

From: [Amy Pernick](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); tspenser@alamedaca.gov
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] URGENT - VOTE NO to upzoning the R-1 Zoning District of Alameda
Date: Tuesday, January 4, 2022 10:14:26 PM

We are residents of Alameda and strongly oppose the planning board's proposals regarding SB-9. The Island of Alameda is already overcrowded and to build housing at the rate allowed by proposed up zoning of R-1 would be irresponsible and dangerous. At the very least, a decision on this issue today, January 4, 2022, should be tabled until further public discussions, EIRs, and other studies have been conducted. To pass this proposal would be hasty and ignorant of our special island's unique and important historic character, and stress an already vulnerable infrastructure of egress and access from mainland Alameda County.

We support keeping the maximum number of housing units on a post-split R-1 lot at four, as permitted by SB9 and originally recommended by staff, rather than the Planning Board's recommended 10 units.

We support limiting the maximum size of SB9 units to 1200 square feet as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.

We support requirement of an informational notice for an SB9 project to be sent to all property owners within 100 feet and posted on the project site and on the City of Alameda's website, immediately following the filing of an SB9 application. Unlike current noticing practices, the SB9 notice would not be able to invite public comment, and would at the very least allow neighbors to become aware of SB9 projects prior to the start of construction.

With regards,

Amy and John Pernick

From: [Zac Bowling](#)
To: [City Clerk](#); [Manager Manager](#); [Malia Vella](#); [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Andrew Thomas](#); [City Attorney](#)
Subject: [EXTERNAL] Public comment regarding item 7-A
Date: Tuesday, January 4, 2022 6:00:19 PM

Mayor and Council,

I ask that you adopt the resolution, as is, from the planning board and disregard the urgency resolution. I think that the planning board arrived at a good compromise weighing all the concerns of the community.

Possible changes to the resolution you could consider

If you do want to consider modifications to the resolution consider:

1. **dropping the 1600 sq ft. requirement entirely.** Instead let form define limits with heights caps, set back, and other objective design standard requirements, instead of arbitrary square footage limits. Like the 1200 sq ft limit on ADUs, the 1600 sq ft limit is one that is entirely made up.

In no event should SB 9 units be limited to square footage smaller than ADUs. We should encourage SB 9 units over ADUs when possible to open up needed starter homeownership opportunities and not limit new infill housing stock to rental only as an ADU.

2. **reducing the minimum lot size of a split parcel from the SB 9 required minimum of 1200 sq ft. to 800 sq ft. as allowed under SB 9.** This would open up more options for lot splits on smaller lots. A small 2000 sq ft. R-1 lot could be split into a 1200 sq ft. and 800 sq ft.

Urgency measure

On the urgency measure, as I wrote to you regarding the council referral item last month, a city can not rezone under an urgency ordinance unless there is "a current or immediate threat to public health, safety, or welfare" according to government code.

New SB 9 units being allowed in R-1 do not meet that criteria, especially since we allow similar ADUs units today. Urgency ordinances were not designed to give local governments a way to react to changes in state law to nullify the effect of the law but rather to react to impeding local changes that could be a public hazard as laid out in the same government code governing urgency measures.

Additionally given provisions of SB-9 specifically exclude developments in high fire hazard severity zones, earthquake fault zones and/or covered by conservation/open space easements, there is no basis to assume that SB-9 would lead to a public hazard worthy of an urgency measure.

Further, the Housing Accountability Act and SB-9 permit cities to disapprove a project, even a ministerial, by-right one, that would cause a specific, adverse health or safety impact by

making the finding, based on a preponderance of evidence, that the project would cause such an impact based on a violation of existing objective health and safety standards.

Given that, SB-9 going into effect on January 1st could not lead to a situation where there could be a "current or immediate threat to public health, safety, or welfare". Staff would have the ability to deny any such SB-9 usage that provably creates any urgent issues.

I urge caution and recommend against using the urgency measure resolution as it could lead to drawing the city into unnecessarily and costly litigation for not rezoning with proper noticing.

Regarding the claims of 10 units and the organized effort to spread misinformation regarding this item.

There is a concerted effort to flood the council with public comment that the resolution would somehow allow 10 units on R-1 lots. This seems to be based on some misleading statements circulated by Alameda Citizens Task Force and the Alameda Architectural Preservation Society both online and with door to door fliers.

While the resolution doesn't have an explicit cap, given the practical limits of the zoning code changes, lot size constraints of average R-1 lots (most ranging from 3000 sq ft to 5200 sq ft), set back requirements, height limits, and objective design standards, it's going to be extremely difficult for most folks to be able to squeeze more than 1 additional unit on their lots. Only a handful could likely see full 4 units allowed under SB 9.

It's unfortunate the leadership of ACT and AAPS would work to mislead folks, knowing full well that the extreme impracticality of any homeowner managing to build 10 units on a lot, and make folks believe this is going to be the norm in Alameda to spread fear in the community.

They also ask that you reduce the square footage, but to what end? We need to allow a mix of new homes in Alameda. Not only 1 or 2 bedroom units but 3 bedroom units for growing families.

Thank you,

Zac Bowling

From: [Catherine Morgan](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).
Date: Tuesday, January 4, 2022 5:42:13 PM

January 4, 2022

To: The City Council of the City of Alameda

Subject: January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).

To Whom It May Concern,

Please retain the Staff's Original Four Units and 1200 sq. ft. Recommendations.

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.².
3. Require that an informational notice for an SB project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts.)

The proposal by the Planning Board to allow building up to 10 units per lot is terrible for the future of Alameda. The lack of essential parking along will create chaos in all the neighborhoods. For example, a family of parents with two children in a 4-bedroom home may eventually have 4 to 5 cars when the children grow up. The kids may have to remain living in the home with their parents in that they probably will not be able to afford to move out locally. If they were able to move out, often the available rooms are rented out to other people who have cars of their own – as they do in my neighborhood. With limited parking availability, residents attempting to park their (essential) cars near their places of residence will have no choice but to try to find parking in their nearby neighborhoods – where they will be creating more parking problems for them. No unsightly parking garages will be allowed to be built within these neighborhoods to help alleviate the problems created. The desire for independence for young people often hinges on getting a driver's license when they become adults. The severe lack of parking availability and the equally inadequate access to public transportation further aggravates the problems. Bicycles no matter how good they are, are far from efficient for most people doing errands. And as for handicapped and disabled people, they

are not a viable option. The traffic near the Tube is currently backed up every rush hour. Should there be the need for an emergency evacuation of the people of Alameda, most residents would not be able to safely leave the island. The expected rise in sea level which might devastate Alameda, has not even been fully considered yet. Our city's infrastructure will not accommodate the Planning Board's proposal. The denial and lack of an appropriate review process and of all community input is terrible wrong. Builders and Developers will not be living here – the residents of Alameda will and will have to suffer the consequences of this disastrous ill-conceived planning. Unless and until a more reasonable approach can be taken, please retain the Staff's Original Four Units and 1200 sq. ft. recommendations.

Thank you,

Walter Morris

2014 Buena Vista Avenue, Alameda, CA 94501

Phone: 510-522-7530

Email: (none)

(This email was sent on behalf of Mr. Morris by cathie_morgan@hotmail.com)



Virus-free. www.avast.com

From: [Cole Burchiel](#)
To: [Marilyn Ezzy Ashcraft](#)
Cc: [John Knox White](#); [Jim Oddie](#); [Malia Vella](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] 1/4/2022 Alameda City Council Meeting Item 7-B - Encinal Terminals Property governance
Date: Tuesday, January 4, 2022 5:28:55 PM
Attachments: [We sent you safe versions of your files.msg](#)
[DePave Park Letter of Support - Alameda City Council Meeting 4January2022 Item 7-B.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Dear Mayor Ashcraft and Members of the Alameda City Council,

I am pleased to submit this letter on behalf of San Francisco Baykeeper to voice our continued support for the Alameda Point shoreline ecological project otherwise known as DePave Park.

I also request that this letter be included in the record for the January 4th, 2022 City Council meeting.

Please do not hesitate to contact me if you have any questions or concerns. Thank you for your consideration.

Best regards,
Cole Burchiel

San Francisco Baykeeper



Keeping an eye on the Bay since 1989

Cole Burchiel, Field Investigator and Science Associate (he/him/his)

San Francisco Baykeeper 1736 Franklin Street, Suite 800 | Oakland, CA 94612
Office: 510-735-9700 x(114) | Mobile: 503-680-7577

baykeeper.org



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From: mcgavin_ted@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#)
Cc: [Manager Manager](#); [Andrew Thomas](#); [City Clerk](#)
Subject: [EXTERNAL] Alameda City Council Meeting; 01/04/2022; Item 7-A; <https://protect-us.mimecast.com/s/xWoVCM8xo6fXLJ8Tw84j-?domain=alameda.legistar.com>
Date: Tuesday, January 4, 2022 5:20:01 PM

Dear Mayor Ashcraft, Vice Mayor Vella, and Council Members Knox-White, Herrera Spencer and Daysog:

I am a longtime Alameda resident and voter.

With regard to these proposals, I ask you to:

- Reject the Planning Board's de-facto upzoning to 10 units per parcel. The new SB-9 mandate is up to 4 units per parcel, but why push so far beyond what the State requires? The only reason I can see for this is to virtue-signal to certain Sacramento interests.
- Limit the maximum size of the SB-9 units to either 800 or 1200 square feet and reject the 1600 square feet maximum.
- Reject the proposal to shrink the rear setbacks to 4 feet. This would basically eliminate backyards and make it easier for fires to spread from one unit to neighboring units.
- Adopt an urgency ordinance ASAP for the preceding suggestions.

I do not want to see Alameda turned from a charming city with a mixture of Victorians and historic buildings turned into an endless sea of ugly identical apartment buildings all jammed together, like in Silicon Valley.

Thank you for your consideration,

Ted McGavin

mcgavin_ted@comcast.net

From: [Jeannie Graham](#)
To: [City Clerk](#)
Subject: [EXTERNAL] No on Upzoning
Date: Tuesday, January 4, 2022 4:54:30 PM

Dear Clerk,

Please pass this on to the Major, the City Manager, and the Members of our City Council.

The proposed upzoning will, among other things, upzone our R-1 neighborhood **even more** than the recently enacted State Senate Bill 9 (SB-9) requires. SB 9 limits the upzoning to four units per one-family lot, while this proposal could result in up to ten units - -Four regular units plus six Accessory Dwelling Units (ADUs).

I am quite against this being allowed in Alameda. We have no real businesses here and this means that most people commute--we cannot handle the traffic, the parking, and/or the utter mess this will look like. Why go overboard like this? There is no excuse for this!!

If you think this is OK--put it on the ballot--let the people decide.

I'll be ZOOMing into the meeting this evening.

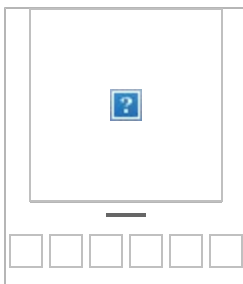
Thank you.

Sincerely,
Jeannie Graham

--

Jeannie Graham

jeanniegraham@comcast.net | 510.769.9287



From: [Nancy McPeak](#)
To: [Lara Weisiger](#)
Subject: FW: [EXTERNAL] Proposed Alameda Municipal Code amendments in response to Senate Bill 9 (SB 9) - -Item 7-A on City Council's 1-4-22 agenda
Date: Tuesday, January 4, 2022 4:44:07 PM

FYI

From: Robert Farrar [mailto:rfarrar665@yahoo.com]
Sent: Tuesday, January 4, 2022 2:35 PM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>
Cc: Andrew Thomas <athomas@alamedaca.gov>; Allen Tai <ATai@alamedaca.gov>; Nancy McPeak <nmcpeak@alamedaca.gov>; Erin Garcia <egarcia@alamedaca.gov>; 'Thomas Saxby' <tsaxby@tsaxbyarchitect.com>; 'Norman Sanchez' <norman@nsarchitecture.com>; 'Lynn Jones' <email.lynnjones@gmail.com>; 'Jenn Heflin' <jennheflinphoto@gmail.com>; alvinklau@gmail.com; Eric Levitt <elevitt@alamedaca.gov>; Gerry Beaudin <gbeaudin@alamedaca.gov>
Subject: [EXTERNAL] Proposed Alameda Municipal Code amendments in response to Senate Bill 9 (SB 9) - -Item 7-A on City Council's 1-4-22 agenda

I am a long time resident of Alameda. I understand the city council is reviewing a proposal from the planning department to allow up to 10 units per parcel. I adamantly oppose this egregious increase in the allotted amount of houses on one parcel! If you want to ruin the island, this is a great way to do it. Why go way beyond what SB9 allows when 60% of the population has rejected increases twice! There is more than ample room in other parts of Alameda to build housing. The city council must reject this proposal and tell the planning department that the city has room elsewhere to allow new residences not piled upon each other on small lots. The city needs to follow the minimum requirements of SB9. I urge the city council to say NO to this upzoning!

Has the city ever done a survey on the people (tourists) that come to the island? One comment I hear many times over is the beautiful Victorians and craftsmen that cover the majority of the island.

From: [Drew Dara-Abrams](#)
To: [John Knox White](#); [Malia Vella](#); [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Trish Spencer](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] more housing for Alameda (Items 7-A and 7-B)
Date: Tuesday, January 4, 2022 4:28:33 PM

Dear Mayor, Vice Mayor, and Councilmembers,

I am writing in to encourage you to adopt the Planning Board's recommended changes to the zoning code in support of SB9 ("California HOME Act") and to approve the land exchange to enable development at Encinal Terminals to proceed.

Re SB9:

- Thank you to city staff and Planning Board members for making a good faith effort to update the city's zoning code to square with SB9. Some other Bay Area cities and towns have worked feverishly to look for weaknesses and loopholes in SB9 as it was written, in order to undermine property owners' new rights to build certain types of small housing units (that is, to further prolong the Bay Area's housing crisis). I am glad that Alameda is not one of these municipalities.
- According to both the UC Berkeley Turner Center and the City's staff, SB9 isn't likely to yield massive numbers of new housing units in Alameda's R-1 zones. Please take this as a reminder to temper the discussion on this item.
- Even if SB9 isn't exercised that often by Alameda property owners/residents, it will be fascinating to see what type of duplexes and other types of flexible housing unit additions happen around Alameda. Anyone who knows to look for two gas meters on a single residential building, or to look for driveways going back to flag lots, already knows that these types of housing units exist around Alameda, built in previous decades. It will be great to see more of them, even if it's only on the order of a few dozen per year.
- Finally, I see some residents writing to you asking for projects that qualify under SB9 to trigger notices to their neighbors. Not sure why this type of by-right development should trigger a notice when others don't. In any case, I hope those residents will look at the city's website to find that they can already review all the city's issues permits in Accela and they can even sign up for alerts through BuildingEye.
- Does this need an emergency ordinance? I walked by City Hall yesterday (the first business day in which SB9 came into effect), but did not see a line of developers snaking out the door. There are other more complicated and more important ingredients required for the city to adopt a compliant Housing Element— including some that have multiple options and deserve real debate—so I'm not sure if this warrants that much of your body's time.

