabilities; female-headed

households; and homeless persons to reduce the displacement risk for these residents from their existing homes and communities.

- Promote the use of the density bonus ordinance, application process streamlining, and Citywide Development Fee waivers to encourage affordable housing, with an emphasis on encouraging affordable housing in high-resource areas and areas with limited rental opportunities currently and discouraging the use of density bonus waivers to waive universal design zoning standards and/or height limits, to the extent permitted by State Law.
- Facilitate the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable affordable housing development and process fee deferrals related to the subdivision for projects affordable to lower-income households.
- Review and amend the Alameda Subdivision Ordinance (AMC Section 30- 73 Real Estate Subdivision Regulations) concurrently with Housing Element adoption to ensure that local subdivision requirements do not establish any additional barriers beyond those already imposed by the California Subdivision Map Act.
- Amend the Alameda Municipal Code (AMC) concurrently with Housing Element adoption to remove any barriers that are internally inconsistent with other provisions of the Municipal Code including Section 30-50 through 30-53, which prohibits multifamily housing in Alameda and which conflicts with several other provisions within the AMC which permit multifamily housing.
- Amend the AMC concurrently with Housing Element adoption to establish ministerial design review pursuant to adopted Objective Design Review Standards for all residential projects that meet the eligibility criteria provided by Government Code Section 65913.4; residential units in the R-1 district in compliance with Government Code Section 65852.21, transitional and supportive housing, and low barrier navigation centers as defined by Government Code Section 65660.
- Prepare and publish administrative procedures by December 2023 for the processing of housing developments eligible for streamlined review pursuant to SB 35.
- Give priority to permit processing for projects providing affordable housing for special-needs groups as they are proposed.
- Meet annually, or by request, with public or private sponsors to identify candidate sites for new construction of housing for special needs groups and take all actions necessary to expedite processing of such projects.
- Encourage residential development near parks, high performing schools, open space, transit routes, civic uses, social services, and other health resources.
- As projects are proposed, and at least proactively on an annual basis, partner with nonprofit and for-profit affordable housing developers to support their financing applications for state and federal grant programs, tax-exempt bonds, and other programs that become available.
- Continue to implement the Affordable Housing Impact Ordinance, which ensures that non-residential developments consider the impact of commercial development on the supply of

affordable housing and allow commercial developers to either provide affordable housing or pay an in-lieu fee to offset the impact of their projects on the supply of affordable housing.

- Pursue federal, state, and private funding for low- and moderate-income housing by applying for state and federal monies annually for direct support of lower-income housing construction and rehabilitation, specifically for development of housing affordable to extremely low-income households.
- Pursue partnerships with the Regional Center of the East Bay to identify funding opportunities and promote housing for persons with disabilities. Reach out to the Regional Center and nonprofit partners by July 2024, and at least annually thereafter, to seek partnership opportunities.
- Local Bond Measure. Hold public hearings before the Planning Board in 2023 to provide a forum for a public discussion of the merits of placing a local bond measure on the ballot to help fund affordable housing in Alameda. Planning Board to make a recommendation to the City Council for Council consideration by January 2024.

Responsible Agency:	Planning and Building Department and Community Development Department
Time Frame:	Ongoing, as projects are processed by the City. Annually apply for funding and annually engage with the Regional Center of the East Bay. Complete AMC amendments necessary for internal consistency and for consistency with State law concurrent with Housing Element adoption.
Funding Source:	Where feasible, leverage state and federal financing, including Low Income Housing Tax Credits, CHFA multifamily housing assistance programs, HCD Multifamily Housing Loans, CDBG funds, HOME funds, and other available financing.
Quantified Objective:	1,600 very low-income units and 1,000 low-income units, with approximately 30 percent of these units in higher resource areas to improve housing mobility opportunities and 20 percent in low resource areas to reduce displacement risk.

Program 9: Extremely Low-Income Housing Incentives and Waivers

Encourage additional housing resources for extremely low-income Alameda residents, particularly seniors and persons with physical or developmental disabilities, through a variety of actions, including:

- Facilitate and encourage the construction of housing affordable to extremely low-income households by assisting nonprofit and for-profit developers with financial and/or technical assistance in a manner that is consistent with the City's identified housing needs.
- Provide financial support annually, as available, to organizations that provide counseling, information, education, support, housing services/referrals, and/or legal advice to extremely low-income households, persons with disabilities, and persons experiencing homelessness.

- Expand regulatory incentives for the development of units affordable to extremely low-income households and housing for special-needs groups, including persons with disabilities (including developmental disabilities), and individuals and families in need of emergency/transitional housing concurrently with Housing Element adoption. Incentives will include, but are not limited to, revisions to the Municipal Code to streamline the approval process for extremely low- income housing and proposals to exempt such housing from certain impact fees. Amendments will be completed concurrently with Housing Element adoption; fee waivers will be determined by December 2023.
- The City will provide financial support annually, as available, to organizations that provide counseling information, education, support, housing services/referrals, and/or legal advice to extremely low-income households to mitigate risk of displacement and support housing stability for extremely low-income households, persons with disabilities, and persons experiencing homelessness.

Responsible Agency: Community Development and Planning Building and Development Departments

Time Frame: Ongoing; support expediting applications on an ongoing basis; review budget annually; provide financial support annually, as available; and expand incentives by December 2023.

Funding Source: General Fun

Quantified Objectives: Assist 200 extremely low-income households to reduce displacement risk, target outreach efforts in areas and neighborhoods with higher rates of poverty. Encourage development of 500 units affordable to extremely low-income households, with approximately 25 percent of these units in higher resource areas to promote housing mobility and 25 percent in low resource areas to reduce displacement risk.

Program 10: Assistance for Persons with Developmental Disabilities

The City will also coordinate with the Regional Center of the East Bay to inform Alameda families of the resources available to them and to explore incentives so that a larger number of future housing units include features that meet the needs of persons with developmental disabilities and other special needs. The City will continue to support the development of small group homes that serve developmentally disabled adults and will work with the nonprofit community to encourage the inclusion of units for persons with developmental disabilities in future affordable housing developments. The City will coordinate housing activities and outreach with the Regional Center for the East Bay and encourage housing providers to designate a portion of new affordable housing developments for persons with disabilities, including persons with developmental disabilities, to increase housing mobility opportunities and pursue funding sources designated for persons with special needs and disabilities.

Responsible Agency: Community Development and Planning Departments

Time Frame: Ongoing; coordinate with regional offices and developers at least annually to pursue housing opportunities.

Funding Source: General Fund

Quantified Objectives: 50 housing units for persons with disabilities to reduce displacement risk.

Program 11: Resources for Persons Experiencing Homelessness

The City will continue to provide annual funding assistance to the Midway Shelter, a 24-bed, service-enriched shelter for women and children, and develop and implement a plan to establish a service-enriched shelter for men in Alameda. Additionally, the City will continue to implement the strategies identified in the "The Road Home: A 5 Year Plan to Prevent and Respond to Homelessness in Alameda" to address homelessness in Alameda.

- The City will annually review, and amend as necessary, the Municipal Code to ensure consistency with Government Code Section 65583(a)(4)(A)(ii).

Time Frame: Ongoing, Annual Improvements, and Annual Review for consistency with Section 65583.

Responsible Agency: Community Development Department and Planning Building and Transportation Department

Funding Source: CDBG Funds

Quantified Objective: Maintain the Midway Shelter facility operations and identify a site and establish a funding plan to create a facility for homeless men.

Program 12: Fair Housing Programs

The City shall continue affirmatively further fair housing by:

- **Rent Program**. Continue to support the Rent Program efforts to prevent displacement and moderate rent increases for tenants of all income levels. The Program shall provide an annual report to the City Council on the number of cases reviewed each year, the outcome of those cases, and a recommendation for any additional City regulations or controls deemed necessary to prevent displacement and moderate rent increases. If recommendations are identified in the annual report, the City shall consider implementation within one year.
- **Housing Choice Voucher Program (Section 8)**. The Alameda Housing Authority shall continue to issue vouchers and promote the use of Housing Choice Vouchers and encourage landlord participation. To reduce the concentration of voucher holders, promote mixed-income neighborhoods, and improve mobility between neighborhoods the City shall meet with property managers in high resource areas with a low percentage of vouchers at least every other year to encourage them to advertise their units to voucher holders.
- **Acquisition and Conversion.** Work with public or private sponsors to encourage acquisition/rehabilitation of existing multifamily units to be converted to affordable and senior housing. The intent of this is to reduce displacement risk for seniors and lower-income households by increasing the supply of affordable housing.
- **Transit.** The City will coordinate with AC Transit and the SF Bay Ferry to ensure that transit needs of low income and special needs residents are met, including providing support of a survey of unmet needs and applying for funding if needed to change or expand routes.

- **Education.** Continue to meet with the Alameda Unified School District (AUSD) quarterly to address the disparate educational outcomes between West Alameda and East Alameda as shown in the TCAC/HCD Education Score. The City shall:
  - Promote acquisition and rehabilitation of affordable housing units in high resource areas to facilitate housing mobility opportunities for lower-income households so that they can access the wide range of programs offered across AUSD schools and so that all schools can benefit from increased diversity
  - Support the continued partnership between AUSD and AC Transit to assess the need for improved transit routes or access for students;
  - Support AUSD's efforts to provide low-income families' access to services such as mental health programs, nutrition, transportation, legal help, childcare, and medical aid.
  - Support applications by AUSD or individual schools to secure grant funding for teacher recruitment and retention bonuses, classroom materials, and other incentives for teachers.
  - Support investment of additional resources directly into math and reading proficiency in the West end to improve the improve the performance of the entire district by focusing resources on student populations which may homeless, foster youth, or socioeconomically disadvantaged.

Time Frame:	Refer to individual bullets for specific time frames.
Responsible:	Community Development Department and Alameda Housing Authority
Funding:	Community Development Block Grant Funds and U.S. Department of Housing and Urban Development (HUD)
Quantified Objective:	Assist at least 100 households annually through the RRAC; increase the number of units available to HCV holders by at least 5; with at least 3 in higher resource areas; and assist with the acquisition of 15 units for conversion to affordable housing.

Program 13: Tenant Protections

The City will take the following actions to reduce displacement risk due to discriminatory actions:

- **Fair Housing Counseling Program.** Ensure all tenants have access to legal counseling, and landlords are aware of their rights and responsibilities. Support coordination of biannual workshops for landlords and property managers on discriminatory practices, reasonable accommodation requirements, and resources and an annual presentation to staff on fair housing practices, beginning in 2023.
- **Rental Audits.** Provide support to fair housing providers to continue to conduct annual audits of housing providers to ensure compliance with fair housing laws.
- **Fair Housing Case Monitoring.** In 2027, upon completion of 2 iterations of biannual landlord and property manager workshops and 4 consecutive rental audits, meet with local fair housing providers, including ECHO Housing, to assess effectiveness of fair housing programs and identify additional strategies if needed.

- **Fair Housing Outreach Program.** Include information or links to information on the City's website and provide printed informational materials in City buildings with information on the fair housing counseling program, tenant protections, and other resources to reduce displacement risk.
- **Eviction Protection.** Continue to enforce just cause eviction ordinance requirements to reduce displacement due to discrimination and enforce anti-discrimination regulations.

Time Frame:	Refer to individual bullets for specific timeframes.
Responsible:	Community Development Department and Alameda Housing Authority
Funding:	Community Development Block Grant Funds and U.S. Department of Housing and Urban Development (HUD)
Quantified Objective:	Assist at least 20 tenants or prospective tenants annually through the fair housing counseling program and distribute information on tenant protections and resources annually.

Program 14: Replacement Housing

To facilitate place-based revitalization for households at risk of displacement due to new development, the City will require replacement housing units subject to the requirements of Government Code, Section 65915, subdivision (c)(3), when any new development (residential, mixed-use, or nonresidential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years. This requirement applies to non-vacant sites and vacant sites with previous residential uses that have been vacated or demolished.

Responsible Agency:	Community Development Department and Planning Building and Transportation Department
Time Frame:	The replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.
Funding Source:	General Fund
Quantified Objective:	Replace any of units if (a) they are planned to be demolished for purposes of building new housing, and (b) they are determined to be occupied by low-income households, provide assistance to prevent displacement of lower-income households due to loss of affordable units.

Program 15: Affordable Housing Monitoring

The City shall maintain and update the affordable housing database as a mechanism to monitor and identify units at risk of losing their affordability subsidies or requirements. For complexes at risk of converting to market rate, the City shall:

- Contact property owners of units at risk of converting to market-rate housing within three years of affordability expiration to discuss the City's desire to preserve complexes as affordable housing.

- Coordinate with owners of expiring subsidies to ensure the required notices to tenants are sent out at 3 years, 12 months, and 6 months.
- Reach out to agencies interested in purchasing and/or managing at-risk units.
- Work with tenants to provide education regarding tenant rights and conversion procedures pursuant to California and local Alameda law.

Time Frame:	Annually monitor units at risk of converting; coordinate noticing as required per California law.
Responsible Agency:	Community Development Department and Alameda Housing Authority
Funding Source:	In-lieu fees, AHUF fees, Tax credits, HOME funds
Quantified Objective:	Preserve units as funding expires to reduce displacement risk.

Program 16: First-Time Homebuyer Program

The Community Development Department will continue to assist first time home buyers by participating in the Alameda County Housing & Community Development Department Mortgage Credit Certificate (MCC) and Down Payment Assistance (DPA) programs, which provides down payment assistance to low- and moderate-income first-time homebuyers, homebuyer workshops. The Community Development Department will advertise this program through mailers or similar strategies in areas with high rates of renter-occupied households, such as in west Alameda, to increase awareness of housing mobility opportunities. The City will assist lower-income residents locate affordable housing opportunities, such as through a database or website of retail listings, realtor contact information, or other strategies.

Time Frame:	Develop informational materials to distribute and post on the City's website by May 2023.
Responsible Agency:	Community Development Department
Funding:	Community Block Grant Program Funds, Affordable Housing In-Lieu Funds
Quantified Objective:	Assist two households per year with Down Payment Assistance to improve housing mobility opportunities.

Program 17: Neighborhood Revitalization

The City shall continue to assist in the improvement of lower income owner- and renter-occupied housing units in the city through a variety of programs that provide funding to lower income households to create new lower income rental units in existing vacant or underutilized residential structures, to repair and improve their homes, assist property owners with low- and very low-income tenants repair and improve their units, and assist eligible seniors and persons with disabilities in making modifications to their residences.

- **Vacancy Tax.** For the purpose of discouraging removal of residential units from the housing supply, research and present the potential benefits and mechanics of adopting a Vacancy Tax on vacant residential buildings or units at a public hearing before the Planning Board by July 2024, at which the Planning Board may make a recommendation to the City Council. When

considering a potential vacancy tax, also consider existing AMC Section 13-15 Boarded Building and Vacant Parcel Monitoring Fee.

- **Rental Rehabilitation Program.** The City of Alameda's Rental Rehabilitation Program provides financial and technical assistance to residential rental property owners to preserve and improve existing affordable rental housing without passing the costs through to tenants. Assisted units must be occupied by low- and moderate-income households.
- **Housing Rehabilitation Program.** The Housing Rehabilitation Program helps low- and very low-income homeowners repair and improve their homes.
- **Substantial Rehabilitation Program.** The City's Substantial Rehabilitation Program provides below market-rate loans to Alameda property owners to create new affordable rental units in vacant or underutilized space in existing structures. Consider changes to the program to incentivize construction of affordable accessory dwelling units by December 2023. Grants of up to $15,000 for preliminary design services are available to help owners determine the feasibility of new unit development before proceeding with the rehabilitation project. In exchange for below market-rate loans, property owners commit to rent the new units to Housing Choice Voucher Program tenants for 15 years.
- **Soft Story Structural Assessment Grant.** The Soft Story Structural Assessment Grant for Rental Units Program provides financial assistance to residential rental property owners to assess their soft story structure without passing the costs through to tenants. At least 51% of the units in the building must be occupied by low- and moderate-income households. Grants of up to $5,000 are available to offset engineering fees required to produce a report acceptable to the Building Department for review. Participation in this Program also provides eligibility for Rental Rehabilitation Loan Program funds to assist in the cost to retrofit the structure, subject to funding availability and eligibility criteria above. Consider changes to the program to allow construction of additional units or accessory dwelling units within soft stories to address seismic instability by July 2024.
- **Housing Safety Program.** The Alameda Fire Department Housing Safety Program is a free program providing much needed services to low-to-moderate income residents over the age of 62 and persons with disabilities of any age. The Program installs 10-year tamper resistant smoke and carbon monoxide detectors as well as ADA grab bars and interior handrails. Free nightlights, flashlights and grab sticks are offered as well.
- **Minor Home Repair.** The City's Minor Home Repair Program provides grants of up to $2,000 for emergency repairs to health, safety and security items, or minor repairs of carpentry, plumbing, heating, and electrical items. This program is available to low-income Alameda homeowners
- **Accessibility Modification Program.** The City provides grants and low-interest loans to assist eligible seniors and persons with disabilities in making modifications to their residences, allowing the individual to attain greater mobility and remain safely in their home.
- **Amnesty Program**. The City will continue to administer its amnesty program, which allows property owners to legalize existing housing units that may have been constructed without

the benefit of city permits, provided that the units are upgraded to meet minimum Building Code health and safety standards.

- **Transportation and Climate Resilience Program.** As part of the annual Capital Improvement Program (CIP) and Annual City Budget review and amendment, continue to rank proposed projects and city investments to support vulnerable communities. Prioritize and direct public investments on transportation and transit improvements, street improvements, bicycle improvements, and climate change mitigation and adaptation to lower opportunity areas to improve resilience, facilitate revitalization, and reduce potential displacement risk related to infrastructure conditions.
- **Marketing and Outreach**. The City is currently (2022) working to identify a third-party contractor with experience working with lower income households to improve and expand the City's efforts to market and target Housing Conservation and Rehabilitation Programs to households in need of these services. In the past, prior to the COVID-19 pandemic, marketing was done through landlord workshops, which occurred approximately twice per year, through the City website and through Housing Authority publications. Post pandemic, the City, with its third-party contractor, will establish a data based system of identifying areas of the City with older housing stock and matching lower income households in those areas with City rehabilitation and outreach programs through direct mailings and focused outreach.
- **Accessory Dwelling Units**. Consider changes to the Substantial Rehabilitation Program to create below market rate loans to lower income homeowners for the creation of accessory dwelling units.

Time Frame:	Ongoing, as homeowners approach the City. Identify neighborhoods every two years. Create flyers in multiple languages by June 2023. Pursue opportunities at least annually. Identify third party contractor and initiate new marketing/outreach program in 2023, and implement marketing and outreach strategies at least annually thereafter.
Responsibility:	Community Development Department
Funding Source:	CDBG funds
Quantified Objective:	Assist 50 lower income homeowners add units or improve their homes and assist 50 households make accessibility improvements and reduce displacement risk due to housing condition or accessibility concerns. Direct outreach and education of available programs and resources through direct mailings and other efforts to neighborhoods with higher proportions of units in need of repairs and areas with higher rates of lower-income households.

Program 18: Utility Assistance Programs

Alameda Municipal Power (AMP) will continue to provide funding assistance to lower income households in need of help with their electric bills.

Time Frame:	Ongoing
Responsible Agency:	Alameda Municipal Power

Funding: Public Purpose Program and AMP Funds

Quantified Objective: Fund at least $150,000 annually to lower income households to reduce displacement risk due to utility costs.

Program 19: Promote Energy Conservation

Continue to offer residential customer energy services that include:

- A weatherization cash grant program
- A rebate program for energy efficient lights.
- A meter lending program
- A rebate program for energy efficient appliances.
- A second refrigerator pickup program
- Free energy audits
- Energy Assistance Program to help low-income residents reduce their energy use
- Implement the energy efficiency and conservation policies and programs in the Energy Element of the General Plan

Responsible Agency: AMP

Funding Source: Utility fees

Time Frame: Ongoing, as programs are available

Quantified Objective: Provide annual funding in the amount of $150,000 to lower income households to promote rehabilitation through weatherization or other energy conservation measures for at least 15 households.

Program 20: Environmental Health

Facilitate place-based revitalization of neighborhoods, such as the NAS Alameda Priority Development Area in west Alameda and the Northern Waterfront Priority Development Area along the Estuary, which are more heavily impacted by hazardous wastes from prior industrial uses, lead based paint remediation, diesel particulate matter from proximity to regional freeways and the Port of Oakland through the following strategies:

- Continue to plan for and construct parks, open space and tree plantings in these areas to improve environmental health.
- Work with the Port of Oakland and Caltrans to reduce regional air quality impacts associated with regional transportation facilities, such as the Interstate 580 truck ban.
- Develop active transportation facilities such as the West Alameda bicycle and pedestrian bridge, which will reduce automobile traffic in West Alameda.
- Evaluate transitional buffers or screening between residential and heavy industrial uses in new development and as required by the Health and Safety Element.

- Continue to work with the US Navy, DTSC, and property owners to remove hazardous materials, such as lead based paint and other hazards resulting from prior uses in West Alameda and the Northern Waterfront.
- Time Frame: Ongoing.

Responsibility: Community Development Department

Funding Source: General Funds

Quantified Objective: Create access to parks within one quarter mile of all housing to reduce environmental health disparities between west and east Alameda.

Program 21: Municipal Code Amendments to Remove Constraints

The City will annually review, and amend as necessary, the Municipal Code to ensure consistency with State Housing Government Code requirements and remove or lessen constraints on new housing development, pertaining to, but not limited to:

- **Emergency Shelters:** Allow sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with Government Code Section 65583(a)(4)(A)(ii). Adopt development standards for emergency shelters and ensure they are consistent with State law per California Government Code Section 65583(a)(4)(A)(ii).
- **Transitional and Supportive Housing.** Ensure that transitional and supportive housing types permitted as a residential use and are only subject to those restrictions that apply to other residential dwellings of the same type in the same zone per Government Code Section 65583(c)(3) and Government Code Section 65651; and allow for the approval of 100 percent affordable developments consistent with Government Code Section 65583(a)(5).
- **Low-Barrier Navigation Centers:** Allow low-barrier navigation centers for the homeless by right in zones that allow for mixed-use and nonresidential zones permitting multifamily uses, per Government Code Section 65662.
- **Density Bonus:** Comply with changes in California's density bonus law (Government Code Section 65915, as revised) and promote the density bonus through the City website and/or informational brochures that will be displayed at the City's Permit Center.
- **Residential Care Facilities:** Amend the AMC to allow additional opportunities for residential care facilities for seven or more persons subject to those restrictions that apply to residential care facilities for six or fewer persons.
- **Reasonable Accommodation:** Amend the AMC Section 30-5.17 to ensure certainty and eliminate discretionary review.

Responsible Agency: Planning Building and Transportation and Community Development Department(s).

Time Frame Amend the Municipal Code by December 2024.

Funding Source: General Fund

Quantified Objective: 30 units of special needs housing; of these, encourage 20 units in areas with close proximity to resources and services to improve access to opportunity for lower-income and special-needs persons.

Program 22: Annual Review, Monitoring, and the 5-Year Pipeline Report.

The Planning Board shall hold an annual public hearing in February or March to evaluate progress toward meeting housing goals and regional housing needs obligations. The review will examine annual quantitative housing production goals and monitor vacant and non-vacant sites in the sites inventory, and if the City is not meeting those quantitative goals, the staff will make recommendation to the Planning Board on adjustments to processes or requirements to improve performance. At the public hearing, the Planning Board will make recommendations for City Council consideration and action.

The annual review will include a review of the Annual Progress Report on the Housing Element implementation in the format required by HCD as defined by Government Code Section 65400(a)(2)(B), the Inclusionary Housing Ordinance; Alameda Municipal Code (AMC) Section 30-16; Affordable Housing Density Bonus Ordinance (AMC 30-18); Off-Street Parking, Electric Vehicle Charging and Transportation Demand Management Regulations (AMC 30-7); the Universal Design Ordinance (AMC 30-17) and the Design Review Ordinance (AMC Section 30-36).

The annual review shall include a Mid-Term Evaluation at year 4 of the 8-year cycle. The Mid-Term Evaluation shall document progress made towards affirmatively furthering fair housing and progress made on non-vacant sites to achieve the regional housing need. If the Evaluation finds that the housing element programs are not achieving the Housing Element objectives, the Planning Board and City Council shall hold public hearings to consider and take action on any additional programs or additional municipal code amendments necessary to achieve the Housing Element objectives within one year.

The Community Development Department shall continue to prepare and annually present a 5-Year Affordable Housing Pipeline Projects Report coordinated with the Housing Element Housing Production Annual Report.

Time Frame: Annual Review and submit Annual Progress Report to HCD on April 1.

Responsible Agency: Planning Building and Transportation and Community Development Department(s).

Funding Source: General Fund

Quantified Objectives: One public hearing per year to evaluate past-year housing production and City processes and requirements constraining housing production in Alameda and to evaluate projects and plans in place to increase affordable housing in future years.

Quantified Objectives

Quantified objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period. The quantified objectives do not set a ceiling on development; rather, they set a target goal for the City to achieve based on needs, resources, and constraints. Each quantified objective is detailed by income level, as shown in Table 1.

Table 1 Quantified Objectives for City of Alameda Programs, 2023–2031

Action	Extremely Low	Very Low	Low	Moderate	Above Moderate
RHNA	**710**	**711**	**818**	**868**	**2,246**
New Construction					
Program 1 Alameda Point	200	100	100	120	962
Program 2 Shopping Centers Up zoning	50	50	150	500	550
Program 3 Corridors Up zoning	50	50	50	250	
Program 4 Residential Up zoning	40	50	50	50	70
Program 5 ADUs	68	100	168	168	56
Program 6 Large Sites	105	600	562	400	2000
Program 7 Inclusionary	100	115	215	375	
Program 8 Affordable	1,600	1,000			
Program 9 Extremely Low	200				
Rehabilitation					
Program 1 Alameda Point	200				
Program 4 Residential Up zoning			50	50	
Program 10 Promote Energy Conservation		5	10		
Program 17 Neighborhood Revitalization		60			
Program 19. Energy Conservation/Weatherization		30			
Conservation					
Program 10 Assist persons with Disabilities	50	30			
Program 11 Homeless	50				
Program 12 Fair Housing	25	25	25	25	25
Program 13 Tenants	5	5	5	5	5

Source: City of Alameda, March 2022.

(1) Units constructed by the private and non-profit sectors are estimates of anticipated development activity based upon current development proposals and anticipated economic and market conditions. Actual activity will be determined by market conditions, property owner decisions, and other factors that are outside the control of the City of Alameda.

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APPENDIX A – COMMUNITY CONSULTATION

The Housing Element is the result of three years of community discussion and consultation about the need for housing and the City's plans and regulations that both constrain and facilitate the production of housing in Alameda. The discussion and consultation ranged from small individual meetings with advocacy groups and individuals, to large, publicly noticed public hearings and public workshops to a citywide ballot measure.

Throughout the process and discussion, the City of Alameda has made a diligent effort to achieve public participation from all economic segments of the community. Invitations to all community meetings were sent to local affordable housing organizations who represent low-income populations to encourage their participation. Translation services were offered and made available upon request. All comments were considered and evaluated during the drafting of the 2023-2031 Housing Programs.

Throughout the three-year process, the community, housing advocates and providers, and decision makers addressed a number of major public concerns and comments. Public comments ranged from concerns about the lack of affordable and special needs housing in Alameda to concerns about the impact of adding more housing to the physical character of the community and infrastructure and transportation system capacity. Throughout the three-year process, the Planning Board and City Council provided direction to staff on strategies, policies, and programs to balance the need to provide additional housing to accommodate the RHNA and affirmatively address fair housing, while still working to maintain the best aspects of Alameda's physical character through appropriate zoning controls and form-based standards and address infrastructure capacity through appropriate land use planning principles, such as locating new housing near existing transit corridors and commercial districts.

The major public engagement milestones in this three-year discussion are highlighted in this section.

2020: Measure A and Measure Z

In 2020, the Alameda community engaged in a citywide discussion about role and implications of Alameda City Charter Article 26 ("Measure A") The discussion started on January 13, 2020, and ended in November with Measure Z, a City Council measure put before the voters to remove the Charter's citywide prohibition on multifamily housing and residential densities above one unit per 2,000 square feet.

In January, the City of Alameda Planning Board held a public forum to evaluate the Alameda City Charter Article 26 provisions prohibiting certain types and densities of housing. The city staff analysis found that Article 26 was inconsistent with State Law; to comply with State Law, City would need to continue to adopt Zoning Ordinances and Housing Element policies in conflict with Article 26 of the City Charter.

In May, the City Council held a public hearing to consider Charter Subcommittee recommendations and options regarding Article 26. Staff recommended a ballot measure to remove Article 26 from City Charter.

In June, the City Council held a second public hearing to consider placing a measure on the ballot to remove Article 26 or modifying Article 26. Staff recommended a measure to remove Article 26 from the City Charter.

In July, the City Council held a third public hearing to consider staff recommendation to place a measure on the ballot to remove Article 26 from the City Charter. City Council voted to place a measure ("Measure Z") before the voters to remove Article 26 from City Charter.

In November, the voters of Alameda rejected Measure Z. Article 26 remains in the City Charter.

2021: Housing Sites and Fair Housing

After the defeat of Measure Z, the Alameda community shifted its focus to the sites and zoning programs that would be necessary to accommodate Alameda's RHNA and affirmatively further fair housing, despite a City Charter provision that prohibits multifamily housing and residential densities affordable to lower income households.

In December 2020, the City Council held a Housing Element Update public workshop to review draft RHNA, the initial sites inventory, and the zoning programs that will be necessary to accommodate RHNA despite Article 26.

In January 2021, the Planning Board held a Housing Element Update public workshop to review and discuss staff's recommended process, initial sites inventory, and initial zoning programs to accommodate the RHNA.

In February, the City Council held a Housing Element Update workshop to discuss the RHNA, initial sites inventory, and initial zoning programs to accommodate RHNA. At the meeting, the Council requested guidance from State Department of Housing and Community Development (HCD) regarding reconciliation of State Housing Law with Alameda City Charter Article 26.

In February, the Planning Board held a public hearing to review Annual Report on the General Plan and Housing Element implementation. At the meeting the Planning Board identified priorities and issues to address in the Housing Element update.

In March, the Planning Board held a public hearing to discuss a refined sites inventory and list of sites and districts proposed for multifamily housing.

In June, staff circulated the first draft of the Housing Element update for public review. In September, Alameda Democratic Club held a public meeting to review and discuss the draft Housing Element update. Staff was invited to present the Housing Element. In October, housing advocates Renewed Hope and YIMBY held a public meeting to review and discuss the draft Housing Element. Staff was invited to present the Housing Element.

In October, the Planning Board held a public workshop to review the draft Housing Element and discuss fair housing policy.

In November, HCD sent correspondence providing guidance to City Council regarding Article 26 and State housing law. HCD agreed with staff analysis that Article 26 conflicts with state law, is preempted by state law, and is unenforceable.

In November, City Council held a public workshop to review the draft Housing Element update, draft sites inventory, and programs to up-zone commercial and residential districts to accommodate RHNA. Council members suggested new programs to increase housing capacity in business parks and open spaces.

In December, the Commission on Disabled Persons held a public workshop to review and comment on the draft Housing Element and discuss universal design requirements.

In December, the Planning Board held a public hearing to consider zoning amendment to up-zone R-1 Single Family Residence District to comply with SB 9 and increase housing capacity in the R-1 District to accommodate RHNA.

2021 Stakeholder Consultations

In addition to the public meetings in 2021, between September and December 2021, the City of Alameda attempted to meet with 13 organizations with an expressed interest in affordable and fair housing. Of the 13 organizations, 9 responded and consultations were conducted with stakeholders to offer the opportunity to provide one-on-one input.

The following stakeholder groups were interviewed over the phone:

- Yes in My Backyard (YIMBY) on September 28, 2021
- Alameda Point Collaborative (APC) on September 30, 2021
- Eden Council for Hope and Opportunity (ECHO) on October 4, 2021
- Housing Authority of the City of Alameda on October 11, 2021
- Everyone Home/Alameda County Continuum of Care (CoC) on October 12, 2021
- Centro Legal de la Raza on October 22, 2021
- Renewed Hope on November 11, 2021
- Housing & Economic Rights Advocates (HERA) on December 14, 2021

Stakeholders were also given the option to submit comments via email in lieu of being interviewed. The following stakeholder submitted its responses to the interview questions:

- Regional Center of the East Bay (RCEB) on September 22, 2021

Additionally, the following stakeholders were contacted for input but were not available or did not respond:

- Alameda County Area Agency on Aging
- Alameda County Behavioral Health Care Services
- Alameda County Public Health Department
- Society of St. Vincent de Paul of Alameda County

In each of the consultations, the stakeholders were asked some or all of the following question, depending on the type of organization interviewed:

- Opportunities and Concerns. What three top opportunities do you see for the future of housing in the City of Alameda? What are your three top concerns for the future of housing in Alameda?
- Housing Preferences: What types of housing do your clients prefer? Is there adequate rental housing in the city? Are there opportunities for home ownership? Are there accessible rental units for seniors and persons with disabilities?
- Tourism: What effects have you seen on housing because of the growing tourism industry/short-term rentals? From your perspective, what are some of the most positive impacts? From your perspective, what are some of the most negative impacts? What do you see as the top three priorities for the city in addressing negative impacts (if any)?
- Housing Barriers/Needs: What are the biggest barriers to finding affordable, decent housing? Are there specific unmet housing needs in the community?
- Housing Conditions: How do you feel about the physical condition of housing in the City of Alameda? What opportunities do you see to improve housing in the future?

Through these consultations, stakeholders expressed several common concerns over the current challenges and barriers to housing in the city. Overwhelmingly, the consultation process revealed that the City of Alameda (and many other Bay Area jurisdictions) faces an insufficient stock of affordable housing. However, this can be a regional and collective consequence of jurisdictions across the Bay Area that did not develop enough affordable housing to match population growth. Several stakeholders identified a need for more permanent, supportive housing in the city. One recommendation was to revise the zoning ordinance to allow housing shelters and permanent/supportive housing uses in zones across the city.

It was expressed that many former unhoused Alameda residents have taken advantage of the available services and programs in the city to successfully age in place. These individuals are now ready to transition into other housing but still require financial support like a “shallow” subsidy. It was noted that there are not many housing units available with this type of subsidy in the city for this transitioning demographic.

Through this consultation process several stakeholders recognized the influence that neighborhood homeowner association groups have on local politics and the differences of opinion on how the City of Alameda should develop. Many neighborhood groups want to see the Regional Housing Needs Allocation (RHNA) sites concentrated solely in the former naval shipyard in the North and not spread out across the city.

Homeowner associations were again brought up when discussing fair housing. It was expressed that Alameda and other Bay Area communities face discrimination in homeowner associations. It was recommended that the City of Alameda tie/mandate first-time homeowner programs with fair housing education to inform residents of their homeownership rights, to empower new homeowners to advocate and defend themselves. Various jurisdictions already require new homeowners to attend Housing and Urban Development workshops as part of their first-time homebuyer program. Housing & Economic Rights Advocates (HERA) suggested creating fair housing workshops directed toward these homeowner associations to provide education and help to mitigate any fair housing issues, and recommended

providing some type of incentive to encourage homeowner association residents to attend the workshops.

Housing & Economic Rights Advocates (HERA) also shared that many complaints are from low- and moderate-income homeowners because of the cost of housing repairs. HERA suggested that these issues tend to occur due to discriminatory mortgage and lending practices, resulting in unrealistic mortgage payments. It was recommended that the City of Alameda explore home repair programs, low interest rate housing loans, and second structure loans, and direct institutions to expand the breadth and flexibility of criteria that allows folks (e.g., with traditionally bad credit) to receive loans. Additional programs can be created to combat discriminatory and predatory lending practices.

2022: Zoning for Multifamily and Fair Housing

Beginning in January 2022, the Planning Board held monthly public workshops for the public to review and discuss specific zoning changes to facilitate housing production in Alameda to meet the RHNA and affirmatively further fair housing.

In January, the Planning Board and City Council held public workshops and public hearings to review draft amendments to address SB 9 in the R-1 Zoning District, draft amendments to create a multifamily overlay district for shopping centers, and draft amendments to affirmatively further fair housing in all residential and mixed-use zoning districts.

In February, the Planning Board held two public workshops to discuss and review draft zoning amendments for Park Street and Webster Street and the Housing Element program to build 1,489 units at Alameda Point.

In March, the Planning Board held public hearings and workshops to review and consider changes to the R-2 through R-6 zoning districts to affirmatively further fair housing and encourage mixed-use, multifamily, and affordable housing on transit corridors. The City Council held a public hearing in March and adopted zoning changes to the R-1 Zoning District to implement SB 9 and increase the housing capacity in the R-1 zoning district to four (4) units per parcel.

In April, the City of Alameda published the *April 2022 draft Housing Element* update and a comprehensive update of the Alameda Municipal Code designed to implement the draft Housing Element update and State Housing Government Code requirements for public review and comment.

Noticing of the Draft Housing Element

The initial Draft Housing Element was released for public review on April 5, 2022, which will be at least 40 days prior to submitting the draft to HCD, consistent with HCDs transparency requirements for initial draft submittals**.** The draft was made available on the City's website and social media accounts and was sent out to individuals and organizations that have previously requested notices relating to the Housing Element update process.

Per Government Code Section 65585, the Draft Housing Element was made available for public comment for 30 days, from April 4, 2022 to May 9, 2022. Public comment was received, and an additional 10 business days was allowed to consider and incorporate public comments into the draft revision before

submitting to HCD on May 27, 2022. The draft was made available on the City's website and social media accounts and was sent out to individuals and organizations that have previously requested notices relating to the Housing Element update process.

APPENDIX B – REVIEW OF THE 2014–2022 HOUSING ELEMENT

This Appendix provides a review of the City's accomplishments implementing the housing policies and program objectives in the 2014-2022 Housing Element. The table is organized to follow the organization provided in the 2014-2022 Element.

To develop an effective housing plan for the 2023 to 2031 period, the City must assess the effectiveness of its existing (2014) housing programs and determine the continued appropriateness of such programs in addressing housing adequacy, affordability, and availability issues.

This section evaluates the accomplishments of each program against the objectives established in the 2014–2022 Housing Element, explains any discrepancy in program achievements, and recommends programmatic changes for inclusion in the 2023–2031 Housing Element.

Efforts to Address Special Housing Needs

Government Code Section 65588 requires that local governments review the effectiveness of the housing element goals, policies, and related actions to meet the community's special housing needs. As shown in the Review of Previous Housing Element matrix in Table B-1, the 2014 Housing Element included several programs that addressed senior housing needs, emergency shelters, and needs for persons with disabilities. Some of the accomplishments include:

- The City of Alameda partnered with the Alameda Housing Authority and Tim Lewis Communities to construct the 31-unit Little John Commons lower income senior housing project with 100 percent universal design (completed in 2018). The City of Alameda contributed a portion of the land necessary for the project.
- The City partnered with Alameda Point Partners and Eden Housing to construct 128 units of lower income housing at Alameda Point. Twenty percent of the units are designed for people with disabilities, and 60 units are reserved for lower income seniors. The project opened in 2020. The City provided the land for the project.
- The City adopted a Universal Design Ordinance, which requires that 30 percent of all new housing units constructed in Alameda be universally designed and that 100 percent of all new units be "visitable" by a person with physical disabilities.
- The City approved the zoning amendments and land use entitlements for the McKay Wellness Center, which will provide assisted living facilities for 90 homeless individuals and a respite center for homeless individuals recovering from hospital visits.

- The City approved the SB 35 application for 586 units of affordable housing on the North Housing site for the Alameda Housing Authority. The City facilitated the conveyance of the land from the US Navy to the Housing Authority.
- The City approved plans for a transitional housing facility for 47 homeless individuals on City-owned land on 5th Street.
- The City's Housing Rehabilitation program assisted over 170 lower income households with construction of accessibility improvements to their homes.
- The City opened its first "Warming Shelter" for winter months to provide a safe, warm, and welcoming place for those experiencing homelessness. In 2020, the City provided $62,301 to Building Futures with Women and Children to operate the Warming Shelter for the winter of 2020-21.

Table B-1 Program Evaluation

Program		Implementation Status	Action
Program 1-1: Annual Review of Policies and Programs. An annual public hearing in February or March before the Planning Board to review and consider improvements to the development review process and requirements to ensure that processes and requirements do not create unnecessary costs or delays and increase the cost of housing in Alameda. The review shall include an assessment of at least: (a) inclusionary housing (AMC Section 30-16) (b) density bonus (30-17) (c) multifamily overlay (30-18) (d) Measure A (30-52) (e) Design Review (30-36) (f) Off-street parking (30-7). The review will address impacts on housing costs, adequate incentives, and flexibility of the ordinances. The review will also include a review of the Annual Progress Report on the Housing Element implementation in the format required by the California Department of Housing and Community Development as defined by Government Code Section 65400(a)(2)(B). Based upon the annual review and the Annual Progress Report, the Planning Board will make a recommendation to the City Council recommending any changes to the City's development regulations necessary to support Housing Element implementation or immediately institute any changes in the Planning Board or City staff procedures or	Responsibility: Planning Department Funding: Community Planning Fee Schedule: Annually	The Planning Department prepares an annual report on housing production over the previous year and an evaluation of the City's development regulations to ensure that City processes and requirements do not create unnecessary costs or delays and increase the cost of housing. This process also allows for public comment prior to submitting the APR to HCD and OPR. As the result of this program, the City made a number of changes to the Alameda Municipal Code and the General Plan to improve city policies and standards constraining housing production in Alameda, including but not limited to amendments to: • The Accessory Dwelling Unit Ordinance to expedite construction of ADUs. • Off-Street Parking Ordinance amendments to remove minimum off-street parking requirements for residential projects. • On-Site Open Space Ordinance amendment to allow more flexibility in common and private open space and proportions. • Adoption of Objective Design Review Standards. • General Plan Amendment to compete a comprehensive update of the 1991 General Plan in preparation for the 2023-2031 Housing Element.	Continue and update. See Program 22.

Program		Implementation Status	Action
processes that are within the jurisdiction of the Planning Board or staff.			
Program 1.2: Inventory of Housing Sites. Continue to maintain an inventory of available housing sites with residential zoning designations for public information purposes on the City website.	Responsibility: Planning Department Funding: Community Planning Fee Schedule: Ongoing	The City continues to maintain an inventory of available sites, which is included in the City's Housing Element, available on the City's website. As sites are developed, the Planning, Building and Transportation Department continues to revise the inventory list and provide an updated list for the website.	Continue See Program 22
Program 1.3: Affordable Housing Development Review and Processing. Facilitate the development of affordable housing, and provide for development projects of 50 to 150 units in size, routinely coordinate with property owners, and give high priority to processing subdivision maps that include affordable housing units. Give priority to permit processing for projects providing affordable housing, and housing for seniors, persons with developmental disabilities, and other special needs groups. Improve development review/processing procedures to minimize, to the extent possible, the time required for review of development projects. This reduction in time will reduce the cost to developers and may increase housing production in the city. The City will utilize the Development Review Team to ensure projects are reviewed in a timely manner.	Responsibility: Planning Department Funding: Community Planning Fee Schedule: As projects are processed through the Planning Department	The City of Alameda staff, Planning Board, and City Council have expedited the review of affordable housing projects and improved processes and requirements for the review of affordable housing projects as the result of this program. Examples include the adoption and use of Objective Design Standards for multifamily residential development and effective use of the Affordable Housing Density Bonus Ordinance to expedite the review and approval of: • 586-unit affordable housing. • 20-unit affordable housing project at Eagle Avenue occupancy in 2018. • 31-unit affordable senior housing project at Del Monte occupancy in 2018. • 128 very-low and low-income affordable units at Block 8, Site occupancy completed in 2019. • 78 very low- and low-income units at Rosefield Village. • Development Agreement with Midpen Housing Corporation, Alameda Point Collaborative, Building Futures With Women And Children, and Operation Dignity ("Collaborating Partners"). The project included 200 replacement residential units in newly constructed buildings and 67 new residential units in newly constructed buildings.	Continue and Modify See Program 8.

Program		Implementation Status	Action
		• 8 affordable units at Mulberry neighborhood. In 2020 the City received and approved one SB 35 Affordable Housing application from the Housing Authority of the City of Alameda for the development of 586 lower income units on the North Housing site, 12 acres of land that were previously owned by the U.S. Navy. All future design review approvals for each building will be approved ministerially by planning staff. Construction on the first building is expected to start in 2023.	
Program 2.1: Inclusionary Housing Ordinance. Continue to implement the citywide 15 percent inclusionary requirement.	Responsibility: Planning Department Funding: Permit Fees Schedule: Ongoing	The City continues to implement the citywide 15% inclusionary requirement on all residential projects citywide. Most residential projects in Alameda utilize the Affordable Housing Density program (AMC 30-18) to increase the inclusionary units for very low-income households in return for waivers from specific development regulations. On City-owned lands at Alameda Point, 25% inclusionary requirements are enforced.	Continue See Program 7
Program 2.2: **Funding for 5-year Pipeline Projects.** Continue to maintain and update a 5-Year Affordable Housing Pipeline Projects Report. Continue to seek available funding from state and federal sources for which the projects identified in the 5-Year Affordable Housing Pipeline Project Report are eligible, and for other eligible projects. Pipeline projects include rental housing affordable to extremely low-, very low-, and low-income households.	Responsibility: Housing Authority Funding: CDBG, tax credits, HOME, AHUF Schedule: Ongoing - as projects come forward and as funding is available	The City continues to maintain and update the 5-Year Affordable Housing Pipeline Projects Reports. In 2015, the City provided land at no cost to the Housing Authority, and the Authority secured funding and commenced construction for Alameda Landing (Stargell Commons), a 32-unit affordable housing project, which was completed in 2017. In 2016, the City provided land, and the Housing Authority secured funding and commenced construction for the 31-unit Del Monte Affordable Senior housing project, which was completed in 2018. In 2016, the Housing Authority received a 9% tax credit allocation for a 20-unit affordable family project. The City facilitated the conveyance of the land to the Authority at no cost. The City continues to seek available funding from state and federal sources to fund pipeline projects focusing on rental housing	Continue See Program 22

Program		Implementation Status	Action
		affordable to extremely low-, very low-, and low-income households.	
Program 2.3: Affordable Housing Unit/Fee (AHUF) Ordinance: Continue to administer the AHUF to support the development of new and rehabilitated housing affordable to very low- and low-income households, and periodically adjust the housing impact fee to keep pace with inflation.	Responsibility: Planning Department and Housing Authority Funding: Non-residential development impact fees Schedule: Ongoing	The City continues to administer the Affordable Housing Unit Fee to support the development of new and rehabilitated housing affordable to very low- and low-income households. Each year the fee is adjusted to keep pace with inflation by the City Council as part of the annual Fee Ordinance adoption. The City collected the following amounts for affordable housing over the planning period: • 2015 – $9,560.48 • 2016 – $9,076 • 2017 – $38,093 • 2018 – $35,490 • 2019 –$39115, • 2020 – $1,094,307 The funds collected are used to support the creation of Affordable Housing by the Community Development Department and the Alameda Housing Authority.	Continue See Program 8
Program 2.4: Public Private Partnerships. Facilitate the development of affordable housing through public-private partnerships, creative land use strategies, and expedited City permitting and decision making.	Responsibility: Planning Department and Housing Authority Funding: Permit fees, Tax credits, HOME funds and AHUF fees Schedule: Ongoing	The City continues to facilitate the development of affordable housing through public-private partnerships, creative land use strategies, and expedited City permitting and decision making. The City facilitated the private partnerships with Tim Lewis Communities and Alameda Housing Authority, which resulted in the construction of 31 very low- and low-income senior affordable units at the Del Monte project site (completed in 2018). The City provided land to the project at no cost. The City facilitated a public-private partnership between Catellus Development, the Housing Authority, and Resource for Community Development, which resulted in the construction of 32 affordable units at Alameda Landing (Stargell Commons) (completed in 2017). The City provided the land at no cost.	Continue. See Programs 8, 9, 10 and 11.

Program		Implementation Status	Action
		The City facilitated a partnership between Alameda Point Partners and Eden Housing for development of 128 very low- and low-income units at Alameda Point Site A. The City provided the land at no cost. The City entered into a partnership with Catellus Development Company and Pulte Homes to construct 24 affordable housing units on the Alameda Landing Waterfront. The City provided the land at no cost.	
Program 2.5: Preservation of At-Risk Housing Units: Continue to monitor the status of all affordable housing projects and, as their funding sources near expiration, work with owners and other agencies to consider options to preserve such units. The City will also provide technical support to property owners and tenants regarding proper procedures relating to noticing and options for preservation.	Responsibility: Housing Authority Funding: In-lieu fees, AHUF fees, Tax credits, HOME funds Schedule: Ongoing	The City continues to preserve at-risk housing units by monitoring the status of affordable housing projects and, as their funding sources near expiration, working with owners and other agencies to consider options to preserve such units. From 2015 to 2019 there were no projects at risk of converting. However, in 2020, in response to COVID-19, the City launched an Emergency Rent Relief Program to mitigate potential homelessness and displacement of existing Alameda tenants. The program assisted 61 households and was designed to assist very low- and low-income families and individuals who were suffering a temporary financial setback due to the COVID-19 public health emergency and who needed help with rent due.	Continue See Program 15.
Program 2.6: Housing Choice Voucher Program (Section 8). Continue issuing vouchers and encouraging property owners to participate in this rental assistance program.	Responsibility: Housing Authority Funding: US Department of Housing and Urban Development (HUD) Schedule: Ongoing	The Housing Authority of the City of Alameda continued to issue vouchers and encourage property owners to participate in this rental assistance program. Vouchers assisted many households: • 1,600 in 2015 • 1,700 in 2016 • 1,845 in 2017 • 1,900 in 2019 • 1,885 in 2020 In 2016, the Housing Authority pursued creative ways to encourage participation by new landlords and to retain existing landlords in the Section 8 program. To this end, the Housing Authority applied	Continue See Program 12

Program		Implementation Status	Action
		to HUD for an exception payment standard that was approved midyear. This made it possible for subsidized rents to nearly match market rents and served as an effective incentive. The Housing Authority also offered a signing bonus of $500 to new landlords for a three-month period that brought in over 10 new landlords. In 2018, the Housing Authority expanded the number of families assisted through HUD programs by starting its participation in the Veteran Affairs Supportive Housing (VASH) program with 15 new vouchers. In 2018, the program was authorized to lease up to 1,900 households, including the new VASH vouchers.	
Program 2.7: Utility Assistance Programs. Continue to provide funding assistance to qualified households in need of help with their electric bills. One program is a match-fund program for households with a shut-off notice, and one program assists with up to 25 percent of a monthly bill.	Responsibility: Alameda Municipal Power (AMP) Funding: Public Purpose Program and annual contribution from AMP Schedule: Ongoing	The City has continued to provide funding to utility assistance programs for qualifying households in need of help with their electric bills. The City has assisted with the following amounts over the planning period • 2015 – $76,564 • 2016 – $73,973 • 2017 – $110,235 • 2018 – $110,235 • 2019 – $140,497 • 2020 – $168,559	Continue See Program 18
Program 2.8: **Rent Review Advisory Committee:** Continue to support the Rent Review Advisory Committee (RRAC) efforts to provide voluntary mediation between tenants and landlords in order to moderate rent increases for tenants of all income levels. The RRAC shall provide an annual report to the City Council on the number of cases reviewed each year, the outcome of those cases, and a recommendation for any additional City regulations or controls deemed necessary by the RRAC. The Alameda City Council shall annually review the RRAC reports	Responsibility: Housing Authority and RRAC Funding: AHUF Schedule: Ongoing mediation and Annual Reports	Since adoption of the 2014 Housing Element, City of Alameda has taken major steps to improve and strengthen the City's anti-displacement programs, which were previously administered by the Rent Review Advisory Committee (RRAC) through voluntary mediation between tenants and landlords. In November 2015 a moratorium on rent increases over 7.99 percent and no-cause evictions was enacted while the City Council investigated rent stabilization options. On March 30, 2016, the moratorium on rent increases over 7.99 percent expired. A new Rent Review, Rent Stabilization and Limitations on Evictions Ordinance went into effect on March 31,	Revise and update program. See Program 12

Program		Implementation Status	Action
and take any steps deemed necessary or appropriate at that time.		2016. Ordinance 3148 was a culmination of the previous ordinances (3131, 3132, 3140, and 3143) enacted to protect tenants in Alameda and ensure that landlords receive a fair return on their property. In 2016, the Rent Review Advisory Committee also provided mediation for 40 households. On April 4, 2017, the City Council adopted the Rent Stabilization and Limitations on Evictions Ordinance. In addition, the Rent Program staff reviewed 276 rent increase cases eligible for RRAC review. The RRAC heard 24 cases, and other cases were resolved prior to the scheduled hearings. The Program staff determined that 91 termination notices required that tenants receive relocation assistance. In 2018, 79 households that were displaced by terminations of tenancy for no fault received a relocation payment averaging $8,900 from the City. In addition, 252 rent increase cases were submitted for review, creating an average $267 (16 percent) increase offer. The Rent Review Advisory Committee held hearings for 52 cases, and staff resolved the remaining 200. The average final rent increase for all case submissions was $131 (8 percent). In 2019, 67 households displaced by terminations of tenancy for no fault received a relocation payment averaging $8,743 from the City. The Rent Review Advisory Committee held hearings for 68 rent increase cases, and staff resolved the remaining 149. The average final rent increase for all case submissions was $147 (10 percent). In September 2019, the City Council adopted an urgency ordinance to revise the City's rent control and limitation on evictions regulations. These regulations limit rent increases to no more than 70 percent of the percentage change in the Consumer Price Index for most rental units. Registration requirements were also imposed along with additional limitations on no-fault terminations and an updated relocation payment schedule. In 2020 the Alameda Rent Program received 30 submissions for terminations of tenancy for no fault grounds and 24 submissions	

Program		Implementation Status	Action
		for buy-out agreements. The Rent Program staff also received 112 submissions requesting staff review of current or past rent increases and 21 petitions for a rent adjustment.	
Program 2.9: Employee Housing. Amend the Zoning Ordinance to specifically allow employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.5.	Responsibility: Planning Department Funding: Community Planning Fee Schedule: June 2015	In June of 2014 the city amended the Zoning Ordinance to specifically allow employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.5.	Delete, program completed
Program 3.1: Special Needs Housing. Work with public or private sponsors to identify candidate sites for new construction of rental housing for special needs populations, including persons with physical and developmental disabilities, and take all actions necessary to expedite processing of such projects.	Responsibility: Planning Department Funding: Permit fees Schedule: As projects are approved through the Planning Department	The City continues to work with public or private sponsors to identify candidate sites for new construction of rental housing for special needs populations, including persons with physical and developmental disabilities. In 2015, the City of Alameda partnered with the Alameda Housing Authority and Tim Lewis Communities to construct the 31-unit Del Monte affordable senior housing, which was approved with 100% universal design (completed in 2018). The City of Alameda contributed a portion of the land necessary for the project. In 2015, the City partnered with Alameda Point Partners and Eden Housing to construct 128 units at Alameda Point Site with 20% universal design. Sixty of the units are for seniors. In 2017, the City of Alameda adopted the Universal Design Ordinance, which requires that 30% of all new housing units constructed in Alameda be universally designed and that 100% of all new units be “visitable” by a person with physical disabilities. In 2018, the City worked with the U.S. Navy to convey 15 acres of land at (North Housing) to the Housing Authority and Habitat for Humanity for development of permanent, service-enriched housing for formerly homeless individuals and families. In 2018, the City approved the rezoning of a former federal property on McKay Avenue for the development of permanent,	Continue and modify. See Programs 8, 9, 10 and 11

Program		Implementation Status	Action
		service-enriched housing for formerly homeless individuals and families. In 2020, the City of Alameda approved the SB 35 application for 586 units of affordable housing on the North Housing site for the Alameda Housing Authority. During the period, the City's Rehabilitation Program provided financial assistance to over 170 lower income families to make accessibility improvements to their homes.	
Program 3.2: Homeless Shelter Funding: Continue to provide funding assistance to the Midway Shelter, a 24-bed, service-enriched shelter for women and children, for a portion of the shelter's operating costs and for necessary capital improvements.	Responsibility: Housing Authority Funding: CDBG Schedule: Ongoing	The City continues to provide funding assistance to the Midway Shelter, a 24-bed, service-enriched shelter for women and children, for a portion of the shelter's operating costs and for necessary capital improvements, including the following contributions: • 2015: $82,263 • 2016: $62,633 • 2017: $68,923 and $350,000 for the replacement and upgrade of the bathroom trailer. • 2018: $82,569 • 2019: $53,669 • 2020: $62,888 In December 2018 and 2019, the City opened its first "Warming Shelter" for winter months to provide a safe, warm, and welcoming place for those experiencing homelessness. In 2020, the City provided $62,301 to Building Futures with Women and Children to operate the Warming Shelter for the winter of 2020-21.	Continue See Program 11
Program 4.1: In-Law Units and Senior Housing: Continue to support the addition of secondary "In-Law" units for small households or seniors, and use Density Bonus Ordinance provisions to encourage senior housing opportunities on sites in proximity to retail and transit services.	Responsibility: Planning Department Funding: Permit fees Schedule: As projects are approved through	The city continues support the addition of secondary "in-law" units for small households or seniors and use Density Bonus Ordinance provisions to encourage senior housing opportunities on sites in proximity to retail and transit services. In 2017, the City Council approved a comprehensive update of the Secondary Unit Ordinance to reduce regulatory barriers to the	Continue and modify to update term to "Accessory Dwelling Units (ADUs)." Expand

Program		Implementation Status	Action
	the Community Development Department	creation of second units in Alameda. The amendments resulted in an immediate increase in second unit construction in Alameda. The upward trend in production continued through the pandemic years into 2021. The City approved permits for ADUs including: • 2018: 20 • 2019: 26 • 2020:39 • 2021: 78 The City continued to promote the use of Density Bonuses. Every major housing development in Alameda during the 2015 to 2022 period utilized the Affordable Density Bonus program to either/or increase the residential density of the project or waive city requirements that constrained the development of affordable housing on the site.	program to incentivize and promote ADUs. See Program 5
Program 4.2: Universal Design Ordinance: Consider amendments to the Zoning Ordinance to require universal design elements in all new housing projects of five or more units.	Responsibility: Planning Department Funding: Community Planning Fee Schedule: December 2014	The Planning Board recommended, and the City Council approved the Universal Design Ordinance in 2017.	Program completed. See Program 10 and 17 and 22 for additional actions needed to address accessibility.
Program 5.1: Annual Review of Policies and Programs: Implement Program 1.1.	Responsibility: Planning Department Funding: Community Planning Fee Schedule: Annually	The City continues to annually review policies and programs at publicly noticed public hearings with the Planning Commission and City Council.	Continue See Program 22

Program		Implementation Status	Action
Program 6.1: **First-Time Homebuyer Program:** Continue the First-Time Homebuyer Program which provides down payment assistance to low- and moderate-income first-time homebuyers. The program includes free homebuyer workshops. The workshops cover the complete home-buying process including. Overview of the Home-Buying Process, Credit and Budgeting, Qualifying for a Loan, the City's Down Payment Assistance Program, the Loan Application/Pre-approval Process, Selecting a Home, Role of the Real Estate Agent, Home Maintenance, and Foreclosure Prevention.	Responsibility: Housing Authority Funding: In-lieu fees, Affordable Housing / Unit fee (AHUF) Schedule: Ongoing, as funding is available	The City continues the First-Time Homebuyer Program, which provides down payment assistance to low- and moderate-income first-time homebuyers. • In 2015, the City processed 8 Down Payment Assistance payoffs with a closeout of one CASA loan, which was converted to an amortized loan. • In 2016, the City processed 4 Down Payment Assistance payoffs. • In 2017, four households were assisted by the Down Payment Assistance Program. • In 2019 one household purchased a Below Market Rates (BMR) Home, developed through the City of Alameda's Inclusionary Housing Program. • In 2020, the City entered into an Affordable Housing Agreement for development of 24 "for sale" affordable units to be offered to very low-, low-, and moderate-income households.	Continue See Program 16
Program 6.2: Alameda County Mortgage Credit Certificate Program: Continue to participate in the Countywide Mortgage Credit Certificate Program, which assists low- to moderate-income first-time homebuyers to qualify for mortgage loans.	Responsibility: Housing Authority Funding: In-lieu fees, Affordable Housing / Unit fee (AHUF) Schedule: Ongoing, as funding is available	The city continues to participate in the Countywide Mortgage Credit Certificate Program. The program assisted households including, • Four in 2015 • Two in 2016 • None in 2017 or 2018 • One in 2019 Alameda County did not distribute any MCCs in 2020.	Continue See Program 16
Program 7.1: **Housing Rehabilitation:** Continue to administer owner-occupied and rental housing rehabilitation programs: • *Substantial Rehabilitation Program*: Continue to implement the City's	Responsibility: Housing Authority Funding: Community Development Block Grant (CDBG) funds	The city continues to administer owner-occupied and rental housing rehabilitation programs such as: Substantial Rehabilitation Program, Housing Rehabilitation Program, Rental Rehabilitation Program, and Minor Home Repair. In 2015, these programs assisted seven households.	Continue See Program 17

Program		Implementation Status	Action
Substantial Rehabilitation Program, which creates new rental units in existing vacant or underutilized residential structures. • *Housing Rehabilitation Program*: Continue the City's Housing Rehabilitation Program, which provides grants and low-interest loans to help low- and very low-income homeowners repair and improve their homes. • *Rental Rehabilitation Program*: Continue the City's Rental Rehabilitation Program, which provides low-interest loans to help property owners with low- and very low-income tenants repair and improve their units. • *Minor Home Repair*: Continue to implement the City's Minor Home Repair program. • *Accessibility Modification Program*: Continue providing grants and low-interest loans to assist eligible seniors and persons with disabilities in making modifications to their residences, allowing the individual to attain greater mobility and remain safely in their home.	Schedule: Ongoing	• One project was in development for the Substantial Rehabilitation Program. • Three households were assisted with the Housing Rehabilitation Program. • Three were assisted with the Rental Rehabilitation Program. • Twenty-nine households were assisted with accessibility modifications. In 2016, • One new project began development through the Substantial Rehabilitation Program. • One household was assisted with the Housing Rehabilitation Program. • Thirty were assisted with accessibility modifications. In 2017, • One new project turning a single-family home into a duplex began development through the Substantial Rehabilitation Program. • One household was assisted with the Housing Rehabilitation Program. • Thirty were assisted with accessibility modifications. In 2018, • Thirty-two households were assisted with the Housing Rehabilitation Program., • Thirty-nine were assisted with accessibility modifications. In 2019, • Twenty-nine households were assisted with accessibility modifications.	

Program		Implementation Status	Action
		In 2020, • Fourteen households were assisted with accessibility modifications.	
Program 8.1: Amnesty Program: Continue the City's amnesty program, which provides a process to legalize and improve occupied, existing undocumented dwelling units.	Responsibility: Planning Department Funding: Application fees Schedule: Ongoing	The city continues the amnesty program that serves to provide a process to legalize and improve occupied, existing undocumented dwelling units. • In 2015, 1 unit • In 2016, 2 units • In 2017, 3 units • In 2018, 3 units • In 2019, 0 units • In 2020, 1 unit	Continue See Program 17
Program 9.1: Fair Housing: Continue to support fair housing by contracting with a fair housing contractor/provider to counsel tenants and landlords on their rights and responsibilities. Mediate landlord/tenant disputes, and investigate complaints of housing discrimination. Information about these services is provided by ECHO Housing, a non-profit organization, the Alameda Housing Authority, and the City of Alameda through referral services, brochures, fair housing and tenant rights programs, and the Section 8 program, at the City of Alameda and the Alameda Housing Authority customer service counters and on the City of Alameda and Housing Authority websites.	Responsibility: Housing Authority Funding: CDBG Schedule: Ongoing	The city continues to support fair housing by contracting with a fair housing contractor/provider to counsel tenants and landlords on their rights and responsibilities, mediate landlord/tenant disputes, and investigate complaints of housing discrimination. The following services were by ECHO Housing, a nonprofit organization. • In 2015, 285 • In 2016, 216 • In 2017, 294 • In 2018, 220 • In 2019, 96 • In 2020, 100 In 2020, as a response to the COVID-19 pandemic, City Council imposed a temporary moratorium on evictions and shutting off utilities (except for emergency situations) due to or during the pandemic. The moratorium also prohibited rent increases for fully regulated units in the city.	Continue and expand to meet the requirements of AB 686 See Programs 12, 13, and 14

Program		Implementation Status	Action
Program 10.1: New Housing TDM Programs: Require transportation demand management (TDM) programs and facilities in all new housing developments of at least 10 units or more to reduce local greenhouse gas emissions, vehicle miles traveled, and local traffic congestion. Coordinate existing and future transportation demand management programs to create cost effective and convenient transportation services between new residential development areas, regional transportation services including ferry, BART, and AC Transit, and on-island commercial districts, schools, and parks.	Responsibility: Planning Department Funding: Application fees Schedule: Ongoing	Throughout the 2015 through 2022 period, the City required transportation demand management (TDM) programs and facilities in all new housing developments. In 2021, the City adopted the revised Off-Street Parking Ordinance, which eliminated minimum off-street parking requirements for all residential projects and established a citywide TDM requirement to reduce vehicle miles traveled for all major new developments. The parking amendments also establish maximum parking requirements to reduce vehicle miles travelled, reduce greenhouse gas emissions, and encourage mode shift in Alameda.	Program no longer needed. Replaced by Citywide TDM ordinance.
Program 10.2: Existing Neighborhood Transportation Improvements: Work with existing transit providers including AC Transit, the Water Emergency Transit Agency (WETA), and existing Transportation Management Agencies to improve transportation services for existing Alameda neighborhoods to reduce local greenhouse gas emissions, vehicle miles traveled, and local traffic congestion	Responsibility: Planning Department and Public Works Departments Funding: Community Planning Fees and Grant funds Schedule: Ongoing	The City continues to work to increase transportation services in support of new and existing housing. In December of 2016, the new AC Transit Line 19 began service to serve the Northern Waterfront. In 2017, the City adopted the Citywide Transportation Choices Plan. In 2020, work was completed on the Cross Alameda Trail between the Seaplane Lagoon at Alameda Point and Jean Sweeney Open Space Park along Ralph Appezzato Memorial Parkway (RAMP). In 2021, WETA and the City opened the new Seaplane Lagoon Ferry Passenger Terminal at Alameda Point. In 2021, the City Council approved the new Mobility Element of the General Plan, which established these program objectives as citywide policy objectives.	Program no longer needed. Replaced by Citywide General Plan Mobility Element policies and actions.
Program 11.1: Transit Oriented Housing: Use density bonuses, maximum allowed parking requirements, and unbundled on-site parking requirements in new housing projects of 10 units or more, and require on-site secure bicycle	Responsibility: Planning Department Funding: Application fees	The City continues to support Transit Oriented Housing using density bonuses and maximum allowed parking requirements in all new housing projects.	Program no longer needed. Replaced by Citywide General Plan Land Use,

Program		Implementation Status	Action
parking for project residents to maximize densities on transit corridors.	Schedule: Ongoing	In 2021, the City Council approved the new Land Use Element, Climate Action Element, and Mobility Element of the General Plan, which established these program objectives to increase and maximize densities on transit corridors as citywide policy objectives.	Climate Action, and Mobility Element policies and actions.
Program 12.1: Sustainable Development: Implement the Green Building Code and develop incentives and requirements for energy efficient and sustainable new residential developments.	Responsibility: Planning Department Funding: Application fees Schedule: Ongoing	The City continues to implement the California Green Building Code and develop incentives and requirements for energy efficient and sustainable new residential developments. In 2021, the City Council approved the new Land Use Element and Climate Action Element of the General Plan, which established these program objectives to increase energy efficiency in new and existing homes as citywide policy objectives.	Program no longer needed. Replaced by Citywide General Plan Land Use and Climate Action Element policies and actions.
Program 12.2: Promote Energy Conservation: Continue to offer residential customer energy services which include the following: • A weatherization cash grant program • A rebate program for compact fluorescent lights • A meter lending program • A rebate program for Energy Star refrigerators • A second refrigerator pickup program • Free energy audits • Energy Assistance Program to help low-income residents reduce their energy use • Implement the energy efficiency and conservation policies and programs in the Energy Element of the General Plan	Responsibility: AMP Funding: Utility Fees Schedule: Ongoing – as programs are available	Alameda Municipal Power continues to offer residential customer energy services, including Alameda Municipal Power's refrigerator/freezer, washer/dryer, heat pump water heater, LED bulbs/fixtures, and EV charger rebates. • In 2015, the City gave $76,564 to the Energy Assistance Program (Program 2.7) and $4,881 to Project EASE. In addition, $389,369 in residential customer incentives were provided. In addition, Alameda Municipal Power's implemented its standard refrigerator and freezer rebates, an improved LED rebate, and the 2015 citywide "Great Light Bulb Change Out" promotion, during which time Alameda Municipal Power mailed two LEDs to every household. • In 2016, the City provided $73,973 to the Energy Assistance Program (Program 2.7) and $7,078 to Project EASE. In addition, $317,644 in residential customer incentives were provided.	Continue See Program 23

Program		Implementation Status	Action
		• In 2017, the City gave $103,141 to the Energy Assistance Program (Program 2.7) and $7,093 to Project EASE. In addition, $14,145 in residential customer incentives were provided. • In 2018, the city gave $103,141 to the Energy Assistance Program (Program 2.7) and $7,093 to Project EASE. In addition, $93,136 in residential customer incentives were provided. • In 2019, the city provided $124,937 to the Energy Assistance Program (Program 2.7) and $15,560 to Project EASE. In addition, $103,224 in residential customer incentives were provided. • In 2020, the City provided $148,642 to the Energy Assistance Program (Program 2.7) and $19,917 to Project EASE. In addition, $131,053 in residential customer incentives were provided.	
Program 13.1: Public Notice and Participation: Provide ample public notice and opportunities for public involvement in the public decision making process.	Responsibility: Planning Department Funding: Application Fees Schedule: Ongoing	The city continues to provide ample public notice and opportunities for public involvement in the public decision-making process. The City requires a 20-day notice for all discretionary project reviews, which exceeds state requirements by 10 days. In addition, Planning staff has worked successfully with neighborhood groups to ensure that all interested parties are informed about upcoming hearings. The Planning Department made changes to its website to make it easier for the general public to keep informed about current applications and upcoming public hearings. The City's public hearings have been well attended.	Program no longer needed. Replaced by Citywide General Plan policies and City of Alameda Sunshine Ordinance public noticing requirements.
Program 14.1: Design Concepts: Develop preferred design concepts for important opportunity sites to improve certainty in the entitlement process similar to the design concepts prepared for the Webster Street Vision	Responsibility: Planning Department Funding: Application Fees Schedule: Ongoing	The City continues to develop preferred design concepts for important opportunity sites to improve certainty in the entitlement process. In 2015, the City worked with the prospective developers of Neptune Lofts at 1435 Webster Street to provide preferred design concepts. The mixed-use project, which includes retail on the	Modify. See Program 2, 3, and 4.

Program		Implementation Status	Action
Plan, Civic Center Vision Plan, and North of Park Gateway Strategic Plan.		ground floor and nine residential units above, is expected to be approved in 2016. From 2016 to 2020, the City continued to work with prospective housing developers and the Planning Board to develop preferred design concepts similar to the design concepts prepared for the Webster Street Vision Plan, Civic Center Vision Plan, and North of Park Gateway Strategic Plan.	
Program 15.1: Design Review: Continue to administer and improve the Design Review Ordinance to ensure compatible new residential design in existing neighborhoods.	Responsibility: Planning Department Funding: Application Fees Schedule: Ongoing	The city continues to administer and improve the Design Review Ordinance to ensure compatible new residential design in existing neighborhoods. In February 2020, Planning Board Public Hearing included an update to the Objective Design Review Standards and a review of the current ordinance.	Modify to implement Objective Design Standards. See Programs 2, 3, and 4.

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APPENDIX C – HOUSING NEEDS ASSESSMENT

The Housing Needs Assessment analyzes population and housing characteristics, identifies special housing needs among certain population groups, evaluates housing conditions, and provides other important information to support the goals, policies, and programs to meet the needs of current and future residents.

In preparing the Housing Element, various sources of information were used. The primary data sources were compiled by the Association of Bay Area Governments (ABAG) in April 2021 and is referred to throughout the document as the ABAG Housing Element Data Package. ABAG relied on the US Census, American Community Survey (ACS), the US Department of Housing and Urban Development (HUD), California Department of Finance (DOF), California Employment Development Department (EDD), and other available local sources.

The US Census, which is completed every 10 years, is an important source of information for the Housing Needs Assessment. It provides the most reliable and in-depth data for demographic characteristics of a locality. The ACS is conducted by the US Census Bureau and provides estimates of numerous housing-related indictors based on samples averaged over a five-year period. The Housing Needs Assessment reflects the 2015–2019 ACS data.

The DOF is another source of valuable data and is more current than the US Census but does not provide the depth of information as in the US Census Bureau reports. The EDD provides employee and industry data and projections that are more specific than what is often available through the US Census. Whenever possible, DOF or EDD data and other local sources were used in the Housing Needs Assessment to provide the most current information.

Because of the difference in data sources used, some figures (e.g., population or the number of households) may vary slightly in different sections. Additionally, the sum of figures may not equal the total due to rounding.

Population Trends and Characteristics

Population Growth and Projections

According to the DOF E-5 report, Alameda had a population of 80,884 in 2021. For consistency purposes, when looking at the 2015-2019 ACS, Alameda's population was 78,522 in 2019. Twenty-five (25) years ago in 1994, Alameda had a population of 79,297. With the closing of the Alameda Naval Air Station (NAS) and the Fleet Industrial Supply Center (FISC) by 1996, the City's population decreased. However, due the construction of housing to address regional housing needs, the City has seen a 9.9 percent increase in population since 2010. The growth in population is mostly located at the former military installations (i.e., Bayport and Alameda Landing neighborhoods) and in the formerly industrial Northern Waterfront (i.e., Mulberry and Marina Shores neighborhoods). This growth is expected to continue in the coming decade as the City continues to construct housing to address regional housing needs.

ABAG projects the City's population will grow by 25.3 percent between 2010 and 2040, which is less then the 38.5 percent growth rate that ABAG projects for Alameda County as a whole. Table C-1 shows population for the City of Alameda and Alameda County for 2010, 2020, 2030, and 2040 projections.

Alameda's projected population increase will result largely from residential development in the former industrial areas along the Northern Waterfront, in the former military installations at Alameda Point, on shopping center sites, along the transit corridors on Park Street and Webster Street, and in the neighborhoods, through modest infill development. Since 2017, the neighborhoods have produced approximately 60 units per year through accessory dwelling units

Table C-1 ABAG Population Projections, 2010-2040

Year	Alameda	Alameda County
2010	73,812	1,510,271
2020	81,135	1,663,114
2030	90,560	1,868,635
2040	92,465	2,092,370
Change 2010-2040	18,653	582,099
Percentage Change	25.3%	38.5%

Sources: 2040 ABAG Projections, California Department of Finance, 2010 and 2020

Age Characteristics

Alameda did not experience any significant change in its age structure over the last decade (see Table A-2). As with many communities in the county and across the nation, there has been an increase in the percentage of citizens over the age of 65. However, this increase has been very slight in Alameda, with the population over 65 increasing by just over 2 percent of its share of the population between 2010 and 2019. The number of children under the age of 15 remains under 18 percent.

According to the 2015-2019 ACS, Alameda's age breakdown is roughly comparable to Alameda County as a whole. Alameda had a slightly lower percentage of residents aged 15 to 19, and a slightly higher percentage of people 55 or older. Table C-2 shows the age characteristics for the City of Alameda as well as for the County.

Table C-2 Population Age Distribution, 2010-2040

Age Group	Alameda		Alameda County	
	2010	2019	2010	2019
Under 15	17.1%	17.5%	20.8%	17.4%
15 – 19	5.7%	4.1%	6.4%	5.7%
20 – 34	18.3%	20.0%	23.7%	22.8%
35 – 54	31.7%	29.1%	31.1%	28.4%
55 – 64	13.8%	13.6%	7.8%	12.2%
65 +	13.5%	15.7%	10.2%	13.5%
Total	**100.0%**	**100.0%**	**100.0%**	**100.0%**

Sources: ABAG Housing Element Data Package, April 2021, 2010 Census, 2015-2019 ACS

Race and Ethnicity

Alameda has a diverse population. In fact, the city is moving closer to becoming a minority-majority population. A review of 2006-2010 and 2015-2019 data from the ACS shows that the trend to greater diversity in the population in Alameda has continued over the last decade, though slowed significantly compared to previous decades. Between 2010 and 2019, the white population declined from approximately 51 percent to 45 percent, the Asian population remained at approximately 32 percent of the population, and the Black population grew from 5.7 to 8.3 percent of the population (see Table C-3).

Table C-3 Race and Ethnicity

Category	Alameda		Alameda County	
	2010	2019	2010	2019
Race				
White alone	50.9%	45.0%	43%	38.3%
Black or African American alone	5.7%	8.3%	12.6%	9.9%
American Indian and Alaska Native alone	0.3%	0.5%	0.6%	0.6%
Asian alone	32.2%	32.5%	26.1%	33%
Native Hawaiian and Other Pacific Islander alone	0.6%	0.1%	0.8%	0.83%
Some other race	3.7%	5.2%	10.8%	10.82%
Two or more races	6.6%	8.3%	6%	6.5%
Ethnicity				
Hispanic or Latino	11.4%	11.5%	22.5%	
Not Hispanic or Latino	88.6%	88.5%	77.5%	

Source: ABAG Housing Element Data Package, April 2021, 2006-2010, and 2015-2019 ACS

Household Characteristics

Household Composition

According to the 2015-2019 ACS, the City of Alameda had 30,418 households (see Table C-4). Of those, 18,998 households (62.5 percent) were categorized as families and 11,420 (37.5 percent) were categorized as non-family households. Households categorized as "non-family" include single individuals and persons living with roommates. The 2015-2019 ACS indicated that Alameda had 2.54 persons per household, a slight increase in size compared to previous decades. The ratio of persons per household will not play a significant role in population growth because, according to ABAG projections, the ratio is not expected to change significantly over the next two decades.

Table C-4 Household Composition in the City of Alameda, 2019

Household Type	Number	Percentage
Family Households	18,998	62.5%
Married Couple	14,879	48.9%
Male Householder, no spouse	1,071	3.5%
Female Householder, no spouse	3,048	10.0%
Non-Family Households	11,420	37.5%
Total Households	**30,418**	**100.0%**

Source: ABAG Housing Element Data Packet, April 2021, 2015-2019 ACS

Overcrowding

Overcrowding is often closely related to household income and the cost of housing. The US Census Bureau considers a household to be overcrowded when there is more than one person per room (rooms exclude bathrooms and kitchens), and to be severely overcrowded when there are more than 1.5 occupants per room. Overcrowded households are usually a reflection of the lack of affordable housing.

According to the 2015-2019 ACS, 1,352 units (4.5 percent) of the households in Alameda were overcrowded, and of those households' 2 percent were severely overcrowded. Table C-5 provides overcrowding by tenure.

Table C-5 Overcrowding by Tenure, 2019

Persons per Room	Owner-Occupied		Renter-Occupied		Total Households	
	Number	Percentage	Number	Percentage	Number	Percentage
1.00 or fewer	14,296	98.0%	14,770	93.3%	29,066	95.6%
1.01 to 1.50	215	1.5%	538	3.4%	753	2.5%
1.51 or more	77	0.5%	522	3.3%	599	2.0%
Total	**14,588**	**100.0%**	**15,830**	**100.0%**	**30,418**	**100.0%**

Source: ABAG Housing Element Data Package, April 2021, 2015-2019 ACS

Household Income and Area Median Income

Household income is one of the most important factors that affects housing opportunities. Housing choices such as tenure (owning versus renting), housing type, and location are dependent on household income. On the other hand, household size and type often affect the proportion of income that can be spent on housing.

For the purpose of evaluating housing affordability, housing need, and eligibility for housing assistance, income levels are defined by guidelines adopted each year by HCD. According to HCD's 2021 State Income Limits, the area median income (AMI) for a family of four in Alameda County in 2021 was $125,600.

- Extremely Low Income Up to 30 percent of AMI ($0–$41,100)
- Very Low Income 31–50 percent of AMI ($41,101–$68,500)
- Low Income 51–80 percent of AMI ($68,501–$109,600)
- Moderate Income 81–120 percent of AMI ($109,601–$150,700)
- Above Moderate Income Above 120 percent of AMI ($150,701 or more)

Table C-6 shows the maximum annual income level for each income group adjusted for household size for Alameda County. The maximum annual income data is then used to calculate the maximum affordable housing payments for different households (varying by income level) and their eligibility for federal housing assistance.

Table C-6 Maximum Household Income by Household Size, 2021

Income Category	Household Size							
	1	2	3	4	5	6	7	8
Extremely Low	$28,800	$32,900	$37,000	$41,100	$44,400	$47,700	$51,000	$54,300
Very Low	$47,950	$54,800	$61,650	$68,500	$74,000	$79,500	$84,950	$90,450
Low	$76,750	$87,700	$98,650	$109,600	$118,400	$127,150	$135,950	$144,700
Median	$87,900	$100,500	$113,050	**$125,600**	$135,650	$145,700	$155,750	$165,800
Moderate	$105,500	$120,5550	$135,650	$150,700	$162,750	$174,800	$186,850	$198,900

Source: California Department of Housing and Community Development, 2021

Household Income in Alameda

According to the 2015-2019 ACS, the median income for a household of four in Alameda was $104,756, which is significantly higher than the county ($99,406). However, as shown in Table C-7, nearly 50 percent of the households in Alameda are categorized as lower income. Over 60 percent of households renting in Alameda are classified as lower income. Only 35 percent of all households in Alameda are classified as "above moderate income" households. Over 20 percent of all households are categorized as "extremely low income" households.

Table C-7 Households by Income Level by Tenure, 2019

Income Level	Renter-Occupied		Owner-Occupied		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Total Occupied Units	16,521	100.0%	14,267	100.0%	30,788	100.0%
Extremely Low Income <30% of AMI	4,419	26.7%	1,878	13.2%	6,297	20.5%
Very Low Income ≤50% of AMI	1,371	8.3%	671	4.7%	2,042	6.6%
Low Income 50% to 80% of AMI	4,774	28.9%	2,243	15.7%	7,017	22.8%
Moderate 81% to 120% of AMI	2,469	14.9%	2,068	14.5%	4,537	14.7%
Above Moderate 121%+ of AMI	3,487	21.1%	7,408	51.9%	10,895	35.4%

Source: HCD State Income Limits 2021, 2015-2019 ACS

Note: Income categories are based on 4-person households.

Overpayment

Households that pay more than 30 percent of their monthly income on housing are considered "cost-burdened" and households that pay more than 50 percent are considered "severely cost-burdened." Measuring the number of "cost burdened" households paying more than these percentages helps define an community's affordability problem. Table C-8 reports 2013-2017 Comprehensive Housing Affordability Strategy (CHAS) data for households by HUD-defined household income categories.

In 2017, approximately 34 percent of households paid more than 30 percent of their income on housing costs and almost 15 percent spent more than 50 percent of their income on housing costs. As shown in Table C-8, extremely low-income renters are most likely to be most severely cost-burdened, with nearly 11 percent paying more than 30 percent of their income and 9 percent paying over 50 percent of their income on housing. When looking at lower-income households, which include the extremely low-, very low-, and low-income groups, 22.6 percent are overpaying for housing. Of those households, 16.8 percent are renter-occupied households and 5.8 percent are owner-occupied households.

Table C-8 Households Cost-Burdened by Tenure and Income Level, 2017

Total Household Characteristics	Number	Percentage of Total Households
Total occupied units (households)	30,585	100.0%
Total renter households	16,195	53.0%
Total owner households	14,390	47.0%
Total lower-income (0–80% of HAMFI) households	10,260	33.5%
Lower-income renters (0–80%)	7,150	23.4%
Lower-income owners (0–80%)	3,110	10.2%
Extremely low-income renters (0–30%)	3,440	11.2%
Extremely low-income owners (0–30%)	985	3.2%
Lower-income households paying more than 50%	3,975	13.0%

Total Household Characteristics	Number	Percentage of Total Households
Lower-income renter households severely overpaying	2,845	9.3%
Lower-income owner households severely overpaying	1140	3.7%
Extremely low income (ELI) (0–30%)	2,750	9.0%
ELI renter households severely overpaying	2,135	7.0%
ELI owner households severely overpaying	615	2.0%
Income between 30%–50%	705	2.3%
Income between 50%–80%	520	1.7%
Lower-income households paying more than 30%	6,900	22.6%
Lower-income renter households overpaying	5,150	16.8%
Lower-income owner households overpaying	1760	5.8%
Extremely low income (0–30%)	3,250	10.6%
Income between 30%-50%	1,840	6.0%
Income between 50%-80%	1,810	5.9%
Total Households Overpaying	**14,930**	**48.8%**
Total Renter Households Overpaying	**9,485**	**31.0%**
Total Owner Households Overpaying	**5,455**	**17.8%**

Source: ABAG Housing Element Data Package, April 2021, *2013-2017 CHAS*

Employment Characteristics

Employment Trends

Table C-9 shows current and projected jobs for Alameda and Alameda County. Jobs decreased in the 1990s as the result of the NAS and FISC closures and declined again between 2000 and 2010 as result of the nationwide economic recession. There was a 36 percent increase in employment between 2010 and 2020.

Although ABAG projections forecast very little growth in employment between 2020 and 2040 in Alameda, in 2022 Alameda's business parks are expanding significantly with major new life science companies coming to the Harbor Bay and Marina Village Business Parks. The City's 2021 General Plan forecasts that employment will grow between 10,000 and 12,000 between 2020 and 2040 in Alameda due to continued growth in the two business parks and at Alameda Point.

