

From: [Ann Walker](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#); [City Clerk](#)
Subject: [EXTERNAL] Item 7-B-City Council Agenda Nov. 15, 2022-Housing Element, Zoning Amendments
Date: Monday, November 14, 2022 5:41:27 PM

Dear Mayor and City Council Members,

We urgently request that you make some important modifications to the Housing Element (HE) presented to you TUESDAY by your Planning Staff.

As it is now written, the HE will create up zoning throughout our entire City. However, we can meet our State RHNA requirements and still save our City from this universal up zoning which will have serious negative impacts on our City. May we refer you to the well researched ACT letter that you have before you. We urge you to adopt these modifications as presented in the letter.

If you fail to modify, we are certain this will be VERY detrimental to the future of our City and its residents.

None of us want that. Please do your duty on behalf of your community and adopt these modifications. Thank you.

Sincerely,

Ann Walker & Jon Demeter
462 Centre Court, Alameda

From: [Alexandra Petrich](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [City Clerk](#)
Subject: [EXTERNAL] Agenda Item 7-B, City Council Agenda, Nov. 15, 2022
Date: Monday, November 14, 2022 4:56:55 PM

Dear Council Members:

I am a long-time resident of Alameda. I am writing to ask that you NOT adopt the entirety of the Housing Element and zoning amendments as submitted by the Planning Director and recommended by the Planning Board. I do support the Planning Board recommendation to limit the number of regular units to four within existing building envelopes in the R1 through R6 zones and apply this also to the North Park Street residential and mixed use areas.

As for the rest, however, I ask here that you change the Housing Element and zoning amendments as recommended by ACT.

The 30-to-60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay, and the North Park zoning district unlimited density allowance should be ELIMINATED. These upzonings will put over 4000 existing relatively affordable rent-controlled housing units at risk replacing them with non-rent controlled market rate units, thus displacing current tenants and creating gentrification. It appears that the Planning Director and the Planning Board have given no consideration to this crucial point. Why would the City want to create a further shortage of affordable housing in Alameda???

The 30-to-60 units/acre upzonings in the R-3 thru R-6 zoning districts, and the R-1 thru R-6 transit overlay are not needed to meet Alameda's Regional Housing Needs Assessment (RHNA) since any units they generate are not being counted as part of the Housing Element's RHNA site inventory. They also do not appear to be needed to meet state fair housing requirements because the Housing Element's allowance of additional units within existing buildings citywide allows lower income housing throughout the city.

The Council should change the proposed unlimited density no more than 30 units per acre and 40' height limits in the historic portions of the Park Street and Webster Street Business Districts and the Stations. The draft Housing Element unlimited density and 60' height limit will encourage developers to demolish historic buildings and qualify for density bonus waivers which will allow buildings as much as three stories taller than 60' and construct intrusive, out of scale new buildings in historic areas.

Although Alameda's historic preservation ordinance requires Historical Advisory Board approval for historic building demolitions and some alterations, such approval is NOT required in most cases for intrusive new construction and there is no assurance that the Board or, on appeal, the City Council (by simple majority vote) will not approve such demolitions. Thus, there will be no remedy for citizens and taxpayers who oppose any future attempts to radically alter the historic areas of Alameda.

Very truly yours, Alexandra Petrich

11/12/2022

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

Re: 7-B-City Council Agenda
November 15th 2022
Housing Element
Zoning Amendments

Please oppose any new proposed zoning
amendments.

Do Not undermine Measure A. We voted
this measure in & we want it to remain
in its entirety.

Your efforts should be devoted to
resolving Alamedas traffic problem
first & foremost. When we are
instructed to leave the Island
When there is an emergency there
will be problems. Solve this
problem first.

Thank You

Daniel D. Ouellet
1355 Grove St.
Alameda, CA 94501

From: [DENINE KELTNER](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [City Clerk](#)
Subject: [EXTERNAL] Nov 15, 2022 Housing Element
Date: Monday, November 14, 2022 3:50:12 PM
Attachments: [We sent you safe versions of your files.msg](#)
[Mayor & City Council Nov 14, 2022 Ala. Housing Element.pdf](#)

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

I sincerely hope you will consider my comments, as I am not available to speak on Tuesday.

Best,Dee

Dee Keltner

H 510-865-0479

C 510-409-6657

Family & Friends Multiply Joy!

November 14, 2022

Mayor and City Council

Re: Proposed Housing Element

1. The proposed Housing Element has Excessive and unnecessary upzoning and if the Housing Element is combined with the State Density Bonus Law, Alameda could become a disaster. PLEASE do not eliminate R 1 to R 5 zoning
2. The Alameda Preservation Alert has found so many adverse building freedoms and allowances within the documents. Why would our City allow so many present and future freedoms to developers who are often "build and run" companies. They are here to make money and the heck with the community.
3. The over building in height, loss of open space and absence of off street parking is shocking and reckless.
4. Our lovely neighborhoods and classic charm are being destroyed and erased.
5. The streets are crowded with horrible barriers, no off- street parking, and delivery trucks everywhere. God help us if there is an emergency, as no fire truck or ambulance will be able to get to those in need.
6. Cars are here to stay, so parking must to provided. Bikes are OK, but the percentage of bike riders is far, far below drivers.

Please DO NOT approve this over reaching Housing Element in its current form.

***Further, I have asked many times just **how many units are required to** comply with the current law.

.how many units are already built?

.how many units are permitted?

.how many units are in the pipe line?

PLEASE provide this information truthfully!!! No smoke & mirrors.

I'm tired of the City pulling the wool over our eyes. Your responsibility is to honestly and clearly inform us. You were elected by us and for us. You are not empowered to stand alone, at least not for long.

I find it extremely sad that our City Council and Planning Department continue to approve more building when our citizens spoke very loud with the defeat of Measure Z. Sadly, Rob Bonta leaped to Sacramento and shot down/overruled our decision. Please do not approve anything that gives power to others forever.

Please acknowledge receipt! Trish Spencer & Tony Daysog are usually the only ones to acknowledge receipt.

Sincerely,

Denine Keltner 1137 Bay St. Alameda, CA

From: [Ezra Denney](#)
To: [Marilyn Ezzy Ashcraft](#); [City Clerk](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [Malia Vella](#)
Subject: [EXTERNAL] Approve Alameda's Housing Element Tomorrow
Date: Monday, November 14, 2022 3:43:03 PM

Hello Alameda City Council,

I am writing to express my strongest recommendation to pass the draft Housing Element as submitted by staff. This has been a years long process of gathering feedback from every corner of the community (often in the form of it being shouted at Mr. Thomas), and City Staff have done an admirable job making sure Alameda is a leader in California in compliance with the State Law.