Re the Encinal Terminals site:

- Please vote "yes" on this item in order to demonstrate the city's commitment to adopting a compliant Housing Element. Staff have identified this as a key component of the draft Housing Element. A "no" vote, whatever the stated rationale, would in effect be a vote against the process of being in compliance with the city's obligations to the region and the state.
- Have you been to Township Commons in Oakland? If not, I encourage you to go visit or to read this review by the Chronicle's urban design critic:

<https://www.sfchronicle.com/bayarea/article/Oakland-s-new-waterfront-park-is-a-startling-15734252.php> We've visited with our kids and been pleasantly surprised by the waterfront promenade. If you've only driven past on I-880 and seen the new residential buildings from the freeway side, I think you too will be pleasantly surprised by the experience of walking along that lively and attractive waterfront. It would be great for Alameda to have matching waterfront access on this side as well, as proposed in the Encinal Terminals site plan.

Thank you for your time,
Drew Dara-Abrams
Calhoun Street

From: [Karen Park](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] City Council Meeting Agenda Item 7A regarding SB9
Date: Tuesday, January 4, 2022 4:17:26 PM

Please be advised that I am vehemently opposed to the State Bill 9 recommendation by the Alameda Planning Board to the City Council that up to 10 units in each existing R-1 lot be allowed with no public notice, no public hearing and no appeal as long as the development meets certain minimal standards. The result of these changes will be gentrification, displacement, traffic gridlock, environmental damage, higher taxes and sprawl in Alameda. Given how these changes directly impact our neighborhood, it only seems reasonable to, at the bare minimum, notify all property owners within 300 feet of a SB 9 project, as well as post the project site on the City's website immediately after an SB 9 application has been filed. For the same reasons stated above, I also believe that the maximum size of SB 9 units should be 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft² as well as limiting the maximum number of housing units on a post-split R-1 lot at four (4), as permitted by SB 9 and originally recommended by staff.

I understand that the City Council is working to stay in compliance with SB 9 but there is no reason to maximize the number of units or size of those units without consulting the very Alamedans you represent.

Karen Park
9 Coleport Landing
Alameda 94502

From: [Denise MacGregor- Franco](#)
To: mezzyashcraft@alamedca.gov; [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); atai@alamedca.gov; [Lara Weisiger](#); [Andrew Thomas](#)
Subject: [EXTERNAL] Tonight's City Council Meeting
Date: Tuesday, January 4, 2022 3:55:45 PM

Dear City Council Members –

Regarding tonight’s agenda item related to changing our zoning rules for residential parcels currently zoned R-1 :

In adopting the new State Senate Bill SB-9, I would like you to accept the Staff’s recommendation capping the number of units allowed on a parcel to four (4) with a size limit of 1,200 sf and do not accept the Planning Board’s recommendation of allowing up to ten (10) units per parcel.

Alameda voters voted against Measure Z and we do not want our residential neighborhoods “in filled” to this extent. This would have a negative impact on our parking, transportation and other infrastructure systems as well as the quality of life on our island community.

Thank you,

Denise MacGregor

From: [sfsugatorialum](#)
To: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] FW: Alameda City Council Meeting Jan 4, 2022
Date: Tuesday, January 4, 2022 3:05:25 PM

Forgot to copy this group on my original email.

Sent from [Mail](#) for Windows

From: [sfsugatorialum](#)
Sent: Tuesday, January 4, 2022 2:59 PM
To: mezzyashcraft@alamedaca.gov; jknoxwhite@alamedaca.gov; tdaysog@alamedaca.gov; mvella@alamedaca.gov; Tspencer@alamedaca.gov
Subject: Alameda City Council Meeting Jan 4, 2022

Dear City Council Members –

Wanted to take this opportunity to share my opinion with you as an Alameda resident and voter regarding tonight's agenda item related to changing our zoning rules for residential parcels currently zoned R-1.

In adopting the new State Senate Bill SB-9, I would like you to accept the Staff's recommendation capping the number of units allowed on a parcel to four (4) with a size limit of 1,200 sf and do not accept the Planning Board's recommendation of allowing up to ten (10) units per parcel.

Please listen to the majority of Alameda voters who voted against Measure Z and do not want our residential neighborhoods "in filled" to this extent. The negative impact on our parking, transportation and other infrastructure systems cannot be ignored not to mention the aesthetic and vibe of our entire communities.

Thank you for your consideration.

Regards,

Jeff Franco

Sent from [Mail](#) for Windows

From: [Robert Park](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] City Council Meeting Agenda Item 7A regarding SB9
Date: Tuesday, January 4, 2022 3:04:23 PM

Please be advised that I am vehemently opposed to the State Bill 9 recommendation by the Alameda Planning Board to the City Council that up to 10 units in each existing R-1 lot be allowed with no public notice, no public hearing and no appeal as long as the development meets certain minimal standards. The result of these changes will be gentrification, displacement, traffic gridlock, environmental damage, higher taxes and sprawl in Alameda. Given how these changes directly impact our neighborhood, it only seems reasonable to, at the bare minimum, notify all property owners within 300 feet of a SB 9 project as well as post the project site on the City's website immediately after an SB 9 application has been filed. For the same reasons stated above I also believe that the maximum size of SB 9 units should be 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft² as well as limiting the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff.

I understand that the City Council is working to stay in compliance with SB 9 but there is no reason to maximize the number of units or size of those units without consulting the very Alamedan's you represent.

Sincerely,

Robert C. Park
9 Coleport Landing
Alameda, CA 94502

From: DRodrigues@pacbell.net
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB9 Ordinance)
Date: Tuesday, January 4, 2022 2:48:56 PM

Dear Mayor Ashcraft and Councilmembers:

Spanning 71 years of life, this is my first letter to a public agency. I am writing about January 4 City Council Meeting Agenda Item 7-A. The item is a vote to amend requirements in the City's implementation of State Senate Bill SB-9.

I read Council's agenda attachments on this matter. I understand SB-9 requirements: Alameda is obligated to shoulder a fair share of the solution to the Bay Area housing crisis. What I do not understand is the Planning Board's disturbing decision to override the reasonable allowances recommended by its professional staff. The Board's override enables projects that can change Alameda's lowest density zone to one of its highest density zones with no public notice, no public hearing, and no neighbor appeal opportunity. The Board's override is outrageous and begs the question, "Why?" The Board's disregard does not benefit the community.

Please reject the Planning Board's recommended decision at today's meeting. Vote NO on the proposed changes to R-1 zoning. Choose, instead, to incorporate professional staff recommendations in any proposals on this matter:

1. **Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB-9;**
2. **Limit the maximum size of SB-9 additional dwelling units to 1200 square feet;**
3. **Require all property owners and neighbors within 100 feet of a proposed SB-9 project be notified, and immediately post proposed SB-9 project applications on the City website when received; and**
4. **Delay ordinance votes until original professional staff recommendations are incorporated in ordinance text.**

Thank you for your immediate attention to this matter.

Respectfully,

Donald and Mona Rodrigues
1335 Saint Charles Street
Alameda, CA 94501
510.521.0418 (No Text)

From: [KC Egan](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022, City Council Agenda Item 7-A (SB-9 Ordinance).
Date: Tuesday, January 4, 2022 2:41:29 PM

I am begging you to please not replace R1 neighborhoods with the proposed R10.

I feel this is irresponsible and a direct threat to my safety until you address the issue of aging bridges and tube. In the event of a natural disaster, you are making this City a dangerous place to live. The more housing you add, with an insufficient police force along with an aging infrastructure, the more dangerous it becomes to live here. Stop and consider what you are doing to the future of Alameda.

Regards,

KC Egan
812 Paru Street
Alameda, CA 94501

From: [Geoffrey](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Alameda Community](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] What problem is R-1 Zoning liberalization solving?
Date: Tuesday, January 4, 2022 1:28:58 PM

I'm hearing alarming estimates of the impacts of liberalizing zoning standards way in excess of state requirements.

Why?

According the latest 'everyone counts' homelessness estimates, there are several hundred homeless. This approach will create many dozens of times that need. Housing supply is constrained, but this is an over correction
https://everyonehome.org/wp-content/uploads/2019/07/ExecutiveSummary_Alameda2019-1.pdf

Let's take a more moderate approach and match state requirements - not exceed them

Geoff Dalander
215 Hudson Bay
Alameda, CA 94502

From: Alameda Community <alamedacomcommunitycares@gmail.com>
Sent: Monday, January 3, 2022 8:05 PM
To: Alameda Community <alamedacomcommunitycares@gmail.com>
Subject: Jan 4- City Council Meeting at 7PM; See ITEM 7-A regarding R-1 Zoning

Hi Everyone,
Brief reminder to please voice your opinion regarding tomorrow night's City Council **Agenda Item 7-A about the R-1 Zoning Ordinance:**

Zoom link: https://alamedaca.gov.zoom.us/webinar/register/WN_XdTkiPz_QnmxEfoZTInJbw)

Staff Report:
[City of Alameda - File #: 2022-1587 \(legistar.com\)](#)

Send emails to:
mezzyashcraft@alamedaca.gov; jknoxwhite@alamedaca.gov; tdaysog@alamedaca.gov; mvella@alamedaca.gov; tspencer@alamedaca.gov

Please also send copies of your emails to Staff at:
eleivitt@alamedaca.gov; gbeaudin@alamedaca.gov; athomas@alamedaca.gov; lweisiger@alamedaca.gov; atai@alamedaca.gov

Key points below, and please ask the City Council to:

1. Reject the Planning Board's upzoning to 10 units per parcel. The State mandate is up to 4 units per parcel, so this goes well above and beyond State Bill 9, and is completely unreasonable for the island City of Alameda.
2. Limit the maximum size of SB 9 units to either 800 sq ft or 1200 sq ft. and reject the proposed 1600 sq ft maximum.
3. Reject the proposal to adopt 4' rear setbacks. This would basically eliminate backyards and open space. Frankly, this is just too close, especially for projects that have the potential to add significant height and density in neighborhoods.
4. Adopt an urgency ordinance asap reflecting the above suggestions.

These recommendations are supported by both the Alameda Architectural Preservation Society and the activist watchdog group Alameda Citizens Task Force.

Thank you for your help!

Please see attached letter from AAPS and the letter from ACT below:

ACT
Alameda Citizens Task Force
Vigilance, Truth, Civility

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

ACT strongly supported the Planning Department's proposed R-1 amendments submitted to the Planning Board (PB) on Dec. 13. Unfortunately, the PB rejected the two most important objective standards contained in the proposed amendments, the maximum allowable size of any new dwellings of 1200 sq. ft. and the maximum allowance of two total units on a lot including ADU's. Instead, the PB replaced these standards with a maximum allowable new dwelling standard of 1600 sq. ft. and full application of our current ADU ordinance to the R-1 district. This would allow as many as five units on a current lot or ten units if the owner does a lot split. We strongly oppose both of these PB recommendations. A discussion of both issues and the need for

an urgency ordinance follows:

1. Maximum Lot Size: The Planning Department presented its rationale for a maximum lot size of 1200sq. ft. in its written report to the PB:

“SB 9 allows the City to set size standards provided that those standards allow for at least two 800 square foot units. Staff recommends a 1,200 square foot maximum for three reasons: 1) smaller units are more affordable than larger units and the greatest need in Alameda is for smaller, more affordable units, and 2) Alameda’s Accessory Dwelling Unit Ordinance establishes a cap of 1,200 square feet for ADUs. Having a consistent maximum size for both ADUs and “SB 9 units” will simplify the administration of the ministerial permitting process for both ADUs and SB 9 units, and 3) smaller units will result in smaller buildings, which will result in less visual, shading, and other community character issues.”

We have asked Karen Lithgow, a well-known local realtor, to compute the 2021 cost difference between purchasing/renting a 1600 sq. ft. dwelling or a 1200 sq. ft. dwelling. The larger dwelling median price is \$1,275,001. The smaller dwelling median is price \$1,037,500. The larger dwelling average rent is \$4286. The smaller dwelling average rent is \$3391.

Adopting the Planning Department recommendation will provide us with an inventory to meet the needs of poorly served “missing middle” or “workforce” residents who perform vital services for our community as well as providing the other benefits set forth in their rationale quoted above.

2. Two Dwellings Per Lot Maximum: The Planning Department proposed amending the R-1 ordinance by providing Section c (f) stating:

The number of units shall be limited to two dwelling units or one dwelling unit and one accessory dwelling unit on each lot for a maximum of four (4) total dwelling units on the two lots created by the lot split.

However, the PB proposes that the current ADU ordinance fully apply to the R-1 district, while acknowledging that this would allow two SB-9 units and three ADU’s on each lot for a total of five per lot, with a SB-9 lot split allowing up to ten units. This will create a level of density that is unsustainable regarding parking, water, sewer and other infrastructure needs, and reduction of our urban forest protection against carbon dioxide and heat. Quadrupling the density of our R-1 districts will be difficult enough for the community to absorb. Increasing density by a factor of ten simply makes no sense.

3. The Need for an Urgency Ordinance: Staff has presented you with the option of adopting the R-1 amendments in an urgency ordinance. However, staff does not recommend this option. They admit that adopting the amendment in the normal process would delay the effective date of the amendments until Feb. 17 and that between the Jan. 1 effective date of SB-9 and Feb. 17 they would not be able to subject a development application to the objective standards of the amendments. However, they argue that the only significant standard is the 1600 sq. ft. maximum lot size, and that the unenforceability of this standard does not have “an impact to public health or safety”. Their conclusion is faulty on several grounds.

1. They ignore all of the other standards in the amendments.
2. They assume that you will not make any changes in the PB proposal, most importantly, reducing the density from five to two units per lot, including ADU’s.
3. They misconstrue the State urgency ordinance law.

Ca Govt. Code Sec. 65858 (a) states:

“Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time.”

The law is specifically designed as an interim measure to allow enforcement of a contemplated zoning change while it is in progress, thus preventing developers from rushing an application in order to avoid the proposed changes. Thus, the statute establishes that such a fact scenario does justify an urgency ordinance to protect public safety, health, and welfare.

The urgency ordinance, if adopted, only has a life of 45 days. You will have time to improve on it in the future if needed. The cities of Los Altos Hills, Portola Valley, Pasadena, and Santa Barbara have enacted such an ordinance while their SB-9 revisions to their zoning ordinance are pending, and we do not doubt that there are others.

There is simply no downside to the urgency ordinance and an important upside that all SB-9 applications will be subject to the same objective standards regardless of when the applications are filed.

Sincerely,

Alameda Citizens Task Force
Paul S. Foreman, Board Member

From: [L. Baum](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 ordinance) - OPPOSE Planning Board recommendations
Date: Tuesday, January 4, 2022 1:23:54 PM

Dear Mayor Ashcraft, Council Members, and City of Alameda Staff,

In agreement with my daughter's opinions, I am writing to express my opposition to the planning board's proposals regarding SB-9.

The island is already overcrowded and it is unsafe to continue to add more housing without, at a minimum, increasing the paths of egress/ingress. It is also completely irresponsible to continue to add housing to an island that is almost completely subject to severe liquefaction during the large earthquake that will occur at some point. The council and planning board also seem to be ignoring the fact that rising sea levels due to climate change will soon threaten existing housing. Instead of facing these facts and making decisions accordingly, the council and planning board seem determined to flout these facts and allow rampant development.

