

CITY OF ALAMEDA ORDINANCE NO. _____

New Series

ADOPTING INITIATIVE MEASURE TO AMEND CITY OF ALAMEDA
GENERAL PLAN INCLUDING THE 2007-2014 HOUSING ELEMENT
AND THE ZONING ORDINANCE TO CLASSIFY APPROXIMATELY
3.899 ACRES OF LAND ADJACENT TO MCKAY AVENUE TO OPEN
SPACE

The City Council of the City of Alameda finds and declares as follows:

WHEREAS, the 3.899 acre portion of Alameda County Assessor's Parcel No. 74-1305-026 (the "Property") is currently zoned for residential development and its General Plan designation is Medium Density Residential; and

WHEREAS, on February 10, 2014, a Notice of Intent to Circulate a Petition ("Petition") was filed in the Alameda City Clerk's Office for a measure seeking to amend the City's General Plan, including the 2007-2014 Housing Element and the Zoning Ordinance to classify the Property as open space (the "Initiative"); and

WHEREAS, on February 25, 2014, the City Attorney transmitted a Title and Summary to the Initiative proponents and on April 30, 2014, the Petition was filed with the City Clerk and transmitted to the County Registrar of Voters to examine the signatures; and

WHEREAS, based on a random sample examination, the County Registrar determined that the Petition contained sufficient valid signatures; and

WHEREAS, pursuant to the Election Code Section 9215, if an initiative is signed by not less than ten percent of the voters of the City, the legislative body (City Council) shall do one of the following:

- (a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.
- (b) Submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405.
- (c) Order a report pursuant to Section 9212 (the "Impacts Report") at the regular meeting at which the certification of the Petition is presented. When the Impacts Report is presented to the City Council, the City Council shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b); and

WHEREAS, the City Council held a public hearing on June 3, 2014 to consider various options pertaining to the Initiative and at the same hearing the Council directed staff to prepare an Impacts Report and present the Impacts Report to the City Council within 30 days; and

WHEREAS, on July 1, 2014, the City Council received the Impacts Report analyzing the impacts of the Initiative; and

WHEREAS pursuant to the Election Code Section 9215 (a), the City Council has the option to adopt the Initiative by ordinance; and

WHEREAS, on July 1, 2014, the City Council introduced an ordinance to adopt the Initiative to change the General Plan designation of the Property from Medium Density Residential to Parks and Public Open Space and change the zoning on the Property to Open Space.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Alameda that:

Based on the Certification of the Registrar of Voters of the County of Alameda, the City Council finds that the “Initiative Measure to Amend City of Alameda General Plan Including the 2007-2014 Housing Element and the Zoning Ordinance to Classify Approximately 3.899 acres of Land Adjacent to McKay Avenue as Open Space” (“Initiative”) has been signed by not less than 10 percent of the voters of the City.

The City Council hereby approves the Initiative, attached hereto as Exhibit “A” and incorporated herein.

The City Council hereby authorizes staff to incorporate the provisions of the Initiative into the General Plan, including the Housing Element, and the Zoning Ordinance, as appropriate, and to make such other corresponding changes as are necessary to implement the Initiative.

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.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

Initiative Measure to Amend City of Alameda General Plan including the 2007-2014 Housing Element and the Zoning Ordinance to Classify Approximately 3.899 acres of Land adjacent to McKay Avenue as Open Space

This initiative measure if approved by a majority of those voting would amend the Alameda City General Plan and General Plan Map such that the land use designation of a 3.899 portion of Alameda County Assessor’s Parcel number 74-1305-026 would be changed from Medium Density Residential to Parks and Public Open Space. The measure would also amend the City’s adopted 2007 – 2014 Housing Element, which is part of the Alameda City General Plan, to remove the identified portion of the parcel from the list of “Sites to Rezone” and “Land Availability.” The measure would amend the Zoning Map and Alameda City Zoning Ordinance such that the zoning classification of the identified portion of the parcel would be changed from R-4 Neighborhood Residential District, Planned Development/with Multi-Family Overlay to Open Space. The measure would also make other technical revisions and deletions to the City General Plan including the Housing Element and the Zoning Ordinance which are related to the foregoing modifications. If approved by the voters, the measure could not be amended or repealed by the City Council; it could be amended or repealed only by a majority of the voters voting in an election thereon.

INITIATIVE FOR EXPANSION OF OPEN SPACE AT CRAB COVE

The People of the City of Alameda do hereby ordain as follows:

SECTION 1. TITLE

This Initiative shall be known and referred to as the “Initiative for Expansion of Open Space at Crab Cove.”

SECTION 2. FINDINGS

- A. In November of 2008, more than 70% of Alameda voters voted in favor of Measure WW, thus approving the East Bay Regional Park District’s acquisition of the surplus federal property at Crab Cove and authorizing funding for the parcel’s acquisition and improvement.
B. By rezoning the surplus federal property at Crab Cove for residential development in July of 2012, the Alameda City Council has frustrated the will of the people of the City of Alameda.
C. This Initiative is necessary to enforce the will of the voters of the City of Alameda as expressed in November of 2008.
D. The surplus federal property at Crab Cove, which is a 3.899 acre portion of Alameda County Assessor’s Parcel No. 74-1305-026, to be designated as open space under this Initiative, is adjacent to the Robert W. Crown Memorial State Beach and is uniquely suitable for expansion of park facilities.
E. The expansion of Crown Beach for open space use is the highest and best use of the surplus federal property at Crab Cove.
F. The designation of the surplus federal property at Crab Cove as open space provides for uses permitted by the City of Alameda’s Municipal Code.

SECTION 3. PURPOSE

The purpose of the Initiative for Expansion of Open Space at Crab Cove is:

- A. To implement the will of the voters as expressed by their approval of Measure WW in the November 2008 general election.

- B. To preserve land particularly suited for open space so that it can be used for park and recreation purposes.
C. To protect the unique plant and animal life at Crab Cove adjacent to the Robert W. Crown Memorial State Beach.
D. To implement the provisions of Sections 2, 5 and 6 of the City of Alameda General Plan and the 2007 – 2014 City Housing Element, as those sections pertain to the planning for, and designation of, open space in the City.
E. To amend the City of Alameda General Plan, General Plan Map and 2007 – 2014 City Housing Element so that the land use designation for the 3.899 acre parcel of surplus federal property which is a portion of Alameda County Assessor’s Parcel No. 74-1305-026 is changed from Neighborhood Residential, Planned Development Overlay, Multi-Family Overlay to Open Space.
F. To amend the 2007 – 2014 City Housing Element at Chapter 5 C, entitled Land Inventory, to remove site 1 from the list of “Sites to Rezone” (on page 3), to remove Site # 1 from Table 5-2, “Sites to Rezone” (on page 4), and to remove Site # 1 from Table 5-5 “Land Availability” (on page 5).
G. To amend the City of Alameda Zoning Ordinance and Zoning Map so that the land use designation for the 3.899 acre parcel of surplus federal property which is a portion of Alameda County Assessor’s Parcel No. 74-1305-026 is changed from Neighborhood Residential, Planned Development Overlay, Multi-Family Overlay to Open Space.

SECTION 4. AMENDMENT OF THE GENERAL PLAN, GENERAL PLAN MAP, 2007 – 2014 HOUSING ELEMENT, ZONING PLAN, AND ZONING MAP OF THE CITY OF ALAMEDA

- A. The City of Alameda’s General Plan Map is hereby amended as follows:
1) The 3.899 acre parcel of surplus federal property which is a portion of Alameda County Assessor’s Parcel No. 74-1305-026 is hereby rezoned from Neighborhood Residential, Planned Development Overlay, Multi-Family Overlay to Open Space, as shown in Exhibit 1, which is incorporated herein by this reference.

B. The City of Alameda's 2007 – 2014 General Plan Housing Element is hereby amended as follows:

- 1) The references to site 1 on page 9, lines 2 and 4 of sub-subsection c (entitled "Rezoning to Allow for the Development of Housing) of subsection 4 (entitled "Government Process and Role") of Section B (entitled "Implementation Programs, Program Objectives, and Quantified Objectives") of Chapter 2 (entitled "Housing Goals, Policies, Objectives, and Implementation Plan") of the City of Alameda's 2007 – 2014 General Plan Housing Element, are hereby deleted (as shown in Exhibit 2, which is incorporated herein by this reference).
- 2) The reference to site 1 on page 17, line 1 of Action Plan c (entitled "Rezoning to Allow for the Development of Housing") under "Target Objective" of Section 2 (entitled "Rental and Home Ownership Assistance) of Table 2-1 (entitled "Housing Implementation Framework 2007 – 2014") of Chapter 2 (entitled "Housing Goals, Policies, Objectives, and Implementation Plan") of the City of Alameda's 2007 – 2014 General Plan Housing Element, is hereby deleted (as shown in Exhibit 2, which is incorporated herein by this reference).
- 3) The references to site 1 on page 3, lines 1, 3, and 15 in the subsection entitled "Sites to Rezone" of Section C (entitled "Land Inventory") of Chapter 5 (entitled "Resources for Housing"), are hereby deleted (as shown in Exhibit 3, which is incorporated herein by this reference).
- 4) The reference to Site #1, and the entire row extending horizontally from Site # 1, in Table 5-2 (entitled "Sites to Rezone") of Section C (entitled "Land Inventory") of Chapter 5 (entitled "Resources for Housing"), are hereby deleted (as shown in Exhibit 3, which is incorporated herein by this reference).
- 5) The reference to Site # 1, and the entire row extending horizontally from the reference to Site #1, on page 8 in Table 5-5 (entitled "Land Availability") of Section C (entitled "Land Inventory") of Chapter 5 (entitled "Resources for Housing"), are hereby deleted (as shown in Exhibit 3, which is incorporated herein by this reference).
- 6) The diagonal lines (indicating "Multifamily Overlay") and gold shading (indicating "Available Parcels") superimposed on Parcel No. 1 in Figure 5 (entitled "Map") of page 10 of Section C (entitled "Land Inventory") of Chapter 5 (entitled "Resources for Housing"), are hereby deleted (as shown in Exhibit 3, which is incorporated herein by this reference).
- 7) The reference to "Site 1 - McKay and Central" and the paragraph on page 11 (in the subsection entitled "Underutilized Site Descriptions") of Section C (entitled "Land Inventory") of Chapter 5 (entitled "Resources for Housing") that reads "This site is 3.5 acres and the City is planning to rezone this site from AP G to R-4-PD to allow for additional housing. The federal government recently sold the property to Tim Lewis Communities, a residential homebuilder. The new owner is actively working on a plan to redevelop the site for housing. The site is a waterfront site, located adjacent to a regional park and nearby multifamily housing. It is currently occupied by two small, vacant buildings that are planned for demolition to make room for housing." are hereby deleted (as shown in Exhibit 3, which is incorporated herein by this reference). (The proponents note that the federal government has not sold the site to Tim Lewis Communities and that it therefore Tim Lewis Communities is not the new owner.)

C. The City of Alameda's Zoning Plan is hereby amended as follows:

- 1) Section 30-4.19 O, Open Space District, is hereby amended to include a new subsection "c." which provides that "The 3.899 acre surplus federal property which is a portion of Alameda County Assessor's Parcel No. 74-1305-026 is hereby zoned Open Space." (as shown in Exhibit 4, underlined, which is incorporated herein by this reference).

D. The City of Alameda's Zoning Map is hereby amended as follows:

- 1) The diagonal lines (indicating "Multifamily Overlay") and orange shading (indicating "R-4 Neighborhood Residential") superimposed on the 3.899 acre surplus federal property which is a portion of Alameda County Assessor's Parcel No. 74-1305-026, are hereby deleted and replaced with light green shading (indicating Open Space (as shown in Exhibit 5, which is incorporated herein by this reference).

SECTION 5. EXISTING ZONING OF THE SURPLUS FEDERAL PROPERTY

For ease of reference, set forth in Exhibit 6, which is incorporated herein by this reference, are the current zoning designations of the surplus federal property that is the subject of this Initiative (consisting of Section 30-4.4 R-4, entitled "Neighborhood Residential District", 30-4.13 PD, entitled "Planned Development Combining District," and 30-4.23, entitled "Multi-family Residential Combining Zone."

SECTION 6. EFFECTIVE DATE

This Initiative shall become effective upon passage.

SECTION 7. INITIATIVE LANGUAGE SUPERSEDES THE LANGUAGE OF ANY EXISTING CONFLICTING CITY OF ALAMEDA LAW

This Initiative language supersedes the language of any existing City of Alameda law to the extent such existing language is in conflict with the language of this Initiative.

SECTION 8. LIBERAL CONSTRUCTION

This Initiative shall be liberally construed to effectuate its purposes.

SECTION 9. SEVERABILITY

It is the intent of the People that the provisions of this Initiative are severable and that if any section or provision of this Initiative of the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Initiative which can be given effect without the invalid provision or application.

SECTION 10. CONFLICTING BALLOT MEASURES

In the event that this measure and another measure or measures relating to the surplus federal property adjacent to Crab Cove or Robert W. Crown Memorial Beach appear on the same city-wide ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than the other measure or measures, the provisions of this measure shall prevail over conflicting provisions in any other measure, and the conflicting provisions of the other measure or measures shall be null and void.

SECTION 11. AMENDMENT OR REPEAL

This Initiative measure may be amended or repealed only by a majority of the voters voting in an election thereon.