Let's not suffer the Builder's Remedy issue that Santa Monica did, and let's send a rational, well planned Housing Element to the State.

Thank you for leading on this issue, and helping to make housing in Alameda more inclusive and more equitable.

Ezra Denney

From: [Karin Sidwell](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [City Clerk](#)
Subject: [EXTERNAL] agenda item 7-B November 15
Date: Monday, November 14, 2022 2:59:49 PM

Dear Mayor and Councilmembers,

Please change the Housing Element and zoning amendments as recommended by AAPS. At minimum please remove the incentive to only build new by demolishing small buildings or houses and replacing them with market rate dense housing. The current housing element is a developers paradise. There is no incentive to retain any buildings.

Additionally-

- The upzonings will encourage developers to demolish historic buildings and construct intrusive, out of scale new buildings in historic areas, possibly with land assembly.
- Although Alameda's historic preservation ordinance requires Historical Advisory Board approval for historic building demolitions and some alterations, such approval is not required in most cases for intrusive new construction and there is no assurance that the Board or, on appeal, the City Council will not approve such demolitions.
- Adopt the Planning Board recommendation to limit the number of regular units to four within existing buildings plus ADUs in the R1 through R6 zones.
- Change the proposed unlimited density and 60 foot height limits in the historic portions of the Park Street and Webster Street Business Districts and the Stations to no more than 30 units per acre. Also change the proposed 60 foot height limits for the historic portions of Park Street and Webster Street to 40 feet, which is the existing height limit on Webster Street and about 80% of Park Street south of Lincoln.
- Delete or scale back the transit overlay
- The upzonings will radically increase the number of lots eligible for state density bonus projects that would allow buildings as much as three stories taller than the proposed already excessive increased height limits. Affordable units created by density bonus projects can instead be accommodated by "affordable by design" units within existing buildings and an unlimited number of ADUs in existing and new buildings, since ADUs don't count toward the five units per development that triggers density bonus projects.
- The upzonings will put existing relatively affordable rent-controlled housing units at risk replacing them with non-rent controlled market rate units, encouraging gentrification. (I happen to live next door to one of these potential risks- 4 unit multi-family Victorian on a 7,500 sq foot lot; units are rented at below market rate; owners want to sell; ALL UNITS need work; a profit minded developer would see this as a tear-down)

I understand the pressure is immense and there is fear that the housing element will not being approved by the HCD it is scaled back. The following are excerpts from *Robert Sullwold dated November 13, 2022 published by "Alameda Merry-Go-Round"*

1. **The State Housing Element Law Does Not Require the City to Re-Zone Entire Residential Districts to Permit Multi-Family Housing With a Density of At Least 30 Units Per Acre**

Nowhere in the text of the Housing Element chapter (Government Code § 65580, et seq.) can there be found any requirement that a city must zone (or, if necessary, re-zone) entire residential districts to permit multi-family housing.

In fact, of the 16 times the Housing Element chapter uses the term “multi-family” (or “multifamily”), only two are found in sentences that set forth generally applicable directives (sections 65583(c)(1) and 65583.2(c)). But, on their face, these sections simply impose a duty on a city to “facilitate and encourage” residential development, including but not limited to “multi-family rental housing”; they do not require the city to zone or (re-zone) areas for any particular type of housing.

When the Legislature *did* intend to require re-zoning, it said as much in so many words. For example, section 65583(c)(1)(A) provides that, if a city does not identify sites “adequate” to meet its RHNA obligations, it must re-zone those sites, “including adoption of minimum density and development standards,” within three years. No similar language requires a city to re-zone property if it fails to provide “adequate” multi-family housing.....

Even less compelling is the proposition that the Housing Element Law requires that every residential parcel must have a density of at least 30 units per acre.

The statute mentions a 30-unit-per-acre density only once, and the context is crucial. Every city is assigned a RHNA quota in four income categories, and the city must designate sites sufficient to make available the number of units specified for each one. To aid in that task, section 65583.2(c)(3)(B)(iv) states that sites allowing at least 30 units per acre “shall be deemed appropriate” to “accommodate” housing for lower-income households.

2. The City of Alameda Has Met Its Obligations Under the State Housing Element Law by Zoning Specific Sites for Multi-Family Housing With a Density of 30 Units Per Acre

The claim that state law requires re-zoning entire residential districts to permit multi-family housing with a density of at least 30 units per acre represents an expansive – indeed, extreme – reading of the duties imposed by the Housing Element Law.

3. Re-zoning Entire Residential Districts to Permit Multi-Family Housing With a Density of At Least 30 Units Per Acre Is Not Necessary to “Affirmatively Further Fair Housing”

The state’s fair-housing laws do not furnish an independent basis for requiring Alameda to re-zone entire residential districts to permit multi-family housing with a density of at least 30 units per acre.

Lastly-

The second set of guidelines is far longer (94 pages) than the first. It also is more prolix and less concrete than its predecessor.

Toward the very end, the guidelines list, in a series of bullet points, a handful of recommended “actions” and “action areas” for a city to take to affirmatively further fair housing. Re-zoning entire residential districts for multi-family housing with densities of at least 30 units per acre is not one of them. To be sure, the guidelines recognize that re-zoning is a tool a city can use to advance the statutory goal. But it is a tool that a city should employ selectively, not indiscriminately. (“In some cases,” the guidelines note, “a locality might find circumstances warranting rezoning above and beyond the regional housing need to promote more housing choices and affordability.”) In any event, its use is not mandatory.

Please don't be hasty with this decision- easy is not the best solution and if we put all our eggs in one basket what are our options for the next housing element?

Thank you,

Karin Sidwell

From: [Alameda Citizens Task Force](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Andrew Thomas](#); [Allen Tai](#); [Yibin Shen](#); [Manager Manager](#); [City Clerk](#)
Subject: [EXTERNAL] Item 7-B-City Council Agenda Nov. 15, 2022-Housing Element, Zoning Amendments -Petition Opposing Upzonings
Date: Monday, November 14, 2022 2:57:18 PM
Attachments: [We sent you safe versions of your files.msg](#)
[Petition Signatures-ACT.pdf](#)
[Petition Change.org.png](#)

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

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

Attached is a petition in opposition to certain proposed Housing Element upzonings, and a list identifying the 716 Alameda residents who have signed the same. The online petition indicates over 1200 signers, but we have reviewed the list and deleted non-resident signers. We hope that you will consider the concerns of these Alameda residents when making your decision with regard to the Housing Element and zoning amendments.