It should be noted that it is highly-funded corporate developers and foreign investors who will be most able to put forward 10-unit projects. So, it would appear that allowing projects of such scale are intended to benefit corporate interests instead of current residents or individual property owners.

If the council and planning board lacks the will to fight Sacramento, then I believe that they should at least attempt to minimize the damage to the city, and set the maximum number of housing units on a post-split R-1 lot at 4 units, as recommended by staff. It should also limit the size of these units to 1,200 square feet, as recommended by staff. All surrounding property owners should also be notified before construction on any SB 9 projects. That there is no public review or appeal is an absolute outrage, but that appears to be Sacramento's doing.

The recommendations by the planning board will utterly destroy the small town character of this city that we have cherished. I believe that City of Alameda leadership should be lobbying on behalf of the current residents, to protect the quality of life on the island by looking for ways to mitigate damage from SB-9. Sadly, the track record of the current council gives me little encouragement that they will do what they should and fight to save our city. I sincerely hope you prove me wrong.

Thank you all for your time.

Regards,

Dorothea R. Baumgartner
1051 San Antonio Ave

From: [Renee Sheehan](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB 9 Ordinance)
Date: Tuesday, January 4, 2022 1:23:44 PM

Hello City Council members and staff,

Please do not allow 10 housing units per lot as recommended by the Planning Board, but keep the units to a max of 4 as SB 9 permits and as was originally recommended by staff.

Please do not allow the max size of 1600 sq. ft. for SB 9 units, but keep it at 1200 sq. ft as had been recommended by staff.

Please mandate a written notice to inform all property owners within 100 ft of an SB 9 project, and post the info on the site of the project and on the Alameda City website as soon as an SB 9 application is filed. Neighbors have a right to know about these projects before the construction begins.

Sincerely,
Renee G Sheehan
1236 Bay St.
Alameda, CA 94501
510-522-0978 (h)

From: [Lici Baumgartner](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 ordinance)
Date: Tuesday, January 4, 2022 1:17:19 PM

Dear Mayor Ashcraft, Council Members, and City of Alameda Staff,

In agreement with my spouse's opinions, I am writing to **express my vehement opposition to the planning board's proposals regarding SB-9.**

1. The island is already overcrowded and it is unsafe to continue to add more housing without, at a minimum, increasing the paths of egress/ingress. It is also completely irresponsible to continue to add housing to an island that is almost completely subject to severe liquefaction during the large earthquake that will occur at some point. The council and planning board also seem to be ignoring the fact that rising sea levels due to climate change will soon threaten existing housing. Instead of facing these facts and making decisions accordingly, the council and planning board seem determined to flout these facts and allow rampant development.
2. It should be noted that it is highly-funded corporate developers and foreign investors who will be most able to put forward 10-unit projects. So, it would appear that allowing projects of such scale are intended to benefit corporate interests instead of current residents or individual property owners.
3. If the council and planning board lacks the will to fight Sacramento, then I believe that they should at least attempt to minimize the damage to the city, and set the maximum number of housing units on a post-split R-1 lot at 4 units, as recommended by staff. It should also limit the size of these units to 1,200 square feet, as recommended by staff. All surrounding property owners should also be notified before construction on any SB 9 projects. That there is no public review or appeal is an absolute outrage, but that appears to be Sacramento's doing.

The recommendations by the planning board will utterly destroy the small town character of this city that we have cherished. I believe that City of Alameda leadership should be lobbying on behalf of the current residents, to protect the quality of life on the island by looking for ways to mitigate damage from SB-9. Sadly, the track record of the current council gives me little encouragement that they will do what they should and fight to save our city. I sincerely hope you prove me wrong.

Thank you all for your time.

Regards,

Ed Cagawan
1054 San Antonio Ave

From: [Kelsey Ashford](#)
To: [Marilyn Ezzy Ashcraft](#); jknox@alamedaca.gov; [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: elevirr@alamedaca.gov; [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Tuesday, January 4, 2022 1:02:50 PM

Why in the world would the Planning Board recommend a higher density per lot in Alameda than what is required?! This is just another case in point demonstrating a continued series of poor judgements. Alameda is a unique “little slice of heaven” located in the middle of an already overly-dense urban environment. We should be passionately protecting it with every single recommendation and decision we make — once it’s done, it can’t be undone. And I don’t recall this being covered in the Master Plan created last year. What I do recall was the concern about rising water levels impacting areas like South Shore and Bay Farm and now the Board is recommending even denser housing there? Also, the concerns about traffic and making Alameda un-car-friendly. Does no one recognize that by increasing density, traffic will increase? Or was the Master Plan just another waste of everyone’s time and money? I urge the City Council to:

Keep the maximum number of housing units at four as permitted by SB 9 as recommended by staff

Limit the maximum size of SB 9 units to 1200 sq ft, also as recommended by staff.

Require courtesy notification to property owners once an SB 9 application is filed and prior to construction beginning.

Thank you for your thoughtful consideration.

Kelsey Ashford
1330 Saint Charles Street (an R-1 Zone)

Sent from my iPad

Sent from my iPad

From: [Jennifer Bowles](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Tuesday, January 4, 2022 12:38:43 PM

Dear Members of the Alameda City Council,

I am writing to urge you to NOT amend the Alameda Municipal Code's R-1 Family Zoning District, but to retain the staff's recommended ordinance allowing not more than four units on an existing R-1 lot and limiting the size of SB 9 units to 1200SF. In addition, an informational notice for an SB9 project should be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. I also request that you adopt both the urgency ordinance as well as introduce the regular ordinance, both reflecting the standards expressed above.

This is a matter that will have long term consequences to our quality of life as island residents. The overcrowding, outrageous traffic, lack of policing and enforcement of the law that we have all been witness to and victims of, has irreparably damaged our island. We need rational, inspired LEADERSHIP from our elected representatives, who actually represent the law abiding, tax paying constituents who put them in office, not their own political futures. And we need a Planning Board that reflects the knowledge and thinking exemplified by small towns across this nation that are enacting appropriate policy based on city planning lessons of the past and visionary ideas of the future - a Planning Board that actually understands what it's primary responsibility is. There is NO WAY any rational board would allow untethered development of an ISLAND with limited access on and off it - it is a health and safety issue that has been grossly ignored by our government. LEADERSHIP would fight this in court, not acquiesce to state mandated quotas. When a disaster strikes, and it will, this falls on your shoulders.

Sincerely,
Jennifer Bowles

From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance-CORRECTION OF ERROR
Date: Tuesday, January 4, 2022 11:47:55 AM

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

Please note the following errors in the ACT letter of Dec. 29, 2021. In both the heading to item #1 and in the body of Item #3 we erroneously wrote maximum "lot" size. Our intent was to write "maximum unit size".

Sincerely,

Alameda Citizens Task Force
Paul S. Foreman, Board Member

From: rob_hough_alameda@yahoo.com
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: [EXTERNAL] City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance
Date: Tuesday, January 4, 2022 11:37:21 AM
Attachments: [We sent you safe versions of your files.msg](#)
[4jan2022.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Honorable Mayor and City Council:

The attached letter expresses my opposition to the Planning Board proposal 7A and supports only the SB2 language of 2 units/R1 lot, 4 max if there is a split lot, and 800 sq ft unit size for ministerial review.

Thank you for your consideration for your neighbors.

Sincerely,

Roberta Hough

4 Jan 2022

To:mezzyashcraft@alamedaca.gov <mezzyashcraft@alamedaca.gov>; mvella@alamedaca.gov
<mvella@alamedaca.gov>; jknoxwhite@alamedaca.gov <jknoxwhite@alamedaca.gov>; Trish Spencer
<tspencer@alamedaca.gov>; tdaysog@alamedaca.gov <tdaysog@alamedaca.gov>

cc:Eric Levitt <elevitt@alamedaca.gov>; ANDREW THOMAS <athomas@alamedaca.gov>;
yshen@alamedacityattorney.org <yshen@alamedacityattorney.org>; LARA WEISIGER
<LWEISIGER@alamedaca.gov>

Re City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance

To Honorable Mayor and Members of the City Council

I urge you to decline the proposal by the planning board to amend the municipal code which allows 1600 sq ft units to be approved without public notice or opportunity to provide creative input. Rather the staff should provide the council with a proposal of minimum constraint on existing R1 districts yet avoids an SB9 lawsuit by Attorney General Rob Bonta. This would be in better keeping with the 2020 voter rejection of Measure Z.

I remember the wrecking ball prowling the neighborhood for victims – not unsafe houses but any large lot – before Measure A. Physical disruption is not what one hopes government willingly sanctions. Yet incentives for construction of 10 units are given carte blanche in this proposal by the unelected Planning Board regardless of the costs imposed on adjacent neighbors.

“Ministerial review” by the planning department should be limited to the SB9 minimum required unit size, eg 800 sq ft and 2 units per lot. Without public comment it might be tempting for planning staff to forget that windows without obscure glass can impose an unnecessary privacy cost on neighbors and shading out a native plant garden is not an environmental enhancement. The department's track record on mitigation has room for improvement.

I respectfully request that the Planning Board proposal be rejected and a minimally invasive municipal code amendment be adopted to conform to the state SB9 mandate which I understand is 2 units per R1 lot or max of 4 units with a split R1 lot and where new units are 800 sq ft in size and implemented by ministerial review.

Sincerely,

Roberta Hough

From: [Conchita Perales](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022, City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Tuesday, January 4, 2022 11:19:30 AM

To Mayor Ashcraft and Council members,

I urge you to retain the staff's original recommendation of four units and 1200 sq. ft maximum unit size recommendations vs. the Planning Board's outrageous ten unit and 1600 sq. ft. recommendation. The lack of public notice, public review, and appeal (all mandated by SB 9, but only for four units) makes ten units even more problematic. This will result in Alameda's lowest density zone having a higher density than any of the other zones under current zoning rules, and arbitrarily destroying the residential density structure that has been so carefully planned and protected for years. Alameda is already bearing the consequences of the current increased development and the higher density is causing traffic congestion and overuse of resources. Do the right thing for Alameda!

Thank you,

Maria Perales

From: [Jenny Sui](#)
To: [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Fwd: upzone the R-1 Zoning District to allow up to TEN RESIDENTIAL UNITS PER LOT
Date: Tuesday, January 4, 2022 11:19:21 AM

Dear City Council Members:

I am writing to you to urge you to do the following:

1. Reject the Planning Board's upzoning to 10 units per parcel. The State mandate is up to 4 units per parcel, so this goes well above and beyond State Bill 9, and is completely unreasonable for the island City of Alameda.
2. Limit the maximum size of SB 9 units to either 800 sq ft or 1200 sq ft. and reject the proposed 1600 sq ft maximum.
3. Reject the proposal to adopt 4' rear setbacks. This would basically eliminate backyards and open space. Frankly, this is just too close, especially for projects that have the potential to add significant height and density in neighborhoods.
4. Adopt an urgency ordinance asap reflecting the above suggestions.

Thank you for your attention in this matter.

Jenny Sui

From: [Cheryl McCarthy](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#); [Cheryl McCarthy](#)
Subject: [EXTERNAL] RE: January 4, 2021 City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Tuesday, January 4, 2022 11:18:49 AM

Mayor and City Council Members

With all the open and undeveloped land on the island, an overlay of any size should be rejected. While the State's goal of not building multi unit housing all in one place is a good goal, destroying neighborhoods to do so is unacceptable.

Overlays will only benefit developers, not the unhoused, low income individuals and not the City.

Alameda is attractive to people because of its neighborhoods of old houses and that is why Prop A has repeatedly been affirmed . Consider whether current residents and voters of the City will be benefited by the proposed over lays.

Sincerely,

Cheryl McCarthy

From: [Patricia Gannon](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#)
Subject: [EXTERNAL] City Council Agenda 1-4-2022
Date: Tuesday, January 4, 2022 11:16:55 AM

Honorable Marilyn Ezzy Ashcraft
Mayor, City of Alameda
Honorable Members of the City Council

I am extremely concerned about tonight's agenda:

1. Keep the maximum number of units on a post-split R-1 at four as permitted by SB9 and recommended by staff.
2. Limit the maximum size of SB9 units to 1200 sq. ft.
3. Require that an informational notice for an SB9 project be sent to all property owners within 300 feet and posted on the City's website.
4. Adopt both the urgency ordinance and introduce the regular ordinance reflecting the above changes.

These steps are necessary to protect our city from out of control growth.

Thank you.

Patricia M. Gannon
1019 Tobago Lane 94502
pg3187@gmail.com

From: [mary anderson](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] zoning changes
Date: Tuesday, January 4, 2022 11:00:48 AM

Protect our housing zones. Keep additional housing, with its additional traffic, as close as possible to what it was when most families bought their houses.

We love living in Alameda and am glad we bought our house here. If we had wanted to be crowded, we would have moved to a big city.

The pressure to build, build, build will continue.

Please be very wise and cautious about how much you allow and how you locate it. The demand for more housing will NEVER END.

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 300 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Mary T Anderson

Alameda resident and homeowner.

From: [Reyla Graber](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#); [Lara Weisiger](#); [Eric Levitt](#)
Subject: [EXTERNAL] Tuesday Jan. 4 th CC meeting--Item 7A
Date: Tuesday, January 4, 2022 10:59:59 AM

Dear Mayor and City Council,

I can't imagine why the Alameda Planning Board went way above the Staff's recommendation of 4 units per single family lot.

I ask you, the City Council, to restore sanity and common sense and go no further than 4 units per single lot.

Also, 800 square feet maximum seems a good size and is recommended by SB9.

I don't understand why Staff recommends 1200 ft and the Planning Board up to 1600 feet.

Please , no more than 800 or 1200 at the most.

We must maintain common sense with respect to City planning.

Otherwise, at this juncture, all, including this Council will have huge black marks in future Alameda history books.

Sincerely,
Reyla Graber

From: [Tisa Baumgartner](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#); [Trish Spencer](#)
Subject: [EXTERNAL] SB-9
Date: Tuesday, January 4, 2022 10:32:27 AM

Dear Mayor Ashcraft, Council Members, and City of Alameda Staff,

I am writing to express my vehement opposition to the planning board's proposals regarding SB-9.

1. The island is already overcrowded and it is unsafe to continue to add more housing without, at a minimum, increasing the paths of egress/ingress. It is also completely irresponsible to continue to add housing to an island that is almost completely subject to severe liquefaction during the large earthquake that will occur at some point. The council and planning board also seem to be ignoring the fact that rising sea levels due to climate change will soon threaten existing housing. Instead of facing these facts and making decisions accordingly, the council and planning board seem determined to flout these facts and allow rampant development to the absolute detriment of the island and its residents!
2. It should be noted that it is highly-funded corporate developers and foreign investors who will be able to put forward 10-unit projects. So, it would appear that allowing projects of such scale are intended to benefit corporate interests instead of current residents or individual property owners.
3. If the council and planning board lacks the will to fight Sacramento, then I believe that they should at least attempt to minimize the damage to the city, and set the maximum number of housing units on a post-split R-1 lot at 4 units, as recommended by staff. It should also limit the size of these units to 1,200 square feet, as recommended by staff. All surrounding property owners should also be notified before construction on any SB 9 projects. That there is no public review or appeal is an absolute outrage, but that appears to be Sacramento's doing.