EXHIBIT 1

**City of Alameda General Plan Map
(showing subject parcel as currently zoned)**

City of Alameda General Plan

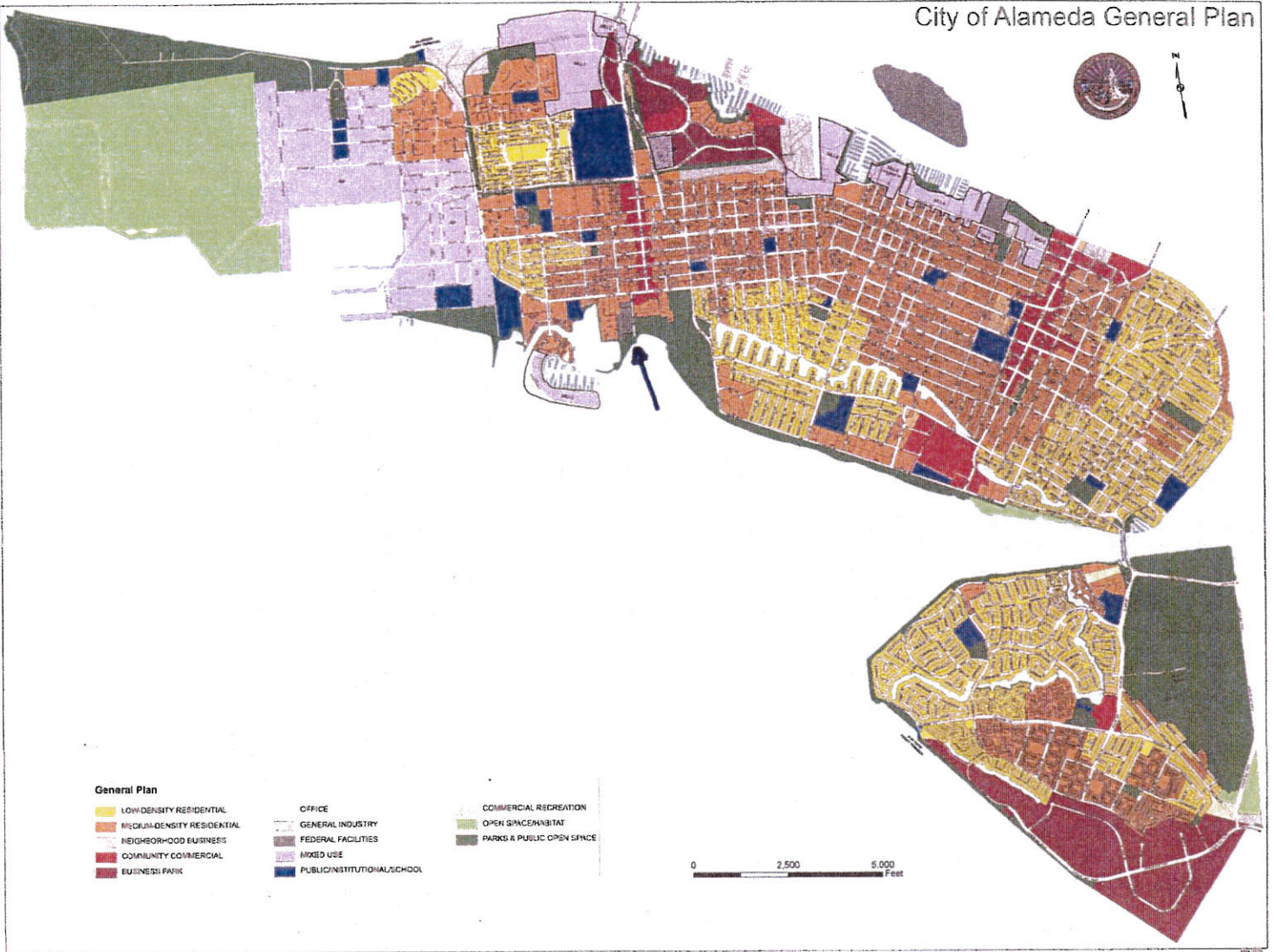
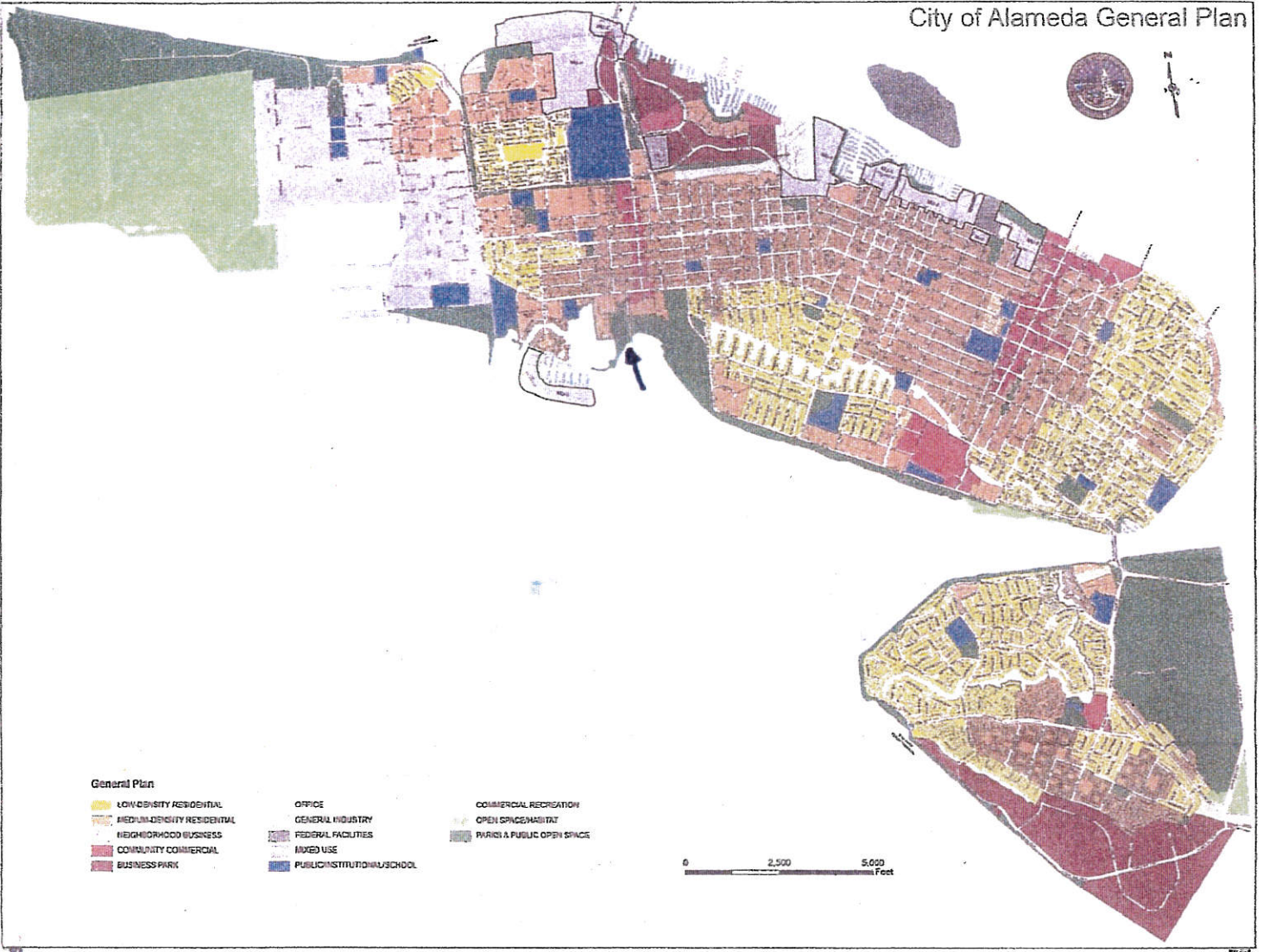


EXHIBIT 1

**City of Alameda General Plan Map
(showing subject parcel as it
would be zoned by this Initiative)**

City of Alameda General Plan



General Plan

- | | | |
|----------------------------|---------------------------|---------------------------|
| LOW DENSITY RESIDENTIAL | OFFICE | COMMERCIAL RECREATION |
| MEDIUM DENSITY RESIDENTIAL | GENERAL INDUSTRY | OPEN SPACE/STAT |
| HIGH RICHWOOD BUSINESS | FEDERAL FACILITIES | PARKS & PUBLIC OPEN SPACE |
| COMMUNITY COMMERCIAL | MIXED USE | |
| BUSINESS PARK | PUBLIC INSTITUTION/SCHOOL | |

0 2,500 5,000 Feet

EXHIBIT 2

**City of Alameda Housing Element 2007 - 2014
(Chapter 2 as it would be amended by this Initiative)**

2 HOUSING GOALS, POLICIES, OBJECTIVES, AND IMPLEMENTATION PLAN

This chapter presents Alameda's goals, policies and implementation programs for the planning period 2007- 2014 and reflects the City's fundamental approach to providing housing for its residents through the preservation, improvement, and development of housing. It contains information on the City's housing goals and policies, and an implementation plan for achieving those goals and objectives. The policies in the Housing Element serve as a guide for all the City's future housing decisions, including housing programs, strategies, and expenditures.

As part of the process of updating the Housing Element, staff reviewed all current housing policies stated in the General Plan (1991), the 2001-2006 Housing Element, the Northern Waterfront planning effort (2003-2006), the Alameda Point Preliminary Redevelopment Concept (2005), the Economic Development Strategic Plan (2007), the Measure A Housing Forum (2008), and the Local Action Plan for Climate Change (2008).

A. Housing Policy Plan

There are four categories of housing policies: a) Rehabilitation and Neighborhood Preservation; b) Rental and Home Ownership Assistance; c) New Housing Development; and d) Government Process and Role. Housing policies from other City plans, as well as proposed new policies, are incorporated into the Housing Element structure by placing them under relevant Housing Element categories. The following constitutes the City of Alameda Housing Policy Plan.

1. Housing Goals

- a. *Provide Housing to Meet the City's Needs:* Within the limits of available resources, seek to meet the City's fair share housing needs, increase affordable housing opportunities, and provide for groups with special needs.
- b. *Maintain and Enhance the Quality of Life of the City:* Provide for housing development that is consistent with the goals and policies of the City's General Plan without jeopardizing the qualities that make Alameda a desirable place to live.

2. Housing Policies

a. *Rehabilitation and Neighborhood Preservation*

- i. Promote the conservation and rehabilitation of the City's existing housing stock.
- ii. Preserve and expand the City's supply of affordable rental and ownership housing for extremely low, very low, low and moderate income households.
- iii. To the extent feasible and where appropriate, conserve existing housing located in areas that have been zoned for commercial or industrial use.
- iv. Promote the elimination of overcrowded, unsafe, and unsanitary housing conditions.
- v. Maintain the integrity of existing residential neighborhoods by protecting and enhancing the historic architecture and ensuring that new development respects the density, physical, and aesthetic character of the neighborhood and surrounding areas.
- vi. Ensure that new neighborhoods seamlessly integrate with older residential neighborhoods by designing new housing developments that complement the historic, architectural, aesthetic, and physical qualities of existing neighborhoods.
- vii. Encourage work/live opportunities as a way to reduce the traffic impacts of housing, to provide affordable housing opportunities, and to stimulate business incubators.

b. *Rental and Home Ownership Assistance*

- i. Support efforts to increase the homeownership rate in Alameda to 60 percent by promoting homeownership opportunities for Alameda residents and employees of all income groups, including lower income renters and newly formed households.
- ii. Create and maintain educational and financial assistance programs to assist people, especially extremely low, very low, low and moderate-income households, in purchasing their first home.

- iii. Create rental and homeownership opportunities for people of all incomes, ethnic origins, cultures, gender, family structures, and special needs populations such as the elderly and physically and mentally challenged persons.
- iv. Promote condominium conversion as a cost-effective way of providing homeownership opportunities, provided that comparable rental housing is secured for displaced tenants.

c. New Housing Development

- i. Designate an adequate amount of land for residential use to encourage housing development that will meet the needs of all income groups.
- ii. Support public programs and encourage private efforts that provide affordable housing opportunities throughout the city for current and future employees who want to live in Alameda.
- iii. Encourage development that offers residents easy access to goods, services, jobs, transportation, education and recreation.
- iv. Require developers to construct housing units for very low, low and moderate income households within their projects.
- v. Encourage residential development that provides variety in the housing product in response to variations in income levels, the changing live-work patterns of residents, and the needs of a diverse population.
- vi. Encourage development of homeownership units priced to meet the needs of families with incomes between 80 percent and 120 percent of area median income.
- vii. Facilitate the development of affordable housing by public and private housing development organizations.
- viii. Encourage mixed-use residential development in existing commercial areas.
- ix. Consider and evaluate the viability of providing housing on non-residential, publicly owned property that becomes available or is deemed surplus.
- x. Encourage mixed use and residential development in the Northern Waterfront area.

- xi. Ensure that new residential development utilizes green building, environmentally sensitive building technologies, and site planning strategies to minimize greenhouse gas emissions.
- xii. Encourage residential development above ground floor commercial uses on Park Street, Webster Street and in former “station” neighborhood commercial areas.

d. Special Needs Housing

- i. Promote the development of a full range of housing (shelters, transitional and permanent housing), coupled with services, to meet the special needs of homeless individuals and people at risk of becoming homeless.
- ii. Promote the development of a full range of housing (rental, homeownership and service-enriched) to meet the needs of special populations, including people with physical and/or developmental disabilities, single-parent households, young adults and seniors.

e. Government Process and Role

- i. Encourage public participation of all segments of the community, including low and moderate income residents, the business sector, renters and homeowners, in the formulation and review of City housing policy.
- ii. Ensure equal housing opportunities by taking appropriate actions, when necessary, to prevent housing discrimination in the local market.
- iii. Promote residential opportunities in the City’s redevelopment areas and expand the supply of low and moderate income housing in those areas.
- iv. For the developer selection process in redevelopment project areas, provide incentives to exceed affordable housing requirements.
- v. Ensure that the entitlement process, parking requirements, and infrastructure levies do not unnecessarily burden the development of affordable housing units.
- vi. Actively pursue federal and state housing program funds to provide housing assistance to low income households and to support the development of low and moderate income housing.

B. Implementation Programs, Program Objectives, and Quantified Objectives

This section contains housing implementation programs that the City is committed to pursuing during the 2007-20014 time frame of the Housing Element. These programs are designed to respond to local needs and priorities, within the limits of economic feasibility and resource availability.

Like the Housing Element policies, the implementation programs are grouped into four categories, focusing on: rehabilitation and neighborhood preservation; assistance for potential home purchasers and low income renters; facilitating the development of new residential development; and improvement of the government's role in supporting the provision and maintenance of housing. These programs are described below. Following the description of the implementation programs, Table 2-1 provides additional information on specific program objectives, target income and need groups, time frames, and responsible agencies.

While this Housing Element identifies adequate sites for the provision of housing, it also recognizes that affordable housing for very low and low income households will rely, to a large degree, on government funding to create below-market-rate units due to the high land and construction costs in the Bay Area and Alameda. The City is committed to pursuing all appropriate available funding for below-market rate units.

A finding of consistency with this Element may be made with respect to a master planned project notwithstanding the relocation of housing units within the area subject to the Master Plan but between project Sites listed here provided that: (i) the other requirements of this General Plan are met with respect to that Master Plan, (ii) the affordability mix and unit count described here are attained, and (iii) the relocation of the housing units does not have a material adverse environmental impact as determined in the environmental evaluation prepared with respect to the Master Plan.

1. Rehabilitation and Neighborhood Preservation

- a. Rehabilitation Programs:* Continue to implement the City's rehabilitation programs for owner-occupied and rental housing units.
- b. State and Federal Rehabilitation Financing Programs:* Continue to review all available state and federal programs for residential rehabilitation and apply for appropriate programs, as funding is available. Possible funding sources include the Community Development Block Grant program, and various programs administered by the State HCD (e.g., Code Enforcement Incentive Programs).

- c. *Self-help in Rehabilitation*: Promote self-help techniques to reduce rehabilitation costs by providing technical assistance to owners participating directly in rehabilitation efforts. City assistance will include areas such as permit processing, preparation of financing applications, and owner management of rehabilitation work.
- d. *Minor Home Repair*: Continue to implement the City's Minor Home Repair program.
- e. *Accessibility Modification Program*: Continue to assist eligible persons with disabilities in making modifications to their residences.
- f. *Housing in Industrially Zoned Areas*: Study industrial areas, in particular where there is existing housing, and redesignate/rezone these areas for residential use as appropriate.
- g. *Amnesty Program*: Continue the City's amnesty program, which provides a process to legalize occupied, exiting dwelling units.
- h. *Work/Live Ordinance*: Review the work/live ordinance requirements to determine why only one work/live project has been developed and make recommendations to encourage more work/live projects in Alameda.
- i. *Comply with Senate Bill 520*: Consistent with Fair Housing Law, the City will amend the Zoning Ordinance to include the definition of "family" as "One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit".
- j. *Reasonable Accommodation*. Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process.

2. Rental and Home Ownership Assistance

- a. *Housing Choice Voucher Program (Section 8)*: Continue issuing vouchers and encouraging property owners to participate in this rental assistance program.

- b. *First Time Homebuyer Program*: Continue the Down-Payment Assistance Program. Study and implement recommendations regarding program income and funding criteria in order to make more homes qualify for the programs.
- c. *Conservation of At-Risk Units*: In 2008, the Housing Authority took over two affordable housing projects (13 affordable units) from the Filipino American Community Services Agency. The Housing Authority should continue to monitor units at-risk.
- d. *Conserve Existing Affordable Housing*: Fund, acquire and rehabilitate existing multifamily housing for rental and ownership housing. Provide for all economic tiers of affordability.
- e. *Alameda County Mortgage Credit Certificate Program*: Continue to participate in the program, which assists first time homebuyers to qualify for mortgage loans.
- f. *Condominium Conversions*: Continue to implement the City's condominium conversion ordinance to provide affordable homeownership opportunities and ensure the provision of tenant relocation assistance.
- g. *Rent Review Advisory Committee (RRAC)*: Continue to staff the committee and provide the community support through the process.

3. New Housing Development

- a. *Inclusionary Housing*: Annually review the citywide 15% inclusionary requirement to ensure that the ordinance is not or does not constrain housing development, and revise as necessary within one year. The review will address impacts on housing costs, adequate incentives and flexibility of the ordinance.
- b. *Alameda Point Collaborative Substantial Rehabilitation*: Monitor the legally binding Agreements (LBAs) between the Alameda Redevelopment and Reuse Authority (ARRA) and Operation Dignity and the Alameda Point Collaborative for 200 units of transitional and permanent housing for formerly homeless families.
- c. *Infill Development New Construction/Acquisition/Substantial Rehabilitation Program*: Continue to fund family housing projects on a case-by-case basis from Affordable Housing Unit Fee (AHUF) and Housing Authority funds. Continue to fund infill development projects using available funding.