Please place this email on the record pertaining to the above captioned proceedings.

Alameda Citizens Task Force

From: Alameda Citizens Task Force <alamedacitizenstaskforcembrshp@gmail.com>
Sent: Monday, November 14, 2022 2:07 PM
To: Alameda Citizens Task Force <announcements@alamedacitizenstaskforce.org>
Subject: Petition

Attached is the petition and signers.



[Alameda Citizens](#) started this petition

Petition to Alameda City Council:

We, the undersigned citizens of the City of Alameda, petition the Alameda City Council to REJECT the provisions in the Draft 2023-2031 Housing Element that propose massive upzoning of our older established neighborhoods and historic commercial districts, including:

1. Unlimited residential density within the walls of existing structures.
2. Unlimited density and a 40' height allowed on any parcel within ¼ mile of a commuter bus line, including demolition and replacement of existing buildings.
3. Increased density ranging from 30 to 60 units per acre (36% to 173% above the existing density) in the R-3 to R-6 zoning districts covering most of central Alameda.
4. Unlimited density and height limits increased to 60' in the historic portions of Park St. and Webster St. and increased to 45' in the small historic "Stations" districts on Lincoln Ave. and Encinal Ave.

These zoning increases are not needed to meet housing goals and will put our historical housing inventory at risk, resulting in gentrification, with current tenants replaced by non-rent controlled market rate units. The recent Council action abolishing off-street parking minimums exacerbates congestion in the neighborhoods. These upzonings also include reduced yard space requirements that threaten our beautiful greenhouse gas absorbing urban forest.

Signed--

Name	City	State	Postal Code	Country	Signed On
Alameda Citizens				US	10/15/22
Melody Choy	Alameda	CA	94501	US	10/27/22
Tony Devencenzi	Alameda	CA	94501	US	10/27/22
Barrett Parker	Alameda	CA	94501	US	10/27/22
Robert Terry	Alameda	CA	94501	US	10/27/22
Sally Damsen	Alameda	CA	94501	US	10/27/22
Philip Jaber	Alameda	CA	94501	US	10/27/22
Steve G	Alameda	CA		US	10/27/22
Gig Codiga	Alameda	CA	94501	US	10/27/22
John Barhaugh	Alameda	CA	94501	US	10/27/22
Kathie Boothby	Alameda	CA	94501	US	10/27/22
Danesh Rahmati	Alameda	CA	94501	US	10/28/22
Sam Taylor	Alameda	CA	94501	US	10/28/22
rita lowe	Alameda	CA	94501	US	10/28/22
Sheena Torres	Alameda	CA	94501	US	10/28/22
Gina Jaber	Alameda	CA	94501	US	10/28/22
Denise Pruitt	Alameda	CA	94501	US	10/28/22
Nancy Sabbatini	Alameda	CA	94501	US	10/28/22
Linda Soulages	Alameda	CA	94501	US	10/28/22
Dona Fuller	Alameda	CA	94501	US	10/28/22
Erik Kolacek	Alameda	CA	94501	US	10/28/22
Daniel Ouellet	Alameda	CA	94501	US	10/28/22
Fred Damsen	Alameda	CA	94501	US	10/28/22
Claire Yeaton-Ris	Alameda	CA	94501	US	10/28/22
Abigail Jensen	Alameda	CA	94501	US	10/28/22
Patricia Sheehan	Alameda	CA	94501	US	10/28/22
Belinda Fong	Alameda	CA	94502	US	10/28/22
Arnel San Juan	Alameda	CA	94601	US	10/28/22
Nancy Hird	Alameda	CA	94501	US	10/28/22
Jane Gorwin	Alameda	CA	94501	US	10/28/22
Howell Gail	Alameda	CA	94501	US	10/28/22
Brittney Bridges	Alameda	CA	94502	US	10/28/22
Rod Harris	Alameda	CA	94501	US	10/28/22
CESAR Aliaga	Alameda	CA	94502	US	10/28/22
Randall Reed	Alameda	CA	94501	US	10/28/22
Gabe King	Alameda	CA	94501	US	10/28/22
Andrea Hamilton	Alameda	CA	94501	US	10/28/22
rockne harmon	Alameda	CA	94501	US	10/28/22
Mary Jacak	Alameda	CA	94501	US	10/28/22
Lois Francis	Alameda	CA	94501	US	10/28/22
Diane Walsh	Alameda	CA	94501	US	10/28/22
Brittany Phelps	Alameda	CA	94501	US	10/28/22

Ellen Jean Grahar	Alameda	CA	94501	US	10/28/22
Mary Cafarella Aj	Alameda	CA	96161	US	10/28/22
Catherine Bierwit	Alameda	CA	94501	US	10/28/22
Madeline Deaton	Alameda	CA	94501	US	10/28/22
Harold Ake	Alameda	CA	94501	US	10/28/22
Greg Bridges	Alameda	CA	94501	US	10/28/22
Jeanie Mitchell	Alameda	CA	94501	US	10/28/22
Steve Metzger	Alameda	CA	94501	US	10/28/22
John Lembo	Alameda	CA	94501	US	10/28/22
Mary McFarland	Alameda	CA	94501	US	10/28/22
karen jackson	Alameda	CA	94501	US	10/28/22
Janice Garvey	Alameda	CA	94501	US	10/28/22
edgar short	alameda	CA	94501	US	10/28/22
Dorothy Freeman	Alameda	CA	94501	US	10/28/22
Emma Kung	Alameda	CA	94502	US	10/28/22
Rosalie Avila-Jim	Alameda	CA	94501	US	10/28/22
Alvin Stefani	Alameda	CA	94501	US	10/28/22
david winckoski	Alameda	CA	94501	US	10/28/22
Rick Mitchell	Alameda	CA	94501	US	10/29/22
Andrzej Teplicki	Alameda	CA	94501	US	10/29/22
david taggart	Alameda	CA	22193	US	10/29/22
Jenni Gomez	Alameda	CA	22193	US	10/29/22
Sheila Jenkins	Alameda	CA	94501	US	10/29/22
Ellen Bradley	Alameda	CA	94501	US	10/29/22
Tina Landess	Alameda	CA	94501	US	10/29/22
Walter Grady	Alameda	CA	94501	US	10/29/22
Arianna Siegel	Alameda	CA	94501	US	10/29/22
Joseph Woodard	Alameda	CA	94501	US	10/29/22
Danna Dobi	Alameda	CA	94502	US	10/29/22
Attila Dobi	Alameda	CA	94502	US	10/29/22
Katy Davies-Perez	Alameda	CA	94501	US	10/29/22
Ivan growl	Alameda	CA	94501	US	10/29/22
Disne Padway	Alameda	CA	94501	US	10/29/22
Marguerite Doyle	Alameda	CA	94501	US	10/29/22
pamela hamilton	Alameda	CA	94501	US	10/29/22
Susan Osanna	Alameda	CA	94501	US	10/29/22
Ludovica James	Alameda	CA	94501	US	10/29/22
Kathleen Hoie	Alameda	CA	94501	US	10/29/22
Lya Rad	Alameda	CA	94501	US	10/29/22
Marc Moran	Alameda	CA	94501	US	10/29/22
Danny Ramirez	Alameda	CA	94501	US	10/29/22
Luke Johnson	Alameda	CA	94501	US	10/29/22
F Gh	Alameda	CA	94501	US	10/29/22