The recommendations by the planning board will utterly destroy the small town character of this city that we have cherished. I believe that City of Alameda leadership should be lobbying on behalf of the current residents, to protect the quality of life on the island by looking for ways to mitigate damage from SB-9. Sadly, the track record of the current council gives me little encouragement that they will do what they should and fight to save our city. I sincerely hope you prove me wrong.

Thank you all for your time.

Regards,
Tisa L. Baumgartner
1051 San Antonio Ave.
Alameda, CA 94501
Sent from my iPhone

From: [Kathleen McCarthy](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2021 City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Tuesday, January 4, 2022 10:29:47 AM

Mayor and City Council Members

With all the open and undeveloped land on the island, an overlay of any size should be rejected. While the State's goal of not building multi unit housing all in one place is a good goal, destroying neighborhoods to do so is ridiculous.

Overlays will only benefit developers, not the unhoused and not low income individuals.

Alameda is attractive to people because of its neighborhoods of old houses. Consider whether current residents and voters will be benefited by the proposed over lays.

Kathleen McCarthy

Sent from [Mail](#) for Windows

From: [Kevin Hester](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Amy Hester](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); atia@alamedaca.gov
Subject: [EXTERNAL] January 4, 2022- City Council Agenda Items 7-A (SB-9 Ordinance) Accept Staff's Recommendations of 4 units per existing R-1 Lot
Date: Tuesday, January 4, 2022 8:59:34 AM

Mayor and City Council-

Please accept the City Staff's recommendation of 4 units per R-1 lots without public review and not the 10 units per lot that the Planning Board is proposing.

We realize that housing and more importantly affordable housing is extremely vital right now, but allowing 10 units WITHOUT PUBLIC REVIEW is too aggressive of a measure and opens the door to irresponsible development. If a site can handle over 4 units then it should be able to be properly presented to the community for comment and corresponding approval.

We have lived and raised our family in Alameda for over 25 years and appreciate your attention to this matter.

Thanks,
Kevin and Amy Hester
1278 Caroline Street,
Alameda, CA

From: [Beth Cote](#)
To: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Fwd: R-1 ZONING
Date: Tuesday, January 4, 2022 8:46:14 AM

----- Forwarded message -----

From: **Beth Cote** <bbhmrc@gmail.com>
Date: Tue, Jan 4, 2022 at 8:40 AM
Subject: R-1 ZONING
To: <mezzzyashcraft@alamedaca.gov>, <jknoxwhite@alamedaca.gov>, <tdaysog@alamedaca.gov>, <mvella@alamedaca.gov>, <tspencer@alamedaca.gov>

Dear Madam Mayor and City Council members,

I am urging you to retain the staff's original four unit and 1200 sq. ft. recommendations.

- *Keep the maximum number of housing units on a post-split R-1 lot at four.
- *Limit the maximum size of SB9 units to 1200 sq. ft. as previously recommended by staff.
- *Require that an informational notice for an SB9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB9 application has been filed.

Sincerely,
Robert & Beth Cote

From: [Geraldyn Gulseth](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); tspenser@alamedaca.gov; [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Please oppose plans to expand SB 9!
Date: Monday, January 3, 2022 11:02:26 PM

Good Evening Mayor and City Council Members:

As an Alameda homeowner for many years, I ask that you please oppose the Alameda Planning proposal to permit 10 units per lot.

We need to maintain the quality of life and small town character of Alameda. The city is already bursting with people and traffic. It cannot accommodate this kind of expansion.

Thank you for your time and consideration.

Sincerely,

Geraldyn Gulseth
110 Lagunaria lane
Alameda

Sent from my iPhone

From: [Donna Fletcher](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Lara Weisiger](#); [Andrew Thomas](#); [Eric Levitt](#); [Allen Tai](#)
Subject: [EXTERNAL] Comments on item 7-A, City Council meeting of January 4, 2022
Date: Monday, January 3, 2022 10:37:26 PM

January 3, 2022

Dear Mayor Ashcraft and Members of the Alameda City Council,

You may have noticed, as I have, that the conversations, deliberations, and pending decisions regarding the future of housing policy in Alameda have reached a heightened level of stress on all sides of the issues.

Alameda residents are legitimately concerned about:

- The need to provide affordable housing for residents of our city
- The need to increase housing supply and variety in our community
- Whether or not increased housing supply will deliver increased housing affordability
- Questions regarding the impact of increased housing density on quality of life in Alameda
- Alameda's responsibility to address the statewide housing crisis by meeting its Regional Housing Needs Allocation, (as per mandates of the State Department of Housing and Community Development)
- ...to name a few of the issues currently occupying Alameda social media and public meetings

Many of these issues were exacerbated by the Planning Board's December 13 decision to allow SB-9 projects up to 10 units following an R-1 lot split.

- This decision goes far beyond the reach of SB-9's provision for 4 units--why?
- This decision goes against the original staff recommendation of 4 units--why?
- This decision does not provide for public notice, public review, or public appeal (on the additional 6 units) for one of the most extreme housing policies to be introduced in the City of Alameda--why?

I am asking the Council to *please* use your authority to interject some reasonableness and common sense into our implementation of SB-9 by tempering the Planning Board's December vote as follows :

- Adopt the original staff recommendation to limit the maximum number of units to four as permitted by SB-9 rather than the 10 units recommended by the Planning Board.
- Adopt the staff recommendation for a 1,200 sq. ft. maximum unit size for SB-9 units rather than the Planning Board's 1,600 sq. ft. recommendation. But also consider adopting an 800 sq. ft. unit size as permitted by SB-9 which will inherently provide

more affordable housing options.

- Require that an informational notice for an SB-9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website when an SB-9 application has been submitted.
- Adopt the recommendations of the Alameda Architectural Preservation Society (AAPS) regarding side- and rear-yard setbacks
- Develop a process by which it is possible to require that some SB-9 units be affordable.

Thank you for your thoughtful consideration of these comments as you deliberate your decision.

Sincerely,

Donna Fletcher
112 Centre Court
Alameda

From: [Lici Baumgartner](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 ordinance)
Date: Monday, January 3, 2022 10:37:24 PM

Dear Mayor Ashcraft, Council Members, and City of Alameda Staff,

I am writing to express my vehement opposition to the planning board's proposals regarding SB-9.

1. The island is already overcrowded and it is unsafe to continue to add more housing without, at a minimum, increasing the paths of egress/ingress. It is also completely irresponsible to continue to add housing to an island that is almost completely subject to severe liquefaction during the large earthquake that will occur at some point. The council and planning board also seem to be ignoring the fact that rising sea levels due to climate change will soon threaten existing housing. Instead of facing these facts and making decisions accordingly, the council and planning board seem determined to flout these facts and allow rampant development.
2. It should be noted that it is highly-funded corporate developers and foreign investors who will be most able to put forward 10-unit projects. So, it would appear that allowing projects of such scale are intended to benefit corporate interests instead of current residents or individual property owners.
3. If the council and planning board lacks the will to fight Sacramento, then I believe that they should at least attempt to minimize the damage to the city, and set the maximum number of housing units on a post-split R-1 lot at 4 units, as recommended by staff. It should also limit the size of these units to 1,200 square feet, as recommended by staff. All surrounding property owners should also be notified before construction on any SB 9 projects. That there is no public review or appeal is an absolute outrage, but that appears to be Sacramento's doing.

The recommendations by the planning board will utterly destroy the small town character of this city that we have cherished. I believe that City of Alameda leadership should be lobbying on behalf of the current residents, to protect the quality of life on the island by looking for ways to mitigate damage from SB-9. Sadly, the track record of the current council gives me little encouragement that they will do what they should and fight to save our city. I sincerely hope you prove me wrong.

Thank you all for your time.

Regards,

Lici Baumgartner

From: [MiChelle Fredrick](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] NO! Regarding SB9
Date: Monday, January 3, 2022 9:47:05 PM

Subject: NO! Regarding SB9

This law clearly benefits developers at the expense of local communities and ***takes away our rights as owners of single family residences living in a single family zoned neighborhood.*** SB9 has no affordable housing requirement for any of the additional units built as a result of this law. ***There are little or no requirements for additional parking and no infrastructure improvements are required. We are already experiencing significant traffic delays leaving Alameda via bridges and the tunnel.***

Please learn from the experience of what happened to Alameda historic buildings and neighborhoods in the 70's.

Look at the example of what happened at 2065 Clinton ave. where a beautiful Victorian was torn down to build a shabby 70's style 4plex.

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 300 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Reference: The January 4 City Council SB 9 ordinance staff report.

Sincerely,

Mi'Chelle Fredrick, Alameda Resident for 30+ years

From: [Patricia Lamborn](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Fwd: Encinal Terminal Project item 7B Tuesday Jan. 4, 2022
Date: Monday, January 3, 2022 8:04:57 PM

-----Original Message-----

From: Patricia Lamborn <patricia.lamborn@aol.com>
To: mezzashcraft@alamedaca.gov <mezzashcraft@alamedaca.gov>; mvella@alamedaca.gov <mvella@alamedaca.gov>; jknoxwhite@alamedaca.gov <jknoxwhite@alamedaca.gov>; tdaysog@alamedaca.gov <tdaysog@alamedaca.gov>; tspencer@alamedaca.gov <tspencer@alamedaca.gov>
Sent: Mon, Jan 3, 2022 12:45 pm
Subject: Encinal Terminal Project item 7B Tuesday Jan. 4, 2022

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox White, Daysog and Spencer,

RE: Encinal Terminals Tidelands Exchange -Agenda Item 7-B

As a long term resident and Sierra Club member I am writing to you in complete support of the Sierra Club Comments and recommendation made in the letter to the Council dated Dec. 28th, 2021.

"Given that the developer is savings millions of dollars in its new plan, and the public is not gaining any more shoreline benefits than prescribed by law, the city should ask for something in return for giving up public tidelands for a lucrative development project. Since the opportunities for the developer to make in-Bay enhancements of the marine environment around its project are limited, the Sierra Club recommends that the developer be asked to contribute funds to the city's Tidelands Fund to be earmarked for Tidelands restoration elsewhere in Alameda. The City just so happens to have a Tidelands restoration project ready to launch when it receives funding for planning. That project is De-Pave Park. The currently unfunded De-Pave Park master planning and permitting process could be launched by a \$2 million contribution to the City's Tidelands Fund. Time is wasting, costs are rising, and opportunities for construction funding are out of reach without a master plan. If the City is fortunate enough to win a planning grant from the San Francisco Bay Restoration Authority, the developer's \$2 million contribution to the City's Tidelands Fund could be put toward construction funding. "

The \$2 million figure is extremely reasonable. The developer is saving money on not having to retrofit part of the old wharf. They are also saving at least \$2 million by not having to pipe the residential buildings and streets for natural gas. Residential buildings will be all-electric.

I am asking you to follow through on the concerns that many of us AND you voiced years ago-- What benefits IS this developer providing given that they are receiving PUBLIC LAND and making millions of dollars on developing it? If the developer voices the concern we often hear " We can't afford it " it raises the question whether this developer is actually capable of developing housing in such a sensitive location, right on the waterfront with all the challenges of sea level rise and liquefaction.

Hold them responsible to contribute to the challenges facing our community. Restore wetlands. Prepare for flooding. There is no time to waste.

Sincerely,
Patricia Lamborn
30 year Alameda Resident
patricia.lamborn@aol.com

From: [Catherine Morgan](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Fw: January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).
Date: Monday, January 3, 2022 8:04:15 PM

From: Catherine Morgan

Sent: Monday, January 3, 2022 7:55 PM

To: mezzashcraft@alamedaca.gov <mezzashcraft@alamedaca.gov>; jknoxwhite@alamedaca.gov <jknoxwhite@alamedaca.gov>; tdaysog@alamedaca.gov <tdaysog@alamedaca.gov>; mvella@alamedaca.gov <mvella@alamedaca.gov>; tspencer@alamedaca.gov <tspencer@alamedaca.gov>

Cc: elevitt@alamedaca.gov <elevitt@alamedaca.gov>; gbeaudin@alamedaca.gov <gbeaudin@alamedaca.gov>; athomas@alamedaca.gov <athomas@alamedaca.gov>; lweisiger@alamedaca.gov <lweisiger@alamedaca.gov>; atai@alamedaca.gov <atai@alamedaca.gov>

Subject: January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).

January 3, 2022

To: The City Council of the City of Alameda and the Planning Department

Subject: January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).

To Whom It May Concern,

Please retain the Staff's Original Four Units and 1200 sq. ft. Recommendations.

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.².
3. Require that an informational notice for an SB project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts.)

I am a lifelong resident of Alameda. I am very upset that the current City Council and Planning Board members are destroying the quality and unique character of Alameda with no apparent regard for our opinions or our general safety in providing more and more housing on our tiny island. Very little of the new housing being discussed will include affordable housing as so many called for, but there

seems to be plenty of market rate housing units being planned for and accommodated in the new housing plans. There seems to be no appropriate regard being paid to the needed residential and retail automobile parking throughout the city, and specifically for the provision of designated handicapped parking spaces in retail areas desperately needed by those who are handicapped – and which are required by the ADA Laws. (Note: Handicapped Placards are useless if all the available parking spaces are taken by able-bodied drivers.) I am strongly opposed to the processes being put into place which exclude the more appropriate review process by the residents of Alameda ... the people who have to live here and live with the consequences of unfettered designs ... while a small group who may be influenced by the developers trying to unduly profit from the housing requirements being foisted upon our city.

Unless and until a more reasonable approach can be taken, please retain the Staff's Original Four Units and 1200 sq. ft. recommendations.

Thank you,

Catherine Morgan

1024 Fair Oaks Avenue, Alameda, CA 94501

Phone: 510-522-8282 / Cell: 510-499-8685

Email: cathie_morgan@hotmail.com

From: bmathieson@aol.com
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Lara Weisiger](#); [Andrew Thomas](#); [Allen Tai](#); [Eric Levitt](#); [Gerry Beaudin](#)
Subject: [EXTERNAL] Re: City Council January 4 meeting, Agenda Item 7-A re SB 9 ordinance (CORRECTED)
Date: Monday, January 3, 2022 5:41:41 PM

Please use the following corrected version of my letter. My original letter said six units where I should have said four units.

I apologize for the error.

Betsy Mathieson

-----Original Message-----

From: bmathieson@aol.com
To: mezzyashcraft@alamedaca.gov <mezzyashcraft@alamedaca.gov>; jknoxwhite@alamedaca.gov <jknoxwhite@alamedaca.gov>; tdaysog@alamedaca.gov <tdaysog@alamedaca.gov>; mvella@alamedaca.gov <mvella@alamedaca.gov>; tspencer@alamedaca.gov <tspencer@alamedaca.gov>
Cc: lweisiger@alamedaca.gov <lweisiger@alamedaca.gov>; athomas@alamedaca.gov <athomas@alamedaca.gov>; atai@alamedaca.gov <atai@alamedaca.gov>; elevitt@alamedaca.gov <elevitt@alamedaca.gov>; gbeaudin@alamedaca.gov <gbeaudin@alamedaca.gov>
Sent: Mon, Jan 3, 2022 4:42 pm
Subject: City Council January 4 meeting, Agenda Item 7-A re SB 9 ordinance

Dear Mayor Ashcraft and City Council Members:

California State Senate Bill 9 (SB 9) spreads the responsibility for providing much-needed additional housing throughout the city, as I have previously advocated. The intent of Alameda's proposed ordinance is to implement SB 9, which for many residents is already causing heartburn.