- d. *School Employee Housing*: Develop affordable housing using 20 percent set aside of BWIP Low and Moderate Income Housing funds. Utilize a lottery system that provides a bonus point for Alameda Unified School District employees for the homebuyer selection process. Work with Alameda Unified School District to identify appropriate sites.
- e. *Substantial Rehabilitation Program*: Continue to implement the City's Substantial Rehabilitation Program, which creates new rental units in existing vacant or underutilized structures.
- f. *Affordable Housing Unit/Fee (AHUF) Ordinance*: Continue to administer the AHUF to support the development of new and rehabilitated housing, and periodically adjust the housing impact fee to keep pace with inflation.
- g. *Inventory of Vacant Land*: Develop and maintain an inventory of vacant land for public information purposes.
- h. *Homeless Shelter Funding*: Continue to provide funding assistance for Midway Shelter, a 24-bed enriched shelter for women and children.
- i. *Area Special Studies*: As non-residential sites such as existing school sites, or other public or utility sites become surplus, or if major commercial or industrial sites become available, evaluate these sites for their potential to provide housing.
- j. *Public Housing Conversion*: Complete voluntary conversion of public units to Section 8 program.
- k. *Rental Housing for Lower Income Households*: Assist in the development of rental housing. The City will work with public or private sponsors to identify candidate sites for new construction of rental housing for lower income households. In addition, the City will also assist with site acquisition, fee waivers (as feasible), priority processing, and funding or supporting applications for funding.
- l. *Extremely Low Income Households*: The City will encourage the development of housing for extremely low- income households through a variety of activities such as outreaching to housing developers on an annual basis, providing financial assistance (when feasible) or in-kind technical assistance or land write downs, providing expedited processing, identifying grant and funding opportunities, applying for or supporting applications for funding on an on-going basis, reviewing and prioritizing local funding at least twice in the

planning period and/or offering additional incentives beyond the density bonus. In addition, the City will allow single-room occupancy units (SROs) to be permitted in the General Residential (R-5) District with a conditional use permit.

- m. *Funding for Pipeline Projects:* The City/Housing Authority will seek any available funding from State and Federal sources for which the projects identified in the Pipeline Report are eligible, and for future eligible projects for rental housing affordable to very low and low income households.

4. Government Process and Role

- a. *Coordinated Staff Review of Projects:* Continue to coordinate inter-department review of projects in a timely and efficient manner using the Development Review Team.
- b. *Fair Housing and Tenant-Landlord Mediation:* Continue the City of Alameda's commitment to affirmatively furthering fair housing. ECHO Housing is contracted by the City to counsel tenants and landlords on their rights and responsibilities, mediate landlord/tenant disputes, and investigate complaints of housing discrimination. The City will continue to contract with ECHO Housing or a similar agency to provide fair housing and tenant-landlord mediation services. City staff is also available to respond to questions from the public and to make appropriate referrals to the program. The program is publicized through brochures and the City website. In addition to mediation, referrals are made to the local branch of the Alameda Free Library for a copy of *California Tenants: A Guide to Residential Tenants' and Landlords' Rights and Responsibilities* as well as other website resources. The City will continue the outreach of quarterly public service announcements to 30 English and Spanish-speaking radio/television stations; monthly distribution of multilingual literature at the Alameda Police Department, the Alameda Food Bank, the Alameda faith community, schools, and other community based organizations such as Mastick Senior Center, the Alameda Girls' Club, and Alameda Family services; and presentations at community-based organizations.
- c. *Rezoning to Allow for the Development of Housing:* In an effort to meet the regional housing need, the City will rezone sites 3, 4, 6, 8, 9, 11, 12, 16, 17, 18, 19, 20, 21, 22, and 24 to include the new multifamily zoning overlay. The City is relying on sites 3, 4, 8, 16, 17, 18, 19, 21, and 22 to meet its lower income RHNA and therefore these sites will require a minimum of 16 units per site with a minimum density of 20 units per acre and will allow for a maximum of 30 units per acre. Sites 6, 9, 11, 12, 20, and 24 are included to meet the City's moderate and above moderate income RHNA and therefore will not have a minimum density but will allow for a maximum of 30 units per

acre. In addition the City will rezone site two, to allow for additional housing capacity.

All rezoned sites will permit owner-occupied and rental multi-family developments by right and will not require a conditional use permit, a planned unit development permit, or any other discretionary review. The City will ensure that at least 50 percent of the sites rezoned to meet the City's lower income shortfall will allow for residential development only.

- d. *Density Bonus Ordinance*: Continue to evaluate the City of Alameda Density Bonus Ordinance (AMC Section 30-17) to encourage and increase inclusion of additional housing units in new development projects.
- e. *Emergency Shelter*: The City will amend the Zoning Ordinance to define emergency shelters and allow them as a permitted use (by right) in the Intermediate Industrial (M-1) and General Industrial (M-2) districts without a conditional use permit or other discretionary review. The M-1 and M-2 zones are close to transit corridors and services. The City will ensure development standards will encourage and facilitate the use and only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone.

In addition, the City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4) that include the following:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- The size and location of exterior and interior onsite waiting and client intake areas.
- The provision of onsite management.
- The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay.
- Lighting.
- Security during hours that the emergency shelter is in operation.

- f. *Transitional and Supportive Housing:* The City will amend the Zoning Ordinance to explicitly allow both supportive and transitional housing types in zones allowing residential uses. . The City will include definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14, and permit both transitional and supportive housing types as a residential use subject only to the same restrictions on residential uses contained in the same type of structure.
- g. *Large Site Development:* To facilitate the development of affordable housing on smaller parcels (50 to 150 units in size), the City will routinely coordinate with property owners and give high priority to processing subdivision maps that include affordable housing units.
- h. *Universal Design:* To provide housing that is universally accessible, the City of Alameda will consider amendments to the Zoning Ordinance to require universal design elements in all new housing projects of 5 or more units.
- i. *Parking Standards:* The City will annually review parking standards to ensure they do not constrain housing development and will continue to reduce and/or waive parking requirements for affordable projects.
- j. *Measure A:* The City will continue to monitor Measure A to ensure it is not a constraint and will update as appropriate.

The following Table 2-1, Housing Implementation Framework 2007-2014, and Table 2-2, Summary of Quantified Objectives, summarize the above-mentioned implementation program and objectives.

TABLE 2-1 Housing Implementation Framework 2007-2014

| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|--|---|---|----------------------------------|------------------------|------------|
| 1. Rehabilitation and Neighborhood Preservation | | | | | |
| a. Rehabilitation Programs | Rehabilitation of 2 owner-occupied and 2 renter-occupied units per year (VL, L, E) | Continue programs | Community Development Department | CDBG | Ongoing |
| b. State and Federal Rehabilitation Financing Program | Obtain funding | Continue applying for funding, as available | Community Development Department | CDBG, HCD | Ongoing |
| c. Self-help in Rehabilitation | Technical assistance (VL, L, M, E) | Continue program | Community Development Department | CDBG | Ongoing |
| d. Minor Home Repair | Technical and financial assistance (VL, L, M, E) | Continue program | Community Development Department | CDBG | Ongoing |
| e. Retrofitting Homes for Accessibility (Accessibility Modification Program) | Accessibility modifications to 2 owner occupied and 1 renter occupied units per year (VL, L, E) | Continue program | Community Development Department | CDBG | Ongoing |
| f. Housing in Industrially-Zoned Areas | Identify areas and rezone as appropriate (A) | Study and make recommendations | Planning and Building Department | Community Planning Fee | Ongoing |
| g. Amnesty program | Legalization of up to 10 undocumented units per year (M) | Continue program | Planning and Building Department | Application fees | Ongoing |
| h. Work/Live Ordinance | Amend ordinance to facilitate work/live development (A) | Revise ordinance | Planning and Building Department | Community Planning Fee | 2010 |



| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|--|--|--|--|------------------------|---|
| i. Comply with Senate Bill 520. | Ensure consistently with Fair Housing Law. | Amend the Zoning Ordinance to include the definition of "Family" | Planning and Building Department | Community Planning Fee | Amend the Zoning Ordinance by January 1, 2013 |
| j. Reasonable Accommodation Procedure | Develop and formalize a general process that a person with disabilities will need to go through in order to make a reasonable accommodation request in order to accommodate the needs of persons with disabilities and streamline the permit review process. | The City will provide information to individuals with disabilities regarding reasonable accommodation policies, practices, and procedures based on the guidelines from HCD. This information will be available through postings and pamphlets at the City and on the City's website. | Planning and Building Department | Community Planning Fee | Amend the Zoning Ordinance by January 1, 2013 |
| 2. Rental and Home Ownership Assistance | | | | | |
| Action Plan | Target Objective | Action Needed | Department | Program Funding | Time Frame |
| a. Housing Choice Voucher Program (Section 8) | Increase utilization to 100% of allocation (A) | Continue issuing vouchers and encouraging property owner participation in the program | Housing Authority | HUD | Ongoing |
| | Increase number of rental property owners accepting vouchers (A) | Continue program for property owner outreach strategies and incentives | Housing Authority/ Development Services Department | HA Funds | Ongoing |

| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|---|---|---|----------------------------------|--|----------------|
| | Use up to 25% of Voucher allocation for Project-based Voucher Program (A) | Add units at sites approved by HUD as they become vacant or tenants become eligible for the program | Housing Authority | HUD | Completed 2008 |
| b. First Time Home Buyer Programs | Assist 5 first time homebuyers per year (VL, L, M, FH, LF) | Continue program | Community Development Department | Dedicated Housing Funds | Ongoing |
| | Educate 200 workshop participants per year (VL, L, M, FH, LF) | Continue Home Buyer Assistance Workshops | Community Development Department | Dedicated Housing Funds | Ongoing |
| c. Conservation of At-Risk Units | Acquire at-risk units (EL, VL, L, M, E) | Continue to monitor at-risk units | Housing Authority | Housing Authority Funds | Ongoing |
| d. Conserve Existing Affordable Units | Acquire and rehabilitate properties (A) | Identify available and financially feasible properties | Community Development Department | Dedicated Housing Funds | Ongoing |
| e. Alameda County Mortgage Credit Certification Program | Continue program (M, FH, LF) | Continue program | Community Development Department | General Fund | Ongoing |
| f. Condominium Conversions | Ensure no undue hardship for tenants (VL, L, M, E) | Continue to enforce ordinance | Community Development Department | Planning & Building Fund | Ongoing |
| g. Foreclosure Prevention and Assistance | Fund Refinance Mortgage recovery loans (VL, L, M, E) | Start Pilot Project | Community Development Department | Dedicated Housing Funds | Ongoing |
| h. Rent Review Advisory Committee (RRAC) | Seek concessions in all appropriate cases. (A) | Staff committee and monitor for effectiveness | Community Development Department | CDBG/ Dedicated Housing Funds ² | Ongoing |



| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|---|---|--|--|---|---|
| 3. New Housing Development | | | | | |
| a. Inclusionary Housing Ordinance (APIP, BWTP, WECIP) | Increase housing development Citywide | Review requirement to ensure it is not an impediment | Community Development Department | Private financing/ tax increments/ federal and state programs | Annually monitor, starting in December 2012 |
| b. Alameda Point Collaborative Substantial Rehabilitation | Maintain agreement to provide long-term leases (VL. L. FH) | Continue program | Community Development Department | ARRA | Ongoing |
| c. Infill Development – New Construction/Acquisition/ Substantial Rehab | Develop approximately 70 units in new and existing projects (VL. L. M) (VL. L. M. FH. LF) | Initiate new projects and complete construction | Housing Authority/ Development Services Department | Dedicated Housing Funds | Ongoing |
| d. School Employee Housing | Develop affordable units (VL. H. FH) | Initiate programs with school district (AUCSD) | Community Development Department /AUCSD | Dedicated Housing Funds | 2010 |
| e. Substantial Rehabilitation Programs | Create 175 affordable dwelling units during planning period (VL. L. M) | Continue to implement program | Community Development Department | CDBG | Ongoing |
| f. Affordable Housing Unit/Fee (AHUF) Ordinance | Fund new projects and periodically adjust rate for inflation (VL. L. FH. LF) | Collect fees, monitor program, and fund projects | Community Development Department | AHUF funds | Ongoing |
| g. Inventory of vacant land | Annual update (A) | Field survey | Planning and Building | Planning & Building | Ongoing |

| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|--|---|--|---|---|---|
| | | | Department | Fund | |
| h. Homeless shelter funding | 8,000 bednights at Midway Shelter per year (VL, H) | Fund and monitor program | Community Development Department | State and Federal Programs | Ongoing |
| i. Area special studies | Provide additional housing in appropriate re-use areas (A) | Study housing potential of non-residential sites | Planning and Building Department | Planning & Building Fund | As sites become available |
| j. Public Housing Conversion | Complete voluntary conversion of public units to Section 8 program (VL, L, FH L.F. E) | Requires HUD approval | Housing Authority | HUD | 2008-2009 |
| k. Rental Housing for Lower Income Households: | Work with public or private sponsors to identify candidate sites for new construction of rental housing for lower income households. | Staff coordination with public and private sponsors | Housing Authority | Community Planning Fee | At least twice within the planning period. As projects are approved through the Planning |
| l. Extremely low income households | Assist in the development of housing for extremely low income households | Amend the zoning ordinance to allow SROs in the R-5 district. | Community Development Department | Planning & Building Fund | Amendments adopted by January, 2013 |
| m. Funding for Pipeline Projects | The City of Alameda/Housing Authority prepared an October 5, 2010 Report entitled Affordable Housing: Development Pipeline, FY 2010-2015. Affordable housing development is a long-term effort and requires that multiple projects be in various stages of pre-development and development to ensure on-going delivery of new affordable housing for the community. A key factor in developing affordable housing is securing sufficient funding. | The City/Housing Authority will seek any available funding from State and Federal sources for which the projects identified in the Pipeline Report are eligible, and for future eligible projects for rental housing affordable to very low and low income households. | Housing Authority of the City of Alameda. | HOME, TCAC, Affordable Housing Unit/Fee | Annually report on progress of projects identified in the Pipeline Report, and any future projects. |



| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|---|--|---|----------------------------------|--------------------------|--|
| 4. Government Process and Role | | | | | |
| a. Coordinated staff review of projects | Efficient review resulting in cost reductions (A) | Staff coordination through Permit Center and Development Review Team | Planning and Building Department | Planning & Building Fund | On-going |
| b. Fair housing and Tenant-Landlord Mediation | Minimize housing discrimination (A) | Continue to contract with ECHO or another agency to provide fair housing and tenant-landlord mediation services and continue to publicize the program through brochures and the City's website. | Housing Authority | CLDBG | Ongoing |
| c. Rezoning to Allow for the Development of Housing | Rezoning sites # 3, 4, 6, 8, 9, 11, 12, 16, 17, 18, 19, 20, 21, 22, and 24 to include the new multifamily zoning overlay and site 2 to allow for additional housing development. | Initiate rezoning | Planning and Building Department | Community Planning Fee | Initiate in March, complete by January 2013. |
| d. Density Bonus Ordinance | Encourage a large percentage of affordable housing units in housing development projects | Continue to ensure compliance with State Density Bonus law. | Planning and Building Department | Community Planning Fee | Ongoing as projects are processed through the Planning and Building Department |
| e. Emergency Shelter | Define and allow for emergency shelters by right in the M-1 and M-2 districts. | Amend the Zoning Ordinance to define and allow for emergency shelters | Planning and Building Department | Community Planning Fee | Annually monitor, starting in December 2012 Comply with SB2 by January 2013 |

| Action Plan | Target Objective ¹ | Action Needed | Department | Program Funding | Time Frame |
|--|---|---|----------------------------------|------------------------|---|
| f. Transitional and Supportive Housing | Include definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14, and allow them as a permitted use subject to only the same restrictions on residential uses contained in the same type of structure. | Amend the Zoning Ordinance to define and allow for transitional and supportive | Planning and Building Department | Community Planning Fee | Comply with SB2 by January 2013 |
| g. Large Sites | Facilitate the development of affordable housing on smaller parcels (50 to 150 units in size) | Routinely coordinate with property owners and give high priority to processing subdivision maps that include affordable housing units | Planning and Building Department | Community Planning Fee | Ongoing, as projects are processed through the Planning and Building Department |
| h. Universal Design | Provide housing that is universally accessible in all new housing projects of 5 or more units. | Consider amendments to the Zoning Ordinance to require universal design elements | Planning and Building Department | Community Planning Fee | By January 2013 |
| i. Parking Standards | Ensure Parking requirements do not constrain housing development | Annually review parking standards and continue to reduce and/or waive parking requirements for affordable projects | Planning and Building Department | Community Planning Fee | Annually review parking standards and allow for reduced and/or waived requirements as projects are processed through the Planning and Building Department |
| j. Measure A | Continue to monitor Measure A and update as appropriate. | Annually Monitor | Planning and Building Department | Community Planning Fee | Annually monitor and revise within one year if necessary |