Sarah Larson	Alameda	CA	94501	US	10/29/22
m h	Alameda	CA	94501	US	10/29/22
Karry-Ilyse Ross	Alameda	CA	94502	US	10/29/22
Beverly Ramirez	Alameda	CA	94501	US	10/29/22
Pamela Argueta	Alameda	CA	94501	US	10/29/22
Steve Coyle	Alameda	CA	94501	US	10/29/22
Sara Zehnder	Alameda	CA	94501	US	10/29/22
Brad Nordstrom	Alameda	CA	94501	US	10/29/22
Tim Schlueter	Alameda	CA	94501	US	10/29/22
Adam Kaluba	Alameda	CA	94501	US	10/29/22
Jacob Enloe	Alameda	CA	94501	US	10/29/22
Kaitlin Montes	Alameda	CA	94501	US	10/29/22
Lori Stevens	Alameda	CA	94501	US	10/29/22
max valle	Alameda	CA	94501	US	10/29/22
katy phelan	Alameda	CA	94501	US	10/29/22
Gordon Poston	Alameda	CA	94501	US	10/29/22
Jezra Thompson	Alameda	CA	94502	US	10/29/22
Anna Moretto	Alameda	CA	94501	US	10/29/22
janis ripple	Alameda	CA	94502	US	10/29/22
patricia merrell	Alameda	CA	94502	US	10/29/22
Javier Rivera	Alameda	CA	94501	US	10/29/22
Catherine Danielc	Alameda	CA	94501	US	10/29/22
Liz Brunetti	Alameda	CA	94501	US	10/29/22
Sherry Price	Alameda	CA	94501	US	10/29/22
Christopher Buckl	Alameda	CA	94501	US	10/29/22
Janet Castro	Alameda	CA	94501	US	10/29/22
Peter Kortmann	Alameda	CA	94501	US	10/29/22
Carol Gottstein	Alameda	CA	94501	US	10/29/22
Clemencia Colme	Alameda	CA	94501	US	10/29/22
Beth Peterson	Alameda	CA	94501	US	10/29/22
Nazanin Shamaye	Alameda	CA	94501	US	10/29/22
Hassan Mirhossei	Alameda	CA	94501	US	10/29/22
Alex Jackson	Alameda	CA	94501	US	10/29/22
Daniel Healy	Alameda	CA	94501	US	10/29/22
Hanna Mahmodi	Alameda	CA	94501	US	10/29/22
Brendetta Baldwi	Alameda	CA	94501	US	10/29/22
Andy Watts	Alameda	CA	94501	US	10/29/22
Siobhan Williams	Alameda	CA	94501	US	10/29/22
Hayes Bohner	Alameda	CA	94501	US	10/29/22
roger Baer	Alameda	CA	94501	US	10/29/22
Ali Bayat	Alameda	CA	94501	US	10/29/22
O'Keefe Thompsc	Alameda	CA	94501	US	10/29/22
Tiana Eberhardt	Alameda	CA	94501	US	10/29/22

Katie Reyes	Alameda	CA	94501 US	10/29/22
Sara Dariush	Alameda	CA	94501 US	10/29/22
Madilyne W.	Alameda	CA	94501 US	10/29/22
Flemming Hein	Alameda	CA	94501 US	10/29/22
Thomas Payne	Alameda	CA	94501 US	10/29/22
Quinton Larson	Alameda	CA	94501 US	10/30/22
Megan Larson	Alameda	CA	94501 US	10/30/22
Teresa McDaniels	Alameda	CA	94501 US	10/30/22
karen thomas	Alameda	CA	94501 US	10/30/22
Oliver Dean	Alameda	CA	94501 US	10/29/22
Becky Herrington	Alameda	CA	94501 US	10/29/22
Jennifer Sullivan	Alameda	CA	94501 US	10/29/22
Piri Friedman	Alameda	CA	94501 US	10/29/22
Jazmin Davis	Alameda	CA	94501 US	10/29/22
Ghazal Ahani	Alameda	CA	94501 US	10/29/22
Debbie E	Alameda	CA	94501 US	10/29/22
Carmen Reid	Alameda	CA	94501 US	10/30/22
Tony Marino	Alameda	CA	94501 US	10/30/22
Lizzy Shumaker	Alameda	CA	94501 US	10/30/22
Penelope Bernhis	Alameda	CA	94501 US	10/30/22
Rob Halford	Alameda	CA	94501 US	10/30/22
Thomas Krysiak	Alameda	CA	94502 US	10/30/22
Michelle Gossage	Alameda	CA	94501 US	10/30/22
Rebecca Mills	Alameda	CA	94501 US	10/30/22
Anjila Gurung	Alameda	CA	94501 US	10/30/22
rosemary torossian	Alameda	CA	94501 US	10/30/22
Taitiana Elizalde	Alameda	CA	94501 US	10/30/22
Gary Thompson	Alameda	CA	94501 US	10/30/22
Kelly DeHaven	Alameda	CA	94501 US	10/30/22
Naja Touray	Alameda	CA	94501 US	10/30/22
Mariia Kozlovets	Alameda	CA	94501 US	10/30/22
Lisa Brown	Alameda	CA	94501 US	10/30/22
Tina Mosby	Alameda	CA	94501 US	10/30/22
Paramesh Nalval	Alameda	CA	94501 US	10/30/22
Alexis Wyse	Alameda	CA	94501 US	10/30/22
Edwin Godoy	Alameda	CA	94501 US	10/30/22
Daniel Batrov	Alameda	CA	94501 US	10/30/22
isaac buenos	Alameda	CA	94501 US	10/30/22
Kaitlyn Garrett	Alameda	CA	94501 US	10/30/22
Gretchen Bailey	Alameda	CA	94501 US	10/30/22
Dolores Kelleher	Alameda	CA	94501 US	10/30/22
Griff Neal	Alameda	CA	94501 US	10/30/22
Victoria Dempsey	Alameda	CA	94501 US	10/30/22