Table C-9 Historic and Projected Employment, 2010-2040

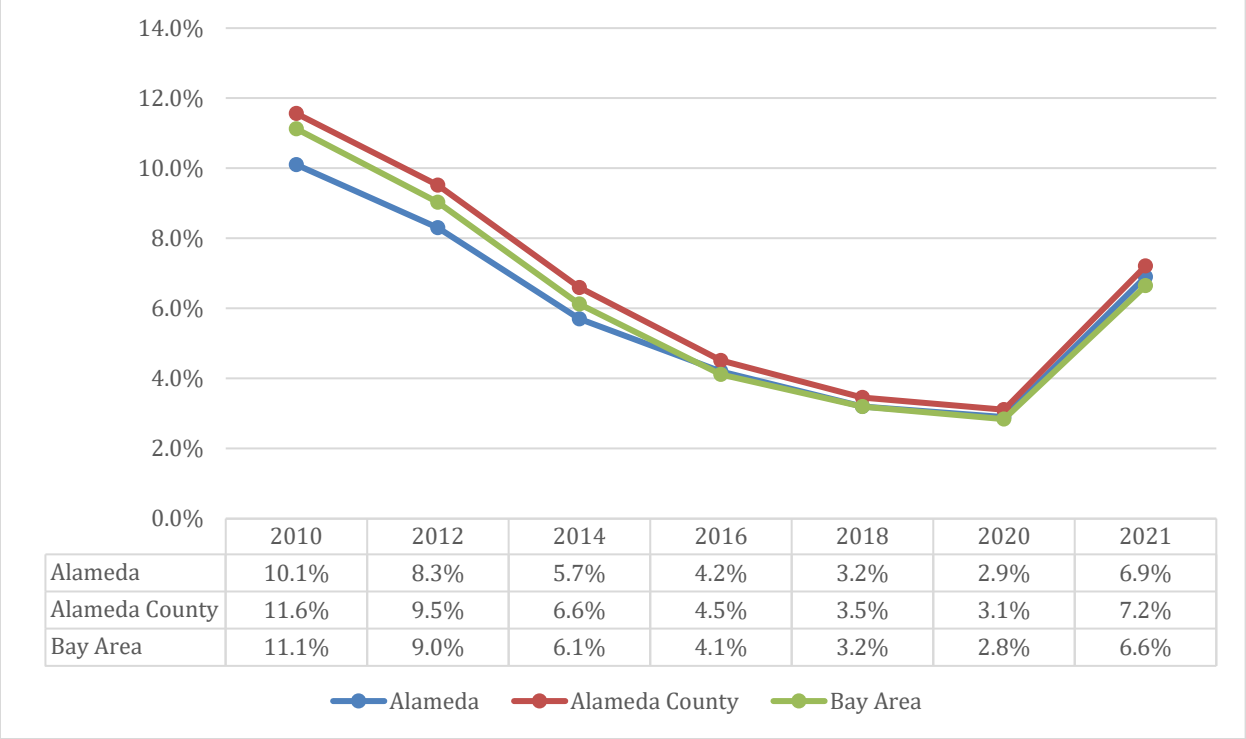
Year	Alameda		Alameda County	
	Total Employment	Percentage Change	Total Employment	Percentage Change
2010	38,570	--	723,810	--
2020	52,455	36.0%	911,725	26.0%
2030	52,730	0.5%	959,745	5.3%
2040	51,390	-2.5%	1,022,040	6.5%

Source: ABAG Projections 2040

Unemployment Rate

Figure C-1 shows the unemployment trends for all of Alameda, Alameda County, and California from 2012 to 2021. In 2021, Alameda had an unemployment rate of 6.9 percent, which is a significant increase from 2020 where the unemployment rate was 2.9 percent. This was a similar trend for both Alameda County and the Bay Area as a whole.

FIGURE C-1 UNEMPLOYMENT RATE



Housing Stock Characteristics

This section describes and analyzes Alameda's housing supply and the local housing market. Characteristics such as age of the housing stock and size of units help illustrate local housing conditions and crowding, while vacancy rates and rents provide information on housing availability and affordability.

Housing Type

Alameda's housing stock is 42 percent single family detached housing units, 10 percent attached single family units, 18 percent in small (2-4 unit) multifamily buildings, and 29 percent in larger (5 or more unit) multifamily buildings. As shown in Table C-10, the relative proportions are similar to Berkeley and Oakland. (see Table C-11).

Table C-10 Number and Type of Housing Units, City of Alameda: 2000-2021

Year	Total Housing Units	Single-Family Detached		Single-Family Attached		Multifamily 2-4 units		Multifamily 5+ units		Mobile Homes	
		#	%	#	%	#	%	#	%	#	%
2000	31,376	12,776	40.7%	3,943	12.6%	4,984	15.9%	9,641	30.7%	32	0.1%
2010	32,351	13,700	42.3%	3,347	10.3%	5,826	18.0%	9,351	28.9%	127	0.4%
2021	33,272	14,014	42.1%	3,454	10.4%	6,009	18.1%	9,668	29.1%	127	0.4%

Source: California Department of Finance, City/County Population Estimates, E5, 2021

Table C-11 Number and Type of Housing Units, Cities in Alameda County, 2021

Jurisdiction	Total Housing Units	Single-Family Detached		Single-Family Attached		Multifamily 2-4 units		Multifamily 5+ units		Mobile Homes	
		#	%	#	%	#	%	#	%	#	%
Alameda	33,272	14,014	42.1%	3,454	10.4%	6,009	18.1%	9,668	29.1%	127	0.4%
Albany	6,980	4,280	61.3%	235	3.4%	833	11.9%	1,607	23.0%	25	0.4%
Berkeley	51,845	21,156	40.8%	2,096	4.0%	10,097	19.5%	18,278	35.3%	218	0.4%
Dublin	23,891	12,806	53.6%	3,384	14.2%	773	3.2%	6,874	28.8%	54	0.2%
Emeryville	7,498	419	5.6%	401	5.3%	756	10.1%	5,886	78.5%	36	0.5%
Fremont	78,218	44,774	57.2%	10,215	13.1%	2,691	3.4%	19,812	25.3%	726	0.9%
Hayward	50,772	26,315	51.8%	5,316	10.5%	2,939	5.8%	13,880	27.3%	2,322	4.6%
Livermore	33,004	22,558	68.3%	3,170	9.6%	1,620	4.9%	5,114	15.5%	542	1.6%
Newark	15,100	10,560	69.9%	1,414	9.4%	659	4.4%	2,467	16.3%	0	0.0%
Oakland	178,207	74,459	41.8%	7,011	3.9%	33,023	18.5%	63,158	35.4%	556	0.3%
Piedmont	4,006	3,729	93.1%	69	1.7%	129	3.2%	79	2.0%	0	0.0%
Pleasanton	28,602	17,295	60.5%	2,752	9.6%	1,619	5.7%	6,556	22.9%	380	1.3%

Jurisdiction	Total Housing Units	Single-Family Detached		Single-Family Attached		Multifamily 2-4 units		Multifamily 5+ units		Mobile Homes	
		#	%	#	%	#	%	#	%	#	%
San Leandro	32,640	19,472	59.7%	1,991	6.1%	1,922	5.9%	8,365	25.6%	890	2.7%
Union City	21,849	13,713	62.8%	2,847	13.0%	812	3.7%	3,461	15.8%	1,016	4.7%
Unincorporated County	51,531	34,556	67.1%	4,151	8.1%	3,297	6.4%	8,558	16.6%	969	1.9%

Source: California Department of Finance, City/County Population Estimates, E5, 2021

Housing Unit Size

The ACS estimates that in 2019, the City of Alameda's housing stock consisted mainly of two-bedroom units (35.6 percent), followed by three-bedroom units (26.7 percent). One-bedroom units accounted for 17.5 percent, while five or more-bedroom units only made up 3.1 percent of the housing stock (Table C-12).

Table C-12 Housing Unit by number of bedrooms

Units Size	Number	Percentage
No bedroom	1,647	5.1%
1 bedroom	5,663	17.5%
2 bedrooms	11,510	35.6%
3 bedrooms	8,632	26.7%
4 bedrooms	3,890	12.0%
5 or more bedrooms	1,004	3.1%
Total:	**32,346**	

Source: ABAG Housing Element Data Package, 2015-2019 ACS

Housing Tenure

The 2015-2019 ACS estimates that of 32,346 housing units in Alameda, approximately 30,418 units were occupied housing units. Of that number, 48 percent (14,588 units) were owner occupied, and 52 percent (15,830) were renter occupied, compared to approximately 47 percent of Alameda County households that rent and 44 percent of Bay Area households. Homeownership and rental rates in the City of Alameda are virtually constant compared to 2010. The national homeownership rate is 64 percent.

Vacancy Rate

The housing unit vacancy rate provides a useful indicator of the balance between housing supply and demand. As a rule of thumb, a 4.5-percent vacancy rate represents a healthy balance between supply and demand in a housing market. When there is a high vacancy rate, people searching for housing have more housing options and may be able to obtain lower rents. With a low vacancy rate, people selling or renting housing are able to raise prices and/or selectively choose their tenants. A low vacancy rate can lead to overcrowding and unsafe and unsanitary living conditions because lower-income households have fewer options and are unable to find suitable and affordable living arrangements. Low-income households, including people on a fixed income, large families with children, and households with special housing needs, are most likely to be negatively impacted by low vacancy rates. In addition, when there is high consumer demand for a limited housing supply, discrimination is more likely to occur.

Data shows that housing vacancy rates in Alameda decreased from 2010 to 2019 from 2,228 units to 1,928 units. According to the 2015-2019 ACS, 24.4 percent of the vacant units are for rent and 2.5 percent are for sale (Table C-13). Of the total rental housing stock (471 vacant and 15,830 occupied), approximately 2.9 percent are vacant, and of the total ownership housing stock, approximately 3.3 percent are vacant. Of the vacant units in Alameda, 51 percent (approximately 984 units) are simply vacant—neither for sale, rent, seasonal, or sold and awaiting occupancy.

Table C-13 Vacant Units by Type

Type	Alameda		Alameda County	
	Number	Percentage	Number	Percentage
Occupied	30,418	94.0%	577,177	94.9%
Vacant	1,928	6.0%	30,919	5.1%
For rent	*471*	*24.4%*	*7,998*	*25.9%*
For sale	*48*	*2.5%*	*1,961*	*6.3%*
Rented/sold, not occupied	*240*	*12.4%*	*3,499*	*11.3%*
For seasonal/recreational or occasional use	*185*	*9.6%*	*3,892*	*12.6%*
Other vacant	*984*	*51.0%*	*13,569*	*43.9%*
Total Housing Units	**32,346**		**608,096**	

Source: ABAG Housing Element Data Package, 2015-2019 ACS

Housing Stock Age and Condition

An indication of the quality of the housing stock is its general age. Typically, housing over 30 years old is likely to have rehabilitation needs that may include plumbing, roof repairs, foundation work, and other repairs.

Among the housing stock, only 12.3 percent of the housing units were built since 1990, and approximately 87.7 percent of the housing stock is over 30 years old. This typically means the rehabilitation needs could be relatively high. In Alameda, older homes require maintenance and, in some cases, major rehabilitation, but the vast majority of the older housing stock are rehabilitated, without the need to demolish or replace the unit. The exception is some of the former navy housing at Alameda Point. Two hundred existing occupied former navy residential units and approximately 300 former navy vacant units need to be replaced due to the original construction type and lack of maintenance during the 30 years since the Navy vacated the units. These units cannot be cost effectively rehabilitated. They need to be replaced. Program #1 includes replacement of the 200 occupied units. Table C-14 breaks down the age of housing stock in Alameda by decade. When estimating the percentage of the housing stock in need of repairs, median home values and median income can be compared to determine the likelihood of residents being able to afford ongoing maintenance and repairs to maintain the value of their homes.

In the City of Alameda, the median sales price in December 2020 was $1,110,460 and the median income was estimated at approximately $104,756. While this income is too low to afford a new home at the median sales price, it is assumed that current property owners are most likely completing ongoing maintenance and repairs to maintain the values of their homes. Therefore, while the ACS reported that 87 percent of the homes in Alameda need rehabilitation due to age, home values and resident incomes suggest that most of these units are not in need of rehabilitation. The City estimates that a more accurate percentage of housing in need of rehabilitation is less than a quarter of housing units, the number of dilapidated units is likely far less than one percent of the city's housing stock; however, the need for full replacement of dilapidated units is concentrated at Alameda Point.

Three rental and residential rehabilitation assistance programs are available to Alameda residents: Renew Alameda County (Renew AC), the Rental Rehabilitation Program, and the Housing Rehabilitation Program.

Renew AC is a new home improvement loan program administered by Habitat for Humanity East Bay/Silicon Valley to low-income homeowners while Rental and Housing rehabilitation programs are low-interest loans administered by the City to eligible homeowners and rental property owners.

Table C-14 Age of Housing Stock, City of Alameda, 2019

Year Built	Number of Units	Percentage
2014 or later	351	1.1%
2010 to 2013	97	0.3%
2000 to 2009	1885	5.7%
1990 to 1999	1747	5.3%
1980 to 1989	4,599	13.8%
1970 to 1979	4,138	12.4%
1960 to 1969	4264	12.8%
1950 to 1959	2,739	8.2%
1940 to 1949	1,763	5.3%
1939 or earlier	11,658	35.1%
Total Units	**33,241**	**100.0%**

Sources: ABAG Housing Element Data Package, April 2021, 2015-2019 ACS

Housing Cost and Affordability

The City of Alameda is in the heart of the San Francisco Bay Area, a region well known for its very high-cost housing market. Affordable housing is in short supply throughout Alameda County and the need for affordable housing is great. The need for affordable housing is especially acute among extremely low-income renters.

Housing affordability is based on the relationship between household income and housing expenses. According to HUD and HCD, housing is considered “affordable” if the monthly housing cost is no more than 30 percent of a household’s gross income.

Home Prices and Rental Costs

The typical home value in Alameda was estimated at $1,110,460 by December 2020, per data from Zillow. The largest proportion of homes were valued between $750,000 and $1M (32 percent). By comparison, the typical home value is $951,380 in Alameda County and $1,077,230 in the Bay Area, with the largest share of units valued between $500,000 and $750,000. The median home value in the City of Alameda has increased at a similar rate as the County and slightly faster than the Bay Area (Table C-15).

Table C-15 Median Home Values

Date	City of Alameda		Alameda County		Bay Area	
	Home Value	Average Annual Increase	Home Value	Average Annual Increase	Home Value	Average Annual Increase
December 2001	$352,920	-	$370,468	-	$444,501	-
December 2005	$564,836	15.0%	$600,766	15.5%	$698,759	14.3%
December 2010	$493,600	-2.5%	$447,593	-5.1%	$531,581	-4.8%
December 2015	$843,273	14.2%	$710,019	11.7%	$831,074	11.3%
December 2020	$1,110,460	6.3%	$951,381	6.8%	$1,077,233	5.9%

Source: Zillow.com, ABAG Housing Element Data Package, April 2021

Rents also have increased over the past decade. Table C-16 shows average rents for various size units based on research from online listings in July 2021. For comparison, the table also shows HUD's "fair market rents" (FMR) for 2021, to establish rental subsidy limits for Section 8 housing voucher recipients. (The FMRs reflect rents for similar housing units in the uncontrolled rental market. Under the Section 8 program, Section 8 recipients may rent units that cost more than the FMR, but the subsidy will only cover up to the amount of the FMR.)

Increasing rent burden is the most important issue for many households. In the past several years, there has been a significant increase in the number of rent review cases submitted to the Rent Program. Policies H-4 Affordable Housing and Policy H-16 Rent Control Ordinance and Fair Housing and Tenant Protection Ordinance are specifically designed to address the impacts of increasing rent burdens. Program 8 Affordable Housing Incentives and Waivers, Program 12 Fair Housing, and Program 13 Tenant Protections commit the City to specific actions to address these issues.

Table C-16 Average Rent, City of Alameda, 2021

Unit Type	Average Rents	Fair Market Rents (HUD)
Studio	$2,175	$1,595
One bedroom	$2,775	$1,934
Two bedrooms	$3,288	$2,383
Three bedrooms	$3,878	$3,196

Source: HUD 2021, Zillow.com accessed July 9 and 12, 2021

Rental Affordability

With the recent increase in rents in the Bay Area, affordable housing has become much harder for lower- and moderate-income households to find. Table C-17 identifies the maximum monthly housing costs affordable to households in Alameda by income group. Income groups are established based on data published annually by HCD on household income for areas in the state. Affordability is calculated assuming a household can pay up to 30 percent of its monthly income toward housing.

Compared to the rental rates in Table C-16, the median rents in Alameda are not affordable to extremely low- and very low-income households with one to four persons (approximately 27 percent of all households in Alameda). However, median rents are affordable to low-income households with two or more persons and moderate-income households regardless of household size. While the average rent for a studio in Alameda is affordable to a low-income household, it is only for those with two or more persons, which would result in overcrowding. Therefore, rentals in Alameda are only affordable to moderate-income households and above moderate-income households, with the largest rental units only affordable to above moderate-income households.

Home Ownership Affordability

As housing prices rise in the Bay Area, homeownership becomes more elusive for many households, even those earning above-moderate incomes. Table C-17 shows maximum affordable housing payments for different households (varying by income level) and their eligibility for federal housing assistance. Maximum rents and sales prices are shown that are affordable to very low-, low-, moderate-, and above moderate-income households. Affordability is based on a household spending 30 percent or less of its total household income for shelter. Affordability is based on the maximum household income levels established by HCD (Table C-6). Maximum affordable sales price is based on the following assumptions: 2.88-percent interest rate, 30-year fixed loan, and 5-percent down payment.

As discussed previously in Home Prices and Values, the median sales price in the City of Alameda in December 2020 was $1,110,460, which is only affordable to above moderate-income households earning approximately $175,000 annually or more. (As described earlier, only 35 percent of Alameda's households are categorized as "above moderate" income.)

Table C-17 Housing Affordability

Income Group	HCD Income Limits	Maximum Affordable Price	
		Monthly Rental	Ownership
Extremely Low			
One Person	$28,800	$720	$182,673
Two Person	$32,900	$823	$208,678
Three Person	$37,000	$925	$234,684
Four Person	$41,100	$1,028	$260,689
Very Low			
One Person	$47,950	$1,199	$304,137
Two Person	$54,800	$1,370	$347,585
Three Person	$61,650	$1,541	$391,033
Four Person	$68,500	$1,713	$434,482
Low			
One Person	$76,750	$1,919	$486,810
Two Person	$87,700	$2,193	$556,263
Three Person	$98,650	$2,466	$625,717
Four Person	$109,600	$2,740	$695,171

Income Group	HCD Income Limits	Maximum Affordable Price	
		Monthly Rental	Ownership
Moderate			
One Person	$105,500	$2,638	$669,165
Two Person	$120,550	$3,014	$764,624
Three Person	$135,650	$3,391	$860,400
Four Person	$150,700	$3,768	$955,860

Source: HCD State Income Limits, 2021

Notes:

Affordability estimates do not include utility costs.

Total affordable mortgage based on a 5 percent down payment, an annual 2.88 percent interest rate, 30-year mortgage, and monthly payment equal to 30 percent of income.

Special-Needs Groups

Certain groups have greater difficulty in finding acceptable, affordable housing because of special circumstances relating to employment and income, household characteristics, and disabilities, among others. These "special-needs" groups include seniors, persons with disabilities, large households, single-parent households (female-headed households with children, in particular), homeless persons, and farmworkers.

Seniors

Senior residents have many different housing needs, depending on their age, level of income, current tenure status, cultural background, and health status. Senior households may need assistance with personal and financial affairs, networks of care to provide services and daily assistance, and even possible architectural design features that could accommodate disabilities that would help ensure continued independent living.

In 2019, approximately 24.6 percent (7,468) of Alameda's households were headed by a person 65 years of age or older (Table C-18). Of this population, approximately 15.1 percent (4,958) was aged 65 to 74 years, 6.3 percent (1,917) was aged 75 to 84 years, and 3.1 percent (953) was 85 years or older. Of these households, 2,443 (32.7 percent) were renter households and 5,025 (67.3 percent) were homeowner households.

Table C-18 Senior-Headed Households

Age of Householder	Total		Owner		Renter	
65 to 74 years	4,598	15.1%	2,989	20.5%	1,609	10.2%
75 to 84 years	1,917	6.3%	1,400	9.6%	517	3.3%
85 years and over	953	3.1%	636	4.4%	317	2.0%
Total	**7,468**	**24.6%**	**5,025**	**67.3%**	**2,443**	**32.7%**
Total occupied housing units	**30,418**		**14,588**		**15,830**	

Sources: ABAG Housing Element Data Package, April 2021, 2015-2019 ACS

To serve this population, there are six assisted-living facilities for seniors in Alameda:

- Elders Inn on Webster (capacity for 60 residents)
- Golden Age Bayside II (capacity for 6 residents)
- Golden Age of Sweet Road (capacity for 8 residents)
- Harbor Bay Assisted Living (capacity for 6 residents)
- Oakmont of Mariner Point (capacity for 80 residents)
- Waters Edge Lodge (capacity for 120 residents)

In addition to these facilities, senior affordable housing is available at Corsair Flats at Alameda Point and Little John Commons.

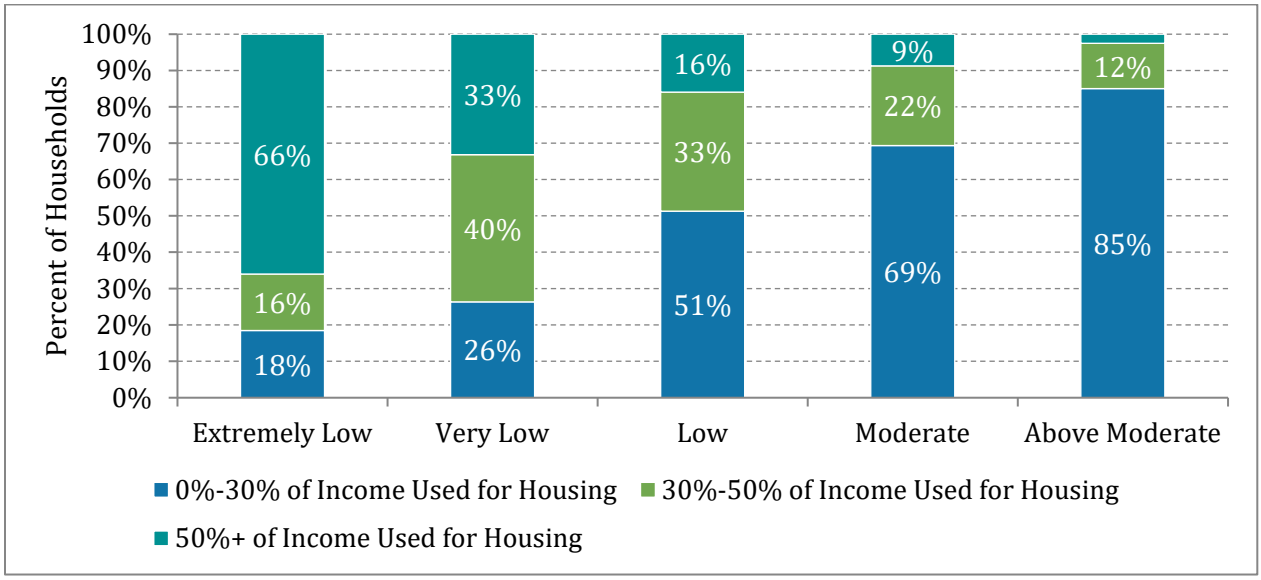
Housing costs since 2000 have, despite the nationwide housing crisis, escalated far beyond the inflation rate. High housing costs, particularly rents, take a high proportion of elderly household income. Senior citizens who are long-term residents of rental units often experience substantial rent increases when their building is sold. Elderly residents in these circumstances sometimes find themselves unable to locate comparable accommodations at an affordable price in the city and may be forced to relocate to a new, unfamiliar community, which frequently can be traumatic. There are instances where rent increases have exceeded Social Security Insurance payments and forced renters to move. Tenants who feel that their rent increases are unfair may use the RRAC to encourage property owners to voluntarily reduce increases in rent.

For those retired and on fixed incomes, the costs of homeownership, particularly maintenance, generally constitute a much larger portion of monthly income than that of employed homeowners. Consequently, needed maintenance is often deferred, resulting in unpleasant or unsafe living conditions. In some instances, home maintenance costs can be overwhelming, necessitating sale and relocation after many years of attachment to friends and neighbors in the area. There is a need not only to preserve for future generations the housing stock currently occupied by senior citizens, but also to ensure that elderly residents are able to remain in safe and comfortable surroundings.

According to ACS estimates, the population aged 65 years and over in Alameda has increased by 30.1 percent from 9,499 to 12,359 residents. The increasing senior population creates a growing need for affordable housing and specialized housing for older residents. Specialized housing, especially for low- and moderate-income elderly persons, such as assisted living facilities, congregate housing, life care services, and group care facilities, will be needed.

Figure C-2 shows the percentages of seniors overpaying by income level. Looking at the chart, 66 percent of seniors that fall into the extremely low-income category are using more than 50 percent of their income on housing costs, and 50 percent of extremely low-income households are using more than 30 percent of their income on housing costs. The chart does show, the more income you make, the less you are to overpay for housing.

FIGURE C-2 SENIOR HOUSEHOLDS OVERPAYING BY INCOME LEVEL



Program Assistance

In addition to supporting privately funded group and health care facilities for the elderly, the City provides assistance to seniors with currently operating programs such as the Section 8 Housing Choice Program, the Minor Home Repair Program, Safety and Accessibility Modification Program, and the Housing Safety Program.

The Minor Home Repair Program provides financial and technical assistance to low- and moderate-income homeowners to provide emergency repairs, geared to correct immediate threats to the health and safety of the client, to stabilize the condition of the property, and reduce the need for more substantial rehabilitation. Assistance may be provided to correct substandard and/or health and safety conditions, security items, accessibility modifications, carpentry, plumbing, heating, and electrical repairs. The Minor Home Repair Program assists eligible persons with disabilities in making modifications to their residence, allowing the individual to attain greater mobility and remain safely in their home.

The Alameda Fire Department Housing Safety Program is a FREE program that provides services to low-to-moderate income residents over the age of 62 and persons with disabilities of any age. The program installs 10-year tamper-resistant smoke and carbon monoxide detectors as well as Americans with Disabilities Act (ADA) grab bars and interior handrails. As well as free nightlights, flashlights, and grab sticks.

Construction of small infill units that may be appropriate for over-extended elderly homeowners who need an opportunity to “trade-down” within the city to newer, less maintenance-intensive housing close to existing commercial services is permitted in all residential zoning districts in Alameda.

Female-Headed Households

Government Code Section 65583(a)(7) identifies families with female heads of households as a group that may have special housing needs and requires the City to analyze the housing needs of these households. Female-headed households are households led by a single female with one or more children under the age of 18 at home. These households' living expenses generally take up a larger share of income than is the case in two-parent households. Therefore, finding affordable, decent, and safe housing is often more difficult for female-headed households. Additionally, female-headed households have special needs involving access to daycare or childcare, health care, and other supportive services.

In 2019, female-headed households accounted for 10 percent of total family households. Table C-19 shows the breakdown of female-headed households in Alameda. When looking at poverty level among female headed households, 17 percent were below the poverty level. Of those, 13 percent had children aged 18 and under. The City has included Programs 8 and 9 to support construction of affordable housing and housing for extremely low-income households.

Housing affordability is a primary issue because frequently only one income is available to support the needs of the household—and only a limited amount of funds can be allocated to housing. While some of these households may find housing assistance through the Section 8 Housing Choice Program, many others struggle with high rents or overcrowded conditions. Although there is a continuing need for affordable rental housing for small families, there is also a need for shared housing and group living alternatives where single-parent families can share not only space but childcare and other resources as well.

Table C-19 Household Composition in the City of Alameda, 2019

Household Description	Number	Percentage
Total households	30,418	100.0%
Family households	18,998	62.5%
Female householder, no spouse/partner present	***3,048***	***10.0%***
Male householder, no spouse/partner present	*1,071*	*3.5%*
Married couple	*14,879*	*48.9%*
Non-family households	2,781	9.1%
Single-person household	8,639	28.4%

Source: ABAG Housing Element Data Package, April 2021, 2015-2019 ACS

Persons with Disabilities

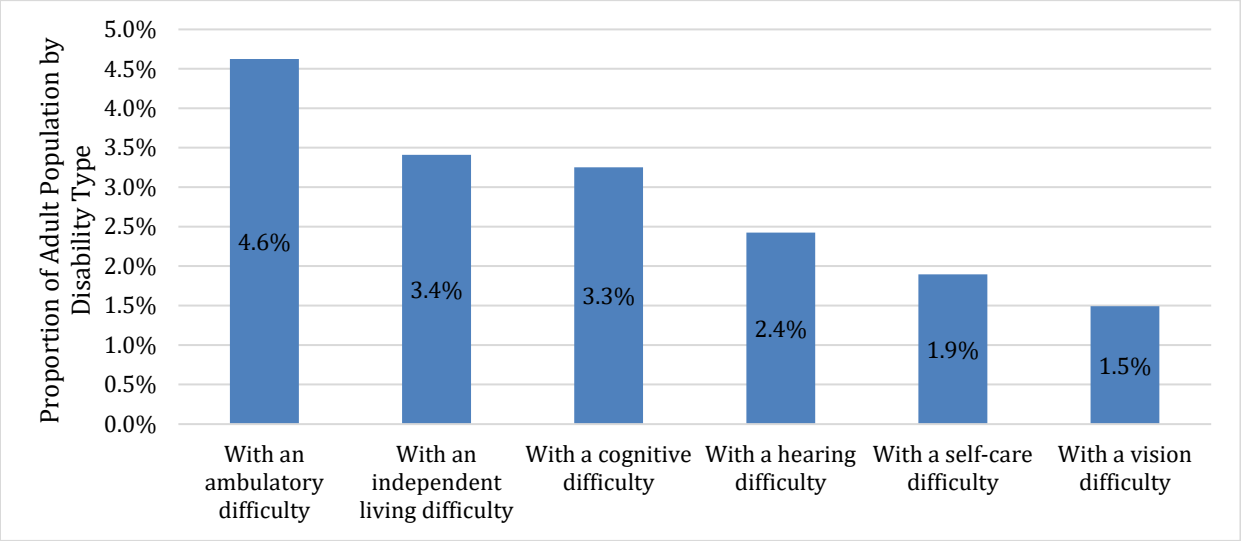
Physical, mental, and/or developmental disabilities may prevent a person from working, restrict one's mobility, or make it difficult to care for oneself. Persons with disabilities have special housing needs often related to the limited ability to earn a sufficient income and a lack of accessible and affordable housing. Some residents have disabilities that require living in a supportive or institutional setting.

According to the 2015-2019 ACS, there were 7,228 persons with disabilities over the age of 5 in Alameda, which accounts for roughly 10 percent of the total population. A total of 1,207 persons, or an estimated 3 percent, of the labor force had some form of disability.

Special needs of individuals with disabilities vary depending on the particular disability. For example, the needs of a blind person differ greatly from those of a person confined to a wheelchair. Special facilities, such as ramps, elevators, or specially designed restrooms necessary for wheelchair access are architectural features needed to make dwellings suitable for persons confined to wheelchairs. Special features needed by ambulatory persons constrained by other disabilities may not be architectural; rather, these might be simple alternatives to conventional dwelling units or furnishings and appliances that make ordinary tasks of housekeeping and home life less trying and more enjoyable. In families, the needs of persons with disabilities, in terms of special features, are fewer than those of a single person. Nevertheless, a person with a disability in a family would still have special needs. Special architectural features or contrivances could be valuable in giving this person greater independence, dignity, and quality of living.

Figure C-3 shows the different types of disability individuals have in the City of Alameda.

FIGURE C-3 DISABILITY BY TYPE



Source: ABAG Housing Element Data Package, April 2021, 2015-2019 ACS

Housing opportunities for people with disabilities can be maximized by removal of barriers in existing housing, and by the construction of new, barrier-free housing units. The City's current Substantial Rehabilitation and Rental Rehabilitation Programs provide opportunities for assistance in the removal of barriers in existing dwelling units.

In addition to the removal of architectural barriers and provision of special accessibility features, persons with physical and developmental disabilities may also need supportive services to help them maintain an independent lifestyle. Individuals with moderate to severe physical or developmental disabilities may need access to assisted living facilities.

The California Building Code (CBC) requires that publicly funded housing meet certain accessibility standards. Additionally, the City's Universal Design ordinance adopted in 2017 requires that all projects of 10 or more units meet the following requirements beyond CBC:

- 30 percent of units must be accessible and designed such that a person in a wheelchair can live in and navigate the unit independently
- 100 percent of units must be accessible to visitors in wheelchairs, including unit and bathroom access

Persons with Developmental Disabilities

According to Section 4512 of the Welfare and Institutions Code, "developmental disability" means a disability that originates before an individual reaches 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. It includes intellectual disabilities, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities but does not include other conditions that are solely physical in nature.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is transition from the person's living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services (DDS) currently provides community-based services to approximately 350,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers. The Regional Center of the East Bay is 1 of 21 regional centers in California that provide point of entry to services for people with developmental disabilities. The center is a private, nonprofit community agency that contracts with businesses to offer services to individuals with developmental disabilities and their families.

The following information from the Regional Center of the East Bay, charged by the State of California with the care of people with developmental disabilities, defined as those with severe, life-long disabilities attributable to mental and/or physical impairments, provides a closer look at the disabled population (see Table C-20).

Table C-20 Developmentally Disabled Residents by Age, 2021

ZIP Code	0–17 Years	18+ Years	Total
94501	223	250	473
94502	55	48	103
Total	**278**	**298**	**576**

Source: ABAG Housing Element Data Package, April 2021, Regional Center of the East Bay, June 2021

A number of housing types are appropriate for people living with a development disability: rent-subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and Senate Bill (SB) 962 homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating "barrier-free" design in all new multifamily housing (as required by California and federal fair housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

Family Housing/Large Households

Family housing encompasses a wide range of housing needs. These include female-headed households, married couples, and large families (with five or more persons). Family housing, especially for low- and moderate-income families, is an especially critical need in Alameda.

According to the 2015-2019 ACS of the total 30,418 households in the city, 2,232 were large households, making up approximately 7 percent of all households. Large families (with five or more persons) have special housing needs. Large families with low to moderate incomes can have difficulty finding appropriate and affordable housing. The percentage of owner-occupied households (1,281 households) and renter-occupied households (951) that are large households is approximately 9 percent and 6 percent respectively, as shown in Table C-21. This is frequently most difficult for renter-occupied households, as units with three or more bedrooms are often single-family homes rather than apartments, and typically have higher monthly rents than apartments. The 2015-2019 ACS indicates that more than two-thirds (69.2 percent) of owner-occupied dwellings have three or more bedrooms but less than a quarter (19.1 percent) of renter-occupied units provide three or more. As a result, these families are often forced to rent smaller dwelling units than they need, leading to overcrowded conditions and accelerated building deterioration. Rental units with three or more rooms are less common than others, which can make finding housing more difficult for large households that rent.

Table C-21 Large Households by Tenure

Household Size	Owner-Occupied		Renter-Occupied		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
5-person household	863	5.9%	638	4.0%	1,501	4.9%
6-person household	304	2.1%	180	1.1%	484	1.6%
7+ person household	114	0.8%	133	0.8%	247	0.8%
Total large household	**1,281**	**8.8%**	**951**	**6.0%**	**2,232**	**7.3%**

Source: ABAG Housing Element Data Package, April 2021, 2015-2019 ACS

Extremely Low-Income Households

Households and individuals with extremely low incomes may experience the greatest challenges in finding suitable, affordable housing. Extremely low-income households often have a combination of housing challenges related to income, credit status, disability or mobility status, family size, household characteristics, supportive service needs, or a lack of affordable housing opportunities. These households typically include seniors on Social Security, individuals with disabilities, single parents, farmworkers, and low-wage workers. Some extremely low-income individuals and households are homeless. Many extremely low-income households seek rental housing and most likely face overpayment, overcrowding, or substandard housing conditions. Some extremely low-income households could have members with mental or other disabilities and special needs.

Extremely low-income households generally have the highest incidence of housing problems and tend to overpay for housing (paying 30 percent or more of their monthly income toward housing costs). Households that earn 30 percent or less than the county's median income (up to $41,100 for a family of four in 2021) are considered "extremely low-income." Extremely low-income households typically consist of minimum-wage workers, seniors on fixed incomes, disabled persons, and farmworkers.

HUD's 2013-2017 CHAS data set provides information on households by income group for the City of Alameda. According to the CHAS data, in 2017, approximately 4,425 households (14.5 percent of total households) in the City of Alameda were extremely low income (see Table C-22). Of the extremely low-income households, 22.3 percent were owner-occupied, and 77.7 percent were renter-occupied households, or 3.2 percent and 11.2 percent, respectively, of all households.

To address the needs of extremely low-income housing, the City has included Programs 1, 2, 3, and 4. Additionally, the City permits single-room occupancy units, in compliance with Government Code Section 65583(c)(1).

Table C-22 Extremely Low-Income Households, City of Alameda

Households	Number	Percentage of Total Households
Total occupied units (households)	30,585	100.0%
Total lower income (0-80% of HAMFI) households	10,260	33.5%
Extremely low income (0-30% of HAMFI) households	4,425	14.5%
Extremely low-income renters	3,440	11.2%
Extremely low-income owners	985	3.2%
Lower income households paying more than 50%	3,975	13.0%
Extremely Low Income paying more than 50%	2,750	9.0%
ELI Renter HH severely overpaying	2,135	7.0%
ELI Owner HH severely overpaying	615	2.0%
Lower income households paying more than 30%	6,900	22.6%
Extremely Low Income paying more than 30%	3,250	10.6%

Source: ABAG Housing Element Data Package, April 2021, 2013-2017 Comprehensive Housing Affordability Strategy

Homeless Persons

The Alameda County Homeless Count and Survey, conducted in 2019, indicated there are approximately 8,022 homeless people within Alameda County on any given day, an increase from 5,629 in 2017. The survey counted 231 homeless individuals in the City of Alameda in 2019, approximately 3 percent of the County's homeless population. The number of homeless persons in the city has increased by 13 percent since 2017 and unsheltered individuals make up 57 percent of the population. The median age of individuals entering the homeless system increased from 39 years old in 2008 to 51 in 2020, at the peak of the COVID-19 pandemic, indicating a need for housing to allow people to age in place. Just 1 percent of the homeless population in 2019 was under 18 years of age.

The city participates in a comprehensive planning and coordination of services initiative for the homeless through the 45-member Alameda Countywide Homeless Continuum of Care Council, formed in 1997. Established to coordinate local efforts to address homelessness, the Continuum of Care has been integral in the development of the Alameda Countywide Homeless and Special Needs Housing Plan (EveryOne Home). Driven by federal requirements to develop a long-range plan to end homelessness, EveryOne Home includes a 10-year service-based plan, with a broader 15-year housing-based plan to end chronic homelessness. Concurrent with this Housing Element update, the City is also developing a five-year plan to address homelessness in Alameda, *The Road Home: A 5-Year Plan to Prevent and Respond to Homelessness in Alameda*. A draft of this plan was released in August 2021 and includes the following strategies, and more, to secure housing for all residents of Alameda, improve access to homeless services, and mobilize a coordinated citywide approach to homelessness:

- Strategy 1.1: Assess and use available public and private land for housing
- Strategy 2.2: Provide low-barrier, housing-focused temporary housing
- Strategy 2.3: Expand outreach and supportive services to unsheltered households
- Strategy 3.1: Strengthen the homeless response system infrastructure
- Strategy 3.3: Ensure continued funding for supportive services

The City of Alameda used Community Development Block Grant (CDBG) resources to fund several programs designed to provide services for those who are currently homeless or at risk for becoming homeless. Building Futures with Women and Children (BFWC) receives funding to operate the Midway Shelter, which serves homeless women and children. The Alameda Food Bank provides no-cost food services for low-income families who otherwise would be forced to make difficult choices between food and rent, and the Family Violence Law Center supports victims of domestic violence who face complex housing security issues.

Each year, BFWC assists more than 300 women and children move from homelessness to housing. In 2017, the City provided $350,000 for the replacement and upgrade of the bathroom trailer at the Midway Shelter to ensure a habitable environment for women and children. The shelter provides residents with three meals each day, clothing, laundry facilities, and personal supplies. Residents receive counseling and assistance in procuring the resources that they need to obtain housing and a source of income. Case managers also assist residents with substance abuse problems, mental and/or physical health problems,

and domestic violence. Midway receives approximately $60,000 to $80,000 a year from the City of Alameda to support the daily operations of the facility. In addition, an all-volunteer, nonprofit organization, the Alameda Homeless Network, takes responsibility for maintaining the facility, preparing food, and hosting multiple fundraising events to support Midway's operations.

The City approved the entitlements for the construction of 90 units of permanent service-enriched housing for formerly homeless individuals at North Housing and the entitlements for 90 units of service enriched assisted living units for formerly homeless seniors at the McKay Wellness Center. The Alameda Point Collaborative has 200 units of transitional and permanent housing, and operates a community center and childcare facility at Alameda Point for formerly homeless families. The transitional and permanent housing units are old and in need of repair; therefore, the Alameda Point Collaborative plans to build 200 new units to replace existing units.

In partnership with local non-profit agencies and community and faith-based organizations, the City also provides the following programs to address homelessness in Alameda:

- **Warming Shelter.** In December 2018 and 2019, the City opened its first "Warming Shelter" for winter months to provide a safe, warm, and welcoming place for those experiencing homelessness. In 2020, the City provided $62,301 to Building Futures with Women and Children to operate the Warming Shelter for the winter of 20-21.
- **Alameda Day Center.** Connects clients to housing, health, mental health, substance use, and social services and supports. Offers classes, meals, well checks, showers, and enrichment activities.
- **Safe Parking Program.** Provides a safe space for people living in cars or vans to park at night. Offers bathrooms and washing facilities on site and is staffed with outreach workers and housing navigators to connect clients to services.
- **Safe Shelter Program/FEMA Trailers.** Provides shelter for elderly and medically-compromised individuals at-risk for COVID-19 using the four FEMA trailers from the State. Allows residents to shelter in place during the pandemic. Meals, health, and social services provided.
- **Rental Assistance and Subsidies.** Provides emergency rent relief, move-in deposits and fees, and other necessities to prevent individuals and families from losing their home or to secure housing. Also covers emergency motel stays.
- **Mobile Hygiene Program.** Provides mobile hygiene services that includes showers and laundry.
- **Mobile Outreach.** Establishes supportive relationships with homeless individuals through visits by Outreach Workers and offering services to end homelessness. Services are delivered at sites and spaces where people experiencing homelessness are located, including encampments, parking lots, bridge underpass, tunnel entrances, parks, sidewalks, and the FEMA trailer site.

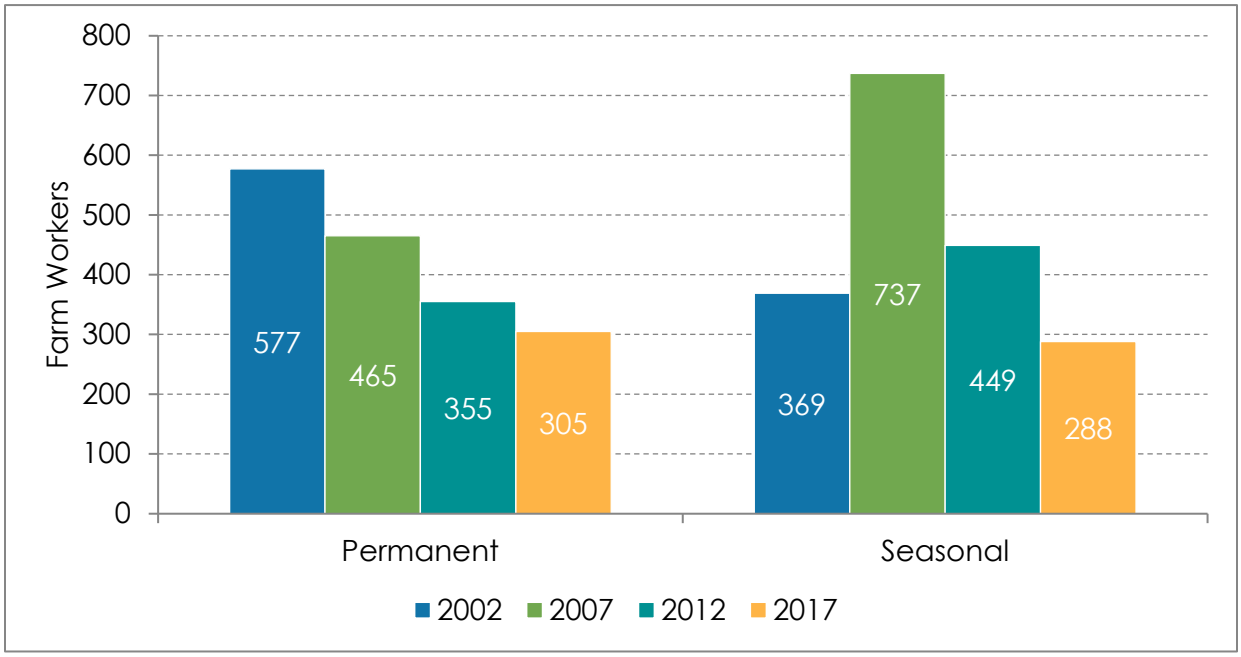
Farmworkers

Farmworkers are generally considered to have special housing needs because of limited income and the unstable nature of employment (i.e., having to move throughout the year from one harvest to the next). The typical temporary nature of farm work is not the case in Alameda, because very few members of the residential or working community work in agriculture.

Based on the 2015-2019 ACS, there are only 89 persons employed in the agriculture and natural resources category, representing only 0.11 percent of the total population. The demand for specific farmworker housing is estimated to be very minimal, if at all, and therefore housing is addressed through the current housing stock and through overall programs for affordability.

Figure C-4 shows the number of permanent and seasonal farmworkers for all of Alameda County. For comparison, the chart shows data for 2002, 2007, 2012, and 2017.

FIGURE C-4 FARMWORKERS IN ALAMEDA COUNTY



Source: ABAG Housing Element Data Package, April 2021; U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017).

Small Families and Individuals

The designation of "small families" is not a typical category for special needs. However, the Alameda Housing Authority reports a high demand for small units, particularly for lower-income seniors, young people, and single-parent households. Long-term renters who have raised families in Alameda are looking for and need small affordable units. They face not only high housing costs but also a particular gap in the available affordable housing stock. Few, if any, publicly assisted studios or one-bedroom units have been developed.

On the other end of the age spectrum, small, young adult households face a similar situation. Alameda is a desirable, close-knit community whose residents have strong ties to the community. Contrary to the generally transient California experience, Alameda boasts families who have multi-generational roots. Increasingly, however, young persons wishing to remain in Alameda cannot find a place to stay outside their parents' home because of the cost of housing. Hence, they must leave the city until their incomes grow to a point where they can afford to live in Alameda.

Also in this group are lower-income, entry-level employees for new and existing businesses. In the "high tech" area, there is an emerging lifestyle in which the separation between work and home is increasingly less defined. This often is expressed in flexible work hours, "telecommuting," and social activities integrated in the work environment. In both cases, there is a need for not only small units, but housing in close proximity, or actually incorporated into the workplace.

Inventory of Assisted Housing Units

California Housing Element law requires the analysis of government-assisted housing units that are eligible to convert from low-income to market-rate housing during the next 10 years due to expiring subsidies, mortgage prepayments, or expiration of affordability restrictions and development of programs aimed at their preservation.

An inventory of assisted units in the City of Alameda was compiled based on information gathered from the California Housing Partnership Corporation (CHPC) (Table C-23). According to the CHPC, there are 13 assisted properties in Alameda. None of the properties are at risk of opting out of programs that keep them affordable to very low- and low-income households in the next 10 years.

Table C-23 Assisted Units Inventory

Project Name	Affordable Units	Total Units	Funding Source	Affordability Expiration	Population Served	Owner
Playa del Alameda Apartments	39	40	LIHTC; HUD; CalHFA	2054	Low-income	Unknown
The Breakers at Bayport	51	52	LIHTC; CalHFA; HCD	2061	Low-income	RCD
Shinsei Gardens	38	39	LIHTC; HCD	2065	Households earning 20% to 60% AMI and persons with disabilities	RCD
The Alameda Islander	61	62	LIHTC	2066	Low-income	RCD
Jack Capon Villa	18	19	LIHTC	2068	Persons with developmental disabilities	SAHA

Project Name	Affordable Units	Total Units	Funding Source	Affordability Expiration	Population Served	Owner
Stargell Commons	31	32	LIHTC	2069	Low-income	RCD
Del Monte Senior Housing	30	31	LIHTC	2070	Low-income seniors	Housing Authority of the City of Alameda
Eagle Family Housing	19	20	LIHTC	2070	Low and very-low income families	Housing Authority of the City of Alameda
Alameda Point Senior	59	60	LIHTC; HCD	2072	Low- and very low-income seniors	Eden Housing
Rosefield Village	89	92	LIHTC	2074	Households earning 20 to 80% AMI	Housing Authority of the City of Alameda
Alameda Point Family	69	70	LIHTC	2074	Low- and very low-income families	Eden Housing
Eagle Village	42	42	HUD; Local	Unknown	Large families earning 30 to 60% AMI	Housing Authority of the City of Alameda
Parrot Village	50	50	HUD; Local	Unknown	Low-income	Housing Authority of the City of Alameda
Total Units	**596**	**609**				

Source: City of Alameda, 2021; CHPC, 2021; Housing Authority of the City of Alameda, 2022; The John Stewart Company, 2022; Satellite Affordable Housing Associates, 2022; Eden Housing, 2022

Alameda Housing Authority

HCD sets income limits for various sizes of households to determine eligibility for the Section 8 Rental Assistance Program. To qualify for Section 8 rental assistance, households must be either very low-income (50 percent of median income) or extremely low-income (30 percent of median income).

As of October 2021, approximately 1,500 Alameda households benefit from Section 8 Housing Choice Voucher rental assistance and other Housing Authority programs, including project-based vouchers and Section 8 Certificate units. Due to high demand and limited turnover for all programs, including Veterans Affairs Supportive Housing (VASH), Family Unification Program (FUP), and Emergency Shelter Housing Voucher. The Section 8 voucher waitlist last opened in September 2021 and has approximately 22,000 persons and households on it. The City of Alameda Housing Authority owns or manages approximately 600 to 700 units for low-income households, many of which are rented to households that receive Section 8 Housing Choice Voucher assistance. In addition to existing units, the Housing Authority has 92 units

currently under construction and plan to have another 90 units begin construction in late 2022. The Housing Authority is also in discussions to purchase an additional 18 units that will be completed by the end of 2022.

Affordable Housing Unit/Fee Ordinance

The Affordable Housing Unit/Fee Ordinance (AHUF) was adopted as a result of a 1989 study by the City of Alameda, which established a connection between employment from new or expanding nonresidential use and the need for housing affordable to low- and moderate-income people. The AHUF imposes requirements on new construction, expansion, and change of use of nonresidential properties. The requirements can be satisfied either by the provision of housing units affordable to low- and moderate-income households or by the payment of an in-lieu fee. This fee has been adjusted for inflation, creating revenue for building new affordable housing.

Table C-24 City of Alameda Affordable Housing Unit Fee

Category	Rate	Application Uses
Non-Commercial/ Non-Industrial	Exempt	Publicly owned building used for a public purpose; dwelling unit (per AMC 30-51.1); residential care facility for no more than six persons; family daycare facility for no more than 12 children; bed and breakfast (no more than 10 bedrooms for rent); home occupation in residences w/home occupation permit; certain accessory uses to the above (e.g., property management office in a residential complex).
Office	$4.99 per square foot	Office, including medical, professional, semi-professional, administrative, corporate, research and development, social service, nonprofit, organization/association, church office.
Retail	$2.54 per square foot	Establishment for the display and/or sale of merchandise or services (e.g., showroom, shop, customer service area, restaurant, salon, bank, travel office, dry cleaner, repair shop, service station, theater, banquet hall, for-rent conference facility, commercial marina, commercial parking garage, school museum, place of worship, funeral home);
Warehouse	$0.87 per square foot	Warehouse, storage space.
Manufacturing	$0.873 per square foot	Factory, fabrication/production area.
Hotel/Motel	$1,223 per room/suite	Any facility paying the transient occupancy tax (except bed and breakfast homes of 10 or fewer bedrooms for rent).

Source: City of Alameda, Community Development Department, 2022

Preservation Resources

Efforts by the City to retain low-income housing must be able to draw upon two basic types of preservation resources: organizational and financial. Qualified nonprofit entities need to be made aware of the future possibilities of units becoming “at risk.” Should a property become at risk, the City maintains an active list of resources by which to preserve that property.

In addition, the City of Alameda will develop procedures for monitoring and preserving at-risk units, which will include:

- Monitor the Risk Assessment report published by the CHPC.
- Maintain regular contact with the local HUD office regarding early warnings of possible opt-outs.
- Maintain contact with the owners and managers of existing affordable housing to determine if there are plans to opt out in the future and offer assistance in locating eligible buyers.
- Develop and maintain a list of potential purchasers of at-risk units and act as a liaison between owners and eligible purchasers.
- Ensure that all owners and managers of affordable housing are provided with applicable state and federal laws regarding notice to tenants of the owner's desire to opt out or prepay. State law requires a 12-month notice.

Nonprofit Entities

Nonprofit entities serving Alameda County and the greater Bay Area can be contacted to gauge their interest and ability in acquiring and/or managing units at risk of conversion. For more information about non-profit entities and how to contact them, contact the City of Alameda Community Development Department at www.alamedaca.gov. A partial listing of qualified entities, as identified by HCD, to purchase government-assisted developments in the Bay Area includes:

- Alameda Affordable Housing Corporation
- Housing Authority of the City of Alameda
- BRIDGE Housing Corporation
- The Trinity Housing Foundation
- California Housing Partnership Corporation
- Mercy Housing California
- Bayside Communities
- Resources for Community Development
- Domus Development, LLC
- Cabouchon Properties, LLC
- Eden Housing, Inc.
- Christian Church Homes of Northern California, Inc.
- Bay Area Community Services

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APPENDIX D – ASSESSMENT OF FAIR HOUSING

Assembly Bill (AB) 686 requires that all housing elements due on or after January 1, 2021, must contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Furthering Fair Housing (AFFH) Final Rule of July 16, 2015.

Under California law, AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."

In order to comply with AB 686, the City of Alameda (City) has completed this Assessment of Fair Housing. The following maps and analysis rely on data provided from a variety of sources including, but not limited to, the TCAC and HCD Opportunity Areas,[1] 2010 Census data,[2] 2010-2014[3] and 2015-2019[4] American Community Survey (ACS) estimates, 2014 Longitudinal Employer-Household Dynamics (LEHD),[5] AC Transit scores,[6] Alameda Loop Shuttle route information,[7] East Bay Paratransit,[8] California Department of Education scores,[9] California Department of Social Services facility information,[10] CalEnviroScreen 4.0

[1] California Tax Credit Allocation Committee and Housing and Community Development Department, 2020. 2020 TCAC/HCD Opportunity Map. https://belonging.berkeley.edu/tcac-opportunity-map-2020.

[2] U.S. Census Bureau, 2020. 2010 Decennial Census. https://hudgis-hud.opendata.arcgis.com/.

[3] U.S. Census Bureau, 2014. 2010-2014 American Community Survey. https://hudgis-hud.opendata.arcgis.com/.

[4] U.S. Census Bureau, 2019. 2015-2019 American Community Survey. https://hudgis-hud.opendata.arcgis.com/.

[5] U.S. Census Bureau, 2014. Longitudinal Employer-Household Dynamics. https://lehd.ces.census.gov/.

[6] AC Transit. 2021, December 20 (accessed). "AC Transit."actransit.org. https://www.actransit.org/

[7] Loop Shuttle, City of Alameda. 2021, December 20 (accessed). "Alameda Loop Shuttle." Alamedaca.gov. https://www.alamedaca.gov/Departments/Planning-Building-and-Transportation/Transportation/Alameda-Loop-Shuttle

[8] Easy Bay, Paratransit. 2021, December 20 (accessed). "Easy Bay ParaTransit." Eastbayparatransit.org.

[9] School Dashboard, State of California. 2019 data, Cities of Alameda, Berkely, and Oakland. 2021, December 20 (accessed). "California School Dashboard for Alameda Unified, Berkeley Unified, or Oakland Unified."caschooldashboard.org.

[10] Community Care Licensing Division, California Department of Social Services. 2021, December 2020 (accessed). "Adults Residential Facility Search." Ccld.dss.ca.gov. https://www.ccld.dss.ca.gov/carefacilitysearch/Search/AdultResidentialAndDaycare

percentiles,[11] Alameda Homelessness Strategic Plan,[12] and Zillow Home Value Index.[13] Throughout the assessment it is identified whether the data is available at the census tract or block group level. All data presented in the maps in this assessment were collected through the AFFH Data Viewer mapping tool, a tool developed and approved by HCD for use in assessment of fair housing analyses as the most current and accurate data available.[14] This approach was developed in consultation with HCD and in conjunction with efforts to develop standardized, statewide datasets for fair housing analyses.

Outreach

As identified in the Public Participation section of this Housing Element, the City met with several stakeholders and community organizations throughout the update process. These efforts included an interview with a fair housing provider serving residents of Alameda and other local Bay Area jurisdictions. This organization felt strongly that the City of Alameda (and other Bay Area jurisdictions) should take a more proactive and "protective" approach to enacting rent control, just-cause protections, and other housing protection laws to keep more individuals housed. They acknowledged that Alameda's rent petition program is a useful tool to empower tenants to advocate for themselves in line with these goals.

However, while a great tool for Alameda tenants and landlords, the fair housing provider said this singular rental adjustment is not enough to protect tenants from a hostile living environment. The rent review program is a mediation process between a tenant and their landlord; however, a hostile living environment can also be induced by other factors. They shared an experience that some clients have dealt with, in which neighbors complain, harass, and record behavior by the client that they deem "inappropriate" and give those records to landlords in an attempt to get the tenant evicted. Situations like this, though isolated, indicate a need for more tools in Alameda and other Bay Area jurisdictions to protect residents from harassment-like behavior to prevent wrongful eviction or displacement resulting from unsafe living situation cultivated by hostile neighbors. There is a strong desire to create more mechanisms that go beyond the tenant and landlord relationship to ensure that a tenant feels safe in their living environment. In the creation of additional tools, enforceable mechanisms must also be included by a responsible party to ensure effectiveness and accountability.

Stakeholders also expressed a need for new financial programs to keep more vulnerable populations housed. According to stakeholder feedback, residents living with one or more mental disorders (e.g., post-traumatic stress disorder, mental health issues, depression) typically need more time to pay rent because of their mental difficulties. Therefore, it would be beneficial to provide training for housing providers to

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[11] Office of Environmental Health Hazard Assessment, State of California. 2021, October 20. 2021, December 12 (accessed). "Map of CalEnviroScreen 4.0." oehha.ca.gov. https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40.

[12] Alameda, City of. 2021, October. 2021, December 20 (accessed). "The Road Home: A Five Year Strategic Plan to Prevent and Respond to Homelessness in Alameda." Alamedaca.gov. https://www.alamedaca.gov/files/assets/public/departments/alameda/econ-dev-amp-comm-services/the-road-home-plan-adopted.pdf.

[13] Home Value Index, Zillow. 2021, December 20 (accessed). "Home Values." Zillow.com. https://www.zillow.com/research/data/.

[14] California Department of Housing and Community Development, 2021. Affirmatively Furthering Fair Housing Data and Mapping Resources. https://affh-data-resources-cahcd.hub.arcgis.com/.

understand the debilitating effects of mental health on paying rent on time and the value of payment plans or other options. Stakeholders also felt that a variety of fiscal incentives, such as a shallow subsidy, would provide ongoing support for these residents. In conjunction, supportive services (case management, in-unit care, etc.) should have more dedicated funding streams to ensure that tenants receive the resources they need to remain in their homes.

Additionally, the fair housing provider expressed a need for workshops on fair housing laws for residents and housing providers. They reported that, in some instances, housing providers may accidentally discriminate against tenants because of a lack of knowledge about fair housing laws. By providing current information to housing providers, the rate of unintentional discrimination may decrease. A tenant workshop counterpart can be made to inform residents of their tenant rights.

Assessment of Fair Housing Issues

The California Government Code Section 65583 (10)(A)(ii) requires the City of Alameda to analyze racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk. Since 2017, the California Tax Credit Allocation Committee (TCAC) and California Department of Housing and Community Development (HCD) have developed annual maps of access to resources such as high-paying job opportunities; proficient schools; safe and clean neighborhoods; and other healthy economic, social, and environmental indicators to provide evidence-based research for policy recommendations. This effort has been dubbed “opportunity mapping” and is available to all California jurisdictions to assess access to opportunities in their communities.

The TCAC/HCD Opportunity Maps can help to identify areas in a community that provide good access to opportunity for residents or, conversely, provide low access to opportunity. The information from the opportunity mapping can help to highlight the need for housing element policies and programs that would help to remediate conditions in low-resource areas and areas of high segregation and poverty and to encourage better access for lower-income households and communities of color to housing in high-resource areas. TCAC/HCD categorized census tracts into 5 categories, from highest resource to low resource areas based on a composite score of economic, educational, and environmental factors that can perpetuate poverty and segregation, such as school proficiency, median income, and median housing prices. There is a sixth category that indicates if an area is considered one of high segregation and poverty. These areas are ones in which there is an overrepresentation of people of color compared to the county as a whole, and at least 30 percent of the population in these areas is below the federal poverty line ($26,500 annually for a family of four in 2021). The TCAC/HCD Opportunity Maps use a regional index score to determine categorization of high, moderate, and low resource. Alameda falls within the Bay Area TCAC region, which includes all the Bay Area counties. Within the Bay Area, the top 40 percent of census tracts are either highest or high resource, and the remaining 60 percent of census tracts are evenly divided between moderate and low resource.

- **Highest Resource:** Top 20 percent highest-scoring census tracts in the region. Indicates residents in these census tracts have access to the best outcomes in terms of health, economic attainment, and education attainment.
- **High Resource:** Top 40 percent highest-scoring census tracts in the region. Indicates residents in these census tracts have access to highly positive outcomes in terms of health, economic attainment, and education attainment.

- **Moderate Resource:** Top 30 percent of remaining census tracts in the region. Indicates residents in these census tracts have access to either somewhat positive outcomes in terms of health, economic attainment, and education; or positive outcomes in a certain area (e.g., score high for health, education) but not all areas (e.g., may score poorly for economic attainment).
- **Moderate Resource (Rapidly Changing):** A filter applied to moderate resource tracts based on index scores just below the high resource threshold and experiencing rapid increases in key dimensions of opportunity (housing price, median income, job proximity, etc.).
- **Low Resource:** Bottom 30 percent of remaining census tracts in the region. Indicates residents in these census tracts could be experiencing a lack of access to positive environmental, economic, and education factors results in negative outcomes or perpetuated outcomes (such as perpetuated poverty).

According to the HCD/TCAC Opportunity Map (Figure D-1), the western portion of Alameda, which encompasses the College of Alameda, Woodstock Park, and the former Naval Air Station, is considered low resourced. This low resource area is bounded by Webster Street north of Lincoln Avenue to the east, and west of Hancock Street/Central Avenue south of Lincoln Avenue. Moderate resource (rapidly changing) and moderate resource areas are primarily in the northern portion of Alameda in areas that include the Littlejohn Park and Marina Village Shopping Center and are bounded primarily by Lincoln Avenue, Webster Street, Fernside Boulevard, and Clement Avenue. The highest and high resources areas are in the central and southern areas of Alameda. The highest resource area includes areas surrounding Franklin Park, Rittler Park, and the South Shore Center. High resource areas surround the highest resource areas on both sides, which includes the areas of Robert Crown Memorial State Beach, Jackson Park, Lincoln Park-Harrison Center, Towata Park, and Krusi Park.

Patterns of Integration and Segregation

To assess patterns of segregation and integration, the City analyzed characteristics to determine current and historic segregation patterns related to income, race and ethnicity, familial status, and disability. This information is analyzed at the census tract level relying primarily on ACS 2015-2019 estimates, with the exception of the diversity map, which analyzes data at the block group level and relies on 2014-2018 ACS estimates.

Income

Alameda's high and highest resource areas are associated with highly positive economic outcomes, according to TCAC/HCD, suggesting residents within these neighborhoods face fewer barriers to economic mobility (see Figure D-1). The TCAC/HCD map measures access to positive economic outcome based on incidence of poverty, adult educational attainment, adult employment, proximity to jobs, and median home value. The high and highest resourced areas generally have a score of approximately 0.8, with a score of 1.0 being the highest expected economic outcome. The lower the score, the lower the likelihood of a positive economic outcome for residents. Economic scores between 0.50 and 0.75 are the predominant score of census tracts in the city; these areas include the College of Alameda, Monarch Street, Marina Village Shopping Center, Telecare Corporation, Littlejohn Park, Krusi Park, and Lincoln Park-Harrison Center. The census tracts along the southern coast of the city, bounded by Hancock Street to the west, Lincoln Avenue to the north, and Park Street to the east, received economic scores of more than 0.75, which includes the South Shore Center, Washington Park, and Franklin Park, indicating stronger economic opportunities for residents of these areas. The economic opportunity within Alameda's

moderate resource and moderate resource (rapidly changing) areas contains a mixture of economic outcomes ranging from 0.25 to 0.75. While the majority of Alameda's households are renters, the moderate-resource area has the highest percentage of Housing Choice Voucher (HCV) holders, accounting for a range of 8.53 to 22.7 percent of renter-occupied housing units, indicating that these residents live in area with more limited expected economic opportunities than residents of eastern areas. The economic opportunity in Alameda's high and highest resource areas scores similarly to the neighborhoods in most of North Berkeley.

FIGURE D-1 TCAC RESOURCE AREA DESIGNATIONS

Source: TCAC/HCD, 2021

As shown in Figure D-2, the median income in Alameda neighborhoods was generally lower in west Alameda than in east Alameda in 2019. In the area west of Main Street that is primarily commercial and industrial uses, the median income was approximately $17,283. East of Main Street, the neighborhoods south of Pacific Avenue and north of Ralph M. Appezzato Memorial Parkway have median incomes greater than $125,000, and the central area between these high-income neighborhoods has a median income less than $82,000. Throughout Bay Farm Island, on the east end of Alameda, the median income is greater than $100,000. In comparison, in East Oakland along Highway 185, the median income is typically less than $55,000, whereas along Highway 77, towards West Oakland, there are typically higher median incomes. The City of Berkeley's median household income distribution skews toward lower median incomes in the densest parts of the Berkeley, with higher median incomes further from UC Berkeley. As is found near College of Alameda, the areas immediately adjacent to UC Berkeley have median incomes below the poverty line, likely due to the concentration of a student population, while in most other areas of the Berkeley there are slightly higher median incomes. Generally, higher median incomes are found in Alameda and Berkeley, compared to Oakland. A higher income allows residents to have more choices in their lives, such as healthier food options, more transportation options, and access to socioeconomic mobility. The median income in Alameda, particularly in east Alameda, more closely reflects the median incomes found in Fremont and inland communities of Alameda County, such as Pleasanton and Dublin, and is notably higher than neighboring jurisdictions. However, there are areas with a lower median income that align with jurisdictions such as Berkeley. Overall, according to the AFFH Segregation Report completed by UC Merced Urban Policy Lab and ABAG/MTC, a larger proportion of Alameda residents earn an above moderate-income, and a smaller share earn a very low- and low-income, when compared to other Bay Area jurisdictions.

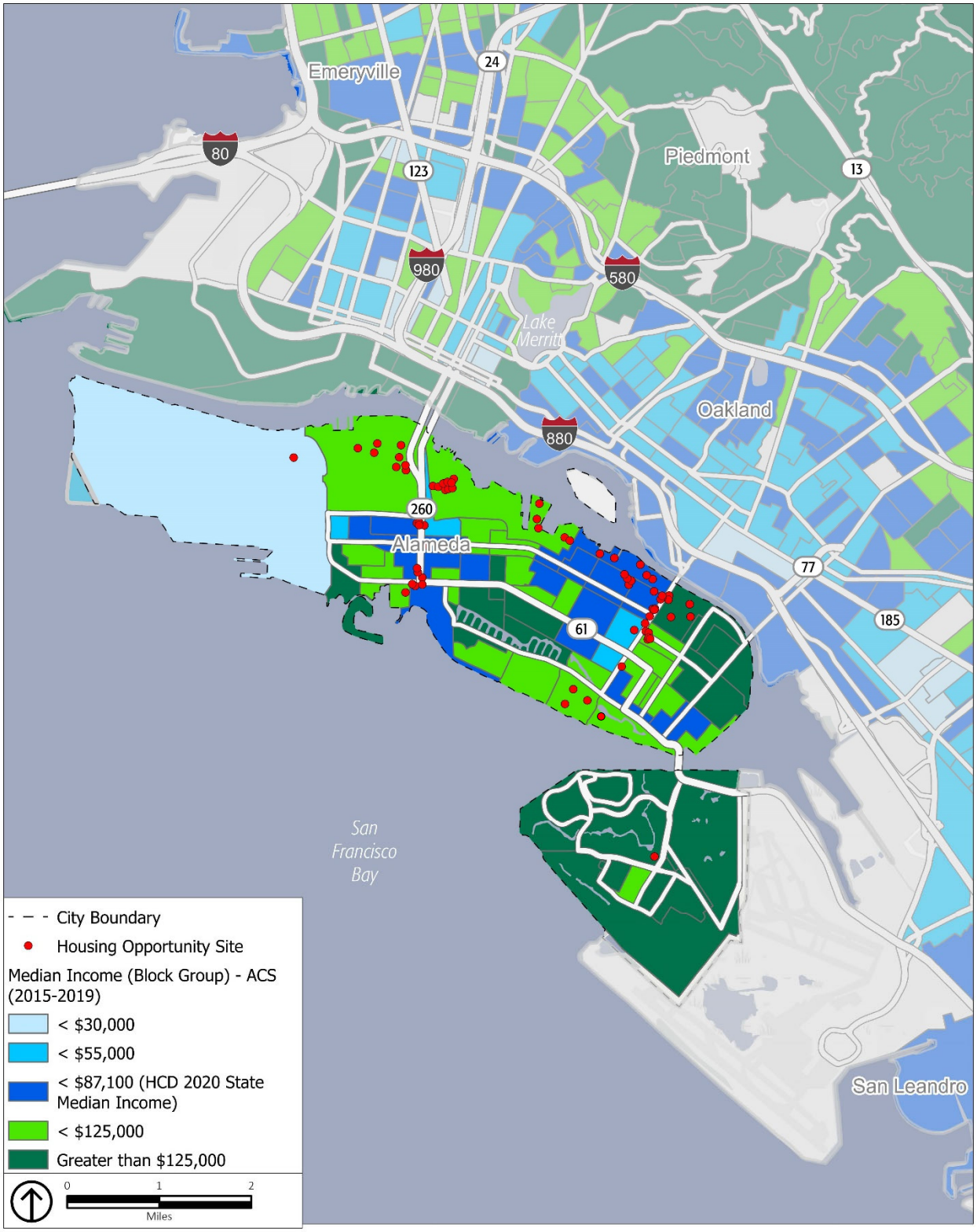
According to the Urban Displacement Project, the area in Alameda with the lowest median income, west of Main Street, is also designated an area experiencing "advanced gentrification." There are four criteria for an area to receive this label:

- The area had moderate, mixed moderate, mixed high, or high-income tract in 2018.
- Housing was affordable to middle, high, mixed moderate, and mixed high-income households in 2018.
- There have been marginal changes, increases, or rapid increase in housing costs.
- The area gentrified in 1990 to 2000 or 2000 to 2018.

These findings indicate that West Alameda residents may be experiencing gentrification at an increasing rate. As housing costs continue to rise in Alameda and throughout the region, lower-income residents of this area of Alameda may be unable to compete with incoming residents with higher incomes This cycle results in increased housing demand, further driving up the price for the existing housing stock. As a result, lower-income Alamedans may not have the bargaining power to stay in Alameda. The Urban Displacement Project (UPP) categorizes census tracts into several types which income, two types are labeled as low-income/susceptible to displacement, and becoming exclusive. From Park Street to Sherman Street/Grand Street and Shoreline Drive to Clement Avenue, three of five census tracts in this area are at risk of becoming exclusive. The criteria for "becoming exclusive" includes housing affordable to middle, high, mixed moderate- and high-income households, rapid increase in housing costs, absolute loss of low-income households, declining low-income in-migration rate, and median income higher than previous years. One census tract is low income and susceptible to displacement (low- or mixed-income tract), and

another is at risk of becoming exclusive, meaning moderate, mixed moderate, mixed high or high income tract, housing affordable to middle, high, mixed moderate and mixed high income households, and marginal change or increase in housing costs. Home values in these areas have increased by approximately 40 to 70 percent, and rents across this area have increased from 5 to 27 percent.

FIGURE D-2 MEDIAN INCOME



Source: 2015-2019 ACS

Race and Ethnicity

As discussed in the Housing Needs Assessment (Table C-3), residents that identify as White comprised the largest racial group in Alameda (45 percent of the total population) in 2019, followed by residents that identify as Asian (32.5 percent), and those that identify as Hispanic or Latino (11.5 percent). When reviewing the concentrations of predominant racial and ethnic groups, shown in Figure D-3, Asian residents are the predominant population on much of Bay Farm Island and in the Woodstock neighborhood, while all other areas are predominantly White. There are no areas in Alameda that are predominantly African American or Black. Stakeholders estimated that, in recent history, more Black and African American residents may have been displaced from Alameda than other racial or ethnic groups. Recent growth may be considered attributable to "new, professional money," referencing the Bay Area's strategic socioeconomic positioning attracting talent from all parts of the world as part of the dot.com boom in the last 20 years. According to Figure D-2, the median income for block groups in Bay Farm Island is greater than $125,000, which may be a result of this growth. In comparison, the pattern of Oakland's predominant population transitions throughout the city. East Oakland has predominantly Black or African American and Hispanic, the area between Highways 580 and 880 is predominantly Asian, and west and Downtown Oakland have a Black or African American majority. Overlaying median income with racial and ethnic patterns shows that East Oakland with a predominant Black/African American and Hispanic majority also has a high rate of household incomes at or below the median income. Additionally, Asian majority census tracts between Interstates 580 and 880 share similar and consistent median household incomes as East Oakland. Both Berkeley and Alameda contain census tracts with White and Asian majorities with a range of median household income.

Research from Rasheed Shabazz, a UC Berkeley student who studied the Black and African American housing experience in Alameda, illustrated that Alameda has been a historically White community.[15] In 1970, over 90 percent of the population identified as such, which coincided with the passage of Measure A. However, as demonstrated in Table C-3 of the Housing Needs Assessment, diversity has increased in Alameda since 1970. More information on historical local, regional, and national practices and policies that have influenced the racial composition of Alameda can be found in the "Other Relevant Factors" section of this assessment.

While there are concentrations of minority populations throughout Alameda County, no areas in the City of Alameda qualify as Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs). In contrast, there are multiple in Oakland and one in Berkeley. A R/ECAP, as defined by HUD, is an area in which 50 percent or more of the population identifies as non-White, and 40 percent or more of individuals are living below the poverty line. In the Woodstock neighborhood, approximately 53 percent of the population identifies as Asian, but the poverty rate is just under 13 percent. Though this area does not meet the definition of a R/ECAP, it does appear to have a concentration of non-White persons and poverty, indicating a possible fair housing concern. In order to assist these residents with identifying housing opportunities in other areas of the city, should they want them, the City will facilitate the development of new affordable multifamily housing through Programs 6, 7, and 8 and will prioritizing marketing of financial assistance programs for housing to residents of this area (Programs 16 and 17).

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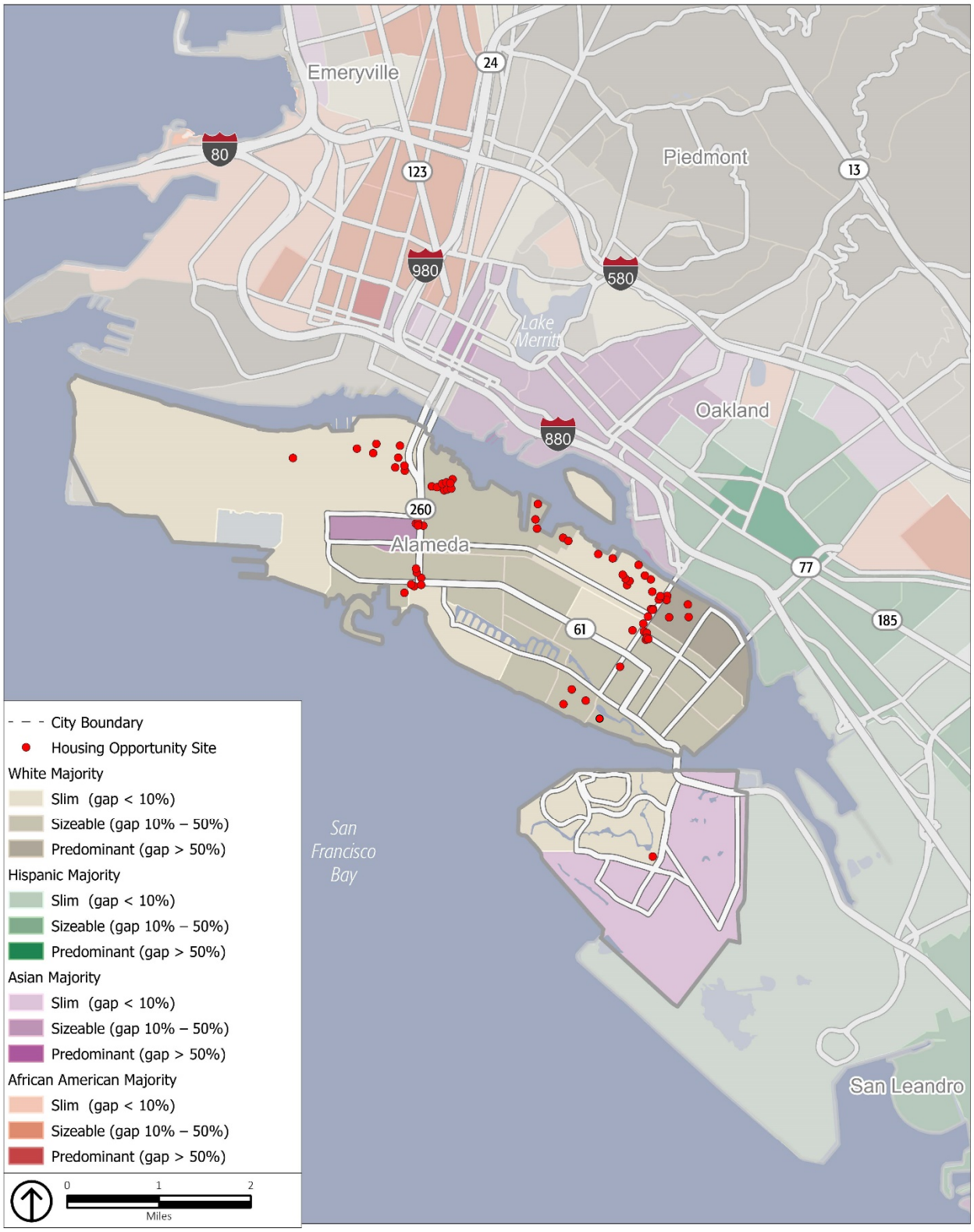
[15] *Note: At the time of conducting their research, Rasheed went by the name of Reginald James.* James, Reginald L. 2013, August 1. "Alameda Is Our Home: African Americans and the Struggle for Housing in Alameda, California, 1860–Present." UC Berkeley: Institute of Governmental Studies. Accessed December 8, 2021.

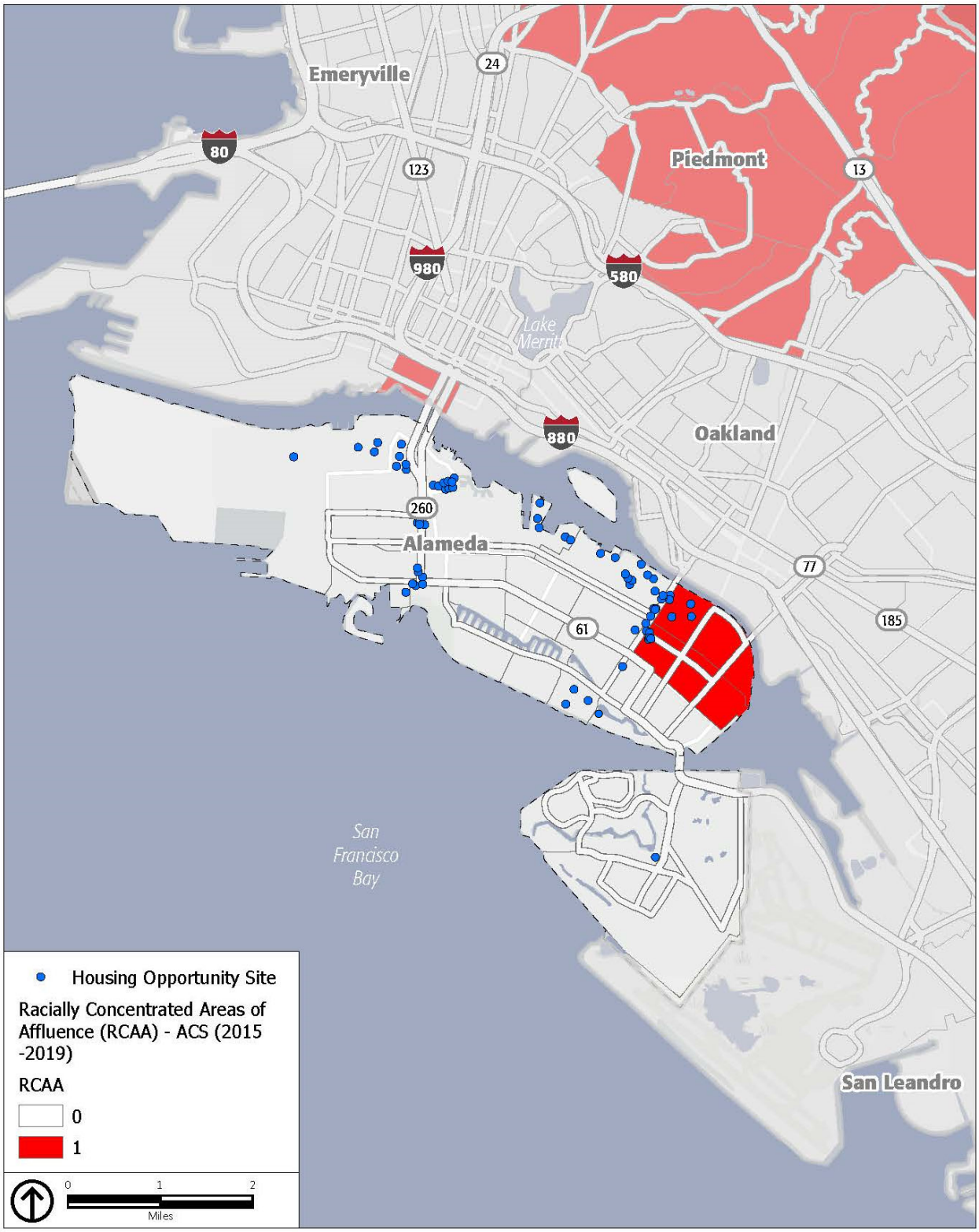
FIGURE D-3 PREDOMINANT POPULATION



Source: U.S. Census, 2010

HCD has identified racially concentrated areas of affluence (RCAAs) in California as census tracts in which the total population that identifies as White is 1.25 times higher than the average percentage of the total White population in the COG and a median income that is 1.5 times higher. In Alameda, the southeastern portion of the city, south of Park Street and east of Encinal Avenue, meets these criteria (Figure D-4). This area includes the Fernside neighborhood and portions of the East End neighborhood. Approximately 57.9 to 67.4 percent of the population in this area identifies as White, with the highest rate east of Lincoln Avenue, and a median income ranging from $94,844 to $154,293, with the highest median incomes also east of Lincoln Avenue. East of Lincoln Avenue, approximately 18.4 percent of the population is considered low- to moderate-income, the lowest rate in the city outside of Bay Farm Island. Between Encinal Avenue and Lincoln Avenue, approximately 29.0 percent of the population falls into these income groups. The low- to moderate-income rate in these tracts is in contrast to the neighborhoods immediately northwest of Park Avenue, where 52.1 to 64.0 percent of the population is considered to be low- to moderate-income. While the area that is considered a RCAA is built out with little availability for redevelopment, the City will encourage the construction of ADUs to meet the need of some lower-income households and will prioritize marketing the benefits of ADUs in areas of concentrated affluence to improve access to areas of high opportunity for lower-income households and increase housing mobility opportunities for lower- and moderate-income households and non-White households (Program 5).