¹ A (all groups). EL (extremely low). VL (very low income). L (low income). M (moderate income). E (elderly). FH (female head of household).
LF (large family). H (homeless)
² Dedicated Housing Funds refers to either or a combination of the Affordable Housing Unit/Fee Fund & Redevelopment 20% Set-Aside Low and
Mid Income Housing Funds from the three project areas (APIP/BWIP/WECIP). Developer In-Lieu Payments

Table 2-2, Summary of Quantified Objectives

| Category | Income Level | | | | | Total |
|---|---------------|------------|------------|-----------|------------|--------------|
| | Extremely Low | Very Low | Low | Mod. | Above Mod. | |
| ABAG Regional Housing Needs Determination for the time period 1/1/2007 to 6/30/2014 | 241 | 241 | 329 | 392 | 843 | 2,046 |
| NEW CONSTRUCTION | | | | | | |
| Units Provided Through Housing Programs | | | | | | |
| 626 Buena Vista | | 2 | 4 | 2 | 0 | 8 |
| Islander Lodge Motel | 9 | 25 | 27 | 1 | 0 | 62 |
| North Housing | | 60 | 59 | 0 | 316 | 435 |
| Shinsei Gardens | 7 | 16 | 15 | 1 | 0 | 39 |
| Substantial Rehabilitation ¹ | | 10 | 0 | 0 | 0 | 10 |
| Amnesty Units | | 0 | 0 | 70 | 0 | 70 |
| Housing for City/School Employees | | 8 | 8 | 0 | 0 | 16 |
| Total New Construction | 16 | 121 | 113 | 74 | 316 | 640 |
| CONSERVATION | | | | | | |
| Existing Housing Choice Vouchers | | | | | | |
| (Households) | 1,159 | 216 | 40 | 5 | 0 | 1,420 |
| FASCA Units | 7 | 5 | 1 | 0 | 0 | 13 |
| Total Conservation | 1,116 | 221 | 41 | 5 | 2 | 1,433 |
| REHABILITATION | | | | | | |
| Rehabilitation Programs (Units) | | 5 | 43 | 43 | 0 | 91 |
| Minor Home Repair (Units) | | 2 | 10 | 30 | 0 | 42 |
| Accessibility Modification Program | | 0 | 21 | 21 | 0 | 42 |
| Total Rehabilitation | 0 | 7 | 74 | 94 | 0 | 175 |

¹ Assumes 2 units per year will be rehabilitated



EXHIBIT 3

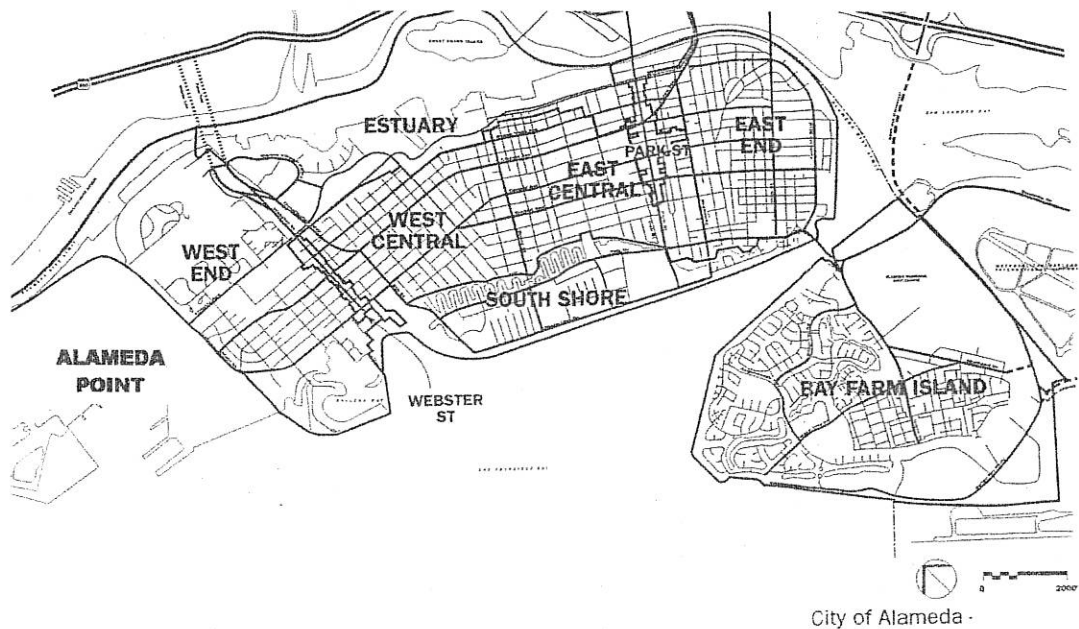
City of Alameda Housing Element 2007 - 2014
(Chapter 5 as it would be amended by this Initiative)

5

RESOURCES FOR HOUSING

A. Alameda's Housing History

Alameda is a relatively mature city compared to other cities on the West Coast. In the 1990 Housing Element, Alameda was considered almost completely “built-out.” At that time there were a few large, vacant sites available for new residential development on Bay Farm Island (see Chapter 4 for Neighborhood Descriptions), which have now been developed. The City had few other vacant sites for residential development and no ability to expand its supply of land through annexation or bay filling. The 1990 Housing Element strategy relied on construction of additional units on already-developed residential parcels. Since 1990, residential opportunities in Alameda have increased with the departure of industries from the Northern Waterfront and the departure of the US Navy from western Alameda.



The City is redeveloping three major areas that will include additional housing: Alameda Point (formerly Naval Air Station Alameda), North Housing (the former Coast Guard Facility), and the Northern Waterfront.

B. Unaccommodated Need

The City of Alameda prepared a Housing Element for the 4th round cycle (1999-2006) but did not receive final certification from HCD (the City did receive a conditional certification in 2004). Because of this, the City has an unaccommodated need from the previous period in addition to the 5th round cycle (2007-2014).

Table 5-1 below shows the City RHNA from the 4th round and 5th round totaling 4,208 units. The City is able to credit any units built or approved within the two planning periods, this number is included in the table below and detailed information about these projects can be found in Chapter 3 of this Housing Element.

Table 5-1, Regional Housing Need, 1999 – 2006 & 2007 – 2014 and Units Built and Approved

| Allocation | Very low | Low | Moderate | Above Moderate | Total |
|----------------------|------------------|-----|----------|----------------|-------|
| 1999 – 2006 RHNA | 443 ¹ | 265 | 611 | 843 | 2,162 |
| 2007 – 2014 RHNA | 482 ¹ | 329 | 392 | 843 | 2,046 |
| Total RHNA | 925 | 594 | 1,003 | 1,686 | 4,208 |
| Units Build/Approved | 239 ² | 101 | 165 | 1,259 | 1,764 |
| Remaining Need | 686 | 493 | 838 | 427 | 2,420 |

Source: City of Alameda, ABAG

¹Assumes 50% is allocated towards extremely low income households

²Includes 16 extremely low-income units

C. Land Inventory

The following analysis, includes tables, maps and descriptions that summarize the City's inventory of land designated (or to be designated) for housing over the planning period.

Realistic Capacity

The City considered and evaluated the implementation of its current development standards and on-site improvement requirements (e.g., setbacks, building height, parking, and open space requirements) to determine the approximate unit capacity. Realistic capacity for solely residential sites was determined by multiplying the number of acres by the maximum density for the site, and then 90% of that result was used as the final realistic unit number to account for site and regulatory constraints.

The City's historic development pattern, General Plan, and Local Action Plan to Reduce Green House Gases all support mixed use development as a land use strategy to reduce automobile trips and reduce Global Warming. For that reason many sites in Alameda are zoned for mixed use development. For sites with a mixed use zoning designation, the City has evaluated the prevalence of mixed use in the surrounding communities of Berkeley and Emeryville in which projects have developed at 40 plus units per acre, some projects requiring demolition of vacant structures. Typical mixed use projects in the Bay Area include a residential component. Based on all of these factors, the City assumed a 60% realistic unit capacity for mixed use sites.

Zoning to Accommodate the Development of Housing Affordable to Lower-Income Households

Housing Element law requires jurisdictions to provide a requisite analysis showing that zones identified for lower-income households are sufficient to encourage such development. The law provides two options for preparing the analysis: (1) describe market demand and trends, financial feasibility, and recent development experience; (2) utilize default density standards deemed adequate to meet the appropriate zoning test. According to state law, the default density standard for the City of Alameda is 30 dwelling units per acre.

The City is proposing a new multifamily zoning overlay district that will allow multifamily housing and 30 units per acre by right on selected sites.

Sites to Rezone

In order to provide adequate sites, sites 3, 4, 6, 8, 9, 11, 12, 16, 17, 18, 19, 20, 21, 22, and 24 will be rezoned to include the new multifamily zoning overlay. The City is relying on sites 3, 4, 8, 16, 17, 18, 19, 21, and 22 to meet its lower income RHNA and therefore these sites will require a minimum of 20 units per acre and will allow for a maximum of 30 units per acre. Sites 6, 9, 11, 12, 20, and 24 are needed to meet the City's moderate and above moderate income RHNA but will also have the multifamily overlay applied and therefore will not have a minimum but will allow for a maximum of 30 units per acre. The City is also planning to rezone site two in an effort to provide for additional units. Table 5-2 below provides a summary of these sites (Program 4c).

Because the City is planning to rezone to meet its lower income RHNA, 50% of the sites being used to meet the lower income allocation must be rezoned to allow for solely residential development. Meaning that of the 1,179 unit shortfall, 590 units must be met on sites zoned for solely residential development. With the rezone of sites 8 and 22, this obligation is being met.

Large Sites: Because many of the sites included in the inventory are larger parcels, to help facilitate the development of affordable housing on smaller parcels (50 to 150 units in size), the City will routinely give high priority to processing subdivision maps that include affordable housing units. Also, an expedited review

process is available for the subdivision of larger sites into buildable lots where the development application can be found consistent with the General Plan, applicable Specific Plan and master environmental impact report. Through adoption of these mechanisms the City has the ability to provide adequate sites to accommodate its share of the region's housing needs (Program 4g).

Table 5-2, Sites to Rezone

| Site # | APN | Acre | Zoning | New Zoning | Max Density | New Capacity |
|-------------------------|------------------------|----------------|-----------------|----------------------|---------------|------------------|
| 1 | 74138502600 | 3.5 | AP-C | R-4-PD-MF | 30 | 95 |
| 2 | 70019301100 | 0.9 | M-1 | R-4-PD | 21 | 17 |
| 3 | 71019800902 | 0.75 | M-1 | CC-MF | 30 | 14 |
| 4 | 71019801201 | 0.35 | M-1 | CC-MF | 30 | 6 |
| 6 | 72038403100 | 7.14 | R-4-PD | R-4/PD-MF | 30 | 193 |
| 8 | 74090501002 | 26.0 | R-4 | R-4/PD-MF | 30 | 624 ¹ |
| 9 | 74090501202 | 11.36 | R-4 | R-4/PD-MF | 30 | 182 ² |
| 11 | 72038200200 | 13.0 | MX | MX-MF | 30 | 234 |
| 12 | 72038300400 | 11.05 | MX | MX-MF | 30 | 150 ³ |
| 16 | 74133406700 | 4.04 | MX | MX-MF | 30 | 73 |
| 17 | 74133402400 | 2.02 | MX | MX-MF | 30 | 36 |
| 18 | 74133406300 | 2.04 | MX | MX-MF | 30 | 37 |
| 19 | 71028800102 | 8.66 | M2 | MX-MF | 30 | 156 |
| 20 | 71025700301 | 13.34 | M2 | MX-MF | 30 | 240 |
| 21 | 79090500203 | 10 | MX | MX-MF | 30 | 180 |
| 22 | 74136300900 | 0.92 | M1 | R-4/PD-MF | 30 | 25 |
| 24 | 74136400101 | 2.27 | R-4 | R-4-MF | 30 | 61 |
| Rezoned Capacity | | | | | | 2,323 |

Source: City of Alameda, February 2012.

¹ An 80% capacity on these sites.

² An 80% capacity at a density of 20 du/acre was assumed on this site.

³ Capacity is based on the reuse of the historic building.

Additional Unit Capacity

Many larger lots in Alameda's established neighborhoods provide opportunities for Alameda property owners to add additional units on their property. In any given year, the City of Alameda receives and approves applications for approximately 4 second units and 6 new units. Over the next 2 years these units will provide an additional 20 units that can be allocated towards moderate and above moderate households.

In addition, the City regularly assists with the legalization of undocumented construction through its Amnesty Program. Since 1998, the City of Alameda has offered an amnesty program to property owners who have undocumented construction. The Amnesty Program allows property owners who voluntarily come forward to obtain permits for undocumented construction. The City legalizes approximately 2 amnesty units per year which will provide for additional units to be allocated towards moderate and above moderate households.

Rehabilitated and Military Converted Units

Government Code Section 65583(c)(1) states that a local government may credit up to 25 percent of their adequate sites requirement per income category through existing units that will be substantially rehabilitated, converted or preserved. Specifically, these units must meet all relevant requirements as follows:

Substantially Rehabilitated: Units to be substantially rehabilitated must result in a net increase in the stock of housing affordable to low- and very low-income households. Rehabilitated units must have long-term affordability requirements, not less than 20 years or any other term required by federal or State funding law or regulation.

Converted: Multifamily units in a rental complex of four or more units converted from non-affordable to affordable by acquisition of the unit or the purchase of affordability covenants and restrictions. These units are not to be acquired by eminent domain and must provide a net increase in the stock of housing affordable to low- and very low-income households. Converted units must be made available at affordable housing costs, not occupied by low- or very low-income households, and in decent, safe and sanitary condition when occupied. Long-term affordability covenants (not less than 55 years) apply to these units.

Preserved: Units to be preserved at affordable housing costs to lower-income households by acquisition of the unit or the purchase of affordability covenants for the units. Preserved units must: be located within an "assisted housing development"; have new long-term affordability covenants and restrictions (at least 40 years); have received governmental assistance under specified programs; be expected to convert to non low-income uses; and be in decent, safe and sanitary condition.

As shown in Chapter 3, and summarized below in Table 5-3, the City of Alameda exceeded the 25 percent maximum for very low income units during the 1999-2006 RHNA period and, therefore is only able to credit 111 units. In all other categories the City is able to count the total units rehabilitated or converted because they did not reach the 25 percent maximum.

Table 5-3, Comparison of 25 Percent Requirement and Rehabilitated Units

| Allocation | Very low | Low | Moderate | Above Moderate | Total |
|---------------------------|------------|------------|------------|----------------|--------------|
| 1999 – 2006 RHNA | 443 | 265 | 611 | 843 | 2,162 |
| 25% of Allocation | 111 | 66 | 153 | 211 | 541 |
| Rehabilitated Units | 74 | 15 | 0 | 0 | 89 |
| Military Conversion Units | 200 | 0 | 0 | 68 | 268 |
| 2007 – 2014 RHNA | 482 | 329 | 392 | 843 | 2,046 |
| 25% of Allocation | 120 | 82 | 98 | 211 | 511 |
| Rehabilitated Units | 41 | 21 | 1 | 0 | 69 |
| Military Conversion Units | 0 | 0 | 0 | 0 | 0 |

Source: City of Alameda, May 2012

Please note: all rehabilitated and militated conversion units are included in table 5-4 under the heading RHNA progress since January 1999.