Joan More	Alameda	CA	94501 US	10/30/22
Abbey Belay	Alameda	CA	94501 US	10/30/22
Jayson M	Alameda	CA	94501 US	10/30/22
Sonnika K	Alameda	CA	94501 US	10/30/22
Yanelly Morales	Alameda	CA	94501 US	10/30/22
Chevy Aguilar	Alameda	CA	94501 US	10/30/22
Ralph Parcon	Alameda	CA	94501 US	10/30/22
David Knight	Alameda	CA	94501 US	10/30/22
Damien Martinez	Alameda	CA	94501 US	10/30/22
William Blevins	Alameda	CA	94501 US	10/30/22
Mehrdad H	Alameda	CA	94501 US	10/30/22
Valerie Powers	Alameda	CA	94501 US	10/30/22
Adam Ginsburg	Alameda	CA	94501 US	10/30/22
Karen Miller	Alameda	CA	94501 US	10/30/22
Marlene Silva	Alameda	CA	94501 US	10/30/22
Ngoc Bui	Alameda	CA	94501 US	10/30/22
reyla graber	Alameda	CA	94501 US	10/30/22
Anthony Walter	Alameda	CA	94501 US	10/30/22
Cicely Doyle	Alameda	CA	94501 US	10/30/22
Suzan Kaplan	Alameda	CA	94501 US	10/30/22
Cathy Jefferson	Alameda	CA	94501 US	10/30/22
c jefferson	Alameda	CA	94501 US	10/30/22
Lyudmyla Getman	Alameda	CA	94501 US	10/30/22
Shannon Conwell	Alameda	CA	94501 US	10/30/22
Bobby Salas	Alameda	CA	94501 US	10/30/22
Lilliana Mireles	Alameda	CA	94501 US	10/30/22
Jake Turner	Alameda	CA	94501 US	10/30/22
Ramona Alonso	Alameda	CA	94501 US	10/30/22
cathy rupp	Alameda	CA	94501 US	10/30/22
Angelica Raygoza	Alameda	CA	94501 US	10/30/22
Bonnie Jacobsen	Alameda	CA	94501 US	10/30/22
Sean Carter	Alameda	CA	94501 US	10/30/22
Elizabeth Oviedo	Alameda	CA	94501 US	10/30/22
Jeremy Hartman-	Alameda	CA	94501 US	10/30/22
Christopher Boyes	Alameda	CA	94501 US	10/30/22
Edwin Jacobsen	Alameda	CA	94501 US	10/30/22
Kris Motola	Alameda	CA	94501 US	10/30/22
Gayle Winterbauer	Alameda	CA	94501 US	10/30/22
Mridula Singh	Alameda	CA	94501 US	10/30/22
Ann Cooke	Alameda	CA	94502 US	10/30/22
Joan Gatenby	Alameda	CA	94501 US	10/30/22
Cade Herman	Alameda	CA	94501 US	10/30/22
Karen Flanders	Alameda	CA	94501 US	10/30/22

Blair Skellie	Alameda	CA	94501 US	10/30/22
Andrew Rubini	Alameda	CA	94501 US	10/30/22
CAROLE KING	Alameda	CA	94501 US	10/30/22
Kira Comini	Alameda	CA	94501 US	10/30/22
Elizabeth Jessee	Alameda	CA	94501 US	10/30/22
Bryan Mohler	Alameda	CA	94501 US	10/30/22
Sarah Hicks	Alameda	CA	94501 US	10/30/22
David Meyers	Alameda	CA	94501 US	10/30/22
victoria Diaz	Alameda	CA	94501 US	10/30/22
Jennifer Purves	Alameda	CA	94501 US	10/30/22
steph diaz	Alameda	CA	94501 US	10/30/22
Timothy Goddard	Alameda	CA	94501 US	10/30/22
Julio Santos	Alameda	CA	94501 US	10/30/22
Keirsten Ahonen	Alameda	CA	94501 US	10/30/22
Giselle Oliveira	Alameda	CA	94501 US	10/30/22
Margie Siegal	Alameda	CA	94501 US	10/30/22
Martin Butensky	Alameda	CA	94501 US	10/30/22
Andrea Johnson	Alameda	CA	94501 US	10/30/22
Susan Natt	Alameda	CA	94502 US	10/30/22
Christine Ahn	Alameda	CA	94501 US	10/30/22
Pat Butensky	Alameda	CA	94501 US	10/30/22
Milt Friedman	Alameda	CA	94501 US	10/30/22
Chris Scholl	Alameda	CA	94501 US	10/30/22
Carrie Monks	Alameda	CA	94501 US	10/30/22
Linda Gossage	Alameda	CA	94501 US	10/30/22
Thomas Bertken	Alameda	CA	94501 US	10/30/22
Robert Cote	Alameda	CA	94501 US	10/30/22
Trish Spencer	Alameda	CA	94501 US	10/31/22
Wayel Fare	Alameda	CA	94501 US	10/30/22
Ryan Latta	Alameda	CA	94501 US	10/31/22
Sophia Nyberg	Alameda	CA	94501 US	10/31/22
brianna manals	Alameda	CA	94501 US	10/31/22
Monica Sanchez	Alameda	CA	94501 US	10/31/22
n t	Alameda	CA	94501 US	10/31/22
Manuel J	Alameda	CA	94501 US	10/31/22
Emily Ross-Brown	Alameda	CA	94501 US	10/31/22
Carl S. Agan	Alameda	CA	94501 US	10/31/22
Marjorie Maritzel	Alameda	CA	94502 US	10/31/22
Eddy Liang	Alameda	CA	94501 US	10/31/22
betty winholtz	Alameda	CA	94501 US	10/31/22
Dona Fisher	Alameda	CA	94501 US	10/31/22
alex worthington	Alameda	CA	94501 US	10/31/22
barbara ernest	Alameda	CA	94501 US	10/31/22