Some arguments in favor of the Planning Board's expansive recommendation state that few if any single-family lots in Alameda could accommodate ten units anyway, so why not allow it? This argument ignores two important points.

I understand that SB 9 covers not only existing developed single-family lots but also undeveloped single-family lots. Most of Alameda's single-family lots could indeed accommodate ten units. Before Article 26 was adopted in the 1970s, many nine-unit apartment buildings---with parking---were built on former single-family lots. Ten units would fit.

I also understand that SB 9 allows not only a lot split, but converting an existing single-family house to a duplex and selling half of the house through a lot split. On many lots, this would leave ample land area to construct the maximum number of ADUs, resulting in ten units.

Construction of Alameda's pre-Article 26 apartment buildings resulted in loss of trees, increased pavement and storm-water runoff, and loss of solar access to the neighbors. Construction of ten units or six large units on a single-family lot would do the same. Allowing that intensity of development with only ministerial review and no public input reduces much-needed control on development in existing neighborhoods. Loss of control is not good city planning.

Until now, development with no public notice, no public hearing, and no provision for appeals was illegal. Now it's the law under SB 9. It's the law for up to four units on a lot. Not ten.

Let's implement a reasonable ordinance. SB 9 is necessary to mitigate the housing crisis, but its passage shocked many Alamedans. Let's not exacerbate the situation. I urge you to adopt the original staff

recommendation—a maximum of four units. I also urge you to keep the unit size small. Small units further Alameda's goal of providing affordable housing and leave more green space in our neighborhoods, furthering our climate goals and supporting our mental health.

Crafting an ordinance that complies with SB 9 but expands neither SB 9's allowable number of units nor the allowable square footage per unit is good city planning and, in light of the result of Measure Z, good democracy.

Thank you.

Sincerely,

Betsy Mathieson
Alameda

From: [g.b](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] NO! Regarding SB9
Date: Monday, January 3, 2022 5:39:26 PM

This law clearly benefits developers at the expense of local communities and ***takes away our rights as an owner of a single family residence living in a single family zoned neighborhood.*** SB9 has no affordable housing requirement for any of the additional units built as a result of this law. ***There are little or no requirements for additional parking and no infrastructure improvements are required. It repeals Article 26.***

Please learn from the experience of what happened to Alameda historic buildings and neighborhoods in the 70's.

Look at the example of what happened at 2065 Clinton ave. where a beautiful Victorian was torn down to build a shabby 70's style 4plex.

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 300 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Reference: The January 4 City Council SB 9 ordinance staff report.

Sincerely,
Gabriele Bungardt

From: [Dodi Kelleher](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Item 7-A on City Council's January 4, 2022 agenda-Proposed Municipal Code amendments to bring R-1 zoning into compliance with SB 9
Date: Monday, January 3, 2022 5:34:30 PM

Dear Council Members,

This email is written in support of comments and recommendations contained in the letter to City Council, submitted January 3, 2022 by Christopher Buckley, Chair of the Preservation Action Committee of the Alameda Architectural Preservation Society. The main elements of the letter recommend that City Council:

- Adopt the original staff recommendation to limit the maximum number of units to four as permitted by SB 9 rather than the ten units recommended by the Planning Board
- Adopt the staff recommendation for a 1200 ft.² maximum unit size for SB 9 units rather than the Planning Board's 1600 ft.² recommendation.
- Consider adopting a maximum 800 ft.² unit size as permitted by SB 9 to promote smaller and more affordable units.
- Revise the proposed SB 9 amendments to follow the SB 9 text as closely as possible, as detailed in the AAPS letter
- Adopt the urgency ordinance, reflecting the above changes

I request that this email be included in the meeting record.

Sincerely,

Dolores Kelleher

From: [cathy jefferson](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance
Date: Monday, January 3, 2022 5:19:41 PM

I am asking the City Council to please retain the 1200 sq foot/ four-unit initial recommendations as noted in SB9 for Alameda

Increasing density to ten-units and 1600 sq.feet will not help solve the problem of enabling affordable housing in Alameda. It will actually drive up costs of rentals for 1600 vs 1200 sq foot dwellings. Also, the increased density will place significant stress on our infrastructure and parking needs in many neighborhoods.

I am also very concerned that there would be no public review, public notice or appeal process available. It is concerning enough these processes are not required for four-unit 1200 sq foot dwellings. **Allowing ten-unit,1600 ft buildings without input or feedback from neighbors is not acceptable given the potential huge impacts in our neighborhoods.**

I have not seen the reasons why the Planning Department has recommended the ten-unit, 1600 foot plan for the general public to see in advance of the Jan 4th meeting. Can this rationale please be explained prior to a vote by the council?

Please DO NOT approve the Planning Board 10 unit/1600 foot recommendation.

Thank you for listening, cathy jefferson

--

Cathy Jefferson, L.C.S.W.
415 806-6336
www.cathyjefferson.com

****CONFIDENTIALITY NOTICE****The contents of this message and any attachments may contain confidential information for the use of the designated recipient names above. If you are not the intended recipient or have received this message in error, please notify the sender immediately by email and promptly delete this message. Any disclosure, copying or distribution of protected information is strictly prohibited by law. Thank you for your cooperation.

From: [Karin Sidwell](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Item 7-A for January 4, 2022
Date: Monday, January 3, 2022 4:12:21 PM
Attachments: [We sent you safe versions of your files.msg](#)
[AG's summary and text -.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Good afternoon all-

I strongly oppose the R-1 zoning change recommended by the planning commission. Moving forward with only the mandates of SB 9 although undesirable seem to be the best route. The maximum unit should remain 800 sq ft in order to maximize the affordability of the housing in the future. For example- I own a home in Alameda that is 1,000 sq ft. Its market value is above one million dollars; this does not seem affordable in most low income situations. I would also like to remind the Council of some of the mandates of SB 9:

"The original parcel being subdivided must meet the following criteria:

- The parcel must be within a single-family residential zone
- The parcel must not be adjacent to a parcel previously split under SB 9"

And - "SB 9 directs local agencies to require that lots created by SB 9 be limited to residential uses. Moreover, applicants are required to sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval of the lot-split."

In regards to the "parcel must be within a single-family residential zone", I would have to assume that although the City would call it in name only "single-family residential zone;" the proposed upzoning changes to R-1 would disqualify it from being a single-family zone if it surpasses the density of the other residential zones within the city. I also have concerns with the disregard to the charter amendment 26. The conflict between State laws and City Charters has not been decided. The Attorney General put out a statement that I believe should be taken into consideration (see attached pdf with highlights)

Please vote NO on the planning commissions recommendations for R-1 zoning changes.

Thank you

Karin Sidwell



Virus-free. www.avast.com

The Attorney General of California has prepared the following title and [REDACTED] of the chief purpose and points of the proposed measure:

PROVIDES THAT LOCAL LAND-USE AND ZONING LAWS OVERRIDE

CONFLICTING STATE LAWS. INITIATIVE CONSTITUTIONAL AMENDMENT.

Provides that [REDACTED]

[REDACTED] except in certain circumstances related to three areas of statewide concern: (1) the California Coastal Act of 1976; (2) siting of power plants; or (3) development of water, communication, or transportation infrastructure projects. [REDACTED]

[REDACTED] Prohibits state from changing, granting, or denying funding to local governments based on their implementation of this measure. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: **Fiscal effects of the measure depend on future decisions by the cities and counties and therefore are unknown.**

(21-0016A1.)

SECTION 1. [REDACTED]

(a) The circumstances and environmental impacts of local land use decisions vary greatly across the state from locality to locality.

(b) The infrastructure required to maintain appropriate levels of public services, including police and fire services, parklands and public open spaces, transportation, water supply, schools, and sewers varies greatly across the state from locality to locality.

(c) Land use decisions made by local officials must balance development with public facilities and services while addressing the economic, environmental, and social needs of the particular communities served by those local officials.

(d) Thus, [REDACTED] to ensure that the specific, unique characteristics, constraints, and needs of those communities are properly analyzed and addressed.

(e) Gentrification of housing adjacent to public transportation will reduce or eliminate the availability of low or very low income housing near public transit, resulting in the loss of access by low or very low income persons to public transit, declines in public transit ridership, and increases in vehicle miles travelled.

(f) [REDACTED] and, as a result, statewide land use and zoning will do great harm to local communities with differing circumstances and concerns.

(g) [REDACTED] that know and can address the needs of, and the impacts upon, local communities.

(h) [REDACTED] and continue to be proposed, that eliminate or erode local control over local development and [REDACTED] creating the potential for harmful environmental impacts to occur.

(i) [REDACTED] including but not limited to CEQA (Public Resources Code § 21000 et seq.), the California Fair Employment and Housing Act (Government Code §§ 12900 – 12996), prohibitions against discrimination (Government Code § 65008), and affirmatively furthering fair housing (Government Code § 8899.50). [REDACTED] would continue to provide for state control in the coastal zone, the siting of a power plant that can generate more than 50 megawatts of electricity, or the development or construction of water, communication or transportation infrastructure projects which the Legislature declares are matters of statewide concern and are in the best interests of the state. For purposes of this measure, it is the intent that a [REDACTED]

SECTION 2. Section 4.5 is added to Article XI of the California Constitution, to read:

SEC. 4.5. (a) Except as provided in subdivision (b), in the event of a conflict with a state statute, a county charter provision, general plan, specific plan, ordinance or a regulation adopted pursuant to a county charter, that regulates the zoning, development or use of land within the boundaries of an unincorporated area of the county shall be deemed a county affair within the meaning of Section 4 and shall prevail over a conflicting state statute.

(b) A county charter provision, general plan, specific plan, ordinance or a regulation adopted and applicable to an unincorporated area within a county, may be determined only by a court of competent jurisdiction, in accordance with Section 4, to address either a matter of statewide concern or a county affair if that provision, ordinance, or regulation conflicts with a state statute with regard to only the following:

(1) The California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), or a successor statute.

(2) The siting of a power generating facility capable of generating more than 50 megawatts of electricity and the California Public Utilities Commission has determined that a need exists at that location that is a matter of statewide concern.

(3) The development or construction of a water, communication or transportation infrastructure project for which the Legislature has declared in statute the reasons why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this paragraph, a transportation infrastructure project does not include a transit-oriented development project, whether residential, commercial, or mixed-use.

(c) and no state grant applications or funding shall be denied as a result of the application of this section.

(d) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SECTION 3. Section 5.5 is added to Article XI of the California Constitution, to read:

SEC. 5.5. (a) Except as provided in subdivision (b), with a state statute, a city charter provision, general plan, specific plan, ordinance or a regulation adopted pursuant to a city charter, that establishes within the meaning of Section 5

(b) A city charter provision, general plan, specific plan, ordinance or a regulation adopted pursuant to a city charter, may be determined only by a court of competent jurisdiction, in accordance with Section 5, to address either a matter of statewide concern or a municipal affair

if that provision, ordinance, or regulation conflicts with a state statute with regard to only the following:

- (1) The California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), or a successor statute.
- (2) The siting of a power generating facility capable of generating more than 50 megawatts of electricity and the California Public Utilities Commission has determined that a need exists at that location that is a matter of statewide concern.
- (3) The development or construction of a water, communication or transportation infrastructure project for which the Legislature has declared in statute the reasons why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this paragraph, a transportation infrastructure project does not include a transit-oriented development project, whether residential, commercial, or mixed-use.

(c) [REDACTED]

(d) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SECTION 4. Section 7 of Article XI of the California Constitution is amended to read:

SEC. 7. (a) A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations ~~not~~ that are not, except as provided in subdivision (b), in conflict with general laws. [REDACTED]

(b) [REDACTED]

except for only the following:

- (A) A coastal land use plan, ordinance or regulation that conflicts with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), or a successor statute.
- (B) An ordinance or regulation that addresses the siting of a power generating facility capable of generating more than 50 megawatts of electricity and the California Public Utilities Commission has determined that a need exists at that location that is a matter of statewide concern.
- (C) An ordinance or regulation that addresses the development or construction of a water, communication or transportation infrastructure project for which the Legislature has declared in statute the reasons why the project addresses a matter of statewide concern and is in the best interests of the state. For purposes of this subparagraph, a transportation infrastructure project does not include a transit-oriented development project, whether residential, commercial, or mixed-use.

(c)



(d) The provisions of this subdivision are severable. If any provision of this subdivision or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

From: [Tony Devencenzi](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance
Date: Monday, January 3, 2022 4:08:13 PM

I am writing to STRONGLY urge the City Council to retain the original Planning Board recommendations of four-units and 1200 sq.ft. maximums in R-1 Family Zoning Districts for the following reasons

- It would be prudent to monitor the impact of four-units/1200 sq feet and only if desired results in meeting density goals are not achieved, then consider additional changes.
- If 10 units and 1600 sq ft are approved, R-1 zones will have the higher density than any other zones under current rules. This will severely impact the quality of life for many R-1 residents and neighborhoods. It really makes no sense to implement this level of density.
- Increasing the sq footage from 1200 to 1600 will ultimately drive rental rates UP by approx 15-20 %. We need to look at better options for solving affordable housing needs.
- With the significant amount of building required to meet our RHNA numbers, the increased proposed density will result in unsustainable infrastructure requirements and capacity.
- Since SB9 requires all cities to allow at least four-units and 1220 sq feet, it is very difficult to understand the rationale behind significantly increasing the number of units and sq footage. Could the Planning Department please clarify their rationale for this large increase? It just does not make sense.
- Since SB 9 unfortunately allows for no notice, review or appeal by concerned citizens on the impact of additional building and density on their blocks or near their homes, allowing for up to 10 units under these conditions is unacceptable.

Please DO NOT approve the Planning Board 10 unit/1600 foot recommendation.

Tony Devencenzi



January 3, 2022

Mayor and City Councilmembers
City of Alameda
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Subject: Proposed Alameda Municipal Code amendments to bring the R-1 zoning district regulations into compliance with Senate Bill 9 (SB 9) - -Item 7-A on City Council's January 4, 2022 agenda.

Dear Mayor Ashcraft and City Councilmembers:

The Alameda Architectural Preservation Society (AAPS) has the following comments on the proposed amendments:

1. **Adopt the original staff recommendation to limit the maximum number of units to four as permitted by SB 9 rather than the ten units recommended by the Planning Board.** As noted in the staff report, the Planning Board at its December 13, 2021 meeting recommended that SB 9 projects up to 10 units be allowed on each existing R-1 lot following an SB 9 lot split. This recommendation went far beyond the four unit maximum mandated by SB 9 which staff recommended. The 10 units could be approved simply by planning and building staff if the proposal meets planning and zoning standards that are not preempted by SB 9.