FIGURE D-4 RACIALLY CONCENTRATED AREAS OF AFFLUENCE



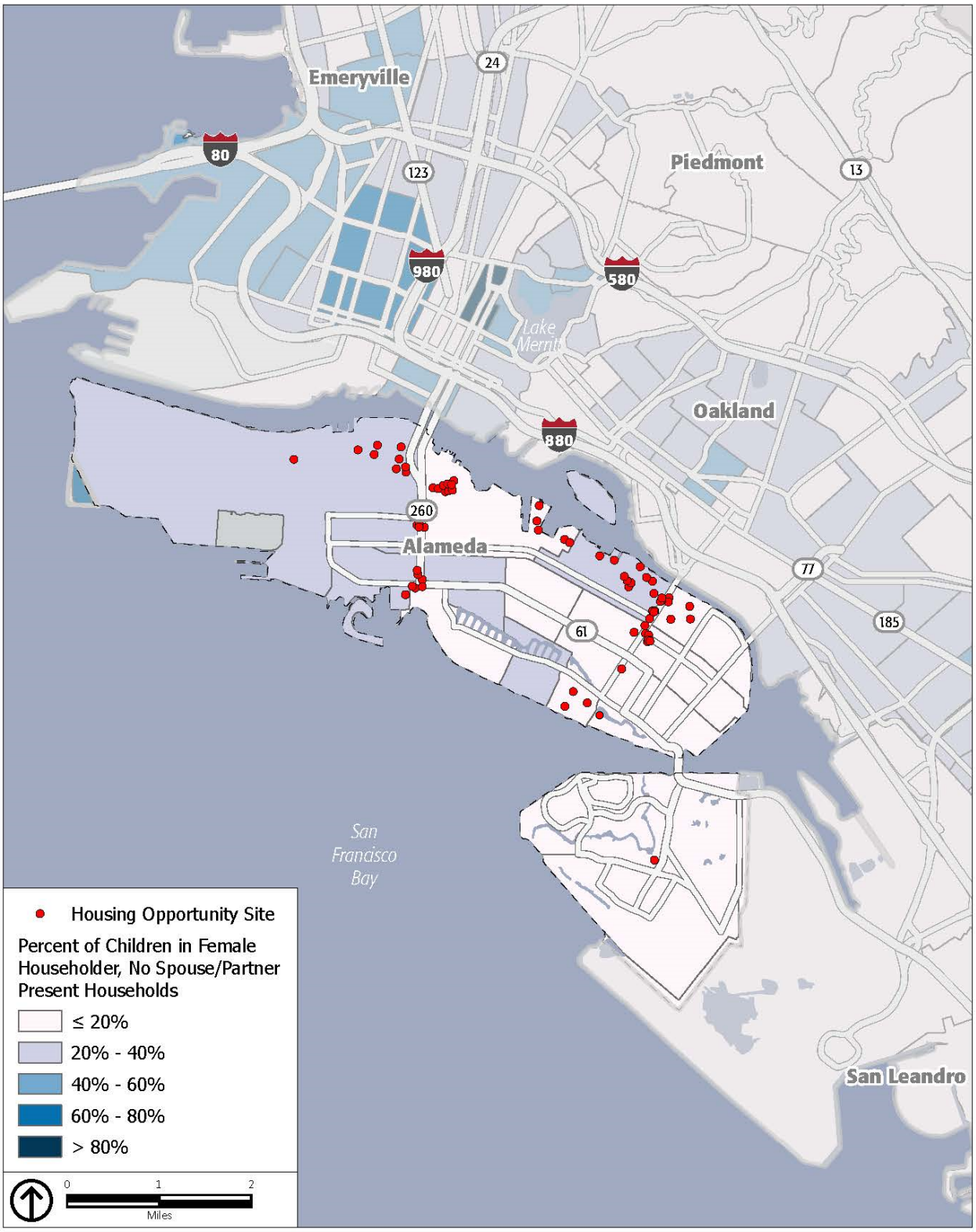
Source: 2015-2019 ACS

Familial Status

According to the County of Alameda's *Regional Analysis of Impediments to Fair Housing Choice (2020)* ("County AI"), there is a higher percentage of families with children in Alameda County as a whole compared to other family types, but the overall proportion of families with children has decreased by 6 percent from 1990 to 2017. This trend is reflected in the City of Alameda. In 1990, 46 percent of families in the city had children; however, by 2017, this population percentage had dropped 4 points to 42 percent. According to the 2015-2019 American Community Survey, approximately 49 percent of households in Alameda are married couples, 28 percent live alone, 10 percent are female-headed households, 4 percent are male-headed households, and 9 percent are other non-family households. As seen in Figure D-5, there is a higher proportion of female headed households with children in west Alameda, and higher rates generally correspond with census tracts with lower median incomes. In contrast, there are higher rates of married couple households with children in east Alameda, corresponding with RCAAs and areas with typically higher median incomes (Figure D-6). These patterns may reflect barriers to housing experienced by female headed households, and other single-parent households, which may include the cost of housing and types of housing units. The dominance of married couple households in the city, and concentrated in east Alameda, reflects the pattern of residential uses and housing costs, with more single-family homes and higher home prices in this portion of the city.

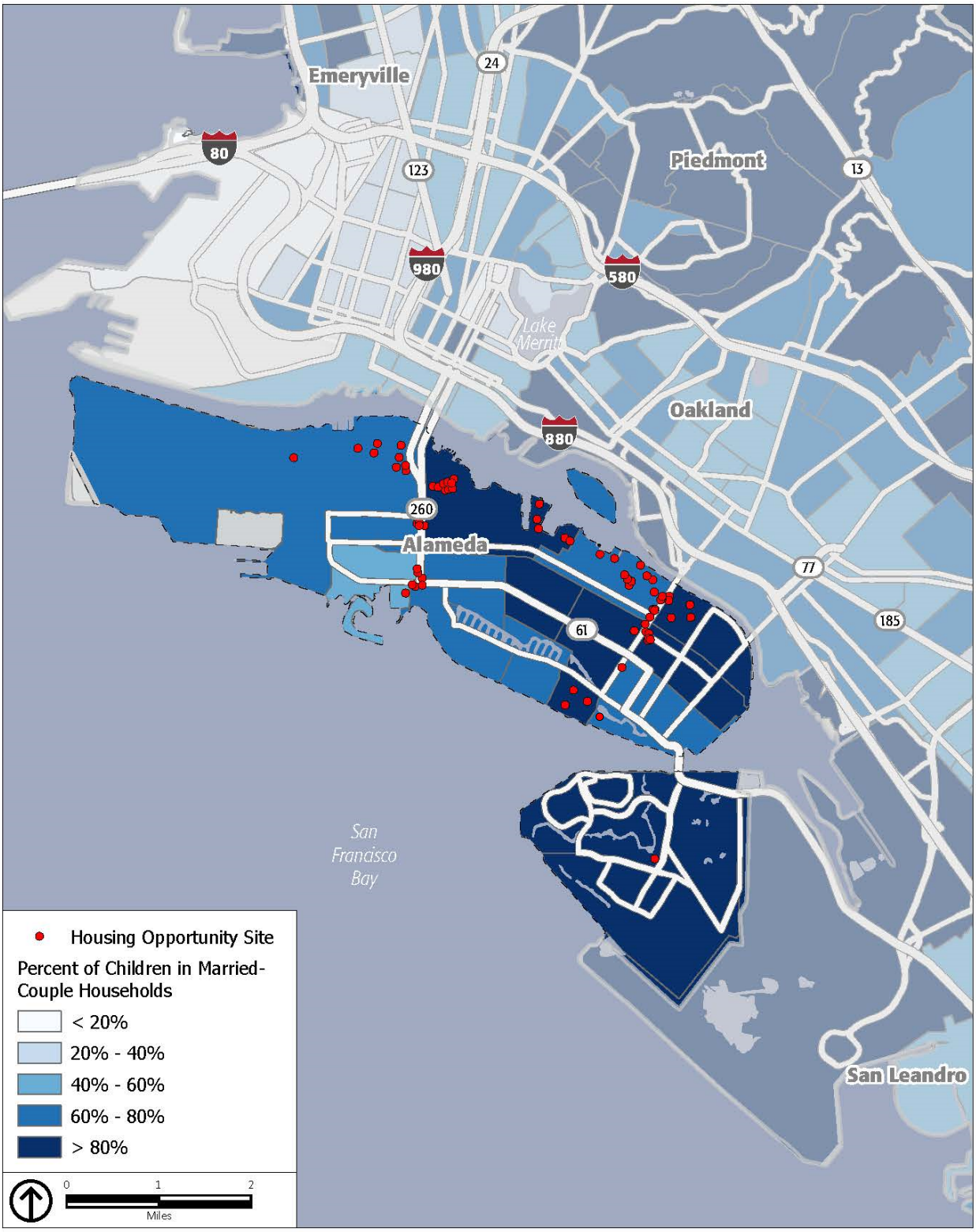
Given the rising home value—resulting in increased housing cost burdens—it is possible that housing in the city may be expensive for young families, resulting in the relatively high rates of families and single-person households rather than households with children. To facilitate housing mobility opportunities for all familial types, the City continues to administer the First-Time Homebuyer Program and participate in the County's Mortgage Credit Certificate Program, advertising these programs in areas with high rates of renter-occupied households to increase awareness of assistance programs and offering free homebuyer workshops at least annually (Program 16).

FIGURE D-5 PERCENT OF FEMALE HEADED HOUSEHOLDS WITH CHILDREN



Source: 2015-2019 ACS

FIGURE D-6 PERCENT OF MARRIED COUPLE HOUSEHOLDS WITH CHILDREN



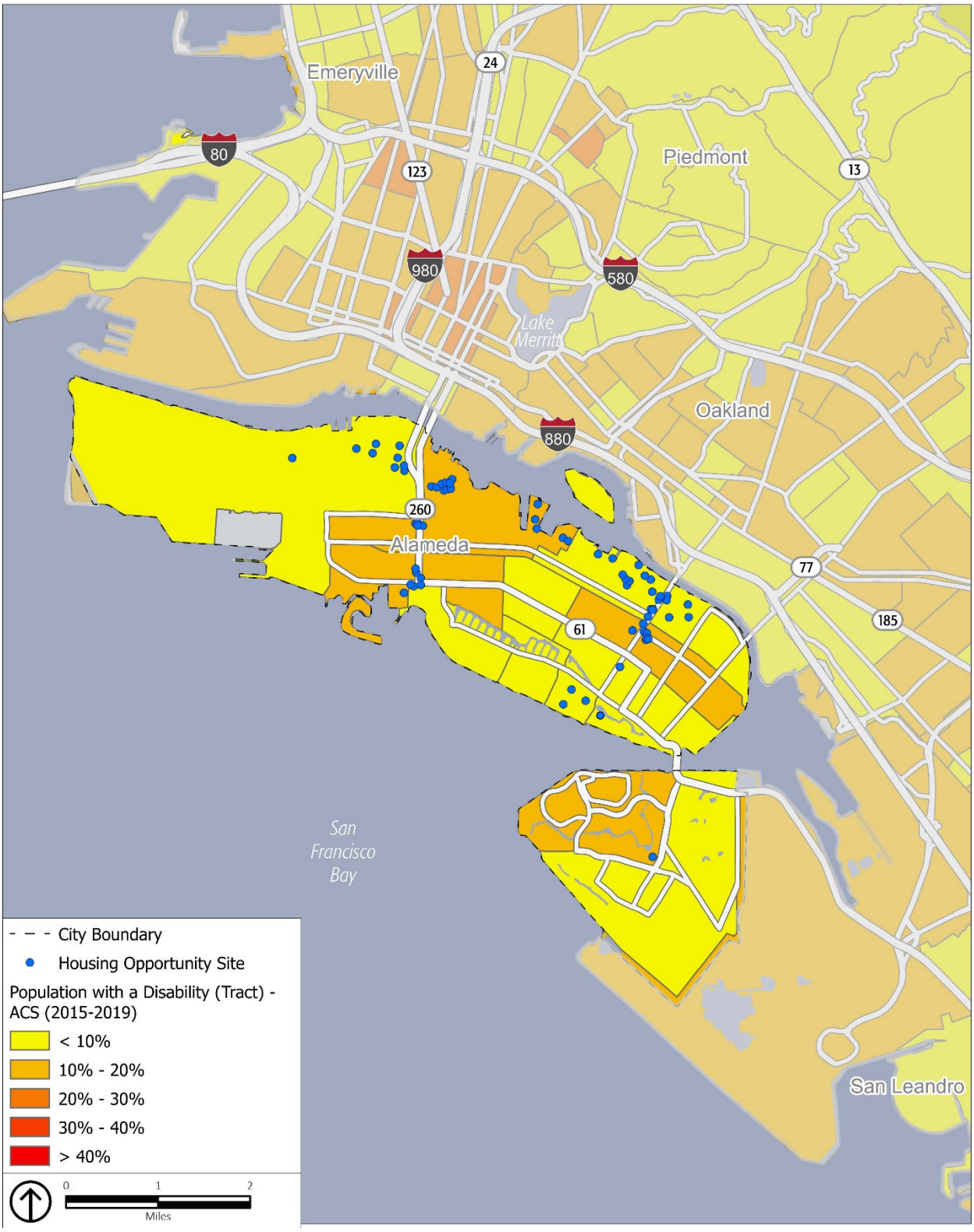
Source: 2015-2019 ACS

Disability

According to the County AI, ambulatory and independent living disabilities were the most common disability type reported in the county in 2017. Approximately 9 percent of Alameda residents are living with a disability, according to the 2013-2017 ACS. In comparison, nearly 13 percent of Oakland's population and nearly 9 percent of Berkeley's residents reported a disability. The median rate of disability for seniors aged 65 and older in Alameda County is approximately 33 percent, which is similar to rates found in most of the Bay Area. However, Oakland and Hayward are outliers, with 39 and 38 percent of seniors with a disability, respectively. According to Figure D-7, Alameda has no areas with a significantly high rate of persons with a disability. For the census tracts in Alameda, most populations have disability rates that range from less than 10 percent or 10 to 20 percent of the census tract's population.

During the consultation process, stakeholders expressed a need for more permanent and supportive housing for persons with disabilities as well as greater enforcement of meeting reasonable accommodation requests in multifamily housing. Stakeholders reported that, in some circumstances, reasonable accommodation requests are not met because of the costs associated with making these changes. The cost is even more concentrated in smaller complexes, where the landlord or property manager receives a more limited funding stream from fewer units, as opposed to a large development, thus increasing the cost burden of specific accommodations. The shortage of multifamily housing that resulted from historic enforcement of Measure A furthers this issue, as there are fewer already accessible units and more demand for reasonable accommodation on smaller multifamily complexes. The City has included Program 13 to provide biannual training to landlords on fair housing rights and responsibilities, including the requirement to meet reasonable accommodation requests.

FIGURE D-7 RATE OF DISABILITY



Source: 2015-2019 ACS

Access to Opportunity

Mobility

Alameda's unique geography as an island positions it to have the San Francisco Bay Ferry in addition to the typical transportation and mobility options offered to residents of other Bay Area jurisdictions. The San Francisco Bay Ferry connects Alameda residents with the employment opportunities, services, and other destinations in Downtown San Francisco, Oakland, Vallejo, and Richmond. Riders can receive discount prices for the ferry if they are eligible for the Clipper START, RTC Clipper, Senior Clipper, or Youth Clipper programs. The Clipper START program is available to all residents of Alameda, and the greater the San Francisco Bay Area, aged 19 to 64 years that earn an income at or below 200 percent of the federal poverty level and are not already eligible for the RTC Clipper Card that is available for persons with disabilities. The Senior Clipper card is available to riders aged 65 years and older, and the Youth Clipper card to riders age 5 to 18 years.

In addition to the ferry, Alameda is also served by AC Transit and a free Alameda Loop Shuttle. AC Transit includes bus service to and from San Francisco and to nearby Bay Area Rapid Transit (BART) stations (i.e., 12th Street, Fruitvale, and Lake Merritt). Fare for Transbay routes costs $6.00 per ride. Students, youth, seniors, and persons with disabilities can qualify for discounted fares. The Alameda Loop Shuttle provides a two-bus looping service to get around Alameda at major stops, including the Alameda Hospital, Alameda Main Library, Alameda Theater, Kaiser Permanente, and South Shore Center.

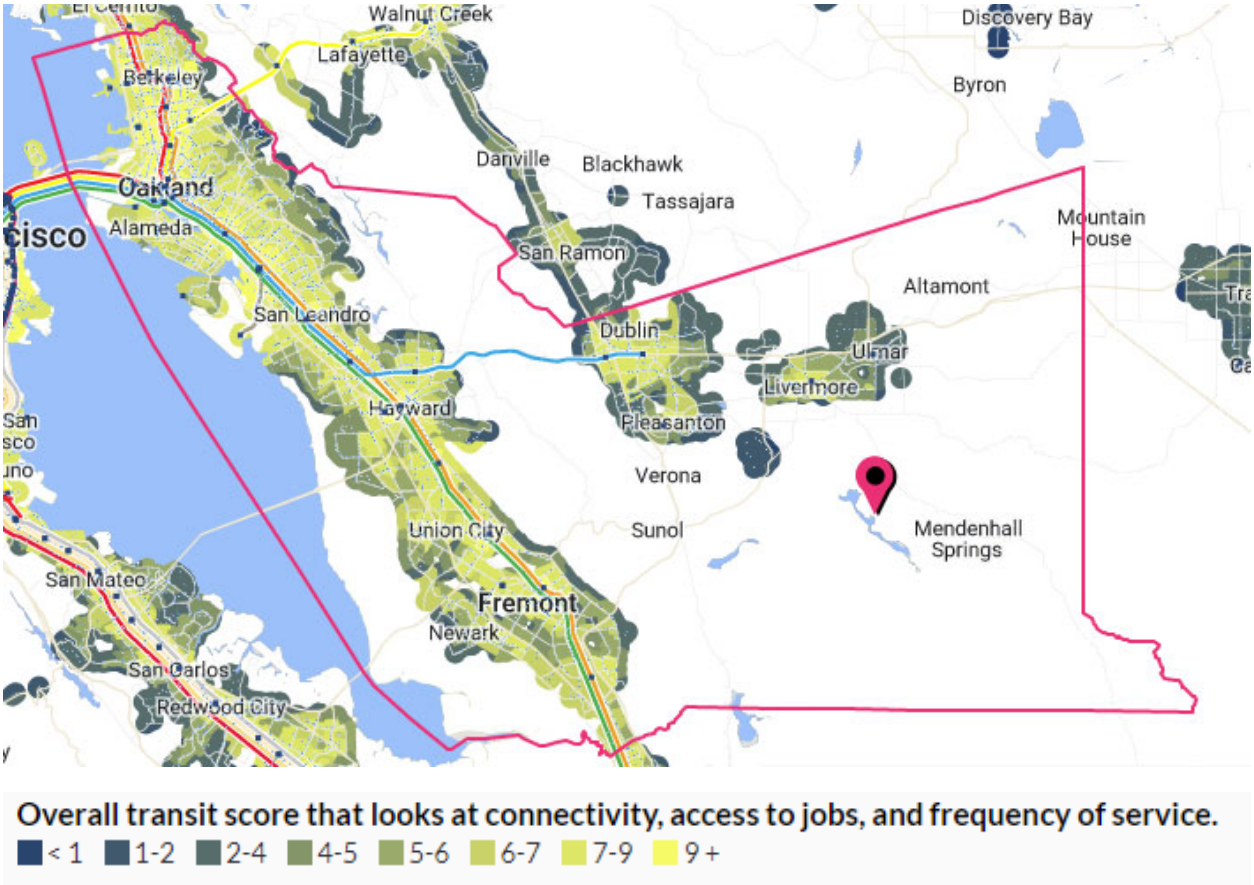
In partnership with East Bay Paratransit, the City offers a paratransit service as a public transportation option for riders unable to use typical buses or trains due to a disability or a disabling health condition. East Bay Paratransit transports riders using special vans equipped with a wheelchair lift. Fare is dependent on the distance from a rider's origin to their destination; fares typically range from $4.00 for a trip up to 12 miles and $7.00 for a trip that is 20 miles or more.

All Transit is a data tool that measures access to transit, connectivity, and service availability. The tool analyzes the transit frequency, routes, and access to determine an overall transit score at the city, county, and regional levels. Figure D-8 depicts the areas in Alameda County where transit is available, and shows areas with higher scores of connectivity, access to jobs, and frequency of service. As shown, transit access is greatest in the northwestern portion of the County, including the City of Alameda, and along BART lines. According to All Transit, the City of Alameda has a transit performance score of 7.4 compared to 8.3 in the City of Oakland, 8.8 in the City of Berkeley, and 9.6 in the City and County of San Francisco. Other Alameda County jurisdictions, and the county has a whole, tend to have lower scores as proximity to San Francisco decreases. Overall, Alameda County has a transit score of 7.1 compared to 5.0 in Contra Costa County and Contra Costa County and 6.8 in the San Francisco-Oakland-Hayward Metro Area.

A stakeholder from the consultation process discussed that the AC bus and ferry transit systems are perceived by residents as inefficient for daily travel. However, the Alameda Loop Shuttle is a reliable resource to get around Alameda, particularly for lower-income households. In order to ensure public transit is meeting the needs of residents, the City will coordinate with transportation agencies to conduct a survey of unmet needs and will support applying for funds, when necessary, to change or expand route options (Program 12).

FIGURE D-8 TRANSIT SCORES, ALAMEDA COUNTY

City of Alameda



Source: AllTransit, 2022

Employment Opportunities

Employment opportunities in Alameda are concentrated in a couple of key employment centers. However, Alameda is in the Bay Area near large job centers in the cities of Berkeley, San Francisco, and Oakland. As discussed in the mobility analysis, the employment options that Alameda residents have access to are significantly affected by the transportation options available to them. AllTransit describes Alameda as a city with a "very good combination of trips per week and numbers of jobs accessible enabling many people to take transit to work." Berkeley and Oakland are both described as having an "excellent combination of trips per week and number of jobs accessible enabling numerous people to take transit to work." In areas outside of the urban core of the Bay Area, where Alameda, Oakland, and Berkeley are located, AllTransit scores drop significantly because there are fewer transit options available to residents in these areas. Longitudinal Employer-Household Dynamics (LEHD) analysis found that of the three jurisdictions (Alameda, Berkeley, and Oakland), Alameda residents are the most likely to work outside the jurisdiction they live in.

According to estimates from the 2015-2019 American Community Survey on the means of transportation to work, approximately two-thirds of Alameda residents drove a car or truck to work, and 19 percent of residents used public transportation (excluding taxicab) to get to work. Comparatively, approximately 39 percent of Berkeley residents drove, 25 percent used public transportation, and 17 percent of residents walked to work. Approximately 61 percent of Oakland residents drove, and 24 percent walked to work. Given the differences between Alameda, Berkeley, and Oakland commuter modes, there may be stronger transit and pedestrian infrastructure in Berkeley or closer proximity to jobs than in Alameda.

Stakeholders expressed concerns about the limited number of employment opportunities in Alameda. This is supported by the distribution and concentrations of jobs in Alameda, and surrounding jurisdictions, as shown in Figure D-9. Though there is a primary area of employment in Alameda at the commercial center in the area previously occupied by a portion of Naval Air Station Alameda, including Alameda College and Marina Village, the 2015-2019 ACS revealed that approximately 74 percent of Alameda residents worked outside the city, in contrast to 62 percent of Oakland residents and 57 of Berkeley residents in their respective jurisdictions. However, in 2002, the ACS reported a 0.71 jobs-housing ratio in Alameda, which increased to 0.98 in 2018. A jobs-housing ratio measures the number of jobs available compared to the number of occupied housing units. A 1.0 ratio indicates that for every job there is one occupied housing unit. For reference, in 2002, Alameda County and the Bay Area had jobs-housing ratios of 1.30 and 1.28, respectively. In 2018, these had increased to 1.43 and 1.47, respectively. The rising jobs-housing ratio indicates that jobs are likely becoming more available for nearly every household in Alameda. However, the shortage the stakeholder discussed may be related to the types of jobs available rather than the quantity, emphasizing a need for jobs for all households regardless of educational attainment.

According to the LEHD program, approximately 17 percent of Alameda residents work in Alameda, 16 percent of Alameda residents work in Oakland, and 6 percent of Alameda residents work in San Francisco. The remaining 42 percent of Alameda residents work in other locations not recorded by the LEHD program. This suggests that, though the jobs-housing ratio indicates sufficient employment opportunities in Alameda, many Alameda residents still travel elsewhere for employment. This may occur because the various type of industries that Alameda residents want to work in are not available in the city.

FIGURE D-9 JOBS PROXIMITY INDEX SCORES

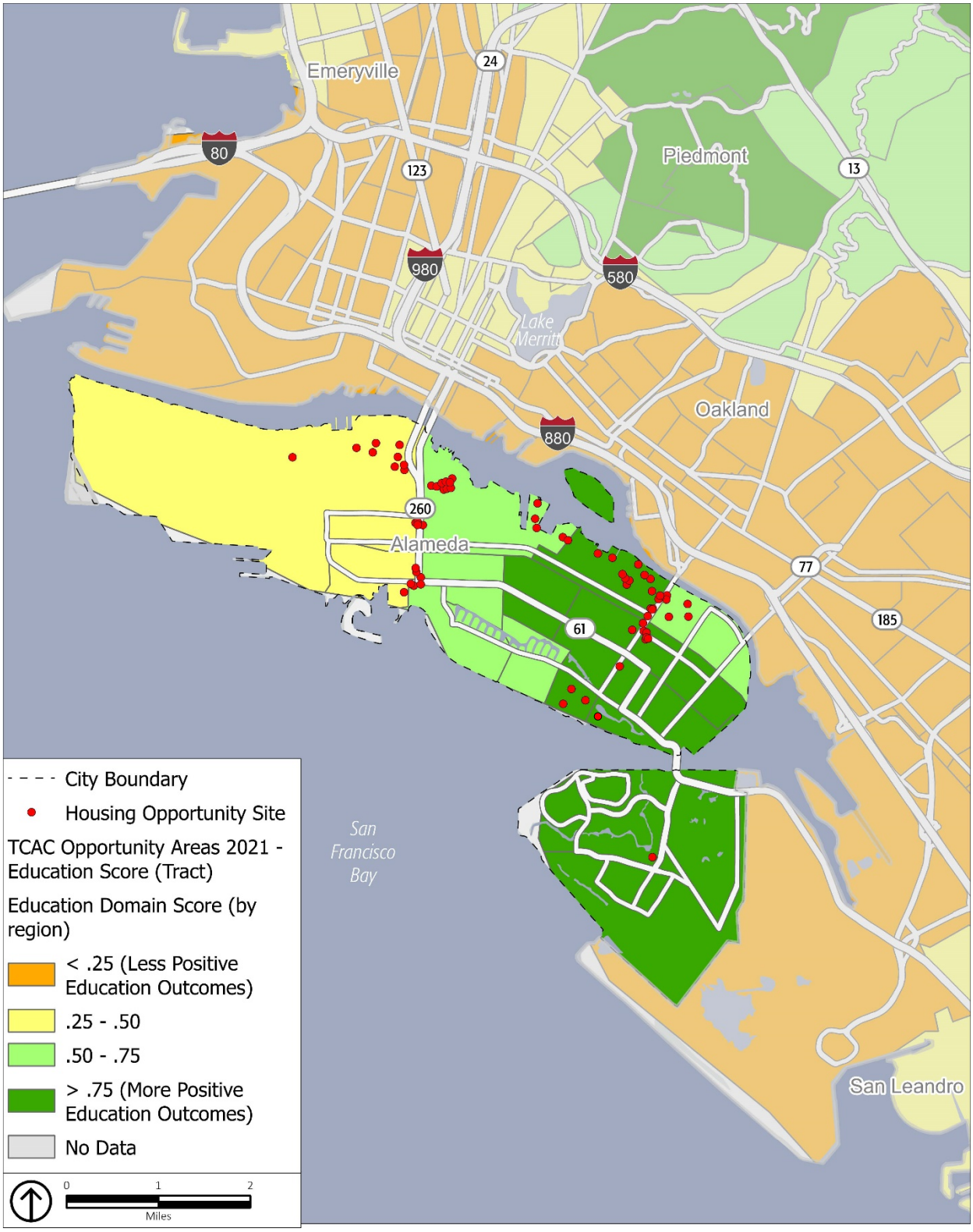
Source: HUD 2020

Educational Opportunities

Alameda residents are served by the Alameda Unified School District, which the California Department of Education (CDE) reports on annually. Alameda has 3 high schools, 1 continuation high school, 1 junior/senior high schools, 2 middle schools, 1 K-8 school, and 9 elementary schools (K-5), for a total of 17 schools. These schools are distributed throughout the city, with the highest performing schools, in terms of standardized test scores, on Bay Farm Island (a high resource area) and in east Alameda. . Research has long shown that a student's standardized test scores are significantly correlated with household income and educational attainment. Accordingly, Figure D-10, which displays the TCAC/HCD Educational Score, shows that east Alameda – historically associated with higher household income – has been associated with higher standardized test scores than central and west Alameda. (The TCAC/HCD Educational Score is based on access to educational attainment, as measured by 4th-grade reading and math proficiency from the 2018-2019 school year, high school graduation rate, and prevalence of student poverty.) The City will promote acquisition and rehabilitation of affordable housing units in high resource areas to facilitate housing mobility opportunities for lower-income households so that they can access the wide range of programs offered across AUSD schools (Program 12) and so that all schools can benefit from increased diversity

In the 2019 school year, approximately 28 percent of Alameda Unified School District students qualified as socioeconomically disadvantaged, as measured by the number of students who are eligible for free or reduced-priced meals or have parents or guardians who did not receive a high school diploma. Approximately 13.6 percent of students were English learners, as measured by students who are learning to communicate effectively in English, which usually requires instruction in the English language in addition to the typical course load. Approximately 0.2 percent of Alameda students are in foster care. Additionally, approximately 56.8 percent of the class of 2019 were ranked by the CDE as "prepared" for college or career. Of this class, 41.7 percent of students identified as socially disadvantaged graduating seniors were ranked as "prepared."

FIGURE D-10 EXPECTED EDUCATIONAL OUTCOME SCORES



Source: TCAC/HCD, 2021

Each year, the CDE publishes performance metrics for each school in the state through the creation of the California School Dashboard. The California School Dashboard presents how school districts and schools are meeting the needs of California's diverse student population based on six measures: chronic absenteeism, suspension rate, graduation rate, college/career readiness, English Learner Progress, and Academic Performance on standardized tests in English Language Arts and Mathematics. Schools and districts receive one of five color-coded performance levels on each of the six state measures. The performance level (color) is based on results for both the performance of the current year and how the performance changed from the prior year. The measures are ranked as red (very low), orange (low), yellow (medium), green (high), and blue (very high). In 2019, socioeconomically disadvantaged students received five orange performance colors and one green. For four of six CDE indicators, homeless Alameda students scored red. The indicators were chronic absenteeism, suspension rate, and Academic Performance. Foster youth students had red performance levels for chronic absenteeism and graduation rate. The trends in Alameda reflect trends identified across the state, as various factors affect a student's ability to score well on these indicators, such as income levels, access to safe and sanitary affordable housing, housing stability, and more.

In comparison, in the Berkeley Unified School District, 31.2 percent of students were identified as socioeconomically disadvantaged, 8.8 percent were English language learners, and 0.2 percent were foster youth. Foster youth students received red performance scores for two indicators: chronic absenteeism and suspension rate. Homeless students received a red performance score for chronic absenteeism. In the Oakland Unified School District, 71.7 percent of students were identified as socioeconomically disadvantaged, 32.8 percent as English language learners, and 0.4 percent as a foster youth. In comparison to the other two school districts, Alameda Unified School District has a lower percentage of socioeconomically disadvantaged, English language learner, and foster youth students. In some cases, these student populations are not mutually exclusive, meaning that a student can identify as both socioeconomically disadvantaged and an English language learner. Students who have intersecting labels may be more at risk of having lower performance scores.

Table D-1 Performance Scores for Alameda Unified School District, 2019

Characteristic	Chronic Absenteeism	Suspension Rate	Graduati on Rate	College/ Career Preparation	English Language Arts	Mathematics
All Students	Yellow	Green	Yellow	Green	Green	Green
English Learners	Yellow	Green	Orange	Orange	Yellow	Yellow
Foster Youth	Red	Red	N/A	N/A	N/A	N/A
Homeless	Red	Red	N/A	N/A	Red	Red
Socioeconomically Disadvantaged	Orange	Green	Orange	Orange	Orange	Orange
Students with Disabilities	Orange	Yellow	Orange	Yellow	Yellow	Red
African American	Red	Yellow	Orange	Orange	Orange	Orange
American Indian or Alaska Native	N/A	N/A	N/A	N/A	N/A	N/A

Characteristic	Chronic Absenteeism	Suspension Rate	Graduation Rate	College/ Career Preparation	English Language Arts	Mathematics
Asian	Green	Blue	Blue	Yellow	Blue	Blue
Filipino	Yellow	Green	Green	Yellow	Green	Yellow
Hispanic	Yellow	Yellow	Orange	Green	Green	Orange
Native Hawaiian or Pacific Islander	Orange	Green	N/A	N/A	N/A	N/A
White	Green	Green	Orange	Green	Blue	Green
Two or More Races	Orange	Green	Green	Orange	Blue	Green

Performance Level Color Code: Red (very low), Orange (low), Yellow (medium), Green (high), and Blue (very high)

Source: California Department of Education, 2019.

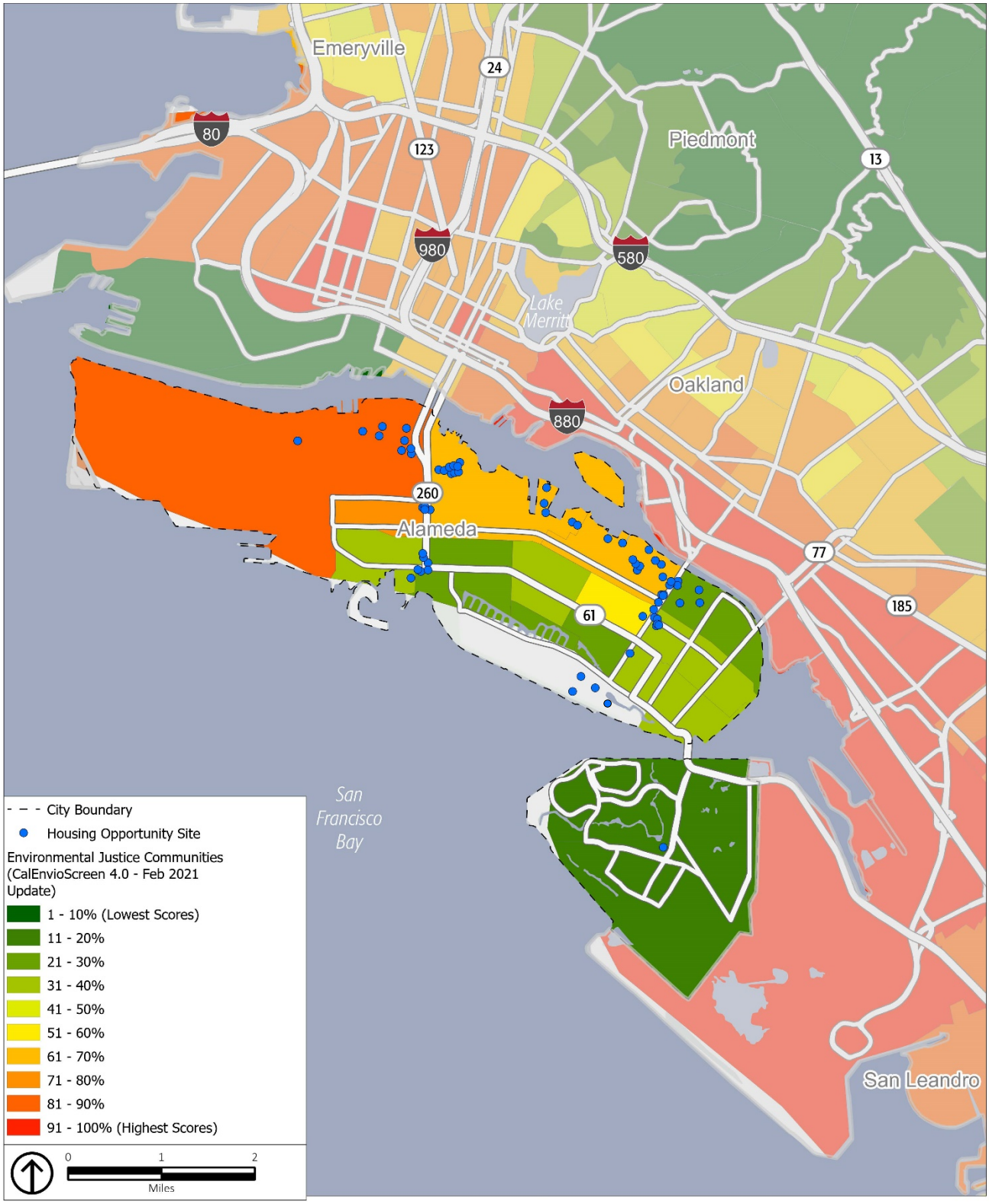
Environmental Health

A disadvantaged community or environmental justice community ("EJ Community") is identified by the California Environmental Protection Agency ("CalEPA") as "areas that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation," and may or may not have a concentration of low-income households, high unemployment rates, low homeownership rates, overpayment for housing, or other indicators of disproportionate housing need. In February 2021, the California Office for Environmental Health Hazard Assessment (COEHHA) released the fourth version of CalEnviroScreen, a tool that uses environmental, health, and socioeconomic indicators to map and compare community's environmental scores. In the CalEnviroScreen tool, communities that have a cumulative score in the 75th percentile or above (25 percent highest score census tracts) are those that have been designated disadvantaged communities under SB 535. The cumulative score for each census tract includes an exposure score, with a low score being a positive outcome, for each of the following:

- Ozone concentrations
- $PM_{2.5}$ concentrations
- Diesel particulate matter emissions
- Drinking water contaminants
- Children's lead risk from housing
- Use of certain high-hazard, high-volatility pesticides
- Toxic releases from facilities
- Traffic impacts

Communities that are identified as an EJ Community based on their cumulative pollution exposure score are targeted for investment through the State cap-and-trade program. However, the condition of these communities poses fair housing concerns due to disproportionate exposure to unhealthy living conditions. As shown in Figure D-11, there is one EJ Community in the City of Alameda.

FIGURE D-11 ENVIRONMENTAL HEALTH AND DISADVANTAGED COMMUNITIES



Source: California Environmental Protection Agency, CalEnviroScreen 4.0, 2021

City of Alameda

This community is on the west side of Alameda, west of Main Street (south of Ralph M Appezzato Memorial Parkway) and west of Webster Street (north of Ralph M Appezzato Memorial Parkway). This EJ Community falls into the 81st percentile overall, with eight indicators that exceed the 75th percentile score for pollution burden and population characteristics: diesel particulate matter, groundwater threats, hazardous waste, impaired waters, solid waste, low birth weight, and unemployment. While the remainder of Alameda is not considered "disadvantaged" by this definition, there is a stark contrast between the environmental conditions in the northern and eastern portions of Alameda. The northern portion of Alameda is bounded by Webster Street to the west, Lincoln Avenue to the south, and Park Street to the east and contains a higher pollution burden percentile score than a population characteristic percentile score, meaning that this area has more environment-related issues than population and socioeconomic conditions. Specifically, this area has high percentile scores (more than 90 percent) for cleanup sites, groundwater threats, hazardous waste, and impaired waters. These scores may be a result of former industrial operations and proximity to major highways. In comparison, the eastern portion of Alameda (east of Park Street) has scores that are below the 33rd percentile. The further east in the city, the lower the negative population characteristics and pollution percentile scores are, suggesting a correlation with heavy uses in northern and western Alameda. This pattern also exists in census tracts in the central and southern part of the island (south of Lincoln Avenue and bounded by Central Avenue and Park Street), which typically have lower pollution percentile scores and lower cumulative scores.

Across the Alameda Harbor in Oakland, there are EJ Communities along southbound Highway 880 with scores in the 90th percentile and above. West Oakland has EJ Communities scattered throughout the area, though their scores are not as high as along Highway 880. In contrast, Berkeley has only one EJ Community along University Avenue near Interstate 80. The spatial distribution and concentration of EJ Communities in Alameda, Berkeley, Oakland, the greater Bay Area, and the nation are likely caused by numerous factors, such as historical planning decisions that disrupted or harmed certain communities (i.e., the development of freeways through predominantly minority communities) and redlining, which resulted in disproportionate mortgage lending practices across the nation. In each of the communities, higher scores for both environmental pollution and negative population characteristics are found near areas with current and historical heavy industrial uses, freeway proximity, and other sources of pollution. As a result, some historical communities were more afflicted with pollution burden than others, a pattern that persists today in many lower-income communities. Thus, these communities, who may already struggle with housing costs, are more at risk of health issues too.

Disability Services

According to the California Department of Social Services (CDSS), Alameda has six license elderly assisted living facilities and five adult residential facilities. Senior housing options include Elders Inn on Webster (60 units), Golden Age Bayside (6 units), Golden Age of Sweet Road (8 units), Harvard Bay Assisted Living (6 units), Oakmont of Mariner Point (80 units), and Waters Edge Lodge (120 units). Adult Residential Facilities include An Alameda Home (4 beds), Alameda House (6 beds), Anya's Home (6 beds), Chelle's Home (4 beds), and Jade's Home (4 beds). Additionally, there are two licensed adult residential care facilities (3 units each) for adults with intellectual and development disabilities who also have medical, behavioral, or age-related support needs. However, as stated previously, stakeholders report that these facilities are insufficient to meet the demand for persons with disabilities.

In an effort to facilitate accessible housing for persons with disabilities, the City requires new developments to comply with Title 24 of the 2019 California Building Code to ensure that all new construction meets accessible design standards. Additionally, in 2017, the City adopted Universal Design standards for all new housing developments. Further, the City ensures that older housing that may not meet the same accessibility requirements can be adapted as needed through its reasonable accommodation process, discussed in the "Governmental Constraints" section of this Housing Element, and by promoting the availability of rehabilitation programs for eligible lower-income households (Program 17). However, as discussed previously, historical enforcement of Measure A combined with the cost of developing an accessible unit has resulted in a shortage of accessible housing options. In an effort to alleviate the constraints on the construction of this housing type, in 2012 the City adopted the Multi-family Residential Combining Zone, an overlay zone that supersedes Measure A and allows 30 dwelling units per acre. To further increase the supply of housing for seniors and persons with disabilities, the City has included Programs 2, 3, and 4, and program 10 to incentivize the construction of these units and Programs 12 and 13 to enforce compliance with reasonable accommodation requests by contracting a fair housing provider.

Disproportionate Housing Need and Displacement

Overcrowding

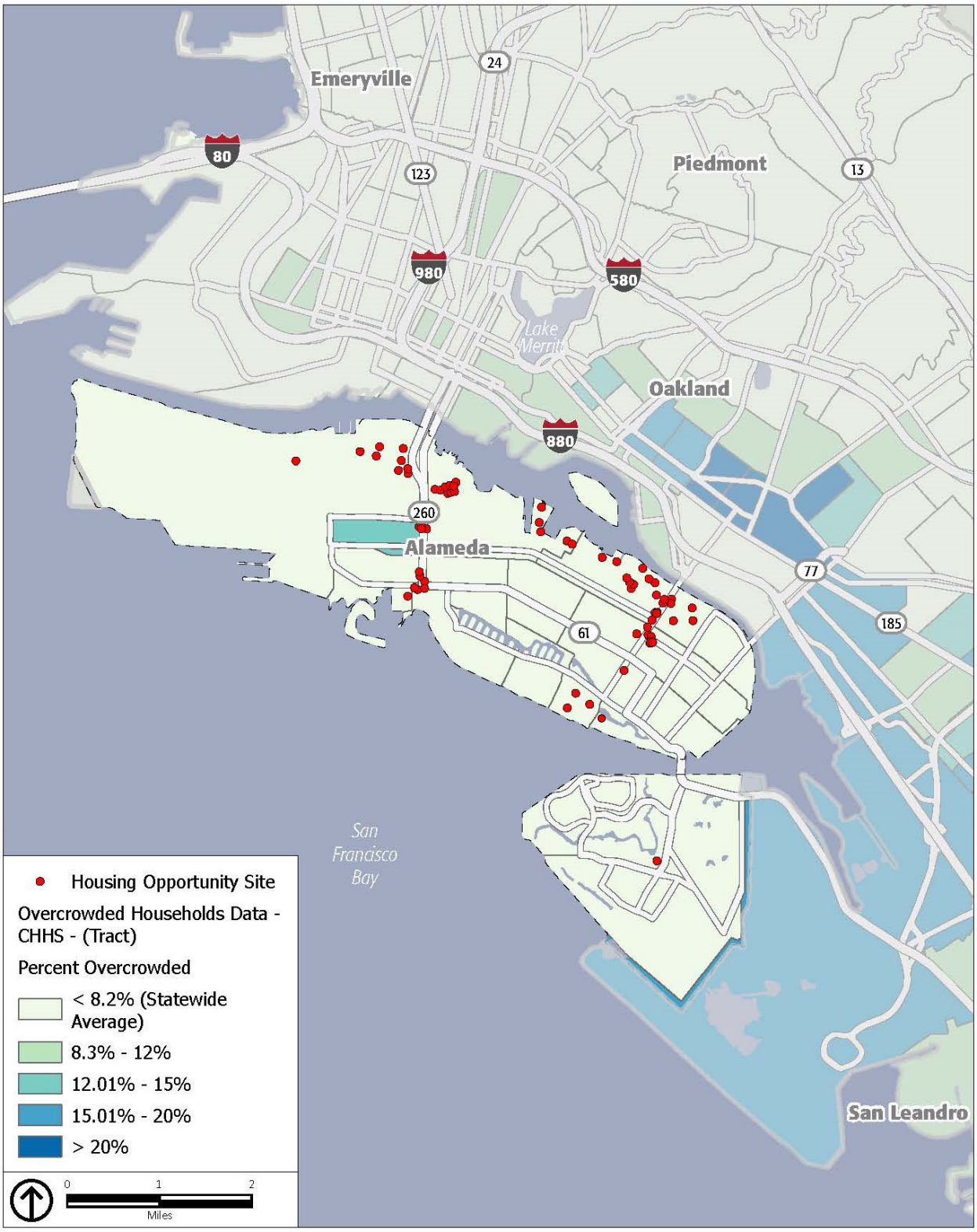
The U.S. Census Bureau defines an overcrowded household as a unit that is occupied by more than one person per room. High rates of overcrowding may indicate a fair housing issue resulting from situations such as two families or households occupying one unit to reduce housing costs (sometimes referred to as "doubling up"). Situations such as this may indicate a shortage of appropriately sized and affordable housing units.

As discussed in the "Housing Needs Assessment" chapter of this Housing Element, nearly 5 percent of all Alameda households are overcrowded. Overcrowded households may be a result of multiple factors, such as a lack of affordable housing stock or low vacancy rates. There is only one census tract in Alameda that has a higher rate of overcrowded residents (14.6 percent) than the State average (8.2 percent), as seen in Figure D-12. This tract contains Woodstock Park and is bounded by Main Street, CA 61-N, Ralph M. Appezzato Memorial Parkway, and Marshall Way. This neighborhood includes three multifamily apartment complexes, a large portion of the supply in the city, and has a poverty rate of 12.7 percent, which may indicate that lower-income households are occupying these units, which are typically smaller than a single-family home, resulting in the higher rate of overcrowding.

In contrast to the relatively low rate of overcrowding in Alameda, East Oakland households experience higher rates of overcrowding and severe overcrowding, and West Oakland and Berkeley households experience lower rates of overcrowding and even lower rates of severe overcrowding. Like Alameda, higher rates of overcrowding typically correspond with neighborhoods, blocks, or tracts with higher rates of poverty. In the ABAG region, overcrowding primarily occurs in dense, urban communities adjacent to the bay, and suburban communities have lower rates of overcrowding.

Overcrowding may not be an issue for most Alameda residents, but the negative experiences associated with living in an overcrowded household may have a strong negative impact on those living in such arrangements. In order to address the concentration of overcrowding in the Woodstock neighborhood, the City has identified Programs 1 and 3 to encourage construction of units in this area to reduce displacement though an expanded housing supply.

FIGURE D-12 PERCENT OF OVERCROWDED HOUSEHOLDS



Source: CHHS 2022

Substandard Housing

Housing condition presents another issue in Alameda that may increase displacement risk for residents. Approximately 87.7 percent of housing units in the city are older than 30 years. At this age, many units are in need of at least minor repairs, as discussed in the Housing Needs Assessment, but given the high median income and home values throughout Alameda, the City estimates that the rehabilitation need is less than a quarter of units.

Stakeholders did not identify housing condition as a concern in Alameda, citing housing supply rather than its condition. While rehabilitation need has not been identified in any concentrated areas in the city, rehabilitation assistance is more often needed in lower-income neighborhoods or where housing units are older. As most of the housing in Alameda is older than 30 years, if there is a concentrated need for rehabilitation assistance, rehabilitation need is more likely to be based off of income levels. Based on these assumptions, rehabilitation need may be greatest in west Alameda, including the Woodstock neighborhood. To support residents in instances where housing condition results in displacement risk due to safety concerns, the City will continue to provide funding for eligible households to improve their homes, complete tenant repairs, or modify units for seniors and persons with disabilities (Program 17). If a targeted area for rehabilitation is identified through code enforcement or other means, the City will promote the availability of rehabilitation programs through informational flyers, brochures, or mailers, advertised annually to residents of targeted areas.

In Alameda County and surrounding jurisdictions, the age of the housing stock is similar to the City of Alameda. For example, approximately 81 percent of the housing stock in Alameda County, 91 percent of the stock in Berkeley, and 86 percent of the stock in Oakland are all 30 years or older. Early development in the highly urbanized areas of the Bay Area support an older housing stock. In some areas of the region, however, there are higher rates of poverty or lower rates of homeownership, both of which may result in a greater need for rehabilitation of the housing stock. According to the 2019 Alameda County Analysis of Impediments, on average, residents of the City of Alameda were neutral when asked whether they perceived housing in their neighborhood as in poor condition or in need of repair. In contrast, residents of Hayward, Oakland, San Leandro, and Union City more strongly agreed with that statement. Residents of Berkeley, Livermore, and Pleasanton reported similar perception or disagreed with the statement. These patterns of perception of rehabilitation need reflect areas with higher median incomes in Alameda County, indicating that Alameda follows a similar trend as comparable communities.

The City receives complaints from residents and property owners across the City. The complaints are received from neighbors who may be witnessing work without permits or in a limited number of cases, the resident of the unit themselves. In the latter situation, it is often a tenant that feels that the landlord is not maintaining the unit in compliance with State and Local building codes. The City responds to all complaints by visiting the property to determine if work is being done without permits or if a health and safety code is being violated. Since adoption of the Rent Protection Ordinances in Alameda, the Code Enforcement department has seen an increase in complaints from tenants calling in potential violations. In most cases, the City has been able to work with the landlord to correct the deficiency, if a deficiency or violation is confirmed. In a few cases, such as a complaint about birds on the deck, the City has determined that no violation of the Building Code has occurred.

While code enforcement work is distributed across all parts of the City. Areas and neighborhoods with older housing stock, such as the northern waterfront and portions of west Alameda are the areas of the City where a majority of the rehabilitation work is being pursued in Alameda. Therefore, these are also

the areas where complaints of "work without permits" are more prevalent or where tenant complaints about substandard housing conditions are most common. As described in Program 17, the City is currently working to improve its marketing and outreach to these areas to expand the effectiveness of the City's rehabilitation and conservation programs to the areas and households that are most in need of these services.

Homelessness

In 2019, approximately 231 homeless persons were counted during a Point in Time (PIT) count in Alameda, approximately 2.9 percent of the total 8,022 homeless individuals counted in Alameda County. EveryOne Home, an Alameda County homeless service provider, conducts the PIT count to gain an understanding of the homeless population across the county. As part of this count, EveryOne Home also conducted a survey of 1,681 unsheltered and sheltered homeless individuals in the county and found the following statistics at the county level[16]:

- 63 percent of homeless people have been homeless for more than one year.
- The topmost cited reason for becoming homeless is loss of a job, followed by mental health issues, then substance abuse issues.
- 78 percent of homeless residents resided in a home in the county before becoming homeless; 57 percent of homeless residents have been in Alameda County for more than 10 years.
- 95 percent of families are sheltered, and 84 percent of single adults are unsheltered.

Reports gathered at community engagement meetings held by EveryOne Home suggest that the County's PIT may have undercounted by up to 40 percent due to a variety of factors such as the challenge of identifying unhoused individuals that live in vehicles or within nonresidential buildings/structures or those that are temporarily staying in a person's home. Persons experiencing homelessness or those at risk of becoming homeless are typically extremely low income and are often displaced from housing due to inability to pay or other issues.

The majority of the unsheltered population is located in West Alameda and on, or in the vicinity of, the former Naval Air Station lands at Alameda Point. The City's resources to serve the homeless population are also located primarily in West Alameda, and the City has been working with transit agencies and other organizations to increase services in West Alameda. The City's Community Development Department, which operates and coordinates the City's homeless programs, is located at Alameda Point in West Alameda. The City's Safe Parking Program, and several other services available to serve this population, are located at Alameda Point. Additionally, in 2022, AC Transit added an additional bus line connecting Alameda Point to the rest of Alameda for $2.25 to $2.50 for a single ride.

As stated in the Housing Needs Assessment, in 2021, the City adopted "The Road Home: A 5-Year Plan to Prevent and Respond to Homelessness in Alameda." This report found a 13 percent increase in the number of people living on the streets in the city between 2017 and 2019. Additionally, the report found that Black or African American individuals make up 41 percent of the homeless population but only 7

[16] Alameda, County of. 2020, January. "County of Alameda Regional Analysis of Impediments to Fair Housing Choice." Acgov.org. (pp. V-104 and V-105). https://www.acgov.org/cda/hcd/documents/FinalAI_Combined_1-10-19.pdf.

percent of the general population, indicating that a disproportionate number of Black or African American people in Alameda are homeless. The plan includes various goals, strategies, action steps, and metrics to address homelessness in Alameda. The Implementation Plan provides more detail and specificity for the strategies, including prioritization of the action steps. The following are the three goals in the Plan. More information on the plan can be found on the City's website.[17]

- Goal 1. Secure a Housing Future for All Alamedans.
- Goal 2. Increase Access to Homeless Emergency Response Services.
- Goal 3. Mobilize the Citywide Response to Homelessness.

The City will continue to implement the strategies identified in the *5-Year Plan* to address homelessness in Alameda (Program 11 and 22).

Cost Burden

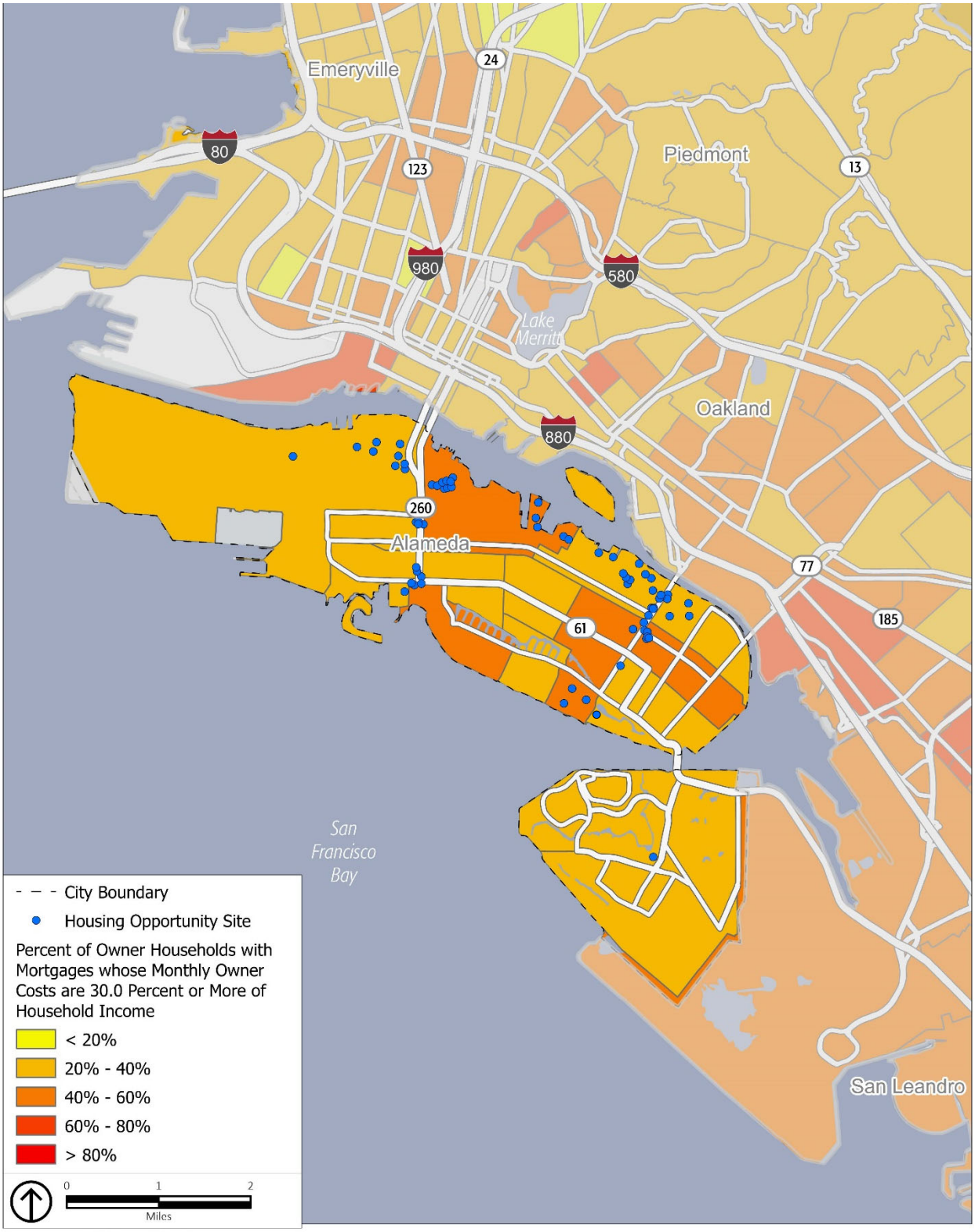
A household is considered cost burdened when it spends more than 30 percent but less than 50 percent of its income on housing costs. A severely cost burdened household is one whose housing costs exceed 50 percent of its income. In Alameda, approximately 22 percent of renters and 18 percent of owners are cost burdened, and 19 percent of renters and 10 percent of owners are severely cost burdened according to the 2015-2019 ACS. White and Asian Alameda residents report the lowest rate of cost burden among all racial groups, at 18 and 17 percent, respectively. In comparison, "Other Race" or "Multiple Races, Non-Hispanic" residents experience the highest rate of cost burden at 39 percent, and Asian and Pacific Islander and Hispanic or Latinx residents experience the highest rate of severe cost burden at 16 percent each. The contrast between Asian and Pacific Islander Alameda residents having the lowest percentage of cost burden but one of the highest rates of severe cost burden may be a result of possible income disparities among Asian and Pacific Islander Alameda residents. Generally, minority households in the city experience higher rates of cost burden than White and Asian households, and renters experience higher rates overall than owners.

Overpayment for housing is a chronic problem across the city and the region. As shown in Figures D-13 and D-14, renters and owners throughout the Bay Area are burdened by high housing costs, with the greatest burden among renters in dense, urban areas. In line with this trend, renters in Alameda experience much higher rates of overpayment and owner overpayment is primarily concentrated, though not exclusively, in the Marina Village, Robert Crown Memorial State Beach, South Shore Center, and Lincoln Park-Harrison Center areas.

In order to alleviate some of the pressures of rising housing costs, the City has identified several programs to incentivize and facilitate the development and preservation of additional housing units, encourage a variety of housing types to meet a range of income needs, and provide assistance to lower-income households to find and secure housing (see Table D-3).

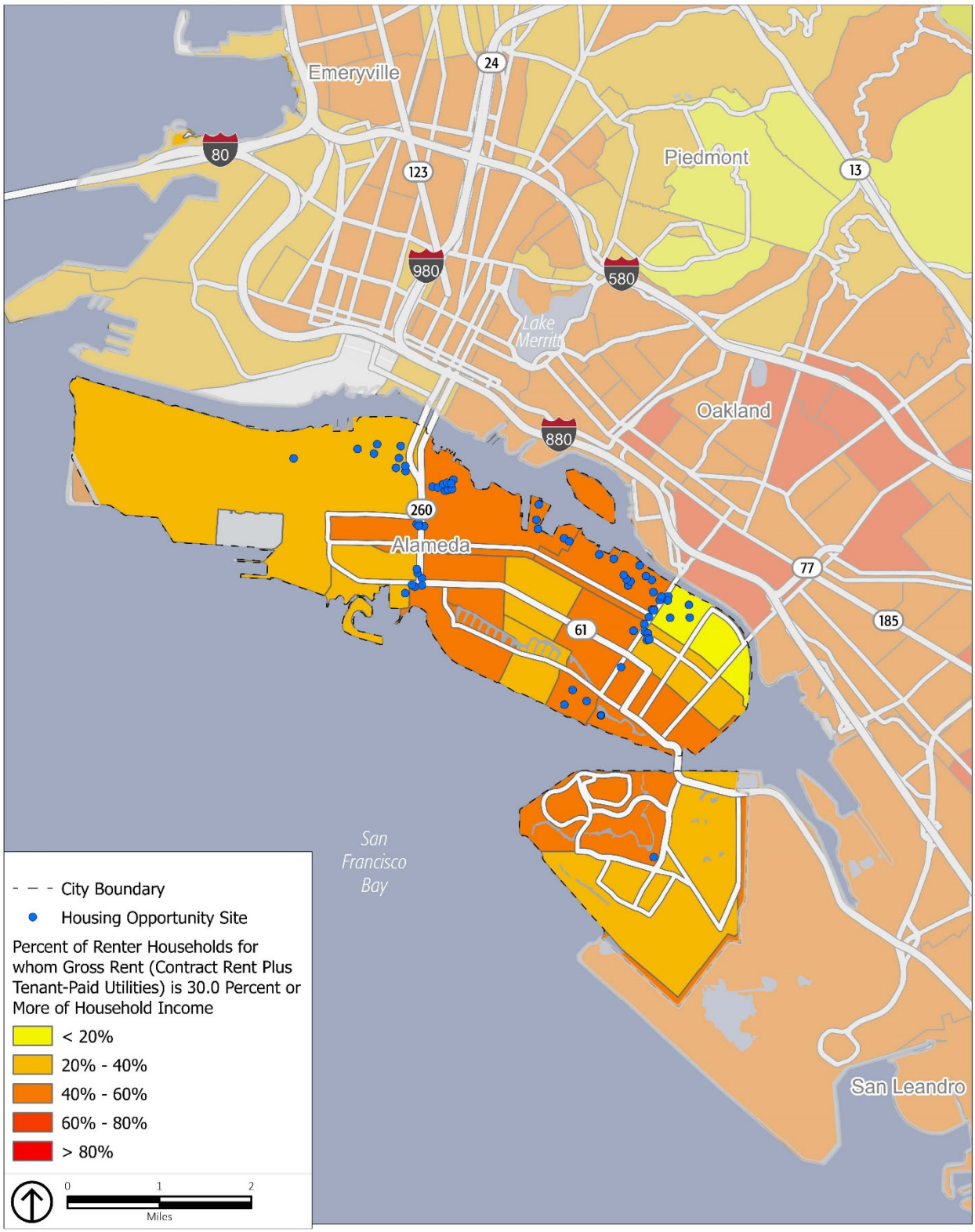
[17] Alameda, City of. 2021, October. "The Road Home: A Five-Year Strategic Plan to Prevent and Respond to Homelessness in Alameda." Alamedaca.gov. https://www.alamedaca.gov/files/assets/public/departments/alameda/econ-dev-amp-comm-services/the-road-home-plan-adopted.pdf.

FIGURE D-13 RATE OF HOMEOWNERS OVERPAYING FOR HOUSING



Source: 2015-2019 ACS

FIGURE D-14 RATE OF RENTERS OVERPAYING FOR HOUSING



Source: 2015-2019 ACS

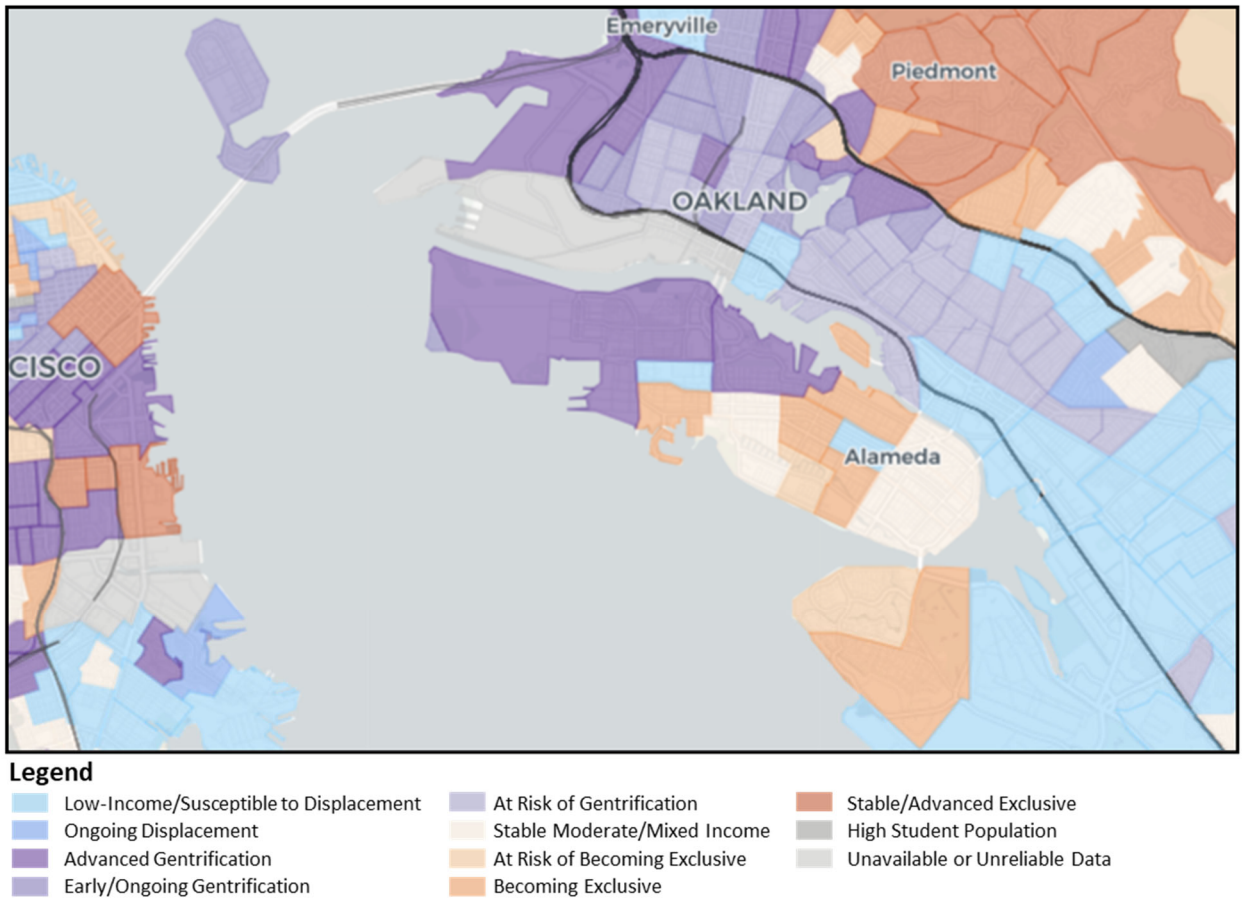
Displacement Risk

A combination of factors can result in increased displacement risk, particularly for lower-income households. These factors include those listed above, as well as vacancy rates, availability of a variety of housing options, and increasing housing prices compared to wage increases. The Urban Displacement Project, a joint research and action initiative of the University of California Berkeley and the University of Toronto, analyzes income patterns and housing availability to determine the gentrification displacement risk at the census tract level. Six displacement typologies exist in the City of Alameda:

- **Advanced Gentrification:** These tracts have housing affordable to middle- and high-income households and have experienced a marginal or rapid increase in housing costs resulting in gentrification.
- **Low-Income/Susceptible to Displacement:** These tracts are predominantly low- or mixed-income, susceptible to changes if housing prices increase.
- **Stable Moderate/Mixed Income:** These tracts are predominantly occupied by moderate-, mixed-moderate, mixed-high, or high-income households.
- **At Risk of Becoming Exclusive:** These tracts are also predominantly occupied by moderate, mixed, or high-income households, with housing affordable to middle- to high-income households but ongoing increases in prices.
- **Becoming Exclusive:** These tracts are also predominantly occupied by moderate, mixed, or high-income households and have seen rapidly increasing housing costs, an increasing median income, a declining in-migration rate, and a loss of lower-income households.
- **Stable/Advanced Exclusive:** These are high-income tracts with housing only affordable to high-income households, and marginal or rapid increases in housing costs.

According to the Urban Displacement Project, west Alameda has seen “Advanced Gentrification” and east Alameda is largely designated as “Becoming Exclusive” or “At Risk of Becoming Exclusive.” This pattern is representative of several indicators analyzed in this assessment, including a larger proportion of low- to moderate-income households in west Alameda than east Alameda. However, the dramatic increases in home and rental prices have impacted residents throughout Alameda, resulting in displacement of lower-income households, as noted by stakeholders and members of the public. The City has included Program 1 to manage the development of Alameda Point in west Alameda to support high density development and reduce impacts of gentrification.

Figure D-15 Displacement and Gentrification Patterns in Alameda



Source: UC Berkeley, 2021

The annual rate of increase in average home value or rental prices compared with annual changes in the average income in the city may also indicates an increased risk of displacement due to housing costs outpacing wage increase, a trend that exists throughout the region, state, and nation. According to the Zillow Home Value Index (ZHVI), Alameda home values have more than doubled between 2010 and 2020. Bay Area and Alameda County home values have followed suit, though to a slightly lesser extent. During this period, the average annual change for home values in the City of Alameda was approximately 8 percent per year until 2020. Peak periods of percentage change include 2011-2012, 2012-2013, and 2014-2015 at respectively, 20 percent, 24 percent, and 14 percent. While housing costs have increased rapidly, wages have not kept pace. The average income in Alameda has increased approximately 4 percent annually, from $74,221 in 2010 to $104,756 in 2019 according to the ACS. The difference in these trends indicates growing unaffordability of home ownership in Alameda. To address affordability challenges, Alameda will support home ownership opportunities for residents in Alameda through first-time homebuyer assistance and developing a program to assist lower-income residents with locating affordable housing opportunities (Programs 8 and 16).

The average annual increase for median contract rents in Alameda has also increased steadily, though not as substantially as median home value. Across a period of 10 years, from 2009 to 2019, median rent increased from $1,170 to $1,756, resulting in a 167-percent increase with an average 4-percent annual increase each year, approximately matching the average annual wage increase. The City of Alameda and

the Bay Area's percentage annual change both stayed at approximately 4 percent, while Alameda County averaged a 5-percent annual increase. The Bay Area's median rent increased from $1,196 to $1,849 for this period, while Alameda County's median rent increased from $1,083 to $1,692 in this period. This indicates that rents and median household income have grown at a proportional rate across the city and region. In an effort to mitigate rising rents in Alameda, the City adopted Ordinance 3148 in 2016 to implement a procedure to review rent increases, stabilize rent increases above 5 percent, limit the grounds for which landlords may terminate tenancies, and require landlords pay relocation fees when terminating a tenancy for certain reasons ("no cause" tenancy terminations). In 2019, the ordinance was amended to eliminate "no cause" as a grounds for termination. The City has continued to monitor the effectiveness of the Rent Program and resolve ambiguities or other issues as needed, including establishing the maximum allowable rents and increases as a Base Rent established by the City and a 2.8 percent annual adjustment. The annual adjustment may only be applied if the landlord has complied with the requirements of the Rent Program throughout the year. Tenants, and landlords, may petition the city for an upward or downward adjustment. Petitions will be scheduled for a hearing by the Hearing Officer within 30 days. The Rent Program provides a mechanism for the City to combat displacement risk associated with rising rents and an avenue for tenants and landlords to hold the other accountable.

Displacement risk increases when a household is paying more for housing than their income can support, their housing condition is unstable or unsafe, or when the household is overcrowded. Each of these presents barriers to stable housing for the occupants. In Alameda, overpayment has been pervasive and is not necessarily linked to areas with a lower median income. However, as discussed in the Patterns of Integration and Segregation analysis, many populations that were historically present in Alameda have left in recent decades, particularly Black Alamedans, likely due to rapidly increasing housing costs. The City has included several programs to increase the supply of affordable housing by providing assistance with acquisition, rehabilitation, and construction; providing technical assistance, streamlining, and other incentives; and working with affordable housing providers to preserve units (see Table D-3).

Enforcement and Outreach Capacity

Fair Housing laws, at the federal, state, and local level, identify characteristics protected from housing discrimination, called "protected classes." These protected classes in California include race, color, national origin, religion, sex, familial status, disability, and more. Alameda enforces and complies with fair housing laws and regulation through a multilateral process: regular review of City policies and programs for impediments to fair housing choice and compliance with State and federal law and by referring fair housing complaints to appropriate agencies. Alameda residents are served by multiple fair housing service providers, including Eden Council for Hope and Opportunity (ECHO) Housing and Centro Legal de la Raza at the local level. ECHO provides housing counseling services, tenant/landlord services, conducts fair housing investigations, and operates periodic fair housing audits throughout Alameda County, Contra Costa County, and Monterey County, including unincorporated areas. Additionally, ECHO provides counseling and assistance for first-time homebuyers and lower-income households seeking housing. Centro Legal De La Raza provides similar fair housing services (i.e., immigrants' rights, tenant rights, workers' rights, litigation, and a youth law academy). Centro Legal De La Raza receives issues from tenants with problems with landlords entering with legal entry, and other housing-related issues.

In addition, the City demonstrates compliance or intention to comply with fair housing laws through the following:

- The City demonstrates compliance with Density Bonus Law (Gov. Code, Section65915) through its density bonus ordinance, which currently allows for an increase of 35 percent over the maximum allowable residential density. Assembly Bills 2753, 2372, 1763, 1227, and 2345 were passed in 2018, 2019, and 2020 and revised density bonus law to provide additional benefits for qualifying projects. The City has included Program 21 to update the density bonus ordinance to be consistent with recent State law.
- The City intends to comply with No-Net-Loss (Gov. Code, Section65863) through identifying a surplus of sites available to meet the County's RHNA allocation. In total, the City's surplus unit capacity is 1,071, composed of 455 lower-income units, 29 moderate-income units, and 587 above moderate-income units.
- The City complies with the Housing Accountability Act (Gov. Code, Section 65589.5) by allowing emergency shelters by right in the Intermediate Industrial (Manufacturing) District (M-1) and the General Industrial (Manufacturing) District (M-2).
- The City will comply with SB 35 (Gov. Code Section65913.4) by maintaining a written policy or procedure, as well as other guidance as appropriate, to streamline the approval process and standards for eligible projects by 2022 (Program 22).
- The City complies with SB 330 (Gov. Code Section 65589.5), relying on regulations set forth in the law for processing preliminary application for housing development projects, conducting no more than five hearings for housing projects that comply with objective general plan and development standards, and making a decision on a residential project within 90 days after certification of an environmental impact report, or 60 days after adoption of a mitigated negative declaration or an environmental report for an affordable housing project.

In addition to compliance with these laws, a fair housing provider remarked during the consultation process that Alameda's rent petition program is a useful tool to empower tenants to advocate for themselves. The petition program is a two-way tool that can be used by both the tenant and landlord. Tenants may submit a petition to lower their rent if there has been a reduction in housing services, living space, or amenities (e.g., disservice elevators, laundry rooms, garages, etc.), as well as unmet maintenance code requests. Landlords may submit a petition to increase rent beyond the cap allowed by the City's rental protection law if they are able to prove that the increase is necessary to provide a fair rate of return. Both requests are taken to court, where housing officials may approve or deny a petition. The results of these proceedings are legally binding. Though a relatively new program, 40 petitions have filed for rent adjustment since its inception during the 2020-2021 fiscal year. Of these petitions, 5 resulted in downward rent adjustment, 4 were denied, 3 withdrawn, and 23 petitions were deemed incomplete pending action by petition party. At the time of this writing, the remaining 5 were still active petitions awaiting scheduling for a hearing.

Housing Discrimination Cases

The City of Alameda and the surrounding region is home to multiple private fair housing organizations, including Fair Housing Advocates of Northern California (formerly Fair Housing of Marin), ECHO Fair Housing, and Bay Area Legal Aid. ECHO performs site investigations in response to housing discrimination complaints. It receives funding from local cities and counties, HUD, and private donors. ECHO currently suffers from a severe lack of resources; it has just one fair housing counselor for the entire County.

Similarly, Bay Area Legal Aid does not have the funding to provide services for people facing housing discrimination, which further burdens groups like ECHO that are providing such services.

In their *2020 Annual Report,* the California Department of Fair Employment and Housing (DFEH) reported that they received 42 housing complaints from residents of Alameda County, nearly 5 percent of the total number of cases in the state that year (880). As part of the Fair Housing Assistance Program (FHAP), some DFEH housing cases are dual-filed with HUD's Region IX Office of Fair Housing and Equal Opportunity (FHEO). HUD FHEO reported that 27 cases were filed against housing providers in the City of Alameda between January 1, 2013, and March 24, 2021. Of these 27 cases, 17 resulted in a no-cause determination, 6 were closed through successful conciliation or settlement, and 3 were closed either because the complainant withdrew the case or was unable or unwilling to work with HUD. Of these cases, HUD identified that 7 were filed against public entities such as the city or a public housing authority. These resulted in 2 no cause determinations and 5 successful settlements. In total, 18 cases alleged discrimination based on disability, 3 alleged discrimination based on national origin, 3 alleged discrimination based on familial status, 2 alleged discrimination based on sex, 2 alleged discrimination based on religion, 2 alleged discrimination based on retaliation, and 1 alleged discrimination based on race. Of the 27 cases, 6 alleged discrimination on more than one protected class, resulting in more alleged bases than total number of individual cases. In addition to these cases, 30 inquiries about discrimination were sent to HUD to determine whether a case would be valid. Of these inquiries, 18 were not closed as the claimant failed to respond to HUD follow up, 10 resulted in determinations of no valid basis or issue, 1 was determined to meet a disposition other than housing discrimination, and 1 was not filed within the allowable time frame. Nine of these inquiries were regarding a public entity.

As a result of a lack of specific origin data for the cases filed at each fair housing organization or agency, the City was unable to conduct a spatial analysis of fair housing cases to identify any patterns or concentrations of fair housing issues in the city. However, at an average of approximately 3 housing discrimination cases per year with 67 percent alleging disability discrimination, there are notable fair housing issues in Alameda. Additionally, 26 percent of cases were made against public entities, with most of these requiring conciliation or settlement. This indicates a need for greater fair-housing education and enforcement in the City of Alameda. Therefore, the City will contract with a fair-housing provider to provide education and enforcement on fair housing laws for landlords and property managers, including public housing providers, and to provide greater support to tenants in need (Program 13). Additionally, the City will contract the fair housing to provide regular audits of housing providers, such as testing for discriminatory behavior against applications. These trainings and audits will be conducted annually for 4 years, at which time the City will meet with local fair housing providers to assess whether there has been a decrease in discrimination cases to determine effectiveness of these actions and identify new strategies, if needed (Program 13).

Other Relevant Factors

Historic Segregation Patterns

Alameda has a disproportionately low percentage of non-Asian people of color compared to the county. This may have been the result of national redlining policies in the 1930s, which – though legal at the time – restricted home ownership opportunities for non-White residents and covertly discriminated against people of color. The following history provides some context and acknowledgement of discrimination in the past to recognize that Alameda must continue to affirmatively advance equity in housing

opportunities to all persons, so that all are offered the opportunity to live in and benefit from the high level of resources and quality of life available in the City of Alameda regardless of socioeconomic status or racial or ethnic identity. The basis for this analysis is the research of a Black Alamedan, Rasheed Shabazz, conducted for his thesis at the University of California, Berkeley: *ALAMEDA IS OUR HOME: African American and the Struggle for Housing in Alameda, California, 1860 – Present*. Rasheed shared his research and publications with the City of Alameda to aid efforts to affirmatively further fair housing.

Redlining and Racially Restrictive Covenants

In the 1920s, the Fernside subdivision in Alameda went on sale and capitalized on the desire of White Alamedan residents to have an exclusive, suburban neighborhood of single-family homes. The development enforced racially restrictive covenants, perpetuating patterns of segregation in Alameda. In Alameda, the covenants were enforced by the Fernside Homeowners' Association (Fernside HOA), which only permitted Caucasian residents to purchase homes in the neighborhood.[18] The "Fernside Pact" restricted people of color from living in the neighborhood unless working in a position subservient to a Caucasian resident. This covenant lasted for over 45 years and was eventually eliminated in 1968 due to the Supreme Court case Shelley v. Kraemer and Fair Housing Act. However, the long-lasting effects of the racially restrictive covenants in Alameda meant that non-White residents faced barriers to building generational wealth through homeownership.

In addition to practices such as this, between 1935 and 1940, the federal government's Home Owners' Loan Corporation (HOLC) used data and evaluation by local real estate professionals – lenders, developers, and real estate appraisers – in each city, to assign grades to residential neighborhoods that reflected their perceived "mortgage security" that was visualized on color-coded maps. Neighborhoods receiving the highest grade of "A"—colored green on the maps—were deemed minimal risks for banks and other mortgage lenders when they were determining who should receive loans and which areas in the city were safe investments. These neighborhoods correlated with predominantly White areas. Those receiving the lowest grade of "D," colored red, were considered "hazardous," and corresponded with neighborhoods that were predominantly Black, Hispanic, or other non-White racial and ethnic groups.[19] In relation to Alameda, the maps identified the entire northern waterfront as "hazardous," resulting in a "D" rating mortgage security in this area. For reference, the redlined area shown in Figure D-15 is a neighborhood that, today, is close to transit, shopping, schools with predominantly single-family residential zoning except near business districts. However, during the 1930s when redlining occurred, the area was near the harbor and contained old housing stock. Redlining practices described this area as dominated by the "infiltration" of "lower classes." This demonstrates the type of language and policy that perpetuated patterns of segregation throughout the nation. Redlined areas in Alameda were typically made up of an older, denser housing stock. Paired with redlining restrictions, there were few areas within Alameda that

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[18] James, L. Reginald. 2013, August 1st. (accessed 2021, December 8). Alameda is our Home. African Americans and the Struggled for Housing in Alameda, California, 1860-Present. Pp. 49-50. https://escholarship.org/content/qt7pp2q0gh/qt7pp2q0gh_noSplash_4f819c0efba9f9b3368e11c444ae71cc.pdf?t=ooaq0u

[19] Richmond, University of. (Accessed 2021, December 8). Mapping Inequality. Redlining in New Deal America. Dsl.richmond.edu/panorama/redlining. https://dsl.richmond.edu/panorama/redlining/#loc=5/39.1/-94.58

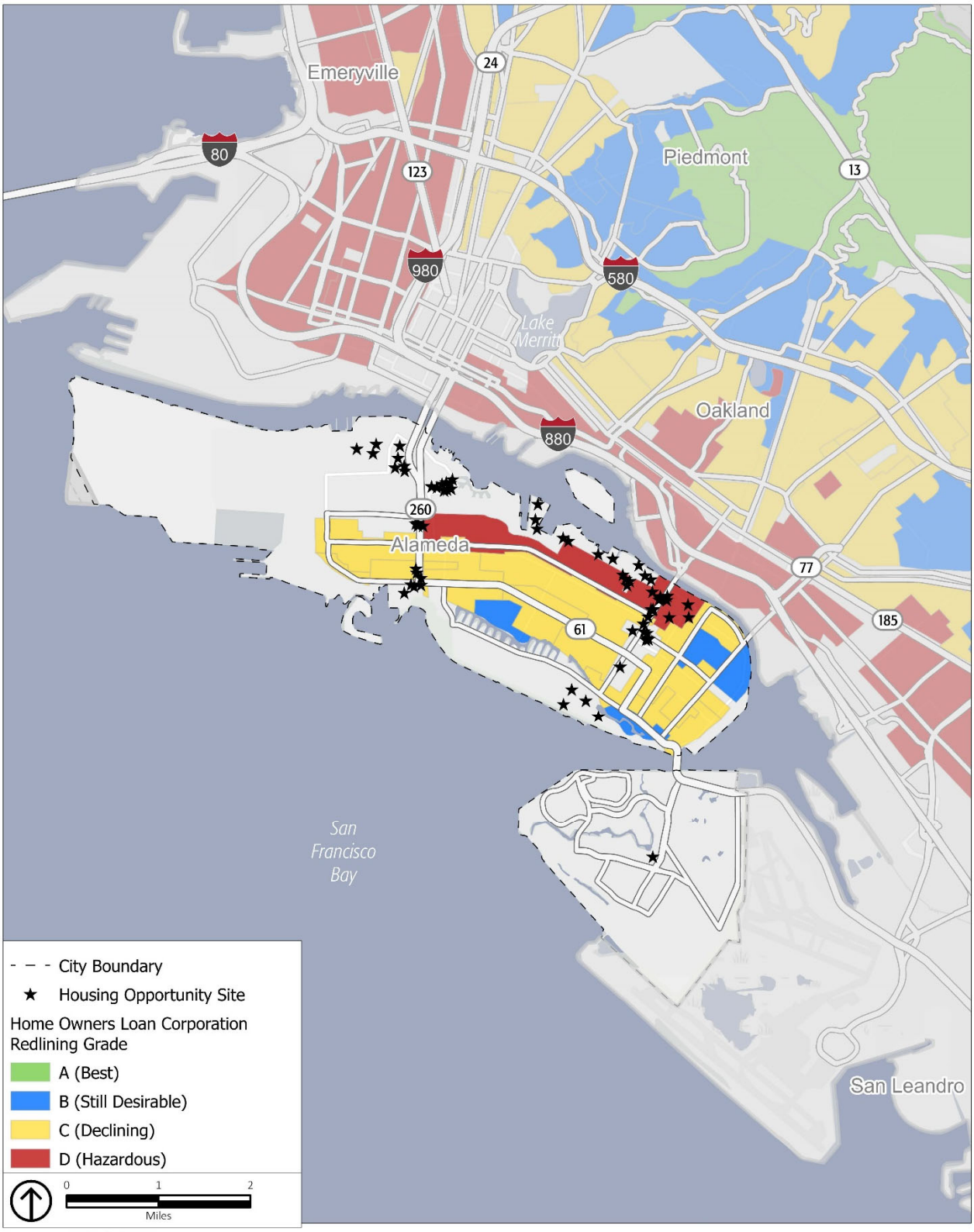
non-White residents could purchase a home during this time. While this practice existed throughout the nation, it shaped patterns that persisted for decades in Alameda.