You Guo	Alameda	CA	94502	US	10/31/22
Dixon Yarmouth	Alameda	CA	94501	US	10/31/22
Sandra Marder	Alameda	CA	94502	US	10/31/22
Linda Vallee	Alameda	CA	94502	US	10/31/22
Spanky McDoogle	Alameda	CA	94501	US	10/31/22
Robert Park	Alameda	CA	94502	US	10/31/22
mark palmer	Alameda	CA	94501	US	10/31/22
Lauretta Padgett	Alameda	CA	94501	US	10/31/22
Betsy Mathieson	Alameda	CA	94501	US	10/31/22
Geoff Dalander	Alameda	CA	94501	US	10/31/22
J Scott Dawson	Alameda	CA	94501	US	10/31/22
Doree Miles	Alamefa	CA	94501	US	10/31/22
Elizabeth Greene	Alameda	CA	94501	US	10/31/22
Karen Lithgow	Alameda	CA	94501	US	10/31/22
Donna Fletcher	Alameda	CA	94502	US	10/31/22
James Hudkins	Alameda	CA	94501	US	10/31/22
BRAD Dunn	Alameda	CA	94501	US	10/31/22
Lisa Trousdale	Alameda	CA	94501	US	10/31/22
Adam Garfinkle	Alameda	CA	94501	US	10/31/22
Jay Garfinkle	Alameda	CA	94501	US	10/31/22
Jean Wolslegel	Alameda	CA	94501	US	10/31/22
Jean Wamser Sin	Alameda	CA	94501	US	10/31/22
Floyd Brown	Alameda	CA	94501	US	10/31/22
David Foote	Alameda	CA	94501-3030	US	10/31/22
Sam Antonio	Alameda	CA	94501	US	10/31/22
barbara James	Alameda	CA	94501	US	10/31/22
Jeff Rice	Alameda	CA	94501	US	10/31/22
Gregg McGlinn	Alameda	CA	94501	US	10/31/22
Francis S.	Alameda	CA	94501	US	10/31/22
Jeanne Allen	Alameda	CA	94501	US	11/1/22
Johanna Hall	Alameda	CA	94501	US	11/1/22
Charles Sanders	Alameda	CA	94501	US	11/1/22
Joyce Boyd	Alameda	CA	94501	US	11/1/22
Debra Weiss	Alameda	CA	94501	US	11/1/22
Karin Fox	Alameda	CA	94501	US	11/1/22
Peter Conn	Alameda	CA	94501	US	11/1/22
Claire Fox	Alameda	CA	94501	US	11/1/22
Evelyn Dawdy	Alameda	CA	94501	US	11/1/22
Erica Cummings	Alameda	CA	94501	US	11/1/22
Vince L	Alameda	CA	94501	US	11/1/22
megan maciver	Alameda	CA	94501	US	11/1/22
stephen Slauson	Alameda	CA	94501	US	11/1/22
Sue Roderick	Alameda	CA	94502	US	11/1/22

Kimberlee MacVicar	Alameda	CA	94501	US	11/1/22
Beverly Garfinkle	Alameda	CA	94501	US	11/1/22
Armond Balaian	Alameda	CA	94502	US	11/1/22
steven Aced	Alameda	CA	94501	US	11/1/22
Manish Singh	Alameda	CA	94502	US	11/1/22
Paula Vergara	Alameda	CA	94501	US	11/1/22
Neal Fox	Alameda	CA	94501	US	11/1/22
Berta Gelber	Alameda	CA	94501	US	11/1/22
Mike McLaren	Alameda	CA	94501	US	11/1/22
Shelly Dunn	Alameda	CA	94501	US	11/1/22
janelle spatz	Alameda	CA	94501	US	11/1/22
Yuyun Huang	Alameda	CA	94501	US	11/1/22
Jenny Sui	Alameda	CA	94501	US	11/1/22
Amy Melanson	Alameda	CA	94501	US	11/1/22
Gen Ford	Alameda	CA	94502	US	11/1/22
Ruth Mesing	Alameda	CA	94501	US	11/2/22
Sue Ellen Lupien	Alameda	CA	94501	US	11/2/22
Jessica Geesey	Alameda	CA	94501	US	11/2/22
Antonia Nicosia	Alameda	CA	94501	US	11/2/22
PAM Rhodes	Alameda	CA	94501	US	11/2/22
Edward Sing	Alameda	CA	94502	US	11/2/22
Tom Morehouse	Alameda	CA	94501	US	11/2/22
Patricia Paul	Alameda	CA	94501	US	11/2/22
Peggy Herring	Alameda	CA	94501	US	11/2/22
William Corley	Alameda	CA	94501	US	11/2/22
Karin Sidwell	Alameda	CA	94501	US	11/2/22
Margaret Hall	Alameda	CA	94501	US	11/2/22
Sally Mirault	Alameda	CA	94501	US	11/2/22
Patricia Plowman	Alameda	CA	94501	US	11/2/22
Scott Hamilton	Alameda	CA	94501	US	11/2/22
jane goldspring	Alameda	CA	94501	US	11/2/22
Devon Westerhol	Alameda	CA	94501	US	11/2/22
Glenda Petho	Alameda	CA	94502	US	11/2/22
Trish Novello	Alameda	CA	94501	US	11/2/22
Dianne Richmond	Alameda	CA	94501	US	11/2/22
Patricia Devlin	Alameda	CA	94501	US	11/3/22
Victor Jin	Alameda	CA	94501	US	11/3/22
Rick Baldonado	Alameda	CA	94501	US	11/3/22
Madi Alavi	Alameda	CA	94501	US	11/2/22
Payton Cummings	Alameda	CA	94501	US	11/2/22
Toby McAdory	Alameda	CA	94501	US	11/2/22
Jonathan Mears	Alameda	CA	94501	US	11/2/22
Farhad Soleiman	Alameda	CA	94501	US	11/2/22