Comparison of Regional Housing Need and Residential Sites

Table 5-4 compares the City of Alameda’s RHNA to the land inventory capacity. After the rezone of the sites listed in Table 5-2, the City has a surplus of 66 units available to lower-income households (including extremely low-, very low-, and low-). 39 units available to moderate and above moderate-income households, a total surplus of 105 units. As previously mentioned, the City will have an additional 24 units from second units, infill units and amnesty units that are shown in Table 5-4 and provide for additional surplus. Note: The site inventory capacity number assumes the rezones capacity described in Table 5-2.

Table 5-4, Comparison of Regional Housing Need and Residential Sites

| Income Group | Total RHNA (both cycles) | RHNA Progress Since January 1999 | Second, Infill, & Amnesty Units | Remaining RHNA | Site Inventory Capacity ¹ | RHNA Surplus |
|----------------|--------------------------|----------------------------------|---------------------------------|----------------|--------------------------------------|--------------|
| Extremely Low | 462 | 16 | 0 | 1,179 | 1,245 | 66 |
| Very Low | 463 | 323 | | | | |
| Low | 594 | 101 | | | | |
| Moderate | 1,003 | 165 | 24 | 1,241 | 1,280 | 39 |
| Above Moderate | 1,686 | 1,259 | | | | |
| Total | 4,208 | 1,764 | 24 | 2,420 | 2,525 | 105 |

Source: City of Alameda February 2012

¹ Includes unit capacity from rezones (Program 4c)

Table 5-5 provides the characteristics of the available sites for the development of single-family homes and multi-family units, and Figure 5-A, shows the location of each site. Some of the sites included in Table 5-5 are underutilized sites. It should be noted that while some of the sites listed in Table 5-5 show that they are allocated to meet the a portion of the moderate and above moderate income housing need, they are zoned to allow for 30 units per acre allowing for flexibility within the inventory and making them appropriate to meet a apportion of the lower income need.

Following Table 5-5 is additional detailed explanation of each underutilized site and the North Housing sites (sites 8 and 9).

Table 5-5, Land Availability

| Site # | APN | Name | Location | GP Des (New GP) | Zoning (New Zoning) | Acres | Max Density | Realistic Capacity | Site Constraints | RHNA Met |
|-----------------|------------------------|---------------------|--------------------------|----------------------|----------------------------|----------------|---------------|--------------------|--------------------------------------|-----------------|
| 1 | 74499592500 | Mpt. Pt. | McKey/Central | Fed (MDR) | APG (R-4-PD-MF) | 3.5 | 30 | 95 | 2 Small Vacant Bldg | VL/L |
| 2 | 70019301100 | AUSD | 2437 Eagle Ave | MDR | M-1 (R-4-PD) | 0.9 | 21 | 17 | Vacant -None | M/AM |
| 3 | 71019800902 | Ron Goode | 1825 Park St | CC | M-1 (CC-MF) | 0.75 | 30 | 14 | Car Dealership | VL/L |
| 4 | 71019801201 | Ron Goode | 1801 Park St | CC | M-1(CC-MF) | 0.35 | 30 | 6 | Car Dealership | VL/L |
| 5 ¹ | 74042700501 | Taylor Lot | 1435 Webster Ave | CC | CC | 0.33 | 21 | 10 | Vacant -None | M/AM |
| 6 | 72038403100 | Chipman | 1551 Buena Vista Ave | MDR | R-4 PD-MF | 7.14 | 30 | 193 | Tin Warehouse | M/AM |
| 7 | 71022800102 | Hangstrom | 2100 Clement Ave | MU-5 | R-4/PD | 2.78 | 21 | 53 | Warehouse | M/AM |
| 8 ² | 74090501002 | Housing | Singleton/Main | MDR | R-4 (R-4/PD-MF) | 26.0 | 30 | 624 | Vacant -None | VL/L |
| 9 ³ | 74090501202 | North Housing | Singleton/Main | MDR | R-4 (R-4/PD-MF) | 11.36 | 30 | 182 | Vacant -None | M/AM |
| 10 | 72038101800 | Corp Yard & Shelter | 2040 Grand | MU | R-4/PD | 2.18 | 21 | 41 | Minor Haz Mats; small structures | M/AM |
| 11 | 72038200200 | Enclinal Terminals | 1523 Entrance Rd | MU | MX (MX-MF) | 13 | 30 | 234 | Vacant -None | M/AM |
| 12 ⁴ | 72038300400 | Del Monte | 1501 Buena Vista | MU | MX (MX-MF) | 11.05 | 30 | 150 | Historic Warehouse | M/AM |
| 13 | 72038100100 | Pennzoil | 2025 Grand St | MU | R-4/PD | 3.4 | 21 | 64 | Above ground tanks; small warehouses | M/AM |
| 14 | 72038100200 | Pennzoil | 2015 Grand | MU | R-4/PD | 0.73 | 21 | 14 | Above ground tanks; small warehouses | M/AM |

| Site # | APN | Name | Location | GP Des (New GP) | Zoning (New Zoning) | Acres | Max Density | Realistic Capacity | Site Constraints | RHNA Met |
|---|-------------|----------------------------|-----------------------------|-----------------|---------------------|------------------|-------------|--------------------|-----------------------------------|--------------|
| 15 | 73041303302 | West Marine | 730 Buena Vista Ave | MDR | R-5 | 1.57 | 21 | 30 | One story retail building. | M/AM |
| 16 | 74133406700 | Shipways | 1200 Marina Village Parkway | Bus (MU) | MX (MX-MF) | 4.04 | 30 | 73 | Vacant -None | VL/L |
| 17 | 74133402400 | Shipways | 1200 Marina Village Parkway | Bus (MU) | MX (MX-MF) | 2.02 | 30 | 36 | Vacant -None | VL/L |
| 18 | 74133402300 | Shipways | 1200 Marina Village Parkway | Bus (MU) | MX (MX-MF) | 2.04 | 30 | 37 | Vacant -None | VL/L |
| 19 | 71028800102 | Alameda Marina | 1801 Clement | MU | MX (MX-MF) | 8.66 | 30 | 156 | Vacant -None | VL/L |
| 20 | 71025700301 | Alameda Marina | 2033 Clement | MU | MX (MX-MF) | (17.34) 13.34 | 30 | 240 | Vacant -4, acres are in the water | M/AM |
| 21 | 79090500203 | Alameda Landing Waterfront | North of Mitchell | MU | MX (MX-MF) | 10.0 | 30 | 180 | Vacant | VL/L |
| 22 | 74136300900 | Chevy's | 2400 Mariner Square Dr | MU | M1 (R-4/PD-MF) | 0.92 | 30 | 25 | Vacant building | VL/L |
| 23 | 71020300301 | CVS Site | -- | CC | CC | 0.99 | 21 | 12 | Occupied Business | M/AM |
| 24 | 74136400101 | Former College of Alameda | -- | IS | R-4-MF | 2.27 | 30 | 61 | Vacant-None | M/AM |
| Total Capacity to Accommodate Very Low and Low (VL/L) Income RHNA | | | | | | | | | | 1,245 |
| Total Capacity to Accommodate Moderate and Above Moderate (M/AM) Income RHNA | | | | | | | | | | 1,280 |

Source: City of Alameda, February 2012

- 1 Capacity is based on previous site plans
- 2 An 80% capacity on these sites
- 3 An 80% capacity at a density of 20 du/acre was assumed on this site
- 4 Capacity is based on the reuse of the historic building.

EXHIBIT 3

City of Alameda Housing Element 2007 – 2014 Map

(showing subject parcel as currently zoned)



Figure 5, Map



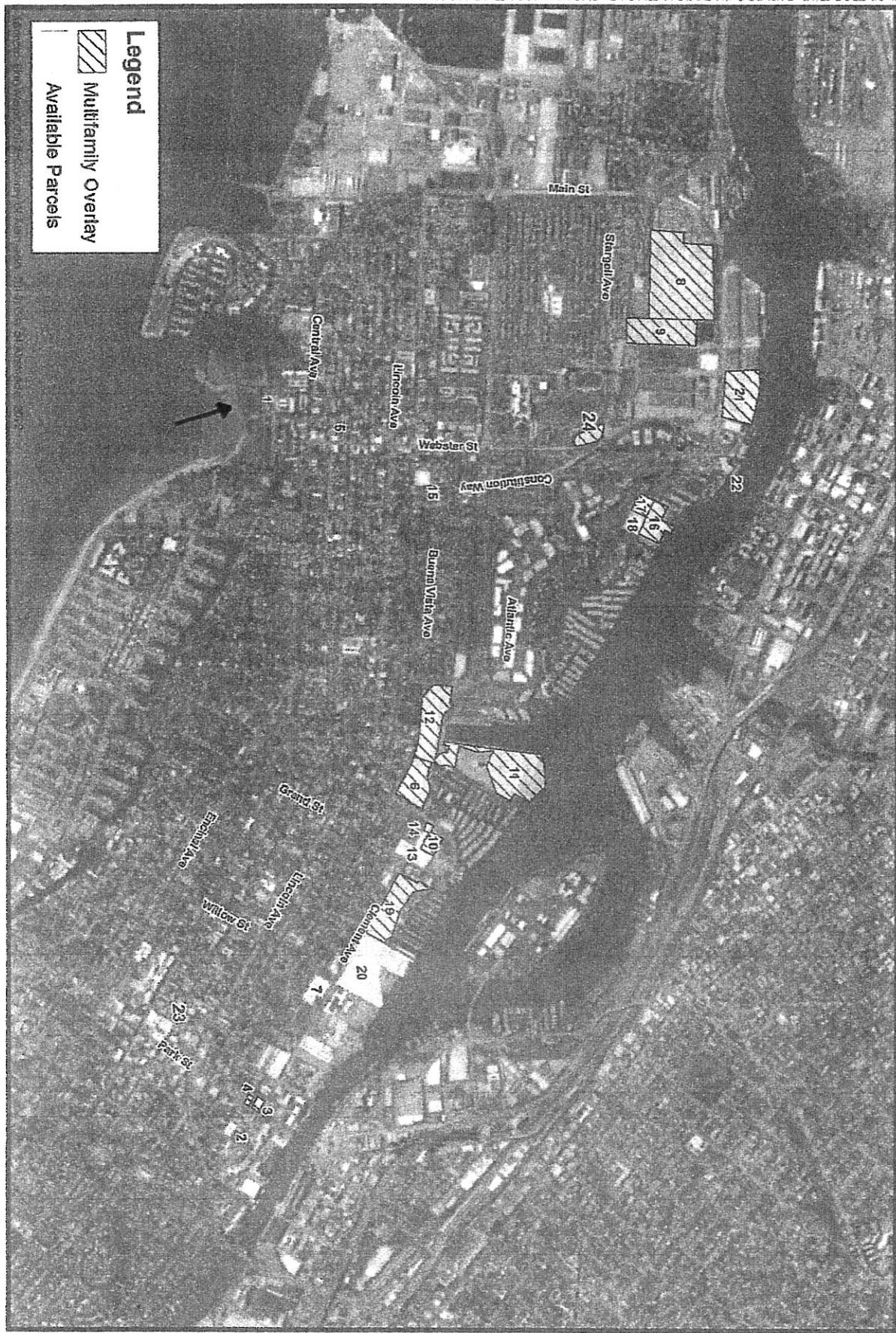
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EXHIBIT 3

City of Alameda Housing Element 2007 – 2014 Map

**(showing subject parcel as it
would be zoned by this Initiative)**

Figure 5, Map



IN 26/AMDA CONTINUES TO PROCLAIM THE AREA AVAILABLE FOR 5920' BY 20' 14' 79

Underutilized Site Descriptions

~~**Site 1 – McKay and Central:** This site is 3.5 acres and the City is planning to rezone this site from AP-G to R-4-PD to allow for additional housing. The federal government recently sold the property to Tim Lewis Communities, a residential homebuilder. The new owner is actively working on a plan to redevelop the site for housing. The site is a waterfront site, located adjacent to a regional park and nearby multifamily housing. It is currently occupied by two small, vacant buildings that are planned for demolition to make room for housing.~~

Site 3 and 4 1825 & 1801 Park Street: These two properties are owned by Mr. Goode. Mr. Goode is the son of the former “Ron Goode Toyota”. Mr. Goode currently has a temporary short-term use on the property (a scooter shop) that is occupying the former auto dealership showroom, but he is actively entertaining offers for the property. Both parcels face Park Street, which is a major commercial and transit corridor. The sites would allow for multifamily housing above ground floor commercial. To assist in making these sites more feasible for development, the City is planning to rezone both sites from M-1 to CC. Capacity on these sites have assumed for mixed use development.

Site 6 – 1551 Buena Vista: This site is located on 7.14 acres on the north side of Buena Vista Avenue between Arbor and Ohlone Streets. Although this site is currently occupied with warehouse use, the property is for sale and there has been a lot of interest in this site for residential development.

Site 7 – Clement/Willow: The property is zoned and planned for residential use. An old tin warehouse built in 1941 currently occupies the land.

Sites 8 and 9 – North Housing: Based on community feedback, staff prepared an "Amendment #2: Main Street Neighborhoods Update" which the Planning Board approved with modifications on December 8, 2008. On March 4, 2009, the Alameda Reuse and Redevelopment Authority (ARRA) approved the Amendment #2 and a Legally Binding Agreement (LBA) between the ARRA, Housing Authority, Alameda Point Collaborative (APC) and Building Futures with Women and Children (BFWC). The LBA provides for a homeless accommodation of 90 permanent, service-enriched residential units affordable to formerly homeless families and individuals at North Housing. Following ARRA approval, the LBA and Amendment to Reuse Plan were submitted to the Federal Department of Housing and Urban Development (HUD). HUD approved the LBA in March 2011. Staff is currently working with the Navy to finalize the LBA. Once the LBA is finalized, the Navy will be authorized to dispose of the property. It is anticipated that the Navy will conduct a public auction for the property prior to December 31, 2013.

Site 10 – 2040 Grand: The 2.18 acre site is City owned and currently occupied by the City corporation yard and animal shelter that is planned for relocation to Alameda Point. The City has received offers from Warmington Homes, a Bay Area home builder. These offers included offers to rebuild the corporation yard at Alameda Point for the City. The site is surrounded by the Marina Cove residential development and the new Grand Marina Village residential development. It makes for an excellent housing site. The City would provide the purchaser with a lower purchase price in order to assist with the costs associated with relocation. The site is surrounded by residential uses, zoned for residential and thus would make a prime candidate for residential development. This site would not require any separate process and would be readily available.

Site 12 – 1501 Buena Vista: This site is occupied by a vacant historic warehouse. The property owner is selling the property and the site has had many interested buyers. The realistic capacity of this site assumes reuse of the historic building for housing.

Sites 13 and 14 – 2015 and 2025 Grand Street: The project site is located along Grand Street and Clement Avenue. This site is occupied with small largely vacant warehouses. The owner has entertained offers from developers in the past. This site is zoned for residential development and is surrounded by residential neighborhoods, thus making it a prime candidate for residential development. The site is also occupied by above ground Penzoil Tanks are above that can be easily removed. Most of the tanks are no longer in use. Penzoil has placed their property on the market on several occasions over the last 5 years and in all cases Penzoil has stated in their marketing material that Pennzoil would be removing the tanks and removing the small amount of hazardous materials that have dripped from the tanks into the top 2-3 inches of soil under the tanks. Pennzoil's marketing material states that the property would be made available as 'clean property' without tanks or hazardous material that would be "suitable for residential development".

Site 15 – 730 Buena Vista Avenue: The project site is bounded by Buena Vista Avenue, Constitution Way, Concordia Street and Pacific Avenue. The site is designated as Medium Density Residential in the General Plan and zoned R-5. Currently there is a boat business occupying a portion of the site but the owner has expressed interest in selling the property. The site is located in a residential neighborhood.