Simultaneously with the redlining era, Alameda became known as a Navy town after the U.S. Government was deeded 100-acre Navy Base called Benton Field, later known as Naval Air Station Alameda, and another deed of 929 acres of tideland and submerged land in 1935.[20] During World War II, many Black residents came from the south to work on the Navy base. In 1940, there were just 249 Black people in the City of Alameda; however, by 1944, this population had grown to 6,914, according to the U.S. Census. This was an increase from 0.7 percent of the total population to 7.7 percent of the population. The total City population rapidly increased from 36,256 to 89,906 during this period. However, many of Black and African American residents were concentrated in the Navy housing projects owned by the federal government. While many residents would have liked to move out of the "projects," policies, and institutions such as racially restrictive covenants, racialized zoning, and national redlining policies worked in tandem to restrict the housing options for Black residents and other People of Color. While the Black and African American population in Alameda has increased to 8.3 percent of the total population in 2019 according to the ACS, these historic policies may have resulted in the racial and ethnic patterns discussed in Section 5.1.24, Patterns of Integration and Segregation.

Racially restrictive covenants, paired with redlining, restricted where non-White populations were able to secure housing in Alameda until the mid-1900s.

[20] https://alamedamuseum.org/news-and-resources/history/

FIGURE D-15 HISTORICALLY REDLINED NEIGHBORHOOD MAP OF ALAMEDA



Source: Home Owners' Loan Corporation, 1935-1940

Measure A

In 1973, Alameda voters enacted Measure A to amend the City Charter to prohibit the construction of multifamily housing in the city and limit density citywide to one housing unit per 2,000 square feet of land. The only exception to this was that the Alameda Housing Authority replace existing low-cost housing units and a senior center at the time. The implementation of this law perpetuated inequalities that had formed during the redlining era by preventing the construction of new multifamily housing that is more often affordable to lower-income households than single-family development. According to Shabazz, prior to World War II, the majority of African Americans in Alameda were homeowners; however, as public housing became more prevalent following World War II, policies in Alameda, such as Measure A and racially restrictive covenants posed by HOAs and some housing providers, limited both the construction of new multifamily units and the availability of housing for the non-White population. The combination of these practices resulted in a shift from predominantly homeownership to renting for Black and African Americans. While the number of Black and African American homeowners has continued to rise in recent decades, it has been outpaced by the rate of increase among Black and African American renters in Alameda. Between 1970 and 1990, the number of Black homeowners increased from 54 to 173 residents, a 220-percent increase; however, during this same period, the number of Black renters increased from 304 to 1,252 residents, a 400-percent increase. In 1970, approximately 17.5 percent of Black residents in Alameda were homeowners; however, by 1990, this had dropped to 12.1 percent of Black residents. This indicated that while the total population had increased, they were disproportionately renters. For reference, approximately 90.3 percent (or 64,093) of Alameda residents were White in 1970. Of the White residents, approximately 61.4 percent were renters and 38.5 percent were homeowners in Alameda. The percent of White Alameda homeowners increased to 48.2 in 1990.

Black and African American tenure in Alameda has historically been predominantly linked to rental housing. Measure A directly limited the amount of multifamily housing in the city, therefore limiting a vital supply of housing for renters. An analysis of the demographic changes in Alameda after Measure A demonstrates what scholar Rolf Pendall called the "chain of exclusion." Exclusionary zoning reduces housing stock by excluding multifamily housing, and thus raising the proportion of single-family detached dwellings. This all reduces affordability and indirectly excludes low-income families, including people of color.

Throughout Alameda's history, Measure A has been the subject of multiple lawsuits related to discriminatory housing policy. In 1964 and 1965, the Gersten Company built the Buena Vista Park Apartments in Alameda with a subsidized federal loan, which required the Gersten Company to maintain units at below market rates for 20 years or until the company could pay off the loan. In 1987, Gersten paid off the loans and announced plans to double the rental price. At the time, Buena Vista Park Apartments was predominantly occupied by African American residents. The tenants protested and appealed to the City, to which the City responded with providing Section 8 vouchers to all but 325 families, who did not qualify for vouchers. Following this, the tenants, with assistance from housing advocates, sued the City on the basis that their housing policy was discriminatory. The suit targeted Measure A due of its direct impact on the stock of affordable housing. The settlement to this case included requiring the City to replace the 325 units, but did not overturn Measure A.[21]

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[21] Shabazz, Rasheed. 2018, May 23. "Wall Street Comes to Alameda." EastBayExpress.com. https://eastbayexpress.com/wall-street-comes-to-alameda-2-1/

In 2011, housing advocacy groups, such as Renewed Hope, felt that Measure A placed a barrier on affordable housing development and pursued legal action against the City for the lack of a Housing Element.[22] Changes in State law during that time and the precedence of potential lawsuits against the City of Pleasanton applied pressure to the City to certify a Housing Element.[23] As part of the certification process for a Housing Element, the City identified sites across Alameda to meet their RHNA. Often, multifamily housing is associated with lower-income households, but its development at the time was prohibited by Measure A. As a result, the City adopted the Multifamily Residential Combining Zone as an overlay district intended for lands in Alameda that are well located for transit-oriented multifamily housing at a density of up to 30 dwelling units per acre, superseding Measure A and ensuring compliance with State requirements. In 2021, the City Council voted to put repealing Measure A on the ballot in an effort to remove this language from the City's charter. While voters voted to retain Measure A, the City is proceeding with increasing the allowed density in large areas of the city to a point where only multifamily will be permitted, thus making Measure A unenforceable and ensuring both affordable and market-rate affordable housing can be built in the city moving forward. While Measure A has shaped the history of housing development in Alameda, these recent steps aim to combat those patterns and affirmatively further fair housing by facilitating a variety of housing types.

Military Influence on Development

In 1936, the U.S. Government purchased Alameda Point for $1.00 as the location of a new naval base. At the time of purchase, the site was approximately 300 acres of Alameda Point, but grew to encompass more than 2,500 acres by the time of its closure in 1997, accounting for approximately one-third of the entire island of Alameda. Naval Air Station Alameda included an airfield, aircraft carrier docks, and manufacturing facilities and served as a major employment hub, employee thousands of locals.

The construction of Naval Air Station Alameda shaped the future of west Alameda and employment opportunities in the city. Housing and commercial uses in west Alameda were built to cater to the naval base, the airmen, and personnel, such as smaller housing units and more industrial areas, while east Alameda became home to more single-family development and was predominantly residential. Upon its closure in April 1997, one-third of Alameda's land was left underutilized and many residents were left without jobs. Alameda Point became one of the largest areas for redevelopment left remaining in the Bay Area.

In 2013, nearly 1,400 acres of the former air station were transferred from the U.S. Navy to the City of Alameda, spurring the beginning of the Alameda Point development plans, as described below.

Investment Patterns

INVESTMENT IN ALAMEDA POINT

As described throughout this assessment, the area with the greatest need for investment and revitalization is Alameda Point, in west Alameda. Once home to Naval Air Station Alameda, Alameda Point

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[22] Advocates, Public. 2022, January 5 (accessed). "Alameda Ends 39-Year Ban on Apartment Buildings." Public Housing Advocates.org. https://www.publicadvocates.org/our-work/housing-justice/affordable-housing/alameda-housing-element-compliance/

[23] Renewed Hope Housing. 2017, July 17. 2021, December 21 (accessed). "Housing Element Victory." Renewedhopehousing.org. http://renewedhopehousing.org/category/history/

is one of the best opportunities for large-scale development to create a strong employment and commercial base with a mix of commercial, residential, open space, recreational, and retail uses. Revitalization and development of Alameda Point to invest in the community includes:

- Main Street Neighborhood Plan (MSN): Fulfills the General Plan policy objectives for a transit-oriented mixed-use, mixed income neighborhood with diverse housing options, parks and open spaces, neighborhood serving businesses and transitional commercial uses. The MSN Plan implements the vision through a variety of regulations, standards, and guidelines for both public improvements and private investment.
- Rebuilding the Existing Supportive Housing (RESHAP): In 2018, City Council approved Development Agreement for a new 9.7-acre supportive housing development and community to provide housing for formerly homeless households and to ensure the existing supporting housing accommodations are rebuilt into a new cohesive community and well-integrated with the rest of Alameda Point and Alameda in general. RESHAP will include the replacement of 200 units of low- and very low-income housing and construction of 67 new low- and very low-income units, as well as 40,000 square feet of community-serving programming and office space.
- West Midway Project: Consisting of 22.8 acres within the Main Street Neighborhood sub-district, the West Midway Project focuses on transit-oriented mixed-use, mixed-income development with a range of housing options and commercial uses.
- Seaplane Lagoon Ferry Terminal: In an effort to improve transit access in Alameda, the new Seaplane Lagoon ferry serves as a transit hub at the heart of Alameda Point, providing direct transit to San Francisco.

CITYWIDE INVESTMENT

Investment can be for routine maintenance of public infrastructure, such as roadways, as well as larger projects that address public need, such as parks and recreation facilities, office buildings, and more. The City of Alameda has a “fix it first” approach, meaning that proper maintenance of existing infrastructure is prioritized above requests for new infrastructure. The intent of this approach is to ensure that existing neighborhoods are not neglected as new projects come forward. Recent and ongoing projects that invest in the community include:

- Jean Sweeney Open Space Park: A new park was constructed in north Alameda in an area of increased poverty rates along Atlantic Avenue between Sherman Street and Constitution Way. The park includes a playground, picnic sites, and walking paths. This park provides a recreational opportunity and open space between residential uses south of Atlantic Street and commercial uses to the north.
- Cross Alameda Trail: During the 2017-2019 period, the City constructed 2 miles of the Cross Alameda Trail. This trail will extend between Main Street and Constitution Way as part of a planned 4-mile cross-town, low-stress bicycling and walking corridor that will connect the west side of the island to the east, from the Seaplane Lagoon at Alameda Point to the Miller-Sweeney (Fruitvale) Bridge.
- Sidewalk Repairs: Repairs to over 10 miles of sidewalk, removing thousands of trip hazards, throughout the city. Repairs include cutting and leveling existing sidewalks to improve pedestrian safety and provide increased walkability between destinations.

These efforts are in addition to projects funded outside of capital improvement projects, such as funding for the Midway Shelter discussed previously. These projects, among others, improve connections

between neighborhoods, to necessary services, and improve environmental health through reduced reliance on vehicular transportation and improved Ped striation and recreational facilities. The City will continue public investment throughout the city, and will encourage the same from private investment, so all residents have access to improved transportation, safer streets, additional recreational amenities, and other outcomes of public and private investment. In instances where infrastructure improvements are required to support housing and residents without vehicles, the City will ensure these projects are included in the City's Capital Improvement Plan (Program 5-1).

Sites Inventory Analysis

The location of housing in relation to resources and opportunities is integral to addressing disparities in housing needs and opportunity and to fostering inclusive communities where all residents have access to opportunity. This is particularly important for lower-income households. AB 686 added a new requirement for housing elements to analyze the location of lower-income sites in relation to areas of high opportunity. Figures D-1 through D-8 show the distribution of projected units by income category of the following indicators compared to citywide patterns to understand how the projected locations of units will affirmatively further fair housing: TCAC opportunity areas, median income, predominant population, disability rates, educational score, environmental health, and overpayment. The following sites inventory discussion includes an analysis of the number of projected units by income category, total RHNA capacity, and city acreage by income category to further assess the potential impacts of the sites inventory to affirmatively further fair housing.

Table D-2 presents the RHNA capacity based on census tract in the City, and the existing conditions of each tract as they relate to indicators of fair housing. Not all tracts have identified sites to meet the RHNA, however the increased density allowed in residential zone districts R-1 through R-6 will likely result in new development throughout the City. Therefore, Figures D-16 through D-25 compare the total RHNA capacity to citywide indicators of fair housing for a comprehensive comparison of how increased residential capacity and approved projects will influence existing patterns.

As seen in Table D-2, census tracts 4271, 4283.01, and 4283.02 have the highest median incomes and lowest percentage of low- to moderate-income households in the city. While tract 4283.01 does not have any projected site-specific capacity, 100 percent of the capacity in tract 4271 is for lower-income units and 50 percent of the capacity in tract 4283.02 is lower-income, 25 percent is moderate-income, and 25 percent is above moderate income. The identification of largely lower-income units in these currently high-income areas aims to facilitate income-integration, particularly in tract 4271 which has been identified as a RCAA, as discussed previously. Tract 4283.02 also has a relatively high jobs proximity index, low CalEnviroScreen score, and is considered a highest resource area, and both tracts 4271 and 4283.01 have relatively low rates of overcrowding and overpayment among both renters and homeowners. Identification of capacity in these areas will facilitate housing mobility opportunities in areas of improved access to economic and environmental health opportunities.

To further support income integration and housing opportunities for all households, approximately 58.3 percent and 78.3 percent of the capacity in tracts 4272 and 4273, respectively, is projected to be above moderate-income. These tracts have areas with particularly low median incomes and relatively high rates of poverty, which will help to reduce concentrations of affluence in other areas. However, to reduce displacement that may result from an influx of above moderate-income households, approximately 30.3 percent of the units in tract 4272 are projected to be for lower-income households and the remaining

11.3 percent for moderate-income households. This will help to provide additional housing opportunities for these households in these tracts to reduce displacement and existing patterns of overpayment and overcrowding. Similarly, in tract 4273, approximately 13.2 percent of the capacity is projected to be for lower-income households and the remaining 8.5 percent for moderate-income households.

Tract 4287 encompasses the Alameda Point project, and includes a similar number of lower-income and above moderate-income units. This tract currently has a low median income, a large proportion of low- to moderate-income households, a relatively high rate of overcrowding, and is considered to be a low resource area. The Urban Displacement Project has also identified this as an area of advanced gentrification. The City aims to revitalize this portion of the city through the Alameda Point project, improving the environmental conditions, improving the economic base and increasing the availability of services and amenities, and facilitate mixed-income development. These goals are intended to reduce the impacts of gentrification and improve access to opportunities for current and future lower-income households in this area without isolation from above moderate-income households.

With the exception of tracts 4271 and 4277, all tracts with identified capacity to meet the RHNA include lower-, moderate-, and above moderate-income units. This will facilitate mixed-income development, combat patterns of income segregation, and provide housing opportunities for a range of households. In tracts 4271 and 4277, only capacity for lower-income units has been identified to reduce concentrations of affluence and support access to higher resource areas for lower-income households.

Table D-2 presents how the distribution of sites by income will help to combat existing fair housing issues in Alameda through facilitation of mixed-income communities, reducing concentrations of affluence and poverty, and providing additional housing opportunities in high resource areas and areas that will reduce the displacement risk resulting from overpayment and overcrowding.

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Table D-2 Distribution of RHNA Capacity by Census Tract

Census Tract	Existing Households	RHNA Capacity[1]			AFFH Indicators										
					Integration and Segregation					Access to Opportunity			Displacement Risk		
		Lower	Moderate	Above Moderate	Median Income	Poverty Rate	Low-/ Moderate-Income Population	Non-White Population	Disability Rate	Resource Designation	Jobs Proximity Index	CalEnviroScreen Score	Overcrowding Rate	Renter Overpayment Rate	Homeowner Overpayment Rate
4271	1,378	41	0	0	$131,284 - $154,293	4.6%	18.4%	26.0% - 51.1%	7.8%	Moderate	50-57	28.8	1.2%	18.6%	27.6%
4272	1,581	244	91	469	$64,028 - $83,015	9.5%	52.2%	60.0% - 71.4%	9.3%	Moderate	51-55	66.1	4.8%	44.2%	37.9%
4273	1,983	103	66	611	$43,500 - $124,402	8.1%	43.8%	51.9% - 71.0%	11.4%	Moderate	63-82	67.3	5.2%	55.3%	45.1%
4276	1,976	0	0	0	$51,250 - $82,978	12.7%	58.8%	75.4% - 82.5%	10.4%	Low	81-84	70.6	14.6%	52.4%	28.1%
4277	2,141	90	0	0	$75,560 - $142,941	6.9%	39.8%	50.3% - 72.3%	11.3%	Moderate	72-79	37.9	1.5%	36.6%	26.8%
4278	1,935	0	0	0	$56,875 - $203,750	5.3%	28.8%	27.8% - 61.0%	12.0%	High	58-70	27.6	5.0%	45.3%	32.3%
4279	2,107	0	0	0	$76,607 - $207,917	3.6%	30.8%	27.0% - 59.4%	7.3%	Highest	54-60	32.7	0.9%	38.2%	36.8%
4280	1,339	0	0	0	$41,978 - $75,664	11.9%	64.0%	67.2% - 75.9%	11.2%	High	50-51	53.4	8.0%	44.3%	54.4%
4281	1,921	0	0	0	$94,844 - $130,341	3.7%	29.0%	38.9% - 53.9%	10.1%	High	52-66	32.7	3.0%	39.6%	42.0%
4282	2,791	70	40	40	$78,583 - $120,813	6.3%	27.4%	42.1% - 60.2%	8.1%	High	52-61	30.5	2.6%	41.2%	32.9%
4283.01	2,409	0	0	0	$108,472 - $153,487	2.3%	22.1%	57.2% - 78.4%	6.9%	Highest	76-82	18.2	0.6%	31.9%	34.9%
4283.02	2,628	150	75	75	$153,798 - $229,653	2.2%	13.2%	52.7% - 71.2%	10.6%	Highest	64-72	14.3	0.0%	42.8%	23.6%
4284	1,858	400	200	200	$40,500 - $100,417	12.5%	45.8%	51.1% - 63.1%	7.4%	Highest	51-57	29.2	2.2%	41.6%	41.0%
4285	1,445	0	0	0	$89,007 - $132,802	9.3%	48.3%	40.6% - 65.4%	9.1%	Highest	52-53	23.0	5.6%	34.7%	29.8%
4286	1,657	0	0	0	$60,536 - $127,552	7.2%	37.4%	56.7% - 66.2%	9.2%	High	54-58	27.8	3.9%	50.1%	46.4%
4287	1,365	1,125	154	1,147	$17,283 - $89,327	20.1%	46.4%	58.5% - 73.2%	8.4%	Low	90-91	82.0	7.9%	30.6%	27.9%

Sources: 2015-2019 ACS; Esri, 2018; TCAC/HCD 2021; HUD, 2020; OEHHA, 2021; CHHS, 2022

Note:

The remaining RHNA capacity will be met in residential districts (R-1 through R-6), located throughout the city, and will not have a concentrated impact on any one census tract.

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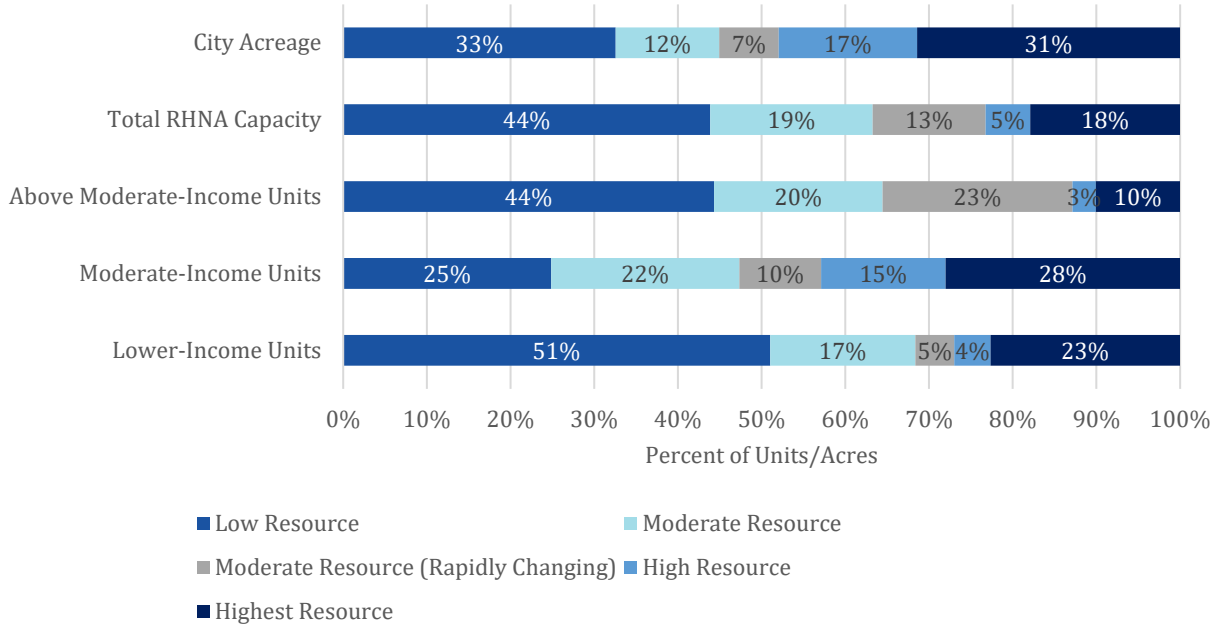
Potential Effect on Patterns of Integration and Segregation

Figure D-16 presents the breakdown of unit capacity in Alameda by resource area designation and income category compared to citywide patterns. Approximately 65 percent of the total unit capacity identified to meet the RHNA is in low- and moderate-resource areas, while these areas account for approximately 45 percent of the land area in Alameda. As seen in Figure D-1, the high and highest resource areas in Alameda are in the southeast portion of the city and Bay Farm Island. These areas have fewer opportunities for development and redevelopment, as most of this portion of the city is already built-out. The opportunity site at Alameda Point accounts for 1,489 units, including 405 lower-income units, 115 moderate-income units, and 962 above moderate-income units. While located in a low resource area, and counting for a significant portion of the 51 percent of the total RHNA capacity in this designation, Alameda Point facilitates mixed-income development, revitalization of the now-unused naval base, and includes construction of commercial centers, open space and outdoor pedestrian spaces, and other amenities that will help to revitalize this area of the city, aiming to improve its resource designation. Given the development plan for Alameda Point, described in Table E-3, this project will not concentrate units far from resources, services, and amenities. Opportunity sites have been identified primarily in commercial areas or in specific plan developments with close proximity to existing and proposed services, transit, and other opportunities to revitalize underutilized areas without risking displacement of existing residents. Further, each site identified to meet the City's RHNA has the capacity to accommodate units at all three income levels – lower, moderate, and above moderate, ensuring that, regardless of where a site is located in the city, it will help to facilitate mixed-income neighborhoods and encourage future integration in areas that are currently designated as low and moderate resource.

FIGURE D-16 UNITS AND CITY ACREAGE BY TCAC RESOURCE AREAS



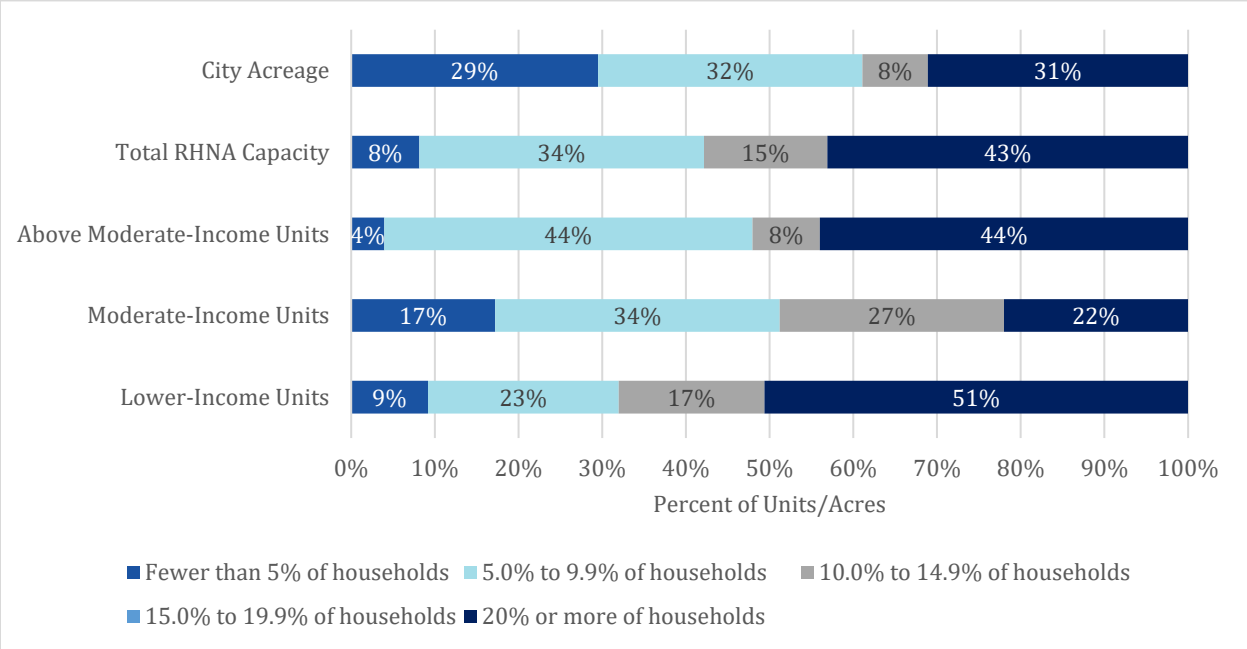
Source: TCAC/HCD, 2021; City of Alameda, 2022

Income

Figure D-2 identifies that the median income in most of the City of Alameda is relatively high compared to surrounding jurisdictions. While there are neighborhoods, such as the Woodstock and Alameda Marina areas, where poverty rates increase, most of Alameda is prohibitively expensive for lower-income households, as discussed previously in this assessment. The areas with the lowest median incomes and highest rates of poverty are typically underdeveloped or have concentrations of older multifamily housing, constructed prior to the adoption of Measure A in 1973. The constraint on development of high-density housing, until recently, resulted in concentrations of lower-income households. The City has since amended the General Plan and Zoning Code to allow 30 dwelling units per acre in many areas. Paired with the sites inventory, which promotes mixed-income development in each targeted neighborhood, future construction aims to reduce existing income patterns and facilitate housing mobility for all households, regardless of income. Due to the need for lower-income units, however, particularly in the Woodstock and Alameda Marina areas, the City has identified several sites in areas of concentrated need to reduce risk of displacement and revitalize lower-income areas.

As presented in Figure D-17, approximately 51 percent of the lower-income unit capacity identified in the sites inventory is in an area of Alameda in which 20 percent of more households are currently below the poverty line. These sites are at Alameda Point and in the Alameda Landing Shopping Center and Webster District, all of which are located near or in areas with an existing need for an increased supply of affordable housing for lower-income and overcrowded households to remain in their neighborhoods, and provide access to nearby resources, such as Ruby Bridges Elementary School, grocery stores and other shops at Alameda Landing, employment opportunities for a range of skill levels (i.e., fast-food restaurants to College of Alameda positions), and quick access to other areas of the Bay Area via the Webster Street Tube. In addition to these lower-income units, 22 percent of moderate-income units and 44 percent of above moderate-income units are projected in these neighborhoods to affirmatively further fair housing through mixed-income neighborhoods. As approximately 31 percent of the land area in the city has a poverty rate of 20 percent or more, it initially appears that lower-income units are concentrated in areas of existing poverty. However, the sites identified to meet the RHNA are largely along the northern portion of Alameda and in commercial areas. Additionally, as described previously, a large share of the units are projects at Alameda Point, within the Waterfront Town Center Specific Plan area, where residents will benefit from commercial development and improved open space access. With limited land left available for development or redevelopment, those sites with the appropriate allowed density to meet the lower-income RHNA are in areas with higher-density housing has historically been built. Construction of lower-income units in these areas will help to alleviate existing patterns of overpayment and overcrowding and encourage place-based revitalization in areas of concentrated poverty through redevelopment of underutilized parcels and providing new, safe housing. These units also ensure that lower-income households are not displaced when moderate- and above moderate-income units are constructed in the same area by increasing the affordable supply. Further, the City will encourage incorporation of lower-income units in areas with lower rates of poverty through the 32 percent of this income category in areas with poverty rates of less than 10 percent and additional means beyond the sites inventory, including ADUs. The City has included Program 5 to actively promote construction of ADUs in high resource and high median income areas and monitor affordability of new ADUs to lower- and moderate-income households.

FIGURE D-17 UNITS AND CITY ACREAGE BY POVERTY RATE



Source: 2015-2019 ACS; City of Alameda, 2022

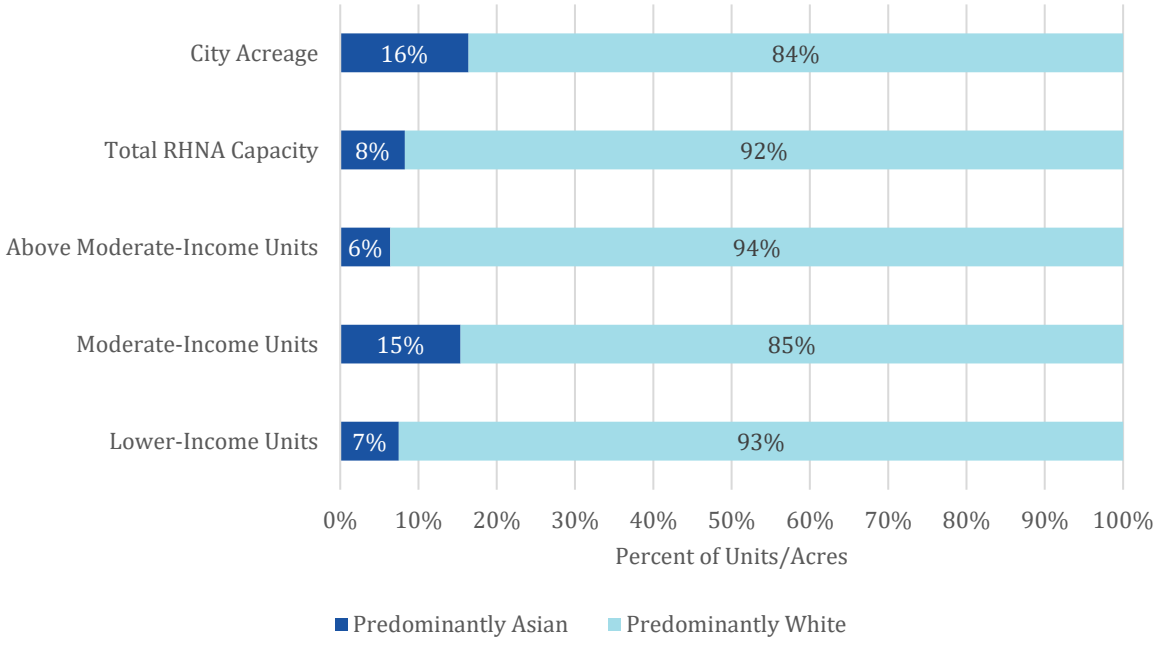
Note: There are no areas in the City of Alameda in which 15.0 to 19.9 percent of households are below the poverty line.

The combination of these programs and facilitating the development of high-density housing, which has historically been excluded in Alameda, will help ameliorate patterns of segregation both locally and regionally. The development of these sites with lower-income housing units will make Alameda more accessible to households with a wider range of incomes, making the city itself less exclusive, while simultaneously increasing mobility opportunities within the East Bay region, where lower-income households have typically been concentrated in historically redlined areas.

Race and Ethnicity

As discussed previously in this assessment, Alameda is predominantly White in most areas, with a dominance of Asian residents on Bay Farm Island and in the Woodstock neighborhood. Bay Farm Island has the greatest concentration of affluence in Alameda and Woodstock Park has the second-highest rate of poverty at 12.7 percent of the population, indicating that racial and ethnic patterns are not necessarily representative of income patterns. As shown in Figure D-18, the distribution of units by predominant population does not differ significantly than the distribution of land in the city. As there is not substantial variation in demographic composition in Alameda that correlates with income patterns.

FIGURE D-18 UNITS AND CITY ACREAGE BY PREDOMINANT POPULATION



Source: 2015-2019 ACS; City of Alameda, 2022

Note: There are no areas in the City of Alameda in which the predominant population is some race or ethnicity other than White or Asian.

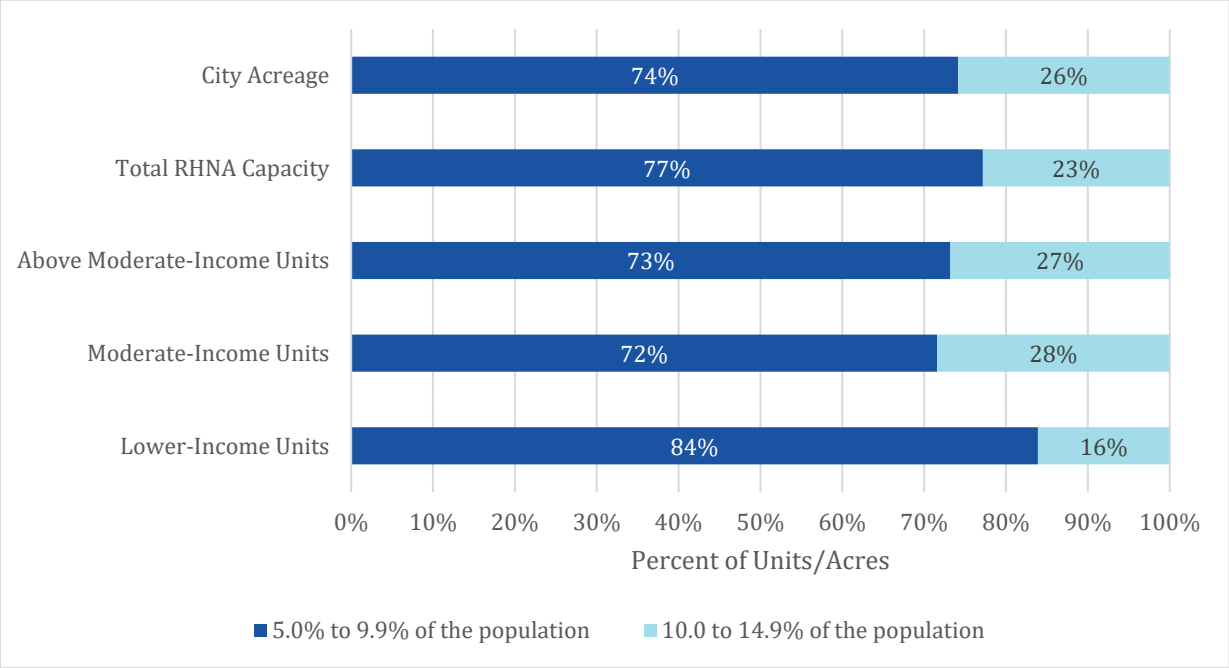
A mixture of exclusionary practices until very recently, paired with high costs of housing and limited housing types (i.e., predominantly single-family housing) historically forced lower-income and minority households to relocate out of Alameda and posed a barrier to access for diverse populations. Reversal of Measure A and additional lower- and moderate-income units in the city will improve access to housing for residents who would otherwise be priced out and excluded. As shown in Figure D-18, 93 percent of lower-income and 85 percent of moderate-income units are identified on sites in areas that are currently predominantly White. This offers an opportunity for lower- and moderate-income non-White households that were historically excluded from housing opportunities in Alameda, particularly Black households, to access the opportunity and resources Alameda residents have access to, disrupting a legacy of concentrated higher-income White households in Alameda.

Disability

Approximately 9 percent of Alameda's population lives with at least one disability, a rate that is relatively low compared to the region. As shown in Figure D-19, approximately 77 percent of the total RHNA capacity identified in the sites inventory is in areas in which 5.0 to 9.9 percent of residents have a disability, closely reflecting the distribution of land in Alameda by disability rate. As stakeholders identified, high housing costs and a shortage of permanently supportive housing has increased displacement risk for aging Alameda residents and presented a barrier to persons with disabilities in the city. Locating units affordable to lower- and moderate-income residents in and around the commercial centers will help to improve access for and accommodate the needs of persons living with disabilities, who benefit from close access to services and amenities as well as proximity to transit. Additionally, mixed housing types viable in the

high-density and mixed-use zones can help accommodate the needs of residents living with disabilities by integrating services or amenities on-site.

FIGURE D-19 UNITS AND CITY ACREAGE BY DISABILITY RATE



Source: 2015-2019 ACS; City of Alameda, 2022
Note: There are no areas in the City of Alameda in which fewer than 5.0 percent or more than 14.9 percent of the population has a disability.

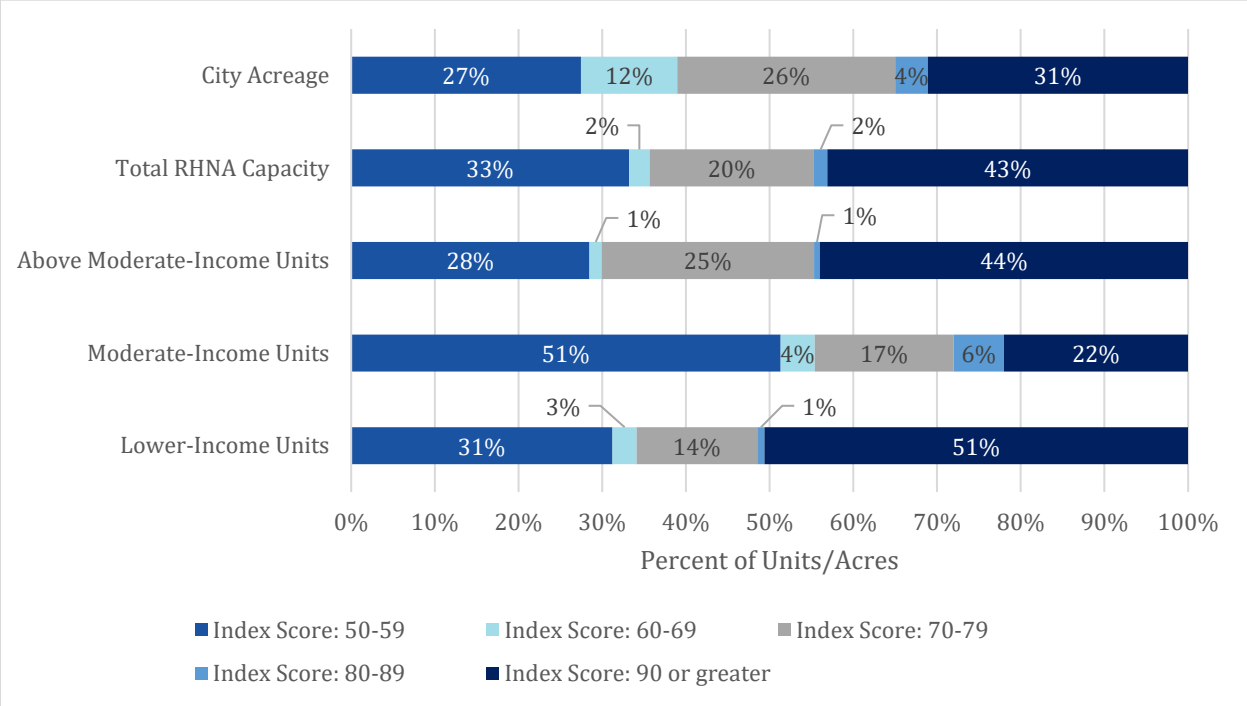
Potential Effect on Access to Opportunity

Job and Transit Proximity

Jobs Proximity Index scores in the city range from the 50th to 91st percentile. Approximately 51 percent of lower-income units are anticipated in areas with scores at or above the 90th percentile (Figure D-20), suggesting strong access to jobs for occupants of future affordable housing, thus improving access to opportunity. While a greater share of moderate-income households are projected in areas scoring in the 50th to 59th percentile, additional strategies included in this Housing Element will ensure improved mobility opportunities for all residents. Additionally, incorporation of units at all income levels in mixed-use zones, such as in the Alameda Landing, South Shore, Marina Village, and Harbor Bay shopping centers will aid in improving access to employment opportunity and will locate housing near highly trafficked areas that are currently serviced by AC Transit and the Alameda Loop Shuttle, providing close proximity to transit for occupants of these units. Many of the sites identified in the inventory are currently underutilized, which is typically indicative of limited job access as the area is not built out to its fullest potential for office or commercial uses for a greater supply of jobs, or residential uses for improved access to nearby job opportunities. When considering where to locate future housing for all income levels, and particularly lower-income units, north Alameda offers the most convenient access to jobs available within the city and transit to other parts of the Bay Area. Further, construction of these sites will help to improve

the jobs-housing ratio with residential development in and near commercial and transit corridors as well as mixed-use development, thus improving jobs proximity for current and future residents of Alameda.

FIGURE D-20 UNITS AND CITY ACREAGE BY JOBS PROXIMITY INDEX



Source: 2014-2017 HUD; City of Alameda, 2022

Note: There are no areas in the City of Alameda that scored a Jobs Proximity Index less than 50.

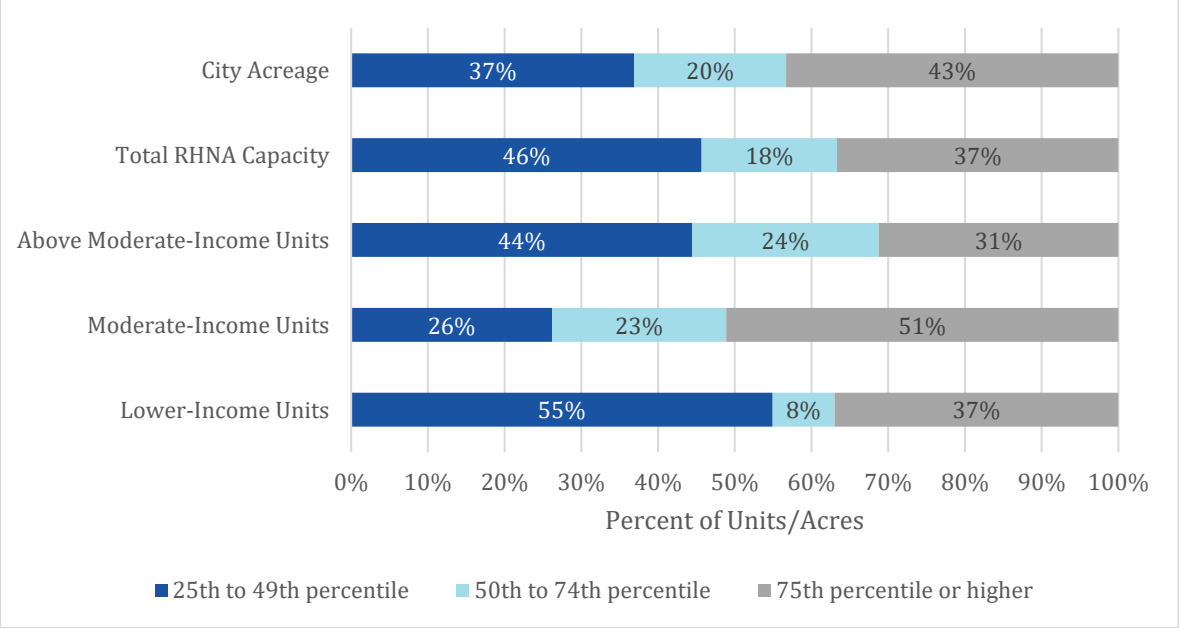
Educational Opportunity

Approximately 37 percent of the City's total capacity to meet the RHNA is on sites in areas that score above the 75th percentile in expected educational outcome, compared to 43 percent of the City's land falling into this category (Figure D-21). Approximately 37 percent of lower-income units and 51 percent of moderate-income units are located in areas with the highest standardized test scores and in areas with the highest concentration of socioeconomically disadvantaged students. The distribution of opportunity sites will provide housing opportunities for new households, including lower-income households, to be located near schools where students have traditionally scored high on standardized tests and where there is less socioeconomic diversity, as well as provide mobility opportunities for existing residents. However, 55 percent of lower-income units are also in areas falling in the TCAC 25th to 50th percentile for expected educational outcome, a larger share of these units than moderate- and above moderate-income households. These are the units near the Woodstock neighborhood, in Alameda Point, Webster District, and Alameda Landing Shopping Center, near schools at which students have historically performed less well on standardized tests and have a higher concentration of socio-economically disadvantaged students.

It's important to note here that lower standardized test scores do not indicate limited educational opportunities as much as they indicate lower access to those opportunities than students in historically wealthier neighborhoods have had. To ensure that development of these units does not concentrate lower-income households in in certain neighborhoods and instead more evenly distributes socioeconomic diversity across the city, the City has included the following Program 12 to work with the Alameda Unified School District (AUSD) to increase access to schools that students who are socioeconomically disadvantaged have historically not had access to:

- Support the continued partnership between AUSD and AC Transit to assess the need for improved transit routes or access for students;
- Support AUSD's efforts to provide low-income families' access to services such as mental health programs, nutrition, transportation, legal help, childcare, and medical aid.
- Support applications by AUSD or individual schools to secure grant funding for teacher recruitment and retention bonuses, classroom materials, and other incentives for teachers.
- Encourage AUSD to invest more resources directly into math and reading proficiency in the West end to improve the improve the performance of the entire district by focusing resources on student populations which may homeless, foster youth, or socioeconomically disadvantaged.

FIGURE D-21 UNITS AND CITY ACREAGE BY TCAC EDUCATIONAL SCORE

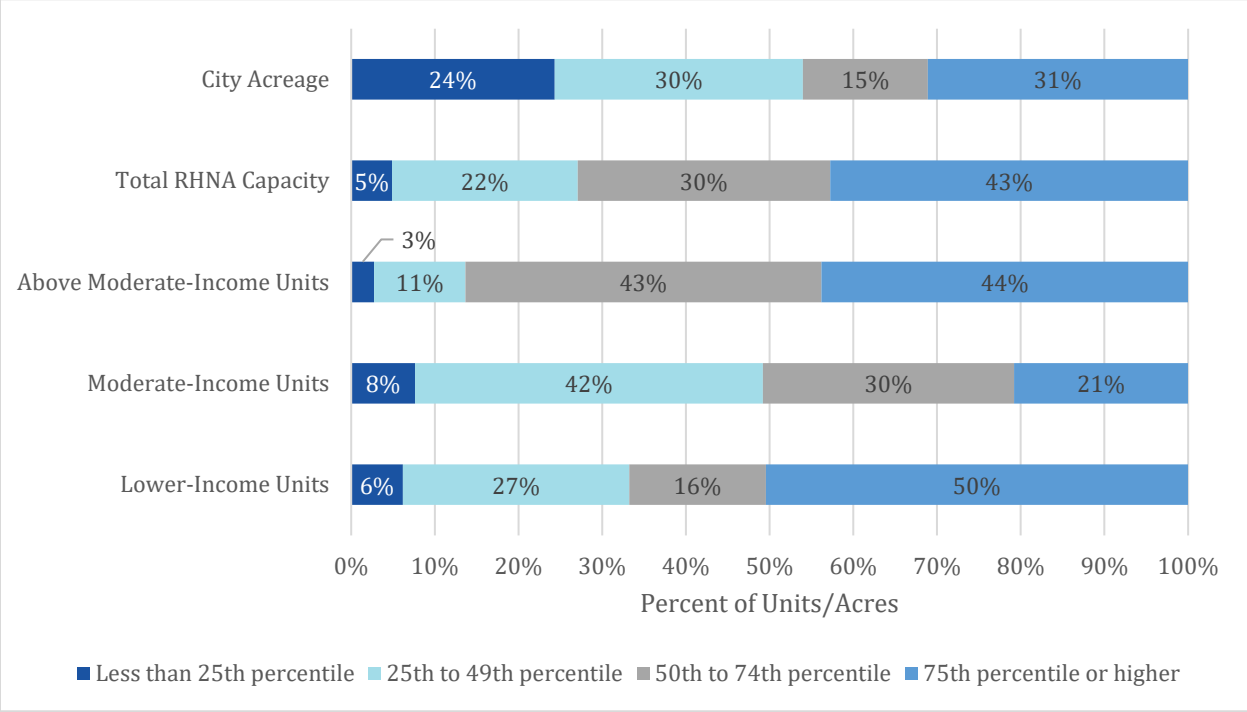


Source: 2014-2017 HUD; City of Alameda, 2022

Environmental Health

Alameda's history of naval operation and the marina on the north side of the city have resulted in relatively poor environmental conditions compared to southern and eastern portions of the City. However, these areas are also those that are most eligible for redevelopment as those industries no longer dominate the economic landscape of Alameda. As a result, approximately 73 percent of the sites inventory capacity is in neighborhoods scoring in the 50th percentile and above, with 43 percent of units in an area that qualifies as an EJ Community (Figure D-22). This area is the previous home of Naval Air Station Alameda, where industrial and military uses resulted in current poor environmental conditions, though the area is otherwise prime for redevelopment and is near transit and job opportunities. The Alameda Point project is located in this area, as shown in Figure D-6, and aims to redevelop much of the Naval Air Station, including improving environmental conditions through incorporation of outdoor spaces and bicycle and pedestrian facilities, and promoting environmental sustainability. Redevelopment and revitalization of this portion of Alameda is expected to improve the environmental health of neighborhoods immediately adjacent to the previous Naval Air Station. Investment in this area through redevelopment efforts will facilitate place-based revitalization and will increase the supply of affordable housing in an area susceptible to displacement due to housing costs while also encouraging income integration in new development, with 44 percent of above moderate-income and 21 percent of moderate-income units also located here.

FIGURE D-22 UNITS AND CITY ACREAGE BY CALENVIROSCREEN PERCENTILE



Source: CalEnviroScreen 4.0, 2021; City of Alameda, 2022

To further revitalization efforts and reduce environmental health concerns in west Alameda, the City has included Program 20, targeting this neighborhood with these strategies:

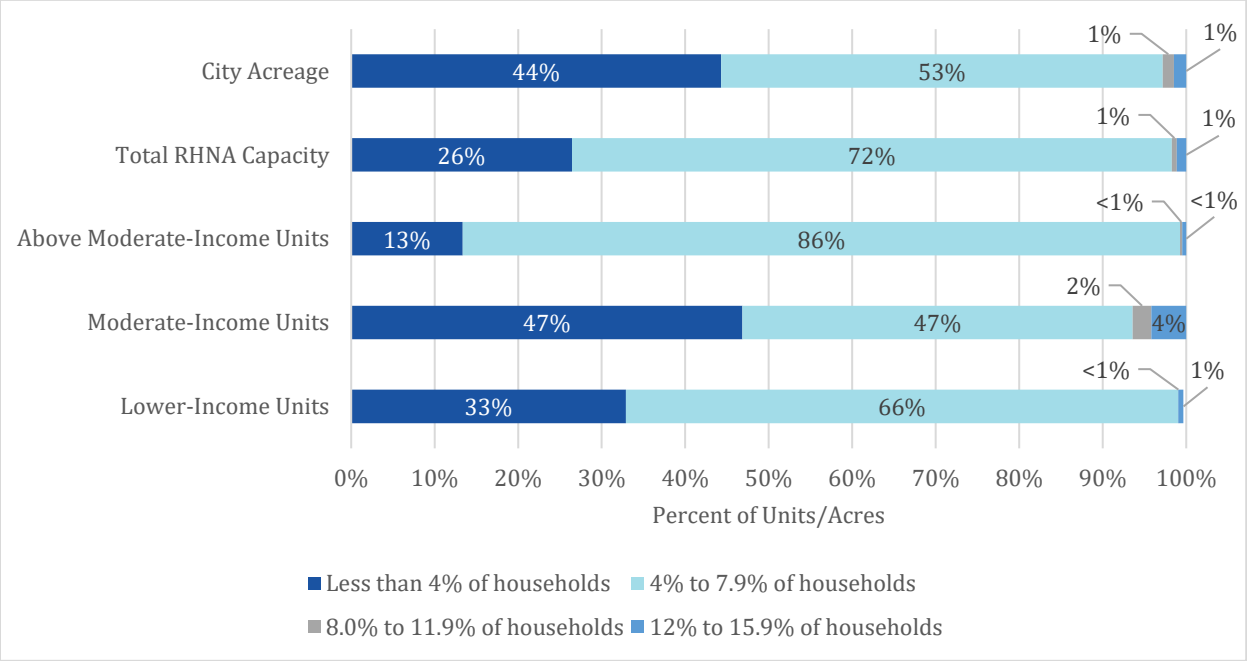
- Require transitional buffers or screening between residential and industrial or commercial uses in new development.
- Apply for funding to provide air filtration retrofit programs for residents, prioritize marketing of this program in west Alameda.
- Ensure a balance between development and recreational amenities that help to improve environmental health.

Potential Effect on Displacement Risk

Overcrowding

As discussed previously, overcrowding is not a significant problem in most of Alameda, with only one concentration of overcrowding in the Woodstock neighborhood, where approximately 14.6 percent of residents are living in an overcrowded housing unit. However, in approximately 97 percent of Alameda, fewer than 8.0 percent of households are overcrowded (Figure D-23). Approximately 6 percent of moderate-income units and 1 percent of lower-income units are in areas with higher rates of overcrowding to help to alleviate this issue by increasing the housing supply, while the remainder of the lower- and moderate-income capacity will facilitate housing mobility opportunities throughout the city and near services and resources in commercial areas. Additionally, the above moderate-income sites will ease pressure on the housing stock, thus potentially reducing displacement risk and overcrowding for these households as well as more units become available.

FIGURE D-23 UNITS AND CITY ACREAGE BY RATE OF OVERCROWDING



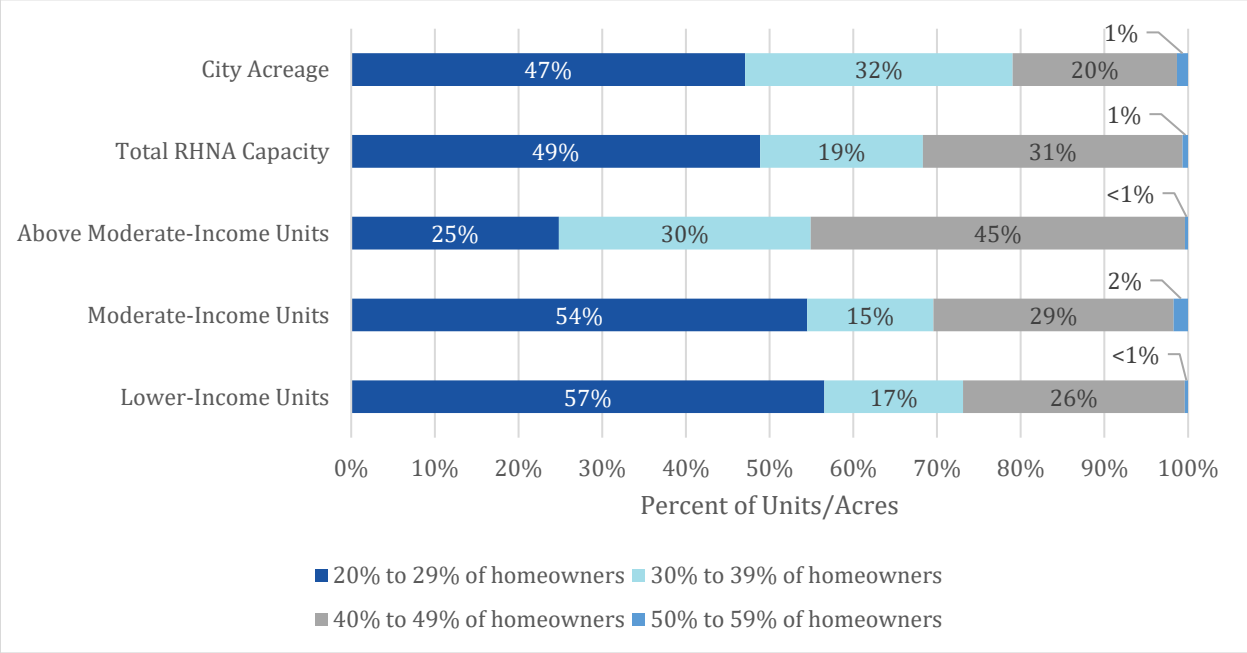
Source: CHHS, 2020; City of Alameda, 2022

Note: There are no areas in the City of Alameda in which more than 15.9 percent of households are overcrowded.

Overpayment

Owners and renters throughout Alameda and the greater Bay Area are overpaying for housing as a result of rapidly increasing housing costs that outpace wage increases. An increase in the supply of lower- and moderate-income households throughout the city will help to alleviate conditions that contribute to overpayment by reducing the gap between supply and demand for this type of housing. Approximately 26 percent of lower-income units are in areas with significantly high rates of homeowner overpayment (Figure D-24), compared to 52 percent of lower-income units are in areas with similarly high rates of renter overpayment (Figure D-25). Locating lower-income housing in these areas will help reduce displacement risk for households experiencing this by providing affordable housing where there is greatest demand for these options. Typically, above moderate-income units are unaffordable to cost-burdened households, while lower- and moderate-income housing units can help alleviate overpayment. Sites for new units have been identified across a range of overpayment rates for both owners and renters with the intent of increasing the supply of affordable housing for all income categories, thus reducing risk of displacement due to overpayment for all Alameda residents.

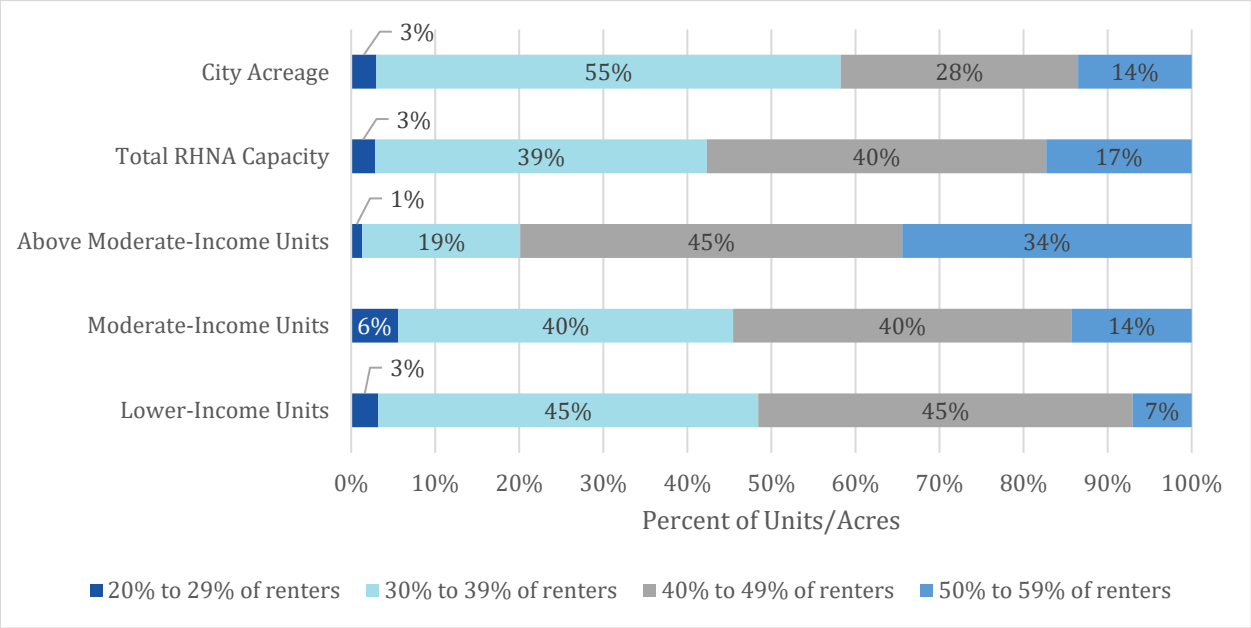
FIGURE D-24 UNITS AND CITY ACREAGE BY RATE OF COST BURDENED HOMEOWNERS



Source: 2015-2019 ACS; City of Alameda, 2022

Note: There are no areas in the City of Alameda in which fewer than 20 percent or more than 59 percent of homeowners are overpaying for housing.

FIGURE D-25 UNITS AND CITY ACREAGE BY RATE OF COST BURDENED RENTERS



Source: 2015-2019 ACS; City of Alameda, 2022

Note: There are no areas in the City of Alameda in which more than 59 percent of renters are overpaying for housing.

Contributing Factors

Through discussions with stakeholders, fair housing advocates, and this assessment of fair housing issues, the City identified factors that contribute to fair housing issues in Alameda, as shown in Table D-2. While there are several strategies identified to address the fair housing issues, the most pressing issues are the displacement risk of lower-income households that has stemmed from historic exclusion of multifamily housing, community opposition, and limited housing mobility opportunities in general. The combination of these factors has led to gentrification in recent decades, pushing many lower-income and non-White households out of Alameda, resulting in the Urban Displacement Project designations of exclusivity and increasing displacement risk. While integration of a variety of housing types is necessary throughout the city, west Alameda is particularly susceptible to gentrification due to displacement of current residents in the face of future development, and has therefore been identified as a priority area for place-based revitalization and investment. Prioritized contributing factors are **bolded** in Table D-3 and associated actions to meaningfully affirmatively further fair housing related to these factors are ***bold and italicized***.

Table D-3 Factors Contributing to Fair Housing Issues in Alameda

AFH Identified Issue	Contributing Factor	Meaningful Actions
Displacement of residents due to economic pressures and gentrification, particularly in west Alameda	**Concentration of lower-income households in west Alameda** Rising costs of rent and home prices that outpace wage increases Legacy of redlining and restrictive covenants in north Alameda **Historic enforcement of Measure A has limited the supply of multifamily housing** Shortage of affordable housing, particularly larger affordable units	***Encourage construction of ADUs, prioritize marketing in areas of concentrated affluence (Program 5)*** ***Encourage construction of affordable housing throughout the City (Programs 8, 9, and 10)*** Encourage landlords in high resource areas to market their available units to HCV holders (Program 12) Provide assistance to affordable housing providers to acquire and rehabilitate units (Program 17) Provide training to landlords on fair housing rights and responsibilities (Program 13) ***Provide first-time and low-income homebuyer programs, prioritizing marketing of these programs in areas with a high rate of renter-occupied households (Program 16)***
Disproportionate access to housing for individuals living with disabilities	**High cost of reasonable accommodation split amongst smaller units** Cost of repairs or rehabilitation, especially for older housing units **Shortage of permanent and supportive housing appropriately designed for people living with disabilities** Lack of landlord education on fair housing laws and requirements Community opposition to affordable housing	Incentivize construction of housing for special-needs populations (Programs 8, 9, 10 and 11) ***Work with the Regional Center of the East Bay to identify incentives to encourage future housing to meet the needs of persons with developmental disabilities (Program 10)*** ***Provide education to landlords and property managers on requirements to address reasonable accommodation requests (Program 17)*** Provide repair and rehabilitation assistance for lower-income households, including assistance making mobility modifications (Programs 17) Encourage multifamily affordable housing projects to apply under SB 35 to facilitate ministerial review processes (Program 6 and 22)
Displacement risk due to wrongful eviction	**Shortage of tenant protections** Lack of landlord education on fair housing laws and requirements	Continue to support the Rent Review Advisory Committee (Program 12) ***Contract with a local fair housing provider to expand legal assistance available to tenants (Program 13)***
Pollution burden for residents of west Alameda	**Proximity to historically heavy industrial areas** Concentration of commercial uses Traffic congestion	Continue to plan for and construct parks, open space and tree plantings in these areas to improve environmental health. (Program 20) Work with the Port of Oakland and Caltrans to reduce regional air quality impacts associated with regional transportation facilities. (Program 20)

AFH Identified Issue	Contributing Factor	Meaningful Actions
	Fewer parks and open space compared to east Alameda/Bay Farm Island	Develop active transportation facilities such as the West Alameda bicycle and pedestrian bridge, which will reduce automobile traffic in West Alameda. (Program 20) Require transitional buffers or screening between residential and industrial or heavy commercial uses in new development. (Program 20) Continue to work with the US Navy, DTSC, and property owners to remove hazardous materials resulting from prior industrial uses in West Alameda and the Northern Waterfront. (Program 20)
Displacement risk due to overcrowding in Woodstock neighborhood	**Concentration of multifamily housing** Concentration of lower-income households **Limited affordable housing opportunities in other areas of the city as a result of Measure A and market conditions**	***Provide regulatory incentives for multifamily housing development across the city, primarily in high resource areas (Program 1, 4, 5 and 6)*** Encourage affordable construction to reduce need to double up to meet housing costs (Program 8) ***Encourage landlords in high resource areas to market their available units to HCV holders (Program 12)*** Provide first-time and low-income homebuyer programs (Program 16)
Increasing number of discrimination cases, including against public entities	**Lack of knowledge on fair housing rights and responsibilities** Limited enforcement of fair housing laws	***Contract with a fair housing provider to expand services and enforcement (Program 13)*** ***Conduct regular audits of housing providers for discriminatory behavior (Program 13)*** Meet with fair housing providers to assess program effectiveness and develop new strategies as needed (Program 13) Provide biannual training for City staff and staff of other public entities on fair housing practices (Program 13)

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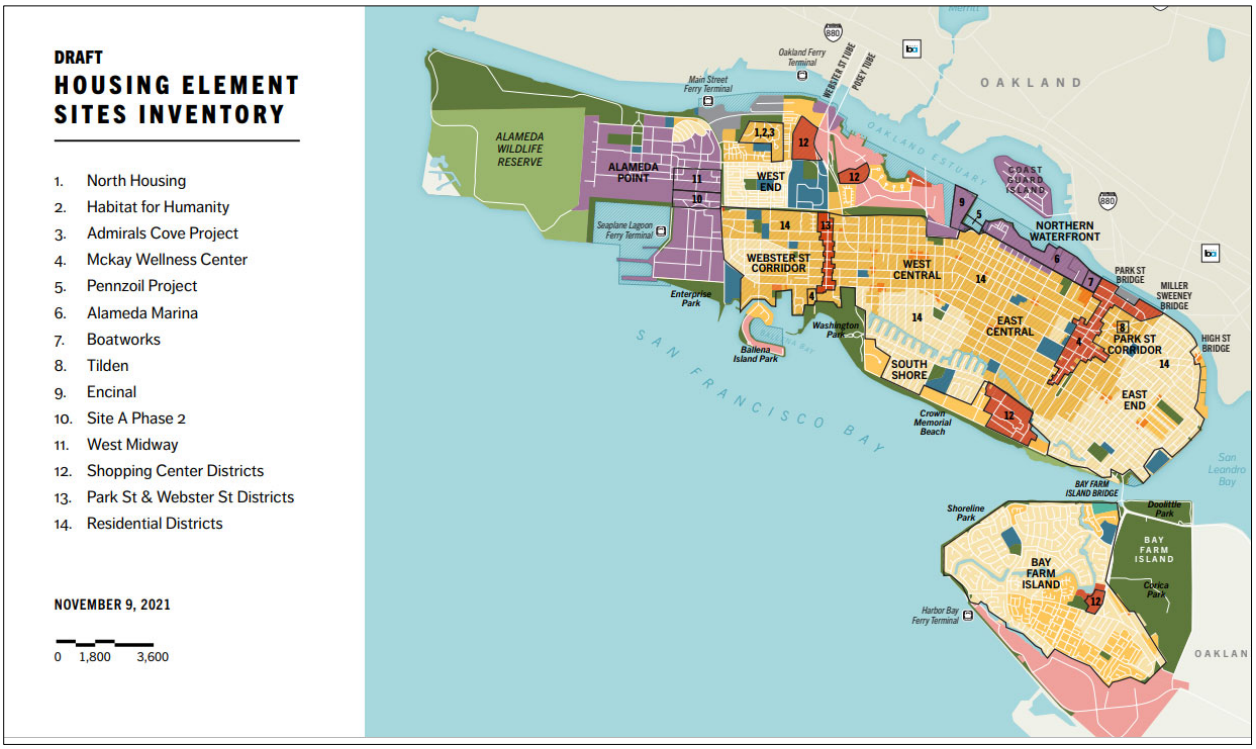
APPENDIX E – HOUSING SITES INVENTORY

Introduction

Government Code Section 65583.2 requires an inventory of land suitable for residential development that can be feasibly developed during the 2023-2031 period and is sufficient to provide for the regional housing need for all income levels.

FIGURE E-1 HOUSING SITES



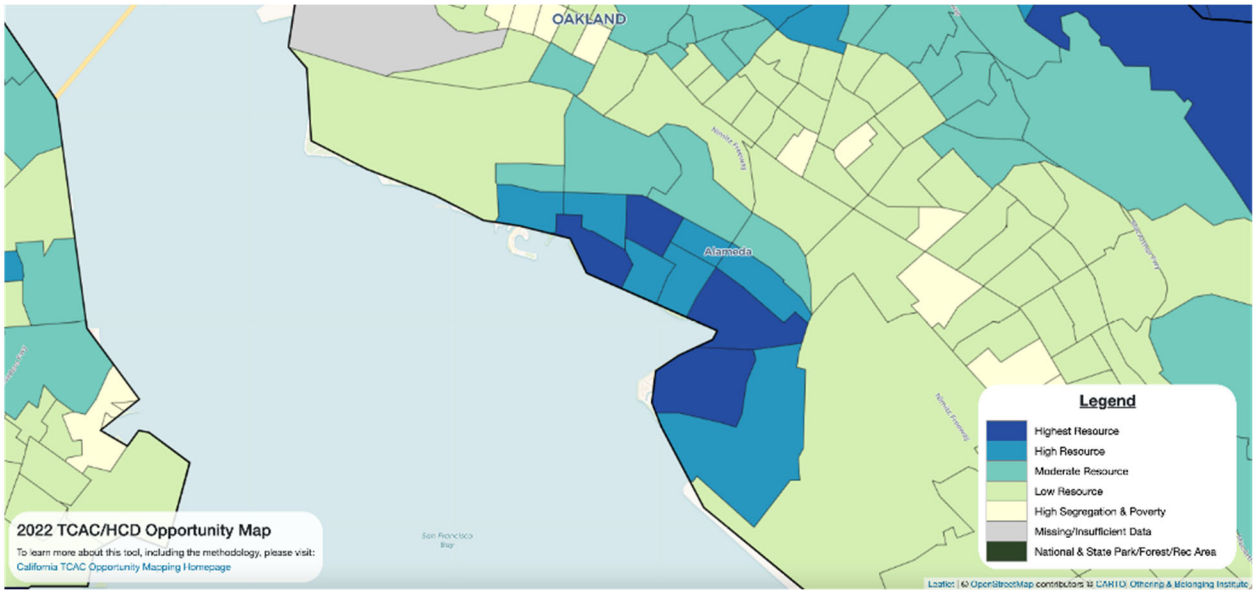
Opportunities for new housing exist in every Alameda neighborhood.

The City of Alameda's Regional Housing Needs Allocation (RHNA) for the eight-year period from 2023 to 2031 is 5,353 units. Table E-1 shows the City's RHNA by income category.

Table E-1 City of Alameda Regional Housing Needs Allocation 2023-2031

Income Category	RHNA Allocation
Very Low-Income Households (<50% of AMI)[24]	1,421 Units
Low- Income Households (50%-80% of AMI)	818 Units
Moderate- Income (80%-120% of AMI)	868 Units
Above Moderate- Income (>120% AMI)	2,246 Units
Total	**5,353 Units**

Affirmatively Furthering Fair Housing. To affirmatively further fair housing, the land inventory includes sites within areas of Highest Resource and High Resource according to the 2022 TCAC/HCD Opportunity Map. As shown in Table D-10 in Appendix D Fair Housing Assessment, approximately 50% of the land in the land inventory is located in areas of Highest or High Resource.



General Plan Consistency: In November 2021, the City Council adopted Alameda General Plan 2040 in anticipation of the 2023-2031 Housing Element update. All of the projects and sites in the site inventory are appropriately designated in General Plan 2040 for residential use.

Zoning Consistency: Concurrent with the adoption of this draft Housing Element, the City Council will be able to adopt the comprehensive set of zoning amendments described in Programs 2, 3, and 4 to ensure consistency between the Alameda Municipal Code, State housing law, and the Housing Element sites inventory. The zoning amendments remove barriers to affordable and missing middle housing development to encourage smaller, less costly housing and permit multifamily housing by right on all sites zoned to accommodate the RHNA.

[24] "AMI" means area wide median income for Alameda County. It is assumed that 50 percent of the very low-income units are for extremely low-income.

CEQA Streamlining: In January 2022, the City Council adopted the General Plan 2040 Environmental Impact Report, which evaluated the environmental impacts of approximately 12,000 new housing units constructed between 2020 and 2040. Projects found to be consistent with site zoning and objective design standards shall be exempt from further review under the California Environmental Quality Act (CEQA).

Transportation: New housing in Alameda is supported by new transportation programs, services, and facilities. In preparation for additional housing at the former Naval Air Station, Alameda and its transportation partners at AC Transit and the Water Emergency Transit Agency (WETA) constructed a new Ferry Terminal at Alameda Point and introduced a new cross-town bus service to connect to the new cross bay ferry service. All new residential developments in Alameda join the Alameda Transportation Management Agency, which provides supplemental transportation services for new and existing residents.

Infrastructure Capacity. With all sites identified for planned housing development already served by utilities, and requirements in place for infrastructure improvements for all new development on the former Naval Air Station lands, infrastructure does not pose a constraint on development on the sites listed in the inventory. As described in more detail in Appendix F, the East Bay Municipal Utilities District (EBMUD) provides potable water and wastewater conveyance and treatment. EBMUD has provided water assessments for a number of the sites and has determined that adequate water supplies exist to accommodate Alameda's water needs. Solid waste, recycling, and organics collection are managed through a franchise agreement with Alameda County Industries (ACI) and a solid waste disposal service contract with Waste Management.

Housing Sites Inventory Realistic Capacity

For the projects listed in Table E-2 (Sites 1 through 10), the realistic capacity is based on the project design as approved by the City of Alameda or as submitted by the applicant. The number of affordable units is based on those entitlements or the applicable inclusionary housing requirement (15 percent citywide or 25 percent at Alameda Point).

For the shopping center sites (Sites 11, 12, and 13) and the Transit Corridor sites (14a through 14i), which will be rezoned consistent with Program 2 and 3, the realistic capacity was determined by property owner/developer estimates based on their analysis of existing conditions at the shopping center and the opportunities provided by the zoning changes included in Program 2. The City has been in direct and frequent communication with the owners of the shopping center property for sites 11, 12, and 13. These property owners have been working with staff and the Planning Board to craft the zoning necessary to enable them to build housing on these sites during the 6th cycle. The City has also been in direct communication with property owners and prospective developers for sites 14a through 14i. Owners and prospective developers have expressed interest in residential development in the planning period with two exceptions: sites 14d and 14i. Sites 14d and 14i are vacant sites that are currently on the market for sale. For these two sites, the realistic capacity is based on the minimum 30 unit per acre density standard in the zoning amendment (Program 3) and the size of the site. For the other sites, the realistic capacity is based upon discussions with the property owners and perspective developers of each site. As with sites 11, 12, and 13, the current proposed zoning amendments are crafted with the input of these owners and perspective developers about what is necessary to make the development of the sites financially viable during the 6th cycle. The city has also been in contact with the property owner/perspective developers for the two residential sites to be rezoned: sites 15c and 15d. The realistic capacity for the 6th cycle and the

necessary zoning amendments needed to achieve that capacity on these two specific sites is based upon information provided by those property owners and perspective developers.

The number of affordable units shown in Table E-2 for each shopping center location is based on zoning changes described in Program 2 and 3, which permits multifamily housing by right, eliminates residential density limits, and requires a minimum residential density in new buildings of at least 30 units per acre. For two sites (14.d and 14 i), which are currently vacant and for sale, the realistic capacity is based upon the 30 units per acre minimum density, prescribed in Program 3.

For Residential District Sites (Sites 15a, 15b, 15c, and 15d), the realistic capacity is based upon:

- The Accessory Dwelling Unit (ADU) program (See Site 15.a and Program 5) which is producing approximately 50 units per year (based upon recent production trends over the last three years) for a total of 400 units over the 8-year period,
- Infill Residential sites (15b and Program 4) anticipates construction of approximately 20 units per year within existing structures as the result of residential up zoning Program 4, which effects over 2,500 acres of residential land.
- A 4.7-acre waterfront site at 2199 Clement to be up-zoned to allow residential use, which will accommodate at least 125 units based upon property owner/developer estimates.
- A 2.34-acre site at 2363-2433 Mariner Square Drive that will be up zoned to allow residential use, which will accommodate at least 160 units based upon property owner/developer estimates.

Housing Sites Analysis

Table E-2 provides a summary of the land available to accommodate Alameda's regional housing need for the period 2023 through 2031. As shown in Table E-2, the land inventory includes 10 housing projects and 9 sites that are zoned and available to accommodate housing projects. Each project and each site is described in more detail in Table E-3.

Pursuant to California Government Code Section 65583.2(c), a non-vacant site identified in the previous planning period and a vacant site that has been included in two or more previous consecutive planning periods cannot be used to accommodate the lower-income RHNA unless the site is subject to an action in the Housing Element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households.

All of the project sites (Site #1 through 10) and all of the sites to be rezoned (Sites 11-15.c) allow residential use by right. None of the sites to be rezoned were included as either a vacant site or a non-vacant site in either the 4th or 5th Cycle Alameda Housing Element. Several of the projects (Sites 1, 2, 3, 5, 6, 7 and 9) are located on sites that were identified as vacant sites in the 4th and 5th cycle site inventory. These projects are either already approved or in the approval process, and multifamily housing is permitted by right in each project. There are no known environmental constraints or other conditions that preclude development or cannot be mitigated. Additionally, the City has included Policy H- 7 which commits the City to allowing residential use by right on sites consistent with Government Code Section 65583.2(c) for housing developments in which at least 20 percent of the units are affordable to lower-income households.

Table E-2 Capacity to Accommodate the RHNA

Site #	Name	Income Level				Total Units
		Very Low	Low	Moderate	Above Moderate	
Projects[25]						
1	North Housing	386	200	0	0	586
2	Singleton	30	38	0	0	68
3	Admiral's Cove	10	8	13	196	227
4	McKay Wellness	100	0	0	0	100
5	Grand Street Pennzoil Project	4	4	6	77	91
6	Alameda Marina Phase 2 and 3	17	14	25	308	364
7	Boatworks	13	0	8	161	182
8	Eagle	25	16	0	0	41
9	Encinal Terminals	25	20	35	509	589
10	Alameda Point	277	128	115	962	1,482
Subtotal		***887***	***428***	***202***	***2,213***	***3,730***
Sites Zoned for Housing[26]						
11	South Shore Shopping Center	200	200	200	200	800
12	Harbor Bay Shopping Center	75	75	75	75	300
13	Alameda Landing Shopping Center	25	25	25	25	100
14	Transit Corridor Sites (See Table E-4 below and Program 3 for more information)	124	125	125	125	499
15	Residential Districts Sites	(See Table E-4 and Program 4 for more information.)				
15a	Accessory Dwelling Units	120	120	120	40	400
15b	Infill Residential District Sites	40	40	40	40	160
15c	2199 Clement	30	30	30	35	125
15d	2363-2433 Mariner Square Dr.	40	40	40	40	160
15e	400 Park Street	30	40	40	40	150
Subtotal		***684***	***695***	***695***	***620***	***2,694***
Total Capacity		***1,571***	***1,123***	***897***	***2,833***	***6,424***
RHNA		***1,421***	***818***	***868***	***2,248***	***5,353***
Surplus %		*11%*	*37%*	*3%*	*26%*	*20%*
Surplus Units		*150*	*305*	*29*	*585*	*1,071*

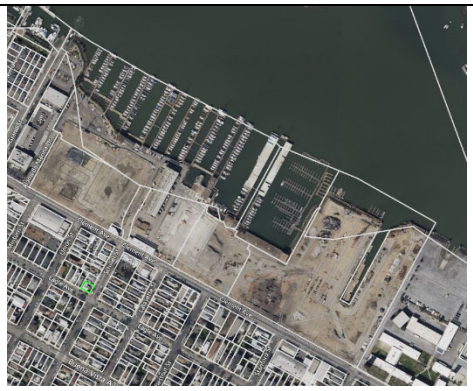
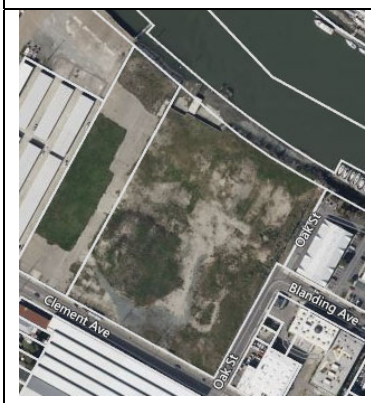
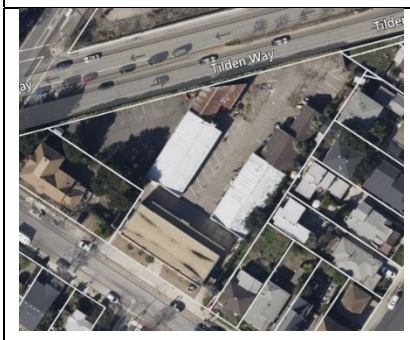
[25] Projects are approved or have active development applications on file.

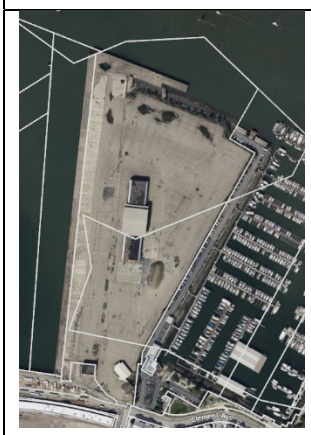
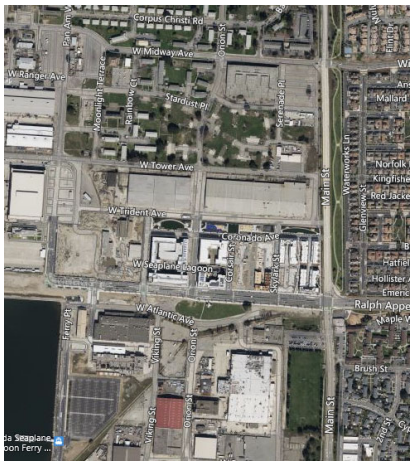
[26]. Sites zoned for housing permit multifamily housing by right with a minimum residential density of 30 units per acre. Affordability based upon: 25 percent very low, 25 percent low, 25 percent moderate, and 25 percent above moderate.