Michelli Hamiltor	Alameda	CA	94501	US	11/2/22
Doreen Cohanin	Alameda	CA	94501	US	11/2/22
Ellen Chesnut	Alameda	CA	94501	US	11/3/22
Gordon Barr	Alameda	CA	94501	US	11/3/22
Connie Milazzo	Alameda	CA	94501	US	11/3/22
Jennifer Balaian	Alameda	CA	94501	US	11/3/22
zachary Jimenez	Alameda	CA	94501	US	11/3/22
Birgitt Evans	Alameda	CA	94501	US	11/3/22
Dianne Emery	Alameda	CA	944002	US	11/3/22
Mark Katich	Alameda	CA	94501	US	11/3/22
Rodger Blair	Alameda	CA	94501	US	11/3/22
Patricia Blair	Alameda	CA	94501	US	11/3/22
Kathy Ratto	Alameda	CA	94502	US	11/3/22
Austin Ward	Alameda	CA	94501	US	11/4/22
Donna Cheng	Alameda	CA	94501	US	11/4/22
Nicolelynn Finger	Alameda	CA	94501	US	11/4/22
Diana Baldocchi	Alameda	CA	94501	US	11/5/22
Joe Van Winkle	Alameda	CA	94501	US	11/5/22
James Tham	Alameda	CA	94501	US	11/5/22
Charlene Muyarg	Alameda	CA	94501	US	11/4/22
Cecilia Lalinde	Alameda	CA	94501	US	11/4/22
Justin R. Johnson	Alameda	CA	94501	US	11/4/22
Shabnam Nia	Alameda	CA	94501	US	11/4/22
Amanda Jones	Alameda	CA	94501	US	11/4/22
Steve Ramos	Alameda	CA	94501	US	11/5/22
Roy Samuelson	Alameda	CA	94501	US	11/5/22
A Martin	Alameda	CA	94501	US	11/5/22
K Ratto				US	11/5/22
CHARLENE BISSIN	Alameda	CA	94501	US	11/5/22
Tate Bissinger	Alameda	CA	94501	US	11/5/22
Donna Strain	Alameda	CA	94501	US	11/5/22
Elena Ferri	Alameda	CA	94501	US	11/5/22
Katie Villa	Alameda	CA	94501	US	11/5/22
Elizabeth Farrar	Alameda	CA	94501	US	11/6/22
Brenden Sullivan	Alameda	CA	94501	US	11/6/22
Jane Peal	Alameda	CA	94501	US	11/6/22
Eileen Devlin	Alameda	CA	94501	US	11/6/22
Lisa Baker	Alameda	CA	94501	US	11/6/22
Maria Perales	Alameda	CA	94501	US	11/6/22
Nick Cote	Alameda	CA	94501	US	11/6/22
tracy cote	Alameda	CA	94501	US	11/5/22
Brian R. McDonal	Alameda	CA	94501	US	11/6/22
Stephen Lowens	Alameda	CA	94501	US	11/6/22

ROY CLARK	Alameda	CA	94501 US	11/5/22
Austin Vandyke	Alameda	CA	94501 US	11/5/22
Shawna Egger	Alameda	CA	94501 US	11/5/22
Michael Miller-Fa	Alameda	CA	94501 US	11/6/22
Jennifer Sullivan	Alameda	CA	94501 US	11/5/22
Rick Morgan	Alameda	CA	94501 US	11/6/22
Blaze Farrar	Alameda	CA	94501 US	11/6/22
Merri Rawski	Alameda	CA	94502 US	11/6/22
Helen Simpson	Alameda	CA	94502 US	11/6/22
Chase Martin	Alameda	CA	94501 US	11/6/22
Mike Van Dine	Alameda	CA	94501 US	11/6/22
Janet Cordes Gibs	Alameda	CA	94501 US	11/6/22
Jacquelyn Willian	Alameda	CA	94501 US	11/6/22
Bev Zia	Alameda	CA	94501 US	11/6/22
Amy Moscato	Alameda	CA	94501 US	11/6/22
patrick chye	Alameda	CA	94501 US	11/7/22
Michael Costanza	Alameda	CA	94501 US	11/7/22
Corliss Pickett	Alameda	CA	94501 US	11/7/22
Wade Greene	Alameda	CA	94501 US	11/7/22
Christian Drumm	Alameda	CA	94501 US	11/7/22
Kathleen von Mar	Alameda	CA	94501 US	11/7/22
Denine Keltner	Alameda	CA	94501 US	11/7/22
William Gittler	Alameda	CA	94501 US	11/7/22
Allan Yan	Alameda	CA	94501 US	11/8/22
Hilary Menendez	Alameda	CA	94501 US	11/8/22
Daniel McDonald	Alameda	CA	94501 US	11/8/22
Michael Devine	Alameda	CA	94501 US	11/8/22
Ada Gurevich	Alameda	CA	94501 US	11/8/22
Jennifer Evans	Alameda	CA	94501 US	11/8/22
Susan Dunn	Alameda	CA	94501 US	11/8/22
Donald Scroggins	Alameda	CA	94501 US	11/8/22
Heidi Regala-Lien	Alameda	CA	94502 US	11/8/22
Lynna Wong Jone	Alameda	CA	94502 US	11/8/22
Katya Sedgwick	Alameda	CA	94501 US	11/8/22
Catherine Leong	Alameda	CA	94501 US	11/8/22
Beth Pao	Alameda	CA	94502 US	11/8/22
Bob Carter	Alameda	CA	94502 US	11/8/22
Arjun Singh	Alameda	CA	94502 US	11/8/22
Laura Fritter	Alameda	CA	94502 US	11/8/22
David Hamilton	Alameda	CA	94501 US	11/8/22
Elizabeth Blanker	Alameda	CA	94502 US	11/8/22
Stephen Cytron	Alameda	CA	94501 US	11/8/22
Leah Sheely	Alameda	CA	94501 US	11/8/22