Site 19 and 20 – 1801 Clement & 2033 Clement (Alameda Marina): These sites total approximately 26 acres, 4 acres have been excluded due to constraints. Currently these sites are used for boat storage, maritime businesses and other small office uses. The property owners are working with the City to entitle the site for redevelopment with residential mixed use.

Site 22 – 2400 Mariner Square Dr: This site is a waterfront site that is currently vacant. The site was the formerly occupied by a Chevy's restaurant. This site is appropriate for waterfront residential use.

Site 23- CVS Site: This site is located within one block of the Park Street Commercial Area and transit corridor. The property is zoned CC- Community Commercial which allows residential development above ground floor commercial. The CVS company is currently working on plans to move to a different location in Alameda and making the site available for redevelopment. Their application at the new site is planned for City approval in June.

D. Housing Funds

All of Alameda Point, Alameda Landing and much of the Northern Waterfront are located within Community Improvement Plan (CIP) redevelopment areas. Alameda has adopted a requirement that twenty-five percent (25%) of the units be affordable. In the APIP the unit distribution must contain at least six percent affordable to very low-income dwelling units, at least ten percent affordable to low income dwelling units, and up to nine percent affordable to moderate-income dwelling units. In the BWIP and WECIP districts at least six percent of dwelling units must be affordable to very low income households, at least seven percent affordable to low income households, and up to twelve percent must be affordable to moderate income households.

All non-residential projects must comply with the City's housing impact ordinance, the Affordable Housing Unit/Fee (AHUF) ordinance (Alameda Municipal Code section 27-1). The ordinance requires all new development or change of non-residential use to either provide low-income units or an in-lieu fee. For example, for every 100,000 square feet of project space, an office building developer either must provide 20 units, which are affordable to low income households for a period of 59 years, or pay an in-lieu fee of \$3.45 per square feet of the development. The AHUF funds may be used for a variety of costs associated with developing or rehabilitating affordable housing.

In addition to the AHUF, the City has access to the significant and growing redevelopment Low and Moderate Income Housing Funds (20 percent set-aside) from the City's three redevelopment areas, BWIP, WECIP and APIP. The City also participates in other federal and state housing programs.

E. Housing Authority

The Alameda Housing Authority plays an important role in the provision of affordable housing. In addition to managing properties, the Housing Authority administers the Section 8 housing voucher program. The Housing Authority continues to look for opportunities to develop housing and/or partner with other entities to create additional affordable units. For example, the Housing Authority

is actively pursuing the development of affordable housing on the North Housing property presently undergoing surplussing by the U.S. Navy.

F. Additional Financial Resources

The City and private developers will need to expend significant financial resources to support new residential construction, fund housing programs and leverage state or federal funds, while utilizing tax advantages. The inclusionary housing obligation is specifically the developer's responsibility as specified in the City's Inclusionary Compliance Plan for Alameda's three redevelopment project areas. Typically, it is the responsibility of the developer to financially subsidize inclusionary units although assistance may be provided to developers who exceed the 15 percent inclusionary requirement.

The City has adopted Community Improvement Plans for its redevelopment project areas, which detail the development plans consistent with Community Redevelopment Law. The funds collected that are allocated for housing purposes will be used to increase, improve, and preserve housing available to low and moderate income persons at an affordable cost. The expected uses of funding will also vary by redevelopment area. In the West End Community Improvement Project, funding has been committed to debt repayment and to the Independence Plaza senior project to pay operating and rental subsidy for very low- and low-income units. In the Business and Waterfront Improvement Project, funding is contractually committed to the AUSD and to debt repayment. Remaining funding will be used for housing development activities for very low and low-income households. In the Alameda Point Improvement Project, \$3.6 million in funding has been committed to the Alameda Point Collaborative to pay for that portion of infrastructure costs allocable to the APC affordable housing units as discussed in this Element in Chapter 2. Remaining funds will be used exclusively to subsidize construction costs of the City's expanded low-income inclusionary obligations. In all redevelopment areas, the City has adopted plans, which detail the plans for redevelopment. (For additional detail please see Table 2-1 for anticipated program funding) Depending on the pace of real estate development, new projects may generate as much as \$13 million over the next five years for their respective Low and Moderate Income Housing Funds (20 percent set-aside). The City also receives revenue from its housing impact fee, the Affordable Housing Unit/Fee (AHUF), which has been recently increased to adjust for inflation. Depending on future non-residential development, this fee may generate as much as \$3 to \$4 million by the end of the Housing Element planning period. In addition to these sources, the federal HOME and CDBG programs are expected to generate approximately \$3 million for housing programs.

In addition, the City will support local agency efforts to secure federal funds including those targeted to such groups as the homeless (Emergency Shelter Grants), families at risk of lead poisoning (Lead Based Paint Hazard Reduction Program), the elderly (Section 202) and others. In the same spirit, the City will look to the State to help it meet its goals through such programs as the CHFA

HELP program. The City will also continue to work with the private sector in leveraging its funds through such programs as the CASA second mortgage shared appreciation program.

G. Residential Infill

The 1990 General Plan assumed that 520 housing units would be constructed between 1990 and 2010. Over the past several years, an average of ten units per year of infill housing have been built in Alameda. Consistent with recent trends and the City's General Plan, the City is assuming that infill housing will continue to constitute about ten units per year.

H. Residential Uses in Non-Residential Zoning Districts

The City accommodates residential uses in non-residential zones. Commercial areas, particularly those in the older portions of the city, can provide opportunities for additional housing units. More than two dwelling units can be developed on commercial property, provided they meet the requirements of AMC Section 30-4.8.(c)(1), and there are not more than two dwelling units in any one building. The C-1 (Neighborhood Commercial) and C-2 (Central Business) commercial zoning in Alameda districts allow residential uses with a use permit, based on the following provisions:

Any dwelling use permitted in "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. [AMC Section 30-4.8(c)(1)]

The C-C (Community Commercial) Zoning District allows dwelling units by right when the units are located in structures also containing nonresidential uses, are not located on the ground floor, and meet the parking requirements. When the units do not meet the off-street parking requirements, they are allowed in the district by Use Permit.

This provision has been implemented to prohibit residential use in ground floor storefront space, but to allow it to the rear on the ground floor in the main structure or as an addition to the rear, or on the second floor above. Industrial zoning districts allow caretaker or watchman residences directly associated with the primary use. Additionally, in 1998 the City adopted a work/live ordinance which allows residential use within work space. Residential use is limited to allow work to be the primary function, and therefore these units are not considered residential. Work/live units, however, do provide additional living opportunities in commercial and industrial zones. One work/live development of eight work/live spaces has been developed.

I. Surplus Land Opportunities

There are three properties that may become surplus during the planning period. These properties include the office complex on McKay, North Housing at Alameda Point and Island High, owned by the Alameda Unified School District. The General Service Agency has begun to surplus the federal property at McKay but the results of that auction and the intent of the property owner are not known. One development proposal was taken to public workshops in August 2008 for the Island High location. The community rejected this proposal. The City and school district will be reviewing development options in the future. The surplussing process of the North Housing site is described below:

On November 5, 2007, the Navy declared an additional 42 acres at the former Naval Air Station Alameda (Alameda Point), referred to as the North Housing Parcel, as surplus. Following closure of the base in 1996, the Coast Guard used the property as housing and supportive recreation facilities. In spring 2005, the Coast Guard vacated the North Housing Parcel. The November 2007 surplus declaration triggered a federally prescribed screening process created by the McKinney-Vento Act. This act requires the Federal government to prioritize any military surplus property to meet homeless needs for both housing and services. The Federal screening process is used to solicit, evaluate, and accommodate homeless assistance requirements and then, subsequently, public uses in planning and implementing the reuse of surplus property. The Alameda Reuse and Redevelopment Authority (ARRA), as the Local Redevelopment Authority (LRA), is responsible for conducting the screening process for the North Housing Parcel and must balance the needs of the homeless and requests for Public Benefit Conveyances (PBCs) against other community needs and interests such as economic development and provision of a range of housing for all segments of the population.

Within 30 days of the Navy's surplus declaration, as required, the ARRA published a Notice of Availability of Surplus Property on November 16, 2007. An informational workshop and site tour for homeless services providers and organizations eligible for PBCs was held on December 6, 2007. Subsequently, on March 7, 2008, five interested organizations submitted Notices of Interest (NOIs) for portions of the North Housing Parcel. On October 1, 2008, the ARRA recommended that staff continue to pursue two PBCs and one homeless housing accommodation for the North Housing Parcel. Therefore, Development Services Department (DSD) staff negotiating a legally binding agreement (LBA) for the homeless accommodation described below and providing on-going support for the two PBC applications to be submitted to Federal agencies.

Proposed Homeless Accommodation: The ARRA recommended proceeding with a revised proposal for approximately 90 units of permanent, service-enriched affordable rental housing to be developed and operated by the Housing Authority of the City of Alameda, the Alameda Point Collaborative, and Building Futures with Women and Children. The permanent supportive housing units will serve

individuals and families in Alameda who are homeless. The development includes a community center and property management offices. The proposed development would help meet the top priority need of "permanent supportive housing in Alameda, especially housing designed for individuals, for couples, and small families" identified in the City of Alameda Homeless Needs Assessment (February 2008). Considering the existing Neighborhood Residential zoning (R-4) and the required 25% inclusionary obligation for any future residential development at the site, the size of the development was reduced to approximately 90 housing units from the original proposal of 120 units. The ARRA also recommended evaluating alternative locations within the 42 acres, which were discussed at the November 3, 2008 Planning Board workshop. The draft Amendment to the NAS Alameda Community Reuse Plan includes a set of planning guidelines to inform location of residential development on the site.

Public Benefit Conveyances: Habitat for Humanity East Bay submitted a PBC proposal to renovate 32 homes using its self-help, or sweat-equity, model for providing affordable ownership housing. Habitat intends to sell the homes to households with incomes at 80% or less of AMI. At the ARRA's direction, DSD staff is providing on-going support for a development proposal from Habitat for Humanity East Bay to renovate 20-32 townhomes, or build 20-30 new duet-style homes, or some combination thereof, using the self-help model. It is anticipated that this project will, in part, meet low- and moderate-income inclusionary housing needs as part of any future residential development consistent with the current R-4 zoning designation. The exact location of the development will be based on future feasibility analyses and sited based on adopted planning guidelines.

The City of Alameda Recreation and Park Department (ARPD) submitted a PBC proposal to utilize approximately eight acres of existing open space at the North Housing Parcel as a public park, providing a variety of youth sports activities, including a possible agreement with the Miracle League for the renovation of the existing baseball field. At the ARRA's direction, DSD staff is providing support for ARPD's submission of a formal application to the Department of Interior to utilize approximately eight acres of open space at the North Housing Parcel. During the November 3, 2008 Planning Board Workshop, consideration was given to the overall benefit to the neighborhood of relocating the eight-acre park to another location on the 42 acres to better serve existing and future residents. Support was expressed for both active and passive parks within the redeveloped neighborhood. The commitment to active and passive open space is reflected in the draft planning guidelines.

Community Reuse Plan Amendment (North Housing): The culmination of ARRA's obligation during the federally mandated surplus process is the completion of an amendment to the 1996 Naval Air Station Alameda Community Reuse Plan. "Amendment #2: Main Street Neighborhoods Update" addresses the need to plan for the reuse of the recently declared 42 surplus acres and includes an update of redevelopment efforts in this subarea of NAS Alameda.

The approximately 300-acre Main Street Neighborhoods subarea, as defined in the Reuse Plan, is home to primarily residential neighborhoods. Within the Main Street Neighborhoods, market-rate tenants and residents of the Alameda Point Collaborative occupy the majority of existing housing units west of Main Street. East of Main Street, Marina Village houses U.S. Coast Guard personnel, the Bayport community includes 586 new residential units, and 282 units on 42 acres were recently declared surplus by the Navy.

The Base Realignment and Closure Act requires community outreach and opportunities for participation in the reuse plan amendment process. Community engagement includes two public meetings on November 3, 2008 and December 8, 2008 and a public hearing at an upcoming ARRA meeting on February 4, 2009. Notices were mailed to tenants and property owners within 1,000 ft. of the North Housing Parcel, as well as community stakeholders. A meeting notice was posted at the site and an ad was placed in the local paper. The workshops are an opportunity for the community to provide feedback on the location of the recommended accommodation for the homeless as well as the public benefit conveyances, and to consider and prioritize other reuse opportunities for the land.

On November 3, 2008, the Planning Board meeting included a presentation of the surplus process to date and audiovisual presentation of several alternative neighborhood designs that could accommodate an eight-acre park as well as homeless, affordable and market rate housing alternatives that are consistent with the surplus process, as well as the land use guidelines in the 1996 NAS Alameda Community Reuse Plan.

Based on community feedback, staff prepared an "Amendment #2: Main Street Neighborhoods Update" which the Planning Board approved with modifications on December 8, 2008. On March 4, 2009, the Alameda Reuse and Redevelopment Authority (ARRA) approved the Amendment #2 and a Legally Binding Agreement (LBA) between the ARRA, Housing Authority, Alameda Point Collaborative (APC) and Building Futures with Women and Children (BFWC). The LBA provides for a homeless accommodation of 90 permanent, service-enriched residential units affordable to formerly homeless families and individuals at North Housing. Following ARRA approval, the LBA and Amendment to Reuse Plan were submitted to the Federal Department of Housing and Urban Development (HUD). HUD approved the LBA in March 2011. Staff is currently working with the Navy to finalize the LBA. Once the LBA is finalized, the Navy will be authorized to dispose of the property. It is anticipated that the Navy will conduct a public auction for the property prior to December 31, 2013.

J. Availability of Services

Adequate water, sewer and other services are available to serve most of the remaining vacant and infill area development sites in the City. Alameda lies within the service area of the East Bay Municipal Utility District (EBMUD) for water, while power is provided by the City's own utility, Alameda Power (AP). While the infrastructure in many redevelopment areas is deteriorated or may otherwise require substantial investment, this does not pose a significant constraint on the development of those sites within the 5-year planning period. Significant infrastructure issues remain, however, with the redevelopment at Alameda Point and are discussed further in Chapter 6 of this document.

K. Opportunities for Energy Conservation

The City of Alameda has adopted a wide range of policies and programs to facilitate energy efficiency in residential development. In 1981, the City adopted an Energy Element as part of its General Plan. The Energy Element contained numerous policies and programs for energy-efficiency. In addition to producing alternative sources of energy and encouraging energy conservation in transportation, the Energy Element contained several specific proposals for conserving energy in residential development. These policies include enforcement of Title 24, establishing design standards for energy efficient homes, and including solar energy techniques in site and building layout and design.

1. In addition to the policies and programs in the Energy Element, Alameda Power (AP, the City-owned utility) has developed a list of residential customer energy services. 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 pick up program, free energy audits, and an Energy Assistance Pilot Program to help low income residents reduce their energy use. The City is pursuing an aggressive program to recycle building materials from large demolition projects such as those on former US Navy properties on Alameda Point. The City has successfully implemented these programs over the past few years and has committed to continue implementation, as called for in the Alameda Power Business Plan. Below is a summary of the City's residential energy programs: Weatherization Cash Grant Program: For customers with electric heat, AP pays 80 percent of the cost of weatherization and the customer pays 20 percent.
2. Great White Light Sale: This is a rebate program to encourage residential customers to install energy efficient compact florescent lamps. Customers receive a \$2.00 coupon toward the purchase of a compact florescent lamp at a local retailer.

3. Meter Lending Program: Under this program, customers may borrow a meter to measure the electric use of any 120-volt appliance in order to check and ultimately reduce electrical consumption in homes.
4. Energy Star Refrigerator and Recycle Program: This program offers rebates of \$100 to customers who buy Energy Star refrigerators and recycle their old refrigerators properly.
5. Second Refrigerator Pick Up Program – Alameda Power’s recycler will pick up customers second refrigerator at no cost and the customer receives a \$35 rebate.
6. Energy Audits: Alameda Power provides free energy audits for residential properties.
7. On Line Residential Energy Audit – Customers can do their own home energy audit using a program on Alameda Power’s website. Also included in the program are libraries of energy efficiency measures and appliance calculators.
8. Energy Assistance Program: This program helps low-income residents reduce their energy use and provides financial assistance. The emphasis is on senior citizens, customers with electric heat, and customers on the waiting list for Section 8 housing assistance.