The 10 units would be possible by combining:

- (a) SB 9's mandatory allowance of a lot split and mandatory allowance of two regular dwelling units of at least 800 sq. ft. on each post-split R-1 lot (resulting in four regular units on the original lot); with
- (b) Up to three accessory dwelling units (ADUs) for each of the two lots, as per the City's current ADU rules.

Allowing up to ten units per R-1 lot is reckless and highly irresponsible. The lack of public notice, public review and appeal (all mandated by SB 9, but only for four units) makes ten units even more problematic. **This will result in R-1, which is supposed to be Alameda's lowest density zone, having a higher density than any of the other zones under current zoning rules,** arbitrarily turning the whole residential density structure upside down. Although the densities for the other residential zones (R-2 through R-6) could increase as part of the Housing Element process, any such increase (which still seems unnecessary as per AAPS's previous comments on the Housing Element) should be considered holistically as part of the overall

Housing Element process rather than piecemeal and preemptively as the Planning Board has done with its SB 9 recommendation.

2. **Adopt the staff recommendation for a 1200 ft.² maximum unit size for SB 9 units rather than the Planning Board's 1600 ft.² recommendation. Consider adopting a maximum 800 ft.² unit size as permitted by SB 9.** The Planning Board also recommended that the minimum size of SB 9 units be increased from the 1200 ft.² recommended by staff to 1600 ft.². This is inconsistent with the 1200 ft.² maximum size for ADUs and is **double** the 800 ft.² minimum size mandated by SB 9. It is also inconsistent with the City's desire to promote smaller and more affordable units. The Council should seriously consider limiting SB 9 units to 800 ft.² as authorized by SB 9. Even 1200 ft.² is larger than many existing houses and can easily accommodate three bedrooms.
3. **Require that an informational notice for an SB 9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed.** This noticing distribution would be the same as the existing noticing procedures. Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts and help minimize angry exchanges between neighbors and staff and/or the project sponsor after construction starts.
4. **Do not apply the ordinance to R-1 lots with the Planned Development (PD) overlay,** since the PD overlay allows by right up to two units per lot, in effect converting the R-1 zone to a duplex zone, rather than a single-family zone and is therefore not subject to SB 9. We believe that staff is investigating whether our interpretation of the PD overlay relative to SB 9 is correct.
5. **Revise the SB 9 amendments to follow the SB 9 text as closely as possible.** There are significant deviations from the SB 9 text, which should be corrected as shown in the attached marked-up copy of the draft amendments. Notably, draft ordinance Subsections 30-4.1 b.2(c) and 30-4.1 d.2(d), intended to parallel SB 9 Sections 65852.21(a)(6) and 66411.7 (a)(3)(E), are not consistent with the corresponding SB 9 sections.

SB 9 Section 65852.21(a)(6) reads as follows:

(6) The development **is not located** (emphasis added) within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated **or listed** (emphasis added) as a city or county landmark or historic property or district pursuant to a city or county ordinance.

SB 9 Section 66411.7 (a)(3)(E) is the same as Section 65852.21(a)(6) except 66411.7(a)(3)(E) changes "development" to "parcel".

To make the draft ordinance consistent with SB9, draft ordinance Subsection 30-4.1 b.2.(c) should be changed to read as follows:

(c) The proposed housing development ~~is will not require the demolition of a structure~~ located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site

designated or listed as a City Historical Monument, historic property, or ~~historic~~ historic district pursuant to a City ordinance. Notwithstanding the above, any demolition that is subject to the demolition controls of AMC Section 13-21 shall require approval of a Certificate of Approval prior to issuance of a demolition permit.

Draft ordinance Subsection 30-4.1 d.2(d) should be similarly changed.

6. **Limit the reductions of existing side and rear yard setbacks to 4 feet to just where greater setbacks would preclude the construction of up to two units on each lot with at least 800 ft.² in floor area per unit as mandated by SB 9.** As written, Subsections 30-4.1d.7 and 9 of the draft ordinance appear to allow these very minimal setbacks for **all** SB 9 projects (not just where 4 foot rear and interior side yard setbacks are needed to allow construction of up to two units on each lot with at least 800 ft.² in floor area per unit), going well beyond the SB 9 mandate.

Related to this, ordinance Subsection 30-4.1d.12(b) allowing waiving zoning standards that would preclude development of a new SB 9 one-family dwelling of up to 1200 ft.² should be changed to 800 ft.² to maintain consistency with SB 9.

7. **Retain for non-SB 9 projects the existing requirement that minimum interior side yards total not less than 20% of the lot width and be no less than 5 feet nor more than 10 feet.** Ordinance Subsection 30-4.1d.7 changes this to just 5 feet, except for SB 9 projects where 4 feet is permitted as discussed in Comment 6 above. This reduction in side yard requirements for non-SB 9 projects has nothing to do with SB 9 and should therefore not be included in the ordinance. If the City believes that reductions in side yard requirements should be considered for non-SB 9 projects, such consideration should be part of a separate set of zoning amendments.
8. **Other considerations:**
 - (a) Should separate utility meters be required for SB 9 units? Doing so would provide an incentive for residents to conserve water and electricity.
 - (b) There has been concern that SB 9 units could later be combined to reduce the total number of units on a lot. **Should there be a deed restriction to prevent this, especially since SB 9 units in many cases will receive exceptions to normal zoning standards such as rear and side yard setbacks?**
 - (c) Should there be a requirement that at least some SB 9 units be affordable, perhaps in the case of the third and/or fourth units on a pre-split lot?
 - (d) It might be simpler to just upzone R-1 to R-2 so that R-1 areas are not subject to SB 9. Should this be considered? This would allow up to five units on the lot (two regular units plus 3 ADUs), but for the two regular units, public comment would be preserved along with the City's existing design review procedures and criteria.
9. **Adopt the urgency ordinance as well as introduce the regular ordinance, both reflecting the above changes.** The urgency ordinance would become effective immediately, allowing the current draft ordinance to be given more careful consideration, including addressing the issues discussed

above. At least several other California communities are considering urgency ordinances and may have adopted them.

See attached marked-up pages from the draft ordinance that reflect some of the above comments and provide minor additional comments.

Thank you for the opportunity to comment. Please contact me at (510) 523-0411 or cbuckleyAICP@att.net if you would like to discuss these comments.

Sincerely,

Christopher Buckley, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

Attachment: Marked-up pages from the draft ordinance.

cc: Andrew Thomas and Allen Tai, Planning, Building, and Transportation Department (by electronic transmission)
City Manager and City Clerk (by electronic transmission)
AAPS Board and Preservation Action Committee (by electronic transmission)

To implement the provisions of state law as reflected in Government Code Section 65852.21 et seq. and Section 66411.7 et seq.

2. Two-family dwellings or two one-family dwellings on the same lot, provided that:

(a) Any new unit added to a property with an existing single family home or any new unit added to a lot created pursuant to the provision of Lot Splits subsection d.2 below shall not exceed ~~600~~ square feet in size.

CONSIDER
800 SF

(b) The proposed housing development shall not require or result in the demolition or alteration of an existing dwelling unit that (1) is subject to a recorded covenant, deed restriction, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes; (2) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (3) has been occupied by a tenant within the last three (3) years.

(c) The proposed housing development ~~will not require the demolition of a structure~~ located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site designated as a City Historical Monument, historic property, or ~~historic~~ district pursuant to a City ordinance. Notwithstanding the above, any demolition that is subject to the demolition controls of AMC Section 13-21 shall require approval of a Certificate of Approval prior to issuance of a demolition permit.

is not

or listed

(d) The subject property is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code ("Ellis Act") to withdraw accommodations from rent or lease within the last 15 years before the date of application for the proposed housing development.

(e) The development is not within a special flood hazard area subject to inundation by the one-percent annual chance flood (100-year flood), as determined by the Federal Emergency Management Agency.

(f) No unit in the proposed housing development shall be rented for a period of less than 30 days.

(g) The total number of units shall be limited to two dwelling units ~~and any accessory dwelling units permitted pursuant to AMC Section 30-5.18 Accessory Dwelling Units.~~

3. Agriculture, horticulture, home gardening, excluding retail sales of nursery products or the raising of rabbits, dogs, fowl or other animals for commercial purposes.

43. Underground and above-ground utility installations for local service, except that substations, generating plants, gas holders, and transmission lines must be approved by the Planning Board prior to construction.

54. Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses included in the General Plan.

65. Signs: As provided in Section 30-6 of these regulations.

76. Multiple houses.

OR one dwelling unit and one accessory dwelling unit on each lot created pursuant to the provision of Lot Splits subsection d.2 below, for a maximum of four (4) total units on the two lots created by the lot split.

BASED ON
ORIGINAL LANGUAGE
PROPOSED BY STAFF
TO THE PLANNING
BOARD. SEE ALSO SUBSECTION d.2(h).

USED IN
OTHER
CITIES'
SB9
ORDINANCES

87. Family day care homes, large and family day care homes, as licensed by the State of California.

98. Residential care facilities providing care for no more than six (6) persons.

109. Accessory dwelling units and junior accessory dwelling units, *subject to the limitations set forth in Subsections 2(g) and d. 2(h).*

110. Supportive housing and transitional housing.

c. *Uses requiring use permits.* It is the intent in 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. Public parks, schools, playgrounds, libraries, fire stations and other public buildings and uses not included in the General Plan.

2. Private and religious schools, day care centers and churches.

3. Community care facilities not listed under uses permitted.

4. Temporary tract sales offices, advertising signs, construction offices, equipment storage yards or structures therefore, which are incidental to the development during the construction and/or sales period.

5. 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 nonlocal automobile traffic to the terminal through the residential areas.

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

1. Minimum Lot Area: Five thousand (5,000) square feet per dwelling unit. Lot area may be reduced through a lot split subject to subsection d.2.

2. Lot Splits: Pursuant to Government Code Section 66411.7, the division of an existing lot into two lots is permitted in an R-1 Zoning District, provided that all of the following requirements are met:

(a) The area of each lot is at least one thousand two hundred (1,200) square feet and at least forty (40%) percent of the area of the original lot prior to the lot split.

(b) Each lot provides frontage on a public street or a pedestrian or vehicular access easement to a public street.

(c) The land division will not require or result in the demolition or alteration of an existing dwelling unit that (i) is subject to a recorded covenant, deed restriction, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low incomes; (ii) is subject to any form of rent or price control through a public entity's valid exercise of its police power; or (iii) has been occupied by a tenant within the last three (3) years;

parcel is not located

(d) ~~The land division will not require or result in the demolition of an existing dwelling located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site designated as a City Historic Monument, historic property, or historic district pursuant to a City ordinance. Notwithstanding the above, any demolition that is subject to the demolition controls of AMC Section 13-21 shall require approval of a Certificate of Approval prior to issuance of a demolition permit.~~

or listed

(e) The existing lot has not been subject to the exercising of the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 of the Government Code ("Ellis Act") to withdraw accommodations from rent or lease within 15 years before the date of application for the land division.

(f) The existing lot is not within a special flood hazard area subject to inundation by the one-percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency.

(g) The existing lot has not previously been divided through exercise of this regulation and neither the owner of the existing lot nor any person acting in concert with the owner previously subdivided an adjacent parcel using an urban lot split through exercise of this regulation.

(h) ~~The total number of units on each lot shall be limited to two dwelling units and any accessory dwelling units permitted pursuant to AMC Section 30-5-18 Accessory Dwelling Units.~~

(i) Each lot shall be subject to a deed restriction specifying that: (i) no housing unit on the property may be rented for a term shorter than 30 days; (ii) the uses allowed on a lot created by this section shall be limited to residential uses; and (iii) the lots resulting from the land division may not be further subdivided using the provisions of this subsection.

(j) The applicant has provided a signed affidavit on a form provided by the City Attorney stating that the applicant intends to occupy a dwelling unit on one of the resulting lots as their principal residence for a minimum of three (3) years from the date of the approval of the land division. This requirement shall not apply to an applicant that is a "community land trust" or a "qualified nonprofit corporation" as defined the Revenue and Taxation Code.

3. Minimum Lot Width: Fifty (50') feet. Lot width may be reduced if the project meets the requirements of subsection d.2, Lot Splits.

ORIGINAL LANGUAGE PROPOSED BY STAFF TO THE PLANNING BOARD

or one dwelling unit and one accessory dwelling unit on each lot for a maximum of four (4) total units on the two lots created by the lot split.

5

When provision of the normally required rear yard would physically preclude units from being at least 800 square feet in floor area

Page 4 of 4

43. Maximum Main Building Coverage: Forty (40%) percent of lot area; provided, however, that where the garage is attached to the main building the permitted lot coverage may be increased to forty-eight (48%) percent.

54. Maximum Building Height Limit: Not to exceed thirty (30') feet.

65. Minimum Front Yard: Twenty (20') feet. In any full block frontage of lots in a new residential development the Planning Board may approve front yards which vary from fifteen (15') [feet] to thirty (30') feet, provided that the average of all front yards in the block shall not be less than twenty (20') feet.

When provision of the normally required side yard would physically preclude units from being at least 800 square feet in floor area.

76. Minimum Interior Side Yard: Five (5') feet for one-family dwellings; four (4') feet for dwellings constructed pursuant to Government Code Section 65852.21. Side yards shall total not less than twenty (20%) percent of the lot width (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.

STET

8. Minimum Street Side Yard. The side yard on the street side of a corner lot shall not be less than ten (10') feet.

97. Minimum Rear Yard: Twenty (20') feet; four (4') feet for dwellings constructed pursuant to Government Code Section 65852.21. 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).

108. Yards for Corner Lot Adjacent to Key Lot: The side-yard setback on the street side of the corner lot, within twenty feet (20') 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.

119. Off-Street Parking Space: As regulated in Section 30-7 of this Code.

12. Government Code Section 65852.21 and 66411.7 Exemptions.

(a) If a proposed housing development is being provided pursuant to Government Section 65852.21 or 66411.7 entirely within the footprint of an existing building or constructed in the same location and to the same dimensions as an existing building, no additional interior side or rear setback is required.

(b) No objective zoning standards, objective subdivision standards, or objective design standards, including but not limited to minimum lot width, maximum building coverage, minimum setback or other bulk and space requirement, shall apply if that standard would physically preclude a land division resulting in two lots consistent with the requirements of Subsection d.2, Lot Splits, or the development of a two-family dwelling, or two one-family dwellings on the same lot, each unit of which has at least eight hundred (800) square feet of floor area, or a one-family dwelling of one thousand six hundred (1,600) square feet of floor area, provided that such dwellings are set back at least four (4') feet from interior side and rear lot lines.

SEE CORRELATER
COMMITTEE 6.

at least eight hundred (800)

(6)

From: [sjslauson](#)
To: [Lara Weisiger](#); [Marilyn Ezzy Ashcraft](#); [John Knox White](#); tdaysog@alameda.ca.gov; [Malia Vella](#); tspencer@alamedaca.com
Subject: [EXTERNAL] Objections to City Council 1/4/22 Agenda Item 7-A, Amendments to R-1 Zoning Ordinance
Date: Monday, January 3, 2022 3:30:02 PM

Mayor Ashcraft and City Council Members:

Another attempt is being made to destroy the character of our city, by proposing a massive and indiscriminate up zoning in R-1 neighborhoods. The Planning Board has overstepped its' authority by rejecting our Planning Department's recommendation to limit the size of the new buildings constructed in R-1 zoning districts to 1200 sq. ft. and to limit total buildings allowed on a lot to a maximum of two or four if the lot is subdivided.

