

DRAFT
CITY OF ALAMEDA ORDINANCE No. _____
New Series

AMENDING CHAPTER 30 OF THE ALAMEDA MUNICIPAL CODE REGARDING PERMIT STREAMLINING FOR RESIDENTIAL PROPERTY IMPROVEMENTS AND OTHER MINOR ADMINISTRATIVE, TECHNICAL AND CLARIFYING AMENDMENTS.

BE IT ORDAINED by the City Council of the City of Alameda:

Findings.

In enacting this Section, the City Council finds as follows:

1. **The amendments maintain the integrity of the General Plan.** The proposed zoning text amendments are necessary to ensure that improvements to existing residential homes can be efficiently processed while maintaining the ability to attain General Plan Design Element goals to protect the character of Alameda's established neighborhoods. The proposed amendments will also simplify and improve minor development regulations for residential properties and provide relief for Alameda homeowners undertaking small, routine improvements.
2. **The amendments will support the general welfare of the community.** The proposed zoning text amendments expand the list of residential property improvements exempt from Design Review, provided the work conforms to the City's adopted design guidelines. These new exemptions include window and door modifications, chimney alterations for seismic safety, and improvements at Harbor Bay Isle with approval from its architectural review process. The exemptions provide an incentive for property owners to comply with adopted City design guidelines while reducing cost and streamlining the timeline for obtaining required permits.
3. **The amendments are equitable.** The proposed zoning amendments are equitable in that they further clarify and streamline processes and procedures for the review of minor residential property improvements for Alameda residents.
4. **California Environmental Quality Act.** The proposed amendments are categorically exempt under California Environmental Quality Act Section 15305 – Minor Amendments to Land Use Limitations.

Section 1. Section 30-3.1 - Designation of Districts shall be amended as follows:

Insert "E Estuary District" after "O Open Space"

Revise “NP-M North Park Street Maritime” to “NP-MM North Park Street Maritime Manufacturing”

Insert “NP-R North Park Street Residential” after “NP-MM North Park Street Maritime Manufacturing”

Replace “NAS Alameda Point” with the following:

- “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”
- “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”

Revise “AP Administrative-Professional District” to “A-P Administrative Professional District” (add a dash between A and P)

Revise Chapter 30 to replace any inconsistencies in the zoning designations to match the designations in Section 30-3.1 - Designation of Districts.

Section 2 Subsection 30-5.14.d - Barriers and Fences shall be amended as follows:

“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~~ five (5') 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.
43. Barriers located ~~within a permitted building envelope~~ outside of required setbacks may be extended up to the allowed building height in that zone as permitted by this chapter.
54. Arbors and decorative fence posts located within required setbacks shall not exceed ten (10') in height. ~~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.”~~

Section 3. Section 30-7 Off-Street Parking and Loading Space Regulations shall be revised as follows:

Relocate the following text from the table in Section 30-7.6 Schedule of Required Minimum and Maximum Off-Street Parking Space to create a new Subsection 30-7.2.f and revise to read as follows:

“Dwelling Unit Additions—Notwithstanding the requirements of subsection 30-20.4(a), when a dwelling unit is enlarged on a property that is not in compliance with the minimum required parking, an additional parking space shall be added for each 750 square feet of added floor area until compliance is achieved. An existing driveway may be considered as up to three parking spaces(s) in tandem serving a single dwelling unit if the proposed space(s) conform to the requirements of subsections 30-7.8, and 30-7.9. Conformance with subsection 30-7.10.a is not required.”

Subsection 30-7.5.a Floor Area shall be amended to read as follows:

“Floor Area. The total area of all the floors measured from the exterior faces of the building, including hallways, interior and exterior stairways, storage rooms, etc., but excluding any basement or attic area with ceiling heights of less than seven (7’) feet. Unless otherwise specified by this section, unroofed storage and/or sales areas for non-residential uses shall for the purposes of calculating parking requirements be converted to floor area at a ratio of five (5) square feet of unenclosed area to one (1) square foot of floor area. Roofed storage and/or sales areas shall be treated as buildings for the purpose of calculating floor area.”

Section 30-7.18 - Use and Extension of Non-Conforming Driveways and Perimeter Landscaping shall be amended to read as follows:

“Existing residential driveways that are non-conforming to the minimum widths prescribed by subsection 30-7.9.f.1., and/or the minimum perimeter landscaping for unenclosed parking spaces, backup areas, and driveways prescribed by subsection 30-10.a.3., may remain and may be extended with the existing non-conforming dimensions at such time the property is further improved with small scale development, which includes but is not limited to additions to existing single family uses or the construction of an additional dwelling to existing single family uses, subject to the approval of the Community Development Planning & Building and Public Works Directors.”

Section 4. Section 30-37.2 - Improvements subject to Design Review and Exemptions shall be amended to read as follows:

“a. All improvements require Design Review approval unless specifically exempt pursuant to 30-37.2.b.

b. Exempt Improvements:

- 1. Interior Improvements;*
- 2. Replacement-in-kind provided that any structure being replaced is less than two hundred twenty (220) 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 two hundred twenty (220) square feet, and;*
 - B. *The improvement is a one-story accessory structure or the improvement is located on the first story as defined by the Building Code, and;*
 - C. *The improvement is located in the rear yard area, the improvement is in compliance with all applicable lot coverage, open space, and setback requirements of the applicable zoning district, and;*
 - 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. *Reserved.*
11. *New awnings that meet all of the following criteria:*
 - A. *Is covered in an opaque, non-glossy fade and fire resistant fabric material; and*
 - B. *Matches the alignment and shape of any existing awning on the same level of the building; if consistent with other criteria; and*
 - C. *Does not cover transom windows or extend more than six inches (6") beyond the perimeter of a window, door or other opening; and*
 - D. *Is not placed over pilasters, columns or other prominent vertical elements; and*
 - E. *Provides a minimum of eight feet (8') of vertical clearance for framed portions and seven feet (7') for any unframed valances; and*
 - F. *Exhibits a slanted or, if over arched windows or individual upper floor windows, a domed shape; and*
 - 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. *Second units consistent with development regulations of Section 30-4.1.*

17. Alterations to chimneys for seismic safety purposes as determined by a licensed contractor or engineer, provided the chimney is not a character-defining feature on properties listed on the Historical Buildings Study List.

18. Improvements to existing single-family dwellings located within the Harbor Bay Isle Planned Development community that have been approved by the Community of Harbor Bay Isle Homeowners Association and determined to be consistent with the applicable Harbor Bay Development Plan.”

Section 5. Section 30-37.6 - Expiration and Extension shall be amended to read as follows:

“Design Review approval shall expire two (2) years from the initial date of approval unless construction has commenced under valid permits and approval of the first construction inspection by the City. Design Review approval may be extended upon application for up to two (2) additional years from the date of expiration.”

Section 6. Severability Clause. It is the declared intent of the City Council of Alameda that if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provision of this ordinance.

Section 7. This ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

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