Taken as a whole, the City’s policies and programs form a comprehensive approach to energy efficiency in residential development.

L. Maintaining Consistency with Other General Plan Elements and Community Goals

The City has completed two planning initiatives that will have an impact on the amount of land available for housing development. These planning efforts include the Northern Waterfront General Plan Amendment and the General Plan Amendment for Alameda Point.

1. Northern Waterfront Specific Plan (NWSP): Bounded by the Alameda Beltline property at Constitution Way, Minturn Street at Eagle Avenue, and the Oakland-Alameda Estuary, the Northern Waterfront encompasses an area of Alameda that was historically a working waterfront containing light and heavy industrial uses. Recent developments in the area have demonstrated that waterfront uses are no longer the strongest economic use of the land. Additional land for residential development at several sites within the area will assist the city in creating housing opportunities.

2. Alameda Point General Plan Amendment and Draft Master Plan: Alameda Point, the former Naval Air Station Alameda, is the subject of a recent Draft Master Plan completed by Suncal, the City's Master Developer. The City completed a GPA to change the General Plan designation of Alameda Point from Federal Facilities to other land use designations, including mixed use and residential. The specific mixed use designations will include allowances for residential uses.

In conclusion, the City has aggressively pursued construction of new housing, rehabilitation of existing housing and conversion of former military housing to civilian residential uses. Pursuant to State housing laws, the City has designated, or is in the process of designating, more than the minimum amount of land at sufficiently high densities to meet its regional share of housing over the seven year planning period. The City will continue to pursue additional housing opportunities for all income levels during this period. Through a combination of redevelopment monies, inclusionary housing requirements and an active role in pursuing housing opportunities by the Alameda Housing Authority, Alameda clearly will be able to meet its fair share obligations.



EXHIBIT 4

**City of Alameda Zoning Plan Section 30-4.19 O,
Open Space District**

(as it would be amended by this Initiative)

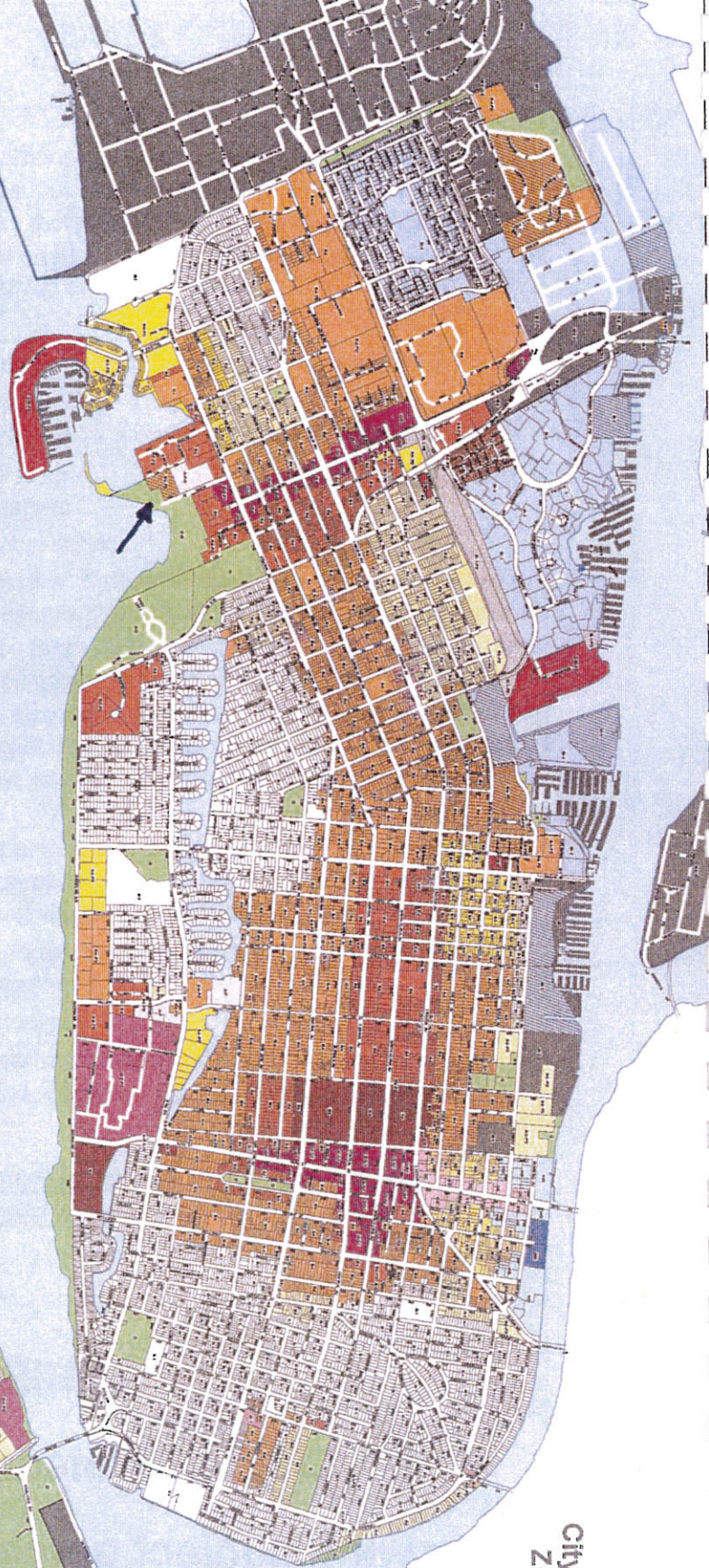
30-4.19 O, Open Space District.

- a. *General.* The following specific regulations shall apply in all O Districts as delineated and described in the zoning map(s). It is intended that this district classification be applied on lands, tide lands and water areas suitable for recreational and aesthetic resources, and that the regulations established will promote and protect recreational uses, scenic vistas or reservation of land or water against the intrusion of improper uses.
- b. *Uses Permitted.*
 - 1. Public and private parks, parkways, playgrounds, beaches, lagoons or lakes, excepting buildings or structures thereon.
 - 2. Public and private golf courses, country clubs, excepting buildings or structures thereon.
 - 3. Public and private land or water preserves.
 - 4. Underground utility installations for local service.
- c. *Uses Permitted, Subject to Minor Design Review.* Subject to the adjacent property owner's ability to lease portion(s) of the public tidal lands within the "O" District, minor structures that are accessory to the adjacent residential use for the purpose of either: a) waterfront access, including but not limited to docks, and fences/gates not to exceed eight feet (8') in height above the dock, or b) landscape amenities, such as arbors, gazebos, and similar unenclosed structures not to exceed ten feet (10') in height, are permitted subject to approval process for improvements requiring minor design review, as outlined in Section 30-37 Design Review Regulations.
- d. *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, sanitation, design and visual attractiveness.
 - 1. Any structure or building (other than those described in subsection c. of this section) located within areas described in paragraphs b.1., 2. and 3.
 - 2. Above ground utility installations for local service.
 - 3. Publicly owned small craft marinas and related installations.
 - 4. Public and commercial concessionaire activities, uses and buildings.
- e. The 3.899 acre surplus federal property which is a portion of Alameda County Assessor's Parcel No. 74-1305-026 is hereby zoned Open Space.

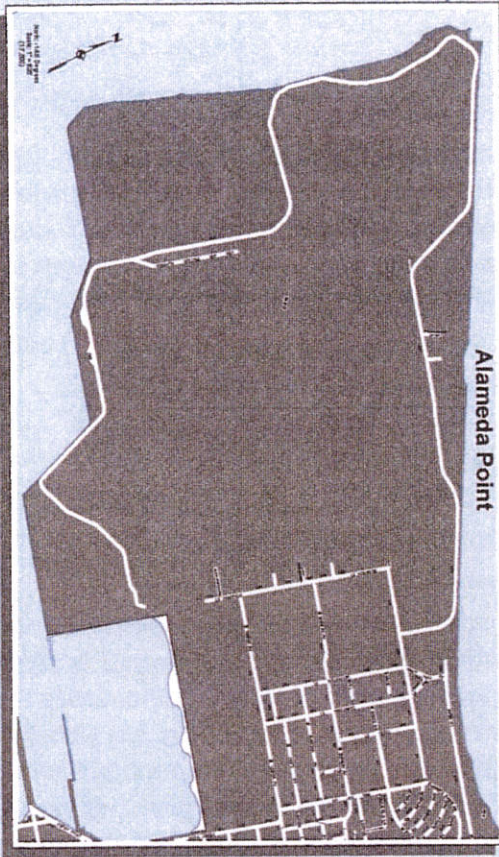
EXHIBIT 5
City of Alameda Zoning Map
(showing subject parcel as currently zoned)



City of Alameda
Zoning Map

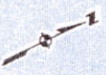


Alameda Point



Zoning

| Residential | |
|------------------------|-----------------------------------|
| | R-1 One-Family Residential |
| | R-2 Two-Family Residential |
| | R-3 Garden Residential |
| | R-4 Neighborhood Residential |
| | R-5 General Residential |
| | R-6 Multi-Family Residential |
| Commercial | |
| | C-1 Administrative/Professional |
| | C-2 Neighborhood Business |
| | C-3 General Business |
| | C-4 Community Commercial |
| | C-5 Commercial Manufacturing |
| Industrial | |
| | I-1 Informal Industrial |
| | I-2 General Industrial |
| Special Zones | |
| | S-1 Mixed Use Planned Development |
| | S-2 E-Station |
| | S-3 Open Space |
| | S-4 Planned Development Overlay |
| Subdistricts | |
| | RD Residential District |
| | MU Medium-Density District |
| | WD Workforce District |
| | MD Medium-Density District |
| | CD Gateway District |
| Agricultural Districts | |
| | A Agricultural District |
| | B Building Site District |
| | H Height District |
| | Y Yard District |
| | G Government Corridor |
| | MFD Multi-Family Overlay |



North - 0° Degree
Scale: 1" = 500'
0 512.5 1025 1537 2050 Feet

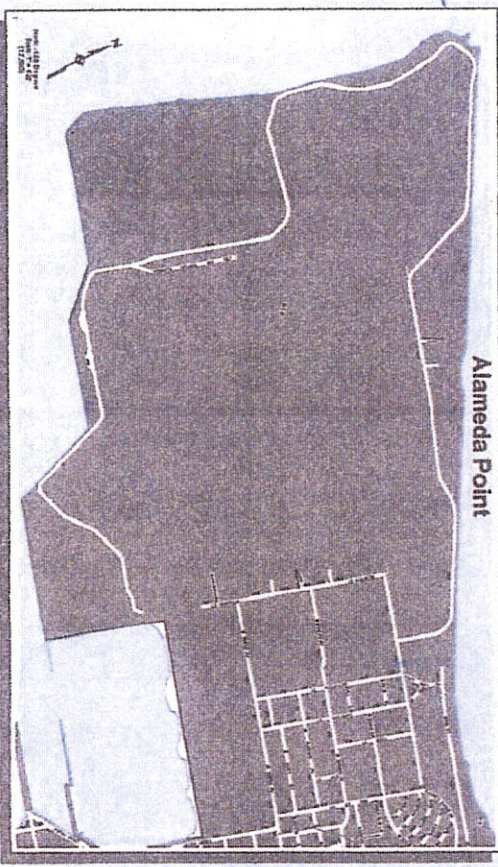
EXHIBIT 5
City of Alameda Zoning Map
(showing subject parcel as it
would be zoned by this Initiative)



City of Alameda
Zoning Map



Alameda Point



Zoning

| | | | |
|------------------------------|----------------------------------|-------------------------------|---------------------------------|
| R-1 One Family Residential | C-1P Administrative Professional | I-1.1 Intermediate Industrial | R-10 Residential District |
| R-2 Two Family Residential | C-1 Neighborhood Business | I-1.2 General Industrial | R-11 Medium-Density Residential |
| R-3 Open Residential | C-2P Central Business | S-1X Special Zones | R-12 Medium-Density Residential |
| R-4 Neighborhood Residential | C-3 Community Commercial | S-2X Planned Development | R-13 General Residential |
| R-5 General Residential | C-4 Commercial/Manufacturing | S-3 Other Planned Development | R-14 Hill Residential |
| R-6 Hill Residential | C-5 Open Space | S-4 Other Planned Development | |
| | PD Planned Development Overlay | | |

| | |
|--------------------------|-----------------------------------|
| A Agricultural District | M-1 Medium-Density Manufacturing |
| B Quacking Sals District | M-2 Medium-Density Manufacturing |
| H High-Density | M-3 Medium-Density Manufacturing |
| Y Yard District | M-4 Medium-Density Manufacturing |
| G Government Catching | M-5 Medium-Density Manufacturing |
| I-1 Industrial | M-6 Medium-Density Manufacturing |
| I-2 Industrial | M-7 Medium-Density Manufacturing |
| I-3 Industrial | M-8 Medium-Density Manufacturing |
| I-4 Industrial | M-9 Medium-Density Manufacturing |
| I-5 Industrial | M-10 Medium-Density Manufacturing |
| I-6 Industrial | M-11 Medium-Density Manufacturing |
| I-7 Industrial | M-12 Medium-Density Manufacturing |
| I-8 Industrial | M-13 Medium-Density Manufacturing |
| I-9 Industrial | M-14 Medium-Density Manufacturing |
| I-10 Industrial | M-15 Medium-Density Manufacturing |
| I-11 Industrial | M-16 Medium-Density Manufacturing |
| I-12 Industrial | M-17 Medium-Density Manufacturing |
| I-13 Industrial | M-18 Medium-Density Manufacturing |
| I-14 Industrial | M-19 Medium-Density Manufacturing |
| I-15 Industrial | M-20 Medium-Density Manufacturing |
| I-16 Industrial | M-21 Medium-Density Manufacturing |
| I-17 Industrial | M-22 Medium-Density Manufacturing |
| I-18 Industrial | M-23 Medium-Density Manufacturing |
| I-19 Industrial | M-24 Medium-Density Manufacturing |
| I-20 Industrial | M-25 Medium-Density Manufacturing |
| I-21 Industrial | M-26 Medium-Density Manufacturing |
| I-22 Industrial | M-27 Medium-Density Manufacturing |
| I-23 Industrial | M-28 Medium-Density Manufacturing |
| I-24 Industrial | M-29 Medium-Density Manufacturing |
| I-25 Industrial | M-30 Medium-Density Manufacturing |

EXHIBIT 6

City of Alameda Zoning Plan

**Section 30-4.4 R-4, Neighborhood Residential District;
Section 30-4.13 PD, Planned Development Combining District; and
Section 30-4.23, Multi-family Residential Combining Zone
(not amended by this Initiative)**

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 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.
 - 2. 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. Uses not otherwise permitted in paragraph b. and as required in R-3 Districts.
- 2. Storage garage buildings when constructed on a vacant lot, and for the primary use of occupants of adjacent buildings.
- 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.
- 4. Administrative offices of nonprofit community social service organizations.
- 5. Bed and breakfast facilities, upon compliance with standards set forth in the definition for bed and breakfast in Section 30-2
- 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 non-local automobile traffic to the terminal through the residential areas.

d. *Minimum Height, Bulk and Space Requirements.*

- 1. Lot Area: Not less than 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. 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: Fifty (50%) percent of lot area.
- 4. Building Height Limit: Not to exceed thirty-five (35') feet.
- 5. Front Yard: Twenty (20') feet.
- 6. 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. 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. Distances Between Main Buildings on Same Lot: Twenty (20') feet.
9. 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. Usable Open Space Requirements: 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. Off-Street Parking Space: As regulated in Section 30-7

(Ord. No. 535 N.S. §§ 11-1313— 11-1316; Ord. No. 1277 N.S.; Ord. No. 1372 N.S.; Ord. No. 1476 N.S.; Ord. No. 1533 N.S.; Ord. No. 1757 N.S.; Ord. No. 1844 N.S.; Ord. No. 2267 N.S.; Ord. No. 2289 N.S.; Ord. No. 2363 N.S.; Ord. No. 2428 N.S., § 6; Ord. No. 2480 N.S., § 4; Ord. No. 2511 § 1; Ord. No. 2560 N.S. § 5; Ord. No. 2566 N.S. § 1; Ord. No. 2933 N.S. § 3; Ord. No. 2943 N.S. § 6)

30-4.13 PD, Planned Development Combining District.