Table E-3 Project and Site Descriptions

1	**North Housing Project** Zoning: R-4 with PD and Multifamily Overlay General Plan Designation: Medium Density	APN: 74-905-10-6 Size: 12 acres Max Allowable Density 30 units per acre. Realistic capacity based on approved project entitlements.
	In 2020, the City of Alameda approved the North Housing Project Development Plan and Tentative Map for 586 affordable units for the Alameda Housing Authority. The only remaining permits required are design review approvals for the individual buildings, which will be reviewed ministerially based on adopted Objective Design Standards. The Authority plans to construct the project in phases during the 2023-2031 period. All site demolition has been completed. Infrastructure capacity is available to support the project and site environmental constraints have been removed by the former property owner (US Navy). The Housing Authority plans to begin construction of the first phase of the project (155 units for very low-income households) in 2023. The development of the project will be funded through Alameda Housing Authority funds and a variety of state and federal funding for low-income housing. The project funding allows the Housing Authority to fulfill its mission to ensure that 100% of the units will be deed-restricted affordable to very low- and low-income households.	
2	**Habitat for Humanity Project** Zoning: R-4 with PD and Multifamily Overlay General Plan Designation: Medium Density	APN: 74-905-12-2 Size: 2 acres Max Allowable Density. 30 units per acre Realistic capacity based on property owner's application and existing residential zoning.
	Habitat for Humanity has submitted an application to construct 68 units. The density is consistent with the site's multifamily zoning designation and the City's density bonus ordinances. All site demolition has been completed. Infrastructure capacity is available to support the project and site environmental constraints have been removed by the former property owner (US Navy). No zoning changes are required for the project. The design of the project will be reviewed based on adopted Objective Design Standards. Habitat plans to begin construction in 2023. The project funding allows Habitat to fulfill its mission to ensure that 100% of the units to be deed-restricted affordable to very low- and low-income households.	
3	**Admirals Cove Project** Zoning: R-4 with PD and Multifamily Overlay General Plan Designation: Medium Density	APN: 74-905-10-5: Size: 2.344 acres Max Allowable Density. 30 units per acre Realistic capacity based on property owner's application and existing residential zoning density standards.
	Carmel LLC. has submitted an application to construct 227 units on a 2-acre site that it owns. Infrastructure capacity is available to support the project and site environmental constraints have been removed by the former property owner (US Navy). No zoning changes are required for the project. The design of the project will be reviewed based on adopted Objective Design Standards. Carmel plans to begin construction in late 2022 or early 2023. The ratio of affordable units to market rate units is determined by the City of	

	Alameda Inclusionary Housing Ordinance and the project proponent's decision to increase the ratio of affordable housing units under the City of Alameda Affordable Housing Density Bonus Ordinance. Affordability is determined through Inclusionary requirements.	
4	**McKay Wellness Center Project** Zoning: Administrative Professional with PD Overlay General Plan Designation: Medium Density	APN: 74-1305-26-2 Size: 3.45 acres Max Allowable Density. 21 units per acre Realistic capacity based on approved project entitlements.
	In 2020 and 2021, the City approved the final design plans for the 100 assisted living units and an accompanying respite center for un-housed community members in need of medical rehabilitation services. Infrastructure capacity is available to support the project and site environmental constraints have been removed by the former property owner (US Government). No additional zoning changes or discretionary actions are needed for the project on the 3.65-acre site. The project funding allows for the Alameda Point Collaborative to fulfill its mission to provide 100% of the units to be deed-restricted affordable to extremely low-income households.	
5	**Grand Street ("Pennzoil") Project** Zoning: R-4 PD General Plan Designation: Medium Density	APN: 72-381-2 and 72-381-1 Size: 4.75 acres Max Allowable Density. 21 units per acre Realistic Capacity based on property owner's application and existing residential zoning standards.
	Trumark Homes has submitted an application to construct 90 units on a vacant 4.75-acre site on Grand Avenue. The prior owner completed all site clearance and demolition and site remediation to residential standards. Infrastructure capacity is available to service the project. The project will include the required 15% affordable housing units. No additional zoning changes are needed for the project. The project is privately funded. The ratio of affordable units to market rate units is determined by the City of Alameda Inclusionary Housing Ordinance and the project proponent's decision to increase the ratio of affordable housing units under the City of Alameda Affordable Housing Density Bonus Ordinance. Affordability is determined through Inclusionary requirements.	
6	**Alameda Marina Project** Zoning: MX with MF Overlay General Plan Designation: Mixed Use	APN: 71-291-10 Size: 10.96 acres (Phase 2) APN 71-291-9 Size: 2.77 acres (Phase 3) Max Allowable Density. 30 units per acre Realistic capacity based on approved project entitlements, including Master Plan.
	The 776-unit Alameda Marina project is being constructed in phases. Phase I with 360 units is currently under construction. Building permits for the remaining 406 units will be issued in 2023 and 2024. The site has been graded and is ready for construction. All site remediation and infrastructure is complete. Infrastructure capacity is available to service the project. No additional zoning changes or discretionary	

		actions are needed for the project. Design review for individual building design will be subject to adopted Objective Design Review standards. The project is privately funded. The ratio of affordable units to market rate units is determined by the City of Alameda Inclusionary Housing Ordinance and the project proponent's decision to increase the ratio of affordable housing units under the City of Alameda Affordable Housing Density Bonus Ordinance. Affordability is determined through Inclusionary requirements.
7	**Boatworks Project** Zoning: R-2 with PD overlay General Plan Designation: Mixed Use	APN: 71-290-1 and 71-289-5 Size: 9.5 acres Max Allowable Density. 21 units per acre Realistic capacity based on approved project entitlements, including Development Agreement.
		The vacant Boatworks 9.5-acre site was included in 4th and 5th Cycle Housing Inventory, but construction was delayed by lawsuits that were resolved by adoption of a new Tentative Map and Development Agreement in 2020 for 182 units, which ended over 10 years of litigation with the property owner. Pulte LLC is purchasing the property and began initial grading work in 2022. All site demolition has been completed, and the site is served by adjacent public infrastructure and utilities. The project includes 182 units, including 13 very low-income units and 8 moderate-income units. No additional zoning changes or discretionary actions are needed for the project. The project is privately funded. The ratio of affordable units to market rate units is determined by the City of Alameda Inclusionary Housing Ordinance and the project proponent's decision to increase the ratio of affordable housing units under the City of Alameda Affordable Housing Density Bonus Ordinance. Affordability is determined through Inclusionary requirements.
8	**2615 Eagle Street Project** Zoning: R-2 with PD overlay General Plan Designation: Mixed Use	APN: 70-0161-055-02: Size: 0.71 acre Max Allowable Density. 21 units per acre Realistic Capacity: 36 units based upon property owner estimate and existing residential zoning standards.
		In 2021, the Alameda Housing Authority purchased the 1-acre surplus site from the Alameda Unified School District. Site is served by infrastructure and utilities. No environmental constraints. The Alameda Housing Authority plans to construct approximately 36 units for lower-income households. The development of the project will be funded through Alameda Housing Authority funds and a variety of state and federal funding for low-income housing. The project funding allows the Alameda Housing Authority to fulfill its mission to ensure that 100% of the units to be deed-restricted affordable to very low- and low-income households.

9	**Encinal Terminals Project** Zoning: Mixed Use with MF Overlay General Plan Designation: Mixed Use	APN: 72-382-9 Size: 6.4 acres (City of Alameda) APN: 72-382-2 Size: 14.43 acres (Private uplands) APN: 72-382-3 Size: 1.61 acres (Private uplands) Max Allowable Density. 30 units per acre Realistic capacity based on approved project entitlements, including Master Plan and Development Agreement.
	 On January 18, 2022, the City Council approved a Development Agreement, Disposition and Development Agreement, a Master Plan and a Tideland Exchange Agreement between the City, the State Lands Commission, and Tim Lewis Communities to reconfigure the 6.4-acre City-owned property to allow for the construction of 589 units, including 80 deed-restricted affordable housing units and 10 deed-restricted work force housing units (120% AMI to 180% AMI). The project is privately funded. The ratio of affordable units to market rate units is determined by the City of Alameda Inclusionary Housing Ordinance and the project proponent's decision to increase the ratio of affordable housing units under the City of Alameda Affordable Housing Density Bonus Ordinance. Affordability is determined through Inclusionary requirements.	
10	**Alameda Point Project** Zoning: Specific Plan - Mixed Use General Plan Designation: Mixed Use	APN: 74-1368-18 Size: 55 acres (City of Alameda) APN: 74-1377-2 Size: 2.5 acres (Private) Realistic capacity based on Town Center Specific Plan, infrastructure constraints, U.S. Navy housing limitations.
	 During the 5th Cycle (2015-2022), the City of Alameda adopted the Alameda Point EIR and Waterfront Town Center Specific Plan, approved the Site A Development Plan for the first 68 acres of land in the Town Center Specific Plan area, adopted the adjacent Main Street Neighborhood Specific Plan, approved a Development Agreement for construction of 200 new units for the Alameda Point Collaborative, 200 formerly homeless households, and entered into an Exclusive Negotiation Agreement for the development of the first 37 acres of land in the Main Street Specific Plan area. As a result of these actions by the City of Alameda, between 2018 and 2022, 544 market-rate multifamily units and 128 deed-restricted affordable units were constructed at Alameda Point.	

	During the 2023-2031 period, the City of Alameda plans to construct 1,489 units on 55 acres of City owned land received from the Navy during the last cycle and 3.5 acres of adjacent private land zoned for residential use in the Waterfront Town Center and the Main Street Neighborhood Specific Plan areas. The residential densities will vary by block, but average block densities with internal paseos, open spaces, and parking will range from 100 to 25 units per acre. All the land is zoned for residential use and all necessary environmental review has been completed with the 2022 General Plan Update EIR and 2014 Alameda Point EIR. The City's selected private-sector housing development partners (Alameda Point Partners, LLC, Catellus, LLC, Brookfield Residential, and Mid Pen Developers) will construct the necessary infrastructure to support the 1,489 units. The 1,489 units will be made up of approximately 200 new housing units for Alameda Point Collaborative, formerly homeless households, approximately 322 deed restricted very low-, low-, and moderate-income households, and approximately 966 multifamily attached for-sale homes. Given the infrastructure constraints and the need to coordinate housing construction with infrastructure construction, the 1,489 units will be constructed in the following sequence of steps over the 8-year period: 2023/24. Construct approximately 200 units on Block 1A and Block 10 and begin infrastructure for Site A Phase 2. Begin City infrastructure project in support of West Midway/RESHAP. On July 25, 2022, the Alameda Planning Board approved the revised Development Plan and recommended approval of the revised Development Agreement to the City Council. The Alameda City Council is scheduled to approve the final disposition and development agreements with Alameda Point Partners on September 6, 2022. The agreements allow for conveyance of all the City property to APP by end of 2022, preparation of construction documents in 2023, and actual construction to begin in late 2023 or early 2024. 2025/26. Construct approximately 500 units on Site A Phase 2 and begin infrastructure extending from Site A Phase 2 into West Midway. 2027/2028. Construct 200 APC units and 200 West Midway units. In September 2022, the Alameda Planning Board will hold a study session to review the proposed Development Plan and recommended Development Agreement with Catellus/Brookfeild/RESHAP to the City Council. The Alameda City Council is scheduled to approve the final disposition and development agreements with Catellus/Brookfeild/RESHAP by December 2022. The agreements will allow preparation of construction documents in 2023 and actual construction of the necessary infrastructure to begin in late 2024 or early 2025. 2029/30/31. Construct 389 West Midway units. As a public-private partnership with the City, the project entitlements require that at least 25% of the units to be deed-restricted affordable to very low- and low-income households. Affordability determined through Alameda Point development provisions.

Table E-4 Sites to be rezoned

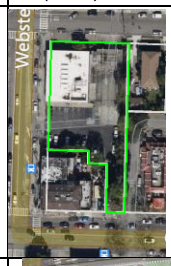
11	**South Shore Shopping Center Site** Zoning: C-2 with MF Overlay General Plan Designation: Community Mixed Use	74-1200-29-5 40 acres. 74-1200-2-9 3 acres 74-1200-2-27 1.4 acres.
	The draft Shopping Center Overlay District (See Program 2) removes 50-year-old zoning prohibitions on multifamily housing and 21 unit per acre density limitations. As a result of these local government constraints, no housing has been built on Alameda shopping center sites in the last 50 years. Once the zoning amendments are adopted, the property owner is prepared to construct 800 units during the 2023-2031 period. (The General Plan Community Mixed Use Designation already identifies these areas as appropriate areas for higher density housing development.) The realistic capacity of 800 units is based on property owner estimates and site capacity studies. The 800 units will be divided between two areas of the shopping center (see diagram at right), which are located in the northwest corner and southeast corners of the center. These two areas of the center are available for redevelopment and are not constrained by existing lease agreements. The 800 units will be located in multifamily buildings with a net residential density of 100 to 125 units per acre. The number of affordable units is based on zoning changes described in Program 2, which permits multifamily housing by right, eliminates residential density limits, and requires a minimum residential density in new buildings of at least 30 units per acre.	
12	**Harbor Bay Shopping Center Site** Zoning: C-2 with MF Overlay General Plan Designation: Community Mixed Use	74-1045-10-2 Size: 9.59 acres.

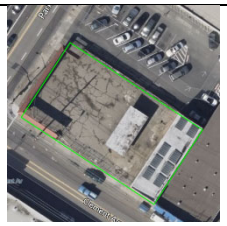
	The draft Shopping Center Overlay District (See Program 2) removes 50-year-old zoning prohibitions on multifamily housing and 21 unit per acre density limitations. (The General Plan Community Mixed Use Designation already identifies these areas as appropriate areas for higher density housing development.) In communication with the City, the property owner has expressed interest in developing at least 300 housing units on the site between 2023 and 2031. The number of affordable units is based on zoning changes described in Program 2, which permits multifamily housing by right, eliminates residential density limits, and requires a minimum residential density in new buildings of at least 30 units per acre.	
13	**Alameda Landing Shopping Center Site** Zoning: C-2 with MF Overlay General Plan Designation: Community Mixed Use	74-905-30 1.45 acres 74-905-31 1.4 acres
	The draft Shopping Center Overlay District (See Program 2) removes 50-year-old zoning prohibitions on multifamily housing and 21 unit per acre density limitations. (The General Plan Community Mixed Use Designation identifies these areas as appropriate areas for higher density housing development.) The entire shopping center site is made up of approximately 40 acres and has two owners. The two owners of the 1.45-acre parcel and 1.4-acre parcel in the southeast corner of the property are interested in redeveloping their property for residential use. The 100-unit realistic capacity is based on the developer/property owner's estimate of development capacity. The remainder of the 40- acre shopping center site will be rezoned to encourage additional housing during the period but at this time the other property owners have not shown immediate interest in additional housing and therefore the remaining parcels have not been included in this inventory. As such, the acreage and realistic capacity is based upon just the two parcels in the southeast corner of the site. The number of affordable units is based on zoning changes described in Program 2, which permits multifamily housing by right, eliminates residential density limits,	

	and requires a minimum residential density in new buildings of at least 30 units per acre
14	**Transit Corridor Sites**

The draft Commercial Transit Corridor Zoning Amendments (See Program 3) removes 50-year-old zoning prohibitions on multifamily housing and 21 unit per acre density limitations. (The General Plan Community Mixed Use Designation already identifies these areas as appropriate areas for higher density housing development.) As a result of these local zoning constraints, no housing has been built on Alameda mixed use, commercial transit corridors in the last 50 years. The realistic capacity for the areas of Park Street and Webster Street to be rezoned based upon a 30 unit per acre minimum density standard in the site zoning Every site on the list has the same General Plan Community Mixed Use Designation, and the same CC zoning designation. Under the new zoning, multifamily housing is permitted by right and all new buildings must have a net residential density of at least 30 units per.

All of the units projected to be constructed on Sites 14a through 14.i are counted towards the lower income portion of the City's regional housing need allocation due to fact that the site zoning: 1) ensures a minimum density of 30 units per acre, 2) does not regulate the maximum density for residential density, and 3) permits multifamily housing by right.

	APN	Lot Area (sf)	Realistic Capacity	Current Use
Webster Street District				
Site 14a. 1901-1925 Webster St	74-433-2-3	39,939	50	Hotel – Housing Authority is under contract to purchase the hotel property and plans to rehabilitate the building for 30 lower income housing units and 20 supportive housing units.
Site 14b. 1435 Webster St	74-4275-1	14745	15	Vacant parking lot. Capacity based upon developer/owner estimate of preferred residential use and capacity.
Site 14c. 650 Pacific/Webster	74-430-1-1	9928	20	Vacant lot with /car service. Capacity based upon developer/owner estimate of preferred residential use and capacity.
Site 14.d. 1414 Webster St	73-423-1-3	25500	17	 Vacant former bank building and parking area. Property currently for sale. Capacity based upon 30 units per acre minimum density.
Site 14.e 1916 Webster/720 Atlantic Two parcels, one owner	73-426-27 73-426-26	22,596 37,884	100	Existing strip mall commercial center. Capacity based upon developer/owner estimate of residential development capacity.
Site 14.f. 650 Central Avenue - Neptune Plaza	74-1328-32 74-1328-33	73590 15410	150	Shopping Center Capacity based upon developer/property owner estimate of residential capacity.

	Park Street District				
	Site 14.g. 1618 Park Street	70-191-35-4	54,279	100	Vacant commercial property. Capacity based upon property owner/developer estimate of residential capacity.
	Site 14 h. 1500-1504 Park/ 2411 Santa Clara	70-189-8	12600	50	Vacant bank building. Realistic Capacity based upon property owner/developer estimate of residential capacity.
	Site 14.i. 1900 Park	70-194-15	10157	7	 Vacant smog center site for sale. Capacity based upon 30 units per acre minimum density.
	Total			**499**	

15 **Residential Sites (R-1 through R-6)**

The residential districts comprise over 2,500 acres of residentially zoned land that is available for scattered site residential infill development. Over the next 8 years, residential infill development will occur due to: a) the Accessory Dwelling Unit ordinance, b) the Residential Zoning Amendments (See Program 4), which up zone these lands to remove 50-year-old zoning prohibitions on multifamily housing and 21 unit per acre density limitations, c) a rezoning of a vacant 4-acre site currently zoned for manufacturing use for residential use, and d) a rezoning of 2.3 acres of land on Mariner Square Drive currently zoned for office use. Each of the four factors or sites is described below:

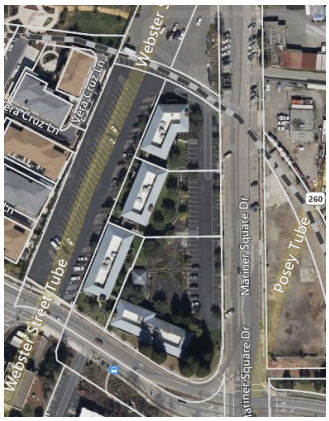
15a *Accessory Dwelling Unit Sites*

In 2017, the City Council approved a comprehensive update of the Accessory Dwelling Unit Ordinance to reduce regulatory barriers to the creation of accessory dwelling units in Alameda. Since 2017 and subsequent efforts to streamline, improve, and lower the costs for approval, the City has seen an annual increase in the number of Accessory Dwelling Units each year. Prior to the 2017 amendments, the City issued 1 ADU building permit every 4 years. In 2018, the City issued 20 ADU permits, then 26 in 2019, 39 in 2020, and 79 in 2021. In the first five months of 2022, the City issued 28 ADU permits. Based on these trends, the City of Alameda anticipates an average of 50 units per year for a total of 400 over the 8-year period. The realistic capacity and projected affordability is based on current annual production over the last three years and an analysis of affordability conducted by the Association of Bay Area Governments. The breakdown is as follows.

Affordability	ABAG Affordability Percentage	Projected ADUs
Very Low	30	120
Low	30	120
Moderate	30	120
Above Moderate	10	40
Total		**400**

15b *In-fill Residential Sites*

The draft Residential District Zoning Amendments (See Program 4) removes 50-year-old zoning prohibitions on multifamily housing and 21 unit per acre density limitations on over 2,500 acres of residentially zoned land which helps to ensure the City is furthering fair housing goals. With the adoption of these regulations, Alameda property owners will be able to add additional residential units within existing buildings (as was common prior to 1972) and will be able to add additional residential units in

	rear yards or as additions to existing buildings. At approximately 20 units per year, the City assumes the zoning changes will produce approximately 160 additional residential units through conversion of existing larger homes over the 8-year period. Units produced as add on units or units in rear yards are not assumed to meet the City's RHNA. Refer to Residential Infill Analysis on page E-15 for additional discussion regarding assumed capacity assumptions.	
15c	*2199 Clement re-zoning*	
	The vacant 4.7-acre site at 2199 Clement Avenue will be rezoned for residential use (See Program 4) to allow multifamily housing by right and a minimum residential density of 30 units per acre, which will result in at least 125 units on the property with anticipated affordability to lower-income households. Owner would like to sell property to housing developer for residential development. APN 71-289-6-1	
15d	*2363-2433 Mariner Square Drive rezoning*	
	The property at 2363-2433 Mariner Square Drive is comprised of four parcels under common ownership that are currently zoned for manufacturing or office use. Housing developer is interested in purchasing all four parcels and constructing approximately 160 units on the consolidated 2.34-acre property. APN: 74-1315-1 APN: 74-1315-5 APN: 74-1315-6 APN: 74-1315-7	
15e	*400 Park Street*	
	The property at Park Street is occupied by the Coral Reef Hotel and is zoned R-6 Hotel Residential District. The property owner is interested in constructing approximately 150 residential condominium units on the 2.52-acre property. Development could either be new development or reuse of the existing hotel. APN: 74-950-9-1	

Residential Infill Analysis

Introduction

A typical two story 5-unit Alameda residential building converted to five units prior to 1972.

The residential zoning districts (R-1 through R-6) comprise over 2,500 acres of land and approximately 18,000 individual parcels. The districts include areas of low opportunity, moderate opportunity, high opportunity, and highest opportunity, as designated by the California Tax Credit Allocation Committee (TCAC), in Alameda. To affirmatively further fair housing and increase housing opportunities in all residential districts, Housing Program 4 (page 18) requires modifying the Alameda Municipal Code for all residential districts to: 1) remove the prohibition on multifamily housing (more than three units in a building), 2) remove the citywide prohibition on residential densities over 21 units per acre (more than two units on a 5,000 square foot parcel), 3) exempt addition of units within an existing building from residential density standards, 4) exempt residential developments within a 1/4-mile of transit from residential density standards, 5) increase the residential density standards in the R-3 from 21 units per acre to 30 units per acre, 6) increase residential density in the R-4 from 21 units per acre to 40 units per acre, 7) increase the residential density in R-5 from 21 to 50 units per acre, and 8) increase the residential density in the R-6 from 21 to 60 units per acre. As shown in Table E-2 - Site 15b (page E-4), the Housing Element conservatively projects that these zoning amendments will, in addition to furthering fair housing, produce approximately 20 additional housing units per year in addition to the 50 units per year being produced by the ADU program in these same neighborhood areas. (See Table E-3 –Site 15a for a discussion of the ADU program.) The assumed 20 units per year used to meet the City's RHNA are those added to existing structures through conversions, as discussed below. While additional units may be constructed as a result of Program 4, such as through backyard additions and second story additions, these potential units have not been identified to meet the RHNA. Housing Program 4 is supported by an analysis of market trends and demand, potential for redevelopment in these areas, and an implementation program.

Market Trends and Demand

Strong market demand exists to add housing in Alameda residential districts. Past periods of strong demand demonstrate the potential to add additional units in existing neighborhoods if local regulatory constraints are removed. During the 1940's, Alameda experienced a period of significant housing demand as workers moved to the Bay Area to assist in the war effort. During this period of high demand for affordable workforce housing, Alameda property owners throughout the residential areas took action to

add housing units within existing buildings and on residential parcels with additional space available to add small rental units.

Prior to 1972, and the passage of Measure A, which prohibited any additional construction of multifamily housing in Alameda, Alameda neighborhoods accommodated and allowed a wide range of housing types. This resulted in R-1 through R-6 residential districts providing a range of housing types from single family detached homes to multifamily residential buildings of 5 to 50 units. Which is currently reflected in the housing stock.

Over the last 10 years, the City of Alameda has witnessed a similar strong demand for small rental units in Alameda as the Bay Area job market has grown and the demand for housing has increased. This demand for smaller, more affordable rental units is documented in the Appendix C – Housing Needs Assessment and is apparent in the City of Alameda Permit Center.

Due to the 1972 "Measure A" prohibitions on multifamily housing in Alameda and the citywide 21 unit per acre density limit, city staff regularly informs interested property owners that they are prohibited from modifying their existing residential buildings or adding new residential units on their residentially zoned property. The City receives approximately 5 requests a quarter. The City's code enforcement division records confirm that in some cases, the demand for these types of conversions, the need for multifamily rental units, that property owners choose to add the units without City knowledge and without obtaining the required City permits.

Further evidence of the demand for additional housing is evident in the success of the City's 2017 code amendments to facilitate and encourage Accessory Dwelling Unit (ADU) construction. Prior to 2017, City standards made construction of ADUs almost impossible in Alameda. Prior to 2017, the City approved approximately one (1) ADU every three to four years. After the 2017 code amendments, the City witnessed an immediate increase in applications and approvals. Each year since 2017, the number of ADUs approved annually has increased, peaking in 2021 with a high of 78 units in a single year.

Potential for Redevelopment

Land Capacity in Residential Zoning Districts

A City survey of development capacity in the R-1 through R-6 zoning districts utilizing Alameda County Assessors Records revealed that there is significant land capacity to increase housing supply within existing buildings and on existing residential lots in Alameda. The City survey considered all land within the R-1 through R-6 districts, but conservatively removed parcels that would not be likely candidates for additional housing within these areas, such as property owned or leased by a public utility, property owned by or used for a school or religious institution, property owned or used for self-storage, and property which already included residential buildings with 5 or more units. Residential properties with 5 or more units were eliminated from the analysis based on the assumption and observations that many of these larger apartment and condominium complexes, like those along Shoreline Drive, have relatively little capacity for additional housing.

After removing these sites, the analysis found that that:

In the R-1 district, there is 943.65 acres of land divided into 763 individual residential parcels occupied by 7,543 housing units, resulting in an average residential density of under 8 units per acre and an average parcel size of 5,445 square feet. With 7,763 residential parcels and an average parcel size of 5,445 square

feet, each parcel includes an average of 1.03 units per parcel. Considering all parcels in the R-1 district, within the proposed zoning amendments described in Program 4, these property owners now have the opportunity to add one or more housing units within: 1) an existing large, three story single family home, which are common in the R-1 district, 2) in a new smaller building in the rear yard on an average size 5,445 square foot lot, or 3) a new second story or new ground story beneath an existing home that is lifted to accommodate an additional floor. The existing height limit in the R-1 is 30 feet, which is sufficient to accommodate the addition of a second or third story to add additional units.

In the R-2 district, 2,094 units are located on 1,168 parcels on 191 acres of land resulting in an average density of 10.94 units per acre. Single family homes occupy 1,168 parcels, of which 281 currently have 2 units, 42 have 3 units, and 12 have 4 units. Similar to the R-1 district, the average parcel size is approximately 5,305 square feet. With an average of 1.33 units per parcel and an average of only 10.94 units per acre, the R-2 has significant land available to add housing. By removing the multifamily prohibition and allowing buildings with three units, the R-2 district could accommodate 1,927 more units, without increasing the overall density of the district above 21 units per acre. Similar to the R-1, the additional units can be accommodated within existing buildings, in rear yards on an average 5,305 square foot lot, and in second stories.

After removing institutional and other uses from the land survey, the R-3 district includes 415 parcels with a total of 689 units. Single family homes occupy 307 parcels, of which 52 currently have duplexes, 20 have 3 units, and 10 have 4 units. At an average density of 10.31, the R-3 parcels are developed at a lower density than even the R-2 district. Program 4 proposes to increase the density to 30 units per acre, which would allow a 5,000 square foot lot to accommodate at least three (3) units. Similar to the R-1 district, the additional units can be accommodated within existing buildings, in rear yards on an average 5,305 square foot lot, and in second stories.

The R-4 district represents a major area of existing housing and a major opportunity for additional housing. With 3,393 parcels over 423 acres of land, R-4 is developed at a density of 13.77 units per acre. Single family homes occupy 2,060 parcels, of which currently 579 have 2 units, 285 have 3 units, and 280 have 4 units. Similar to the R-2 and R-3 districts, the R-4 does include many multifamily homes that were created legally before the passage of Measure A. Program 4 proposes to increase the density to 40 units per acre, which would allow a typical a 5,000 square foot lot to accommodate four (4) units.

The R-5 district includes much less land (123.96 acres) and parcels (840) than the R-4 and R-2 districts, but those parcels are developed at an average density of only 9.8 units per acre (a lower density than the R-2, R-3, and R-4), revealing significant capacity to increase density and housing. Single family homes occupy 539 parcels, of which 136 currently have 2 units, 43 have 3 units, and 280 have 4 units. Program 4 proposes to increase the density to 50 units per acre, which would allow a 5,000 square foot lot to accommodate five (5) units.

Finally, the R-6 district is the smallest opportunity area with only 81 parcels, 18.37 acres of land, and an existing residential density of 12.63 unit per acre, which is less than the residential density in the R-4 currently. Thirty-one of the parcels in the district are occupied by single family homes, of which 19 currently have 2 units, 12 have 3 units, and 7 have 4 units. The average lot size for those 31 parcels is 7,666 square feet. Program 4 proposes to increase the density to 60 units per acre, which would allow a 5,000 square foot lot to accommodate six (6) units.

Typologies of Increased Density in Residential Zoning Districts

As described previously, the City of Alameda Permit Center staff is regularly informing property owners they are not permitted to add housing units on their property due to current governmental constraints prohibiting multifamily housing in Alameda. These requests come in three main types: 1) requests to add one or more units within an existing residential building, 2) requests to build a new small building with one or more units in the back yard, or 3) requests to build a second story or raise the building to accommodate one or more additional units on an additional floor. Since residential parcels over 10,000 square feet in size are extremely rare in Alameda, property owners in the R-1 through R-6 residential districts are not eligible for City and State Density Bonus Law provisions to waive these prohibitions.

Conversion of Existing Larger Homes

In most cases, the request is not to build a new building, but to add units within an existing building. In Alameda, there are a large number of large Victorian-era and pre-1972 houses that are located in the R-Zoning Districts that are still used as single-family dwellings but could be converted to multi-family use. Evidence of this potential can be found on blocks where an existing three-story Victorian may currently provide five housing units and an identical three-story Victorian only provides one unit. The only difference being that the five-unit Victorian was converted to multifamily prior to 1972, before the adoption of Measure A. Given the historic nature of these units and the stated goal to retain these valuable historic structures, it becomes very important that any exterior changes are compatible with the structure's significance to the neighborhood. Additionally, historic structures have a long-term value to the community and conversions and/or modifications to these structures should be balanced against short-term housing needs of the community. To encourage adaptation and preservation of existing historic homes and facilitate smaller, more affordable housing opportunities, the City's Zoning Code amendments (see Program 4) exempt proposals to increase units within existing homes from zoning residential density limitations. The City has conservatively projected the addition of 20 units per year, for 160 units total in the planning period, through conversion of existing larger homes to meet the RHNA.

A typical Alameda Victorian on a 5,000 square foot lot converted to 5 units prior to 1972.

Backyard Additions

The second most common request is to add a unit in the back yard behind the main house, either as a free-standing structure in the rear yard or as a rear addition to the main house. With the predominant lot size ranging from 4,500 square feet to 5,500 square feet in most of the R-1 through R-6 districts, most lots that do not already have a building of 5 or more units are likely to have space in the rear yard for new

construction. To encourage and facilitate smaller, more affordable housing opportunities, the City's Zoning Code amendments (See Program 4) exempt proposals to construct new housing within ¼ mile of transit from residential density limitations and reduce open space requirements in all R-Districts, thus facilitating the addition of housing units in rear yards. The City is not relying on projected units from backyard addition to meet the RHNA.

Second Story or Basement Additions

The third most common request is associated with smaller parcels without space for a rear yard addition or building. In these cases, the applicant is interested in adding units with a second story addition or basement addition, in which the building is lifted to create an additional floor. To encourage and facilitate smaller, more affordable housing opportunities, the City's Zoning Code amendments (See Program 4) exempt proposals to construct new housing within 1/4-mile of transit from residential density limitations and reduce open space requirements in all R-Districts, enabling the construction of additional units in second stories or basements. The City is not relying on projected units from second story or basement additions to meet the RHNA.

Implementation

As previously mentioned, and as documented in the Appendix C – Housing Needs Assessment, there is a strong demand for smaller, more affordable housing units in Alameda. This need is documented in local and regional studies as well as by the Alameda Housing Authority and Community Development Department, which is regularly addressing individual requests for assistance finding suitable housing in Alameda. As a result, the draft Housing Element policies and programs include a strong focus on the need to increase the supply of small and affordable housing units throughout Alameda, not just in new major housing developments, such as those under construction at Alameda Point and along the Northern Waterfront, but also in smaller numbers within existing neighborhoods and the Residential-Zoning Districts. For these reasons, Program 4 is critical to the City's ability to enable Alameda homeowners and property owners to add additional units within existing neighborhoods as they have shown that they can do in response to strong housing need and as they did during the Second World War. The City needs to remove the barriers that have been put in place in the Municipal Code that prevent this type of needed development. Program 4 ensures that these barriers are removed. To ensure that they are removed expeditiously, the Planning Board has completed all of the necessary zoning amendments and plans to transmit the recommended amendments to the City Council for adoption concurrent with the draft Housing Element. The City has also included language in Program 4 to continue to monitor the production and affordability of infill sites.

Meeting the RHNA

Table E-4 compares Alameda's RHNA to its site inventory capacity. Accounting for the current approved and proposed project capacity and the proposed up-zoning and rezone capacity (planned to occur prior to January 31, 2023), the city has a surplus of 587 units available to above moderate-income households, 29 units available to moderate-income households, and 455 available to lower-income households (including extremely low-, very low-, and low-).

Table E-4 Comparison of the Regional Housing Needs and Proposed Capacity

Income Category	RHNA	Projects	Planned Sites	Infill Site Capacity	Projected ADUs	Total Capacity	Unit Surplus
Very Low	1,421	1,315	1,059	80	240	2,694	455
Low	818						
Moderate	868	202	535	40	120	892	29
Above Moderate	2,246	2,213	540	40	40	2,833	587
Total	**5,353**	**3,730**	**2,134**	**160**	**400**	**6,424**	**1,071**

Source: ABAG 2021, City of Alameda, March 2022

Note: It is assumed that 50 percent of the very low- income is allocated to the extremely low-income category.

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APPENDIX F – HOUSING CONSTRAINTS

Non-Governmental Constraints

The production and availability of housing is constrained by government regulations and by non-governmental factors, such as the costs of construction and interest rates on home mortgages. Many non-governmental constraints on housing production and availability affect both Alameda and the other Bay Area communities, while other constraints are unique to the City of Alameda.

Land Costs

As there is little to no vacant land available remaining in Alameda, the majority of the City's residential development potential lies in the redevelopment of former military installations and transitioning industrial uses, and some infill on lots already developed but with zoning potential to accommodate one or more additional units. In the case of infill on lots already developed, there are no land costs associated with the development of additional units. As of July 2022, the only available vacant land in Alameda was a 0.11-acre parcel on Lincoln Avenue that was zoned commercially with preliminary plans for a mixed-use project. This parcel was listed for $550,000, or approximately $5,000,000 per acre. Similar situations of vacant land with plans ranging from preliminary status to full entitlement can be found in neighboring jurisdictions, though there is a limited supply of vacant land suitable for residential development that does not already have a project. While there is a shortage of land for new development on vacant land, there are several parcels in Alameda that are underutilized or with owners interested in redevelopment.

To facilitate housing development at City-owned land at Alameda Point and in recognition of significant infrastructure costs at Alameda Point, the City of Alameda provides land at no cost to prospective residential developers.

Construction Costs

The cost of construction depends primarily on the cost of materials and labor, which are influenced by market demand. The cost of construction will also depend on the type of unit being built and on the quality of product being produced. The cost of labor is based on a number of factors, including housing demand, the number of contractors in the area, and the unionization of workers. The construction cost of housing affects the affordability of new housing and may be considered a constraint to affordable housing in Alameda County and throughout the Bay Area. A reduction in construction costs can be brought about in several ways. A reduction in amenities and quality of building materials in new homes (still above the minimum acceptability for health, safety, and adequate performance) may result in lower sales prices. State housing law provides that local building departments can authorize the use of materials and construction methods if the proposed design is found to be satisfactory and the materials or methods are at least equivalent to that prescribed by the applicable building codes.

In addition, prefabricated, factory-built housing may provide lower-priced products by reducing labor and material costs. As the number of units built at one time increases, savings in construction costs over the entire development are generally realized as a result of an economy of scale, particularly when combined

with density bonus provisions. Housing construction costs have risen significantly in recent years, similar to the rest of the county.

Using current pricing sources, the construction costs for a single-family home are approximately $153 per square foot. This is based on costs calculated for a 2,000-square-foot, wood-framed, single-story, four-cornered home, of good quality construction and including a two-car garage and forced air heating in the City of Alameda. Estimated total construction costs for such a home are $335,839. These construction costs include labor, materials, and equipment but do not include costs of buying land. (2022 National Building Cost Manual and 2020 for 94501, and 94502 zip code modifiers, Craftsman Book Company.)

Construction costs for a multifamily home are approximately $159 per square foot. This is based on costs calculated for a 10 unit, 800-square-foot, wood-framed, single-story, four-cornered home, of good quality construction and including forced air heating in the City of Alameda. Estimated total construction costs for such a home are $1,320,259. These construction costs include labor, materials, and equipment but do not include costs of buying land. (2022 National Building Cost Manual and 2020 for 94501, and 94502 zip code modifiers, Craftsman Book Company.)

Availability of Financing

Home ownership can be constrained by mortgage interest rates, loans, and homeowners' insurance. Interest rates are determined by national policies and economic conditions, and there is little that local governments can do to affect these rates. Jurisdictions can, however, offer interest rate write-downs to extend home purchase opportunities to lower-income households. In addition, government-insured loan programs may be available to reduce mortgage down-payment requirements.

The cost of borrowing money to finance the construction of housing or to purchase a house affects the amount of affordably priced housing in Alameda. First-time homebuyers are the group most impacted by financing requirements. In August 2021, mortgage interest rates for new home purchases are approximately 2.875 percent for a fixed-rate 30-year loan (wellsfargo.com). Lower initial rates are available with graduated payment mortgages, adjustable rate mortgages, and buy-down mortgages. Variable interest rate mortgages on affordable homes may increase to the point where the interest rate exceeds the cost of living adjustments, which is a constraint on affordability. Although rates are currently low, they can change significantly and substantially impact the affordability of housing stock. Fluctuating interest rates can eliminate many potential homebuyers from the housing market or render a housing project infeasible that could have been successfully developed or marketed at lower interest rates. Housing prices in Alameda are unaffordable for lower-, moderate-, and even some above moderate-income households, even with the lower interest rates. The constraint on homeownership in Alameda is not the availability of financing, but the cost of housing, of which is unaffordable to many households.

Interest rates at the present time are not a constraint to affordable housing. Financing for both construction and long-term mortgages is generally available in Alameda County subject to normal underwriting standards. A more critical impediment to homeownership involves both the affordability of the housing stock and the ability of potential buyers to fulfill down payment requirements. Conventional home loans typically require 5 to 20 percent of the sales price as a down payment, which is the largest constraint to first-time homebuyers. This indicates a need for flexible loan programs and a method to bridge the gap between the down payment and a potential homeowner's available funds. The availability

of financing for developers under current economic conditions may also pose a constraint on development outside of the City's control.

According to the Alameda Board of Realtors, there is no evidence of "redlining" of any Alameda neighborhood by the financial community. The City provides Community Development Block Grant (CDBG) funding for counseling for individual clients regarding fair housing rights and responsibilities and to disseminate education and information materials. Households receive intensive counseling, and legal and/or agency referral for cases involving discrimination against families, racial or religious minorities, and individuals with disabilities.

Environmental Constraints

Environmental issues affect the amount, location, and timing of new residential development in Alameda.

Hazardous Materials

Hazardous materials regulations, which are codified in Titles 8, 22, and 26 of the California Code of Regulations (CCR), and their enabling legislation set forth in Chapter 6.95 of the California Health and Safety Code, were established at the state level to ensure compliance with federal regulations to reduce the risk to human health and the environment from the routine use of hazardous substances. These regulations must be implemented, as appropriate, and are monitored by the state (e.g., Cal OSHA in the workplace or the DTSC for hazardous waste) and/or local jurisdictions.

As with many infill urban locations, many of the housing element housing opportunity sites in Alameda are on former industrial or commercial properties. These properties typically have environmental issues related to the prior use. Despite their historical use, all of the housing element sites are either already remediated of their hazardous materials and ready for residential use or are in the process of being remediated of hazardous materials to allow for residential use pursuant to approved plans by the appropriate regulatory agency.

At Alameda Point, the US Navy is responsible for addressing and remediating hazardous materials before the land is conveyed to the City of Alameda. The City of Alameda then is able to convey the land to prospective housing developers without the need for those developers to expend significant resources on hazardous material remediation. All of the land that is programed for housing at Alameda Point in the Housing Sites Inventory has been remediated by the Navy to residential standards and has been conveyed to the City.

Flooding

Flooding can have devastating effects on property and residents and impact water quality in Alameda. Some of the housing element housing opportunity sites on the waterfront in Alameda may be affected by storm waves, wind, and sea-level rise.

To address these issues, the City participates in the Alameda County Flood Control and Water Conservation District, which helps protect property and residents from flooding through maintaining flood-control infrastructure, including channels, pump stations, and other facilities. The City also participates in the Countywide Clean Water Program, which deals primarily with stormwater issues, and coordinates pollution prevention programs, such as wastewater treatment plant upgrades, hazardous

waste disposal, drainage infrastructure improvements, and water recycling, as well as educates the public on how to keep businesses and homes from contributing to stormwater pollution.

In addition, the City works proactively with the development community and the Bay Conservation and Development Commission (BCDC) to design for adaptable sea-level protection systems. All waterfront projects in Alameda provide for and plan for three feet of sea-level rise and adaptable sea-level rise and storm mitigation design strategies, including provision of waterfront setbacks that allow for future berms and/or seawalls to protect against future sea-level rise. In all cases, project developers will import soil to raise the level of the property out of the future floodplain if the soil is also necessary to provide geotechnical improvements and address potential liquefaction from a seismic event as required by the California Building Code.

Energy Conservation

Housing affordability is also influenced by the cost of energy. Energy rates in California and Alameda County have increased over the last 10 years, but residential rates have leveled out since 2009 (California Public Utilities Commission). Rates remain some of the highest in the country. Thus, increasing energy efficiency is essential, and especially necessary for lower-income residents.

The Low-Income Home Energy Assistance Program (LIHEAP) offers financial assistance for qualified lower-income households to increase energy efficiency in their homes. It also provides additional conservation measures that include the replacement of inefficient water heaters, refrigerators, lighting, windows, and appliances.

Governmental Constraints

While local governments have little influence on such market factors as interest rates, local policies and regulations can affect both the amount of residential land available and the affordability of housing. Governmental constraints are policies, standards, requirements, or actions imposed by the various levels of government upon land and housing ownership and development. Although federal and state agencies play a role in the imposition of governmental constraints, these agencies are beyond the influence of local government and are therefore not addressed in this document.

The following section describes the various local Alameda governmental policies, regulations, and procedures that control the development of housing in Alameda.

General Plan

On November 30, 2021, the City Council adopted a comprehensive update of the City of Alameda General Plan. The update included all of the elements of the General Plan with the exception of the 2015 Housing Element. Although the Housing Element was specifically not included in the update, the update was designed and intended to serve as a policy foundation for the update of the Housing Element in 2022.

To support the Housing Element update and set a policy foundation for efforts to increase housing production for all income levels and affirmatively further fair housing, the General Plan establishes four overarching themes for the City's General Plan. The themes are Equity and Inclusion, Mobility, Environment, and Character. The equity theme specifically addresses the need to accommodate the needs of all segments of the community, including the needs for housing for low-income households and special-needs households. The Character theme articulates that preserving character means preserving cultural diversity, economic diversity, and a variety of housing types, including multifamily, low-income, and special-needs housing. The land use element includes policies supporting and encouraging housing to meet all income and special-needs population housing needs. The Element specifically supports higher-density, multifamily housing on transit corridors, on shopping center sites, and in all residential districts. To preserve economic development and employment opportunities, residential use is not encouraged in the Business and Employment Areas, General and Maritime Industry Areas, or Commercial Maritime Areas. To preserve open space and park opportunities and institutional uses, residential use is not encouraged in the Public Parks and Open Space, Wildlife Habitat Areas, and Public Institutional Use Areas. The specific regulations govern the maximum allowable floor area ratios permissible in each area, but they do not include limits on the number of units (residential density), heights of buildings, and other land use regulations that control the development of housing. Those standards are all provided in the Zoning Ordinance.

Land Use Designations

Table F-1 shows the residential General Plan land use designations for the City of Alameda. The land use designations support a variety of housing types, ranging from low-density single-family homes to high-density development, which includes multifamily development.

Table F-1 General Plan Land Use Designations

Land Use Designation	Housing Capacity	General Uses
Low-Density Residential	FAR 1.0	Low-Density Residential areas support neighborhoods of predominantly single-family detached homes with some multifamily residential buildings, accessory dwelling units, childcare, shared living, assisted living facilities, residential care facilities, a hospital, schools, religious institutions, and home-based businesses. Low-Density Residential areas permit a wide variety of housing types, including multifamily housing and a limited range of neighborhood-serving uses. Average density in these areas is 7.5 units per acre.
Medium-Density Residential	FAR 1.0 to 2.4	Medium-Density Residential areas support neighborhoods characterized by a wide variety of housing types, including single-family detached homes, attached courtyard homes, multifamily rental buildings, multifamily condominium buildings, shared living, assisted living, and residential care facilities. These neighborhoods also include a variety of non-residential uses, including childcare, schools, religious institutions, home-based businesses, medical offices and clinics, office buildings, and personal service businesses. The residential density of buildings in these areas varies from 10 to over 100 units per acre. Medium-Density Residential areas permit a wide variety of housing types, including multifamily housing and a wide variety of complementary commercial and neighborhood-serving uses.
Neighborhood Mixed-Use	FAR 2.0	Neighborhood Mixed-Use: These areas, which were originally developed to serve neighborhood stations for the Alameda commuter rail system, are small, compact, pedestrian-oriented "corner store" neighborhood mixed-use districts with commercial and retail uses on the ground floor and multi-family residential and office uses on upper floors. The ratio of floor area to parcel size (FAR) in these areas is typically 0.5 to 2.0. Mixed-use buildings with residential units above ground floor retail in these areas vary from 30 and 90 units per acre. Neighborhood Mixed-Use areas permit multifamily housing aboveground floor commercial and service uses.
Community Mixed-Use	FAR 3.0 in the CC districts and 5.0 in the C-districts.	The Community Mixed-Use areas include the pedestrian and transit-oriented Park and Webster Street "Main Street" corridors and the shopping centers at South Shore, Marina Village, Harbor Bay, and Alameda Landing. Community Mixed-Use areas permit a wide range of community-serving commercial uses and multifamily housing.
Mixed-Use	FAR of 0.25 to 5.0 depending on the sub district and historic district designations.	Mixed Use areas at Alameda Point and along the Northern Waterfront are designated Priority Development Areas in the regional sustainable communities plan, Plan Bay Area. These diverse areas include a variety of buildings, with residential densities of 10 to 100 units per acre and FAR of 0.25 to 4.0. Mixed-Use areas permit a wide variety of housing types, including multifamily housing, a wide variety of commercial and business uses.

Source: City of Alameda, 2022

Zoning Ordinance

The City of Alameda Zoning Ordinance (Alameda Municipal Code Chapter 30 – Development Regulations) establishes the specific regulations for the development of housing in Alameda, including minimum lot size, maximum lot coverage, and amount of land area per unit, setbacks, parking standards, and open space requirements. Housing Element programs 2 through 4 will adjust the requirements described below.

Base Zoning Districts

To implement the General Plan, five land use designations that encourage residential development, the Zoning Ordinance and Zoning Map establish six residential (R-1 through R-6) and five mixed-use commercial (C-1, C-2, C-C, M-X, N-P, and A-P) zoning districts. These "base" zoning districts are supported by combining districts or "overlay" districts, including the Multifamily Housing Combining District and the Planned Development Combining District (Table F-2).

As shown in Table F-2, the current zoning districts are all limited to a maximum residential density of 21 units per acre, with the exception of the R-1 which was recently amended to comply with SB 9. The 21 unit maximum residential density is a governmental constraint that prohibits the City from meeting its regional housing needs and limits the City's ability to affirmatively further fair housing. Therefore the Housing Element includes programs 2, 3 and 4 which commit the City to amending the districts as shown in the third column of Table F-2.

Table F-2 Zoning Districts

Zoning District	Allowable Density[27]	Allowable Density – Post Amendments	General Uses
R-1	21 units per acre 78 units per acre with SB 9 application	No Change, unless within Transit Overlay area, then unlimited density.	R-1 zoning districts are neighborhoods of predominantly single-family detached homes with some multi-family residential buildings, accessory dwelling units, childcare, shared living, assisted living facilities, residential care facilities, a hospital, schools, religious institutions, and home-based businesses. R-1 Districts permit single-family detached homes, two family homes, supportive and transitional housing and a limited range of neighborhood-serving uses.
R-2	21 units per acre	No Change, unless in Transit Overlay area, then unlimited density.	R-2 zoning districts are neighborhoods characterized by a wide variety of housing types, including single family detached homes, attached courtyard homes, multifamily rental buildings, multifamily condominium buildings, shared living, assisted living and residential care facilities. These neighborhoods also include a variety of non-residential uses, including childcare, schools, religious institutions, and home-based businesses. The average residential density in this district is 9.6 units per acre.
R-3	21 units per acre	30 units per acre. Unlimited in Transit Overlay area	R-3 zoning districts are neighborhoods characterized by a wide variety of housing types, including single family detached homes, attached courtyard homes, multifamily rental buildings, multifamily condominium buildings, shared living, assisted living and residential care facilities. These neighborhoods also include a variety of non-residential uses, including childcare, schools, religious institutions, home-based businesses, medical offices and clinics, office buildings, and personal service businesses. The average residential density in this district is 34.2 units per acre.
R-4	21 units per acre	40 units per acre. Unlimited in Transit Overlay area	R-4 zoning districts are neighborhoods characterized by a wide variety of housing types, including single family detached homes, attached courtyard homes, multifamily rental buildings, multifamily condominium buildings, shared living, assisted living and residential care facilities. These neighborhoods also include a

[27] Housing Element programs 2, 3, and 4 removes the 21 unit per acre residential density in the R Districts and C Districts. (See programs for more details.)

Zoning District	Allowable Density[27]	Allowable Density – Post Amendments	General Uses
			variety of non-residential uses, including childcare, schools, religious institutions, home-based businesses, medical offices and clinics, office buildings, and personal service businesses.
R-5	21 units per acre	50 units per acre Unlimited in Transit Overlay area	R-5 zoning districts are neighborhoods characterized by a wide variety of housing types, including some single family detached homes, attached courtyard homes, multifamily rental buildings, multifamily condominium buildings, shared living, assisted living and residential care facilities. These neighborhoods also include a variety of non-residential uses, including childcare, schools, religious institutions, home-based businesses, medical offices and clinics, office buildings, and personal service businesses. The residential density of buildings in these areas varies from 10 to over 100 units per acre.
R-6	21 units per acre	60 units per acre Unlimited in Transit Overlay area	R-6 zoning districts are neighborhoods characterized by a wide variety of housing types, including some single family detached homes, attached courtyard homes, multifamily rental buildings, multifamily condominium buildings, shared living, assisted living and residential care facilities. These neighborhoods also include a variety of non-residential uses, including childcare, schools, religious institutions, home-based businesses, medical offices and clinics, office buildings, and personal service businesses. The residential density of buildings in these areas varies from 10 to over 100 units per acre.
C-1	21 units per acre	Minimum 30 units per acre. No maximum residential density	The C-1 zoning district areas, which were originally developed to serve neighborhood stations for the Alameda commuter rail system, are small, compact, pedestrian-oriented "corner store" neighborhood mixed-use districts with commercial and retail uses on the ground floor and multifamily residential and office uses on upper floors. The ratio of floor area to parcel size (FAR) in these areas is typically 0.5 to 2.0. Mixed-use buildings with residential units above ground floor retail in these areas vary from 30 and 90 units per acre.

Zoning District	Allowable Density[27]	Allowable Density – Post Amendments	General Uses
C-2	21 units per acre	Minimum 30 units per acre. No maximum residential density with proposed Overlay District	C-2 zoning districts include the shopping centers at South Shore, Marina Village, Harbor Bay, and Alameda Landing. Community Mixed Use areas permit a wide range of community serving commercial uses and housing above ground floor uses.
CC	21 units per acre	Minimum 30 units per acre. No maximum residential density	CC zoning districts include the pedestrian and transit-oriented Park and Webster Street "Main Street" corridors. CC Districts permit a wide range of community serving commercial uses and housing above ground floor commercial uses.
MX	21 units per acre	Minimum 30 units per acre. No maximum residential density with proposed Overlay District	MX district lands include designated Priority Development Areas in the regional sustainable communities plan, Plan Bay Area, predominately Alameda Point and lands along the Northern Waterfront. The MX zoning district provides the opportunity to design projects with custom standards, height limits and setbacks through the MX site specific master plan process. Plans include individual buildings with residential densities of 90 units per acre and an FAR of 4.0. The high individual building densities are achievable on large sites with lands dedicated to open space and public facilities.
NP (North Park)	21 units per acre	Minimum 30 units per acre. No maximum residential density	The NP District is made up of six sub districts in the vicinity of the northern portions of Park Street. The form based code allows for multifamily buildings and up to 60 feet in height along the main Park Street corridor.
AP (Alameda Point)	21 units per acre	No maximum residential density	The AP District is made up of seven sub districts at the former Naval Air Station lands at Alameda Point. The AP Zoning implements the Waterfront Town Center Specific Plan and the Main Street Neighborhood Specific Plans, which establish housing as a permitted use at Alameda Point in these major sub-areas. Recently completed residential buildings in the Town Center (shown in cover photo) exhibit residential densities of 70 to 90 dwelling units per acre and FAR of 3.5 to 4.0. The high individual building densities are achievable on large sites with lands dedicated to open space and public facilities.

Development Standards

Table F-3 identifies the residential standards for the base zoning districts. These standards are further modified by overlay zoning districts or citywide development regulations designed to facilitate affordable housing. The overlay districts are discussed below. Accessory dwelling units are permitted in all zoning districts permitting residential use in Alameda. The citywide prohibition on buildings with more than two units and residential densities above one unit per 2,000 square feet is established by City Charter Article 26 ("Measure A" discussed below) and modified by the Multifamily Combining ("Overlay") District also described below. The City's zoning and development standards are also available on the City's website.

Table F-3 shows the development standards in place prior to the adoption of the zoning amendments required by Programs 2, 3 and 4. With adoption of those amendments, the following changes to the standards shown in Table F-3 will occur:

- The minimum lot area standards will be removed from all zoning districts, with the exception of the R-1, which will retain the SB 9 minimum lot area.
- The maximum number of units per building standard will be removed.
- The minimum lot width standard will be removed.
- The lot coverage requirement in the residential districts shall be increased to 60%.
- The maximum height limit for any building within ¼ mile of transit will be at least 40 feet in the residential districts.
- The minimum amount of open space per unit will be reduced to 60 square feet per unit in the residential districts. Within ¼ mile of transit, the requirement is removed.

Table F-3 Residential Development Standards[28]

Zoning District	Minimum Lot Area Per Dwelling Unit	Maximum Units per Building	Minimum Lot Width	Main Building Coverage	Maximum Height	Required Open Space Per Unit
R-1	5,000 sq. ft. or 1,250 per SB 9	2	50 feet	40%	30 feet/2 stories	N/A
R-2	2,000 sq. ft.	2	50 feet	45%	30 feet/3 stories	600 sq. ft.
R-3	2,000 sq. ft.	2	50 feet	40%	35 feet/3/stories	500 sq. ft.
R-4	2,000 sq. ft.	2	50 feet	50%	35 feet/3 stories	400 sq. ft.
R-5	2,000 sq. ft.	2	50 feet	50%	40 feet/4 stories	200 sq. ft.
R-6	2,000 sq. ft.	2	50 feet	60%	50 feet/5 stories	120 sq. ft.
C-1	2,000 sq. ft.	2	none	100%	30 feet/2 stories	0
C-2	2,000 sq. ft.	2	none	100%	100 feet/8 stories	0

[28] Housing Element Programs 2, 3, and 4 remove the 2,000 square foot per unit residential density constraint, remove the 2 unit per building constraint, remove the 50 foot parcel width constraint, increase height limits near transit, and reduce the open space requirements.

Zoning District	Minimum Lot Area Per Dwelling Unit	Maximum Units per Building	Minimum Lot Width	Main Building Coverage	Maximum Height	Required Open Space Per Unit
CC	2,000 sq. ft	2	none	100%	varies	0
C-M	2,000 sq. ft.	2	none	100%	100 feet	0
MX	2,000 sq. ft.	2	none	varies	varies	varies
NP (North Park)	2,000 sq. ft.	2	none	varies	varies	varies
AP (Alameda Point)	2,000 sq. ft.	2	none	varies	varies	varies

Source: City of Alameda Zoning Ordinance, 2022

The North Park Street District encompasses a 16-block area at the city's gateway near the Park Street Bridge. The North Park Street District includes two residential districts, one mixed-use workplace district, and a commercial district, both of which allow residential development.

At Alameda Point, the zoning district establishes permit residential use in the Main Street sub-district and the Waterfront Town Center sub-district. Residential use is conditionally permitted in the Historic Adaptive Reuse sub-district and in limited areas of the Enterprise sub-district.

Off-Street Parking Requirements

In 2021, the City of Alameda amended AMC Section 30-7 Off-Street and Loading Requirements to eliminate mandatory minimum off-street parking spaces for all residential development to reduce construction costs for residential development and reduce greenhouse gas emissions (Table F-4). The parking amendments also establish maximum parking requirements to reduce vehicle miles travelled, reduce greenhouse gas emissions, and encourage mode shift in Alameda.

Table F-4 Parking Standards

Type of Residential	Minimum Parking Requirement*	Maximum Parking Requirement*
Single-Family	0	1.5 spaces per unit
Multifamily	0	1.5 spaces per unit.
Emergency Shelter	0	2.5 per 1,000 square feet of floor area
Senior housing	0	1.5 spaces per unit
Shared living	0	1 per unit
Hotel/motel	0	1 per guest room
Residential care facility	0	2.5 per 1,000 square feet of floor area

Source: City of Alameda, 2022.

Typical Densities for Development

During the last cycle 2015 through 2022, the City of Alameda constructed over 1,725 housing units. Over 90 percent of those units were attached multifamily units or stacked multifamily residential buildings. Many sites along the Northern Waterfront and on the former Naval Air Station are quite large (15 to 60 acres in size) and redevelopment of these sites from former industrial lands to residential waterfront use requires the construction of new access roads and waterfront parks and facilities. As a result, individual building (net) density is often between 50 and 90 units per acre (see examples on Housing Element cover photograph), but site wide gross density is much lower at 20 to 29 units per acre. Sites developed under the Multifamily Overlay Zoning district adopted in 2012 were typically approved and developed at a higher density of between 30 and 35 units per acre. Examples include the Del Monte project (382 units) and the Alameda Marina project (776 units), both of which are currently under construction.

Combining ("overlay") Districts.

The Planned Development (PD) Combining District is an overlay district which allows customized zoning standards for a property to facilitate innovative residential development responsive to changing housing trends by allowing for development standards unique to each site. PD districts have been utilized to facilitate a majority of post-war residential projects in Alameda. This zoning tool offers customizable development standards often desired by developers to accommodate affordable housing projects. Most of the sites on the Land Inventory include the PD overlay zoning designation.

The Multifamily (MF) Combining District permits by right multifamily housing at 30 units per acre or approximately one unit for every 1,450 square feet of land. To comply with the requirements of Government Code Section 65583, the City of Alameda City Council amended the Alameda Municipal Code in 2012 to include a Multifamily (MF) Zoning overlay district that allows multifamily housing and 30 units per acre (see AMC 30-18). The properties are also eligible for density bonuses of up to 35 percent, which allows for one unit for every 1,000 square feet of land area. Projects with 50 percent affordable housing may have up to 907 square feet of land. In order to provide adequate sites to comply with Section 65583, the City Council amended the Zoning Map to apply the MF overlay zone to most of the sites on the Land Inventory.

Open Space Requirements

The City's Zoning Ordinance requires the provision of usable open space on all residential sites, other than detached single-family homes. Open space may be provided as private balconies, porches, decks, patios, roof decks, and courts or as common open space that is shared among residents. Housing Element programs 2, 3 and 4 reduce the open space requirements for housing development.

Inclusionary Affordable Housing and Density Bonus Regulations

To facilitate and encourage affordable housing and a variety of housing types, including multifamily rental housing, the Alameda zoning ordinance includes two important zoning provisions that work in tandem to ensure that all projects with five or more units include a minimum number of affordable housing units and that the projects can be designed to provide a large variety of housing types, including multifamily housing. Since 2010, every residential project of more than five units has taken advantage of the density bonus waivers and bonuses and every single one of those projects has been designed with at least 15 percent of the units including deed restrictions to ensure affordability for very low-, low- and moderate-income households.

- Section 30-16 (Inclusionary Housing Ordinance)—The Affordable Housing Inclusionary Housing Ordinance requires that all residential developments of five or more units provide a specified percentage (at least 15 percent) of affordable housing units. Four percent of the total units must be restricted to occupancy by low-income households; 4 percent of the total units must be restricted to occupancy by very low-income households; and 7 percent must be restricted to occupancy by moderate-income households.
- Section 30-17 (Density Bonus Ordinance)—The City's Density Bonus ordinance provides for density bonuses of 35 percent over and above the 21 units per acre for a maximum density of 29 units per acre for projects with five or more units that provide a specified percentage of affordable housing. The ordinance enables waivers from local development standards to facilitate affordable housing, including waivers to allow multifamily housing. The density bonus ordinance was adopted in 2010. Since adoption in 2010, every residential development in Alameda with two or more units since 2010 has utilized the Density Bonus ordinance to override the City Charter Article 26 prohibitions on multifamily housing.

City Charter Article 26 ("Measure A")

In 1973, and then again in 1991, the voters of Alameda approved citizen initiatives to amend the City Charter. Collectively referred to as "Measure A," the initiatives amended the City Charter to include the following three sections:

- Section 26-1. There shall be no multiple dwelling units built in the City of Alameda.
- Section 26-2. Exception being the Alameda Housing Authority replacement of existing low-cost housing units and the proposed senior citizens low-cost housing complex, pursuant to Article XXV of the Charter of the City of Alameda.
- Section 26-3. The maximum density for any residential development within the City of Alameda shall be one housing unit per 2,000 square feet of land. This limitation shall not apply to the repair or replacement of existing residential units, whether single family or multiple unit, which are damaged or destroyed by fire or other disaster; provided that the total number of residential units on any lot may not be increased. This limitation also shall not apply to replacement units under Section 26-2.

The City of Alameda has determined that Article 26 is a significant constraint on housing capacity in Alameda, that it is inconsistent with State Housing Law, and that it excludes access to housing for those segments of the community that only afford higher density, multifamily housing which is more affordable than low-density single-family housing. As described above, the City has taken a number of actions over the last 21 years to mitigate or remove the constraints imposed by Article 26. Those major actions include:

- Adoption of the Density Bonus Ordinance in 2010 to provide a means for housing developers to waive the multifamily prohibition and increase densities above the limits set by Article 26.
- Adoption of the Multifamily Combining District in 2012 to designate a number of major sites in Alameda with the right to build multifamily housing at densities of 30 units per acre.
- Adoption of Accessory Dwelling Unit Ordinance amendments in 2017 that exempt the calculation of ADUs from residential density limitations of Article 26.

These actions have mitigated the constraints Article 26 and ensure that market rate and nonprofit housing developers have been able to provide a variety of housing types (including multifamily housing) for a variety of household incomes (including housing for very low-, low-, and moderate-income households). The City will continue to annually monitor Measure A to ensure it does not constrain housing development.

Finally, it is important to note that the last residential project approved in Alameda that included more than a single unit and that did not require a waiver from Measure A was approved in 2006. Since 2006, every major housing project (over 3,000 residential units over the last 15 years) has been granted a waiver from Measure A.

Given that the City of Alameda has determined that Article 26 is a significant constraint on housing capacity in Alameda, that it is inconsistent with State Housing Law, and that it excludes access to housing for those segments of the community that only afford higher density, multifamily housing, which is more affordable than low-density single-family housing, Housing Element Programs 2, 3 and 4 include, but are not limited to:

- Removal of the citywide prohibition on multifamily housing. Residential buildings of 3 units or more will be allowed citywide.
- Removal of the citywide prohibition on residential densities over 21 units per acre. Residential densities over 21 units per acre will be allowed in residential districts R-3 through R-6, and no maximum residential densities will be required in mixed use commercial districts or in residential districts within ¼ mile of high quality transit.

Zoning for a Variety of Housing

Housing Element law specifies that jurisdictions must identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population, including single-family housing, multifamily housing, manufactured housing, mobile homes, emergency shelters, and transitional housing, among others. Table F-5 summarizes the permitted housing types by zone. Housing Element programs 2, 3 and 4 ensure that all residential uses are treated equally and in compliance with State Housing Government Code requirements.

Table F-5 Housing Types Permitted by Zone

Land Use	R-1	R-2	R-3	R-4	R-5	R-6	C-1	C-2	C-C	C-M	M-X
Accessory Dwelling Units	P	P	P	P	P	P	P	P	P	P	P
Single-Family	P	P	P	P	P	P	NP	NP	NP	NP	P
Multifamily	NP	P	P	P	P	P	P	P	P	CUP	P
Manufactured/Mobile Home	P	P	P	P	P	P	P	P	P	P	P
Employee Housing (6 or fewer persons)	P	P	P	P	P	P	NP	NP	NP	NP	P
Residential Care Facilities (6 or fewer persons)	P	P	P	P	P	P	P	P	P	CUP	P
Residential Care Facilities (7 or more persons)	P	P	P	P	P	P	P	P	P	CUP	P
Family Daycare, large	P	P	P	P	P	P	CUP	CUP	CUP	CUP	P
Family Daycare, small	P	P	P	P	P	P	P	P	P	CUP	P
Single-room Occupancy Units	NP	NP	NP	NP	P	P	P	P	P	P	P
Emergency Shelters	*Permitted in the M-1 and M-2 without discretionary review*										NP
Supportive Housing	P	P	P	P	P	P	P	P	P	CUP	P
Transitional Housing	P	P	P	P	P	P	P	P	P	CUP	P

Source: City of Alameda, March 2022

Manufactured and Factory-Built Housing

State law limits the extent to which cities and counties can regulate the installation of manufactured homes, including mobile homes. Government Code Section 65852.3 requires that cities allow installation of certified manufactured homes on foundation systems on lots zoned for conventional single-family residences. This section and Government Code Section 65852.4 generally require that manufactured homes be subject to the same land use regulations as conventional homes. Government Code Section 65852.7 deems mobile home parks to be a permitted use in all areas planned and zoned for residential use. The City of Alameda permits manufactured and factory-built housing in all residential zoning districts. Because of the high cost of land, manufactured housing is not commonly placed on private property, except perhaps as caretaker residences within industrial districts. According to the 2021 DOF, there were 127 manufactured residences in Alameda. There are no mobile home parks. Pursuant to state law, any site that can be developed for site-built residential development is also available for the development of factory-built (manufactured) housing or for mobile homes. There are no specific restrictions upon the development of manufactured housing or mobile home parks within the Alameda Municipal Code or General Plan.

Accessory Dwelling Units

The City complies with Assembly Bill (AB) 1866 by permitting accessory dwelling in all residential zoning districts by right. In 2017, the City amended the ordinance to provide for approval of accessory units through a ministerial building permit process that includes review by planning staff for conformance with the requirements of the Zoning Ordinance. The ordinance also provides administrative relief through the use permit process when proposed secondary units do not comply with the standard requirements. Since adoption, the number of building permits issued for accessory dwelling units has doubled in number each year. In 2021, the City issued the largest number of accessory dwelling unit building permits ever issued at 79 building permits issued.

Housing for Persons with Disabilities

A complete evaluation of the City's zoning laws, practices, and policies was done as a part of the Housing Element update process. No constraints to housing development for persons with disabilities were found at that time.

Universal Design Ordinance: In 2017, the City of Alameda adopted a unique and important citywide ordinance to ensure that all new housing constructed in the Alameda is designed to address the needs with persons with disabilities. The ordinance requires that at least 30 percent of all units built in each housing development be designed to allow a person with disabilities to live in the unit. Specifically, these universally designed units must be accessible by wheelchair from the public right of way (no steps) and within the unit, the person with disabilities must be able to access the kitchen, a bathroom, and a bedroom without the need to climb stairs. In addition, 100 percent of the units constructed must be accessible for a visitor in a wheelchair. Therefore, there may be no barriers (steps) between the right of way and the front door and once inside the unit, there must be no barriers between the visitor in a wheelchair and a sitting room for visiting, and a bathroom. Since adoption in 2017, all projects approved have been able to meet the 30-percent requirement. The City has needed to grant waivers for a percentage of the 100-percent requirement in some projects. The townhome product has proven to be a housing type that is

not well suited to persons with mobility disabilities. Every residential project that includes townhomes since adoption of the Ordinance has required waivers from the 100% visitability standard.

Reasonable Accommodation Procedure: In April 2014, the City Council adopted a comprehensive Reasonable Accommodation procedure based upon the model ordinance prepared by the state to establish formal procedures to expeditiously review and process requests for reasonable accommodation for persons with disabilities. Pursuant to Section 30-5-7, structures for disabled access may encroach into any required front, side, or rear yard as necessary to provide safe and adequate access. Ramps and other structures that are less than 30 inches in height are exempt from Building Permit requirements. Retrofitting of commercial parking with ADA parking facilities is exempt from City review. The City grants applications to provide relief from zoning standards or other City requirements that serve as a barrier to fair housing for persons with disabilities. The City streamlines reasonable accommodation requests by not requiring approval of a variance. Requests for reasonable accommodations are reviewed by the Planning Director or designee. There are no application fees and requests are processed within 45 days of a complete application for a reasonable accommodation. The Director's decision may be appealed to the Planning Board at a public hearing. The City strives to make the permit process for reasonable accommodation as straightforward and expeditious as possible. To date, since adoption of the procedure in 2014, all requests have been granted and no decisions to grant an accommodation has been appealed.

The findings for approval are based upon consideration of the following factors:

- Whether the housing, which is the subject of the request, will be used by an individual with a disability as defined under the Acts.
- Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
- Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City.
- Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to design review, historic preservation, land use and zoning.
- Potential impact on surrounding uses.
- Physical attributes of the property and structures; and
- Alternative reasonable accommodations which may provide an equivalent level of benefit.
- The City has included Program 21 to amend AMC Section 30-5.17 to ensure certainty of for reasonable accommodation requests and eliminate discretionary review.

Separation Requirements: The City's Zoning Ordinance does not impose any separation requirements between residential care facilities. Residential care facilities shall be located in accordance with all applicable developmental and locational guidelines under the General Plan and shall be located in those areas which offer appropriate services for the residents of these facilities, including necessary medical, transportation, shopping, recreational, and nutritional programs.

Site Planning Requirements: The site planning requirements for residential care facilities are no different than for other residential uses in the same zone.

Definition of Family: The AMC 30-2 defines family as: "One or more persons, related or unrelated, such as a group of employees, living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit."

Residential Care Facilities

Health and Safety Code Sections 1267.8, 1566.3, and 1568.08 require local governments to treat licensed group homes and residential care facilities with six or fewer residents no differently than other by-right single-family housing uses. “Six or fewer persons” does not include the operator, the operator’s family, or persons employed as staff. Local agencies must allow these licensed residential care facilities in any area zoned for residential use and may not require licensed residential care facilities for six or fewer persons to obtain conditional use permits or variances that are not required of other family dwellings.

Currently, the Alameda Zoning Code permits State-licensed residential care facilities with six or fewer residents by right in residential zones and permits residential care facilities with seven or more residents with a conditional use permit in all residential zones. The City has included Program 21 to expand the areas permitting facilities for seven or more persons only subject to those restrictions that apply to other residential uses of the same type in the same zone.

Emergency Shelters

The California Health and Safety Code (Section 50801[e]) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

The City’s existing homeless transitional housing, one emergency shelter, and a food bank are all located in industrial zones (M-1 and M-2). Emergency shelters must provide on-site management and security during hours of operation, provide 25 beds or fewer, provide one off-street parking space for every three beds, and must be at least 300 feet from another emergency shelter. In 2012, the City amended the Municipal Code to permit emergency shelters by right in the M-1 district and all uses permitted by right in the M-1 District are also permitted by right in the M-2 districts. There are approximately 2,812 acres of land within these two zones that could accommodate such uses. This acreage is made up of 39 parcels that range in size from 0.42 to 667 acres, with most parcels ranging from 0.41 to 10.4 acres. Additionally, there is potential for redevelopment and reuse of existing structures in the older industrial areas of the city. Single-story warehouse buildings with large open spaces are primarily located in West Alameda, near where the majority of the unsheltered population of Alameda live. These buildings offer potential for developers to reduce construction costs and provide services in the area with the greatest need. These vacant sites and underutilized parking lots are close to both services and transit. The sites surrounding these available parcels have mainly light industrial/manufacturing activities that are often adjacent to established residential neighborhoods.

Emergency Shelters are also permitted with a Conditional Use Permit in the Alameda Point Main Street Specific Plan area. This area of over 100 acres is largely vacant is owned by the City of Alameda.

Low Barrier Navigation Centers

Government Code section 65662 requires that the development of Low-Barrier Navigation Centers be developed as a use by right in zones where mixed-uses are allowed or in non-residential zones that permit multifamily housing. For a navigation center to be considered "low barrier", its operation should incorporate best practices to reduce barriers to entry, which may include, but is not limited to, the following:

- Permitting the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
- Pets
- Ability to store possessions
- Providing privacy, such as private rooms or partitions around beds in a dormitory setting or in larger rooms with multiple beds

Program 21 include actions to comply with State Law regarding low barrier navigation centers.

Transitional and Supportive Housing

Pursuant to Government Code Section 65583 and Section 65651, transitional and supportive housing types are required to be treated as residential uses and subject only to those restrictions that apply to other residential uses of the same type in the same zone. The Zoning Ordinance allows supportive and transitional housing in all residential districts and in all zones that allow multifamily and mixed-use development including nonresidential zones, per Government Code Sections 65583 and 65650. Program 21 include actions to comply with State Law regarding transitional and supportive housing types.

Employee Housing

Consistent with Health and Safety Code Sections 17021.5 and 17021.6, employee housing is permitted by right in every residential zone, including single family zones. Additionally, in 2012, the City amended its Zoning Code definitions to define "family" to include employee housing.

Housing for Extremely Low-Income Households

Extremely low-income households typically comprise persons with special housing needs, including, but not limited to, persons experiencing homelessness or at risk of homelessness, persons with substance abuse problems, and farmworkers. AB 2634 (Lieber 2006) requires the quantification and analysis of existing and projected housing needs of extremely low-income households. Housing Elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy units.

Currently, Alameda allows single-room occupancy units in the R-5, R-6, C-1, C-2, C-C, AP, and NP Zoning districts and has include Program 11 to take action to assist with the development of housing for these identified households.

Building Code and Enforcement

The City of Alameda has adopted and administers the California Building Standards Code. In 2020, the City rescinded previously approved modifications to sections of the Uniform Administrative Code, California Building Code, California Electrical Code, California Plumbing Code, and the California Mechanical Code

addressing changes to the appeals process, permit expiration dates, permit fees, and other minor changes.

In 2020, the City approved a local "Reach Code" to modify the Uniform Building Code to require that all new buildings utilize non-petroleum based energy sources. The "Electrification Reach Code" reduces greenhouse gas emissions from new buildings and will serve to make Alameda's housing stock more resilient in the event of a major seismic event when ruptured gas lines will pose a major threat of fire to buildings and entire neighborhoods. The City's only other significant reach code is its fire sprinkler requirement, which has been in place for over 15 years. The ordinance does not constitute a constraint on the development of affordable housing. Several affordable housing projects and several market rate projects were developed without natural gas infrastructure prior to the enactment of the new ordinance as a cost saving measure.

Enforcement of the adopted codes focuses primarily on review of new construction proposals to ensure that they comply with minimum health and safety standards. But like many jurisdictions, Alameda's resources to mount proactive code enforcement are limited. Violation correction typically results in code compliance without adverse effects upon the availability or affordability of the housing units involved. Enforcement of the City's voluntary amnesty program (a process for legalizing undocumented dwelling units) actually results in a net increase of legal dwelling units available in the city.

Code Enforcement

The Building Department is responsible for enforcing both state and City regulations governing maintenance of all buildings and property. The purpose of code enforcement of housing in need of rehabilitation is to ensure the safety of the City's residents; without basic living standards being met, life and safety are threatened. The city does have a code enforcement division to address health and safety concerns in the community. The code enforcement division will respond to complaints and investigate violations to ensure compliance with the City's Municipal Code. Complaints can be submitted by a neighbor or other resident who is affected by the violation. Violations can be reported by calling the code enforcement division or by submitting a complaint form, which is available on the City's website. The code enforcement division also helps educate property owners who are the subject of a violation how to reach compliance.

Development Processing

Government policies and ordinances regulating development affect the availability and cost of new housing. Land use controls have the greatest direct impact, but development approval procedures, permit fees, building code requirements, and the permit processing time can affect housing costs as well. This section addresses the relationship of development fees, processes, and standards to the production of housing.

Permit and Processing Procedures

The city is constantly enhancing and improving its permitting and code enforcement systems to improve internal efficiency and better serve the development community.

Permit Center. All development permit review is coordinated through the Permit Center, which serves as the central clearinghouse for all development permit application processing. In 2020 and 2021, the COVID 19 pandemic caused the City to further refine and improve the permit process to expedite review virtually.

Throughout the pandemic, the permit center remained open and provided inspection services for current projects under construction, and accepted and processed applications for new projects. As the result of the pandemic the City streamlined the intake process to allow applicants to submit applications on-line eliminating the need for paper submittals and for travel time to the permit center. The permit center is now able to accept development permit applications 24 hours a day, seven days a week.

Development Review Team. The City of Alameda maintains a Development Review Team (DRT). The DRT is a team of city staff from each of the major development review departments, which include Community Development, Public Works, Fire, Police, and Alameda Municipal Power. The DRT meets every two weeks to identify potential solutions to code or development problems that may be associated with development projects. The DRT serves an important function by alerting applicants of potential problems and solutions to expedite and streamline the Planning entitlement and Building Permit process.

Administrative Review Program. The City of Alameda provides an administrative Design Review, Use Permit, and Minor Variance program that allows for streamlined public review for proposed changes to existing residential properties. The program allows for staff-level discretionary review and public notice for expansion and modifications to existing residential structures.

Design Review. All new buildings and additions to buildings are subject to review for consistency with the City's adopted Objective Design Standards. Additions to homes and single detached units in the rear yard are subject to staff level design review. Commercial buildings, mixed use buildings and new residential buildings are reviewed for consistency with the Standards by the Planning Board.

Streamlined Environmental Review. For residential development projects with subdivisions and other required discretionary entitlements under State Law, the City of Alameda utilizes a streamlined environmental review process to expedite the environmental review of projects. Streamlined review utilizes prior environmental documents and the use of categorical exemptions to expedite the environmental review for new housing projects and reduce the time and cost of preparing environmental documents.

Streamlined, Objective, and Consistent Project Review Processes. In 2021, the Planning Board adopted Objective Design Review Standards for the review of multifamily residential development. The objective design review standards supplement the objective development standards (e.g. height limit, lot coverage, setback, etc.) defined in each zoning district. In combination, the two sets of standards (design and development) provide for a streamlined and efficient project review process by ensuring that applicants know and understand the city's requirements and the ensuring that the project review and approval process is objective, efficient, and consistent.

The City of Alameda offers pre-application meetings to anyone with a proposed project prior to submission of formal applications to better define the information needed to review a project. Pre-application meetings have helped to shorten the review process and allow for better communication between applicants and the City.

SB 330 Project Review. The City of Alameda permitting process is consistent with Senate Bill 330, the Housing Crisis Act of 2019. Consistent with SB 330, housing developments for which a preliminary application is submitted that complies with applicable General Plan and zoning standards are subject only to the development standards and fees that were applicable at the time of submittal. This applies to all

projects unless the project square footage or unit count changes by more than 20 percent after the preliminary application is submitted.

SB 35 Project Review. The City processes SB 35 applications consistent with Senate Bill 35. In 2020, the City successfully processed and approved its first and only SB 35 project to date. The project at North Housing for the Alameda Housing Authority entitled 586 residential units. The City will also establish a written policy or procedure and other guidance as appropriate to specify the Senate Bill (SB) 35 streamlining approval process and standards for eligible projects, as set forth under California Government Code Section 65913.4. The City has included Program 8 to prepare and publish administrative procedures for the processing of housing developments eligible for streamlined review pursuant to SB 35.

Building Permit Review. The City of Alameda has adopted and administers the California Building Standards Code. The City of Alameda building permit review process ensures project compliance with State of California plumbing, electrical, mechanical, building, and other building code requirements. For large residential subdivisions, the construction permit plan check usually involves the review on the model homes for each discrete floor plan. This review process is typically completed in less than six weeks. During the plan check review, all plan check comments are posted electronically on the City's e-permit portal, and may be accessed online at any time to facilitate the approval process. After the plan check for model homes have been completed, the construction permits for the individual homes are issued after a simple review of the plot plan.

The City has modified some sections of the Uniform Administrative Code, California Building Code, California Electrical Code, California Plumbing Code, and the California Mechanical Code. Modifications include changes to the appeals process, permit expiration dates, permit fees, and other minor changes. None of the modifications to the Uniform Code constitutes a constraint on the development of affordable housing.

Table F-6 shows the typical permit timelines for the different types of permits.

Table F-6 Timelines for Permit Procedures

Type of Approval or Permit	Typical Processing Time (Time from submittal of complete application to project approval)
Ministerial Review	One to 5 days
Administrative Design Review, Administrative Use Permit, or Administrative Variance. (Single-family homes in a rear year or vacant lot and d alterations to existing homes and multifamily buildings.)	30 to 45 days
Planning Board Review of Project Entitlements, including subdivision tentative map, minor General Plan or zoning amendments, development plan, and design review for new multifamily projects with two or more new units in new buildings. (Projects with use of prior environmental document or categorical exemption.)	45 to 60 days
Planning Board Review of Project Entitlements, for projects requiring major General Plan amendment, Zoning Code amendment, or site-specific environmental studies (e.g., borrowing owl, tribal lands, etc.)	60 days to 270 days

Source: City of Alameda, 2021

Typical housing projects meeting zoning and General Plan go through a development plan process, including design review. These projects are approved with one public study session and one public hearing at the Planning Board. Study sessions are held as soon as the application is received to give opportunity for Planning Board questions about the project and to give early suggestions for improvements. Proposals for individual single-family homes are very rare in Alameda. On average, the City receives less than one application for an individual single-family home every few years. If the project includes a Master Plan, which must be approved by ordinance, or a Subdivision Map, then an additional public hearing is required before the City Council.

Although the approval process has proven to be relatively efficient, the City's regulatory process was slightly lengthened by the current zoning code, which requires a number of different findings and approvals by the Planning Board for a single residential project. Currently, the Planning Board must make the following findings for multifamily and single-family projects:

- **Development Plan Findings:**
    - The development is a more effective use of the site than is possible under the regulations for which the PD district is combined.
    - The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.
    - The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.
    - The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.
    - The proposed use relates favorably to and is consistent with the General Plan.
- **Design Review Findings:**
    - The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.
    - The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses; and
    - The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

The following findings must also be made for density bonuses and multifamily prohibition waivers:

- The proposed affordable units make the project eligible for a density bonus of 20 percent under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.
- The proposed affordable units make the project eligible for waivers of development standards that physically preclude the development at the permitted density under California Government Code 65915 and City of Alameda Municipal Code Section 30-17.

- Pursuant to State Density Bonus Law and the Density Bonus Ordinance (AMC 30-17), the proposed project is consistent with, and qualifies for, a requested waiver from Section 26 of the City Charter and AMC Sections 30-50 through 30-53 Multiple Dwelling Units Prohibited.

If the site is zoned MX (Mixed Use), additional findings are needed to approve a master plan and the project must also be approved by the City Council:

- The Master Plan relates favorably to the General Plan.
- The Master Plan proposes an effective use of the site.
- The proposed Master Plan, if development complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.
- The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size are architecturally, aesthetically, and operationally harmonious with the community and surrounding development.
- The proposed use will be served by adequate transportation and service facilities including pedestrian, bicycle, and transit facilities.

To simplify and streamline the housing approval process for sites that are zoned to accommodate housing, the City of Alameda is amending the Zoning Code (see programs 2, 3, and 4) to limit the approval process for projects that are consistent with the Zoning Code to Design Review. To expedite the Design Review process and create certainty for both developers and the neighborhood, the Planning Board has adopted Objective Design Review Standards for Multifamily Housing. The amendments also establish and clarify that certain types of housing projects, including supportive housing and affordable housing projects, shall be subject to ministerial review for conformance with the Objective Design Review Standards.

Building Permit Review and Plan Check. The Planning Building and Transportation Department is able to complete its review of the construction drawings for a building permit within 40 days of submittal (Table F-7). The amount of time between the completion of the review and the issuance of a Building Permit is determined by the speed at which the applicant is able to make any necessary corrections to the Construction Drawings and resubmit for approval and Building Permit. A review of building permits for new residential units over the last year (2021) revealed that the typical timeframe from application submittal to issuance of a building permit is 10 to 15 days for complete plans and up to 60 or 70 days for plans that require multiple revisions. However, on average, the timeframe from submittal to when building permits are issued is within 40 days.

Table F-7 Typical Building Permit Processing Timeline by Project Type

Type of Approval or Permit	Typical Processing Time (Time from Construction Drawing Submittal to Plan Check Review Completion)
Residential Addition	40 days
New Single-family home	40 days NA
New Multifamily building	40 days

Source: City of Alameda Building Department, 2022

Table F-8 lists the review authority for various applications in the City of Alameda. Minor Design Review, Minor Use Permits, and Minor Variances are reviewed and approved by the Planning Director, with the right to appeal to the Planning Board. Major Design Review (projects with multiple buildings or new buildings on major corridors is conducted by the Planning Board, with appeal to the City Council.

Table F-8 Review Authority

Type of Decision	Role of Review Authority		
	Director	Planning Board	City Council
Zoning Clearance	Decision	Appeal	Appeal
Minor Design Review/Use Permit/Variance	Decision	Appeal	Appeal
Major Design Review/Use Permit/Variance	Recommend	Decision	Appeal
Development Plan with 2 or more new buildings	Recommend	Decision	Appeal
Tentative Parcel Map	Recommend	Recommend	Decision
Final Map	Recommend	N/A	Decision
Master Plan	Recommend	Recommend	Decision
Development Agreement	Recommend	Recommend	Decision

Source: City of Alameda Municipal Code 2022

Off Site Improvements

All development in Alameda is urban infill development on sites that have been previously occupied by prior uses. Therefore, off-site improvements to serve the project are generally limited to project frontage sidewalk, curb improvements, and in some cases project intersection improvements to address public health and safety impacts of the project pedestrian, bicycle, automobile, and/or truck traffic.

Per the City of Alameda subdivision ordinance, the applicants may choose to propose new public streets to be maintained by the City of Alameda or new private streets with public access easements to be maintained by the project. In cases where the applicant proposes public streets to be maintained by the City, the streets must meet the specific size standards articulated in the Subdivisions Ordinance. The Ordinance allows for a minimum width of two lanes with sidewalks for a total width of 36 feet. Several developers have proposed privately maintained streets and alleys as narrow as 20 feet. These proposals have been approved by the City of Alameda provided that adequate access is provided for fire safety. Based upon recent proposals submitted by the development community for a variety of housing sites throughout Alameda, it is apparent that the off-site improvements required for housing development is not a constraint on housing development.

Citywide Development Impact Fees and Permit Processing Fees.

Citywide Development Impact Fees

In 2019, the City prepared a new nexus study and updated its Citywide Development Impact Fee (CDF) ordinance. The CDF represents a fair share contribution to a specific list of public infrastructure

improvements, park improvements, and public safety facility improvements necessary to support projected growth in Alameda. Table F-9 illustrates the citywide Development Fee structure.

In 2019, in an effort to reduce costs for the construction of affordable housing, the City Council amended the CFD ordinance to exempt deed restricted affordable units and accessory dwelling units from the CDF ordinance fee requirements.

