

CITY OF ALAMEDA ORDINANCE No. _____

New Series

AMENDING THE ALAMEDA MUNICIPAL CODE SECTION 30-4.17 - G, SPECIAL GOVERNMENT COMBINING DISTRICT AND THE ZONING MAP TO ENSURE CONSISTENCY BETWEEN THE CITY OF ALAMEDA MUNICIPAL CODE AND ZONING MAP AND THE NAS ALAMEDA COMMUNITY REUSE PLAN FOR THE 37.36 ACRES OF FEDERAL PROPERTY LOCATED ON SINGLETON AVENUE ON THE FORMER NAVAL AIR STATION IN ALAMEDA

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 and zoning map amendments are necessary to ensure consistency between the NAS Alameda Community Reuse Plan, the General Plan Land Use Element, and the Alameda Municipal Code. The zoning text and map amendments ensure that the property is developed in a manner and at a density that is consistent with the U.S Navy's Environmental Impact Statement for conveyance of the property to a private entity and that the conveyance and ultimate development of the property is consistent with the Community Reuse Plan for the property.
- 2. The amendments will support the general welfare of the community.** The proposed zoning text and 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 Government Code requirements and the Community Reuse Plan. This action also insures the orderly development of the City's Northern Waterfront due to the addition of 800 new residential units at the Alameda Point Waterfront Town Center approved by the City Council in June 2015.
- 3. The amendments are equitable.** The proposed zoning amendment is equitable in that it establishes appropriate processes and procedures for the review of future residential development proposals and ensures equal access to all income groups and household types consistent with the Community Reuse Plan.
- 4. California Environmental Quality Act (CEQA).** The proposed Zoning Amendments would not result in any new environmental impacts or more severe environmental impacts than those previously identified with the adoption of the Community Reuse Plan Environmental Impact Report (EIR) and 2009 Addendum or the Housing Element 2012 Addendum to the Transportation Element EIR.

SECTION 1. Section 30-4.17 shall be amended to include new subsection c as shown below:

30-4.17 - G, Special Government Combining District.

a. *General.* The G District classification shall be combined with the district classifications applied to all lands in the ownership of the U.S. Government or the State of California.

b. Prior to the use of any lands by any private or public entity other than the United States or State of California, through purchase or pursuant to lease from the U.S. Government or State of California, rezoning procedures shall be completed to remove the G classifications and to consider further appropriate district classification changes.

c. The 37.36 acre U.S Government property identified by assessor's parcel numbers APN74090501002 and APN 74090501202 shall be developed consistent with the Community Reuse Plan Amendment (2009), and any use of the property by a private or public entity shall limit the number of housing units on the property to a maximum of 435 units, unless an affordable housing density bonus is granted pursuant to Section 30-17, in which case the maximum number of units may be increased consistent with Section 30-17.

ε d. Notwithstanding the provisions in subsection (b) herein, interim uses by private or public entities other than the United States or State of California of lands owned by the U.S. Government or State of California may be allowed, subject to a Use Permit, pursuant to subsection 30-21.3, if the following additional findings can be made:

1. The interim use is approved for a limited time, not to exceed the maximum time frame set forth in the interim leasing program criteria;
2. The interim use utilizes existing facilities and does not require substantial new development;
3. The interim use will not disrupt on-going operations of the governmental entity should the interim use occur concurrent with continuing operations by a governmental entity;
4. The interim use will not be detrimental to the ultimate redevelopment of the property or the potential resumption of use of the property by the governmental agency; and
5. The interim use is consistent with an interim leasing program adopted by the City.

δ e. An interim leasing program shall be adopted by the City prior to interim use, as provided in subsection (c) herein. The interim leasing program shall be for a specific parcel or parcels, shall specify permitted land uses, consistent with the underlying zoning district, and shall specify the maximum time frame for which a Use Permit may be granted. In the absence of an adopted interim leasing program, all interim leases shall require rezoning.

Section 2. The Citywide Zoning Map shall be amended to add the G, Special Government Combining District designation to the 37.36 acres of land identified by Assessor's Parcel Numbers APN-74090501002 and APN-74090501202.

Section 3. 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 4. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Section 5. The above amendments shall be known as and referenced to as Rezoning Amendments No. ____ to Ordinance No. 1277, N.S.

Presiding Officer of the Council

Attest:

Lara Weisiger, City Clerk

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I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the 7th day of July, 2015, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 8th day of July, 2015.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Janet C. Kern, City Attorney
City of Alameda