- a. *Statement of Purpose.* The purpose of the Planned Development District is to provide more flexibility in site design, development standards and types of land uses than would otherwise be allowed in the underlying zoning district; to ensure project compatibility with surrounding uses; and to ensure that adverse environmental effects are reduced or avoided to the maximum extent feasible.
- b. *Established.* The Planned Development (PD) District is hereby established as a zoning district classification combining the provisions of the regulations of the underlying district with the regulations for planned developments as set forth herein.
- c. *Qualifying Requirements.*
 1. All areas of the City zoned Planned Development shall be developed or redeveloped under the Planned Development process.
 2. A Planned Development shall include at least two (2) acres of contiguous land unless the Planning Board finds that an area containing less than two (2) acres is suitable as a planned development by virtue of its location adjacent to other planned developments, unique historical or architectural character, topography, natural landscape features, parks or water areas, or other features requiring special treatment or protection.
 3. All Planned Developments shall be consistent with the General Plan.
 4. In order to assure quality developments, professional talent (i.e., architects, landscape architects, civil engineers, traffic engineers and planners) should be used in the design of planned developments. Professionals should be registered in the State of California.
- d. *Uses Permitted in Planned Developments.*
 1. The following may be permitted in residential planned developments:
 - (a) Uses permitted in the district with which the PD District is combined;
 - (b) Uses requiring use permits in the district which the PD District is combined;
 - (c) Yacht clubs which the Planning Board finds are compatible with the development under consideration.
 2. The following uses may be permitted in nonresidential Planned Development Districts:
 - (a) Uses permitted in the district with which the PD District is combined;
 - (b) Uses requiring use permits in the district with which the PD District is combined;
 - (c) Any uses which the Planning Board finds are compatible with the development under consideration;
 - (d) Large format retail.
- e. *Other Applicable Regulations.* (Not related to use.) Regulations applicable to the district with which the PD District is combined shall apply, except for provisions for:
 1. Minimum lot area and width and maximum building coverage;
 2. Yards;
 3. Off-street parking;
 4. Height.

The Planning Board shall establish the requirements for excepted provisions by conditions of approval.
- f. *Procedures and Standards.*

1. At least one (1) public hearing, noticed pursuant to subsection 30-21.7 shall be held on each application or substantial amendment thereto.
2. The provisions of subsections 30-21.3c and d. and subsection 30-21.12 shall apply to all PD applications.*
3. The Planning Board may approve a PD application only if it determines:
 - (a) The development is a more effective use of the site than is possible under the regulations for which the PD district is combined; and
 - (b) The project meets the requirements of AMC Section 30-21.3.b. Use Permit Standards, subsections 1, 2, 3, and 4.
4. Parcels developed with two (2) or more existing single-family or two-family dwellings may be approved as a Planned Development, subject to the following standards:
 - (a) The provisions of subsection 30-4.13c., d., and e. shall apply.
 - (b) Parcels to be subdivided shall be developed with only single-family or two-family homes.
 - (c) Each parcel created through the subdivision shall be required to comply with the density requirement of Article XXVI of the Alameda City Charter.
 - (d) No vacant parcels of less than five thousand (5,000) square feet shall be created.
 - (e) The proposal shall be reviewed for basic health and safety standards. The Planning Board shall be authorized to establish conditions of approval.
5. No PD application shall be approved which would not comply with the provisions of the Subdivision Map Act or subdivision regulations of the City, exclusive of those requirements for which exemptions are permitted.
6. The Planning Board may consider but shall not approve or disapprove architectural design features subject to Design Review Board approval.
7. A PD permit shall terminate one (1) year from the effective date of its approval unless actual construction has begun within that time. The time required to approve a tentative or final map on the PD permit shall extend the time to begin construction if the tentative map is filed within one (1) year.

Prior to the expiration of the one (1) year period within which the PD permit must be first exercised, the grantee may apply for one (1) additional one (1) year time period within which to exercise the approval. Such applications for extension shall be ruled upon by the Planning Board after a public hearing.

This right to apply for the additional one (1) year time period shall be retroactive to PD approvals in existence on or subsequent to December 1, 1988.

g. *Density.*

1. The Planning Board shall determine the number of dwelling units that are appropriate for the Planned Development. Unless mitigating measures can be implemented under paragraph i. of this subsection, density which could create the conditions listed in that paragraph shall not be allowed.
2. The maximum number of dwelling units which the Board may permit shall be:
 - (a) R-1; One unit per 5,000 square feet of lot area.
 - (b) R-2; One unit per 2,000 square feet of lot area.
 - (c) R-3; One unit per 2,000 square feet of lot area.
 - (d) R-4; One unit per 2,000 square feet of lot area.
 - (e) R-5; One unit per 2,000 square feet of lot area.

- (f) R-6; One unit per 2,000 square feet of lot area.
3. Density shall be calculated for each planned development. The Board may calculate density on the basis of more than one (1) Planned Development if the Planned Developments are contiguous and part of an approved master plan. This paragraph g. may be applied to existing as well as proposed Planned Developments.
- h. *Streets and Other Transportation Facilities.*
1. All streets, other than ways used for access to garages or parking areas, shall be dedicated unless the Planning Board determines that private streets are a necessary arrangement in the design of the planned development and the covenants and conditions include a provision that the City may repair streets and/or require dedication at a later date if streets are not maintained.
 2. The Planning Board may require the dedication of any walkway, bicycle path, or other transportation facility within a Planned Development if such dedication appears to be in the public interest.
 3. A Planned Development shall satisfy either the provisions of the subdivision regulations or the requirements for exceptions to the provisions of the subdivision regulations. If the Planning Board determines that the design of the Planned Development meets the requirements for exceptions, approval of the Planned Development shall constitute the recommendation to authorize appropriate exceptions to the requirements and regulations of the subdivision regulations.
- i. *Particular Conditions.* The Planning Board may impose such conditions as will eliminate or mitigate any of the following conditions which might otherwise result from approval of the application:
1. Traffic congestion or unsafe access,
 2. Site not physically suitable for the type of development,
 3. Site not physically suitable for the proposed density,
 4. Proposed improvement is likely to cause substantial environmental damage,
 5. Design or type of improvement is likely to cause serious public health problems.
- j. *Development Plan.* An applicant seeking approval of a Planned Development shall submit a development plan with the application. The development plan shall include all of the following information:
1. A site plan showing:
 - (a) All streets, walkways, waterways, bicycle or pedestrian paths, parking lots, dividing strips, bridges, building pads or sites and lot lines, drawn so as to be easily read and interpreted,
 - (b) Areas proposed to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings, and similar public uses, or similar facilities proposed for common ownership or use,
 - (c) General topography and cross-sectional information, in sufficient detail so as to be easily understood,
 - (d) Details and specifications, as necessary, to insure that improvements meet the requirements of the Planning Board.
 2. A plot plan showing:
 - (a) Each building site or pad, its relationship to other building sites in distance and the approximate location of all buildings, structures and improvements.
 - (b) All open space, including common open space and private open space.
 3. Elevations, perspective drawings, models or other graphic representations sufficient to

- appraise the Board of the design of the various improvements of the project.
4. A development schedule indicating:
 - (a) The approximate date when construction of the project is expected to begin.
 - (b) The stage in which the project will be built and the approximate date when construction of each state is expected to begin.
 - (c) The anticipated rate of development.
 - (d) The approximate dates when the development of each of the stages in the development is expected to be completed.
 - (e) The area and location of common open space that will be provided at each stage.
 5. An outline of the proposed agreements, provisions or covenants, if any, which will govern the use, maintenance, and continued protection of the Planned Development and any of its common open areas.
 6. Any additional information which the Planning Board deems necessary or desirable.
 7. An overall general or master plan showing how the plans relate to one another when two (2) or more related Planned Development plans will be filed.
- k. *Development Plan Finalization.* Whenever approval of the development plan is conditioned on amendments thereto, the Planning Board may require an additional review to insure that all exhibits and texts of the approval comply with approvals given. Exhibits and text shall be designated the final development plan when no further approvals are required by the Planning Board.
- m. *Amendments.*
1. Amendments to planned developments shall be subject to review by the Planning Board.
 2. Amendments to planned developments shall be required under the following circumstances:
 - (a) Changes in permitted uses from those authorized under the planned development approval;
 - (b) Changes in the permitted minimum lot area and width, building height limit, maximum main building coverage, or yard requirements;
 - (c) Changes in off-street parking requirements;
 - (d) Additions to commercial or public uses which involve more than a twenty-five (25%) percent increase in the floor are of existing structures associated with the use. The Planning Board may place additional requirements on individual Planned Development projects that establish specific criteria for evaluating the need for an amendment. These may be in addition to or may modify the standard established in this section;
 - (e) A building or use expansion which, in the opinion of the Planning Director, may have a substantial adverse effect on adjacent property;
 - (f) Conversion of existing multiple tenant retail spaces to a single retail space greater than thirty thousand (30,000) square feet; unless, said conversion is allowed by the existing Planned Development approval.
 3. Amendments to final development plans shall be processed according to the foregoing provisions of this article.
- n. *Certificates of Compliance.* Before the issuance of an occupancy permit, the Zoning Administrator shall certify that the conditions of approval of the Planned Development have been met. The City Engineer's report on a final map shall certify that the final map is

consistent with the conditions of approval of the Planned Development.

- o. *Rebuilding Destroyed Developments.* Planned Developments approved and completed at the adoption of this Ordinance No. 1807 N.S. may be rebuilt if destroyed by accident, fire or other cause.

(Ord. No. 2848 N.S. §§ 1, 2; Ord. No. 2652 N.S. § 1; Ord. No. 535 N.S. §§ 11-1353—11-1358; Ord. No. 1277 N.S.; Ord. No. 1807 N.S.; Ord. No. 1931 Exh. A No. § 12., 13., and 14.; Ord. No. 2025 N.S.; Ord. No. 2441 N.S., § 1; Ord. No. 2566 N.S. § 5; Ord. No. 2579 N.S. § 6; Ord. No. 2583 Exh. A., No. 7; Ord. No. 2600 N.S. §§ 1, 2; Ord. No. 2608, § 1; Ord. No. 2795 N.S. §§ 1, 2; Ord. No. 2979 N.S. §§ 10—13)

** Editor's Note: Subsections 30-21.3c and d. permit the Board to place conditions on approval and to revoke approval for failure to abide by required conditions. Subsection 30-21.12 permits the Planning Board to refer applications to the Design Review Board for a report or for approval.*



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) Multifamily;
 - (b) Town homes;
 - (c) Senior;
 - (d) Transitional housing;
 - (e) Supportive housing;
 - (f) Single room occupancy;
 - (g) Live/work;
 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.
 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.

- g. *Transportation Facilities and Service Requirements.*
1. Transit passes or weekday commute hour shuttle service shall be provided with each unit in the residential development.
 2. Secure bicycle parking spaces for at least two (2) bicycles shall be provided for each unit in a secure bicycle cage or comparable facility.
 3. Off-street parking shall be provided in accordance with Section 30-7.6, Schedule of Required Minimum and Maximum Off-Street Parking Space.
- h. *Review Requirements.* The review of residential development proposals for residential development within the MF Overlay zone 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 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.

(Ord. No. 3054 N.S., § 6, 7-17-2012)

NOTICE OF INTENTION TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Alameda for the purpose of amending the zoning of the surplus federal property adjacent to Crab Cove, from Residential (R-4-PD-MF) (Neighborhood Residential, Planned Development Overlay, Multi-Family Overlay) to Open Space (O) and for the purpose of amending the City of Alameda's General Plan Map, General Plan Housing Element 2007 – 2014, Zoning Plan, and Zoning Map.

The approximately 3.899 acre L-shaped parcel is improved with two 1940-era buildings containing approximately 25,232 gross square feet and an area previously used for vehicle parking. The parcel is a portion of Alameda County Assessor's parcel number 074-1305-026. It is located on the Northwest side of McKay Avenue across from Crab Cove at Robert W. Crown Memorial State Beach.

In September of 2008, the Alameda City Council endorsed Measure WW, which authorized funds for the acquisition of the surplus federal property adjacent to Crab Cove for the purpose of expanding Crown Beach. More than 70% of Alameda voters approved Measure WW in the November 2008 general election. To implement the will of the voters, the surplus federal property adjacent to Crab Cove needs to be zoned Open Space (O). Instead of doing this, however, in July of 2012 the Alameda City Council rezoned the property for residential development (R-4-PD-MF).

This initiative petition provides Alameda with a unique opportunity to expand the recreational and natural resources of Crown Beach next to Crab Cove. This measure reaffirms the expressed will of the voters who voted for the expansion of Crown Beach.

This initiative is to be submitted directly to the voters.

/s/ _____
Douglas L. Siden - Proponent
3408 Brithorn Lane
Alameda, CA 94502

/s/ _____
Wai-Kuan Woo - Proponent
1031 Rosewood Way
Alameda, CA 94501

/s/ _____
Karin Lucas - Proponent
2254 Encinal Avenue
Alameda, CA 94501

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

Initiative Measure to Amend City of Alameda General Plan including the 2007-2014 Housing Element and the Zoning Ordinance to Classify Approximately 3.899 acres of Land adjacent to McKay Avenue as Open Space

This initiative measure if approved by a majority of those voting would amend the Alameda City General Plan and General Plan Map such that the land use designation of a 3.899 portion of Alameda County Assessor's Parcel number 74-1305-026 would be changed from Medium Density Residential to Parks and Public Open Space. The measure would also amend the City's adopted 2007 – 2014 Housing Element, which is part of the Alameda City General Plan, to remove the identified portion of the parcel from the list of "Sites to Rezone" and "Land Availability." The measure would amend the Zoning Map and Alameda City Zoning Ordinance such that the zoning classification of the identified portion of the parcel would be changed from R-4 Neighborhood Residential District, Planned Development/with Multi-Family Overlay to Open Space. The measure would also make other technical revisions and deletions to the City General Plan including the Housing Element and the Zoning Ordinance which are related to the foregoing modifications. If approved by the voters, the measure could not be amended or repealed by the City Council; it could be amended or repealed only by a majority of the voters voting in an election thereon.

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| <p><u>VOTER:</u> Please sign Petition one time ONLY.</p> | <p>NOTICE TO THE PUBLIC THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. All signers of this petition must be registered to vote in the City of Alameda, California.</p> |
|--|--|

Use Pen Only – PLEASE PRINT ALL INFORMATION EXCEPT SIGNATURE

Official Use Only

| | | | |
|----|---|--|--|
| 51 | <p>_____</p> <p>Print Name</p> <p>_____</p> <p>Sign As Registered To Vote</p> | <p>_____</p> <p>Residence Address ONLY</p> <p>_____</p> <p>City Zip Code</p> | |
| 52 | <p>_____</p> <p>Print Name</p> <p>_____</p> <p>Sign As Registered To Vote</p> | <p>_____</p> <p>Residence Address ONLY</p> <p>_____</p> <p>City Zip Code</p> | |

DECLARATION OF CIRCULATOR
 (To Be Completed In Circulator's Own Handwriting After Above Signatures Have Been Obtained.)

I, _____, am 18 years of age or older.
(Print full name of Circulator, including middle name or initial)

I reside at the following address: _____
(Residence address, City, State, ZIP)

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____
(Month, Day, Year) (Month, Day, Year)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ at _____, California _____
(Date of signing) (Place of signing) (Signature of Circulator, including middle name or initial)

* * * * *

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 1th day of July, 2014, 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 2nd day of July, 2014.

Lara Weisiger, City Clerk
City of Alameda