Table F-9 Alameda Citywide Development Fees by District and Land Uses*

Land Use/Category	Off-Site Facilities				Total
	Public Safety	General Public Facilities	Transpor-tation	Parks	
CDF Fees Per Unit					
Single Family Low Density	$2,127	$1,377	$2,235	$8,105	$13,844
Multifamily	$1,688	$1,092	$1,735	$5,921	$10,436
Deed Restricted Affordable Housing	$0	$0	$0	$0	$0
Accessory Dwelling Units	$0	$0	$0	$0	$0

Sources: City of Alameda, 2021

Permit Processing Fees

Every five (5) years, the City of Alameda utilizes a third-party consulting firm to evaluate the cost to the City of processing a different types of building and planning permits. The current fee schedule is based upon the 2019 Fee Study. The Fee study is used to establish the true cost to the City of providing building plan check and planning review for planning and building permits. These fees typically are assessed on a per unit basis in residential developments. Fees charged for building permits are based on a fee study completed in 2019. The total amount collected in fees covers only those costs related to the review of the building plans and the inspection of the construction project.

To reduce permit costs for residential development, the Building Department operates two programs:

- **Model Unit Fee Reduction.** For large residential projects with multiple buildings or similar size and design, the Building Department charges the full building permit review processing fee for the review of the first building. All subsequent buildings of the same model pay a permit review fee that is approximately 25 percent of the total fee, since the review of the subsequent building plans can be limited to site specific placement review (setbacks, etc.) and site-specific infrastructure connections.

- **Manufactured ADU Fee Reduction Program.** For accessory dwelling units, the Building Department partners with prefabricated accessory dwelling unit manufactures. The manufacturer pays the permit review fee to review the ADU design for consistency with building permit requirements. Any property owner in Alameda that chooses to purchase that unit design from the manufacturing partner then only needs to pay a reduced fee for building plan check. The fee is typically 25 percent of the normal fee, since the review can be limited site-specific placement review (setbacks, etc.) and site specific infrastructure connections.

Table F-10 provides a breakdown of the fees required for construction of a typical detached single-family home and a typical multifamily unit in a 10-unit multifamily building. Table F-11 describes minimum City fees for typical planning permits. The planning fees per dwelling unit are comparable or less than those charged by other jurisdictions in Alameda County and are not considered a barrier to residential development because of their relatively low value. All fee information is also available on the City's website.

Table F-10 City of Alameda Permit Fees

New Single-Family Detached (2,500 sq. ft.)		New Multifamily Condominium Unit. (14,400 sq. ft. 1200 sf per unit) (fees per building based upon 12-unit building)	
Building Permit Fee	$3,004	Building Permit Fee	$27,300
Building Standards Fee	$11	Building Standards Fee	$150
Plan Check Fee	$2,403	Plan Check Fee	$5,166
Permit Filing Fees	$264	Permit Filing Fees	$264
Community Planning Fee	$1,349	Community Planning Fee	$18,692.88
Certificate of Approval	$150	Certificate of Approval	$150
Sewer Connection Fee	$1,118	Sewer Connection Fee	$1,118
CDF Fee	$13,844	CDF Fee	$125,232
Waste Management Plan	$373	Waste Management Plan	$373
Plan Check - Planning	$216	Plan Check - Planning	$216
School Fee ($4.08/sq. ft.)	10,200	School Fee ($4.08/sq. ft.)	$58,752
SMIP Fee	$35.	SMIP Fee	$486
Plan Check – Public Works	$192	Plan Check – Public Works	$192
Improvement Tax	$2,697	Improvement Tax	$37,385
Technology Fee	$248	Technology Fee	$1,494
Total	**$36,104.00**	**Total**	**$276,970.88**
		Total (per unit)	**$23,080**

Source: City of Alameda, Planning, Building & Transportation 2022

Table F-11 Planning and Development Fees

Fee Category	Fee Amount
Zoning Clearance	0
Certificate of Compliance	$433
Appeals	$1,082 + $1,000 deposit Time & Material @ $216 per hr
Conditional Use Permit (Major)	$2,435
Conditional Use Permit (Minor)	n/a
Design Review (Major)	$1,515 to $2,868
Design Review (Minor)	$649
General Plan Amendment (Text or Map)	$8,400 deposit
General Plan Amendment (GPA/Rezone Combined)	$8,400 deposit
Variance	$2,435
Zoning Amendment	$8,400 deposit
Lot Line Adjustment	$541 + $2,000 deposit
Subdivision	$6,000 deposit
Subdivision Final Map	$6,000 deposit
Information Assessment	
CEQA EIR	Actual Cost
CEQA ND or MND	Actual Cost
CEQA Exemption	No Cost

Source: City of Alameda Schedule of Fees 2022

Available Infrastructure

With all sites identified for planned housing development already served by utilities, and requirements in place for infrastructure improvements for all new development, infrastructure does not pose a constraint on development of those sites within the eight-year planning period.

Water and Wastewater

All of the Housing Element housing opportunity sites are already served by utilities, with existing infrastructure in place. The East Bay Municipal Utilities District (EBMUD) is the sole provider of potable and reclaimed water, and wastewater conveyance and treatment, in Alameda. EBMUD has current and planned capacity to accommodate the RHNA for water and wastewater. EBMUD has provided water assessments for a number of the sites and has determined that adequate water supplies exist to accommodate Alameda's current and projected water needs, including the RHNA. Solid waste, recycling, and organics collection are managed through a franchise agreement with Alameda County Industries (ACI) and a solid waste disposal service contract with Waste Management.

To minimize infiltration of ground water into the sewer system and provide modern, efficient utilities and services, all new development proposals in Alameda are generally required to replace the on-site sewer, storm drain, water, and power lines. To address off-site infrastructure improvements, each project is required to pay a Development Impact Fee to fund upgrades to public facilities.

Priority for Water and Sewer

Per Chapter 727, Statues of 2004 (SB 1087), upon completion of an amended or adopted Housing Element, a local government is responsible for immediately distributing a copy of the element to area water and sewer providers. In addition, water and sewer providers must grant priority for service allocations to proposed developments that include housing units affordable to lower-income households. Chapter 727 was enacted to improve the effectiveness of the law in facilitating housing development for lower-income families and workers.

To comply with SB 1087, upon adoption, the City of Alameda will immediately forward its adopted Housing Element to East Bay Municipal Utility District (EBMUD) its water and wastewater providers so EBMUD can grant priority for service allocations to proposed developments that include units affordable to lower-income households.

Available Dry Utilities

Dry utilities, including electricity and telephone service, are available to all areas within the City.

Electricity: Alameda Municipal Power (AMP) serves Alameda for electrical service, with approximately 95 pole miles of overhead lines and over 170 cable miles of underground lines. AMP's power rates are significantly lower than Pacific Gas & Electric (PG&E)

Opportunities for Energy Conservation

The City of Alameda has adopted a wide range of policies and programs to facilitate energy efficiency in residential development. Taken as a whole, the City's policies and programs form a comprehensive approach to energy efficiency in residential development.

In 2022, the City Council updated its General Plan to include a new and updated Conservation and Climate Action Element. With an adopted goal of net zero greenhouse gas emissions, the City of Alameda is aggressively pursuing a wide range of programs to conserve energy. General Plan policies address energy conservation in transportation, building construction, and in the operations of business and residential homes. Policy CC-13 Alameda's Building Stock and policy CC-14 Energy Efficiency and Conservation are examples of two City of Alameda General Plan policies with actions to conserve energy.

To implement these policies, Alameda Municipal Power provides a wide range of programs to conserve energy in existing residential and mixed use areas of Alameda.

These services include a weatherization cash grant program, a rebate program for compact fluorescent lights, a meter lending program, a rebate program for Energy Star refrigerators, a second refrigerator pickup program, free energy audits, and an Energy Assistance Program to help low-income residents reduce their energy use.

Below is a summary of the City's residential energy programs:

1. The AMP Marketplace provides instant rebates and the ability to learn about, compare, and purchase green products with instant rebates on eligible items. Products include, ENERGY STAR-certified appliances, electric vehicle supply equipment, and other energy conservation products.
2. The Smart Thermostat program provides rebates for smart thermostats.
3. The Electric Panel Upgrade program provides up to $2,500 for any resident that upgrades their home's panel to switch to electric appliances.
4. The Level 2 Electric Vehicle Charger program provides up to $800 for purchase and installation of a level 2 electric vehicle charger at home to encourage residents to use Alameda's 100 percent clean energy by charging their EVs at home.
5. The Heat Pump program provides up to $1,500 rebates for homeowners that install an ENERGY STAR electric heat pump water heater. New heat pump water heaters use about half the electricity of normal electric-resistant water heaters.
6. The Electric Vehicle program provides up to $1,500 rebates for purchase of a used all-electric car.
7. The Electric Dryer program provides a rebate of up to $100 for the purchase and installation of an ENERGY STAR electric dryer.
8. The LED lighting program provides rebates of up to $2 per bulb for purchase of LED light bulbs.

APPENDIX G – HOUSING RESOURCES

The City of Alameda provides a range of resources to support the development and rehabilitation of housing in Alameda.

Alameda Housing Authority

For over 75 years, The Housing Authority of the City of Alameda has provided a range of housing assistance to low-income households. The primary programs include Housing Choice Vouchers, Project-Based Vouchers, specialized housing assistance, Family Self-Sufficiency, affordable real-estate development, community development projects, resident services and the management of Housing Authority properties.

The primary goal of the Housing Authority is to provide quality, affordable, and safe housing in the City of Alameda. The Authority works with other units of government, non-profits, and private landlords. We also partner with a variety of agencies to provide housing and support services to as many eligible individuals, families, seniors, and persons with disabilities as possible. Please explore our website to learn about the programs we offer, business and employment opportunities, and to access forms and other resources. The Housing Authority is governed by a Board of Commissioners that is subject to the Brown Act.

City of Alameda Department of Community Development

The Department manages the Home Investment Partnerships program (HOME) and the Community Development Block Grant (CDBG) program. Through these programs the City offers rental and residential rehabilitation assistance, completes capital improvements in eligible neighborhoods, and also funds community and social service programs. The City also sponsors a program for first time homebuyers that can assist a limited number of eligible households.

The Housing Rehabilitation Program offers low-interest loans and grants to eligible homeowners in Alameda. Rental property owners, whose units are occupied by 51 percent or more low income renters, are also eligible for low-interest loans to make repairs and qualified property improvements. Senior and disabled households may be eligible for additional assistance. Staff provides technical assistance evaluating the unit and recommends a scope of work. Support is given during the bid process and continues during the construction phases of the project. This assistance is provided as a no-cost program benefit. Rehabilitation staff has technical skills and experience to help your project progress from need to completion.

The Rental Rehabilitation Program provides loans at 2 percent interest to landlords who rehabilitate rental property in Alameda. The majority (at least 51 percent) of the households in the structure must be low income, and the majority of the units must be two-bedrooms or larger with rents not in excess of Payment Standards.

The Housing Rehabilitation Program helps low-income Alameda homeowners repair and improve their homes. Low-interest loans are available on a first-come, first-served basis, and can be used to correct substandard and/or health and safety conditions (including lead-based paint hazards), to extend energy conservation, or to repair or replace major systems in danger of failure.

The Minor Home Repair Program provides grants of up to $2,000 for emergency repairs to health, safety and security items, or minor repairs of carpentry, plumbing, heating, and electrical items. This program is available to low-income Alameda homeowners on a first-come, first-served basis

The Substantial Rehabilitation Program provides below market-rate loans to Alameda property owners to create new affordable rental units in vacant or underutilized space in existing structures. Grants of up to $15,000 for preliminary design services are available to help owners determine the feasibility of new unit development before proceeding with the rehabilitation project. In exchange for below market-rate loans, property owners commit to rent the new units to Housing Choice Voucher Program tenants for 15 years.

The Soft Story Structural Assessment Grant for Rental Units Program (Program) provides financial assistance to residential rental property owners (Owner) to assess their soft story structure without passing the costs through to tenants. At least 51 percent of the units in the building must be occupied by low- and moderate-income households. Grants of up to $5,000 are available to offset engineering fees required to produce a report acceptable to the Building Department for review. Participation in this Program also provides eligibility for Rental Rehabilitation Loan Program funds to assist in the cost to retrofit the structure, subject to funding availability and eligibility criteria above.

Homeless Services

In partnership with local non-profit agencies and community and faith-based organizations, the City of Alameda provides a range of services to the unhoused community. The programs are under the supervision of the City's CARES Team (Collaboration Advancing Research, Efforts, and Supports for Alameda's Homeless), an interdepartmental and interagency consortium working to address the issue of homelessness in Alameda.

Temporary Shelter program supplement temporary and permanent housing options offered by non-profit agencies in Alameda, including Midway Shelter, Alameda Point Collaborative and Bessie Coleman Court.

Warming Shelter program provides a warm, safe, and welcoming place to shelter on cold and rainy nights during the winter season. Outreach and volunteer-prepared meals available onsite. Limited services available during the pandemic.

Alameda Day Center connects clients to housing, health, mental health, substance use, and social services and supports. Offers classes, meals, well checks, showers, and enrichment activities. A safe and welcoming place for clients to relax and participate in programs. Open Monday-Sunday 9:00 a.m. to 8:00 p.m.

Safe Parking Program provides a safe and welcoming space for people living in cars or vans to park at night. Bathrooms/washing facilities available. Outreach workers and housing navigators available to connect clients to services. Open Monday-Sunday, 7 p.m.- 7 a.m.

Safe Shelter Program/ FEMA Trailers provides shelter for elderly and medically compromised individuals at-risk for COVID-19 using the four FEMA trailers from the State. Allows residents to shelter in place during the pandemic. Meals, health, and social services provided.

Dine and Connect Meal program provides at four church sites every Monday 4-5 p.m. Onsite outreach provided by Building Futures and Operation Dignity to connect unhoused guests to health, housing, social services, and resources. Click here (PDF, 139KB) to download more information.

- First Monday of each month at Twin Towers United Methodist Church, 2259 Central Ave Alameda, CA
- Second Monday of each month at Trinity Lutheran Church, 1323 Central Ave Alameda, CA
- Third Monday of each month at First Congregational Church, 1912 Central Ave Alameda, CA
- Occasional 4th Mondays (March 23rd) Christ Episcopal Church 1700 Santa Clara Ave, Alameda CA Enter from the parking lot on Grand St.
- Last Monday of each month at Immanuel Lutheran Church, 1420 Lafayette St. Alameda, CA

Rental Assistance and Subsidies provides emergency rent relief, move-in deposits and fees, and other necessities to prevent individuals and families from losing their home or to secure housing. Also covers emergency motel stays. Assists clients with financial management planning.

Mobile Hygiene Program provides mobile hygiene services that includes showers and laundry. Conducts assessment and connects clients to services.

Mobile Health provides urgent care, care coordination, and linkages and referral to community resources for Alameda's unhoused. The Clinic is available at the Dine and Connect meal service at Immanuel Lutheran Church on the last Monday of every month from 4 p.m. to 7 p.m., and now offers COVID vaccinations and dental care.

Mobile Shower provides shower and hygiene services at the Day Center on Tuesdays and Thursdays. Also conducts outreach and links clients to health and supportive services.

Shower Program On-site provides weekly shower services run by community volunteers offered onsite at Christ Episcopal Church on Sundays from 2-4 p.m. Please make a reservation for your shower. For more information and to sign up, call: (510) 522-HOME. Click here (PDF, 105KB) to download more information.

Street Health seeks to address the health disparities experienced by homeless residents of Alameda County. Provides access to care from multi-disciplinary teams through regularly scheduled outreach services offered to unsheltered people to build relationships that lead to long-term health through connections to primary care, social services, housing, mental health, dental care, and other resources.

Mobile Outreach establishes supportive relationships with homeless individuals through visits by Outreach Workers and offering services to end homelessness. Services are delivered at sites and spaces where people experiencing homelessness are located, including encampments, parking lots, bridge underpass, tunnel entrances, parks, sidewalks, FEMA trailer site, etc.

Intensive Case Management provides comprehensive, collaborative, and person-centered approach to support Alameda's most chronically homeless individuals with complex and co-occurring medical and psychosocial needs.

De-Escalation Training focuses on communication and safety for local businesses, staff, providers, and the community.

"You Are Not Alone" Support Group provides a safe, nonjudgmental, and supportive group conversation with families who have unhoused loved ones with mental illness and/or substance use challenges

ALAMEDA

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CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-22-18

RECOMMENDING THAT THE CITY COUNCIL ADOPT AMENDMENTS TO ALAMEDA MUNICIPAL CODE CHAPTER XXX (DEVELOPMENT REGULATIONS) TO IMPLEMENT THE DRAFT HOUSING ELEMENT FOR THE PERIOD 2023 THROUGH 2031.

WHEREAS, the California legislature has found that "California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives." (Gov. Code § 65589.5.); and

WHEREAS, the legislature has further found that "Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration." (Gov. Code § 65589.5.); and

WHEREAS, the legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that "In 2018, California ranked 49th out of the 50 states in housing units per capita… California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years"; and

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Alameda's (City) regional housing need allocation (RHNA) of 5,353 housing units, comprised of 1,421 very-low income units, 818 low-income units, 868 moderate-income units, and 2,246 above moderate-income units; and

WHEREAS, State law requires that the City take meaningful steps to promote and affirmatively further fair housing (Gov. Code § 65583(c) (5)); and

WHEREAS, State law requires that the City make zoning available for all types of housing, including multifamily housing (Gov. Code § 65583.2 and 65583(c)); and

WHEREAS, Alameda City Charter Article 26 prohibits construction of multifamily housing and residential densities above 21 units per acre; and

WHEREAS, State law generally states that the Housing Element and the City's zoning must support housing for all income levels, and residential densities under 30 units per acre do not support construction of housing for lower income households (Gov. Code § 65583.2(c)(3)(B)(iv)). Although State law may allow different densities, subject to a market study which considers market demand and financial feasibility, that option would ultimately require greater densities given that the City is located in the heart of the San Francisco Bay Area, a region with some of the highest land costs and highest construction costs in the country; and

WHEREAS, to address similar inconsistencies with State law, in 2012, the City adopted the Multi-Family (MF) overlay zone in Alameda Municipal Code (AMC) Section 30-4.23(b) (1) which allows densities of 30 residential units per acre and states, "In the event of a conflict between the provisions of the MF Combining District and the provisions of the underlying district or the Alameda Municipal Code or Alameda City Charter Article 26, the provisions of the MF District shall govern"; and

WHEREAS, the analysis of available sites to accommodate the City's RHNA of 5,353 housing units demonstrates that multifamily housing at densities of greater than 21 units per acre is necessary to accommodate the RHNA; and

WHEREAS, the Housing Element and amendments to AMC Chapter XXX (Development Regulations) must be adopted to comply with State law, accommodate the RHNA, affirmatively further fair housing, and facilitate and encourage a variety of housing types for all income levels, including multifamily housing (Gov. Code §§ 65583.2 and 65583(c)); and

WHEREAS, the preparation, adoption, and implementation of the Housing Element and companion zoning amendments requires a diligent effort to include all economic segments of the community; and

WHEREAS, the City conducted extensive community outreach over the last 18 months which included over 25 public workshops with the Planning Board, City Council, Commission on Persons with Disabilities, Transportation Commission, and Historical Advisory Board; and

WHEREAS, on May 25, 2022, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review. In July 2022, HCD contacted the City with a number of questions about the draft Housing Element, and based upon those questions, City staff revised the draft Housing Element to include additional information and analysis; and

WHEREAS, on August 25, 2022, the City received a letter from HCD stating that the draft Housing Element is in substantial compliance with State Housing Element Law, and will comply with State Housing Element Law when it is adopted, submitted to and approved by HCD in accordance with Government Code section 65585; and

WHEREAS, on August 29, 2022, the City published the final draft Housing Element (i.e., determined to be in substantial compliance by HCD) on the City website and www.alameda2040.org and requested public comment on the final draft; and

WHEREAS, on September 12, 2022, the Planning Board conducted a duly noticed public hearing and reviewed the 2023-2031 Housing Element and General Plan Land Use Diagram update, zoning map and text amendments, and all pertinent maps, documents and exhibits, including the findings made by HCD and public comments, and provided a final list of revisions; and

WHEREAS, on September 26, 2022, the Planning Board conducted a duly noticed public hearing and reviewed the draft 2023-2031 Housing Element, zoning map and zoning text amendments, and all pertinent maps, documents and exhibits, including the findings made by HCD and public comments; and

WHEREAS, on September 26, 2022, the Planning Board unanimously approved a resolution recommending City Council approval of the draft Housing Element.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that, based on substantial evidence in the record, the potential environmental impacts of the project have been evaluated and disclosed pursuant to CEQA. On November 30, 2021, by Resolution No. 15841, the City Council certified a Final Environmental Impact Report for the Alameda 2040 General Plan (State Clearinghouse No. 2021030563) in compliance with CEQA, and adopted written findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for the General Plan Amendment to update the Alameda General Plan (General Plan EIR), which evaluated the environmental impacts of 12,000 additional housing units in Alameda over 20 years, including 5,353 housing units to accommodate the RHNA between 2023 through 2031. Pursuant to CEQA Guidelines sections 15162 and 15163, none of the circumstances necessitating further CEQA review are present with respect to the General Plan EIR. Adoption of the General Plan Amendment and corresponding zoning amendments to implement the policies and goals of the Housing Element would not require major revisions to the General Plan EIR due to new significant impacts or due to a substantial increase in the severity of the significant environmental effects. There have been no substantial changes with respect to the circumstances under which the project would be undertaken that would require major revisions of the General Plan EIR due to new or substantially

increased significant environmental effects. Further, there has been no discovery of new information of substantial importance that would trigger or require major revisions to the General Plan EIR due to new or substantially increased significant environmental effects. For these reasons, no further environmental review is required; and

BE IT FURTHER RESOLVED that the Planning Board makes the following findings pertaining to the zoning text amendments to the AMC (Exhibit A):

1. **The amendments maintain the integrity of the General Plan**. The zoning text amendments (zoning amendments) are necessary to ensure consistency between the Housing Element, the Land Use Element, and the AMC, and between State Housing Element Law and the AMC. The amendments achieve General Plan policies and objectives for equal access to housing, access to transportation improvement funds, and mixed use, transit-oriented housing opportunities.

2. **The amendments will support the general welfare of the community.** The zoning amendments will support the general welfare of the community by establishing clear standards for a variety of housing types and densities consistent with State Housing Element Law requirements, and permitting multifamily housing at residential densities of at least 30 units per acre, as necessary to comply with State law.

3. **The amendments are equitable.** The zoning amendments are equitable in that they emphasize and reinforce form-based regulations and remove provisions that act to create barriers to access to housing for lower income and middle income households or to individuals that may require daily assistance or a specific housing type. The zoning amendments apply the form-based requirements equally to all housing types in each zoning district. Likewise, housing types are regulated equally. The zoning amendments also remove regulations that prohibit the most affordable housing types, such as the prohibition of construction of multifamily housing and the citywide density limitation on residential densities over 21 units per acre; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends that the City Council adopt the zoning amendments as shown in Exhibit A

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or decision on any appeal plus extensions authorized by California Code of Civil Procedure Section 1094.6.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 26th day of September 2022, by the following vote to wit:

AYES:	(7) Ariza, Cisneros, Curtis, Hom, Ruiz, Saheba, and Teague
NOES:	(0)
ABSENT:	(0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board

Exhibit A: Zoning Text

Amendments 30-2 - DEFINITIONS

a. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure", and the word "shall" is mandatory and not directory. City Council shall mean the City Council of the City of Alameda, and Planning Board shall mean the Planning Board of the City of Alameda. City shall mean the incorporated area of the City of Alameda. Zoning Administrator shall mean the Planning Director, or such person as he/she may, with the prior approval of the Planning Board, designate, who shall administer and interpret the provisions of the zoning regulations and perform other duties as prescribed herein. Other terms not specifically mentioned hereabove shall have the meanings ascribed to them by the Charter and this Code.

b. As used in this chapter:

Accessory building or *structure* shall mean a detached subordinate building or structure, the use of which is incidental to that of the main building(s) on the same lot or to the primary use of the land.

Accessory dwelling unit shall mean an attached or detached residential dwelling which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as one (1) primary single-family dwelling.

Accessory dwelling unit — Junior, shall mean a dwelling unit, as defined in Government Code Section 65852.22, that is no more than five hundred (500) square feet in size and contained entirely within an existing single-family structure, and may include separate sanitation facilities, or may share sanitation facilities with the existing dwelling.

Accessory use shall mean a use of a building, structure, or land which is incidental or subordinate to the principal use or building located upon the same lot.

Agency shall mean an office or commercial establishment in which goods, material or equipment are received for servicing, treatment or processing elsewhere.

Alley shall mean a public or permanent private way or lane less than forty (40') feet in width which affords a secondary means of access to abutting property.

~~*Anchor-out* shall mean and refer to households or live-aboard boats moored or anchored offshore and not in an authorized commercial marina. (Note: Anchor-outs, other than transient boats, are not permitted.)~~

Animal shelter shall mean a facility operated for the purpose of impounding or caring for seized, stray, distressed, homeless, abandoned, or unwanted animals.

Antenna, satellite dish shall mean a dish-shaped device designed to receive television signals transmitted from orbiting satellites, as well as all supporting equipment necessary to install or mount the antenna.

Art gallery shall mean an establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art.

Artist's studio shall mean an establishment or work space for artists or artisans, including individuals practicing one of the fine arts or skilled in an applied art or craft. An establishment for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leather craft, hand-woven articles, and related items.

Artist's studio industrial shall mean an establishment or work space for artists, crafts person or artisans, including individuals practicing one of the fine arts or skilled in an applied art or craft primarily for the preparation, display, and sale of individually crafted large scale objects, artwork, sculpture, ceramics, or product that require the use of heavy machinery, large scale ovens or kilns, or hazardous materials.

Balcony shall mean a platform enclosed by a railing or balustrade projecting from the exterior wall of a building, accessible only from the interior of the building.

Banks, savings and loan services shall mean financial institutions that provide retail banking services to individuals and businesses. These institutions include banks, savings and loans, credit unions, security brokers and real property lending institutions. It does not include check cashing or payday advance uses.

Bar shall mean a place where alcoholic beverages are sold in unpackaged form for consumption on the premises, does not include food prepared in a kitchen located on the premises and does not admit persons under the age of twenty-one (21). This classification includes businesses with Alcoholic Beverage Control (ABC) licenses 40, 42, 48, 49, or 61.

Bay window shall mean an architectural projection built out from a wall, with windows and without any, or very limited, solid wall area on the longest wall of the projection itself.

Bed and breakfast facility shall mean a building or portion thereof or group of buildings containing rooms used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and subject to all regulations listed below:

1. A use permit shall be obtained where required.
2. Parking shall be provided in accordance with Section 30-7 of the zoning regulations.
3. Signs shall be permitted in accordance with Section 30-6 of the zoning regulations.
4. Design review shall be required for interior and exterior modifications of the structures and grounds.
5. Any structure proposed for a bed and breakfast facility shall be listed in the City's historical building list as an "N" designated structure.
6. Open space shall be provided as required by the zoning district in which the bed and breakfast facility is located.
7. Interior residential features shall be retained in a manner which will allow reconversion back to a purely residential use.
8. Those buildings containing separate units, each with individual kitchen facilities and used for long term rental, shall not be converted to bed and breakfast facilities.
9. Bed and breakfast facilities shall be managed and occupied by the owner of the property.
10. Guests shall check in and out only between 8:00 a.m. and 8:00 p.m.
11. The maximum stay for guests shall not exceed fourteen (14) days within any thirty (30) day period. No long term rentals shall be allowed.
12. No cooking facilities shall be allowed in the guest rooms.
13. There shall be only one (1) meal, breakfast, served daily and limited to transient guests only.

Boutique theater shall mean a theater with audiences of forty-nine (49) persons or less for live performances or for the screening of motion pictures where there is only one (1) screen in the theater.

Breezeway shall mean a covered or partially covered, partially enclosed passageway, which may include stairs, connecting parts of a building or two (2) buildings.

Building <u>*or lot*</u> *coverage* shall mean the percentage of the lot area which may be covered by all buildings and roofed structures on a parcel except eaves, sills, cornices.

Building height shall mean the vertical distance measured <u>perpendicularly</u> from the ~~average level of the highest and lowest point of that portion of the lot covered by~~ <u>grade adjoining</u> the building to the highest point of the roof ridge or parapet wall.

~~*Building height (maximum)* shall be established by an assumed plane, as measured perpendicularly from the existing grade, and as prescribed by the subject zoning district. Except as provided for under Section 30-5.8 (Height Exceptions), no portion of the structure, including any part of the roof, may project above the assumed plane.~~

Building site shall mean the land area of a lot within the required yards occupied by or capable of being covered by main buildings permissible under this chapter.

Building width shall mean the total width of the primary building facade fronting on a street. For corner parcels, maximum building length standards apply to both front and side facades.

Canopy shall mean a hood, awning, or shade overhanging a window, doorway, or niche.

Carport. See Garage, Private.

Check cashing and personal loan services shall mean businesses whose primary purpose is to provide limited financial services to individuals, such as check cashing and deferred deposit loans. This includes check cashers, payday advance businesses and other business regulated by the State of California's Check Casher Permit Program, per the California Civil Code, Section 1789. A check cashing use in conjunction with another use will be considered accessory to the use if the check cashing is not advertised outside the business premises or by signs visible from the outside of the building.

Commercial recreation includes recreational uses such as skating rinks, bowling alleys, arcades, paintball, children's playland, rock climbing, miniature golf and other similar establishments of an entertainment or amusement nature that are conducted within a building for commercial purposes.

Community assembly shall mean facilities for public or private gatherings, including but not limited to places of worship; public and private nonprofit clubs, lodges, and meeting halls; and community centers. This classification includes accessory facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, residential accommodations, or facilities such as day care centers and schools, which are classified and regulated separately.

~~*Community care facility* shall mean any facility, place or building which is maintained and operated to provide nonmedical residential care, including but not limited to family day care homes and residential care facilities.~~

Community garden shall mean a private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

Commercial marina shall mean a marina that contains recreational boat berthing facilities and attendant supporting services that are leased or rented. All commercial marinas in the C-2, C-M, M-1 and M-2 zones in operation with permits from the City as of July 1, 1988, shall be deemed conforming uses, but shall not be expanded or substantially changed without first obtaining a use permit.

Conditioned~~al~~ space shall mean that portion of a residential structure, measured as floor area, which is defined as "conditioned space" by the California State Energy Regulations (i.e., all floor areas included in Title 24 calculations).

Conference center shall mean a facility designed to accommodate conventions, conferences, seminars, and/or entertainment activities.

Convenience store shall mean retail sales of food, beverage and small convenience items primarily for off-premises consumption and typically found in establishments with long or late hours of operation (including open between the hours of 10:00 a.m. and 7:00 p.m.) and/or within a building with a floor area of less than 5,000 square feet. This definition excludes tobacco stores, liquor stores, delicatessens, confectioneries and other specialty food shops and establishments having a sizeable assortment of fresh fruits and vegetables, and fresh-cut meat, fish or poultry.

Day care center shall mean a non-residential business or institution that provides care for persons on less than a twenty-four (24) hour basis, that is licensed by the State of California, and includes nursery schools,

preschools and day care centers for children or adults, but excludes smaller residential facilities conforming to the Family day care, Large and Family day care, Small definitions.

Day spa shall mean a facility which specializes in the full complement of body care including, but not limited to, body wraps, facials, pedicures, make-up, hairstyling, nutrition, exercise, water treatments and massage which is open primarily during normal daytime business hours and without provisions for overnight accommodations.

Deck shall mean a flat, uncovered platform constructed of wood, concrete, or any impervious material, extending at grade or elevated over yard areas or atop a structure.

Dormer shall mean an architectural projection built out from a sloping roof and typically houses a vertical window or ventilation louver. A dormer can be further defined by the type of roof on the projection itself, and includes the terms gable dormer, hip dormer, shed dormer (which is also known as a "monitor") and eyebrow dormer.

Drive-in shall mean a place of business laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their vehicles.

Drive-up kiosk window shall mean a small building or kiosk with a window or opening through which occupants of a motor vehicle receives or obtains a product or service.

Driveway shall mean a paved, or alternate all weather surface as approved by the City Engineer, that provides access from a publicly accessible travel way to parking and/or loading spaces that are located in conformance with subsection 30-7.8: Off Street Parking Improvement, Location, and Dimensional Requirements and Standards~~Location of Parking Spaces and Prohibited Parking Area~~.

Dwelling, multifamily~~multiple-family~~ shall mean a building containing three or more dwelling units~~designed and/or used to house three (3) or more families, living independently of each other~~.

Dwelling, one-family shall mean a ~~detached~~ building containing one dwelling unit~~designed and intended for occupancy by one (1) family, and containing not more than one (1) kitchen~~.

Dwelling, two-family shall mean a building containing two dwelling units~~(2) kitchens, designed and/or used to house not more than two (2) families living independently of each other~~.

~~*Dwelling group* shall mean two (2) or more detached one (1), two (2), or multiple family dwellings located upon a building site together with all open spaces as required by this chapter.~~

Dwelling unit shall mean a group of rooms, including a kitchen, bath and sleeping quarters, designed for use as a home or residence~~and intended for occupancy by one (1) family~~.

Emergency shelter (per Health and Safety Code Section 50801(e)) means housing with minimal supportive services for unhoused persons that is limited to occupancy of six (6) months or less by an unhoused person~~*Emergency shelter* means housing with minimal supportive services for homeless persons that is limited to occupancy of six (6) months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay~~.

Family shall be defined as "One or more persons, related or unrelated, such as a group of employees, living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit."

Family day care home shall mean a community care facility for children which provides care for less than twenty-four (24) hours a day and which also serves as the residence of the operator.

Family day care, large shall mean the care and supervision of more than six (6) but less than fifteen (15) children in a provider's own home, on a less-than-twenty-four (24) hour basis and includes only those facilities licensed by the State of California, (but excludes smaller facilities that conform to the definition of "Family day care, Small" which may provide care for up to eight (8) children, if certain conditions are met). Large family day care homes are mid-scale operations, intended to provide service for a limited number of children in a residential setting, as prescribed by the State of California. Such limits to number of children are as follows, or as prescribed

by changes to State code subsequent to May 6, 2004: A "Large family day care home"—H&SC 1596.78(b) provides family day care for seven (7) to twelve (12) children, and up to fourteen (14) children, if all the following conditions are met (H&SC 1597.465): a) at least two (2) of the children are at least six (6) years of age; b) No more than three (3) infants are cared for during any time when more than twelve (12) children are being cared for; c) The licensee notifies each parent that the facility is caring for two (2) additional school-age children at the time there may be up to thirteen (13) or fourteen (14) children in the home at one time; d) The licensee obtains written consent of the property owner when the family day care home is operated on the property that is leased or rented. These limits are inclusive of children under the age of ten (10) years who reside at the home.

Family day care, small shall mean the care and supervision of a very limited number of children in a provider's own home, on a less-than-twenty-four (24) hour basis and includes only those facilities licensed by the State of California, (but excludes larger facilities that conform to the definition of "Family day care, Large"). Such limits to number of children are as follows, or as prescribed by changes to State code subsequent to May 6, 2004: A "small family day care home"—H&SC 1596.78(c) is limited to six (6) children; but may serve up to eight (8) children, without an additional adult attendant, if all the following conditions are met (H&SC 1596.44): a) at least two (2) of the children are at least six (6) years of age; b) no more than two (2) infants are cared for during any time when more than six (6) children are being cared for; c) the licensee notifies each parent that the facility is caring for two (2) additional school-age children at the time there may be up to seven (7) or eight (8) children in the home at one time; d) the licensee obtains written consent of the property owner when the family day care home is operated on the property that is leased or rented. These limits are inclusive of children under the age of ten (10) years who reside at the home.

Floating home shall mean a boat that is used for a residential or other nonwater oriented purpose that is not capable of being used for active navigation as defined in subsection 13-38.5 of the Alameda Municipal Code, and is subject to the regulations set therein. Floating homes are also subject to the requirements of Article XIV of Chapter XIII of the Alameda Municipal Code.

Floor area shall mean the total area of all the floors measured from the exterior faces of the building, including hallways, interior and exterior stairways, storage rooms, etc., and all areas that are greater than fifty (50%) percent enclosed with walls and covered, but excluding any basement or attic area with ceiling heights of less than seven (7') feet.

Funeral home shall mean a facility for human funeral services and the display of the deceased and rituals connected therewith before burial or cremation.

Garage, commercial shall mean a building, other than a private garage used for the parking, repair or servicing of motor vehicles.

Garage, parking shall mean a public garage designed and/or used on a commercial basis for the storage of vehicles only.

Garage, private shall mean an accessory building or portion of a building, designed and/or used only for the shelter or storage of vehicles by the occupants of the dwelling, including covered parking spaces or carports.

General plan shall mean the latest revised general plan adopted for the City of Alameda.

Grade~~, average~~ shall mean the average level of the highest and lowest portion of the lot covered by a building, deck, portion of a deck, ~~or a~~ patio cover, or other structure.

~~*Grade, existing (adjacent ground elevation)* shall mean the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five (5') feet from the building, between the building and a line five (5') feet from the building.~~

Grocery store shall mean:

1. A facility which sells to the general public primarily groceries, vegetables, fruits, meats, poultry, fish, canned and cartoned goods, milk, juices, soft drinks and similar items, and other food stuff for preparation and consumption off of the premises, and toiletries and other items for personal

or home use. A grocery store may sell packaged alcoholic beverages and includes the following types:

(a) A facility five thousand (5,000) square feet or more in gross area.

(b) A facility less than five thousand (5,000) square feet in gross area which is not open for business between the hours of 10:00 p.m. and before 7:00 a.m.; or

2. A facility less than five thousand (5,000) square feet in gross area in which the chief item of sale is specialty items, such as fruits and vegetables, meats and fish, cheese, or coffee, for preparation and consumption off premises. This facility may sell related goods, such as cartoned and canned goods, milk, juices, soft drinks, toiletries and personal items incidental to its primary use, and is not open for business between the hours of 10:00 p.m. and 7:00 a.m.

Habitable Space shall mean a space in a structure for living, sleeping, eating or cooking, and that complies with the applicable A.B.C.'s minimum requirements for habitable space, which include but are not limited to requirements for insulation, heating, egress and minimum ceiling height. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

Hazardous materials processing shall mean one (1) or more activities to clean, repackage, or perform another industrial operation involving hazardous waste which is brought onto a site and reprocessed, with the end product sent off-site. This definition shall apply to businesses which have hazardous materials processing as the principal use, not to businesses which perform hazardous waste reduction as an ancillary activity.

Hazardous waste shall mean any hazardous waste, material, substance or combination of materials which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed; and which requires special handling under any present or future federal, state or local law. This excludes minimal quantities of waste of a type and amount normally found in residential solid waste after implementation of programs for the safe collection, recycling, treatment and disposal of household hazardous waste in compliance with Sections 41500 and 41802 of the California Public Resources Code, as amended from time to time. Hazardous waste shall include, but not be limited to: (a) substances that are toxic, corrosive, inflammable or ignitable; (b) petroleum products, crude oil or any fraction thereof and their derivatives; (c) explosives, asbestos, radioactive materials or related hazardous materials; and (d) substances defined by applicable local, state or federal law as hazardous substances, hazardous materials, reproductive toxins, or toxic substances.

Health clinic shall mean a facility whether public or private principally engaged in providing services for health maintenance, diagnosis, or treatment of human diseases, pain, or injury.

Hedge shall mean a boundary formed by shrubs or trees planted in a close row such that the foliage of each shrub or tree intermingles with the foliage of the adjacent shrubs or tree obscuring the main stem or trunk.

Height, building. See *Building Height*, this section.

Height, deck shall mean the vertical distance between existing average grade and the upper floor surface of a deck, calculated separately for each level of deck.

Height, patio cover shall mean the vertical distance between existing average grade and the highest point of the exterior roof surface of a patio cover.

Helicopter port shall mean land improved and intended to be used for the landing and taking off of helicopters or vertical flying aircraft.

High-quality transit corridor shall mean a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak weekday commute hours.

Historical structure shall mean a building listed on the Historical Building Study List or one that was built before 1942.

Home occupation shall mean any use customarily carried on within a dwelling, rear or side yard areas, or accessory buildings, by the inhabitants thereof, and which use is incidental to the residential use of the dwelling and complies with the following standards:

1. Is confined within the dwelling, and occupies not more than fifty (50%) percent of the floor space on one (1) floor; or, upon obtaining a Use Permit, as provided in subsection 30-21.3 hereof, in the rear or side yard, or accessory buildings thereof.
2. Involves no sales or storage of merchandise other than that produced on the premises, and/or directly related to and incidental to the services offered.
3. Is carried on by the members of the household occupying the dwelling with no more than one (1) other person employed.
4. Produces no evidence of its existence beyond the premises, such as noise, smoke, odors, vibrations, etc., except for one (1) nonilluminated sign pertaining directly to the particular home occupation.
5. That the conduct of the home occupation shall not create excessive automobile or truck traffic in the vicinity, and that the parking of commercial vehicles incidental to the home occupation shall be permitted upon the premises only in enclosed structures.

Hotel shall mean any building or portion thereof containing six (6) or more guest rooms used, or intended, or designed to be used, let or hired out to be occupied by six (6) or more paying guests.

~~*Houseboat* shall mean a boat that is used for a residential or other nonwater oriented purpose that is not capable of being used for active navigation. (Note: Houseboats are not permitted outside of commercial marinas designated for houseboat berthing. A houseboat is equivalent to a floating home as defined in subsection 13-38.5 of the Alameda Municipal Code, and is subject to the regulations set therein. Houseboats are also subject to the requirements of Article XIV of Chapter XIII of the Alameda Municipal Code.)~~

Industrial, heavy shall mean an establishment or activity that includes research and development, manufacture, fabrication, or processing of any article, substance, or commodity and includes storage areas, truck access and loading areas, warehouses, and other similar activities and facilities that may produce off-site external effects such as smoke, noise, odor, vibration.

Industrial, light shall mean an establishment or activity conducted primarily within an enclosed building that includes research and development, manufacture, fabrication, or processing of any article, substance, or commodity and includes storage areas, truck access and loading areas, warehouses, and other similar activities and facilities that do not produce off-site external effects such as smoke, noise, odor, vibration.

Key lot shall mean a lot whose side property line abuts the rear property line of a corner lot that fronts on a street which intersects with the street on which the key lot fronts.

Kitchen shall mean any room or area within a dwelling unit or living quarters to be used for storing, cooking and preparing of food that includes permanent/fixed cooking facilities supported by a 220-volt electrical service or a gas line.

Landing shall mean a platform that is part of a staircase.

Large format retail shall mean a single stand-alone store or collection of retail uses, developed and or managed within a single building or shopping center which individually or cumulatively include over thirty thousand (30,000) square feet of retail sales floor area.

Liquor store shall mean any establishment primarily selling packaged alcoholic beverages, in unopened containers.

Live aboard shall mean a boat that is not a transient boat, that is capable of being used for active self-propelled navigation, and that is occupied as a residence, as defined in California Government Code Section 244. ~~(Note: Live aboard boats are not permitted outside of commercial marinas.)~~

Living quarters shall mean any combination of habitable rooms that includes cooking facilities and is designed for occupancy as a dwelling unit~~.~~

~~Loading area shall mean a permanent usable space not less than ten by forty (10' x 40') feet in size for the parking, loading and unloading of trucks or other commercial vehicles.~~

Lot shall mean either:

1. A parcel of real property when shown as a delineated parcel of land with a number or other designation on a plat recorded in the office of the County Recorder prior to November 20,1956; or
2. A parcel of land the dimensions of which are defined by a record of survey or tract or parcel map recorded pursuant to the provisions of the Subdivision Map Act of the State of California in the office of the County Recorder; or
3. A parcel of real property not delineated as in subparagraph 1. or 2. and containing not less than the prescribed minimum requirements of a building site;
4. A parcel of real property as defined in subparagraph 3. and bisected by a lot line(s) of a parcel(s) delineated pursuant to subparagraphs 1. or 2., the Title to which, with or without encumbrances, is unified; or
5. A lot of record;
6. "Lot" shall not include a unit of a condominium as defined in the general law;
7. The above definitions are mutually exclusive: Subparagraphs 3. and 4. shall not apply when their application would create an adjacent substandard parcel.

Lot, corner shall mean a lot located at the junction of two (2) or more intersecting streets, with a boundary line thereof bordering on two (2) or more of such streets. The shortest such street frontage shall constitute the front of the lot. The front of a square corner lot shall be determined by the lot pattern of the block in which such lot is located.

Lot of record shall mean land designated as a separate parcel on a plat, map or deed in the records of the Alameda County Recorder on or before the effective date of this chapter.

Lot width shall mean the distance between side lot lines measured at the front yard building line.

Low Barrier Navigation Center shall mean a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing consistent with Government Code Section 65660.

Main Building(s) shall mean a building, or buildings, which typically contains the principal use(s) of any lot. There may be more than one (1) main building on a lot.

Major transit stop shall mean a site containing any of the following: an existing rail or bus rapid transit station; a ferry terminal served by a bus transit service; or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Manufactured home (per Health & Safety Code Section 18007) shall mean a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974.

Maritime workplace shall mean an establishment or activity required for the support of, or commonly associated with, the construction, repair, operation, storage, loading, and unloading of boats, waterfront dock and port facilities, marinas, navigational aids, boat fuel and equipment supply, ground level parking incidental to such uses, and other activities the primary purpose of which is to facilitate maritime activity and trade.

Mortuary shall mean a facility for the storage and preparation of the human dead for burial or cremation. A mortuary may include funeral homes.

Motel shall mean a group of attached or detached bedroom and bath units without kitchens, and with individual outside entrances, which are designed and used for transient occupancy.

Motor truck terminal shall mean a facility which serves (including parking, storage, servicing, repairing, overhauling, loading or unloading) at any one time, more than ten (10) truck units of four (4) axles or more (a "truck unit" being a tractor-semitrailer regularly operated as a single unit), or a truck and trailer operated as a single unit).

Multiple house shall mean a residential building used as condominium units, planned development units, stock cooperative, a limited equity cooperative or other real estate development as those terms are defined in Division 2, Title 7 of the Government Code or in the Civil Code of the State of California.

Multiple screen theatre is a theatre designed for the exhibition of movies that contains two (2) or more auditoriums or separate rooms for the display of movies.

Museum shall mean an establishment or activity serving as a repository for a collection of natural, scientific, historical, or literary objects, and works of art arranged, intended and designed to be used by members of the public for viewing with or without admission charge.

Nonconforming building shall mean a building or structure or portion thereof which was designed, and erected or structurally altered prior to the effective date of these regulations or any subsequent amendments thereto for a use which does not conform to the use regulations of the district in which it is located.

Nonconforming use shall mean a use which occupies a building or open land, and which does not comply with the use regulations of the district in which it was located prior to the effective date of these regulations, or any subsequent amendments thereto.

Offices, business and professional shall mean offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, real estate, insurance, investment, legal, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks, savings and loan and check cashing uses.

Outdoor advertising shall mean any sign or device of any kind or character whatsoever, designed to advertise or attract attention to any product or enterprise placed for outdoor advertising purposes; on the ground, on any tree, wall, bush, rock, post, fence, building, structure, or thing whatsoever. The term placed as used in the definitions of "outdoor advertising" and "outdoor advertising structure" shall mean and include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or to make visible in any manner whatsoever.

Outdoor advertising structure shall mean any structure of any kind or character erected, maintained or used for outdoor advertising purposes, upon which any outdoor advertising is or may be placed, including also outdoor advertising statuary.

Parking lot shall mean an area of land which is accessible and usable for the off-street parking of motor vehicles.

Parking space shall mean an area designed for the parking of a single motor vehicle, conforming to the requirements of this article.

Parking, tandem shall mean any parking space which partially or wholly occupies the driveway or backup area for another parking space.

Parking, unenclosed shall mean any parking space with or without a roof which is less than seventy-five (75%) percent enclosed by walls.

Patio structure shall mean a one (1) story structure unenclosed by walls on and partially or fully roofed, including but not limited to sunshades, trellises, pergolas, gazebos, and lath houses, which may be attached to or detached from the main building or accessory building. The definition of patio structure excludes structures partially or fully enclosed by solid walls and/or glazing, such as sunrooms or greenhouses. For the purpose of this definition, the walls of adjoining main and/or accessory building(s) shall not be considered as having "enclosed" the patio structure, providing that such walls do not constitute a) more than two (2) of the four (4) sides of the patio structure and b) more than fifty (50%) percent of the patio structure's perimeter.

Porch shall mean an appendage of a structure generally at its entrance, partially enclosed by walls and/or columns and generally covered by a roof, which provides transition from exterior to interior spaces; it may be screened or glass enclosed.

Private instruction shall mean instruction for personal and professional enrichment. Examples of private instruction include, but are not limited to, academic tutoring, language instruction, computer training and driver's training. Private instruction does not include instruction received through a trade or vocational school, nor a post-secondary school.

Psychic services shall mean businesses or establishments which provide psychic services, which include but are not limited to the practices of: astrology, palmistry, phrenology, life-reading, fortunetelling, cartomancy, clairvoyance, clairaudience, crystal-gazing, mediumship, prophesy, augury, divination, mind reading or necromancy.

Residential care facility ~~shall mean a community care facility which provides care on a twenty-four (24) hour basis.~~ (per Health and Safety Code Section 1502(a)(1)) shall mean a facility licensed by the State of California to provide living accommodations and 24-hour care for persons requiring personal services, supervision, protection, or assistance with daily tasks. This classification excludes Supportive Housing and Transitional Housing. Residential care facilities include:

1. *Residential Care, Small.* A facility to provide housing and care for six or fewer persons 18 years of age or older.
2. *Residential Care, Large.* A facility to provide housing and care for seven or more persons 18 years of age or older.
3. *Residential Care, Senior (Assisted Living).* A facility to provide housing and care for residents 60 years of age or older with varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. This classification includes continuing care retirement communities and life care communities licensed for residential care by the State of California. This classification applies to facilities that provide care for seven or more persons; a senior residential care facility for six or fewer persons would instead be classified as "small."

Restaurant shall mean a use which provides food and/or beverages primarily for on-site consumption including full-service restaurants and small self-service restaurants. Restaurant uses shall include a commercial kitchen.

Restaurant, fast food and drive-through shall mean businesses that offer quick food service which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried or griddled quickly. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.

Schools shall mean facilities for kindergarten through 12th-grade ("K – 12") education, including public schools, charter schools, and private and parochial schools with curricula comparable to that required in the public schools of the State of California.

Senior housing shall mean a ~~residential~~ dwelling unit reserved for households in which ~~where~~ at least one (1) member of the household is over sixty-two (62) years of age. ~~A deed restriction permanently limiting occupancy to~~

~~such senior households, in a form acceptable to the Planning Director and City Attorney, shall be recorded for the property with the County Recorder's office.~~

~~*Servants quarters* shall mean a secondary dwelling or apartment without separate kitchen facilities designed for and used only by persons or the families of persons regularly employed on the property.~~

Service station shall mean a retail business establishment supplying only gasoline and oil, and minor accessories and services for automobiles.

Setback line shall mean a line established by this chapter to govern the placement of buildings with respect to streets and alleys.

Shared living means a ~~residential~~ building, or portion thereof, other than a hotel, that provides private living quarters without private, independent kitchen facilities. A shared common kitchen and common activity area may be provided. Shared living ~~also~~ includes, but is not limited to dormitories, rooming houses, and single room occupancy (SRO) units~~, which provide housing for very low-income persons that typically consist of a single room with access to a shared bath. Shared living may be restricted to seniors or be available to persons of all ages~~.

Sign shall mean any object, device, display, or structure, or part thereof, situated either outdoors, or indoors in such a manner as to be primarily viewed from the outside, which is used to advertise, identify, display, direct, or attract attention to a business, organization, institution, service, event, object, product or location by any means including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. The term "sign" shall include any structure which is erected or used for sign purposes, upon which the sign is placed including sign statuary, or which was once used for signage.

Story shall mean that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six (6') feet above grade, as defined in the Alameda Building Code, for more than fifty (50%) percent of the total perimeter or is more than twelve (12') feet above grade, as defined in the Alameda Building Code, at any point, such usable or unused under floor space shall be considered as a story.

Street shall mean a public or permanent private way forty (40') feet or more in width which affords a primary means of access to abutting property.

Street frontage shall mean the portion of a lot that abuts on a street.

Structural alterations shall mean any change in the supporting members of a building, such as foundation, bearing walls, columns, beams or girders and floor joists, ceiling joists of roof rafters.

Structure shall mean that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed or parts joined together in some definite manner.

Sunroom shall mean a non-habitable area attached to a main building that is enclosed with glazing, and is primarily used for recreational and outdoor living purposes.

Super store means a single retail store or tenant that exceeds ninety thousand (90,000) square feet in size and includes ten (10%) percent or more sales floor area devoted to non-taxable merchandise.

Supportive housing (per Government Code Section 65582(g)) means housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Target Population (per Government Code Section 65582) shall mean persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services. It may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and people experiencing homelessness.

Tavern shall mean a use which provides food and/or beverages primarily for on-site consumption including the sale of alcoholic beverages. Tavern uses shall include a commercial kitchen.

Theatre includes movie and live theatres and other structures designed for public exhibitions but, as to movie theatres, does not include a multiple screen theatre.

Tobacco and tobacco products stores shall mean businesses devoted primarily to the sale of tobacco products, as defined by (a) devoting twenty (20%) percent or more of total floor area or display area to or (b) deriving seventy-five (75%) percent or more of gross sales receipts from, the sale or exchange or tobacco-related products.

Transient boat shall mean a boat that is anchored in the City for a period of seventy-two (72) hours or less at a time, and for a total of no more than seven (7) days per year.

Transitional housing (per Government Code Section 65582(j)) means buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some future point in time, which shall be no less than six months from the beginning of the assistance.~~*Transitional housing* and *transitional housing development* mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.~~

Utilities, large shall mean facilities and infrastructure for the delivery of energy, water, sewer, gas, and communications to the city, such as one hundred fifteen (115) kv power transmission lines, electrical substations and power plants, wastewater treatment facilities.

Utilities, small shall mean facilities and infrastructure for the delivery of energy, water, sewer, gas, and communications to the block, neighbor-hood, or district, such as wastewater pump stations, hydrants, switching boxes, transformers, and other facilities and structures typically located in the public right-of-way.

Variance shall mean an exception to the provisions of this chapter granted pursuant to Section 30-21 herein that does not alter the use of property or increase the density of the use of the property to an intensity permitted by a different zoning district than that in which the property is located.

Warming center shall mean an emergency shelter that is accessory to a primary use and is typically operated on an intermittent or seasonal basis to provide overnight or temporary shelter for 24 hours or less.

Work/live studio shall mean a commercial or industrial unit with incidental residential accommodations occupying one (1) or more rooms or floors in a building primarily designed and used for industrial or commercial occupancy and providing:

1. Adequate working space reserved for commercial or industrial use and regularly used for such purpose by one (1) or more persons residing in the studio;
2. Living space as defined in subsection 30-15.3.a. and in accordance with the provisions of this section.

Yard, front shall mean a yard extending across the full width of the lot measured between the front property line (or the lot line connected to a street by legal access) and the nearest point of the wall of a building or enclosed or covered porch on such lot. The front yard of a corner lot is the yard adjacent to the shorter street frontage of such lots.

Yard, minimum required shall mean the minimum depth, as prescribed for a particular zoning district, of the area of land between a main building and the property's perimeter, and which must remain free of structures and unobstructed from the ground to sky except for such exceptions and encroachments as may be permitted by this article which include, but are not limited to, allowances to permit accessory buildings, patio structures and roof eaves.

Yard, rear shall mean a yard extending across the full width of the lot measured between the rear line of the lot and the rear line of the main building or enclosed or covered porch nearest the rear line of the lot.

Yard, side shall mean a yard on either side of the lot extending from the front line of the main building or enclosed or covered porch to the rear line of the main building or enclosed or covered porch, the width of each yard being measured between the side line of the lot and the nearest part of the main building or enclosed or covered porch.

Yard, street side shall mean a yard extending along the street side of a corner lot from the front lot line to the rear lot line, and to a depth measured inward from the street side lot line to the nearest side line of the main building.

Yards shall mean land surrounding a building site unoccupied or unobstructed, except for such encroachments as may be permitted by this article.

30-3 - ZONING DISTRICTS.

30-3.1 - Designation of Districts.

The several classes of general districts hereby provided, and into which the City may be divided, are designated as follows:

Map Symbol	**District Designation**
R-1	~~One-Family Residence~~ R-1 Residential District
R-2	~~Two-Family Residence~~ R-2 Residential District
R-3	~~Garden~~ R-3 Residential District
R-4	~~Neighborhood~~ R-4 Residential District
R-5	~~General~~ R-5 Residential District
R-6	~~Hotel~~ R-6 Residential District
A-P	Administrative-Professional District
C-1	Neighborhood Business District
C-2	Central Business District
C-C	Community Commercial District
C-M	Commercial-Manufacturing District
M-1	Intermediate Industrial (Manufacturing) District
M-2	General Industrial (Manufacturing) District
M-X	Mixed Use Planned Development District
O	Open Space District
E	Estuary District
NP-G	North Park Street Gateway
NP-W	North Park Street Workplace
NP-MU	North Park Street Mixed Use
NP-MM	North Park Street Maritime Manufacturing
NP-R	North Park Street Residential
AP-WTC	Alameda Point Waterfront Town Center
AP-MS	Alameda Point Main Street Neighborhood
AP-E1	Alameda Point Enterprise District — 1
AP-E2	Alameda Point Enterprise District — 2

Map Symbol	District Designation
AP-E3	Alameda Point Enterprise District — 3
AP-E4	Alameda Point Enterprise District — 4
AP-AR	Alameda Point Adaptive Reuse
AP-OS	Alameda Point Open Space
AP-NR/G	Alameda Point Nature Reserve/Government

30-3.2 Combining Districts.

In addition to the foregoing classes of districts, certain combining districts may be established and are designated as follows:

Map Symbol	District Designation
PD	Special Planned Development District
A	Special Agricultural District
B	Special Building Site District
H	Special Height Limit District
G	Special Government District
Y	Special Yard District
T	Theatre Overlying Combining
MF	Multi-family District
CMU	Community Mixed Use Combining District

30-3.3 Establishment of Districts.

a. The boundaries of districts shall be shown upon the zoning maps of the City. The maps, and all amendments, changes, and extensions thereof, and all legends, symbols, notations, references, and other matter shown thereon shall be parts of this article and shall constitute the various subsections of paragraph b. hereof.

b. The zoning map(s) of the City of Alameda shall be that certain map(s) entitled "Zoning Map of the City of Alameda" adopted by the City Council and kept, maintained, and updated by the City Clerk. ~~dated April 8, 1958, and marked "Filed in the office of the City Clerk June 10, 1958."~~

c. The boundaries of such districts as are shown upon the zoning map(s), or amendments thereto, are hereby adopted and the specific regulations applicable therein, as set forth herein are hereby established and declared to be in effect upon all lands included within the boundaries of each and every district as shown upon the zoning map(s).

d. No land shall be used, and no building or structure shall be erected, constructed, enlarged, altered, moved, occupied or used in any district, as shown upon the zoning map(s) except in accordance with the regulations established by this article.

e. All lands now or hereafter included within the incorporated territory of the City which are not included within any district on the zoning map(s) shall constitute R-1 Districts.

30-4 - DISTRICT USES AND REGULATIONS.

30-4.1 - R-1, ~~One-Family and Two-Family Residence~~Residential District.

a. *General.* The following specific regulations, and the general rules set forth in Section 30-5, shall apply in all R-1 Districts as delineated and described in the zoning maps. It is intended that this district classification be applied in areas subdivided and used or designed to be used for one-family and two-family residential development, and that the regulations established will promote and protect a proper residential character in such districts.

b. *Uses Permitted.*

1. One-family dwellings~~, including private garages, accessory buildings and uses; reconstruction of destroyed two-family dwellings, provided that all zoning requirements other than density shall be met and that any requirement that would reduce the number or size of the units shall not apply; private, noncommercial swimming pools, boat landings, docks, piers and similar structures; and home occupations in compliance with the standards as set forth in Section 30-2 of this Code to the satisfaction of the Planning and Building Director. Upon the approval of the Planning and Building Director, a Registration of Home Occupation form shall be completed and filed with the Planning and Building Department. Any property owner aggrieved by the approval or non-approval of the Planning and Building Director shall have the right to appeal such action to the City Planning Board in the manner and within the time limits set forth in Section 30-25 of this Code. Nothing contained herein shall be deemed to deny the right of appeal under Section 30-25 following the determination of the City Planning Board~~.

2. Two-family dwellings or two one-family dwellings on the same lot, provided that:

   (a) Any new unit added to a property with an existing ~~single~~ one-family ~~home~~ dwelling or any new unit added to a lot created pursuant to the provision of lot splits, subsection d.3~~2~~ below, shall not exceed one thousand (1,000) square feet in size.

   (b) The proposed housing development shall not require or result in the demolition or alteration of an existing dwelling unit that: (1) is subject to a recorded covenant, deed restriction, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes; (2) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) has been occupied by a tenant within the last three (3) years.

   (c) The proposed housing development will not require the demolition of a structure located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site designated as a City Historic Monument, historic property, or historic district pursuant to a City ordinance. Notwithstanding the above, any demolition that is subject to the

demolition controls of AMC Section 13-21 shall require approval of a certificate of approval prior to issuance of a demolition permit.

(d) The subject property is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code ("Ellis Act") to withdraw accommodations from rent or lease within the last 15 years before the date of application for the proposed housing development.

(e) The development is not within a special flood hazard area subject to inundation by the one-percent annual chance flood (one hundred (100) year flood), as determined by the Federal Emergency Management Agency.

(f) Prior to ministerial approval for a multifamily dwelling, a two-family dwelling, or two one-family dwellings on the same lot, the applicant shall record a deed restriction on the property specifying that (i) the units on the lot may not be rented for a term of thirty (30) days or less; and (ii) notwithstanding AMC Section 30-5.18, no more than a total of four (4) dwelling units are permitted on the property, inclusive of accessory dwelling units and junior accessory dwelling units.

3. Agriculture, horticulture, home gardening, excluding retail sales of nursery products or the raising of rabbits, dogs, fowl or other animals for commercial purposes.

4. Underground and above-ground utility installations for local service~~, except that substations, generating plants, gas holders, and transmission lines must be approved by the Planning Board prior to construction~~.

5. Public parks, ~~schools,~~ playgrounds, libraries, fire stations and other public buildings and uses ~~included in the General Plan~~.

6. Signs: As provided in Section 30-6 of these regulations.

7. Multiple houses.

8. Family day care homes, large and ~~family day care homes,~~ small, as licensed by the State of California.

9. Residential care facilities ~~providing care for no more than six (6) persons~~.

10. Accessory dwelling units and junior accessory dwelling units.

11. Supportive housing and transitional housing.

12. Shared living.

13. Warming centers if accessory to a primary, permitted use.

14. Home occupations in compliance with the standards set forth in the definition of "home occupation" in Section 30-2, Definitions.

15. Accessory structures, including but not limited to private, noncommercial garages, swimming pools, boat landings, docks, piers and similar structures.

c. *Uses Requiring Use Permits.* It is the intent in this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

~~1. Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses not included in the General Plan.~~

~~2.~~1. ~~Private and religious s~~Schools, day care centers~~ and churches~~.

~~3.~~2. Community assembly. ~~Community care facilities no listed under uses permitted.~~

~~4.~~3. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefore, which are incidental to the development during the construction and/or sales period.

~~5.~~4. Automobile parking lots and ancillary facilities for ferry terminals serving the general public, provided that:

(a) Parking lots and ancillary facilities adjoin a commercial planned development zoned area or an industrially zoned area in which terminals are permitted;

(b) There is an entrance to the automobile parking lots and ancillary facilities for ferry terminals adjacent to nonresidential areas; and

(c) Any additional parking lot entrances adjacent to residentially zoned areas shall be allowed only if conditions are imposed to minimize the nonlocal automobile traffic to the terminal through the residential areas.

d. *Minimum Height, Bulk and Space Requirements.*

1. Minimum Lot Area: Five thousand (5,000) square feet. Lot area may be reduced through a lot split subject to Subsection d.3~~2~~.

2. Maximum Residential Density: One dwelling unit per two thousand (2,000) square feet of lot area or 21.78 units per acre. Residential density may be increased subject to Subsection b.2 and Subsection d.3.

~~2.~~3. Lot Splits: Pursuant to Government Code Section 66411.7, the division of an existing lot into two (2) lots is permitted in an R-1 Zoning District, provided that all of the following requirements are met:

(a) The area of each lot is at least one thousand two hundred (1,200) square feet and at least forty (40%) percent of the area of the original lot prior to the lot split.

(b) Each lot provides frontage on a public street or a pedestrian or vehicular access easement to a public street.

(c) The land division will not require or result in the demolition or alteration of an existing dwelling unit that: (i) is subject to a recorded covenant, deed restriction, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes; (ii) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (iii) has been occupied by a tenant within the last three (3) years;

(d) The land division will not require or result in the demolition of an existing dwelling located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site designated as a City Historic Monument, historic property, or historic district pursuant to a City ordinance. Notwithstanding the above, any demolition that is subject to the demolition controls of AMC Section 13-21 shall require approval of a Certificate of Approval prior to issuance of a demolition permit.

(e) The existing lot has not been subject to the exercising of the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code ("Ellis Act") to withdraw accommodations from rent or lease within 15 years before the date of application for the land division.

(f) The existing lot is not within a special flood hazard area subject to inundation by the one-percent annual chance flood (one hundred (100) year flood) as determined by the Federal Emergency Management Agency.

(g) The existing lot has not previously been divided through exercise of this regulation and neither the owner of the existing lot nor any person acting in concert with the owner previously subdivided an adjacent parcel using an urban lot split through exercise of this regulation.

(h) Notwithstanding Section 30-5.18, an urban lot split shall not permit more than a total of four (4) dwelling units on the two (2) newly created lots, inclusive of accessory dwelling units and junior accessory dwelling units.

(i) Prior to approval of an urban lot split, the applicant shall record a deed restriction identifying that: (i) the units on the parcel or parcels may not be rented for a term of thirty (30) days or less; (ii) the uses allowed on a lot created by this section shall be limited to residential uses; (iii) the lots resulting from the land division may not

be further subdivided using the provisions of this subsection, and (iv) appropriate restrictions to effectuate subsection (h) above.

(j) The applicant has provided a signed affidavit on a form provided by the City Attorney stating that the applicant intends to occupy a dwelling unit on one of the resulting lots as their principal residence for a minimum of three (3) years from the date of the approval of the land division. This requirement shall not apply to an applicant that is a "community land trust" or a "qualified nonprofit corporation" as defined the Revenue and Taxation Code.

~~3.~~4. Minimum Lot Width: Fifty (50') feet. Lot width may be reduced if the project meets the requirements of subsection d.3~~2~~, lot splits.

~~4.~~5. Maximum Main Building Coverage: ~~Forty (40%) percent of lot area; provided, however, that where the garage is attached to the main building the permitted lot coverage may be increased to f~~Forty-eight (48%) percent.

~~5.~~6. Maximum Building Height Limit: Not to exceed thirty (30') feet.

~~6.~~7. Minimum Front Yard: Twenty (20') feet.

~~7.~~8. Minimum ~~Interior~~ Side Yard: Five (5') feet ~~for one-family dwellings~~.

~~8.~~9. Minimum Street Side Yard. The side yard on the street side of a corner lot shall not be less than ten (10') feet.

~~9.~~10. Minimum Rear Yard: Twenty (20') feet. ~~Not more than forty (40%) percent of the rear yard, as defined in Section 30-2 may be occupied by accessory buildings or structures (swimming pools excepted).~~

~~10.~~11. Yards for Corner Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty (20') feet of the side property line of the key lot, shall be equal to the front-yard of the key lot, as defined in Section 30-2, "yard, front," and no structure, excluding barriers, may be permitted within five (5') feet of the rear property line on the corner lot.

~~11.~~12. Minimum Separation between Buildings on Same Lot: As required by the California Building Code.

~~12.~~13. Off-Street Parking Space: As regulated in Section 30-7 of this Code.

~~13.~~14. Government Code Sections 65852.21 and 66411.7 Exemptions.

(a) If a proposed housing development is being provided pursuant to Government Code Sections 65852.21 or 66411.7 entirely within the footprint of an existing building or constructed in the same location and to the same dimensions as an existing building, no additional interior side or rear setback is required.

(b) No objective zoning standards, objective subdivision standards, or objective design standards, including but not limited to minimum lot width, maximum building coverage, minimum setback or other bulk and space requirement, shall apply if that standard would physically preclude a land division resulting in two (2) lots consistent with the requirements of Subsection d.3~~2~~, Lot Splits, or the development of a two-family dwelling, or two one-family dwellings on the same lot with ~~at least~~ at least a four (4') foot interior side setback and four (4') foot rear yard setback.

30-4.2 - R-2, ~~Two-Family Residence~~Residential District.

a. *General.* The following specific regulations and the general rules set forth in Section 30-5 shall apply in all R-2 Districts, as delineated and described in the zoning maps. It is intended that this district classification be applied in lower density neighborhoods where one-family, two-family, and multifamily dwellings are or are intended to be the dominant use~~, as developed from density standards of the General Plan~~.

b. *Uses Permitted.*

1. One-family, two-family, and multifamily dwellings.~~Any number of one-family dwellings, two-family dwellings, and combinations thereof, when separated by a distance not less than twenty (20') feet; and uses permitted in R-1 Districts.~~

2. Shared living.

3. Supportive and transitional housing.

~~2.~~4. Agriculture, horticulture, home gardening, excluding retail sales of nursery products, or the raising of rabbits, dogs, fowl or other animals for commercial purposes.

~~3.~~5. Underground and above ground utility installations for local service~~, except that substations, generating plants, gas and transmission lines must be approved by the Planning Board prior to construction~~.

~~4.~~6. Public parks, ~~schools,~~ playgrounds, libraries, fire stations and other public buildings and uses ~~included in the General Plan~~.

~~5.~~7. Signs: As ~~regulated~~ provided in Section 30-6 of these regulations.

~~6.~~8. Multiple houses.

~~7.~~9. Family day care homes, large and family day care homes, small, as licensed by the State of California.

~~8.~~10. Residential care facilities ~~providing care for no more than six (6) persons~~.

~~9.~~11. Accessory dwelling units and junior accessory dwelling units.

12. Warming centers if accessory to a primary, permitted use.

13. Home occupations in compliance with the standards set forth in the definition of "home occupation" in Section 30-2, Definitions.

~~10.~~14. Accessory structures, including but not limited to private, noncommercial garages, swimming pools, boat landings, docks, piers and similar structures.

c. *Uses Requiring Use Permits.* It is the intent of this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

~~1. Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses not included in the General Plan.~~

~~2.~~1. ~~Private and religious s~~Schools, day care centers ~~and churches~~.

~~3.~~2. Community assembly. ~~Community care facilities not listed under uses permitted.~~

~~4.~~3. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.

~~5.~~4. Bed and breakfast facilities in~~, upon~~ compliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions.

~~6. Automobile parking lots and ancillary facilities for ferry terminals serving the general public, provided that:~~

~~(a) Parking lots and ancillary facilities adjoin a commercial planned development zoned area or an industrially zoned area in which terminals are permitted;~~

~~(b) There is an entrance to the automobile parking lots and ancillary facilities for ferry terminals adjacent to nonresidential areas; and~~

~~(c) Any additional parking lot entrances adjacent to residentially zoned areas shall be allowed only if conditions are imposed to minimize the nonlocal automobile traffic to the terminal through the residential areas.~~

d. *Minimum Height, Bulk and Space Requirements.*

1. Minimum Lot Area: ~~Not less than five thousand (5,000)~~ Two thousand (2,000) square feet ~~in all lots recorded on and after the effective date of this article, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit, except in the case of multiple houses where there shall be not less than two thousand five hundred (2,500) square feet of lot area for each dwelling unit~~.

2. Minimum Lot Width: None. ~~Not less than fifty (50') feet on all lots recorded on and after the effective date of this article, August 1, 1958.~~

3. Maximum Residential Density: One dwelling unit per two thousand (2,000) square feet of lot area or 21.78 units per acre.

~~3.~~4. Maximum Main Building Coverage: ~~Forty-five (45%) percent of lot area; provided, however, when the accessory garage structure is attached to the main building, the permitted lot coverage may be increased to f~~Fifty-three (53%) percent.

~~4.~~5. Building Height Limit: Not to exceed thirty (30') feet.

~~5.~~6. Minimum Front Yard: Twenty (20') feet. ~~Front Yard: Twenty (20') feet. In any full block frontage of lots in a new residential development the Planning Board may approve front yards which vary from fifteen (15') to thirty (30') feet, provided that the average of all front yards in the block shall not be less than twenty (20') feet.~~

~~6.~~7. Minimum Side Yard: Five (5') feet. ~~Side Yard: Side yards shall total not less than twenty (20%) percent of the lot width as measured at the front yard (as defined in Section 30-2—Definitions), and no side yard may either be less than five (5') feet or be required to be more than ten (10') feet. The side yard on the street side of a corner lot shall not be less than ten (10') feet.~~

8. Minimum Street Side Yard: The side yard on the street side of a corner lot shall not be less than ten (10') feet.

9. Minimum Rear Yard: Twenty (20') feet. ~~Not more than forty (40%) percent of the rear yard, as defined in Section 30-2, may be occupied by accessory buildings or structures (swimming pools excepted).~~

~~7.~~10. Minimum Separation between Buildings on Same Lot: As required by the California Building Code.

~~8.~~11. Yards for Corner Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty (20') feet of the side property line of the key lot, shall be equal to the front-yard of the key lot, as defined in Section 30-2, "Yard, front," and no structure, excluding barriers, may be permitted within five (5') feet of the rear property line on the corner lot.

~~9.~~12. Usable Open Space Requirements: A minimum of sixty (60) square feet per dwelling unit shall be provided consistent with the dimensional requirements of Section 30-5.12, Definition of Required Open Space. ~~Usable open space is comprised of private open space and common open space as defined in subsection 30-5.12. The following are the minimum open space requirements: a minimum six hundred (600) square feet of usable open space per dwelling unit with a minimum of one hundred twenty (120) square feet of private open space per ground level dwelling unit; with a minimum of sixty (60) square feet of private open space per non-ground level dwelling unit; with a minimum of one hundred fifty (150) square feet of common open space per dwelling unit. There shall be not less than three hundred (300) square feet of common open space per lot.~~

~~10.~~13. Off-Street Parking Space: As regulated in Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations.

30-4.3 - R-3, ~~Garden~~Residential District.

a. *General.* The following specific regulations and the general rules set forth in Section 30-5 shall apply in all R-3 Districts, as delineated and described in the zoning map(s). It is intended that this district classification be applied in areas where one-family, ~~and~~ two-family, and multifamily dwellings ~~and groups of such structures,~~ may be located ~~to preserve low density standards~~.

b. *Uses Permitted.*

1. ~~Uses permitted in R-1 and R-2 Districts.~~One-family dwellings, two-family dwellings, and multifamily dwellings.

2. Shared living.

3. Supportive and transitional housing.

4. Agriculture, horticulture, home gardening, excluding retail sales of nursery products and the raising of rabbits, dog, fowl or other animals for commercial purposes.

5. Public parks, playgrounds, libraries, fire stations and other public buildings and uses.

6. Underground and above-ground utility installations for local service.

~~1.~~7. Signs: ~~Those pertaining directly to a permitted multifamily or nonresidential use on the property, and as further regulated~~As regulated in Section 30-6 ~~of these regulations~~.

~~2.~~8. Multiple houses.

~~3.~~9. Family day care homes, large and family day care homes, small, as licensed by the State of California.

~~4.~~10. Residential care facilities ~~providing care for no more than six (6) persons~~.

~~5.~~11. Bed and breakfast facilities in~~, upon~~ compliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions.

~~6.~~12. Accessory dwelling units and junior accessory dwelling units.

13. Warming centers if accessory to a primary, permitted use.

14. Home occupations in compliance with the standards set forth in the definition of "home occupation" in Section 30-2, Definitions.

15. Accessory structures, including but not limited to private, noncommercial garages, swimming pools, boat landings, docks, piers and similar structures

c. *Uses Requiring Use Permits.* It is the intent of this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

1. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.

2. ~~Private and religious s~~Schools, day care centers~~ and churches~~.

3. Community assembly.~~Community care facilities not listed under uses permitted.~~

~~4. Automobile parking lots and ancillary facilities for ferry terminals serving the general public, provided that:~~

~~(a) Parking lots and ancillary facilities adjoin a commercial planned development zoned area or an industrially zoned area in which terminals are permitted;~~

~~(b) There is an entrance to the automobile parking lots and ancillary facilities for ferry terminals adjacent to nonresidential areas; and~~

~~(c) Any additional parking lot entrances adjacent to residentially zoned areas shall be allowed only if conditions are imposed to minimize the non-local automobile traffic to the terminal through the residential areas.~~

d. *Minimum Height, Bulk and Space Requirements.*

1. Minimum Lot Area: ~~Not less than~~ Two thousand (2,000)~~five thousand (5,000)~~ square feet~~ in all lots recorded on and after the effective date of this article, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit~~.

2. Minimum Lot Width: None. ~~Not less than fifty (50') feet on all lots recorded on and after the effective date of this article August 1, 1958.~~

3. Maximum Residential Density: Thirty (30) units per acre or one dwelling unit per one thousand four hundred fifty-two (1,452) square feet of lot area.

~~3.~~4. Maximum Main Building Coverage: ~~Forty (40%)~~ Fifty three (53%) percent of lot area.

~~4.~~5. Building Height Limit: Not to exceed thirty-five (35') feet.

~~5.~~6. Minimum Front Yard: Twenty (20') feet.

~~6.~~7. Minimum Side Yard: Five (5') feet. ~~Side Yard: Side yards shall total not less than twenty (20%) percent of the lot width as measured at the front yard (as defined in Section 30-2—Definitions),~~

~~and no side yard may either be less than five (5') feet or be required to be more than ten (10') feet. The side yard on the street side of a corner lot shall not be less than ten (10') feet.~~

8. Minimum Street Side Yard: The side yard on the street side of a corner lot shall not be less than ten (10') feet.

~~7.~~9. Minimum Rear Yard: Twenty (20') feet. ~~Not more than forty (40%) percent of the rear yard, as defined in Section 30-2 may be occupied by accessory buildings or structures (swimming pools excepted).~~

~~8.~~10. Minimum Separation between Buildings on Same Lot: As required by the California Building Code.~~Distances between Main Buildings on Same Lot: Twenty (20') feet.~~

~~9.~~11. Yards for Corner Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty (20') feet of the side property line of the key lot, shall be equal to the front-yard of the key lot, as defined in Section 30-2, "Yard, front", and no structure, excluding barriers, may be permitted within five (5') feet of the rear property line on the corner lot.

~~10.~~12. Usable Open Space Requirements: A minimum of sixty (60) square feet per dwelling unit shall be provided, consistent with the dimensional requirements of Section 30-5.12, Definition of Required Open Space. ~~Usable open space is comprised of private open space and common open space as defined in subsection 30-5.12. The following are the minimum open space requirements: a minimum five hundred (500) square feet of usable open space per dwelling unit with a minimum of one hundred twenty (120) square feet of private open space per ground level dwelling unit; with a minimum of sixty (60) square feet of private open space per non-ground level dwelling unit; with a minimum of one hundred twenty (120) square feet of common open space per dwelling unit. There shall be not less than three hundred (300) square feet of common open space per lot.~~

~~11.~~13. Off-Street Parking Space: As regulated in Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations.

30-4.4 - R-4, ~~Neighborhood~~Residential District.

a. *General.* The following specific regulations and the general rules set forth in Section 30-5 shall apply in all R-4 Districts as delineated and described in the zoning map(s). It is intended that this district classification be applied in areas where one-family, ~~and~~ two-family, and multifamily dwellings ~~homes, groups of one and two-family homes~~, and certain non-profit organization administration offices, if found compatible, may be located to promote ~~low density,~~ primarily residential standards.

b. *Uses Permitted.*

1. ~~Uses as permitted in R-1, R-2 and R-3 Districts.~~ One-family dwellings, two-family dwellings, and multifamily dwellings.

2. Shared living.

3. Supportive and transitional housing.

4. Agriculture, horticulture, home gardening, excluding retail sales of nursery products and the raising of rabbits, dog, fowl or other animals for commercial purposes.

5. Underground and above- ground utility installations for local service.

6. Public parks, playgrounds, libraries, fire stations and other public buildings and uses.

7. Family day care homes, large and family day care homes, small, as licensed by the State of California.

8. Residential care facilities.

9. Accessory dwelling units and junior accessory dwelling units.

10. Warming centers if accessory to a primary, permitted use.

11. Home occupations in compliance with the standards set forth in the definition of "home occupation" in Section 30-2, Definitions.

~~1.~~12. Accessory structures, including but not limited to private, noncommercial garages, swimming pools, boat landings, docks, piers and similar structures.

13. Multiple Houses.

~~2.~~14. Signs: As regulated in Section 30-6 of these regulations.

c. *Uses Requiring Use Permits.* It is the intent of this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

1. Schools and day care centers~~Uses not otherwise permitted in paragraph b. and as required in R-3 Districts~~.

2. Community assembly.

~~2.~~3. Storage garage buildings when constructed on a vacant lot, and for the primary use of occupants of adjacent buildings.

~~3.~~4. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor which are incidental to the development during the construction and/or sales period.

~~4.~~5. Administrative offices of nonprofit community social service organizations.

~~5.~~6. Bed and breakfast facilities~~, upon~~ in compliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions.

~~6.~~7. ~~Automobile parking lots and ancillary facilities for ferry terminals serving the general public, provided that:~~

~~(a) Parking lots and ancillary facilities adjoin a commercial planned development zoned area or an industrially zoned area in which terminals are permitted;~~

~~(b) There is an entrance to the automobile parking lots and ancillary facilities for ferry terminals adjacent to nonresidential areas; and~~

~~(c) Any additional parking lot entrances adjacent to residentially zoned areas shall be allowed only if conditions are imposed to minimize the non-local automobile traffic to the terminal through the residential areas~~.

d. *Minimum Height, Bulk and Space Requirements.*

1. Minimum Lot Area: ~~Not less than~~ Two thousand (2,000) ~~five thousand (5,000)~~ square feet. ~~in all lots recorded on and after the effective date of this article, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit.~~

2. Minimum Lot Width: None. ~~Not less than fifty (50') feet on all lots recorded on and after the effective date of this article, August 1, 1958.~~

3. Maximum Residential Density: Forty (40) dwelling units per acre, or one dwelling unit per one thousand eight-nine (1,089) square feet of lot area.

~~3.~~4. Maximum Main Building Coverage: Fifty three (53~~0~~%) percent of lot area.

~~4.~~5. Building Height Limit: Not to exceed thirty-five (35') feet.

~~5.~~6. Minimum Front Yard: Twenty (20') feet.

~~6.~~7. Minimum Side Yard: Five (5') feet. The side yard on the street side of a corner lot shall not be less than ten (10') feet ~~Side Yard: Side yards shall total not less than twenty (20%) percent of the lot width as measured at the front yard (as defined in Section 30-2—Definitions), and no side yard may either be less than five (5') feet or be required to be more than ten (10') feet. The side yard on the street side of a corner lot shall not be less than ten (10') feet.~~

~~7.~~8. Minimum Rear Yard. Twenty (20') feet. ~~Not more than forty (40%) percent of the rear yard, as defined in Section 30-2, may be occupied by accessory buildings or structures (swimming pools excepted).~~

~~8.~~9. Minimum Separation between Buildings on Same Lot: As required by the California Building Code.~~Distances between Main Buildings on Same Lot: Twenty (20') feet.~~

~~9.~~10. Yards for Corner Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty (20') feet of the side property line of the key lot, shall be equal to the front-yard of the key lot, as defined in Section 30-2, "Yard, front," and no structure, excluding barriers, may be permitted within five (5') feet of the rear property line on the corner lot.

~~10.~~11. Usable Open Space Requirements: A minimum of sixty (60) square feet per dwelling unit shall be provided consistent with the dimensional requirements of Section 30-5.12, Definition of Required Open Space. ~~Usable open space is comprised of private open space and common open space as defined in subsection 30-5.12. The following are the minimum open space requirements: A minimum four hundred (400) square feet of usable open space per dwelling unit with a minimum of one hundred twenty (120) square feet of private open space per ground level dwelling unit; with a minimum of sixty (60) square feet of private open space per non-ground level dwelling unit; with a minimum of ninety (90) square feet of common open space per dwelling unit. There shall be not less than three hundred (300) square feet of common open space per lot.~~

~~11.~~12. Off-Street Parking Space: As regulated in Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations.

30-4.5 - R-5, ~~General~~Residential District.

a. *General.* The following specific regulations and the general rules set forth in Section 30-5 shall apply in all R-5 Districts, as delineated and described in the zoning map(s). It is intended that this district classification be applied in areas where one-~~, and~~ two-, and multifamily dwellings~~family homes~~, public buildings, institutions, and certain office uses, if found compatible, may be located to ~~promote low density standards and~~ promote a mix of uses.

b. *Uses Permitted.*

1. ~~Uses permitted in R-1, R-2, R-3 and R-4 Districts.~~ One-family dwellings, two-family dwellings, multifamily dwellings.

2. Shared living.

3. Supportive and transitional housing.

4. Agriculture, horticulture, home gardening, and excluding retail sales of nursery products and the raising of rabbits, dog, fowl or other animals for commercial purposes.

