

CITY OF ALAMEDA PLANNING BOARD
DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA
ADOPTING AMENDED AND RESTATED OBJECTIVE DESIGN REVIEW
STANDARDS

WHEREAS, the State of California and the City of Alameda face an unprecedented housing shortage and affordability crisis. In 2019, the Legislature concluded that “California has a housing supply and affordability crisis of historic proportions”; and

WHEREAS, the Housing Accountability Act, Government Code section 65589.5, restricts the City of Alameda’s ability to deny or reduce the density of housing development projects (i.e., residential development, transitional and supportive housing, and residential mixed-use development where at least two-thirds of the square footage is designated for residential use) that are consistent with objective development standards; and

WHEREAS, Senate Bill (SB) 35, Government Code section 65913.4, establishes a developer-initiated process to streamline the approval process for housing developments (i.e., those proposing two or more multifamily units) meeting specific criteria, including affordable housing requirements and labor requirements. Such housing projects will be eligible for ministerial approval, which means the project is exempt from environmental review under the California Environmental Quality Act (CEQA) and will only be subject to “objective” planning standards; and

WHEREAS, Senate Bill (SB) 9, Government Code section 65852.21 et seq., requires a proposed housing development containing no more than two residential units within a single-family residential zone to be considered without discretionary review or hearing, if the proposed housing development meets certain requirements. Such housing projects will be eligible for ministerial approval, which means the project is exempt from environmental review under CEQA and will only be subject to objective zoning standards, objective subdivision standards, and objective design review standards; and

WHEREAS, Assembly Bill (AB) 2162, Government Code section 65650 et seq., requires that supportive housing be a use that is permitted by right in zones where multifamily and mixed-use development is permitted, and requires the City to streamline approval of housing projects containing a minimum amount of supportive housing by providing a ministerial review process, removing the requirement for CEQA analysis, and removing the requirement for conditional use authorization or other similar discretionary entitlements granted by the Planning Board; and

WHEREAS, the Objective Standards primarily consist of architectural and site design best practices already contained in adopted City planning documents and will complement the existing Citywide Design Review Manual (including the Guide to Residential Design) in furtherance of the goals, policies, and actions of the General Plan, which encourage high quality design and the quality of life that an enhanced built environment fosters; and

WHEREAS, on February 10, 2020, the Planning Board adopted Planning Board Resolution No. PB-20-04 adopting objective design review standards, i.e., measurable and clear criteria, to facilitate and accommodate development at the density permitted on the site and proposed by the development, in accordance with State law; and

WHEREAS, on February 22, 2021, the Planning Board adopted Planning Board Resolution No. PB-21-01 adopting amended and restated objective design review standards; and

WHEREAS, on December 13, 2021, the Planning Board adopted Planning Board Resolution No. PB-21-14 adopting objective design review standards for one- and two-dwelling residences; and

WHEREAS, on July 24, 2023, the Planning Board conducted a duly noticed public hearing and considered amendments to both sets of adopted objective design review standards.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board finds the adoption of the Objective Design Review Standards is exempt from CEQA, pursuant to CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that this action may have a significant impact on the environment. As an independent and separate basis, the Planning Board finds the adoption of objective design review standards is exempt from CEQA pursuant to CEQA Guidelines section 15183, projects consistent with a community plan, general plan or zoning; and

BE IT FURTHER RESOLVED, the Planning Board hereby adopts this resolution adopting the Amended and Restated Objective Design Review Standards, dated 7/24/23, attached as Exhibit 1 to the staff report and incorporated by reference as though fully set forth herein, subject to the following conditions:

1. Effective Date. This resolution shall take effect immediately upon its adoption. The adopted objective design review standards shall supersede and replace all previously adopted objective design review standards.
2. Additions and Deletions. Any future substantial amendments to the Objective Design Review Standards shall be presented to the Planning Board for consideration.

3. Revisions by Planning Director. The Planning Board hereby delegates responsibility to the Planning Director, or his/her designee, to make miscellaneous minor administrative, clarifying, and technical revisions that facilitate implementation of the adopted standards. Examples of such revisions include word substitutions for clarification purposes, changes to graphics, formatting, and other typographical changes that do not substantially alter the intent, meaning, or purpose of any particular standard.

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

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

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