We respectfully request the City Council:

1. Limit the maximum number of housing units on a R-1 lot at two or four in the lot is subdivided.
2. Limit the maximum size of SB 9 units to 1200 sq. ft., as previously recommended by staff, rather than the Planning Board's recommendation of 1600 sq. ft.
3. Adopt an urgency ordinance reflecting the above changes, effective immediately.

Thank you for your prompt attention to this request.

Stephen Slauson
2426 Otis Drive
Alameda, CA 94501

From: [Jane Friedrich](#)
To: [Marilyn Ezzy Ashcraft](#); jknnox@alamedaca.gov; tdaysog@alamdaca.gov; [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4 ,2022 City Council Agenda Item 7-A (SB-9 Ordinance
Date: Monday, January 3, 2022 12:04:12 PM

Council Members,

I strongly advocate the following:

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units
2. Limit the maximum size of SB 9 units to 1200 sq. ft as previously recommended by staff, rather than the Planning Board's recommended 1600 sq. ft.
3. Require that an informational notice for an SB 9 project be sent to all property owners within 100 feet and post on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of the SB 9 projects before construction actually starts.)

Yours,
Jane Friedrich

Jane Friedrich
Realtor® | DRE #00572493
510.499.7098
Jane@Friedrichhomes.com
www.Friedrichhomes.com

Keller Williams | DRE#0202903
2037 Santa Clara Ave
Alameda, CA 94501
Each office is independently owned and operated

From: [Martha McCune](#)
To: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Fw: Density Regulations January 4,2022 City Council Agenda Item 7-A (SB-(Ordinance)
Date: Monday, January 3, 2022 11:47:56 AM

Marti
Martha Tout Interior Design

----- Forwarded Message -----

From: Martha McCune <martitout@yahoo.com>
To: "mezzyashcraft@alameda.gov" <mezzyashcraft@alameda.gov>; "mvella@alamedaca.gov" <mvella@alamedaca.gov>; "tdaysog@alamedaca.gov" <tdaysog@alamedaca.gov>; tspencer@alamedaca.gov <tspencer@alamedaca.gov>; "jknoxwhite@alamedaca.gov" <jknoxwhite@alamedaca.gov>
Sent: Monday, January 3, 2022, 11:29:19 AM PST
Subject: Density Regulations

In regard to the January 4th City Council Meeting, in consideration of amending the Alameda Municipal Code R-1 One Family Zoning District from 4 units on a lot to 10 units on a lot, I feel that it is unacceptable to allow that many units on a single family lot! Why are we trying to increase housing on the main island, and Bay Farm, when there is currently NO more room to build. The current regulation of 4 units seems to be in excess, however this is the law, so let it stand rather than increasing the density to 10 units!

I live on a street with no 'off street' usable parking, ie; garage space. To add ADU's with more than one story seems crazy, where do the new inhabitants park? What happens to the green spaces, with greater density?

Why is all of this necessary when we have Alameda Point, which can be developed to accommodate more housing. We will need to add another bridge, or tube to make Alameda Point work, but that seems to me to make more sense, than 'cramming', more units into an already overbuilt space.

Please do not ruin the charm of our island by increasing the density!

Sincerely,

Martha McCune

From: [Rich Campbell](#)
To: [Trish Spencer](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] City Cincil Item 7-A SB 9 Ordinance
Date: Monday, January 3, 2022 11:44:45 AM

Ladies and Gentlemen: I am aware of the Planning Board's vote to approve up to 10 units per R-1 lot.

I am totally opposed to such a proposal and I urge you to VOTE NO and reject the Planning Board's decision for the following reasons:

1. Traffic getting in and out of Alameda, especially at commute times, is impossibly congested already. If an R-1 Single family owner has one to two cars, allowing 10 units on the same lot will increase the likely number of vehicles to at least 10 per lot. **This is an amazing increase the number of vehicles in the face of already congested streets.**

2. There is also a medical emergency issue as a result of increased congestion. If one has to be transported off the island in an ambulance, **severe consequences might be experienced by undue delays.**

3. The above mentioned increase in vehicles per lot will make **street parking almost impossible** in an already impacted situation.

4. Alameda has a unique environment that make it the Jewel of the Bay Area. Radically increasing traffic along with clogged streets due to parking issues **will certainly diminish us as a City.**

5. And one has to ask how you would feel when the bulldozer pulls up to the house next door and begins demolition that will lead to 10 units where there was once an historic house.

Therefore, Please vote for the following:

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and **originally recommended by staff and IGNORED by the Planning Board.**

2. Limit the maximum size of SB 9 units to 1,200 square feet as **previously recommended by Staff.**

3. Require that an informational notice for an SB 9 project be sent to all property owners within 100 and posted on the project site and the City's website immediately after an SB 9 application has been filed.

I sincerely urge you to reject the Planning Board's decision. Thank You...Rich Campbell

Sent from [AOL Desktop](#)

Rich Campbell
1310 Bay Street
Alameda, CA 94501
H: 510-521-5656
C: 510-325-3288

Sent from [AOL Desktop](#)

Rich Campbell
1310 Bay Street
Alameda, CA 94501

H: 510-521-5656

C: 510-325-3288

Birgitt Evans

2829 San Jose Ave.
Alameda, CA 94501

(510) 872-2270 reachbirgitt@gmail.com

January 2, 2022

By electronic transmission)
Mayor and City Council
City of Alameda
2263 Santa Clara Ave.
Alameda, CA 94501

Subject: Comments on Item 7-A of the City Council's January 4, 2022 regular agenda.

Mayor Ashcraft and City Council,

In September of 2021, Governor Newsom signed SB9 into law, a one size fits all development law that would permit homeowners across the state to split their Zone R-1 lots, add a second unit to their half of the lot and build two minimum 800 square foot units on the newly split lot, provided the owner reside for three years in the original house. In passing this law, the California legislature assumed the answer to California's housing problems would be the same in Los Angeles County (population 16 million), Alameda County (population 1.6 million) and Humboldt County (population 135,558). Presumably our state government is looking for more affordable units and yet SB9 does not require a single additional unit to be designated low or moderate income.

At their December meeting, the Planning Board went so far above and beyond the requirements of SB9 as to be absurd. The Planning Board voted to allow up to 10 Units on each existing residential lots and to allow the units to be up to 1,600 square feet rather than the required 800 square feet. The Planning Board's proposal would allow two homes plus three Accessory Dwelling Units (ADUs) per each newly split lot, turning R-1 - our lowest density zone - into one of our highest density zones.

A cynical voice in my head suggests that, by creating such an over the top proposal, residents opposed to SB9's requirements that these projects can be done with No Notice, No Public Hearing, No Design Review and No Appeal by the neighbors, will now have to be relieved should you vote to only meet the letter of SB9 and vote for a total of three new 800 sq ft units.

Alameda has housing issues. Alameda also has five means of ingress/egress and water levels expected to rise 3.5 feet in the next 50 - 100 years. We also have no new sources of freshwater.

And so we, like the Bay Area and the state, have a carrying capacity. Every time we vote on one piece of the puzzle, somehow independently of the rest of the puzzle, and ignore the natural limits of our environment, we create more problems down the road.

I have spent two days a week at the Alameda Food Bank since the beginning of this pandemic and so I think I have a pretty good idea what Alameda's poor look like. I care a great deal about where these people will live, about how we will house the elderly, disabled, single mothers, teachers and service workers. And the Planning Board's proposal before you for meeting our SB9 requirement provides nothing for these people. If someone can split their lot and build a 1,600 sq ft house on the other parcel, what is the likelihood that they will rent that unit at all? Why would they not sell it and reap the profits. In fact, there is a company - Homestead.is - that will help them do just that - for a mere 20% of the profit in exchange for financing.

I understand that a 10 unit project is unlikely in many places, but can you begin to imagine what even one of these developments will do to the existing fabric of a neighborhood? One day a construction crew just shows up two doors down from your house and you are then - with no say whatsoever- subjected to a year or more of living in a construction zone with noise and the roads periodically blocked. The supporting roots on the large trees in the neighborhood could be severed to build foundations four feet from the property line, possibly requiring removal of the trees - despite legal penalties for doing this. Thirty foot building would block sunlight to the neighbors' yards, killing existing landscaping and new windows would peer down into yards. And then there would be the cars for nine new units fighting for parking and 30 garbage cans fighting for space every week? And again; where will the water come from for all of these units? How will everyone escape the island in the event of a tsunami or other disaster?

And who benefits? Because not a single one of the units created would have to be low income. And the owner only has to stay in the original house for three years before moving one. (As a tax accountant, I watched clients move from rental to rental for two years to convert it to a residence and avoid paying the IRS tax on \$500,000 of gain on each, so people will absolutely use the SB9 loophole.)

Please vote "NO" on the Planning Board's proposal allowing up to 10 units per existing R-1 lot. This grossly expanded proposal will cause massive disruption and turn city zoning on its head.

Please limit construction on our R-1 lots to two units per spit lots with additional units limited to 800 sq ft. An 800 sq ft unit is large enough for an elderly couple, disabled person, mother with a small child or single teacher and has an outside possibility of being affordable by them where a larger unit does not.

Very truly yours,

Birgitt Evans

From: [Dorothy Freeman](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [Malia Vella](#)
Cc: [Lara Weisiger](#); [Manager Manager](#); [Andrew Thomas](#)
Subject: [EXTERNAL] City Council January 4, 2022 Item 7-A
Date: Sunday, January 2, 2022 5:03:54 PM

City Council January 4, 2022 Item 7-A

Dear Mayor Ashcraft, Vice Mayor Vella, and Council Members Spencer, Daysog, and Knox-White;

The Alameda Planning Board decided that the State Senate Bill SB 9 that requires all California cities to allow at least four residential units on an existing lot for R1 single family residential zoning districts was not enough units. The Planning staff laid out a good plan for implementing the state requirements of SB 9. Why the Planning Board chose to ignore the staff recommendation is out of line for past Planning Board decisions. SB 9 allows a city to reduce or eliminate ADU units in the R1 zoned neighborhoods while implementing the new 4 unit requirements. The Planning staff recommended that the city take advantage of this provision to limit density to no more than 2 units on an existing lot or 4 units on a subdivided lot. The Planning Board voted to ignore this allowed provision in the SB 9 law thus retaining the allowed ADU units which is how the new 10 units per lot will be possible if the Planning Board decision is allowed to become planning law in Alameda.

The vote to allow 10 units per each R1 lot will not help Alameda reach the required lower income units necessary for the new RHNA numbers or provide the desired housing that Alameda needs.

The Planning Board's decision to increase the SB 9 unit size of 1200 sq ft to 1600 sq ft is also against the logic of building lower income units, or even work force housing, for Alameda's RHNA numbers. We are constantly told building smaller units will keep building costs down and will help provide housing for the below market rate income families in Alameda. Also, 1200 sq ft is adequate for a three bedroom/2 bath unit as many homes built in the 1960's are examples of.

In the State of California, Costa Hawkins is still law so any units built after 1995 are exempt from Alameda's rent control ordinance. Again, if the logic of allowing single unit lots to be divided into multi-units is to help with Alameda's need for units for lower income families, this is not what will happen. The new units will be market rate, especially in R1 zoned neighborhoods. If a couple of low income restricted units are built they will not be enough to justify the number of market rate units that will be added and not affordable to Alameda families.

The Staff recommendation to follow the numbers stated in State law SB 9 should be what the City of Alameda also follows.

Respectfully

Dorothy Freeman

cc: City Clerk Lara Weisiger
City Manager Eric Levitt
Planning Department Head Andrew Thomas



Virus-free. www.avast.com

From: [Karen Miller](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7 A on the 1/4
Date: Sunday, January 2, 2022 4:02:52 PM

Dear Mayor and Council members,

I oppose the Planning Board's recommendations to implement SB 9's provisions. I support ACT's recommendations that follow.

1. Limit the maximum number of housing units on a R-1 lot at two or four if the lot is subdivided.
2. Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.
3. Adopt the urgency ordinance reflecting the above changes.

Regards,

Karen Miller



This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: [Edward Sing](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).
Date: Sunday, January 2, 2022 3:59:08 PM

NO to Proposed upzoning of R-1 Zoning District to allow up to 10 units per lot with no public review or appeal

This is a matter of urgency to all residents of the City of Alameda. We oppose the Alameda Planning Board recommendations to City Council on this matter!

Alameda Planning Board, at its December 13, 2021 meeting at which it considered amending the Alameda Municipal Code's R-1 One Family Zoning District to conform with Senate Bill 9 (SB 9), recommended to the City Council that ***up to 10 units in each existing R-1 lot be allowed with no public notice, no public hearing and no appeal*** as long as the development met certain standards. This recommendation went far beyond the four unit maximum mandated by SB 9 which staff recommended. The 10 units could be approved simply by planning and building staff if the proposal meets planning and zoning standards that are not preempted by SB 9.

The Planning Board also recommended increasing the maximum size of an additional unit from the staff recommended 1200 sq. ft. to 1600 sq. ft., also far beyond SB 9's 800 sq. ft. requirement and beyond Alameda's current 1200 sq. ft. maximum for Accessory Dwelling Units (ADUs).

Both of these Planning Board recommendations by far exceed State law, ignore the impact of these proposals on parking, water, sewer, trash, etc. and will adversely affect city residents and the character of our city as a whole.

At your Jan 4th meeting on this topic - please vote to:

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts.)
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance,

both reflecting the above changes.

Thank you,

Ed Sing
Alameda Resident (26 years)

From: [Cheryl Farlow](#)
To: [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [Marilyn Ezzy Ashcraft](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] The January 4 City Council SB 9 ordinance staff report and the draft urgency and regular ordinances
Date: Sunday, January 2, 2022 11:50:52 AM

We respectfully request the following in reference to The January 4 City Council SB 9 ordinance staff report and the draft urgency and regular ordinances: <https://alameda.legistar.com/LegislationDetail.aspx?ID=5366362&GUID=AD1E7223-6BAF-4CAC-A62F-8255FA397530>.

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 300 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Cheryl A. Stevens

From: [SUSAN NATT](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] REVISED: January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).
Date: Sunday, January 2, 2022 8:21:51 AM

PLEASE DISREGARD FIRST EMAIL PREVIOUSLY SENT & CONSIDER THIS ONE IN ITS PLACE.

As a homeowner in Harbor Bay and a Board Member in The Bay Colony Homeowners Association I respectfully and vehemently urge you to:

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units. (*why was this increased?!!*)
2. Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.². (*why was this increased?!!*)
3. Require that an informational notice for an SB 9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts.)
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Thank you for your consideration,

Susan Natt
318 McDonnell Rd
Alameda, Ca 94502

From: [Wendi L. Poulson](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance).
Date: Sunday, January 2, 2022 7:57:30 AM

Requesting the following

Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.

Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.².

Require that an informational notice for an SB 9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts.)

4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Thank you,

Wendi L. Poulson Tel: (415) 420-1978 email: wlp1272@yahoo.com

From: [Keith Nealy](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Proposed zoning changes
Date: Sunday, January 2, 2022 1:06:59 AM

We are very much opposed to the proposed changes the Planning Board has put forth.