5. Underground and above-ground utility installations for local service.

6. Family day care homes, large and small, as licensed by the State of California.

7. Residential care facilities.

8. Accessory dwelling units and junior accessory dwelling units.

~~3.~~9. Private storage garages, parking lots uncovered and screened by suitable walls or planting when operated by or in conjunction with a permitted use.

~~4.~~10. Parks, playgrounds, ~~public and private~~ schools, community assembly~~churches and religious institutions~~, libraries, nurseries, day care centers, and public buildings.

~~5.~~11. Signs: As provided~~regulated~~ in Section 30-6 of these regulations.

~~6.~~12. Bed and breakfast facilities~~, upon~~ in compliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions.

13. Warming centers if accessory to a primary, permitted use.

14. Home occupations in compliance with the standards set forth in the definition of "home occupation" in Section 30-2, Definitions.

15. Incidental and accessory buildings and uses on the same lot with, and necessary for, the operation of any permitted use.

16. Multiple Houses.

c. *Uses Requiring Use Permits.* It is the intent of this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

1. Hospitals, rest homes, sanitariums, mortuaries, and professional offices for doctors, dentists, architects, engineers, accountants, artists, authors, attorneys, real estate and insurance offices, medical and dental clinics, and other uses which are similar to the foregoing, and ~~clubs, lodges and fraternities, except those open to the general public or operated as a business for profit,~~ administrative office of nonprofit community social service organizations.

2. Low barrier navigation centers. ~~Incidental and accessory buildings and uses on the same lot with, and necessary for, the operation of any permitted use.~~

3. Advertising signs pertaining directly to a permitted nonresidential use or uses on a property, as regulated in Section 30-6, Sign Regulations ~~of these regulations~~.

4. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.

5. ~~Automobile parking lots and ancillary facilities for ferry terminals serving the general public, provided that:~~

   ~~(a) Parking lots and ancillary facilities adjoin a commercial planned development zoned area or an industrially zoned area in which terminals are permitted;~~

   ~~(b) There is an entrance to the automobile parking lots and ancillary facilities for ferry terminals adjacent to nonresidential areas; and~~

   ~~(c) Any additional parking lot entrances adjacent to residentially zoned areas shall be allowed only if conditions are imposed to minimize the non-local automobile traffic to the terminal through the residential areas.~~

d. *Minimum Height, Bulk and Space Requirements.*

1. Minimum Lot Area: ~~Not less than~~ Two thousand (2,000) square feet. ~~five thousand (5,000) square feet, in all lots recorded on and after the effective date of this article, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit.~~

2. Minimum Lot Width: None. ~~Not less than fifty (50') feet on all lots recorded on and after the effective date of this article, August 1, 1958.~~

3. Maximum Residential Density: Fifty (50) dwelling units per acre, or one dwelling unit per eight hundred seventy-one (871) square feet of lot area.

~~3.~~4. Maximum Main Building Coverage: Fifty three (53~~0~~%) percent of lot area.

~~4.~~5. Building Height Limit: Not to exceed forty (40') feet.

~~5.~~6. Minimum Front Yard: Twenty (20') feet.

~~6.~~7. Minimum Side Yard: Five (5') feet. ~~Side Yard. Side yards shall total not less than twenty (20%) percent of the lot width as measured at the front yard (as defined in Section 30-2 — Definitions), and no side yard may either be less than five (5') feet or be required to be more than ten (10') feet. The side yard on the street side of a corner lot shall not be less than ten (10') feet.~~

8. Minimum Street Side Yard. The side yard on the street side of a corner lot shall not be less than ten (10') feet.

~~7.~~9. Minimum Rear Yard: Twenty (20') feet. ~~Not more than forty percent (40%) of the rear yard, as defined in Section 30-2, may be occupied by accessory buildings or structures (swimming pools excepted).~~

~~8.~~10. Minimum Separation between Buildings on Same Lot: As required by the California Building Code.~~Distances between Main Buildings on Same Lot: Twenty (20') feet.~~

~~9.~~11. Yards for Comer Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty (20') feet of the side property line of the key lot, shall be equal to the front-yard of the key lot, as defined in Section 30-2, "Yard, front," and no structure, excluding barriers, may be permitted within five (5') feet of the rear property line on the corner lot.

~~10.~~12. Usable Open Space Requirements: A minimum of sixty (60) square feet per dwelling unit shall be provided consistent with the dimensional requirements of Section 30-5.12, Definition of Required Open Space. ~~Usable open space is comprised of private open space and common open space as defined in subsection 30-5.12. The following are the minimum open space requirements: a minimum two hundred (200) square feet of usable open space per dwelling unit with a minimum of one hundred twenty (120) square feet of private open space per ground level dwelling unit; with a minimum of sixty (60) square feet of private open space per non-ground level dwelling unit; with a minimum of sixty (60) square feet of common open space per dwelling unit. There shall be not less than three hundred (300) square feet of common open space per lot.~~

~~11.~~13. Off-Street Parking~~ and Loading Space~~: As regulated in Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations.

30-4.6 - R-6, ~~Hotel~~Residential District.

a. *General.* The following specific regulations and the general rules set forth in Section 30-5 shall apply in all R-6 Districts, as delineated and described in the zoning map(s). It is intended that this district classification be applied in areas where one, ~~and~~ two-, and multifamily dwellings ~~family homes~~ and a mix of professional office, institutional and tourist oriented uses may be located to promote ~~low density~~ residential standards and a mix of more intense business uses.

b. *Uses Permitted.*

1. ~~Uses permitted in the R-1, R-2, R-3, R-4 and R-5 Districts.~~ One-family dwellings, two-family dwellings, and multifamily dwellings.

2. Accessory dwelling units and junior accessory dwelling units.

3. Shared living.

4. Supportive and transitional housing.

5. Agriculture, horticulture, home gardening, and excluding retail sales of nursery products and the raising of rabbits, dog, fowl or other animals for commercial purposes.

6. Residential care facilities.

~~1.~~7. Parks, playgrounds, schools, community assembly, libraries, nurseries, day care centers, and public buildings.

~~2.~~8. Hotels, motels, hospitals, rest homes, professional offices for doctors, dentists, architects, engineers, accountants, artists, authors, attorneys, real estate and insurance offices, medical and dental clinics, low barrier navigation centers, and other uses which are similar to the foregoing; and clubs, lodges and fraternities, except those open to the general public or operated as a business or for profit, administrative office of nonprofit community social service organizations.

~~3.~~9. Incidental and accessory buildings and uses on the same lot with, and necessary for, the operation of any permitted use.

~~4.~~10. Signs: ~~Those pertaining directly to a permitted multifamily or nonresidential use on the property, and as further regulated~~As provided in Section 30-6 of these regulations.

11. Bed and breakfast facilities~~, upon~~ incompliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions.

12. Warming centers if accessory to a primary, permitted use.

13. Home occupations in compliance with the standards set forth in the definition of "home occupation" in Section 30-2, Definitions.

c. *Uses Requiring Use Permit.* It is the intent of the paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific location, or for such other factors as safety, congestion, noise, and similar considerations:

1. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefor, which are incidental to the development during the construction and/or sales period.

~~2. Automobile parking lots and ancillary facilities for ferry terminals serving the general public, provided that:~~

~~(a) Parking lots and ancillary facilities adjoin a commercial planned development zoned area or an industrially zoned area in which terminals are permitted;~~

~~(b) There is an entrance to the automobile parking lots and ancillary facilities for ferry terminals adjacent to nonresidential areas; and~~

~~(c) Any additional parking lot entrances adjacent to residentially zoned areas shall be allowed only if conditions are imposed to minimize the non-local automobile traffic to the terminal through the residential areas.~~

~~3.~~2. Commercial recreation.

d. *Minimum Height, Bulk and Space Requirements.*

1. Minimum Lot Area: ~~Not less than~~Two thousand (2,000) square feet. ~~five thousand (5,000) square feet in all lots recorded on and after the effective date of this article, August 1, 1958. However, regardless of date of recordation, there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit.~~

2. Maximum Residential Density: Sixty (60) dwelling units per acre, or one dwelling unit per seven hundred twenty-six (726) square feet of lot area. ~~Lot Width: Not less than fifty (50') feet on all lots recorded on and after the effective date of this article, August 1, 1958.~~

3. Maximum Main Building Coverage: Sixty (60%) percent of lot area.

4. Building Height Limit: Not to exceed fifty (50') feet.

5. Minimum Front Yard: Twenty (20') feet.

6. Minimum Side Yard: Five (5') feet. ~~Side Yard. Side yards shall total not less than twenty (20%) percent of the lot width as measured at the front yard (as defined in Section 30-2—Definitions), and no side yard may either be less than five (5') feet or be required to be more than ten (10') feet. The side yard on the street side of a corner lot shall not be less than ten (10') feet.~~

7. Minimum Street Side Yard: The side yard on the street side of a corner lot shall not be less than ten (10') feet.

~~7.~~8. Minimum Rear Yard: Twenty (20') feet. ~~Nor more than forty percent (40%) of the rear yard, as defined in Section 30-2, may be occupied by accessory buildings or structures (swimming pools excepted).~~

~~8.~~9. Minimum Separation between Buildings on Same Lot: As required by the California Building Code.~~Distances Between Main Buildings on Same Lot: Same as required in R-5 Districts.~~

~~9.~~10. Yards for Corner Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty (20') feet of the side property line of the key lot, shall be equal to the front-yard of the key lot, as defined in Section 30-2, ~~"~~"Yard, front,~~"~~" and no structure, excluding barriers, may be permitted within five (5') feet of the rear property line on the corner lot.

~~10.~~11. Usable Open Space Requirements: A minimum of sixty (60) square feet per dwelling unit shall be provided consistent with the dimensional requirements of Section 30-5.12, Definition of Required Open Space. ~~Usable open space is comprised of private open space and common open space as defined in subsection 30-5.12. The following are the minimum open space requirements: a minimum one hundred twenty (120) square feet of usable open space per dwelling unit with a minimum of one hundred twenty (120) square feet of private open space per ground level dwelling unit; with a minimum of sixty (60) square feet of private open space per non-ground level dwelling unit; with a minimum of thirty (30) square feet of common open space per dwelling unit. There shall be not less than three hundred (300) square feet of common open space per lot.~~

~~11.~~12. Off-Street Parking~~ and Loading Space~~: As regulated in Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations.

30-4.8 – C-1, Neighborhood Business District.

a. *General*. The following specific regulations and the general rules set forth in Section 30-5 shall apply in all C-1 Districts, as delineated and described in the zoning map(s). It is intended that this district classification be applied on properties suitable to serve residential areas with convenient shopping and service facilities.

b. *Uses Permitted*.

~~1. Any nonresidential use permitted in R-1, R-2, R-3, R-4 and R-5 Districts.~~

~~2.~~1. The following retail and similar business uses ~~when~~ if conducted principally within enclosed structures and ~~where~~ if said uses are not doing business between the hours of 10:00 p.m. and 7:00 a.m.:

(a) Art and antique shops,

(b) Bakery goods stores,

(c) Barber and beauty shops,

(d) Book stores and rental libraries,

(e) Candy stores,

(f) Clothing stores,

(g) Dairy products stores, excluding processing,

(h) Drug stores, including fountain and food service,

(i) Florist shops,

(j) Gift, novelty and stationery shops,

(k) Hardware stores,

(l) Jewelry shops,

(m) Full service and self-operated ~~L~~laundries and cleaning agencies,including pressing, spotting, garment repair and alteration service,

(n) Private instruction, including tutoring, yoga, music, martial arts, and dance studios~~Music and dancing studios~~,

(o) Repair shops for shoes, radios and television sets, small domestic appliances, watches and similar items,

~~(o)~~(p) Restaurants, snack bars, lunch counters, but excluding drive-ins,

(q) Bed and breakfast facilities~~, upon~~ in compliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions.

(r) Offices, business and professional, located above the ground floor.

(s) Medical clinics, including dental clinics, eye doctors, and medical businesses provided that such use shall not occupy the front fifty (50%) percent of the ground floor space directly fronting a public street, alley or sidewalk, which shall be reserved for retail sales and/or service uses permitted in the district.

~~(q) Uses permitted in the A-P District, and other office uses not associated with permitted retail sales use of the site, provided that for any frontage of a building adjoining a public street, public alley or public sidewalk, fifty (50%) percent in depth of the ground floor space nearest such frontage shall be reserved for retail sales and/or service uses permitted in the C-1 District.~~

2. Dwellings, multifamily; residential care facilities; shared living; and transitional and supportive housing are permitted if located on upper floors of buildings also containing nonresidential uses. No dwelling units, sleeping rooms, or living quarters may be located on the ground floor.

3. Low barrier navigation centers.

4. Parks, playgrounds, libraries, fire stations, and other public buildings and uses.

5. Schools, day care centers, and community assembly uses.

6. Family day care homes, large and small, as licensed by the State of California.

~~3.~~7. Public utility service offices and underground or above ground public utility facilities primarily for local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses.

~~4.~~8. Signs: As provided in Section 30-6 of these regulations.

9. Accessory dwelling units and junior accessory dwelling units, as regulated in Section 30-5.18, when a primary dwelling exists on the lot.

10. Warming centers, accessory to any primary, permitted use.

vv. ~~c.~~ *Uses Requiring Use Permits*. It is the intent of this paragraph that the following uses shall be reviewed by the Planning Board for their appropriateness in a specific

location, or for such other factors as safety, congestion, noise, adequate light and air for dwelling uses, and similar considerations:

~~1. Any dwelling use permitted in the R Districts; provided that the residential use will not conflict with or inhibit attainment of General Plan land use designations or the operation of legitimate business uses within the commercial district; that new residential use shall not occupy ground floor space considered suitable for business use; and that new structures devoted solely to residential use shall not be permitted; and that there shall be not less than two thousand (2,000) square feet of lot area for each dwelling unit.~~

~~2. Uses permitted in the A-P District, and other office uses not associated with permitted retail sales use of the site, which are not otherwise permitted in paragraph b.2.(r).~~

1. The following uses if located within the fifty (50%) percent of the ground-floor space of a building nearest to any adjoining public street, public alley or public sidewalk:

(a) Facilities supporting upper-floor residential uses, such as leasing offices, fitness centers and other accessory uses;

(b) Offices, business or professional; and

(c) Health clinics, including dental clinics, eye doctors, and similar medical businesses.

~~3.~~2. Gasoline service stations, exclusive of body, chassis and painting work, provided that all operations except the service with gasoline, oil, air and water shall be conducted within a building; subject further to the provisions of subsection 30-5.7, of this article.

~~4.~~3. The following and similar retail business, or service uses:

~~(a) Public buildings intended to directly serve the public,~~

~~(b) Self-operated laundries,~~

~~(c)~~(a) Taverns without live entertainment,

~~(d) Restaurants, snack bars, lunch counters, but excluding drive-ins,~~

~~(e)~~(b) Convenience food stores,

~~(f)~~(c) Grocery stores,

~~(g)~~(d) Liquor stores,

~~(h)~~(e) Plant nurseries,

~~(i)~~(f) Those portions of grocery stores devoted to the sale of alcoholic beverages,

~~(j)~~(g) Small upholstery shops, exclusive of refinishing and other furniture repair or manufacturing,

~~(k)~~(h) Commercial recreation.

~~5.~~4. Any permitted use listed in paragraph ~~b.~~ b, Uses Permitted, that does business between the hours of 10:00 p.m. and 7:00 a.m.

~~6.~~5. Any permitted use listed in paragraph ~~b.~~ b, Uses Permitted, which is not principally conducted within an enclosed structure. However, outdoor accessory facilities associated with a permitted use, such as trash enclosures, backup generators, and play structures, shall be exempt from the use permit requirement.

~~7.~~6. Theaters with live performances that are in combination with other permitted uses.

~~8.~~7. Pet shops and animal grooming facilities. Such uses may be allowed only upon a finding that sufficient air conditioning and soundproofing will be provided to effectively confine odors and noise so as not to interfere with the public health, safety and welfare of adjoining properties. No outside pens or runs shall be permitted.

~~9.~~8. Boutique theater.

~~10.~~9. Large format retail including conversion of existing multiple retail tenant spaces to a single tenant space larger than thirty thousand (30,000) square feet (if part of a planned development, no use permit is required). Super stores, as defined in Section 30-2, are prohibited.

~~11. Shared living, provided the facility is located above the ground floor.~~

~~12.~~10. Work/live studios subject to the requirements of Section 30-15, Work/Live Studios.

d. *Minimum Height, Bulk and Space Requirements*:

1. Lot Area, Lot Width, Building Coverage Regulations: None.

2. Maximum Residential Density: None.

3. Minimum Residential Density for new buildings: 30 dwelling units per acre. Minimum residential density shall not apply to adaptive reuse of, or addition to, existing buildings to add one or more residential units.

~~2.~~4. Building Height Limit: ~~Two (2) stories but not to exceed thirty (30')~~Forty five (45') feet, unless the height limit for an adjoining residential district exceeds 45 feet, in which case the height limit of the adjoining residential district shall apply. Where any side or rear lot line abuts a residential

district, the maximum height of the adjacent residential district shall apply within twenty (20') feet of the property line.

~~3.~~5. Minimum Front Yard: None.

6. Minimum Building Frontage: Buildings shall be located on the front property line. A minimum of eighty-five (85%) percent of the area between the side property lines must be occupied by building mass, plazas, or paseos along the primary street frontage.

~~4.~~7. Minimum Side Yard: No setback shall be required, except where the side yard of a lot abuts an R District, then a minimum side yard of five (5') feet shall be maintained.

~~5.~~8. Minimum Rear Yard: None, except where the rear yard abuts an R District a minimum of ~~fifteen (15')~~ ten (10') feet shall be maintained.

~~6.~~9. Off-street Parking ~~and Loading Space~~: As regulated in Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations.

30-4.9A – C-C, Community Commercial District~~Zone~~.

a. *General*. The Community Commercial (C-C) Zoning District is intended to provide for general retail, personal service use, offices, restaurants, hotels/motels, residential uses, service stations, public and quasi-public uses and similar and compatible uses serving a community-wide need under design standards which ensure compatibility and harmony with adjoining land uses. Emphasis is on pedestrian-oriented retail and service uses on the ground floor level, with office and residential uses on the upper levels. Automobile related uses are regulated by use permit and prohibited on Park Street and Webster Street frontages.

b. *Uses Permitted*.

1. The following ~~retail sales and services~~uses are permitted in the C-C District:

(a) Antiques and collectibles,

(b) Appliances, large and small,

~~(c)~~® Art gallery,

(d) Arts and crafts supplies,

(e) Arts and crafts store,

(f) Bakery, including use of the commercial kitchen for catering as an accessory use,

(g) Bank, saving and loan, including ATM facilities but excluding drive-through facilities,

(h) Bicycle store,

(i) Blueprint shop,

(j) Books, periodicals, and comics, including reading rooms,

(k) Camera store,

(l) Candy store,

(m) Clock or watch store,

(n) Clothing store, new inventory only,

(o) Coffee house, including retail,

(p) Coin store,

(q) Computer store,

(r) Delicatessen,

(s) Department store,

(t) Drug store and pharmacy, including fountain and food service,

(u) ~~Dwelling units – when the units are located in structures also containing nonresidential uses and are not located on the ground floor,~~Dwellings, multifamily; residential care facilities; shared living; and transitional and supportive housing; when the living quarters are not located on the ground floor, fronting onto the public right of way,

(v) Electronic items, retail only,

(w) Fabric and notions,

(x) Florist,

(y) Frame shop,

(z) Furniture store, new inventory only,

(aa) Hairstyling and beauty salons, including but not limited to body care services such as manicures, pedicures, make up, facials, waxing, electrolysis, tanning within the Park Street C-C District only. Piercing, tattoo and massage allowed when accessory to the primary use of hairstyling provided no more than two (2%) percent of the floor area is devoted to the accessory use,

(bb) Hardware store,

(cc) Home furnishings,

(dd) Hotel and motel, provided floor area devoted to a retail service use allowed within this district is included on the ground floor,

(~~dd~~ee) Ice cream store,

(~~ee~~ff) Jewelry or beads store, including piercing as an accessory use provided no more than two (2%) percent of the floor area is devoted to the accessory use,

(~~ff~~gg) Full service and self-operated ~~L~~laundry and cleaning establishments, including pressing, spotting, garment repair and alterations and self-operated facilities when accessory to the primary use,

(~~gg~~hh) Lighting fixtures,

(ii) Low barrier navigation centers,

(~~hh~~jj) Luggage store,

(~~ii~~kk) Massage businesses located above the ground floor,

(~~jj~~ll) Medical supplies store,

(~~kk~~mm) Music store, including the sale of recorded music, sheet music and instruments,

(~~ll~~nn) Newspaper offices,

(~~mm~~oo) Office uses, provided that such uses shall not occupy the front fifty (50%) percent of the ground floor space directly fronting ~~a public street, alley or sidewalk~~ onto Park Street or Webster Street, which shall be reserved for retail sales and/or service uses permitted in the district. ~~Parcels that have a frontage on Santa Clara Avenue and are located between Park Avenue and Broadway may have office uses occupying the entire ground floor space,~~

(~~nn~~pp) Paint and wallpaper store,

(~~oo~~qq) Pet supplies, pet grooming, or pet sales providing a finding is made by the Planning Director that sufficient air conditioning and soundproofing will be provided to effectively confine odors and noise so as not to interfere with the public health, safety and welfare of adjoining properties. No outside pens or runs shall be permitted. Pet boarding allowed as an accessory use,

(~~pp~~rr) Photography store, including photo developing and studio,

(~~qq~~ss) Plumbing and electrical supply or fixture store, provided more than fifty (50%) percent of the floor space is devoted to retail sales,

(~~rr~~tt) Political campaign offices, not to exceed six (6) months total time nor eight (8) months if the campaign is both primary and election,

(~~ss~~uu) Printing establishment,

(vv) Private instruction, including tutoring, yoga, music, martial arts, and dance studios,

(~~tt~~ww) Repair shop for shoes, radios/televisions, small domestic appliances, watches and jewelry and similar non-auto related items,

(~~uu~~xx) Restaurant, coffee shop, snack bar, lunch counter, including catering as an accessory use but excluding drive-through service,

(~~vv~~yy) Shoe store,

(~~ww~~zz) Sporting goods store, golf shop and similar sports supplies store,

(~~xx~~aaa) Stationery and card store,

(~~yy~~bbb) Tailor and dressmaking, haberdashery, millinery excluding wholesale manufacturing,

(~~zz~~ccc) Tattoo parlors located above the ground floor,

(~~aaa~~ddd) Toy store,

(~~bbb~~eee) Travel agency,

(~~ccc~~fff) Video store, including retail and rental.~~;~~

~~(ddd) Yoga studios located above the ground floor.~~

2. Other uses which the Planning Director finds similar to the above list and consistent with the purpose of the C-C Zoning District, provided the following uses are expressly prohibited: Check cashing business, gun and firearms sales when more than five (5%) percent of the floor area is devoted to this use, massage establishments except massage is allowed as a home occupation and accessory to health care uses and hairstyling, pawn shop, tobacco and tobacco products stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses in the C-C District. The determination of similar use by the Planning Director shall be included on the agenda for the next available Planning Board meeting and confirmed by the Planning Board. Determinations of similar use are also subject to appeal pursuant to Section 30-25.

c. *Uses Requiring Use Permits.*

1. The following retail sales and services require approval of a use permit in the C-C District by the Planning Board as regulated by subsection 30-21.3. In addition to the findings included in subsection 30-21.3 approval of a use permit is subject to finding the use consistent with the policies of the General Plan and the purpose of the C-C Zoning District:

(a) Any use in this district that does business between the hours of 10:00 p.m. and 7:00 a.m.,

(b) Any permitted or conditional use which is not conducted within an enclosed structure,

(c) Athletic club and health facilities, including massage as an accessory use,

(d) Auditoriums,

(e) Automobile detail shop. In the Park Street C-C District this use shall not front on nor have access to Park Street. In the Webster Street C-C District this use shall not front on nor have access to Webster Street and shall be further limited to the area north of the centerline of Pacific Avenue and the area at the southwest corner of Webster Street and Pacific Avenue bounded by lines eighty-five (85') feet south of the Pacific Avenue right-of-way and one hundred eighteen (118') feet west of the Webster Street right-of-way,

(f) Automobile parts store, wholesale and retail,

(g) Automobile rental, subject to the location restrictions specified in subsection 30-4.9Ac.1.(e),

(h) Automobile repair shop, subject to the location restrictions specified in subsection 30-4.9Ac.1.(e),

(i) Automobile showroom/sales, provided it is within a completely enclosed building and excluding businesses with sales devoted primarily to use vehicles,

(j) Bars,

(k) Beauty college,

(l) Bed and breakfast facility~~, upon~~ in compliance with standards set forth in the definition for "bed and breakfast facility" in Section 30-2, Definitions,

(m) Business college,

(n) Catering business,

(o) Commercial parking lot or structure,

(p) Commercial recreation,

(q) Convenience store,

(r) Grocery stores,

~~(s) Drive-through restaurant and other drive-through establishments, but excluding drive-in movie theater subject to the location restrictions specified in subsection 30-4.9Ac.1.(e),~~

(~~t~~s) Dwellings, multifamily; residential care facilities; shared living; and transitional and supportive housing; when the living quarters are located on the ground floor, fronting onto the public right of way,~~Dwelling units , provided they are located on the second or third floor only when the units do not comply with the off-street parking requirements,~~

(~~u~~t) Gasoline service stations, exclusive of body, chassis and painting work, provided that all operations except ~~accept~~ the service with gasoline, oil, air and water shall be conducted within a building. See also yard requirements for gasoline stations, paragraph (g) of this subsection and driveway requirements subsection 30-5.7i,

(~~v~~u) Gun and firearms sales when accessory to a sporting goods store provided the gun and firearms sales are limited to no more than five (5%) percent of the retail area,

(~~w~~v) Hairstyling and beauty salons, including, but not limited to, body care services such as manicures, pedicures, make up, facials, waxing, electrolysis, tanning within the Webster Street C-C District only,

~~(x) Hotel and motel, provided floor area devoted to a retail service use allowed within this district is included on the ground floor,~~

(~~y~~w) Liquor store,

(~~z~~x) Lodge hall and social club,

~~(aa) Martial arts, dance, jazzercise and similar uses,~~

(~~bb~~y) Massage businesses located on the ground floor,

(~~cc~~z) Medical facility,

~~(dd) Music studios,~~

(~~ee~~aa) Office uses not associated with a permitted or conditional use in this district and/or occupying the front fifty (50%) percent of the ground floor space directly fronting a public street, alley or sidewalk,

(~~ff~~bb) Plant nursery,

(~~gg~~cc) Public park, ~~public and private~~ school, ~~church and religious institution~~community assembly, library, ~~nursery and~~ day care center, playground, fire station and other public buildings and uses ~~included in the General Plan~~,

(~~hh~~dd) Public and private utilities, including above ground and underground facilities primarily for local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses,

~~(ii) Self-operated laundry and cleaning establishments,~~

(~~jj~~ee) Large format retail including conversion of existing multiple retail tenant spaces to a single tenant space larger than thirty thousand (30,000) square feet (if part of a planned development, no use permit is required). Super stores, as defined in Section 30-2, Definitions, are prohibited,

~~(kk) Shared living, provided the facility is located above the ground floor,~~

(~~ll~~ff) Small upholstery shops, exclusive of refinishing and other furniture repair or manufacturing,

(~~mm~~gg) Stores devoting commercial area, gross sales, or inventory, to the sale of second quality, irregular or discontinued merchandise or to the liquidation of merchant's or manufacturer's stock,

(~~nn~~hh) Taverns,

(~~oo~~ii) Theater, including movie and live,

(~~pp~~jj) Those portions of grocery stores devoted to the sale of alcoholic beverages,

(~~qq~~kk) Upholstery shop, exclusive of refinishing and other furniture repair or manufacturing,

(~~rr~~ll) Used household articles and clothing stores,

(~~ss~~mm) Veterinary clinic and/or veterinary hospital, provided the Planning Board finds the use has sufficient air conditioning and soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety and welfare. No outside pens or runs shall be permitted,

(~~tt~~nn) Work/live studios subject to the requirements of Section 30-15, Work/Live Studios,

~~(uu) Yoga studios located on the ground floor,~~

(~~vv~~oo) ~~Commercial recreation~~Parking located below grade or within twenty (20') feet of a public street frontage if above grade.

2. Other uses which the Planning Director finds similar to the above list and consistent with the purpose of the C-C Zoning District subject to use permit approval by the Planning Board, provided the following uses are expressly prohibited: check cashing business, gun and firearms sales when more than five (5%) percent of the floor area is devoted to this use, massage establishments except massage is allowed as a home occupation and accessory to health care uses and hairstyling, pawn shop, tobacco and tobacco products stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses in the C-C District. The determination of similar use by the Planning Director shall be included on the agenda for the next available Planning Board meeting and confirmed by the Planning Board. Determinations of similar use are also subject to appeal pursuant to Section 30-25.

d. *Accessory Uses, Buildings, and Structures*.

1. The following accessory uses, buildings and structures are permitted in the C-C District:

(a) Incidental storage and accessory uses, including repair operations and services, provided such uses shall be incidental to the retail sale of products on the premises, shall not employ more than five (5) persons excluding sales personnel, and shall be placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.

(b) Other uses and structures which are customarily incidental and clearly subordinate to permitted and conditional use as determined by the Planning Director.

(c) Accessory dwelling units and junior accessory dwelling units, as regulated in Section 30-5.18, when a primary dwelling exists on the lot.

e. *Design Review Required*. All new structures or buildings, or exterior revisions of any existing structures or buildings for both permitted and conditional uses shall require design review pursuant to Article II, Section 30-35.

f. *Signs*. Signs are allowed as provided by Section 30-6, Sign Regulations, of this article. A sign permit is required prior to placement of any signage on property in Alameda.

g. *Development Regulations*.

1. Minimum Lot Area and Minimum Lot Width: None.

2. Building Height Limit: Building height shall be regulated as follows:

(a) Park Street District—Maximum height shall be ~~five (5) stories but not to exceed~~ sixty (60') feet, provided that any portion of a building over fifty (50') feet shall be set back at least fifteen (15') feet from the front property line~~for properties fronting on Park Street north of Encinal Avenue~~. Where any side or rear lot line abuts a residential district, the maximum height of the adjacent residential district shall apply within twenty (20') feet of the property line. ~~In the remaining areas of the Park Street C-C District the height limit shall be three (3) stories but not to exceed forty (40') feet and the height within this area may be increased to a maximum of five (5) stories but not to exceed sixty (60') feet upon approval of a use permit. Parking structures, including parking structures which have a commercial use component, are exempt from the height limit provided the structure does not exceed six (6) stories, the commercial floor area does not exceed fifty~~

~~(50%) percent of the overall floor area of the structure, and public parking is provided in addition to the parking required for the commercial component.~~

(b) Webster Street District— Maximum height shall be ~~three (3) stories but not to exceed forty (40') feet throughout the C-C District.~~ sixty (60') feet, provided that any portion of a building over forty (40') feet shall be set back at least fifteen (15') feet from the front property line. Where any side or rear lot line abuts a residential district, the maximum height of the adjacent residential district shall apply within twenty (20') feet of the property line.

3. Building Coverage: Buildings may cover one hundred (100%) percent of the building site~~, provided the ratio of all floor space to lot size shall not exceed three (3) to one (1)~~.

4. Maximum Residential Density: None

5. Minimum Residential Density for new buildings: thirty (30) dwelling units per acre. Minimum residential density shall not apply to adaptive reuse of, or addition to, existing buildings to add one or more residential units.

~~4~~6. Front Yard: ~~None.~~ Buildings shall be located on the front property line. A minimum of eighty-five (85%) percent of the area between the side property lines must be occupied by building mass, plazas, or paseos along the primary street frontage.

~~5~~7. Minimum Side Yard: ~~No yard,~~None; however where any side lot line abuts a residential district there shall be a minimum side yard of five (5') feet.

~~6~~8. Minimum Rear Yard: None;~~,~~ however, where the rear lot line abuts a residential district there shall be a minimum rear yard of five (5') feet.

~~7~~9. Yards for Gasoline Service Station pumping stations and automobile service facilities. (In addition to the yard requirements prescribed for the zoning districts):

(a) A setback of ten (10') feet shall be maintained from property lines that abut the rear yard of a lot located in a residential district or a lot in residential use.

(b) A setback of fifteen (15') feet shall be maintained from property lines that abut the side yard of a lot located in a residential district or in residential use.

~~8~~10. Off-Street Parking ~~and Loading Space~~: As regulated by Section 30-7, Off-Street Parking, Electric Vehicle Charging, and Transportation Demand Management Regulations ~~unless a parking exception is granted~~.

~~(a) A parking exception may be approved for new construction or existing buildings converted to new uses reducing the number of parking spaces to less than the number specified in the parking schedule in Section 30-7.6 provided the following findings are made by the Planning Board:~~

~~(i) The parking demand will be less than the requirements in Section 30-7.6, and~~

~~(ii) The probable long-term occupancy of the building or structure based on its design, will not generate additional parking demand.~~

~~(b) A parking exception granted by the Planning Board shall be limited to the specific structure and use. Any future alterations to the building or changes in the use shall require a new parking exception or shall be required to meet the parking supply requirements of the parking schedule in Section 30-7.6.~~

30-4.23 - Multi-family Residential Combining Zone.

a. *Purpose.* The Multi-family residential combining zone (MF District) is an overlay zone intended for lands in Alameda that are well located for transit-oriented Multi-family housing, necessary to accommodate Alameda's share of the regional housing need, and available to facilitate and encourage the development of a variety of types of housing for all income levels, including Multi-family rental housing as required by California Government Code sections 65580 and 65583.

b. *Alameda Municipal Code and Underlying Zoning District Provisions and Requirements.*

1. Proposed residential use within the MF district shall comply with the provisions of the MF District, the provisions of the underlying zoning district and all other provisions of the Alameda Municipal Code. In the event of a conflict between the provisions of the MF ~~Combining~~ District and the provisions of the underlying district or the Alameda Municipal Code or Alameda City Charter Article 26, the provisions of the MF District shall govern.

2. Proposed non-residential use, if permitted or conditionally permitted by the underlying zoning districts, within the MF District shall comply with the provisions of the underlying zoning district and all other provisions of the Alameda Municipal Code.

c. *Housing Types Permitted.*

1. The following housing types shall be permitted by right, without a conditional use permit or other discretionary review other than design review, in addition to those permitted by the underlying zoning district:

(a) Dwellings, multifamily~~Multi-family~~;

~~(b) Town homes;~~

~~(c) Senior;~~

(~~d~~b) Transitional housing;

(~~e~~c) Supportive housing;

(~~f~~d) Shared living;

~~(g) Live/work;~~

(e) Residential care facilities.

~~2. For the purposes of the MF District, live/work shall be defined as a residential unit that is the primary residence and place of employment for the owner or occupant of the live/work unit.~~

d. *Land Uses Permitted.*

1. Residential uses are permitted by right in the MF ~~Combining~~ District in addition to the uses permitted and conditionally permitted by the underlying zoning district.

2. All properties with the MF ~~Combining~~ District designation that front on Park Street or Webster Street shall provide ground floor retail space fronting onto the Park Street or Webster Street public right-of-way.

e. *Permitted Residential Density and Lot Size.*

1. ~~Within the MF Combining District, the maximum permitted residential density shall be thirty (30) units per acre.~~ Minimum Residential Density for new buildings shall be thirty (30) dwelling units per acre.

Minimum residential density shall not apply to the adaptive reuse of, or addition to, existing buildings to add one or more residential units.

2. Minimum lot size requirements shall be modified as necessary to permit construction at the densities allowed by this section.

f. *Height Requirements.* ~~The maximum height permitted shall be three (3) stories or thirty-five (35') feet, except as provided in paragraph k.~~The maximum building height limit shall be sixty-five (65') feet, unless the underlying zoning district provides a greater height limit, in which case the greater height limit in the underlying zoning district shall govern. Where any side or rear lot line abuts a residential district, the maximum height of the adjacent residential district shall apply within twenty (20') feet of the property line.

g. *Transportation Facilities and Service Requirements.* Off-street parking provided shall comply with Section 30-7.

h. *Review Requirements.* The review of residential development proposals for residential development within the MF ~~Overlay zone~~ District shall be limited to findings for approval contained in Section 30-37.5, Design Review. No other discretionary action shall be required, unless the applicant requests a variance from the requirements of the MF ~~Overlay~~ District or Alameda Municipal Code, consistent with Government Code Section 65583.2(i). Findings for approval, conditional approval or denial of a residential use based on design review or application for a variance shall be consistent with Government Code Section 65589.5.

i. *Open Space Requirements.* On site open space shall be provided in accordance with the requirements of the applicable underlying zoning district.

j. *Setback Requirements.* Setbacks from property lines shall be provided in accordance with the requirements of the applicable underlying zoning district.

k. *Affordable Housing Requirements.*

1. All residential projects shall provide affordable housing pursuant to Alameda Municipal Code 30-16, Affordable Housing.

~~2. Projects that qualify for a residential density bonus pursuant to Section 30-17, Affordable Housing Density Bonus and Government Code § 65915 shall be entitled to:~~

~~(a) Up to a thirty-five (35%) percent increase in maximum allowable density described in provision e of this section;~~

~~(b) A maximum height of four (4) stories but not more than forty-five (45') feet;~~

~~(c) Waivers, parking reductions, incentives and concessions as described in Section 30-17.~~

~~3. Projects in which at least fifty (50%) percent of units are deed restricted for fifty-five (55) years to very-low and low income households, with at least half of these restricted to very-low income households shall be entitled to:~~

~~(a) A sixty (60%) percent increase in maximum allowable density described in provision e of this section;~~

~~(b) A maximum height of five (5) stories or not more than sixty (60') feet;~~

~~(c) A requirement of no more than seventy-five (75') feet of open space per unit;~~

~~(d) A requirement of no more than one (1) parking space per affordable residential unit;~~

~~(e) Waivers, parking reductions, incentives and concessions as described in Section 30-17.~~

~~(f) Projects in which one hundred (100%) percent of units are deed restricted for fifty-five (55) years to very-low and low income households shall also be exempt from subsection g.1. of this section.~~

30-4.24 - Alameda Point District.

a. *Purpose.* This section provides regulations to facilitate and guide future development at Alameda Point consistent with the goals and objectives of the 1996 Naval Air Station (NAS) Alameda Community Reuse Plan, the City of Alameda General Plan, and:

1. Seamlessly integrate the former Naval Air Station property into the physical and social fabric of the City of Alameda.
2. Replace the jobs lost by the departure of the Navy and fostering new economic development opportunities on the former federal lands.
3. Increase public access to the waterfront and supporting maritime commercial and industrial use of the waterfront.
4. Create mixed-use transit oriented walkable districts that deemphasize the automobile and support alternative modes of transportation.
5. Create sustainable districts that minimize greenhouse gas emissions, energy and water use, and maximize protection of the natural environment.

b. *Applicability.* The regulations in this section are applicable to all properties within the Alameda Point Zoning District. In addition to these regulations, all new construction, alterations, and land use within the Alameda Point Zoning District must comply with the following permit requirements.

1. *Alameda Municipal Code.* Regulations in the Alameda Municipal Code (AMC) not covered by this section remain applicable to the Alameda Point Zoning District, including, but not limited to Section 13-19 (Green Building Requirements) and Section 30-58 (Water Conservation and Bay Friendly Landscaping Requirements). When the content of this section conflicts with another part of the AMC, this section shall govern.
2. *Waterfront Town Center Sub-district and Main Street Neighborhood Sub-district Specific Plans~~Master Plan Required~~.* ~~Any proposal to construct any new building that establishes a new use within the A-P-Main Street Neighborhood or A-P-Waterfront Town Center Sub-districts shall require approval of a Master Plan, consistent with AMC Section 30-4.20 M-X Mixed-Use Planned Development District regulations. Master plans may be prepared for all or a portion of the Sub-district.~~ Development within the A-P Main Street Neighborhood shall be consistent with the Main Street Neighborhood Specific Plan. Development within the A-P-Waterfront Town Center sub district shall be consistent with the Town Center and Waterfront Precise Plan.
3. *Design Review Required for All New Development.* All improvements requiring building permits shall be subject to the requirements of AMC 30-36 Design Review Procedures and AMC 30-37 Design Review Regulations. All design review applications shall be reviewed for conformance with the submittal requirements for a Development Plan as required by AMC 30-4.13 (j), the regulations of this Section and the applicable sections of the Citywide Design Review Manual.
4. *Biological Regulations and On-site Lighting.* All new construction projects, alterations to existing buildings and new uses shall comply with the conditions set forth in the Declaration of Restrictions for the Former Naval Air Station (Declaration) consistent with the Biological Opinion issued by the U.S. Fish

and Wildlife and Exhibit C (Alameda Point Lighting Mitigation Measures) of the Memorandum of Agreement between the City of Alameda and Department of Veteran's Affairs.

5. *NAS Alameda Historic District Guidelines.* All new construction and modifications to existing buildings within the NAS Alameda Historic District should be consistent with the Guide to Preserving the Character of the Naval Air Station Alameda Historic District, as amended, and AMC Section 13-21 (Preservation of Historical and Cultural Resources).

6. *Public Trust Exchange Act and Agreement.* All use of land and existing buildings and new construction shall be reviewed for consistency with Naval Air Station Alameda Public Trust Exchange Act, Chapter 734, Statutes of 2000, as amended by Chapter 429, Statutes of 2011 and Naval Air Station Alameda Exchange Agreement regarding Public Trust Lands at Alameda Point, referred to collectively in this section as the Public Trust Exchange Agreement.

7. *Alameda Point Environmental Impact Report Mitigation Monitoring Program.* All new development and uses shall be reviewed for consistency with the 2014 Alameda Point Environmental Impact Report adopted Mitigation Monitoring and Reporting Program.

8. *Alameda Point Master Infrastructure Plan.* All new development and uses shall be reviewed for consistency with the Alameda Point Master Infrastructure Plan.

9. *Alameda Point Master Transportation Demand Management Plan.* All new development and uses shall be reviewed for consistency with the Alameda Point Transportation Demand Management Plan.

c. *Alameda Point Sub-district Purpose Descriptions.* The Alameda Point Zoning District is comprised of six Sub-districts. Each sub-district includes a specific set of regulations designed to achieve the following purposes and intent:

1. *Waterfront Town Center (WTC).* This sub-district provides lands for a mix of uses that include waterfront and visitor-serving uses, including retail, service, entertainment, lodging, recreational, and medium to high-density residential uses. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment designed to de-emphasize the automobile and create a mixed-use environment that supports the emergence of a transit and pedestrian-friendly mixed-use waterfront neighborhood. ~~To ensure that the development of this area achieves these purposes, a master plan is required for this sub-district.~~ Development in this district shall be consistent with the Town Center and Waterfront Precise Plan.

2. *Main Street Neighborhood (MS).* This sub-district provides lands for a variety of housing types with complementary small-scale neighborhood-serving retail, urban agriculture and parks uses, and a mix of residential densities. Development standards support development of a walkable, transit-friendly neighborhood with safe streets, adequate common open space areas, and site planning that complements the NAS Alameda Historic District Residential Subarea character-defining features. Use standards should support a diversity of household types, including supportive housing, assisted living, and a mix of neighborhood compatible uses, such as community gardens, childcare centers, urban farms, and other neighborhood supporting uses. ~~To ensure that the development of this sub-district achieves these purposes, a master plan is required for this sub-district. All regulations and standards shall be included in the master plan.~~Development in this district shall be consistent with the Main Street Neighborhood Specific Plan.

3. *Enterprise-1 (E-1).* This sub-district provides lands for employment and business uses, including office, research and development, bio-technology and high tech manufacturing and sales, light and heavy industrial, maritime, community serving and destination retail, and similar and compatible uses. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban

environment and ensure high quality, well designed buildings within walking distance of services, restaurants, public waterfront open spaces, and residential areas. Use standards are intended to encourage and facilitate job growth and limit intrusion of uses that would limit or constrain future use of these lands for productive and successful employment and business use.

4. *Enterprise-2 (E-2).* The E-2 sub-district serves the same purposes as the E-1 Sub-district, but uses in the E-2 area are restricted to uses that are compatible with the Waterfront Town Center.

5. *Enterprise-3 (E-3).* The E-3 sub-district encompasses a one hundred (100') foot wide band of land that fronts onto Main Street and the adjacent neighborhood. Main Street fronting residential use is conditionally permitted in this sub-district to create a more seamless integration between the enterprise sub-district and the existing Main Street neighborhood.

6. *Enterprise-4 (E-4).* The E-4 sub-district is restricted to maritime uses consistent with the Public Trust Exchange Agreement. Residential and other non-maritime oriented uses are prohibited.

7. *Adaptive Reuse (AR).* This sub-district provides lands for employment and business uses, including office, research and development, bio-technology and high tech manufacturing and sales, light and heavy industrial, maritime, commercial, community serving and destination retail, and other uses that support reinvestment in the existing buildings and infrastructure within the NAS Alameda Historic District and residential uses are conditionally permitted in two former residential buildings. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment that is compatible with the character-defining features of the NAS Alameda Historic District. Use standards are intended to provide a wide range of investment opportunities within the district to encourage private reinvestment in the NAS Alameda Historic District.

8. *Open Space (OS).* This sub-district provides lands for parks, recreation, trails, and large-scale public assembly and event areas consistent with the Public Trust Exchange Agreement. Development standards are intended to support maximum public access, use and enjoyment of these lands, and the protection of natural habitat and wildlife. Use standards are intended to allow for a variety of public open space and compatible uses, such as museums, concessions and parking areas necessary for public use of these lands, in a manner that ensures the protection of the natural environment. Residential, office, and non-visitor serving or non-maritime oriented commercial uses are not permitted in this sub-district.

9. *Nature Reserve/Government (NR/G).* This sub-district provides lands for wildlife habitat. Use of this area should preserve and protect the natural habitat in this area to the fullest extent possible, compatible with the protection of endangered species and other wildlife and plant life that may inhabit, make use of, or be permanently established within this area. Uses include seasonal public access, on-going management and monitoring and activities related to education and research consistent with federal requirements. Pursuant to Section 30-4.17, the G, Special Government Combining District Government Combining District applies to this property because the land is owned by the U.S. Government.

d. *Site Planning and Building Design Requirements.* This section provides regulations for the placement of buildings and improvements to land. Planned development and design review applications shall be reviewed for consistency with these regulations. ~~Requirements for the Waterfront Town Center and the Main Street Neighborhood sub-districts shall be included in the required Waterfront Town Center and Main Street Neighborhood Master Plans.~~ Development in the Waterfront Town Center subdistrict shall be consistent with the development standards and guidelines of the Town Center and Waterfront Precise Plan. Development within the Main Street Neighborhood subdistrict shall be consistent with the development standards and guidelines of the Main Street Neighborhood Specific Plan.

1. *Building Orientation.* All new buildings shall be oriented toward the main adjacent public right-of-way (i.e., public street or public park) and shall provide a main public entrance with direct access to the public right-of-way.

2. *Pedestrian Orientation.* To support the pedestrian environment and de-emphasize the automobile:

   (a) Surface parking lots or parking structures shall be minimized in size and placed behind or beside the building. Parking lots shall not be placed between buildings and streets. When placed adjacent to a building, the lot shall provide a landscaped twenty-five (25') foot setback from the public right-of-way.

   (b) Drive through lanes are prohibited.

   (c) Site improvements shall include bicycle racks, pedestrian pathways through parking areas, pedestrian lighting, and sidewalks and street trees on all streets adjacent to the property.

   (d) Public and commercial service facilities such as automated teller machines shall be conveniently located adjacent to the pedestrian public right-of-way.

   (e) Ground floor windows adjacent to the public pedestrian right-of-way shall provide an unobstructed view into the building for a distance of at least five feet to animate the pedestrian experience.

3. *Front Setback.* New buildings shall be aligned with the front setback of buildings on the block to maintain a consistent setback and "street wall" along the block and maintain the character of the sub-district. In cases where a consistent "street wall" of buildings does not exist, the following standards should govern:

   (a) In the adaptive reuse sub-district, the building front setback should be consistent with the setback of the other NAS Alameda Historic District contributing buildings on the block or the adjacent blocks to maintain the character defining features of the NAS Alameda Historic District. A smaller front yard setback may be approved if it can be found that the smaller setback supports a more pedestrian-oriented site plan.

   (b) In the enterprise sub-districts, new buildings should be placed as close to the front property line as possible to facilitate pedestrian access. A setback of up to twenty (20') feet may be approved if it can be found that the setback is necessary and appropriate to create a pleasing landscaped buffer between a building over thirty (30') feet in height and the public right-of-way or a public park.

   (c) In the open space sub-district, new buildings should be placed in a manner that maximizes and supports the open space and recreational uses of the sub-district.

4. *Rear Setback.* No rear setback is required, except where:

   (a) The building abuts a residential use or a public open space, a twenty (20') foot rear setback shall be provided and the height of the rear of the building shall be designed to provide an adequate transition between the height of the building and the adjacent residential building.

   (b) The rear of the building faces a public street or public open space, the rear of the building shall be aligned with the rear or front setback of the existing buildings on the abutting parcels to maintain a consistent "street wall" and the character of the sub-district.

5. *Side Setback.* No side yard setback shall be required in the enterprise or adaptive reuse sub-districts, except where:

(a) Where the parcel or site abuts a public open space or residential use, a twenty (20') foot side yard setback shall be provided and the height of the rear of the building shall be designed to provide an adequate transition between the height of the building and the adjacent residential building.

(b) The side yard abuts a public street, the side yard setback shall be sufficient to align the building with the front setback of the adjacent buildings.

(c) In the adaptive reuse sub-district, the side street facing setback should be consistent with adjacent contributing NAS Alameda Historic District structures on the side street, unless a finding can be made that the proposed setback is consistent with the character defining features of the NAS Alameda Historic District.

(d) In the open space sub-district, new buildings should be placed in a manner that maximizes and supports the open space and recreational uses of the sub-district.

6. *Setback Landscaping.* In cases where a front or side yard setback that faces a public street or public open space is provided, that setback area shall be landscaped or improved for public use. In the adaptive reuse sub-district, the landscape plan shall be consistent with the Cultural Landscape Guidelines. To protect the endangered species, no landscape materials may be planted in the open space sub-district lands located west of Saratoga Street that are capable of growing over twenty (20') feet in height.

7. *NAS Alameda Historic District.* Within the NAS Alameda Historic District areas within the adaptive reuse sub-district, new building design and architectural detailing shall be compatible with adjacent structures and complement the historic character of the NAS Alameda Historic District.

e. *Building Height Requirements.*

1. *Adaptive Reuse Sub-district.* The maximum building height in the adaptive reuse sub-district shall be determined by the height of the adjacent NAS Alameda Historic District contributor buildings. In cases where the adjacent buildings differ in height, the tallest adjacent contributing building shall be the determining building height. The height of the new building shall not exceed the height of the adjacent contributor buildings. In the area west of Monarch Street, all new buildings and additions to existing buildings shall be reviewed for consistency with the special building height and placement requirements set forth in the Declaration.

2. *E-1 and E-4 Sub-districts.* The maximum permitted height for any building shall be one hundred (100') feet, except that any building proposed within one hundred (100') feet of the Encinal High School property shall be limited to thirty-five (35') feet in height and any building or portion of building within 100 feet of the West Hornet Avenue right-of-way shall not exceed 40 feet in height.

3. *E-2 Sub-district.* The maximum permitted height for any new building shall be seventy-five (75') feet.

4. *E-3 Sub-district.* The maximum permitted height for any new building shall be ~~thirty-five (35')~~ forty five (45') feet.

5. *Open Space Sub-district.* Consistent with the declaration, the maximum permitted height for any new building in this sub-district on lands west of Saratoga Street shall be twenty (20') feet. New buildings proposed on open space sub-district lands east of Saratoga Street may exceed the twenty (20') foot height limit, if necessary, to accommodate a desired use with approval of a conditional use permit.

f. *Building Types and Building Frontage Design.*

Table A: Building Form and Site Design Standards identifies the building types and frontage types permitted (P), conditionally permitted (C), or not permitted (-), within each sub-district. Standards for the Waterfront Town Center and the Main Street Neighborhood ~~shall be~~ are included in the ~~required~~ Waterfront Town Center and Main Street Neighborhood Specific Plans. ~~Master Plan~~.

Table A—Building Type and Frontage Types[(a)]

	E-1	E-2	E-3	E-4	AR	OS
Building Type						
Commercial block	P	P	P	P	P	—
Workplace	P	—	P	P	P	P
Parking structure	P	P	—	P	P	—
Work-live	—	—	C	—	P	—
Stacked flat	—	—	C	—	—	—
Multiplex	—	—	C	—	—	—
Row house	—	—	C	—	—	—
Courtyard housing	—	—	C	—	—	—
Single family detached	—	—	C	—	—	—
Carriage house	—	—	C	—	—	—
Adaptive reuse of existing buildings	P	P	P	P	P	P
Frontage Type						
Storefront	P	P	P	P	P	—
Formal Entry	P	P	P	P	P	P
Forecourt	P	P	P	P	P	P
Stoop	—	—	P	—	—	—

[(a)] For definitions and descriptions of building types refer to the Citywide Design Review Manual.

g. *Use ~~and Parking~~ Regulations.*

1. *Use Regulations Table.* Table B, Allowed Land Uses, indicates the land uses that are permitted "by right" (P), by conditional use permit (C), or not permitted (—), within each sub-district. Limitations that apply to specific land uses are indicated by letters in parentheses (e.g., (a), (b), (c)) and described below the tables. Conditional use permits may be granted pursuant to the procedures and standards of Sections 30-21.3 and 30-21.4. ~~Off-street parking regulations (as defined below) are included in Table B for each land use.~~

~~2. *Waterfront Town Center and Main Street Neighborhood Sub-district Uses.* Permitted and conditionally permitted uses in the Waterfront Town Center and the Main Street Neighborhood shall be included in the required Waterfront Town Center and Main Street Neighborhood Master Plans. Interim uses proposed in the Main Street Neighborhood and Waterfront Town Center sub-districts prior to adoption of a Master Plan for the area shall be consistent with Table B.~~

2~~3~~. *Open Space Sub-district Uses.* Uses proposed in the open space sub-district shall be consistent with Section 30-4.19 Open Space District, provided that all use of these public lands shall require approval of a conditional use permit and be reviewed for consistency with the Public Trust Exchange Agreement.

3~~4~~. *Similar and Accessory Uses.* If a proposed use is not listed in Table B Allowed Land Uses as a permitted or conditionally permitted use, it shall not be permitted unless the Planning Director or the Planning Board determines that the proposed use is substantially similar to a use specified as a permitted or

conditionally permitted use in that sub-district. Such determination shall not permit the establishment of any use that would be inconsistent with the statement of purpose of the sub-district in question, and no interpretation shall have the effect of amending, abrogating, or waiving any other standard or requirement established in these regulations. Accessory uses customarily incidental to any of the above permitted uses when on the same lot are permitted. Accessory uses customarily incidental to any of the above conditional uses when located on the same lot are conditionally permitted with the granting of a conditional use permit pursuant to AMC, Section 30-21.3 or 30-21.4. Accessory dwelling units and junior accessory dwelling units, as regulated in Section 30-5.18, shall be permitted when a primary dwelling exists on the lot.

4~~5~~. *Work/Live Uses.* Work/live uses shall be consistent with Section 30-15, except that in the Alameda Point Zoning District, work/live units may be allowed in new buildings consistent with the work/live type described in the Design Review Manual. ~~Projects that are eligible for density bonus waivers pursuant to Section 30-17 may include work/live that are not consistent with the requirements of Section 30-15.~~

5~~6~~. *Multi-family ~~Housing~~ Dwellings, Adaptive Reuse Subdistrict*. ~~Proposals to construct multi-family housing or adaptively reuse a non-residential building for multi-family housing shall be accompanied by an application for a density bonus and a waiver of the multifamily prohibition in AMC 30-53.~~ Within the adaptive reuse sub-district, multi-family ~~residential use~~dwellings may be conditionally approved ~~with a density bonus application and waiver~~ only in contributing structures Buildings 2, 4, and 17.

6~~7~~. *Outdoor Operations and Activities.* Any use that is normally conducted within a building and permitted by the zoning may be permitted outdoors with approval of a conditional use permit.

7~~8~~. *Adaptive Reuse Sub-district between Saratoga and Lexington Streets.* All use of these lands and existing buildings shall be reviewed for consistency with the Public Trust Exchange Agreement.

8~~9~~. *Fireworks, Aircraft, and Feeding Stations.* To protect the California least tern endangered species, fireworks displays and the operation of aircraft shall not be permitted between April 1 and August 15. Feral cat feeding stations and colonies, and the feeding of any native and non-native wildlife species that are potentially predators of least terns are prohibited.

9~~10~~. *Interim Uses.* Use permits may be issued for interim uses that may not be permitted or conditionally permitted as set out in Table B, provided that interim use permits provide opportunities for short-term uses and activities for a defined period of time, not to exceed five (5) years that are not intended to be permanent uses but are transitional in nature, generally allowing for emergency situations, construction and remediation activities, or the cultivation and establishment of small, low-overhead businesses and their eventual relocation into permanent structures.

10~~11~~. *Table B: Allowed Land Uses ~~and Off-Street Parking Requirements~~.*

Residential, Open Space and Lodging

Use	**Sub-district**							**~~Parking~~**
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	**~~Reserved~~**
Dwelling unit, ~~(~~multifamily~~)~~	—	—	C	—	C(a)	P	P~~(d)~~	~~1.5 (a)~~
Dwelling unit, one-family and two-family ~~(single family)~~	—	—	C	—	—	—	P	~~(d)~~
Accessory dwelling unit (b)	—	—	P	—	P	P	P	
Junior accessory dwelling unit (b)	—	—	P	—	P	P	P	

Use	Sub-district							~~Parking~~
	E-1	E-2	E-3	E-4	AR	WTC	MS	~~Reserved~~
Shared living	—	—	C	—	C	P	P	
Supportive housing	—	—	C	—	C	P	P	
Transitional housing	—	—	C	—	C	P	P	
Residential care facilities	—	—	C	—	C	P	P	
Emergency shelters	C	C	—	—	C	C	C	
Low barrier navigation centers	—	—	P	—	P	P	P	
Warming centers (c)	P	P	P	P	P	P	P	
Bed and breakfast facility	—	—	C	—	P	P	P	~~0.75 (b)~~
Hotels	—	P	—	—	P	C	C	~~0.75 (b)~~
Community garden	—	—	P	—	P	P	P	~~(c)~~
Parks/playgrounds/sports fields	C	C	C	—	P	P	P	~~(c)~~
Trailheads, trails, and comfort stations	P	P	P	P	P	P	P	~~(c)~~
Artist studio	C	C	C	—	P	P	P	~~0.30~~
Work/live studio	—	C	C	—	C	C	C	~~1.00 (a)~~

(a) Conditionally permitted in Buildings 2, 4, and 17.~~Spaces per unit.~~

(b) Accessory dwelling units and junior accessory dwelling units are permitted if a primary dwelling exists on the lot and further regulated by Section 30-5.18, Accessory Dwelling Units.~~Spaces per room.~~

(c) Permitted if accessory to a permitted, primary use. ~~Spaces allowed determined by parking demand study.~~

~~(d) To be determined by the Main Street Neighborhood Master Plan.~~

Commercial and Retail

Use	Sub-district							~~Parking~~
	E-1	E-2	E-3	E-4	AR	WTC	MS	~~Reserved~~
Offices, business and professional	P	P	P	C	P	P	P	~~2.65~~
Large format retail	C	C	—	—	C	C	C	~~3.40~~
Retail	P	P	C	—	P	P	C	~~3.40~~
Retail, catalog and mail order	P	P	C	—	P	C	—	~~2.00~~
Retail, plant nursery	C	C	C	—	P	C	C	~~2.00~~
Grocery stores	—	C	—	—	C	P	P	~~3.40~~
Convenience stores	P	P	C	—	P	P	C	~~3.40~~
Art gallery	—	C	P	—	P	P	P	~~0.50~~
Café	P	P	C	—	P	P	C	~~6.90~~
Catering services	C	C	C	—	P	C	C	~~2.00~~
Restaurant	C	C	C	C	P	P	C	~~6.90~~
Bars/taverns	—	—	—	—	C	C	C	~~6.90~~

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Banks, savings and loan ~~and financial~~ services	C	C	C	C	P	P	—	~~2.65~~
Repair business (consumer products)	C	C	C	C	P	P	C	~~2.00~~
Personal ~~Ssrvices~~ services	C	C	C	C	—	P	C	~~2.00~~
Liquor store	—	—	—	—	—	C	—	~~2.00~~
Urban farm	C	C	C	—	C	C	P	~~(c)~~

Education and Assembly

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Animal shelter	C	C	—	—	P	—	—	~~2.00~~
~~Clubs, halls, centers~~	~~—~~	~~C~~	~~C~~	~~—~~	~~P~~	~~P~~	~~C~~	~~6.90~~
Conference center	—	C	—	—	P	P	P	~~6.90~~
Library	—	C	C	—	P	P	P	~~1.00~~
Museum	C	C	C	C	P	P	C	~~1.00~~
Theater/entertainment	C	C	C	—	P	P	C	~~(c)~~
Multiple screen theatre	—	—	—	—	—	—	—	~~—~~
Community ~~Religious~~ assembly	—	C	~~P~~ C	—	P	C	P	~~6.00~~
Health and fitness facilities	C	C	P	—	P	P	P	~~2.00~~
Hospitals	C	C	—	—	P	C	—	~~2.50~~
Health clinic	—	C	C	—	P	P	P	~~2.50~~
Veterinary clinic	C	C	C	—	P	C	C	~~2.00~~
Government facilities and offices	P	P	P	—	P	P	C	~~2.00~~
Post office	C	C	C	—	P	P	P	~~3.40~~
Funeral home	—	C	—	—	C	C	—	~~2.00~~
Teaching studios (art, dance, fitness, music)	C	C	C	—	P	P	P	~~1.50~~
College/vocational school	C	P	—	C	P	C	C	~~(c)~~
Schools	—	—	C	—	P	C	P	~~(c)~~
~~Emergency shelter~~	~~C~~	~~C~~	~~—~~	~~—~~	~~C~~	~~C~~	~~C~~	~~(c)~~
~~Child care~~ Day care center	C	C	C	—	P	P	P	~~1.25~~

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Family day care, large ~~with 7 or more children~~	—	—	~~C~~ P(d)	—	P(d)	P(d)	P(d)	~~(e)~~
Family day care, small ~~with 6 or fewer~~	—	—	~~C~~ P(d)	~~—C~~	P(d)	P(d)	P(d)	~~(e)~~

~~(e) Same as dwelling unit.~~

(d) Permitted by right if accessory to a residential use.

Transportation Services

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Transit station/ferry terminal	P	P	P	C	P	P	P	~~(e)~~
Car or bike sharing facility	P	P	P	P	P	P	P	~~(e)~~
Automobile, sales, rental and leasing	C	C	—	—	P	C	—	~~1.25~~
Automobile service/repair	C	C	—	—	C	—	—	~~2.00~~
Gas station	C	C	—	—	—	C	—	~~2.00~~
Parking, garage or surface lot	C	C	C	C	C	C	C	~~N/A~~
Bus shed/maintenance facility	C	C	—	—	P	—	—	~~2.00~~

Marine

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Marine research	P	P	C	P	P	P	—	~~1.75~~
Maritime workplace	P	P	C	P	P	P	C	~~2.00~~
Maritime wholesaling	P	P	—	P	P	C	—	~~3.40~~
Boat sales and repair, fuel sales	P	C	—	P	P	C	—	~~1.50~~
Maritime concessions	—	C	—	P	P	C	—	~~1.00~~
Boating clubs or schools	—	C	—	P	P	P	—	~~1.00~~
Commercial marina	—	—	—	P	C	C	—	~~0.40~~

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Dry boat storage (outdoor)	C	—	—	P	C	—	—	~~0.40~~

Industrial

Use	Sub-district							~~Parking~~
	E-1	**E-2**	**E-3**	**E-4**	**AR**	**WTC**	**MS**	~~**Reserved**~~
Building materials storage/contractor yards	C	—	—	—	C	—	—	~~0.40~~
Food and beverage manufacturing	P	C	C	—	P	C	—	~~0.65~~
Industrial, light	P	C	—	P	P	C	—	~~0.65~~
Industrial, heavy	C	—	—	P	C	—	—	~~0.65~~
Industrial arts	C	C	C	C	P	C	—	~~0.65~~
Utilities—Large	C	C	C	C	C	C	—	~~0.50~~
Utilities—Small	P	P	C	P	P	P	P	~~0.50~~
Printing and publishing	P	P	C	—	P	C	—	~~0.50~~
Specialty trade contractors and businesses	P	C	C	C	C	C	C	~~0.50~~
Storage, outdoor	C	C	—	C	C	C	—	~~0.40~~
Storage, indoor	P	P	C	P	P	C	—	~~0.40~~
Wholesaling and distribution	C	C	—	C	P	C	—	~~0.50~~

~~12. *Transit Oriented Development Parking Regulations.* The off-street parking ratios in Table B and the following parking requirements are intended to:~~

~~(a) Supplement the supply of shared public parking at Alameda Point that is shared and priced to support the Transportation Demand Management Program trip reduction goals;~~

~~(b) Limit the supply of privately controlled off-street parking spaces; and~~

~~(c) Support a walkable, bicycle-friendly, and transit-oriented community.~~

~~13. *Off Street Parking and Loading Regulations.* Applications for the reuse and/or redevelopment of land at Alameda Point shall be reviewed for conformance with the provisions of AMC Section 30-7, Off-Street Parking and Loading and the provisions of this section, including Table (B) When the content of this section conflicts with the AMC, this section shall govern. In Table B, all requirements are enumerated in spaces per one thousand (1,000) square feet of gross building floor area unless otherwise noted.~~

14. *Reserved Parking.* The reserved parking ratios presented in Table B represent the maximum number of off-street parking spaces that may be provided on the subject site for the private use of site occupants and visitors. There are no minimum off-street parking requirements.

15. *Exceeding Reserved Parking Ratio.* The maximum reserved parking allowed may be exceeded only upon issuance of a use permit from the Planning Board, if the Board is able to make, all of the following determinations:

    (a) Reasonable parking and transportation demand management measures are being implemented to reduce the need for the additional off street parking;

    (b) The additional parking demand cannot reasonably be accommodated through contract or other arrangement such as shared parking or reciprocal parking agreements making use of other available off-site parking;

    (c) The additional spaces reflect parking demand that exceeds that which is common for this use as categorized in Table B, owing to unique characteristics of the users or the activity that result in a high level of automobile parking demand; and

    (d) The additional parking will enable or facilitate positive environmental or other benefits which outweigh adverse effects, such as additional traffic and congestion, danger to public safety or deterioration of travel conditions for pedestrians, cyclists or users of public transit.

    In its decision the Planning Board shall cite evidence supporting its determinations, and may impose such conditions as are necessary to mitigate all negative impacts on the neighborhood and the environment which would otherwise result from the increased amount of parking.

16. *Unbundled Parking.* The following rules shall apply to the sale or rental of parking spaces in new multi-unit residential buildings of ten (10) units or more:

    (a) All off-street parking spaces shall be leased or sold separately from the rental or purchase fees for the individual units for the life of the units, such that potential renters or buyers have the option of renting or buying a unit at a price lower than would be the case if there were a single price for both the unit and the parking space(s).

    (b) In cases where there are fewer parking spaces than units, the parking spaces shall be offered to the potential buyers or renters of the largest units first.

    (c) Potential buyers and renters of affordable residential units have an equal opportunity to buy or rent a parking spaces on the same terms and conditions as offered to the potential buyers and renters of market rate units, at a price proportional to the sale or rental price of their units as compared to comparable market rate units. This stipulation shall be included in any agreement recorded between the City and the developer pertaining to the affordable housing units.

    (d) Parking spaces shall be offered only to residents and tenants served by the off-street parking, except that any surplus space may be rented out to non-residents or non-tenants with the provision that such spaces must be vacated on thirty (30) day notice if they become needed by tenants or residents.

    (e) Affordable units which include financing requirements that conflict with these provisions may be granted an exception from these provisions by the Community Development Director or Planning Board.

~~17. *Open Space Sub-district Parking Requirements.* Parking requirements for use of open space sub-district lands shall be determined within the context of the conditional use permit process for the proposed use.~~

30-4.25 - North Park Street District.

a. Purpose. This section of the Alameda Municipal Code (AMC) provides regulations and standards to facilitate and guide future development within the North Park Street District consistent with the City of Alameda General Plan, the Economic Development Strategic Plan, and the Gateway District Strategic Plan. The regulations within this section are intended to:

   i. Guide desirable re-investment in the district consistent with General Plan policies and the Gateway District Strategic Plan goals for development and land uses that support a pedestrian friendly, transit oriented mixed use district.

   ii. Remedy the "auto-row" physical characteristics of the district, while allowing new larger scale commercial and employment uses that provide goods, services, and/or employment opportunities in Alameda.

   iii. Provide form based regulations and guidelines for site development and building design to facilitate development that supports Alameda's unique character and encourages innovative design that supports an attractive, pedestrian friendly district.

   iv. Maintain maritime, light industrial, manufacturing, distribution, and work place uses where they have access to the estuary and City's designated truck routes.

   v. Retain mixed use areas that have historically provided a transition between residential areas and adjacent industrial and commercial mixed-use districts.

b. Applicability. The regulations in this section are applicable to all properties within the North Park Street District (District). Standards in the AMC not covered by this section shall remain applicable to the North Park Street Zoning District. When the content of this section conflicts with the AMC, this section shall govern. For each district zone, a common set of site development regulations and use regulations are provided to ensure complementary land uses and a consistent physical form. All improvements requiring building permits shall be subject to the requirements of Sections 30-36 through 30-37 Design Review and the Site Building Form Development Requirements of Table A. (Building Form and Site Design Standards). All design review applications shall be reviewed for conformance with the regulations of this section and the applicable sections of the Citywide Design Review Manual.

c. Sub-district Descriptions. The North Park Street District is comprised of five (5) sub-districts each with its own purpose, development standards, and permissible uses.

   i. The North Park Street Gateway sub-district (G-NP) is a significant gateway to the City of Alameda. The intent of the NP-G sub-district is to guide the redevelopment of the Park Street commercial area with attractive buildings located near the sidewalk with a mix of commercial workplace, retail, and compatible residential uses that support a pedestrian and transit friendly environment.

   ii. The North Park Street Maritime Manufacturing (MM-NP) sub-district preserves lands for maritime, light industrial and larger scale commercial and office employment uses.

iii. The North Park Street Workplace sub-district (W-NP) provides lands for a mix of workplace, commercial, light industrial and manufacturing uses adjacent to the Clement and Blanding Avenue truck routes, as well as residential uses on upper floors of mixed-use buildings. The sub-district regulations permit a range of site and building types for employment uses and residential uses.

iv. The North Park Street Mixed Use sub-district (MU-NP) establishes regulations for mixed-use areas with commercial and residential uses. The sub-district regulations maintain a residential building type for the sub-area, while allowing a greater mix of office, commercial, and residential uses.

v. The North Park Street Residential sub-district (R-NP) provides lands for residential uses within a district of residential building types. Sub-district regulations maintain and support a distinctive residential character in use and building type.

d. Building Form and Site Design Requirements.

i. Table A — Building Form and Site Design Standards identifies the building form and site design requirements permitted (P) or not permitted (-), within each sub-district. Variances from this Section shall be subject to the requirements and findings of Section 30-21 of the AMC.

Table A. Building Form and Site Design Standards

	Gateway (G-NP)	Maritime Manufac-turing (MM-NP)	Workplace (~~NP~~ W-NP)	Mixed Use (MU-NP)	Residential (R-NP)
Building Types (see Design Review Manual for guidelines for building types)					
Commercial block	P	P	P	-	-
Workplace	P	P	P	-	-
Parking structure	P	P	-	-	-
Work-live	P	P	P	P	-
Stacked flat	-	-	-	P	-
Multiplex	-	-	-	P	-
Row house	-	-	-	P	P
Courtyard housing	-	-	-	P	P
Single-family detached	-	-	-	P	P
Adaptive reuse of existing buildings	P	P	P	P	P
Frontage Types (see Design Review Manual for guidelines for frontage types)					
Storefront	P	P	P	-	-
Formal entry	P	P	P	P	-

	Gateway (G-NP)	Maritime Manufac-turing (MM-NP)	Workplace (~~NP~~ W-NP)	Mixed Use (MU-NP)	Residential (R-NP)
Forecourt	-	P	P	P	P
Stoop	-	-	-	P	P
Front yard	-	-	-	P	P
Building width (max.) (ft)	200 ~~ft.~~	200 ~~ft.~~	160 ~~ft.~~	52 ~~ft.~~	52 ~~ft.~~
Building Placement					
Front setback (ft)	0 max.	0 min.	0 min.	10 min. - 30 max.	15 min. - 20 max.
Side street setback (ft)	0 – 15	0 – 20	0 – 20	10	10
Side setback (ft)	0	N/A	0	5	5
Rear setback (ft)	0	0	0	20	20
Alley setback (min.) (ft)	0	0 – 5	0	10	10
Paseo Courtyard setback (ft)	0	0	0	10	10
Building separation (ft)	0	0	0	5	8
Main Building Height (ft)	20 min. - 60 max.	50 max.	60~~40~~ max.	50~~35~~ max.	40~~30~~ max.

ii. Additional Building Form and Site Design Requirements to Support Alternative Modes of Transportation.

a. Site Plans. Site plans shall encourage and support pedestrian, bicycle, and transit access by including facilities such as bicycle racks, pedestrian pathways through parking areas, pedestrian lighting, sidewalks, and street trees.

b. Building Orientation. All new buildings shall be oriented toward the adjacent public right-of-way (i.e., public street or public park) and shall provide a main public entrance with direct access to the public right-of-way. Exceptions may be granted for residential buildings if the finding can be made that the proposed design is appropriate for the site and the elevation fronting onto the public right-of-way is generally consistent with the Design Review Manual for the applicable building type.

c. Frontage Coverage. In the Gateway sub-district, a minimum of eighty-five (85%) percent of the area between the side property lines must be occupied by building mass, plazas, or paseos along the primary street frontage.

d. Service Orientation. Public and commercial service facilities such as automated teller machines shall also be located adjacent to the public right-of-way.

e. Window Design. Within the Gateway sub-district, new buildings shall include windows along the public right-of-way that provide an unobstructed view into the building for a distance of at least five (5') feet.

iii. Setbacks.

a. Front. Where a range is permitted by Table A, new buildings shall be aligned with the front setback of buildings on the abutting parcels to maintain and support the "street wall" character of the block face.

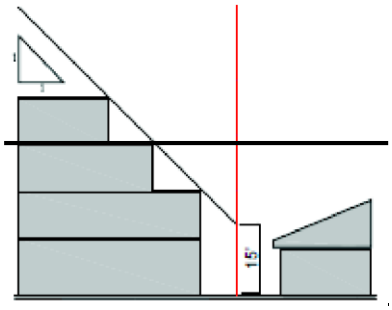
b. Side. In the Mixed Use and Residential sub-districts, side setback may be reduced to less than five (5') feet provided that side setback is at least ten (10%) percent of parcel width. In the Gateway and Workplace sub-districts a five-foot setback shall be provided in all cases when the property line abuts a Residential or Mixed Use sub-district property line.

c. Side Street on Corner Parcels. Within the Gateway sub-district, buildings shall be built to the side street right-of-way line for a minimum distance of twenty (20') feet from the corner. Portions of the building beyond twenty (20') feet may be set back up to fifteen (15') feet for outdoor seating or other non-automobile related public spaces. A setback greater than fifteen (15') may be approved with a Design Review application, if a finding can be made that the greater setback is needed to create pedestrian-oriented courtyards, plazas, and seating areas that will benefit the public pedestrian experience.

d. Rear. In the Gateway and Workplace sub-districts, a five-foot rear setback shall be provided if the rear property line abuts a Residential or Mixed Use district. In the Mixed Use and Residential Districts, the required rear yard setback may be reduced to five (5') feet if the rear property line abuts a Workplace or Gateway sub-district and provided that the proposed site plan provides the required useable open space and off-street parking requirements.

iv. ~~Park Street Building Heights. New buildings over fifty (50') feet in height shall not be approved unless it may be determined by the Planning Board, or by the City Council upon appeal, that the building is consistent with the Design Review Manual special design guidelines for tall buildings on Park Street.~~ Building Height, Workplace Sub-district. In the Workplace sub-district, maximum building height is sixty (60') feet for properties located north of Clement Avenue; forty (40') feet for properties located south of Clement Avenue.

v. Building Height Exceptions. Corner towers and similar architectural design elements may exceed the maximum building height limit subject to design review approval provided that ~~the~~ all habitable areas and storage areas are within the maximum building height limit. ~~Accessory buildings shall not exceed height of the primary building. When adjacent to a one- or two-story residential building on an abutting parcel, building height for both primary and accessory buildings shall be limited by a 45-degree "relational" line originating at a height of fifteen (15') feet along the property line.~~ If any side or rear lot line abuts a property in a residential district, the height limit of the adjacent residential district shall apply within twenty (20') feet of such lot line.



vi. Off-Street Parking and Loading Requirements. Off-street parking shall be provided in accordance with provisions and requirements of Section 30-7, Off-Street Parking ~~and Loading~~, Electric Vehicle Charging, and Transportation Demand Management Regulations. ~~Properties within the Gateway sub-district shall be subject to the parking requirements for the Community Commercial District.~~ When a surface parking area in the Gateway sub-district abuts a surface parking lot on an adjacent parcel with a retail or service use within the Gateway or Mixed Use sub-districts, access shall be provided between the adjacent parking lots, unless the Planning Board finds that access between the lots significantly degrades parking opportunities in the area or is not appropriate given unique conditions that exist on one or both of the adjacent parcels.

vii. Maximum Residential Density: None. ~~The maximum density for any residential development within the North Park Street District shall be one (1) housing unit per two thousand (2,000) square feet of land.~~

viii. Residential Open Space Requirements. Usable open space consists ~~is comprised~~ of private open space and common open space as defined in Section 30-5.12. Dwelling units ~~in Commercial Block and Stacked Flats building types~~ shall provide a minimum of ~~40~~ sixty (60) square feet of usable open space per dwelling unit. ~~Units in Work-Live and Multiplex shall provide a minimum of 120 square feet of useable open space. Courtyard units shall provide a minimum of 140 square feet of usable open space. Row houses shall provide a minimum of 240 square feet of usable open space.~~ The Planning Board may consider provision of off-site open space in lieu of onsite open space provided that the Planning Board is able to find that the off-site open space: 1) will be provided concurrent with the development, 2) is located within a two (2) block radius of the residential development; and 3) will benefit a greater number of people than open space provided on site.

e. Use Regulations.

i. Table B — Allowed Land Uses indicates the land uses that are permitted "by right" (P), by conditional use permit (C), or not permitted (-), within each sub-district. Uses permitted on the upper floor by right and on the ground floor with a conditional use permit are indicated by "P upper/C lower." Limitations that apply to specific land uses are indicated by numbers in parentheses (e.g., (1), (2), (3)) and described in table footnotes.

Table B: Allowed Land Uses

Residential, Open Space, and Lodging

Use	Gateway	Maritime Manufac-turing	Workplace	Mixed Use	Residential
~~Dwelling unit upper floor~~	~~P~~	~~-~~	~~C~~	~~P~~	~~P~~
~~Dwelling unit ground floor~~	~~-~~	~~-~~	~~-~~	~~P~~	~~P~~
Dwelling, One-family or two family	-	-	-	P	P
Multifamily dwelling	P(1)	-	P(1)	P	P
Shared living	P(1)	-	P(1)	P	P
Supportive housing	P(1)	-	P(1)	P	P
Transitional housing	P(1)	-	P(1)	P	P
Accessory dwelling units	P(1)(2)	-	P(1)(2)	P(1)(2)	P(1)(2)
Residential care facilities	P(1)	-	P(1)	P	P
Low barrier navigation centers	P	-	P	P	P
Warming centers	P(3)	P(3)	P(3)	P(3)	P(3)
Bed and breakfast	-	-	C	P	C
Hotels	P	-	C	-	-
Community Garden	-	-	C	P	P
Parks/playground	-	-	-	P	P

Use limitations and notes:

(1) Permitted on upper floors of buildings that also contain nonresidential uses. The dwellings, living quarters, or sleeping rooms may not be located on the ground floor.

(2) Accessory dwelling units and junior accessory dwelling units, as regulated in Section 30-5.18, are permitted if a primary dwelling exists on the lot.

(3) Permitted if accessory to a permitted, primary use.

Office and Work Live

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Office, business and professional	P upper/ C lower	P	P	P	-
Artist studio	P/C	C	P	P	
Artist studio industrial	C	P	C	-	-
Work/live	C	-	C	C	-

Retail

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Large format retail	C	-	C	-	-
Retail	P	-	C	-	-
Grocery store	C	-	C		
Convenience store	C	-	C	C	-
Art gallery or museum	P	P	P	P	-
Restaurant/cafe	P	-	P	C	-
Bars/tavern	C	-	C	-	-
Banks/financial	P	-	C	-	-
Personal services, such as salons, gyms, yoga, and similar activities	P upper/C lower	-	P	-	-
Alcohol sales for off-site consumption	C	-	C	-	-

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Outdoor dining/entertainment/farmers market	C	-	C	-	-
Drive-up kiosk	-	-	C	-	-
Commercial recreation	C	-	C	-	-

Institutional and Service

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Conference center	P	-	P	-	-
Library	C	-	P	C	C
Theater and entertainment	C	-	C	-	-
~~Religious~~ Community assembly	-	-	-	C	C
Health clinic	C	-	C	C	-
Veterinary clinic	C	C	P	C	-
Police/fire station	-	-	C	C	C
Funeral home	-	C	C	-	-
Mortuary	-	C	C	-	-
College	-	-	C	-	-
Schools	-	-	C	C	-
Day care center	-	-	C	C	C
Family day care, small	P (4)	-	~~C~~ P (4)	P (4)	P (4)
Family day care, large	~~-~~ P (4)		~~C~~ P (4)	P (4)	~~C~~ P (4)

Use limitations and notes:

(4) Family day care homes are permitted by right if accessory to a residential use and are permitted within any dwelling type.

Automotive

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Auto sales	C	-	P	-	-
Auto repair/towing/service	C	C	P	-	-
Service station	C	C	C	-	-
Parking garage and lots	C	C	C	C	-
Car wash	-	C	C	-	-

Marine

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Maritime workplace	-	P	P	-	-
Marine fuel sales	-	C	-	-	-
Boat and boat accessories sales, includes boat related accessories sales	-	P	P	-	-
Commercial marina	-	C	-	-	-
Dry boat storage	-	C	-	-	-

Industrial

Use	Gateway	Maritime Manu-facturing	Workplace	Mixed Use	Residential
Industrial, heavy	-	C	-	-	-
Industrial, light	C	P	P	-	-
Utilities, large	-	P	C	-	-
Utilities, small	P	P	P	P	P
Outdoor storage	-	C	C	-	-

ii. Conditional use permits may be granted pursuant to the procedures and standards of Sections 30-21.3 and 30-21.4.

iii. If a proposed use is not listed in Table B — Allowed Land Uses as a permitted or conditionally permitted use it shall not be permitted unless the Planning Director or the Planning Board determines that the proposed use is substantially similar to a use specified as a permitted or conditional use in that sub-district. Such determination shall not permit the establishment of any use that would be inconsistent with the statement of purpose of the sub-district in question, and no interpretation shall have the effect of amending, abrogating, or waiving any other standard or requirement established in these regulations. In no case shall this provision be interpreted to permit check cashing businesses, tattoo parlors on the ground floor, gun and firearm sales, or tobacco and tobacco product stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses.

iv. Accessory uses customarily incidental to any of the above permitted uses when on the same lot are permitted. Accessory uses customarily incidental to any of the above conditional uses when located on the same lot are conditionally permitted with the granting of a use permit pursuant to AMC, Section 30-21.3 or 30-21.4. ~~Accessory dwelling units and junior accessory dwelling units, as regulated in Section 30-5.18, shall be permitted when a primary dwelling exists on the lot.~~

~~v. Work live uses shall be consistent with Section 30-15, except that in the North Park Street District, work live units may be allowed in new buildings consistent with the work live work type described in the Design Review Manual. Properties with the multi-family overlay zoning designation and projects that are eligible for density bonus waivers pursuant to Section 30-17 may include work live that are not consistent with the requirements of Section 30-15.~~

30-4.26 - Community Mixed Use Combining District.

a. *Purpose.* The Community Mixed Use Combining District (CMU Combining District) is intended to facilitate and support the construction of multifamily housing and mixed use development on sites that already provide community serving commercial services including a grocery store to accommodate Alameda's regional housing need as required by California Government Code sections 65580 and 65583.

b. *Applicability.* The development and use of land within the CMU Combining District shall comply with the provisions of the CMU Combining District, the provisions of the underlying zoning district, and all other provisions of the Alameda Municipal Code. In the event of a conflict between the provisions of the CMU Combining District and the provisions of the underlying district or the Alameda Municipal Code or Alameda City Charter Article 26, the provisions of the CMU Combining District shall govern.

c. *Mixed Use Required.* To be eligible for residential development consistent with the provisions of 30-4.26 e., g., h., i., and j., the subdistrict must provide a minimum amount of non-residential commercial retail or service floor area inclusive of a grocery store of at least 20,000 square feet in size in mixed use buildings or free standing commercial buildings. The minimum amount of non-residential commercial floor area required shall be determined by the total acreage of the subdistrict and a ratio of at least 9,000 square feet per acre in each sub-district resulting in a requirement of: 477,000 square feet for the 53 acre South shore subdistrict, 90,000 square feet for the 10 acre Bay Farm subdistrict, 117,000 square feet for the 13 acre Marina Village subdistrict, and the 216,000 square feet for the 24 acre Alameda Landing subdistrict.

d. *Commercial Ground Floor Required*. Residential buildings fronting onto Park Street, Shoreline Drive, 5th Street, Wilver "Willy" Stargell Avenue, Island Drive, McCartney Road, and Marina Village Parkway shall provide ground-floor commercial space for retail and service uses of at least thirty (30') feet in depth fronting onto the public right-of-way.

e. *Residential Uses Permitted*. Provided that the properties within the subdistrict meet the commercial floor area and frontage requirements of sub-section d., residential uses, including multifamily dwellings, shared living, transitional and supportive housing, residential care facilities and low barrier navigation centers shall be permitted by right in the subdistrict without a conditional use permit or other discretionary review other than design review.

f. *Maximum Residential Density.* None.

g. *Minimum Permitted Residential Densities.* The minimum density shall be thirty (30) dwelling units per acre. Addition of dwelling units to an existing building within the original building envelope shall be exempt from residential density standards. For the purposes of this section, residential density shall be calculated by dividing the size of the existing or proposed parcel by the number of dwelling units in the proposed building. The review of development proposals that include residential development consistent with the CMU Combining District provisions shall be limited to findings for approval contained in Section 30-37.5, Design Review, if the development is subject to Design Review and shall be exempt from any applicable requirements for development plan approval required by Section 30-4.13. Findings for approval, conditional approval or denial of a residential use shall be consistent with Government Code Section 65589.5.

h. *Building Height Limit.* The building height limit shall be sixty-five (65') feet, unless the underlying zoning district provides a greater height limit, in which case the greater height limit in the underlying zoning district shall govern.

i. *Building Orientation*. Buildings adjacent to the publicly owned right-of-way shall be oriented toward the public right-of-way, with at least one main entry facing the public right-of-way.

j. *Submittal Requirements.*

1. Applications shall include a development plan pursuant to Section 30-4.13.j and Section 30-37.3.

30-5 - GENERAL PROVISIONS AND EXCEPTIONS.

