

EXHIBIT A: GENERAL PLAN LAND USE DIAGRAM AND ZONING MAP
AMENDMENTS

DRAFT
CITY OF ALAMEDA
PLANNING BOARD RESOLUTION NO.

RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING MAP AND GENERAL PLAN LAND USE DIAGRAM AMENDMENTS FOR SEVEN SITES LISTED IN THE DRAFT GENERAL PLAN HOUSING ELEMENT SITE INVENTORY TO ACCOMMODATE THE CITY'S REGIONAL HOUSING NEEDS ALLOCATION FOR THE PERIOD 2023-2031, AFFIRMATIVELY FURTHER FAIR HOUSING, AND MAINTAIN CONSISTENCY BETWEEN STATE LAW, THE GENERAL PLAN HOUSING ELEMENT, THE GENERAL PLAN LAND USE ELEMENT, AND THE ALAMEDA MUNICIPAL CODE ZONING MAP

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

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types of housing, including multifamily housing (Gov. Code § 65583.2 and 65583(c)); 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 General Plan Land Use Diagram and Zoning Map amendments must be adopted to ensure consistency with State law and ensure consistency between the Draft Housing Element, the Land Use Element and the Alameda Municipal Code Zoning Map, 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 including over 25 public workshops before the Planning Board 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

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(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 26, 2022, the Planning Board conducted a duly noticed public hearing and recommended that the City Council approve the 2023-2031 Housing Element and associated zoning text amendments, and all pertinent maps, documents and exhibits, including the findings made by HCD and public comments; and

WHEREAS, on October 10, 2022, the Planning Board conducted a duly noticed public hearing and recommended that the City Council approve the recommended zoning map and General Plan Land Use Diagram amendments, which are required by the draft Housing Element and necessary to accommodate the RHNA.

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 Land Use Diagram Amendments and zoning map 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

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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 Land Use Diagram of the General Plan by changing the land use designation for two (2) sites listed in the draft Housing Element and shown in Exhibit A:

1. The proposed General Plan land use diagram amendments are consistent with the policies and intent of the General Plan. The proposed amendments to the General Plan land use diagram ensure consistency between the draft Housing Element and Land Use Diagram, and 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 land use diagram 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 land use diagram 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 makes the following findings pertaining to the zoning map amendments to the AMC for seven (7) sites as shown in Exhibit A:

1. The amendments maintain the integrity of the General Plan. The zoning map amendments are necessary to ensure consistency between the Housing Element, the AMC zoning map, and State Housing Element Law. The

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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 map 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.

3. **The amendments are equitable.** The zoning map amendments are equitable in that they support the provision of a wide variety of housing types in a wide variety of neighborhoods in Alameda to increase access to housing for lower income and middle income households or to individuals that may require daily assistance or a specific housing type; and

BE IT FURTHER RESOLVED that the Planning Board hereby recommends that the City Council adopt the General Plan Land Use Diagram and zoning map amendments as shown in Exhibit A to ensure consistency between the Draft Housing Element, the Land Use Element, the Alameda Municipal Code Zoning Map, and State Law.

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.

Exhibit A: Zoning Map and Land Use Diagram Amendments

Alameda Landing Shopping Center

Location: Fifth Street, Willie Stargell Avenue, Mariner Square Drive, and Mitchell Avenue

Zoning Map Amendment: Add CMU, Community Mixed Use Combining District designation to lands outlined in black line.

APNs: 74-1366-3, 74-1366-2-2, 74-1366-2-1

Approximate Acreage: 23.72



Harbor Bay Shopping Center

Location: Island Drive and McCartney Road

Zoning Map Amendment: Add CMU, Community Mixed Use Combining District designation to lands outlined in black.

APN: 74-1045-10-2

Approximate Acreage: 9.59



South Shore Shopping Center

Location: Shore Line Drive, Otis Drive, Park Street

Zoning Map Amendment: Add CMU, Community Mixed Use Combining District designation to lands outlined in black line.

APN'S: 74-1200-29-5, 74-1200-2-27, 74-1200-2-22, 74-1200-2-18, 74-1200-29-4, 74-1200-28, 74-1200-2-19, 74-1200-2-20, 74-1200-2-3, 74-1200-2-17, 74-1200-2-25, 74-1200-2-15, 74-1200-2-16, 74-1200-32, 74-1200-31, 74-1200-27, 74-1200-2-9, 74-1200-25, 74-1200-29-2

Approximate Acreage: 53.23



Marina Village Shopping Center

Location: Marina Village Parkway

Zoning Map Amendment: Add CMU, Community Mixed Use Combining District designation to lands outlined in black line.

APN'S: 74-1334-32-1, 74-1334-33-5, 74-1334-34-5, 74-1334-35-5, 74-1334-36-4,

74-1334-37-1, 74-1334-38, 74-1334-48, 74-1334-49

Approximate Acreage: 13.09



2363-2433 Mariner Square Drive

Zoning Map Amendment: Add MF, Multifamily Residential Combining District designation to lands outlined in black line.

Land Use Diagram Amendment: Change from Business Employment to Mixed Use.

APN'S: 74-1315-1, 74-1315-5, 74-1315-6, 74-1315-7
Approximate Acreage: 2.39



Webster Street Plaza

Location: Webster Street, Atlantic Avenue

Zoning Map Amendment: Rezone lands outlined in black line from Manufacturing M-2 to CC Community Commercial.

Land Use Diagram Amendment: Change from Medium Density Residential to Community Mixed Use.

APN'S: 73-426-26, 73-426-27, 73-426-28
Approximate Acreage: 2.27



2199 Clement Avenue

Zoning Map Amendment: Add MF, Multifamily Residential Combining District designation to lands outlined in black line.

APN 71-289-6-1
Approximate Acreage 4.7-acre