We should:

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 sq. ft..² as previously recommended by staff, rather than the Planning Board's recommended 1600 sq ft².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 300 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Please do not let these drastic changes take place. Stick with your prior recommendations.

Keith Nealy

Anne Nealy

1540 Linden St

Alameda CA 94501

From: [Henry Turkel](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB9 Ordinance)
Date: Saturday, January 1, 2022 5:51:30 PM

Dear Madam Mayor and City Council Members,

I strongly urge you to retain the staff's original four unit and 1200 sq. ft. recommendations:

1) Keep the maximum number of housing units on a post-split R-1 lot at four as mandated by SB-9 and originally recommended by staff rather than the Planning Board recommended 10 units.

2) Limit the maximum size of SB-9 additional dwelling units (ADUs) to 1200 sq. ft. as previously recommended by staff, rather than the Planning Board's recommended 1600 sq. ft. per ADU.

I do not see how all but a very few lots in the areas under consideration could realistically physically accommodate 10 units and adequate off street parking (at least 1.5 spaces per unit by my estimation). Requiring adequate off street parking is mandatory as parking is already limited throughout Alameda, even with most houses having some off street parking. Only a high rise apartment complex could conceivably serve the purpose recommended by the Planning Board if it were to include ten 1600 sq. ft. units along with adequate parking. Is that their intent?

Sincerely,
Henry and Susan Turkel
1342 Saint Charles Street
Alameda, CA 94501

From: [JoAnn Stewart](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4 2022 City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Saturday, January 1, 2022 4:42:20 PM

Alameda Council Members and Alameda City Staff Members

This proposal is not in the best interests of the citizens of the City of Alameda. Traffic leaving and entering Alameda is already extremely congested. Traffic and parking will get more congested as the already approved construction takes place.

I agree with the City staff's recommendation to limit the number of units to four per existing R-1 lot.

I urge you to send this entire proposal back to the Planning Board with the request that they respect the City staff's recommendations without any modifications. Under no circumstances should any modification to R-1 properties be except from public review.

Thank you for your consideration and your help in stopping this proposal immediately.

Sincerely yours,

JoAnn K. Stewart
772 Stewart Court
Alameda, CA 94501
510-821-8098

From: [Agnes Wu](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] January 4, 2022 City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Saturday, January 1, 2022 3:40:48 PM

Dear City Council members:

We have concerns and voice **NO** on the proposed of R-1 Zoning District to allow up to 10 units per lot with no public review or appeal. Please:

1. Keep the maximum number of housing units on a post-split R-1 lot at four as permitted by SB 9 and originally recommended by staff rather than the Planning Board-recommended 10 units.
2. Limit the maximum size of SB 9 units to 1200 ft.² as previously recommended by staff, rather than the Planning Board's recommended 1600 ft.².
3. Require that an informational notice for an SB 9 project be sent to all property owners within 100 feet and posted on the project site and on the City's website immediately after an SB 9 application has been filed. (Unlike current noticing, the SB 9 notice would not be able to invite public comment, but would at least allow neighbors to become aware of SB 9 projects before construction actually starts.)
4. Adopt both the urgency ordinance and as well as introduce the regular ordinance, both reflecting the above changes.

Alameda City resident,

Agnes Wu

From: [Patricia Baer](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Subject: [EXTERNAL] Item 7-A
Date: Saturday, January 1, 2022 11:02:29 AM

Council Members

I strongly urge you to vote against this pack and stack idea of allowing up to 10 units in R-1 neighborhoods where just one unit exists now. This will completely destroy the character of our city, and the reasons we all chose to live here.

The majority of residents voted against Measure Z and will be watching your vote on this subject, and will remember it when re-election time comes.

Please don't ruin this lovely, traditional, 150 year old city by making a housing development out of it.

Thank you for your consideration,

Patsy Baer



2263 Santa Clara Avenue
Alameda, CA 94501
December 30, 2021

Honorable Members of the Alameda City Council:

East Bay for Everyone is a network of people fighting for the future of housing, transit, tenant rights, and long-term planning in the East Bay. We are writing to support items 7A and 7B on the City Council agenda. We think that these changes will help increase the amount of housing in Alameda and make it a more affordable and healthier place to live.

SB 9 will help make Alameda more affordable by making it legal to build denser housing providing new homeownership and housing opportunities for more families in neighborhoods of Alameda that have been locked up for several decades. Duplexes (even new ones) will likely be more affordable than existing single-family homes. In addition, four homes on a lot where only one could have previously been constructed mean that the city will gain needed property tax revenue that can be used to fund city services like complete streets improvements. We think this is especially important and urgent after the tragic death of Supervisor Wilma Chan on city streets. Please pass the ordinance as is without adding additional burdens that will make it more difficult to build new homes in Alameda.

Alameda has been assigned an ambitious RHNA target by the regional association of governments. We hope that Alameda will try its best to exceed the numbers from ABAG. Exceeding the target will help more families, teachers, and city staffers afford to live in Alameda. More new homes will also help support additional frequency for public transit, and increased property tax revenue would help support additional city services.

Given staff's early draft site inventory for the upcoming housing element, we think it's critical that Alameda approve the public land swap to allow Alameda to meet and potentially surpass its RHNA targets.

The 1500 members of East Bay for Everyone

From: [margie](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance - OBJECTIONS
Date: Thursday, December 30, 2021 9:20:00 PM

OPEN LETTER TO THE CITY COUNCIL
RE: PROPOSAL TO PUT UP TO 10 UNITS ON R-1 ZONED LOTS
HEARING DATE: January 4, 2022

The explanation for this proposal, which will completely change the character of neighborhoods, and is not required by State Law, is that “people are commuting from Stockton.” The implication is that if there is more housing in Alameda, people will move to Alameda. This ignores the fact that people have been moving out of the Bay Area since before the pandemic.

In 2018, a worried Bay Area economic group noted that Bay Area population growth was slowing [<http://www.bayareaeconomy.org/bay-area-population-growth-is-slowing/>] Several cities lost population during 2019. In 2020, population loss to the Bay Area accelerated. Alameda lost .3% of its population between January 1, 2020 and January 1 2021. <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/documents/PriceandPopulation2021.pdf> As of December 17, 2021, per the State of California, both Los Angeles and the SF Bay Area lost population over the last few months. <https://www.usnews.com/news/politics/articles/2021-12-17/la-san-francisco-bay-area-lost-residents-during-pandemic> “The San Francisco Bay area has been impacted the most by this trend. By the end of September, there were 45% fewer people moving into the Bay Area from other states compared to the beginning of 2020, according to Evan White, executive director of the California Policy Lab's site at the University of California-Berkeley. “

Mirroring this trend, there were 111 apartments and 24 houses available for rent in Alameda on 12/30/21

If there really was pent up demand for market rate housing, those apartments and houses would have waiting lists. As I have repeatedly pointed out, the vacancy rate has been essentially steady for months.

Another explanation is that multi unit developments are “cheaper.” Unfortunately, any new market-rate development is not “cheap” enough for any lower income person, including City of Alameda kindergarten teachers. I have worked for years as a probate paralegal, often for black attorneys. I have become familiar with the economic challenges of Black families. Actual affordable rent is \$800 to \$1500 per month. Anything more than that is not actually affordable.

I strongly object to this proposal. It will put an unbearable burden on our already stressed roads, sewers and bridges. Where is the water going to come from for all of these new people?

Suggestions for proving actual affordable housing:

- (1) Assist lower income people to keep their family home. Often, one or more heirs will want to keep the residence of their now deceased parent. Due to poverty, the maintenance has not been kept up. Banks will not lend unless the termite work is done. Result – the property goes to a (white) speculator
- (2) Expand the Section 8 program
- (3) Make it more difficult for speculators to purchase property

From: [Ellen Chesnut](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Fwd: January 4, 2022, City Council Agenda Item 7-A (SB-9 Ordinance)
Date: Wednesday, December 29, 2021 1:28:16 PM

Begin forwarded message:

From: Ellen Chesnut <mushak19@gmail.com>
Subject: January 4, 2022, City Council Agenda Item 7-A (SB-9 Ordinance)
Date: December 29, 2021 at 1:07:00 PM PST
To: Lisa Weisiger,

Dear LISA Weisiger,

Hello. I am a resident of ALAMEDA, having lived here happily since 2006. The proposed upzoning of R1 ZONING DISTRICT which would allow up to 10 units per lot with no public review or appeal is a disgrace.

Overcrowding, drastic reduction of civic services, and the jamming of our roads, bridges and tunnels with many more vehicles - is this your vision for our island city? I hope not!

I urge the city council to say NO!! TO THIS UPZONING.

Thank you for your attention to this urgent matter.

Sincerely, Ellen Chesnut

From: [David La Piana](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#)
Cc: [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#); [Allen Tai](#)
Subject: [EXTERNAL] Upzoning R1
Date: Wednesday, December 29, 2021 9:11:02 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Dear Mayor and Council

I have never written to you before but as a long-time homeowner in the East End, the radical proposal before you on January 4 has prompted this note.

Please do not increase density to 10 units per lot. Four is already a quadrupling of density and seems impossible without building a four-story unit on most lots, but ten is really an unworkable number, especially as there is no neighbor input on these applications. Please at least include notification of neighbors within 100 feet, so we know what is happening before the bulldozers arrive to knock down our neighbor's house to build a fourplex. Also, adding four 1,600 square foot units to a typical East end lot is just – I can't think of a better word than impossible. That means adding 6,400 square foot of living space on a lot that presently is covered by a typical 2,000-2,500 square foot home.

I know the City must comply with SB9, but I must also say this entire process feels like theatre. Even with this ordinance in place, how many people will tear down their home to build a condo development? And if they do, given housing prices – my adult child's 800 square foot Alameda home is today valued at \$997,000 by Zillow – how much will these new units sell for? NO NEW AFFORDABLE HOUSING WILL BE CREATED WITH THIS ORDINANCE. In the supposed interest of social justice, SB9, as it will play out here, will enable developers to make money and homeowners who don't care about their neighborhood to monetize their home beyond its current sale price by building ten million dollar condos on a single family lot. Truly this is madness and I ask you to minimize the damage.

Respectfully,

David La Piana
2926 Gibbons Drive
Alameda

David La Piana (he/him)
Managing Partner



[510.239.4766](tel:510.239.4766)



lapiana@lapiana.org



www.lapiana.org



From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); tdaysog@alamedaca.com
Cc: [Eric Levitt](#); [Andrew Thomas](#); [Yibin Shen](#); [Lara Weisiger](#)
Subject: [EXTERNAL] City Council 1/4/22 Agenda Item 7-A: Amendments to R-1 Zoning Ordinance
Date: Wednesday, December 29, 2021 9:07:54 AM

ACT

Alameda Citizens Task Force

Vigilance, Truth, Civility

Dear Mayor Ashcraft, Vice Mayor Vella and Council Members Knox-White, Herrera Spencer and Daysog:

ACT strongly supported the Planning Department's proposed R-1 amendments submitted to the Planning Board (PB) on Dec. 13. Unfortunately, the PB rejected the two most important objective standards contained in the proposed amendments, the maximum allowable size of any new dwellings of 1200 sq. ft. and the maximum allowance of two total units on a lot including ADU's. Instead, the PB replaced these standards with a maximum allowable new dwelling standard of 1600 sq. ft. and full application of our current ADU ordinance to the R-1 district. This would allow as many as five units on a current lot or ten units if the owner does a lot split. We strongly oppose both of these PB recommendations. A discussion of both issues and the need for an urgency ordinance follows:

1. Maximum Lot Size: The Planning Department presented its rationale for a maximum lot size of 1200sq. ft. in its written report to the PB:

"SB 9 allows the City to set size standards provided that those standards allow for at least two 800 square foot units. Staff recommends a 1,200 square foot maximum for three reasons: 1) smaller units are more affordable than larger units and the greatest need in Alameda is for smaller, more affordable units, and 2) Alameda's Accessory Dwelling Unit Ordinance establishes a cap of 1,200 square feet for ADUs. Having a consistent maximum size for both ADUs and "SB 9 units" will simplify the administration of the ministerial permitting process for both ADUs and SB 9 units, and 3) smaller units will result in smaller buildings, which will result in less visual, shading, and other community character issues."

We have asked Karen Lithgow, a well-known local realtor, to compute the 2021 cost difference between purchasing/renting a 1600 sq. ft. dwelling or a 1200 sq. ft. dwelling. The larger dwelling median price is \$1,275,001. The smaller dwelling median is price \$1,037,500. The larger dwelling average rent is \$4286. The smaller dwelling average rent is \$3391.

Adopting the Planning Department recommendation will provide us with an inventory to meet the needs of poorly served "missing middle" or "workforce" residents who perform vital services for our community as well as providing the other benefits set forth in their rationale quoted above.

2. Two Dwellings Per Lot Maximum: The Planning Department proposed amending the R-1 ordinance by providing Section c (f) stating:

The number of units shall be limited to two dwelling units or one dwelling unit and one accessory dwelling unit on each lot for a maximum of four (4) total dwelling units on the two lots created by the lot split.

However, the PB proposes that the current ADU ordinance fully apply to the R-1 district, while acknowledging that this would allow two SB-9 units and three ADU's on each lot for a total of five per lot, with a SB-9 lot split allowing up to ten units. This will create a level of density that is unsustainable regarding parking, water, sewer and other infrastructure needs, and reduction of our urban forest protection against carbon dioxide and heat. Quadrupling the density of our R-1 districts will be difficult enough for the community to absorb. Increasing density by a factor of ten simply makes no sense.

3. The Need for an Urgency Ordinance: Staff has presented you with the option of adopting the R-1 amendments in an urgency ordinance. However, staff does not recommend this option. They admit that adopting the amendment in the normal process would delay the effective date of the amendments until Feb. 17 and that between the Jan. 1 effective date of SB-9 and Feb. 17 they would not be able to subject a development application to the objective standards of the amendments. However, they argue that the only significant standard is the 1600 sq. ft. maximum lot size, and that the unenforceability of this standard does not have "an impact to public health or safety". Their conclusion is faulty on several grounds.

1. They ignore all of the other standards in the amendments.
2. They assume that you will not make any changes in the PB proposal, most importantly, reducing the density from five to two units per lot, including ADU's.
3. They misconstrue the State urgency ordinance law.

Ca Govt. Code Sec. 65858 (a) states:

"Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time."

The law is specifically designed as an interim measure to allow enforcement of a contemplated zoning change while it is in progress, thus preventing developers from rushing an application in order to avoid the proposed changes. Thus, the statute establishes that such a fact scenario does justify an urgency ordinance to protect public safety, health, and welfare.

The urgency ordinance, if adopted, only has a life of 45 days. You will have time to improve on it in the future if needed. The cities of Los Altos Hills, Portola Valley, Pasadena, and Santa Barbara have enacted such an ordinance while their SB-9 revisions to their zoning ordinance are pending, and we do not doubt that there are others.

There is simply no downside to the urgency ordinance and an important upside that all SB-9 applications will be subject to the same objective standards regardless of when the applications are filed.

Sincerely,

Alameda Citizens Task Force
Paul S. Foreman, Board Member