30-5.1 - General.

The regulations specified in this article shall be subject to the following general provisions and exceptions.

30-5.2 - Rules Governing Use of Zoning Map(s) and Symbols.

Where uncertainty exists as to the boundaries of any district shown on the zoning map(s), the following rules shall apply:

a. Where such boundaries are indicated as approximately following property, street or alley lines, such lines shall be construed to be such boundaries.

b. In unsubdivided property, and where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the zoning map(s).

c. A symbol indicating the classification of property on the zoning map(s) shall in each instance apply to the whole of the area within the district boundaries.

d. Where a public street, alley or parcel of land is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to such vacant or abandoned street or alley.

30-5.3 - Regulations are Minimum.

In interpreting and applying the provisions of this article, unless otherwise stated, they shall be held to be the minimum requirements for the promotion and protection of the public safety, health and general welfare.

30-5.4 - Relationship to Other Regulations to and to Private Restrictions.

a. Where conflict occurs between the regulations of this article and any Building Code or other regulations effective within the City, the more restrictive of any such regulations shall apply.

b. It is not intended that this article shall interfere with or abrogate or annul any easement, covenants or other agreements now in effect; provided, however, that where this article imposes a greater restriction than is imposed or required by other ordinances, rules or regulations, or by easements, covenants or agreements, the provisions of this article shall apply.

30-5.5 - Additional Uses Permitted.

The following accessory uses, in addition to those hereinbefore mentioned, shall be permitted:

a. The renting of rooms and/or the providing of table board for not more than three (3) paying guests in a single family dwelling structure.

b. The operation of necessary service facilities and equipment in connection with hotels and schools, colleges, and other institutions when located on the site of the principal use.

c. Recreation, refreshment and service buildings in public parks, playgrounds and golf courses.

30-5.6 - Building Site, Areas and Easements.

a. Any ~~interior~~ lot of record existing prior to the effective date of this article, August 1, 1958, shall be considered a legal building site regardless of area, and may be used as such, subject to all applicable regulations of this article.~~; provided, however, that any such interior lot of record having less lot area than required by this article shall be subject to the following yard setback provisions:~~

~~1. Front Yard. The front yard of a lot less than one hundred (100') feet deep shall be equal to the average of the setback of the adjoining properties having the same frontage. In computing the above average, any adjoining setback greater than twenty (20') feet shall be considered as twenty (20') feet; provided, further, that in the absence of a building on an adjoining property, such property shall be assumed to have a setback of twenty (20') feet.~~

~~2. Side Yard. For any lot less than fifty (50') feet in width each side yard shall be a minimum of five (5') feet in width.~~

~~3. Rear Yard. For a lot less than one hundred (100') feet in depth, the rear yard shall be twenty (20%) percent of the average lot depth, but in no case shall it be less than twelve (12') feet.~~

~~b. Any corner lot of record existing prior to the effective date of this article, August 1, 1958, shall be considered a legal building site regardless of area, and may be used as such subject to all applicable regulations of this article; provided, however, that any such corner lot of record having less lot area than required by this article shall be subject to the following yard setback provisions:~~

~~1. Front Yard. As regulated in paragraph a. 1. except that on the side street side the setback shall be assumed to be twenty (20') feet.~~

~~2. Side Yard. As regulated in paragraph a. 2. except that the side yard on the street side shall be not less than ten (10') feet.~~

~~3. Rear Yard. As regulated in paragraph a. 3.~~

~~c. Any lot, other than a lot of record, which does not meet the area and frontage requirements of its zone shall not be considered a legal building site unless either a variance to the area and/or frontage requirements for lots in the zone in which it is located has been approved or a planned development applicable to the lot has been approved. Lots not meeting the requirements of a building site by virtue of exceptions to the subdivision regulations of the City approved prior to the enactment of this subsection shall be deemed to have received variance approval.~~

b~~d~~. Adjustments to minimum rear yard requirements for certain waterfront parcels. The following adjustments to the minimum required rear yards otherwise prescribed by the subject zoning district (i.e. the minimum required setback from the rear property line) apply to parcels which are either immediately adjacent to, or adjacent to interceding public tidal lands (i.e. "public trust lands") which are immediately adjacent to, the Tidal Canal, San Leandro Bay or San Francisco Bay:

1. Additional setback requirements for parcels immediately adjacent to water. For parcels where the rear property line is either: a) at the same elevation as the higher high water line, or b) is at a lower elevation than the higher high water line (i.e. the rear property line is submerged), the minimum required rear setback shall be measured from the higher high water line as if it were the rear property line.

2. Special adjustments to setback requirements for parcels adjacent to those interceding public lands which do not have public access. For parcels with interceding public lands between the parcel's rear property line and the higher high water line (such as public tidal lands owned and/or managed by federal, state or local agencies which do not have public access, but portions of which may be leased to owners of adjacent parcels for public use), the minimum required rear setback shall be measured from

the higher high water line (which falls within the interceding property) as if it were the rear property line of the subject parcel, thereby reducing the minimum required rear setback from that prescribed by the subject zoning district. However, in no case shall the subject parcel have a rear setback from the actual rear property line of less than three (3') feet. The above adjustment to minimum rear setback requirements does not apply to parcels adjacent to public or private waterfront lands which have been improved as parklands, trail easements, or similar amenities.

3. Exceptions to setback requirements for waterfront lots may be granted. Notwithstanding the minimum rear yard requirements of the subject zoning district, exceptions to the rear setback requirements prescribed for waterfronts regulated by this subsection (paragraphs 1. and 2. above), may be approved subject to the notification and approval process for improvements requiring Major Design Review, as outlined in Section 30-27, Design Review Requirements. Exceptions to reduce the minimum required rear setback, but not to less than three (3') feet from the actual rear property line, may be granted with Major Design Review approval, with the additional and specific finding that the proposed encroachment into the setback otherwise required by this subsection will not substantially impair the adjoining neighbors' views of the water and hillsides beyond.

4. Exemptions for Piers and Floating Docks. Notwithstanding the minimum rear yard requirements of the subject zoning district and the specific setback requirements of this subsection, piers and floating docks are exempt from such minimum yard and setback requirements, and may be built up to and across the property line of adjacent public tidal lands, provided all permit requirements of the A.B.C., A.M.C., and applicable governmental agencies (e.g. B.C.D.C.) are met.

30-5.7 - Projections from Buildings and Roof Planes, Permitted Encroachments and Treatments of Minimum Required Yards.

a. *Minimum Required Front Yards, and Street Side Yards On Corner Lots, Shall be Landscaped*. Excepting walkways, and driveways and staircases as permitted by this Article, minimum required front yards, and street side yards on corner lots, within residential zones, and for residential uses in non- residential zones may not be paved and shall be used exclusively for landscaping.

b. *Architectural Features*. Canopies, eaves, cornices, sills, beltcourses, fireplaces, galleries, sunshades and similar architectural features, but not including any wall or window surface, may extend into any required yard a distance not exceeding two (2') feet; however in no case shall such features have a setback of less than three (3') feet from the property line.

   1. Special Exemptions for Eaves. An exemption to allow a building eave with a setback of less than three (3') feet from a property line may be granted by the Planning and Building Director concurrently with, and subject to the required finding for, the approval of a residential addition with less than the required minimum side yard as permitted by subsection k., and subject to the approval of the Building Official.

c. *Decks*. Decks, and similar features such as uncovered porches and cantilevered balconies shall conform to the standards as prescribed below:

   1. Measurement of Height.

      (a) The height of each level of a deck shall be calculated separately and the required setback that correlates with the height of each level shall be applied to the portion of the deck at that level.

      (b) On sites with a slope of ten (10%) percent or greater deck heights may be averaged and setbacks calculated based on the average height of numerous points. In such cases, any configuration of terraces or levels may be approved that provides for privacy for adjoining properties, lack of

impacts from shading of adjoining properties, and safety without precisely meeting the setback requirements of this subsection.

2. Setback Requirements.

   (a) Decks of up to, and including, twelve (12'') inches in height may encroach into any required side and rear yard.

   (b) Decks over twelve (12'') inches to not more than thirty (30'') inches in height may encroach into any required side and rear yard, but shall maintain a minimum setback of three (3') feet from the side and rear property lines.

   (c) No deck that exceeds thirty (30'') inches in height at any point shall be permitted to encroach into a required yard area.

3. Privacy Screening Requirement for Decks Exceeding Thirty (30'') Inches in Height. Notwithstanding safety railing requirements prescribed by the A.B.C., and the limitations on barrier height prescribed in Section 30-5.14, decks above thirty (30'') inches in height, and all roof decks may be required as a condition of Design Review approval to provide privacy screening barriers, and/or landscaping of sufficient height deemed sufficient to provide adequate screening, to mitigate potential privacy impacts. At no time, however, shall the top elevation of any railing or privacy screen for such decks exceed the building height limit of the subject zone.

4. Decks and Conformance to Maximum Building Coverage. Decks above thirty (30'') inches in height and in excess of two hundred (200) square feet in size shall be considered as part of the building coverage requirements. Decks subject to coverage requirements shall be calculated at fifty percent (50%) of their area in excess of two hundred (200) square feet.

5. Exceptions to Setback Requirements for Small Decks. Decks which are less than fifty (50) square feet, have no exterior access and are cantilevered or supported from the structure may be allowed to extend three (3') feet into the required front, rear or street-side yard; however, in no case shall such a deck have a setback of less than three (3') feet from any property line. Such decks shall not project more than six (6') feet from the supporting wall to its furthest outward extension.

d. *Window and Roof Projections*.

1. Window Projections. Bay, garden and greenhouse windows, and similar features that increase either floor area or enclosed space, may extend three (3') feet into any required front, rear, side or street-side yard, however in no case shall such features have a setback of less than three (3') feet from a property line, and are subject to the following regulations and the regulations in paragraph (3), below: Bay windows shall not encroach into yard areas at any other level than the story on which the window openings or glazings are located except that ornamental brackets or canopies may be required and approved through Design Review.

2. Roof Projections. Dormers may project from the roof plane, however in no case shall such features have a setback of less than three (3') feet from the property line or exceed the building height limit of the subject zone, and are subject to the regulations in paragraph (3), below:

3. Minimum Separation Spacing and Size Limitations for Projections. Encroaching window projections, and all roof projections, are subject to the following dimensional requirements:

   (a) The maximum length of each projection shall be ten (10') feet and the minimum horizontal separation between projections shall be five (5') feet.

   (b) Such features shall not extend horizontally across more than one-half (½) of the linear wall or roof surface to which they are affixed.

e. *Stairs and Landings*.

1. General Exception. Uncovered stairs and landings may encroach into any required front and rear yard a distance not exceeding six (6’) feet (i.e. for the placement of stairs and landings, the minimum required front and rear setback is reduced from twenty (20’) feet to fourteen (14’) feet); and into any required side yard and minimum required street side yard a distance not exceeding one-half (½) the width of the required side yard or three (3’) feet, whichever is less.

2. Special Exception for Historic Structures. A reconstructed staircase that is to be attached to the facade of an historical structure as defined in Section 30-2, may encroach into the minimum required front yard a distance not to exceed seventeen (17’) feet (i.e. for the placement of reconstructed stairs and landings on historic structures, the minimum required front setback is reduced from twenty (20’) feet to three (3’) feet) providing that the design of such staircase conforms to the original historic design, allowing for minor modification to accommodate requirements mandated by the A.B.C., or alterations in the finished floor elevation, subject to the approval of the Planning and Building Director and Building Official.

f. *Accessory Buildings*. Accessory buildings may be located within minimum required side and rear yards, and shall conform to the following:

1. *Height Limits.* Accessory buildings shall not exceed one (1) story, and shall not exceed a height of ten (10') feet at the top of a parapet or at the point where the side elevation intersects with the roof, with the following exceptions:

   (a) The height at the ridge of the roof may exceed the above height limitation, up to a maximum height of fifteen (15') feet.

   (b) The front and rear elevations may exceed the ten (10') foot height limit up to the fifteen (15') foot height at the ridge of the roof; however, in no case shall the fifteen (15') foot ridge height be extended along the entire front or rear elevation.

   (c) The height at the top of the front or rear elevation's parapet may exceed the above height limitation, up to a maximum height of twelve (12') feet.

2. *Maximum Rear Yard Coverage.* Accessory buildings shall not cover more than ~~four hundred (400) square feet or forty (40%) percent~~six hundred square feet or sixty (60%) percent of the minimum required rear yard as prescribed by the subject Zoning District, whichever is greater. That portion of an accessory building which is outside the minimum required rear yard is subject to maximum main building coverage limitations of the subject zone.

3. *Minimum Setbacks from Side Property Lines.* If located less than seventy-five (75') feet from the front property line, the accessory building shall observe a five (5') foot side yard setback. If the accessory building is to be located seventy-five (75') feet, or more, from the front property line, it may be built up to the interior side property line(s), provided that all construction within three (3') feet of the property line (including eaves and similar architectural features) is one (1) hour fire resistive as required by the A.B.C., as approved by the Building Official.

4. *Minimum Setback from Rear Property Line.* If located within that portion of the minimum required rear yard that adjoins the neighbors' required minimum rear yard(s), the accessory building may be built up to the rear property line, provided that all construction within three (3') feet of the property line (including eaves and similar architectural features) is one (1) hour fire resistive as required by the A.B.C., as approved by the Building Official. If the proposed accessory building is to be located within that portion of the minimum required rear yard that does adjoin the neighbors' required minimum rear yard(s) (i.e., adjacent to that part of the neighbor's side property line not within his/her minimum required rear yard), a minimum five (5') foot setback from the rear property line shall be maintained.

5. *Minimum Separation from Neighboring Structures.* There shall be a minimum of six (6') feet separating all construction (including eaves and similar architectural features) of the accessory building(s) from the main building(s) or other accessory building(s). The separation requirements of this paragraph may be reduced by the Community Development Director and Building Official if one (1) hour fire resistive construction is utilized and/or occupancy classification of the subject buildings allow for a lesser separation, as specified by the A.B.C.

6. *Reconstruction of Legally Nonconforming Buildings.* Notwithstanding the limitations prescribed by Section 30-20, Nonconforming Buildings and Uses, legally nonconforming accessory building(s) with conforming residential uses in residential zoning districts may be reconstructed, with an equal or lesser nonconformity to the size, and location requirements of this subsection (i.e., paragraphs 2. through 4.), subject to the approval process for improvements, as outlined in Section 30-37, Design Review Regulations, and allowing for modifications to the height and/or roof configuration, provided that the resulting design does not exceed the height limitation prescribed by paragraph 1. of this subsection. Such reconstruction may occur as part of any duly permitted project to repair, remodel or replace the existing nonconforming structure.

7. Accessory buildings shall not include a kitchen unless the accessory building is an accessory dwelling unit per the requirements of Section 30-5.18, or the kitchen is approved with a use permit for a home occupation on a residential lot.

g. *Patio Structures*. Patio structures attached to or detached from a main or accessory building may encroach into any minimum required side yard or rear yard. But shall:

1. Not exceed a maximum height of twelve (12’) feet, as measured from grade. A detached patio structure, if not located within a minimum required yard, may be permitted to a height not to exceed fifteen (15’) feet, subject to approval of the Planning and Building Director and Building Official.

2. Conform to the building coverage requirements prescribed for accessory buildings in subsection 30-5.7.f.2 of this section, regardless of whether the patio structure is attached to or detached from a main or accessory building.

3. Observe a minimum five (5’) feet setback from the side and rear property lines. No part of the patio cover may extend within three (3’) feet of the property line.

4. Have a minimum six (6’) foot distance separating all elements of a detached patio structure (including eaves and similar architectural features) from the main building(s) or accessory building(s). The separation requirements of this paragraph may be reduced by the Planning and Building Director and Building Official if the occupancy classification of the subject buildings allow for a lesser separation, as specified by the A.B.C.

5. Not occupy any portion of the front half of a corner lot.

6. Not be enclosed by any walls, partial solid panel wainscoting, and/or glazing, excepting for those walls of the adjoining main and/or accessory building(s), which may not constitute: (a) more than two (2) of the four (4) sides of the patio structure; and (b) more than fifty (50%) percent of the patio structure’s perimeter. Patio structures may be fitted with removable clear plastic or screen mesh panels and/or retractable shade screens, as regulated under the A.B.C.

h. *Pools, ~~and~~ Spas, Mechanical Equipment, and Outdoor Living Elements*.

1. Pools or spas that are constructed and/or permanently located "in-ground," and any mechanical equipment for such pools or spas, may be located within a minimum required rear and side yard, providing that a minimum five (5') foot setback is maintained from any property line.

2. Portable pools, spas, hot tubs, and similar features which are determined by the Building Official not to be structures, are not subject to either the setback requirements for accessory buildings prescribed in subsection f. of this section, or those setback requirements for permanent "in-ground" spas prescribed in paragraph 1., above, except that no mechanical equipment for such portable pools or spas shall be placed within five (5') feet of any property line.

3. Outdoor living elements such as barbeque grills, outdoor kitchens, chimneys, fire pits and similar features which are determined by the Building Official to be constructed and/or permanently located "in-ground" may be located within a minimum required rear or side yard, provided that a minimum five (5') foot setback is maintained from any property line.

i. *Driveways*. Driveways may be located within minimum required front yards, and minimum required street side yards of corner lots, subject to the regulations prescribed in ~~sub~~section ~~30-7.9.f.1~~ 30-7.8.

j. *Structures for Disabled Access*. Uncovered wheelchair ramps or other structures providing disabled access may encroach into any required front, side, street side, or rear yard as long as the access structure provides continuous access from the street or parking area to an entrance of the building. The encroachment shall be the minimum necessary to provide safe and adequate access ~~and shall be subject to Design Review~~.

k. *Exceptions to Allow Additions with Less Than the Required Minimum Side Yards*. If a main building has less than the required side yard setback, additions may be approved with existing setbacks, or none, if none exist, if the following finding can be made: no major adverse effects such as significant shading or significant view blockage will occur on adjoining properties relative to existing conditions and relative to an addition built with a conforming setback.

1. New cantilevered projections, above the first story which are to have the same or less horizontal area as an existing first story projection, may be approved with the existing projection's setbacks.

2. If necessary to make the finding in the section above, or to address Design Review or building code concerns, the Director may require a setback greater than those existing, but still allow a setback(s) that is less than the minimum required side yard or street side yards of corner lots prescribed by the subject zoning district.

l. In exception to the setback requirements of this chapter for stories above the ground floor, an addition at the second floor level may be approved with exterior walls in the same plane as the walls of the existing building below if the following finding can be made: no major adverse effects such as significant shading or significant view blockage will occur on adjoining properties relative to existing conditions and relative to an addition built with a conforming setback.

1. If necessary to make the finding in the section above, or to address Design Review or building code concerns, the Director may require a setback greater than those existing, but still allow a setback(s) that is less than the minimum required side yard or street side yard of corner lots prescribed by the subject zoning district.

m. *Exceptions to Allow Extension of Roof Ridges and Roof Pitch with Heights Greater Than the Maximum Building Height Limitation.* If a main building exceeds the maximum building height for the district in which it is located, main building additions may be approved that extend upon the same height roof, ridge, pitch, and plane as the existing roof structure providing that the following findings can be made: (1) no major adverse effects such as significant shading or significant view blockage will occur on adjoining properties relative to existing conditions and relative to an alternative design with the roof extension built in compliance with the maximum building height; (2) the ridge and/or pitch continuation complies with the City of Alameda Building Code.

30-5.8 - Height Exceptions.

Towers, spires, chimneys, machinery, penthouses, scenery lofts, cupolas, radio aerials, television antennas and similar architectural and utility structures and necessary mechanical appurtenances may be built and used to a height not more than twenty-five (25') feet above the height limit established for the district in which the structures are located; provided, however, that no such architectural or utility structure in excess of the allowable building height shall be used for sleeping or eating quarters or for any commercial or advertising purposes. Additional heights for public utility structures may be permitted upon approval by the Planning Board. Height limitations provided herein shall not apply to electric transmission lines and towers, unless they encroach on any officially designated aircraft approach zone.

30-5.9 - ~~Blast and/or Fall-Out Shelter Exceptions~~Reserved.

~~Notwithstanding anything to the contrary contained within the zoning laws and regulations of this article, blast and/or fall-out shelters may be constructed and utilized within the City subject only to the following requirements.~~

~~a. *Setbacks*. If any part of the shelter is constructed more than three (3') feet above the natural grade of the immediately surrounding ground surface, all setback requirements of the District in which such shelter is located shall be met; otherwise there shall be no setback requirements.~~

~~b. *Lot Area (Coverage)*. If any portion of the shelter is constructed more than three (3') feet above the natural grade of the immediately surrounding ground surface, all lot and area and coverage requirements of the district in which such shelter is located shall be met; otherwise there shall be no lot area or coverage requirements.~~

~~c. *Definition*. For the purposes of this subsection, blast and/or fall-out shelter shall mean any structure or device within or without a building designed, constructed, utilized, and maintained as a protective structure or device against the effects of fire, heat, blast, concussion, or the fall-out of radioactive elements resulting from nuclear or other explosions or any similar device; said shelter being constructed in conformance with the Building Code of the City.~~

30-5.10 - ~~Corner Lots.~~Transit Oriented Housing Waivers.

To support and encourage construction of small, transit-oriented, affordable dwelling units in residential districts, a proposed housing development in the R-1 through R-6 districts that are within one quarter (1/4) mile of a high quality transit corridor in which all the new dwelling units are 1,200 square feet or less in size shall be exempt from the maximum residential density limitations of the applicable zoning district, any minimum on-site open space standards of the applicable zoning district, and any height limitation less than forty (40') feet shall be allowed a height of forty (40') feet. For the purposes of this subsection, the one-quarter-mile distance shall be measured in a straight line from the closest point on the subject property to the closest point on the high quality transit corridor right-of-way center line. Deed-restricted affordable units shall be exempt from the unit size limitation.

~~In residential and professional districts corner lot widths shall be sixty (60') feet on lots other than lots of record.~~

30-5.11 - ~~Cul-De-Sac Lots.~~Adaptive Reuse Residential Density Waiver.

To support and encourage construction of new housing units within existing buildings, addition of one or more dwelling units within an existing building located in a zoning district that permits residential uses shall be exempt from any applicable residential density standards. The exemption shall not apply if the proposal includes

modifications to the exterior of the building are not exempt from Design Review pursuant to Section 30-37 2.b Exempt Improvements.

~~Residential lots located on curved or cul-de-sac streets, which have a minimum width at the established front yard setback line of fifty (50') feet shall be deemed to satisfy the minimum width requirement for a residential lot. The setback line shall be measured by the same arc established by the front lot line.~~

30-5.12 - Definition of Required Open Space.

Usable open space ~~is comprised~~ consists of private open space and common open space. Usable open space is that area of a ~~building site~~ subject property which is landscaped or otherwise developed and maintained for recreation or outdoor living by the occupants. Usable open space shall not include yards or other areas having a width of less than eight (8') feet, except for balconies which may have a minimum horizontal dimension of five (5') feet, or areas devoted to automobile access or storage. The following areas shall constitute usable open space as required in this Article ~~by subsections 30-4.2(d)(9), 30-4.3(d)(10), 30-4.4(d)(10), 30-4.5(d)(10), and 30-4.6(d)(10)~~.

a. ~~*Common Open Space.*~~ Common open space consisting of a p~~P~~orch, patio, court or other outdoor living area which has common access from more than one (1) dwelling unit and which has a minimum area of three hundred (300) square feet and a minimum horizontal dimension of fifteen (15') feet. Common open space may include structures defined as patio covers in Section 30-2 (Definitions) provided that they are accessory to common open space as herein defined. Common open space may not include required front yards.

~~b. *Private Open Space*. Private open space shall be accessible from only one (1) unit. Private open space shall not be within five (5') feet of a side lot line or ten (10') feet of a rear lot line. Private open space in the required front yard may not extend more than one-half (½) the depth of the required front yard nor across more than one-half (½) of the frontage of the building. Any private open space developed in the required front yard shall be enclosed by a perimeter wall or fence not to exceed three (3') feet in height unless the wall or fence complies with Section 30-5.14(b)(8) in which case it may not exceed four (4') feet in height. The following will qualify as private open space:~~

b.~~1.~~ Private balcony attached to a dwelling unit with an area of at least sixty (60) square feet and a minimum horizontal dimension of five (5') feet.~~, provided such balcony is unenclosed on at least two-thirds (2/3) of its perimeter except for required railings. A balcony which is used for access to a dwelling unit does not qualify for private open space.~~

c.~~2.~~ Porch, deck, patio, or court on ground level accessible from only one (1) unit with a minimum area of one hundred twenty (120) square feet, and a minimum horizontal dimension of ten (10') feet, and is unenclosed for at least two-thirds (2/3) of its perimeter except for screen fencing not more than six (6') feet high ~~if not in the front yard~~.

d.~~3.~~ Roof deck with an area of not less than one hundred twenty (120) square feet and a minimum horizontal dimension of ten (10') feet. ~~Any such roof deck shall have a six (6') foot high wall or screen on at least two-thirds (2/3) of its perimeter located to provide protection from the wind.~~

~~c. *Exemption to Allow Redistribution of Private and Common Open Space*. In exception to the common and private open space provisions of this section, residential development subject to open space standards of this section may be approved with more or less private or common open space provided the following findings can be made as part of design review: 1) the design meets the amount of total useable open space required, 2) the combination of private open space and common open space provides a better open space plan for the residents of the site and/or a better architectural design for the building, and 3) the open space plan includes provisions for long-term maintenance and upkeep of the open space, including but not limited to, a maintenance agreement, service contract or other guarantee.~~

The Planning Board may consider provision of off-site open space in lieu of on-site open space provided that the Planning Board is able to find that the off-site open space: 1) will be provided concurrent with the development, 2) is located within a two (2) block radius of the residential development; and 3) will benefit a greater number of people than open space provided on site.

30-5.13 - ~~Multiple Houses.~~ Reserved.

~~a. *Utilities*. Each dwelling unit of a multiple house shall have separate utility meters, excluding water, with individual shut-off valves for all utilities. The meters and shut-offs shall be so located that each can be reached without entry into the individual unit.~~

~~b. *Laundry Unit*. Each dwelling unit in a multiple house shall have a space and connections for the installation and operation of laundry equipment for the private use of the occupants of that unit.~~

~~c. At least one hundred (100) cubic feet for each unit and an additional fifty (50) cubic feet for each bedroom of enclosed, weatherproof, lockable storage space shall be provided for each dwelling unit. Such storage space shall be in addition to that ordinarily contained within a unit as cabinets, pantries, and clothes closets. Such storage may be located in or separated from dwelling unit.~~

~~d. No occupancy permit for a multiple house may issue unless the association or corporation has filed with the City Building Official the name, address and telephone number of the person or company to be contacted regarding any building, health or this code violations. If that person or company changes, the change shall be reported within ten (10) days.~~

30-5.14 - Barriers and Fences.

Barriers, as defined herein, may be construed in all land use districts within the property boundaries of the individual lots according to the definitions, standards, and provisions of this subsection.

a. *Purpose.* The purpose of this section shall be:

1. To provide adequate light and air into and between buildings and streets.
2. To protect the character of Alameda's neighborhoods and promote the objectives of the "Design Review Manual."
3. To develop streets which encourage pedestrian use through the maintenance of visually pleasant streetscapes.
4. To protect public health and safety by prohibiting potentially dangerous fencing materials and by limiting fence heights in visibility zones.

b. Definitions. The definitions included in this subsection are a partial list of definitions which are specific to the interpretation of this subsection. Additional definitions are listed in section 30-2.

1. *Arbor* is defined as a decorative latticework structure or trellis made of see-through style materials which is used as an entrance focal point along a barrier.
2. *Barrier* is defined as anything which is used as a boundary or means of protection or confinement including but not limited to, fences, walls, and hedges and the elements of such barriers including, but not limited to, posts and other supporting framework.
3. *Building Envelope* is the area of land on a parcel within the required yards for a main building as regulated by this chapter.

4. *Chain-Link Fencing* is defined as any fencing composed of or appearing to be composed of diagonal grid woven wire fencing material including, but not limited to, cyclone fencing, chain-link fencing, or diamond shaped plastic-link fencing.

5. *Edge of Vehicular Travel Way* is the curb-line of a public or private roadway or the edge of payment or driveway where no curb-line exists.

6. *Grade* is defined as the lowest point of elevation of the finished surface of the ground, paving or sidewalk.

7. *Public or Quasi-Public Land Uses* are those uses including, but not limited to, public streets; public open space and waterways; commonly owned, private open spaces and waterways; schools and their grounds; churches and their surrounding open areas; and other non-residential, institutional uses.

8. *See-Through Style* refers to any fencing material in which the amount of opaque fence material, excluding its supporting posts, is less than fifty (50%) percent of any square foot of said fencing material and may include, but is not limited to, pickets, lattice, or decorative wrought iron.

9. *Street Side Yard* is the area of a corner lot that consists of the side yard adjacent to the street, and that portion of the rear yard that would be included in the rearward extension of the side yard adjacent to the street.

10. *Visibility Zone* is determined by the City Engineer, and is generally the area on a corner of two (2) intersecting vehicular travel ways encompassed by a triangle, two (2) of the sides of which are no less than twenty (20') feet in length and are coincident with the edge of a vehicular travel way, except in specific cases where the City Engineer determines that safety considerations require a modified visibility zone.

c. *Barrier Heights.* Barrier heights shall be subject to the following limitations, except as otherwise specifically provided in this title:

1. The height of a barrier at any given point shall generally be the distance between the maximum vertical extent of the barrier at that point and the level of the grade within eighteen (18") inches horizontally of a point directly below a given point.

   The height of barrier over the Bay shall be measured starting at four (4') feet above City of Alameda datum, which is the same as sixteen and one half (16.5) feet above mean lower low tide.

2. In front yards on residentially zoned or developed properties barriers shall not exceed three (3') feet in height except as permitted elsewhere in this subsection.

3. In side and rear yards on residentially zoned or developed properties barriers shall not exceed six (6') feet in height, except as permitted elsewhere in this subsection.

4. In required setback areas on parcels in commercial and industrial districts barriers shall not exceed eight (8') feet in height, except in visibility zones or on residentially developed lots, as permitted elsewhere in this subsection.

5. In visibility zones no barrier shall exceed three (3') feet in height.

d. *Exceptions to Limitations on Barrier Height:*

1. Barriers otherwise limited to three (3') feet in height may be vertically extended up to four (4') feet in height with see-through style fencing material.

2. Barriers otherwise limited to three (3') feet in height may be vertically extended up to five (5') feet with see-through style fencing material, subject to approval by the Planning Director, who shall consider the compatibility of the fence design with its site and surrounding uses.

3. Barriers otherwise limited to six (6') feet in height may be extended up to eight (8') feet in height with see-through style fencing material.

4. Barriers located within a permitted building envelope may be extended up to the allowed building height in that zone as permitted by this chapter.

5. Arbors and decorative fence posts, subject to approval by the Planning Director, who shall consider the compatibility of the arbor or fence post with the barrier, its site and surrounding uses.

e. *Prohibited Fencing Materials*:

1. Barbed wire, razor wire and other similar materials shall not be permitted as any part of any barrier, as defined and regulated by this section.

2. The use of chain-link fencing shall not be permitted as a part of any barrier on a residentially zoned or developed property except as specifically permitted by this section.

f. *Exceptions to Prohibited Fencing Material:*

1. Chain-link fences up to six (6') feet in height may be permitted in rear and side yards on residentially developed properties, where such yard is not a street side yard nor a rear yard of a corner or double-frontage lot, and where any such yard is not adjacent to public and quasi-public land uses.

2. If not otherwise permitted, and where no feasible fencing material alternative exists, chain-link fences, not located in the front yard of residentially developed parcels, may be permitted when required for recreation or safety reasons, subject to Use Permit Approval, which shall be conditioned to mitigate negative visual impacts. Such conditions may include, but are not limited to any or all of the following:

(a) Inclusion of decorative elements, such as varied mesh sizes, vinyl or other colored coating, and alternative post materials.

(b) Inclusion of landscaping or other screening alternative fence locations.

(c) Maintenance of fencing materials and landscaping.

g. *Non-Conforming Fences*. Non-conforming fences may be permitted as regulated by subsection 30-20.3.

h. *Non-Residential Fences.* On non-residentially developed or zoned properties, any permanent or temporary barrier which is visible from a public right-of-way or public access easement, shall require an administrative use permit pursuant to section 30-21.4 unless such barrier is included as part of a use permit governing the greater use of the property, a development plan approved pursuant to a planned development zoning, or a design review approval or unless the fence is required to address health or safety concerns caused by fire or other natural disaster for not more than thirty (30) days. Barriers of chain link or similar material shall be screened, and all barriers shall provide adequate access for safety and emergency personnel. Administrative use permits for temporary fences shall be conditioned to require removal of the fence in six (6) months. Requests for extensions to the six-month term shall require a use permit approved by the planning board.

i. *Screening.* All exterior storage on the property shall be screened from view by a wall or other approved screening material, rising two (2') feet above the stored goods; provided, that no such screen or wall shall exceed ten (10') feet. All storage areas shall be surfaced to provide a durable and dust-free

surface and properly graded so as to dispose of all surface water. When feasible, outdoor storage areas should be located at the rear of the property. For walls or fences located next to street right-of-way, landscaping shall be located in front of the fence or wall. All off-street parking and truck loading areas must be screened from view of any public right-of-way by a low wall or landscaping screen.

30-5.15 - Reserved.

30-5.16 - Performance Standards.

a. *Purpose and Applicability.*

1. *Purpose.* The purpose of this section is to establish performance standards for uses of land and buildings in all districts, in order to ensure that other properties, as well as persons in the community, are provided protection against any adverse conditions that might be created as a result of such uses.

2. *Applicability.* The performance standards apply to all new and existing land uses, including permanent and temporary uses, in all zoning districts, unless otherwise specified. Existing uses shall not be altered or modified to conflict with, or further conflict with, these standards.

3. *General Conditions.* The performance standards are general requirements and shall not be construed to prevent the Planning Director, Planning Board, or City Council from imposing, as part of project approval, specific conditions that may be more restrictive in order to meet the intent of these regulations.

b. *Bird-Safe Buildings.* This section shall be known as the Bird-Safe Building Ordinance.

1. *Purpose.* The purpose of this section is to reduce bird mortality from windows or other specific building features known to increase the risk of bird collisions.

2. *Applicability.* The bird-safe building standards apply to the following types of projects when such projects require a building permit.

(a) *New Construction.* New buildings that are greater than thirty-five (35) feet in height, and that have one or more façades in which glass constitutes fifty (50%) percent or more of the area of an individual facade. The bird-safe glazing requirement must be met on any window or unbroken glazed segment with an area of twelve (12) square feet or more located on such façade.

(b) *Window Replacement.* On buildings that are greater than thirty-five (35) feet in height, and that have one or more façades in which glass constitutes fifty (50%) percent or more of the area of an individual façade, the replacement of any window or other rigid transparent material with an area of twelve (12) square feet or more. The requirement does not apply on existing windows that are not proposed to be replaced.

(c) *New or Replaced Glass Structures.* Any structure that has transparent glass walls or any unbroken glazed segment twenty-four (24) square feet or more in size, including but not limited to freestanding glass walls, wind barriers, skywalks, balconies, greenhouses, and rooftop appurtenances.

3. *Exemptions.* The bird-safe building standards shall not apply to the following:

(a) *Historical Structures.* The replacement of existing glass on historical structures. However, the standards shall apply to new exterior additions to historical structures, and new construction on the site of historical structures, that are differentiated from the historical structures, if determined by the Planning Director to be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

(b) *Glazing on Commercial Storefronts.* The ground floor of commercial storefronts directly fronting a public street, alley, or sidewalk.

4. *Standards.*

(a) *Bird-Safe Glazing Requirement.* At least ninety (90%) percent of the glazing on any building façade or freestanding glass structure shall include features that enable birds to perceive the glass as a solid object. The requirement can be satisfied by using one or more of the following treatments to be determined by the Planning Director as part of an application for a building permit:

(i) External screens installed permanently over glass windows such that the windows do not appear reflective.

(ii) Light-colored blinds or curtains.

(iii) Opaque glass, translucent glass, or opaque or translucent window film.

(iv) Paned glass with mullions on the exterior of the glass.

(v) Glass covered with patterns (e.g., dots, stripes, images, abstract patterns, lettering). Such patterns may be etched, fritted, stenciled, silk-screened, applied to the glass on films or decals, or another method of permanently incorporating the patterns into or onto the glass. Elements of the patterns must be at least one-eighth (⅛) inch tall and separated no more than two (2) inches vertically, at least one-quarter (¼) inch wide and separated by no more than four (4) inches horizontally, or both (the "two-by-four rule").

(vi) Ultraviolet (UV)-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film that is permanently applied to the glass. Where patterns are used, they shall meet the two-by-four rule.

(vii) Other glazing treatments providing an equivalent level of bird safety and approved by the Planning Director as part of building plan review.

(b) *Alternative Compliance.* As an alternative to meeting subsection 4(a), Bird-Safe Glazing Requirement, an applicant may propose building and fenestration designs and/or operational measures that will minimize bird collisions and achieve an equivalent level of bird safety. The applicant shall submit a bird collision reduction plan along with the application for design review or other discretionary permit required for the project. The bird collision reduction plan shall be prepared by a qualified biologist. Design and operational solutions may include but need not be limited to the following techniques, singularly or in combination:

(i) Layering and recessing glazed surfaces.

(ii) Angled or faceted glazing that minimizes reflectivity and transparency.

(iii) Louvres.

(iv) Overhangs and awnings.

(v) Glass block.

(vi) Bird netting.

(vii) Decorative grilles that allow birds to perceive the grilles, together with the glass behind them, as solid.

(viii) Glass embedded with photovoltaic cells.

(ix) Placement of landscaping in such a way as to minimize bird collisions.

c. *Outdoor Lighting.* This section shall be known as the Alameda Dark Skies Ordinance.

1. *Purpose.* The standards of the Alameda Dark Skies Ordinance are intended to:

   (a) Allow adequate illumination for safety, security, utility, and the enjoyment of outdoor areas.

   (b) Prevent excessive light and glare on public roadways and private properties.

   (c) Minimize artificial outdoor light that can have a detrimental effect on human health, the environment, astronomical research, amateur astronomy, and enjoyment of the night sky.

   (d) Minimize light that can be attractive, disorienting, and hazardous to migrating and local birds.

2. *Definitions.* The following definitions are specific to the interpretation of this section. Additional definitions applicable to the zoning ordinance as a whole are listed in Section 30-2, Definitions.

   (a) *Bird Migration Season.* Bird migration season shall mean February 15 to May 31 and August 1 to November 30.

   (b) *Candela.* The standard unit of luminous intensity in the International System of Units. In contrast to lumens, which measure the total light energy emitted by a particular light source, a candela represents a value of light intensity from any point in a single direction from the light source.

   (c) *Foot-candle.* A unit of measure in the International System of Units for quantifying the intensity of light falling on an object. One (1) foot-candle is equal to one (1) lumen uniformly distributed over an area of one (1) square foot. In contrast with lumens, which measure the light energy radiated by a particular light source, foot-candles measure the brightness of light at the illuminated object.

   (d) *Glare.* The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, so as to cause annoyance, discomfort or loss of visual performance and ability.

   (e) *Kelvin.* The temperature scale utilized in illumination science to describe the hue/color of the light. A lower value such as two thousand seven hundred (2,700) Kelvin is associated with a "warm" colored light source such as incandescent, while a higher value such as five thousand (5,000) Kelvin is associated with a "cool" colored light source.

   (f) *Light Fixture (Luminaire).* A complete lighting unit consisting of a lamp or lamps, and ballast(s), where applicable, together with the parts designed to distribute the light, position and protect the lamps and ballasts, and connect the lamps to the power supply.

   (g) *Light Trespass.* Light emitted by a luminaire that shines beyond the property on which the luminaire is installed.

   (h) *Lumen.* A unit of measure in the International System of Units for quantifying the amount and rate of light energy emitted by a particular light source. A lumen is equal to the amount of light given out through a solid angle by a source of one (1) candela intensity radiating equally in all directions.

   (i) *Shielded Fixture.* Light fixtures that are shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

   (j) *Uplighting.* The placement and orientation of lights such that beams of light are directed upward.

3. *Applicability.* Unless otherwise expressly stated, the standards of this subsection (c), Outdoor Lighting, apply to any project that requires a building permit or electrical permit for:

(a) New exterior lighting, including lighting fixtures attached to buildings, structures, poles, or self-supporting structures; or

(b) Additions or replacements of existing exterior light fixtures, including upgrades and replacements of damaged or destroyed fixtures.

4. *Exemptions.* The following types of lighting are exempt from the requirements of this subsection (c), Outdoor Lighting:

(a) *Emergency Lighting.* Temporary emergency lighting used by law enforcement or emergency services personnel, a public utility, or in conjunction with any other emergency service.

(b) *Construction Lighting.* Temporary lighting used for the construction or repair of roadways, utilities, and other public infrastructure.

(c) *Airport Lighting.* Lighting for public and private airports and any other uses that are regulated by the Federal Aviation Administration.

(d) *Lighting Required by Building Codes or Other Regulations.* Lighting for communication towers, exit signs, stairs/ramps, points of ingress/egress to buildings, and all other illumination required by building codes, OSHA standards, and other permitting requirements imposed by state or federal agencies.

(e) *Signs.* Signs and sign lighting. (See Section 30-6.6, Illumination of Signs, for sign lighting standards.)

(f) *Athletic Field Lights.* Athletic field lights used within a school campus or public or private park, provided, however, that athletic field lights shall be selected and installed so as to minimize glare and light trespass outside the playing area. Athletic field lights shall be turned off no later than 11:00 p.m. or where an event requires extended time, no later than thirty (30) minutes after conclusion of the event.

(g) *Neon, Argon, and Krypton.* All fixtures illuminated solely by neon, argon, or krypton.

(h) *Fossil Fuel Light.* All outdoor light fixtures producing light directly through the combustion of fossil fuels, such as kerosene lanterns, and gas lamps.

(i) *Water Features.* Lighting used in or for the purpose of lighting swimming pools, hot tubs, decorative fountains, and other water features.

(j) *Flag Lighting.* Lighting used to illuminate a properly displayed United States flag and/or State of California flag.

(k) *Holiday Displays.* Seasonal and holiday lighting.

(l) *Temporary Lighting.* Temporary lighting allowed under a Special Events Permit or Film/Photography Permit.

5. *Prohibitions.* The following types of lighting are prohibited:

(a) *Searchlights.* The operation of searchlights, unless allowed on a temporary basis under a Special Event Permit outside of bird migration season or operated by law enforcement or emergency services personnel.

(b) *Aerial Lasers.* The use of aerial lasers or any similar high-intensity light for outdoor advertising or entertainment when projected upward, unless allowed on a temporary basis as part of a Special Event Permit outside of bird migration season.

(c) *Mercury Vapor.* The installation of new mercury vapor fixtures.

(d) Other very intense lighting having a light source exceeding two hundred thousand (200,000) initial luminaire lumens or an intensity in any direction of more than two million (2,000,000) candelas.

6. *Standards.* Exterior lighting shall be consistent with these standards.

(a) *Shielding.* All exterior lighting fixtures shall be fully shielded, and lighting shall be directed downward, with the following exceptions:

(i) *Low-voltage Landscape Lighting.* Low-voltage landscape lighting such as that used to illuminate fountains, shrubbery, trees, and walkways, may be unshielded provided that it uses no more than sixty (60) watts, or twelve (12) watt equivalent LED, and emits no more than seven hundred fifty (750) lumens per fixture.

(ii) *Architecture and Public Art.* Uplighting may be used to highlight special architectural features, historical structures, public art and monuments, and similar objects of interest. Lamps used for such uplighting shall use less than one hundred (100) watts, or twenty (20) watt equivalent LED, and emit less than one thousand six hundred (1,600) lumens per fixture.

(iii) *Historic Lighting Fixtures.* Lighting fixtures that are historic or that exhibit a historical period appearance, as determined by the Planning Director, need not be fully shielded.

(b) *Light Trespass.* Exterior lighting shall be directed downward and away from property lines to prevent excessive glare beyond the subject property. No light, combination of lights, or activity shall cast light exceeding one (1) foot-candle onto an adjacent or nearby property, with the illumination level measured at the property line between the lot on which the light is located and the adjacent lot, at the point nearest to the light source.

(c) *Correlated Color Temperature for Light-Emitting Diode (LED) Lighting.* All LED light sources shall have a maintained correlated color temperature of less than or within the range of two thousand seven hundred to three thousand (2,700—3,000) Kelvins.

(d) *Security Lighting.* Adequate lighting shall be provided to protect persons and property and to allow for the proper functioning of surveillance equipment.

(i) Security lighting shall consist of shielded fixtures that are directed downward. Floodlights shall not be permitted.

(ii) Vertical features, such as walls of a building, may be illuminated for security to a height of eight (8) feet above grade.

(iii) Security lights intended to illuminate a perimeter, such as a fence line, are allowed only if regulated by a programmable motion detection system and compliant with the light trespass limitations in subsection (b).

(iv) Security lighting fixtures that utilize one hundred (100) or more watts, or twenty (20) watt equivalent LED, or emit one thousand six hundred (1,600) or more lumens shall be controlled by a programmable motion-sensor device, except where continuous lighting is required by the California Building Standards Code.

(e) *Parking Lot Lighting.* Parking lot lighting shall be consistent with the standards of Section 30-7.8(e)~~17, Illumination of Parking Areas~~.

(f) *Service Station Canopies.* Service station canopies are subject to the following standards:

(i) Lighting fixtures in the ceiling of canopies shall be fully recessed in the canopy.

(ii) Light fixtures shall not be mounted on the top or fascia of such canopies.

(iii) The fascia of such canopies shall not be illuminated, except for approved signage.

(g) *Street and Park Lighting.* Lighting installed within a public or private right-of-way or easement for the purpose of illuminating streets or roadways and lighting in City parks shall be in accordance to lighting standards of the Public Works Department and Alameda Recreation and Parks Departments, except all LED lighting shall have a maintained correlated color temperature of less than or within the range of two thousand seven hundred to three thousand (2,700—3,000) Kelvins.

7. *Code Compliance.* All exterior lighting shall be consistent with all applicable parts of the California Building Standards Code. In the case of any conflict between the standards of this section and the California Building Standards Code, the latter shall prevail.

d. *Wood Burning Fireplaces and Stoves.* To reduce greenhouse gas emissions and minimize air quality impacts, wood-burning stoves and fireplaces are prohibited in new residential construction.

e. *Vibrations.* No vibration shall be permitted which is discernible without instruments at any property line.

f. *Glare or Heat.* No heat or direct or sky-reflected glare, whether from floodlights, or high-temperature processes such as combustion or welding or otherwise, shall emanate from any use so as to be visible or discernible from the property line. Legal signs are exempted from this provision.

g. *Fissionable or Radioactive Material.* No activity shall be permitted which utilizes, produces, removes or reprocesses fissionable or radioactive material unless a license, permit or other authority is secured from the state or federal agency exercising control. In all matters relative to such activities, it shall be the responsibility of the user to ascertain and identify the responsible agencies and notify the Community Development Department as to the agencies involved and the status of the required permits.

h. *Maintenance.* Each person, company or corporation utilizing a lot shall at all times maintain such lot in good order. This shall include repair and maintenance of all structures, fences, signs, walks, driveways, landscaping, necessary to preserve property values and public health, welfare, and safety.

30-5.17 - Reasonable Accommodation.

a. *Purpose.* The purpose of this section is to provide a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (together, the Acts) in the application of zoning laws and other land use regulations, policies, and procedures.

b. *Applicability.*

1. A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This section is intended to apply to those persons who are defined as disabled under the Acts.

2. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

3. A reasonable accommodation is granted to the household that needs the accommodation and does not apply to successors in interest to the site.

4. A reasonable accommodation may be granted in compliance with this section without the need for the approval of a variance.

5. Requests for reasonable accommodation shall be made in the manner prescribed in Section 30-5.17(c), Application Requirements.

c. *Application Requirements.*

1. *Application.* A request for reasonable accommodation shall be submitted on an application form provided the Community Development Department, or in the form of a letter, to the Community Development Director and shall contain the following information:

(a) The applicant's name, address, and telephone number;

(b) Address of the property for which the request is being made;

(c) The current actual use of the property;

(d) The basis for the claim that the individual is considered disabled under the Acts;

(e) The zoning ordinance provision, regulation, or policy for which reasonable accommodation is being requested; and

(f) Why the reasonable accommodation is necessary to accommodate the functional daily need of the disabled individual.

2. *Review with Other Land Use Applications.* If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (including but not limited to: Use permit, design review, general plan amendment, zone change, etc.), then the applicant shall file the information required by subsection 1 (Application) above together with the application for discretionary approval.

d. *Review Authority.*

1. *Community Development Director.* A request for reasonable accommodation shall be reviewed by the Community Development Director (Director), or his/her designee if no approval is sought other than the request for reasonable accommodation.

2. *Other Review Authority.* Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

e. *Review Procedure.*

1. *Director Review.* The Director, or Director designee, shall make a written determination within forty-five (45) days and either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with Section 30-5.17(f), Findings and Decision.

2. *Other Reviewing Authority.* The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application in compliance with the applicable review procedure for the discretionary review. The written determination to grant or deny the request for reasonable accommodation shall be made in accordance with Section 30-5.17(f), Findings and Decision.

f. *Findings and Decision.*

1. *Findings.* The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:

   (a) Whether the housing, which is the subject of the request, will be used by an individual with a disability as defined under the Acts.

   (b) Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.

   (c) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City.

   ~~(d) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to design review, historic preservation, land use and zoning.~~

   ~~(e) Potential impact on surrounding uses.~~

   ~~(f) Physical attributes of the property and structures; and~~

   (d~~g~~) Alternative reasonable accommodations which may provide an equivalent level of benefit.

2. *Condition of Approval.* In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by subsection 1 above. The conditions shall also state whether the accommodation granted shall be removed in the event that the person for whom the accommodation was requested no longer resides on the site.

g. *Appeal of Determination.* A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to the Planning Board in compliance with Section 30-25, Appeals or Calls for Review.

30-5.18 Accessory Dwelling Units.

a. *Purpose.* This Section provides for the creation of accessory dwelling units and junior accessory dwelling units on lots zoned to allow residential use consistent with Government Code Sections 65852.2, 65852.22, and 65852.26. Such accessory dwelling units contribute needed housing to the community while maintaining neighborhood character, support affordable housing and multigenerational living, and enhance housing opportunity near transit. An accessory dwelling unit that conforms to the development and design standards in this section shall:

   1. Be deemed an accessory use or an accessory building and not be considered to exceed the allowable density for the lot upon which it is located;

   2. Be deemed a residential use that is consistent with the existing General Plan and zoning designation for the lot upon which it is located;

   3. Not be considered in the application of any ordinance, policy, or program to limit residential growth; and

   4. Not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

b. *Applicability.* The provisions of this section authorize an accessory dwelling unit to be located on a lot in any zoning district where residential use is permitted or conditionally-permitted that includes a proposed or existing primary dwelling. Accessory dwelling units shall not be considered primary units and shall be exempt from any residential density standard established by the subject zoning district.

c. *Development Standards.* An accessory dwelling unit may be attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure, or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.

1. *Number and Type Allowed:*

(a) Single-family lots. On lots with an existing or proposed single-family dwelling, one (1) accessory dwelling unit and one (1) junior accessory dwelling unit ~~may be~~are permitted.

(b) Multi-family lots. On lots with existing ~~multiple-family~~multifamily dwellings (two (2) or more units), any number of accessory dwelling units are permitted within portions of an existing main building that are not used as habitable space, as long as each unit complies with state building standards for dwellings. In addition to the attached units allowed by subsection (1), two (2) accessory dwelling units detached from the primary dwelling(s) are permitted on a multi-family lot. The two (2) detached accessory dwelling units may be constructed to be attached to each other. ~~up to twenty-five (25%) percent of the existing multiple-family dwelling units may be permitted, with any fraction rounded up to the nearest whole number. Accessory dwelling units may be permitted within portions of the multiple-family dwelling that are not used as habitable space, if each unit complies with state building standards for dwellings.~~

~~In addition to the twenty-five (25%) percent above, no more than two (2) detached accessory dwelling units may be permitted on a multi-family lot. The two (2) detached accessory dwelling units may be constructed to be attached to each other.~~

2. *Maximum Size:* The size of ~~the~~an accessory dwelling unit shall not exceed one thousand two hundred (1,200) square feet. Nothing in this Section shall be interpreted to prohibit at least an eight hundred (800) square foot accessory dwelling unit that is sixteen (16') feet in height with four (4') foot side and rear yard setbacks to be constructed in compliance with all other development standards.

3. *Attached Accessory Dwelling Units:* An accessory dwelling unit that is attached to or created within a proposed or existing primary dwelling shall comply with all height, building coverage, yard areas, and setback requirements for the primary dwelling.

(a) *Independent Access:* Exterior access shall be provided independently from the primary dwelling.

(b) *Unit Separation:* Attached units and units that are within the primary dwelling may maintain an interior connection to the primary dwelling provided there is a fire-rated door separating the units that is lockable on both sides.

(c) *Aggregate Lot Coverage:* The aggregate lot coverage of all building footprint(s) on the lot shall not exceed sixty (60) percent.

4. *Detached Accessory Dwelling Units:* An accessory dwelling unit may be constructed as a new detached structure or created through the conversion of an existing accessory structure and shall comply with the following requirements:

(a) *Maximum Height*: ~~The maximum height for a detached accessory dwelling unit shall be sixteen (16') feet measured from grade to the peak of the roof.~~ Eighteen (18') feet. An additional two (2) feet in height shall be permitted, raising the maximum height limit to twenty (20) feet, when the roof pitch on the accessory dwelling unit matches the roof pitch of the primary dwelling unit.

(1) On lots located within the Special Flood Hazard Area, as defined by FEMA's Flood Insurance Rate Maps (FIRM), the height of a detached accessory dwelling unit may exceed ~~sixteen (16')~~eighteen (18') feet by the minimum amount necessary, as determined by the Building Official and City Engineer, to allow:

~~(1)~~i. A finished floor of the habitable space at one (1') foot above the Base Flood Elevation shown on the FIRM; and

~~(2)~~ii. Up to eight (8') feet in vertical clearance from the finished floor to ceiling within the habitable space; and

~~(3)~~iii. A roof ~~form or~~ pitch that matches the roof pitch of the primary dwelling unit~~conforms to the Design Standards in subsection c.5~~.

(b) *Required Setbacks from Side and Rear Property Lines:*

(1) No setbacks shall be required for an existing ~~living area or~~ accessory structure or a new structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit. For purposes of this subsection, dimensions shall mean the exterior width, length, and height of the existing accessory structure up to eighteen (18') feet.

(2) A setback of four (4') feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or new structure constructed in the same location and to the same dimensions as an existing structure.~~, except~~

(3) Notwithstanding subsection (2) above, the side and rear yard setbacks may be reduced to zero (0') feet if all of the following conditions are met:

~~(1)~~i. The detached ADU is located seventy-five (75') feet or more from the front property line and, if applicable, five (5') feet from the street side of a corner lot;

~~(2)~~ii. The portion of the neighboring lot(s) that adjoin the detached ADU is ~~also the required rear yard~~ not within seventy-five (75') feet of the neighboring lots' front property line(s);

~~(3)~~iii. All construction within three (3') feet of the property line, including eaves and similar architectural features, is one (1) hour fire resistive as required by the Alameda Building Code or as approved by the Building Official; ~~and~~

~~(4)~~iv. Notwithstanding subsection (a), ~~T~~the detached ADU is not more than sixteen (16') feet in height~~.~~; and

v. The detached ADU will not cover more than sixty (60%) percent of the minimum required rear yard as prescribed by the subject zoning district, with a minimum allowed coverage area of six hundred (600) square feet. This requirement shall not apply to an accessory dwelling unit constructed in the same location and to the same dimensions as an existing accessory structure that is converted to an accessory dwelling unit.

~~(c) *Maximum Rear Yard Coverage:* Detached ADUs shall not cover more than four hundred (400) square feet or forty (40%) percent of the minimum required rear yard as prescribed by the subject Zoning District, whichever is greater. This requirement shall not apply to an accessory dwelling unit constructed in the same location and to the same dimensions as an existing accessory structure that is converted to an accessory dwelling unit. This requirement also shall not be interpreted to prohibit at least an eight hundred (800) square foot accessory dwelling unit that is sixteen (16') feet in height with four (4') foot side and rear yard setbacks to be constructed in compliance with all other development standards.~~

(c~~d~~) *Minimum Separation from Other Structures:* There shall be a minimum of six (6') feet separating all construction (including eaves and similar architectural features) of the detached ADU from the main building(s) or other accessory building(s) on the same lot. The separation requirements of

this paragraph may be reduced by the Building Official if one (1) hour fire resistive construction is utilized.

(d~~e~~) *Lot Coverage:* The aggregate lot coverage of all building footprint(s) on the lot shall not exceed sixty (60%) percent. This requirement shall not apply to an accessory dwelling unit constructed in the same location and to the same dimensions as an existing accessory structure that is converted to an accessory dwelling unit. This requirement shall also not be interpreted to prohibit at least an eight hundred (800) square foot accessory dwelling unit that is up to ~~sixteen (16')~~eighteen (18') feet in height with four (4') foot side and rear yard setbacks to be constructed in compliance with all other development standards.

(e~~f~~) *Expanding an Existing Accessory Structure:* An accessory dwelling unit created within an existing accessory structure may include an expansion of not more than one hundred fifty (150) square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical limitations of the existing accessory structure shall be limited to accommodating ingress and egress.

5. *Design Standards:*

(a) *Attached Unit:* The design of an attached accessory dwelling unit shall ~~appear as an integral part of the primary dwelling and incorporate~~match the same materials, colors and style as the exterior of the primary dwelling, including roof form, materials and pitch, eaves, trim, and windows~~, accents, distinctive features, and character defining elements~~. Creation of the accessory dwelling unit shall not involve any changes to existing street-facing ~~walls~~ facades or raise the height of~~nor to~~ existing floor(s) and roof elevations. Entrances to the accessory dwelling unit shall not be located on a street-facing façade. The construction of the accessory dwelling unit shall not obscure, damage, destroy or remove any original architectural details or materials of an existing main building, except as necessary to construct and integrate the accessory dwelling unit.

(b) *Detached Unit:* ~~The design of a detached accessory dwelling unit shall be subordinate to the primary dwelling in terms of massing, height and building footprint. The detached building shall exhibit residential character and complement the primary dwelling in terms of proportions, roof form, and basic architectural features. Where there is a clearly recognizable architectural style present in its immediate surroundings, the detached building shall have the same architectural style and level of interest as the immediately surrounding buildings. Where the immediate surroundings is eclectic and no particular style of architecture is dominant, a greater degree of architectural variety may be established with the detached accessory dwelling unit.~~ The design of a detached accessory dwelling unit located within fifty (50') feet of an adjacent street frontage shall incorporate the exterior features of the primary dwelling, including siding, roof form, eaves, and window type, trim and orientation. This subsection shall not be interpreted to prohibit a prefabricated structure or manufactured home, as defined in Section 18007 of the California Health and Safety Code.

(c) *Converted Accessory Buildings and Garages*: Existing accessory buildings such as detached garages that are converted to accessory dwelling units shall replace garage doors with the same exterior wall material, building color, and window trim as the existing building or the primary dwelling structure if the accessory dwelling unit is being created in a garage attached to the primary dwelling. ~~*Detached Unit in the Front Yard or Adjacent to a Street Side Yard of a Corner Lot:* The design of a detached accessory dwelling unit shall be subordinate to the primary dwelling in terms of massing, height and building footprint. The design shall incorporate the same materials, colors and style as the exterior of the primary dwelling, including roof materials and pitch, eaves, windows, accents, distinctive features,~~

~~and character defining elements. This subsection shall not be interpreted to prohibit a prefabricated structure or manufactured home, as defined in Section 18007 of the California Health and Safety Code.~~

6. *Junior Accessory Dwelling Units:* One (1) junior accessory dwelling unit shall be permitted ministerially if complying with the standards of subsection c.1., c.3(a), and c.3(b) above, and the following:

   (a) The junior accessory dwelling unit shall be fully located within an existing or proposed primary single-family dwelling, except an addition of up to one hundred fifty (150) square feet may be permitted as part of an application for a junior accessory dwelling unit.

   (b) The unit shall be no larger than five hundred (500) square feet in floor area.

   (c) The unit may maintain an interior connection to the primary dwelling and shall provide an exterior entrance separate from the main dwelling entrance.

   (d) The unit may contain separate sanitation facilities or may share with the primary dwelling.

   (e) The unit shall include an efficiency kitchen that shall include the following components:

      (1) A cooking facility with appliances; and

      (2) A food preparation counter and storage cabinets.

   (f) Notwithstanding subsection d. below, no additional parking shall be required for a junior accessory dwelling unit.

   (g) For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

   (h) Before issuing a building permit for a junior accessory dwelling unit, the property owner shall file with the county recorder a declaration or an agreement of restrictions, which has been approved by the City Attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner and stating that:

      (1) The junior accessory dwelling unit shall not be sold or otherwise conveyed separately from the primary dwelling, and rental of a junior accessory dwelling unit shall be for a period longer than thirty (30) days.

      (2) The applicant shall be an owner-occupant of either the remaining portion of the primary dwelling or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

      (3) A restriction on the junior accessory dwelling unit size and attributes exists as required by subsection c.6, above.

d. *Parking:* Off-street parking provided shall comply with Section 30-7. When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement of the parking space(s) shall not be required. <u>The driveway and curb cut may remain for off-street parking provided the length of such driveway is at least eighteen (18') feet, measured from the property line, in order to accommodate a parked vehicle without any portion of the vehicle encroaching into the public right-of-way. Remaining driveways that do not meet the minimum eighteen (18') foot length shall be abandoned per Section 22-18.3 as part of the construction of the accessory dwelling unit.</u>

e. *Rental and Sale Limitations.* The accessory dwelling unit shall not be sold or otherwise conveyed separately from the primary dwelling <u>except as allowed pursuant to Government Code Section 65852.26</u>, and rental of an accessory dwelling unit shall be for a period longer than thirty (30) days.

f. *Application and Review Process.*

1. Ministerial Review. Except as provided below, application for an accessory dwelling unit shall be reviewed ministerially within sixty (60) days from receipt of a completed application without discretionary review or public hearing when in compliance with the development standards of this section.

2. *Combination permits.* For applications that combine a new accessory dwelling unit with improvements other than for the accessory dwelling unit, the non-accessory dwelling unit portion of the application shall be subject to design review if said improvement is not exempt from design review as provided by Section 30-37.2.

3. *Vacant Lots.* An accessory dwelling unit must be located on a lot with a proposed or existing primary dwelling. If the lot is undeveloped, then the applicant will be subject to discretionary review for construction of the primary dwelling.

g. The accessory dwelling unit shall meet the requirements of the building and housing code, as adopted and amended by the Alameda Building Code, that apply to detached dwellings, as appropriate. Except that fire sprinklers or fire attenuation shall not be required for an accessory dwelling unit if not required for the primary residence.

h. No protected tree(s) shall be removed to accommodate an accessory dwelling unit except with the recommendation of a certified arborist and approval procedures set forth in Section 13-21 of Chapter XIII of the Alameda Municipal Code.

i. Nothing in this section supersedes requirements for obtaining development permits pursuant to this chapter or for properties subject to the preservation of historical and cultural resources set forth in Section 13-21 of Chapter XIII of the Alameda Municipal Code, <u>except that no public notice or discretionary review shall be required for the demolition of a detached garage or accessory structure that is to be replaced with an accessory dwelling unit, unless the property is located within a historic district</u>.

<u>j. Accessory dwelling units shall be exempt from the Improvement Tax provisions in AMC Section 3-62, Improvement Tax.</u>

30-37 - DESIGN REVIEW REGULATIONS.

30-37.2 - Improvements subject to Design Review and Exemptions.

a. All improvements require Design Review approval unless specifically exempt pursuant to Section 30-37.2b.

b. Exempt Improvements:

1. Interior improvements;

2. Replacement-in-kind provided that any structure being replaced is less than one thousand two hundred (1,200) square feet in size and not a main structure;

3. Any improvement that does not require a building permit pursuant to the Building Code;

4. Fences;

5. Restoration of an original architectural element consistent with architectural style of structure at the time of construction or in cases where the entire architectural style of a building has been completely renovated into a new style, the new element shall be consistent with the new architectural style as set forth in the Design Review Manual;

6. Reroofing, when no structural alteration will take place;

7. Any addition or improvement that meets all of the following criteria:

A. The gross floor area of the improvement is less than one thousand two hundred (1,200) square feet;

B. The improvement is a one (1) story accessory structure or the improvement is located on the first story as defined by the Building Code;

C. The improvement is not located on a street facing elevation or in a street facing yard, and the improvement is in compliance with all applicable lot coverage, open space, and setback requirements of the applicable zoning district;

D. The improvement includes exterior materials, architectural detailing, roof pitch and design, windows, and doors that are a visual match to the existing, or if the structure or element has been previously modified, original design of the structure at the time of construction;

8. Foundation work;

9. New or refaced signs, regulated under Section 30-6 with approved sign permits and signs that meet the requirements of an approved sign program;

10. Green roofs and similar vegetated roof features that do not involve modifications to the roof form or roof pitch, or existing tile or slate roofs, or a historical structure;

11. New awnings that meet all of the following criteria:

A. Is covered in an opaque, non-glossy fade and fire resistant fabric material;

B. Matches the alignment and shape of any existing awning on the same level of the building; if consistent with other criteria;

C. Does do not cover transom windows or extend more than six (6") inches beyond the perimeter of a window, door or other opening;

D. Is not placed over pilasters, columns or other prominent vertical elements;

E. Provides a minimum of eight (8') feet of vertical clearance for framed portions and seven (7') feet for any unframed valances;

F. Exhibits a slanted or, if over arched windows or individual upper floor windows, a domed shape;

G. Is not internally illuminated; and

H. Has all required encroachment permits.

12. Awnings with approval by the City of Alameda Facade Improvement Program;

13. Docks which comply with the standards of the Alameda Municipal Code;

14. Changes to an existing parking lot provided that the lot is not visible from the public right-of-way and the number of parking spaces or the area of landscaping are not being reduced;

15. New solar collection systems or skylights;

16. Accessory dwelling units and junior accessory dwelling units consistent with development regulations and review processes of Section 30-5.18, Accessory Dwelling Units;

17. Alterations to chimneys for seismic safety purposes, as determined by a licensed contractor or engineer, provided none of chimney is visible as part of an exterior wall and the chimney is not a character-defining feature on properties listed as a historic resource;

18. Window and door improvements, including new installation, removal, relocation, or resizing of existing openings, provided the improvement:

A. Does not alter any original or other architecturally significant character-defining features, such as stained glass, decorative arches and other special treatment;

B. Is made of materials that outwardly have the same dimensions, proportions, details, and textures of the original architectural style of the structure and that outwardly appear unchanged from the original architectural style. If the original design of a structure and/or element is removed or altered or if the original design elements are not known, the improvement shall be consistent with the treatment of substantially altered buildings as set forth in the City of Alameda Design Review Manual.

19. The following types of projects when in compliance with the objective zoning standards of the Alameda Municipal Code and the adopted Objective Design Review Standards:

A. Multifamily housing developments and mixed-use developments that meet the eligibility criteria for the Streamlined Ministerial Approval Process provided by Government Code Section 65913.4.

B. One- and two-family dwellings proposed in the R-1 District in compliance with Government Code Section 65852.21, and as adopted by local ordinance.

C. Transitional and supportive housing developments.

D. Low barrier navigation centers, as defined by Government Code Section 65660.

E. Any other project for which State law limits local jurisdictions' review of design to compliance with objective standards.

30-37.3 - Applications for Design Review.

a. Any person or entity proposing to construct or locate within the City any improvement subject to Design Review, shall file an application for review of the project.

b. The form of the Design Review applications shall be as required by the Design Review Staff, and shall be accompanied by architectural and site development drawings, drawn to scale and shall include all information specified in the application form.

c. Design Review Staff may require additional information from applicants which is pertinent to the application necessary to evaluate the project.

30-37.4 - Reserved.

30-37.5 - Findings.

To grant Design Review approval, the following findings must be made:

a. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

b. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses; and

c. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

30-37.6 - Expiration and Extension.

Design Review approval shall expire three~~two~~ (3~~2~~) years from the initial date of approval unless substantial construction has commenced under valid permits. Design Review approval may be extended by the ~~Community Development~~Planning Director upon application for up to two (2) additional years from the date of expiration.

ARTICLE III. ~~MULTIPLE DWELLING UNITS~~RESERVED

~~*30-50 - POLICY AND DECLARATIONS.*~~

~~30-50.1 - Declaration of Policy.~~

~~Article XXVI, an initiative amendment to the City's Charter, provides:~~

~~"Sec. 26-1. There shall be no multiple dwelling units built in the City of Alameda."~~

~~"Sec. 26-2. Exception being the Alameda Housing Authority replacement of existing low cost housing units and the proposed Senior Citizens low cost housing complex, pursuant to Article XXIV Charter of the City of Alameda."~~

~~The City Council declares and determines:~~

~~a. The proliferation throughout the City of residential dwellings in attached groups of more than two (2) units has created and, if continued, will further create, land use densities and other undesirable effects to a degree which affects adversely the environment and the quality of living conditions necessary to and desirable by the people. For this and other reasons the Charter amendment should be interpreted in accordance with the intent of the framers thereof, which intent is hereby found to be a prohibition against the construction of dwelling units of more than two (2) attached in the same structure as hereinbelow set forth.~~

~~b. That in order to put into full effect the intent of the electorate in adding the sections to the Charter, it is necessary to clarify the wording thereof by defining the phrase, "multiple dwelling units," so that legislative policy will be followed in the implementation and administration of the amendment as applied to specific residential housing sought to be constructed within the City.~~

~~30-50.2 - Declaration of Intent and Determinations.~~

~~The City Council further finds and determines that, insofar as they are consistent with the provisions of this article, the zoning and subdivision regulations (found in Articles I and II of this chapter, and the provisions of the General Plan, shall be and remain applicable in their effect upon multiple dwelling units permitted to be built under Charter Article XXVI.~~

~~*30-51 - DEFINITIONS AND EXCLUSIONS.*~~

~~30-51.1 - Definitions.~~

~~For the purposes of Section 26-1, Article XXVI of the Charter, and this article, the following definitions shall be applicable:~~

~~*Attached dwelling* shall mean a dwelling which is joined to another dwelling at one (1) or more sides by a common wall or walls or other common features. Such dwelling unit is semi-attached if it is characterized by a common wall only (ground to roof) between similar units on one (1) or both adjoining lots.~~

~~*Destroyed structure* shall mean a residential building containing multiple dwelling units which is damaged to the extent of more than seventy (70%) percent of its value, or destroyed, by an accidental circumstance, including vis major, act of God, irresistible and insuperable cause occurring without the intervention of the owner or his agent, earthquake, lightning, storm, flood, fire caused by an outside or unavoidable means, enemy action, insurrection, riot, calamity caused by the elements, or other destruction reasonable beyond the control of the owner or his agent.~~

~~*Detached dwelling* shall mean a dwelling which is entirely surrounded by open space on the same single lot of record, the amount of which space corresponds to the regulations set forth in Articles I and II hereinabove. Such dwelling unit has no common wall, ceiling or feature with any other similar unit, and is designed and intended for occupancy by one (1) family.~~

~~*Dwelling* shall mean a building or portion thereof designed exclusively for residential occupancy, but not including hotels, motels, shared living, or house trailers, if the latter five (5) entities are located in approved districts or zones.~~

~~*Dwelling unit* shall mean a group of rooms, including one (1) kitchen, a bath and sleeping quarters designed for and not occupied by more than one (1) family.~~

~~*Multiple dwelling units* shall mean a residential building, whether a single structure or consisting of attached or semi-attached structures, designed, intended or used to house, or for occupancy by, three (3) or more families, or living groups, living independently of each other, located in districts or zones authorized therefor. Each such family or group is deemed to occupy one (1) such dwelling unit.~~

~~*Row dwellings* shall mean a row of attached or semi-attached dwellings containing three (3) or more dwelling units, or a building in such a row, the structures containing which dwellings are connected in series. The characteristic of such structures is the common wall between them, whether or not they are located on single and separate lots. A town house or any other designation of this type of structure is a row dwelling if there are more than two (2) such units so connected.~~

~~30-51.2 - Included Definitions.~~

~~Words, phrases, designations and uses not hereinabove specifically defined shall have the meanings ascribed to them by Section 30-2 of Article I of this chapter.~~

~~30-51.3 - Multiple Dwelling Unit; Exclusions.~~

~~Multiple dwelling units, construction of which is prohibited by this article and by Article XXVI of the Charter, shall not be deemed to mean or include:~~

~~a. Dwelling, one-family;~~

~~b. Dwelling, two-family;~~

~~c. Dwelling units, not more than two (2) in number, in combination with a business, commercial or professional structure, provided the combined uses are located within an authorized district or zone;~~

~~d. Row dwellings, row houses, town houses, or similar types, provided no more than two (2) such units are connected or attached;~~

~~e. Hotels and motels designed for transient occupancy only, and shared living.~~

~~30-51.4 - Permits or Entitlements Issued, Applications Therefor Pending.~~

~~If, prior to the effective date of the Charter amendment, the City has issued a building permit or other entitlement for a multiple dwelling unit, or has duly approved a plan for a project containing or to contain such a unit, the permittee thereunder shall be deemed to have acquired a vested right to construct or reconstruct such structure, unit or plan; provided, however, no substantial changes may be made in any such development without complying with this article.~~

~~If, prior to the date, a person had applied for a building permit for a structure or project containing a multiple dwelling unit, and had submitted the plans required by the Building Code or other regulations, and such plans in the opinion of the Building Official require no substantial changes, corrections, deletions or additions, the Council~~

~~may authorize the issuance of the permit if it finds the applicant has in good faith incurred expenses in reliance upon his submission of the application for a permit.~~

~~*30-52 - REHABILITATION, REMODELING OR ALTERATION OF EXISTING STRUCTURES.*~~

~~30-52.1 - Rehabilitation or Remodeling.~~

~~Existing multiple dwelling units may be rehabilitated or remodeled, provided that they comply with the provisions of this chapter.~~

~~30-52.2 - Alteration of Multiple Dwelling Units.~~

~~Any interpretation of the term "built", as used in Article XXVI of the City Charter, notwithstanding, no building shall be altered to increase the number of multiple dwelling units contained therein.~~

~~30-52.3 - Alteration of Other Buildings.~~

~~No building which does not contain multiple dwelling units shall be altered in such a way that it contains more than two (2) dwelling units.~~

~~*30-53 - MULTIPLE DWELLING UNITS PROHIBITED.*~~

~~30-53.1 - Charter Amendment Operative.~~

~~From and after the effective date of Article XXVI of the City Charter there shall be no multiple dwelling units built in the City of Alameda, except as provided in Section 26-2 of said article.~~

~~30-53.2 - Building Permits.~~

~~There shall be no building permits or other entitlements issued by the City for the construction of any multiple dwelling unit within the City, and no application or plan for any project which contains, or proposes to contain, such unit shall be approved by the City or any of its officials, employees or departments.~~

~~30-53.3 - Exception, Destroyed Building.~~

~~A building permit may, notwithstanding the immediately preceding subsection, be issued to rebuild all dwelling units, or any parts thereof, of record at the time the building within which they are located becomes a destroyed structure, as defined in subsection 30-51.1 provided that all codes and regulations other than the zoning regulation density requirements are met by the reconstruction. All zoning regulation requirements which do not require a smaller number of units smaller in area shall be met.~~

~~30-53.4 - Applicability.~~

~~The prohibitions in this section contained shall be subject to each and every provision of section contained shall be subject to each and every provision of Sections 30-50 to 30-52 of this article, and the declarations, findings, definitions, exclusions and other provisions of this article shall govern the applicability of this section.~~

CITY OF ALAMEDA PLANNING BOARD

RESOLUTION NO. PB-22-19

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA RECOMMENDING THAT THE CITY COUNCIL APPROVE TENTATIVE TRACT MAP NO. 8570 TO SUBDIVIDE A PORTION OF THE OAKLAND INNER HARBOR TIDAL CANAL (APN 71-289-8) TO CREATE SEVEN PARCELS

WHEREAS, the U.S. Army Corps of Engineers (the "Army Corps") excavated, dredged, and created the Oakland Inner Harbor Tidal Canal (the "Tidal Canal") between 1882-1905, which is a waterway approximately 1.8 miles long and 400 feet wide and connects the Oakland Estuary with the San Leandro Bay from approximately 1,800 feet northwest of the Park Street Bridge to approximately 2,300 feet south of High Street Bridge. The southern edge of the Alameda side of the Tidal Canal now includes uplands and bulkheads that have been utilized to varying degrees by adjacent private property owners; and

WHEREAS, in 1990, the U.S. Congress authorized the Army Corps to transfer the Tidal Canal at no cost to the cities of Alameda and Oakland through the Water Resources Development Act ("WRDA") of 1990, as amended by WRDA 1996, 2007, and 2014; and

WHEREAS, on September 20, 2016, the City Council approved Tentative Map No. 8337 to divide the property into approximately 99 individual parcels, and on December 6, 2016, the City Council approved Final Map No. 8337; and

WHEREAS, the City of Alameda (City) retained the open water parcel (Parcel 2), which was preserved for open navigation though the Tidal Canal ("Open Water Parcel"). The Open Water Parcel includes the Alameda side of the canal and the water areas immediately adjacent to three existing public access pathways ("Public Access Pathways"); and

WHEREAS, during the Tidal Canal approvals in 2016, the City Council did not create parcels adjacent to the Public Access Pathways, which are narrow public pathways which provide public access from Fernside Boulevard to the shoreline. As a result, two property owners on each side of the three pathways did not have the opportunity to acquire the water areas behind their homes; and

WHEREAS, on October 1, 2019, the City Council provided final approval of the design concepts for the remaining pathways, and directed staff to implement the following and return to the City Council for approval of subdivision maps and easements, consistent with the approved designs; and

WHEREAS, pursuant to the City Council's direction in 2019, an application was made by the City of Alameda for Tentative Tract Map No. 8570 to subdivide a portion of

the Oakland Inner Harbor Tidal Canal (APN 71-289-8) to create seven parcels, which includes one large open water parcel and six small water parcels adjacent to the three public pathways; and

WHEREAS, the subject property is located in the in the E, Estuary Zoning District; and

WHEREAS, on September 20, 2016, the City approved an Initial Study/Negative Declaration ("IS/ND") for the parcelization and acquisition of the Alameda side of the Tidal Canal in accordance with the California Environmental Quality Act ("CEQA"). No further review is required pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162 because the environmental effects of the project were considered and disclosed in the IS/ND and there have been no changes to the project or the circumstances in which it is undertaken that would result in new significant or substantially more severe environmental effects than was identified in the previously adopted IS/ND; and

WHEREAS, the City Council, on October 1, 2019, approved a plan for the transfer of submerged lands adjacent to three Public Access Pathways to adjacent owners to allow them to maintain existing dock structures; and

WHEREAS, on September 26, 2022, the Planning Board held a duly noticed public hearing on this application and examined all pertinent materials.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Alameda hereby makes the following findings regarding Tentative Tract Map No. 8570:

1. **The proposed subdivision, together with the provisions for its design and improvement, is in conformance with the General Plan and Zoning.** The proposed subdivision does not include any proposed construction or development. Future uses of the subject property would be consistent with the General Plan and the E, Estuary District zoning regulations, and would be restricted to water-dependent uses, subject to future discretionary review and approval by the City.

2. **The site is physically suitable for the type and density of development.** The six new proposed submerged parcels are designed to accommodate the existing docks which are owned by the adjacent property owners. The proposed subdivision does not include any proposed construction or development. Any future improvements by the future property owners would be subject to review for conformance with the General Plan and zoning ordinance.

3. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The proposed subdivision does not include any proposed construction or development. The project does not involve any ground disturbance and will not cause any environmental damage or substantially and

avoidably injure fish or wildlife or their habitat.

4. **The design of the subdivision and its improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision.** The proposed subdivision does not include any proposed construction or development. All existing public access easements are to be retained.

5. **The design of the subdivision and its improvements will not cause serious public health problems**. The proposed subdivision does not include any proposed construction or development, and the design of the subdivision is not likely to cause serious public health problems. The review process of the subdivision has taken these concerns into consideration and has found the proposal in conformance with City standards.

6. **The subdivision does not unreasonably restrict public access to the shoreline in the vicinity of the subject parcels**. Public access to the shoreline is provided at the High Street Bridge and at the foot of Liberty Avenue, which are located within a reasonable walking distance of the subject parcels.

BE IT FURTHER RESOLVED, in accordance with Government Code section 65402(a), the Planning Board finds that the location, purpose, and extent of the disposition of real property of a portion of the Alameda side of the Oakland Inner Harbor Tidal Canal is in conformity with the Alameda General Plan; and

BE IT FURTHER RESOLVED, that the Planning Board hereby recommends that the City Council approve Tentative Tract Map No. 8570, subject to compliance with the following conditions of approval:

General

1. All maps filed pursuant to this approval shall be in substantial compliance with the map titled, “Tentative Tract Map 8570 – (Portion) Oakland Inner Harbor Tidal Canal” prepared by Ruggeri Jensen Azar dated July 12, 2022, and on file in the office of the Alameda Planning, Building and Transportation Department.

2. The Final Map shall be in substantial compliance with the Tentative Map. Prior to the approval of the Final Map, all applicable conditions of approval of the approved Tentative Map, as revised or amended, shall be satisfied.

3. The subdivider shall record the Final Map within twenty-four (24) months of approval, or conditional approval of the Tentative Map by the City Council. The City may, upon the subdivider’s application filed before the Tentative Map’s expiration date, extend its life for an additional period or periods not to exceed six (6) years in accordance with state law.

4. Prior to the City Council approval of the Final Map, the Applicant shall submit a Mylar copy and a CAD file of the Final Map.

5. Prior to approval of Final Map, the following shall be required: a refundable cashier's check in the amount of $400 to guarantee a Mylar copy of the recorded Final Map; payment for all reasonable office and engineering costs, including overhead, in conjunction with reviewing the Final Map and associated improvement plans and easements; three copies of the approved on-site/off-site civil improvement plans and landscape plans, along with a velum or other reproducible set (plans only); and a CD or DVD digital copy acceptable to the City Engineer.

Special Conditions

6. Public Access Easements. The Final Map shall include and show:
   a. A 35' easement at Pathway A at Fernside Boulevard and High Street (See page 8 of TM) preserving for the City of Alameda: scenic/view access, emergency vehicle access, and public access over the water parcels;
   b. An 18' easement at Pathway B (see page 9 of TM) preserving for the City of Alameda: scenic/view access, emergency vehicle access, and public access over the water parcels; and
   c. A 10' scenic easement at Pathway C (see page 10 of TM) preserving for the City of Alameda: scenic/view access and emergency vehicle access over the water parcels.
   d. A written statement that reasonable public access to the shoreline is available within a reasonable distance of the six proposed new lots as required by AMC 30-84.11.

Public Works General Conditions

7. The Final Map shall show all existing and proposed easement locations, uses and recording information. The Owner's Statement shall list all public right-of-way and easements to be dedicated, if any, and the Certificate of City Clerk shall list all public easements and right-of-way to be abandoned, if any, with recording information as part of the Final Map.

NOTICE: No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE: The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of Alameda is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the

California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing. If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Alameda, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protect these fees and other exactions, pursuant to Government Code section 66020(a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning, Building & Transportation Department a written notice of appeal stating the basis of appeal and paying the required fees.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Board of the City of Alameda during the Regular Meeting of the Planning Board on the 26th day of September 2022, by the following vote to wit:

AYES: (7) Ariza, Cisneros, Curtis, Hom, Ruiz, Saheba, and Teague

NOES: (0)

ABSENT: (0)

ATTEST:

Allen Tai, Secretary
City of Alameda Planning Board