marjaneh Airomk	Alameda	CA	94501	US	11/8/22
Steven Sedgwick	Alameda	CA	94501	US	11/8/22
Carole A Lohr	Alameda	CA	94501	US	11/8/22
skye chaney	Alameda	CA	94501	US	11/8/22
KC Egan	Alameda	CA	94501	US	11/8/22
Andrew Bridges	Alameda	CA	94501	US	11/8/22
Sandra Sullivan	Alameda	CA	94501	US	11/8/22
Beau Hale	Alameda	CA	94501	US	11/8/22
Mita Raval	Alameda	CA	94501	US	11/8/22
Shannon Mason	Alameda	CA	94502	US	11/8/22
Bao-Long Nguyen	Alameda	CA	94501	US	11/8/22
Louis Ludwig	Alameda	CA	94501	US	11/8/22
Liam Neal	Alameda	CA	94501	US	11/8/22
ADan Torres	Alameda	CA	94501	US	11/8/22
Pauline Chow	Alameda	CA	94502	US	11/8/22
Martha James	Alameda	CA	94501	US	11/8/22
Aera Kim	Alameda	CA	94501	US	11/8/22
Alexandra Petrich	Alameda	CA	94501	US	11/8/22
Tim Coffey	Alameda	CA	94501	US	11/8/22
Thomas Kail	Alameda	CA	94501	US	11/8/22
FELIX CHANG	Alameda	CA	94501	US	11/8/22
Danielle Sangiacc	Alameda	CA	94501	US	11/8/22
Elizabeth Cote	Alameda	CA	94501	US	11/8/22
Melissa Sangiaco	Alameda	CA	94501	US	11/8/22
Paul Foreman	Alameda	CA	94501	US	11/8/22
Teresa Miller	Alameda	CA	94501	US	11/8/22
Garrienne Nakan	Alameda	CA	94501	US	11/8/22
Marilyn Rodrigue	Alameda	CA	94501	US	11/8/22
Sadie French	Alameda	CA	94501	US	11/8/22
Zackary Owen	Alameda	CA	94501	US	11/8/22
Justin Kaufman	Alameda	CA	94501	US	11/8/22
jackie flores	Alameda	CA	94501	US	11/8/22
Michael Charles	Alameda	CA	94501	US	11/8/22
Anne mURPHY	Alameda	CA	94501	US	11/8/22
Matt Smith	Alameda	CA	94501	US	11/8/22
Alyse Hill-McMen	Alameda	CA	94501	US	11/8/22
Joy Turner	Alameda	CA	94501	US	11/8/22
Bruce Hoag	Alameda	CA	94501	US	11/8/22
Vicky Cheung	Alameda	CA	94502	US	11/8/22
Rouzbeh Haghigh	Alameda	CA	94501	US	11/8/22
Carla Salley	Alameda	CA	94501	US	11/8/22
Linda Earle	Alameda	CA	94501	US	11/8/22
Paul Chan	Alameda	CA	94501	US	11/8/22

Barbara Murphy	Alameda	CA	94502	US	11/8/22
Randall S Miller	Alameda	CA	94501	US	11/8/22
Janet Libby	Alameda	CA	94501	US	11/8/22
Robert Wirth	Alameda	CA	94502	US	11/8/22
McKenzie Anstice	Alameda	CA	94501	US	11/8/22
Barbara Drucker	Alameda	CA	94501	US	11/8/22
Jim Ray	Alameda	CA	94501	US	11/8/22
Ali Tajalli	Alameda	CA	94501	US	11/8/22
Larry Pirack	Alameda	CA	94501	US	11/8/22
Melissa Bloom	Alameda	CA	94501	US	11/8/22
Sue Chi	Alameda	CA	94501	US	11/8/22
Carrie Wasson	Alameda	CA	94501	US	11/8/22
David Howard	Alameda	CA	94501	US	11/8/22
Anh Nguyen	Alameda	CA	94501	US	11/8/22
Melodie Graber	Alameda	CA	94501	US	11/8/22
Callum Eastwood	Alameda	CA	94502	US	11/8/22
Donna Cala	Alameda	CA	94501	US	11/8/22
Therese Hall	Alameda	CA	94501	US	11/8/22
Zach Kaplan	Alameda	CA	94501	US	11/8/22
George Flores	Alameda	CA	94501	US	11/8/22
Mary Kennedy	Alameda	CA	94501	US	11/8/22
Jerry Banker	Alameda	CA	94501	US	11/8/22
Michael Carey	Alameda	CA	94502	US	11/8/22
Melinda Mui	Alameda	CA	94502	US	11/8/22
Allan Zenos	Alameda	CA	94501	US	11/8/22
Gloria Alcala	Alameda	CA	94501	US	11/8/22
James Jefferies	Alameda	CA	94501	US	11/8/22
Kevin Jordan	Alameda	CA	94501	US	11/8/22
Michelle Morgan	Alameda	CA	94501	US	11/8/22
Michelle Minor	Alameda	CA	94501	US	11/8/22
Margaret McCart	Alameda	CA	94502	US	11/8/22
Ingrid C Llewellyn	Alameda	CA	94501	US	11/8/22
Rosalinda Fortun	Alameda	CA	94501	US	11/8/22
Victor Cordell	Alameda	CA	94502	US	11/8/22
P Joyce	Alameda	CA	94501	US	11/8/22
Roger Koopmann	Alameda	CA	94501	US	11/8/22
Kathleen Snider	Alameda	CA	94501	US	11/8/22
Dona Fisher	Alameda	CA	94501	US	11/8/22
bruce wallach	Alameda	CA	94502	US	11/8/22
Kelvin Shum	Alameda	CA	94502	US	11/8/22
Tim Goodman	Alameda	CA	94501	US	11/8/22
Chingyao Yang	Alameda	CA	94502	US	11/8/22
Arnold Quan	Alameda	CA	94501	US	11/8/22

Shirley Sutherland	Alameda	CA	94502	US	11/8/22
Amir Amiri	Alameda	CA	94501	US	11/8/22
Sadaf Amiri	Alameda	CA	94502	US	11/8/22
Ann Walls	Alameda	CA	94501	US	11/8/22
Collin Shum	Alameda	CA	94501	US	11/8/22
Stefani Szczechon	Alameda	CA	94501	US	11/8/22
Melissa Hagamar	Alameda	CA	94501	US	11/8/22
Margaret and Ver	Alameda	CA	94501	US	11/8/22
James Iacona	Alameda	CA	94501	US	11/8/22
Karen Pare	Alameda	CA	94501	US	11/8/22
Niloufar Parsa	Alameda	CA	94501	US	11/8/22
Aja Pierre	Alameda	CA	94501	US	11/8/22
Elisa LePape	Alameda	CA	94501	US	11/8/22
Alli Davis	Alameda	CA	94501	US	11/8/22
Kathleen Greer	Alameda	CA	94501	US	11/8/22
Jackson Thomas	Alameda	CA	94501	US	11/8/22
Jacob Estrada	Alameda	CA	94501	US	11/8/22
Shadi Mohammad	Alameda	CA	94501	US	11/8/22
Claudia Charette	Alameda	CA	94501	US	11/8/22
Thayer Hall	Alameda	CA	94501	US	11/8/22
Richard Vaterlaus	Alameda	CA	94501	US	11/8/22
Abdel Qader Tara	Alameda	CA	94502	US	11/8/22
Mary Elena Good	Alameda	CA	94501	US	11/8/22
Christopher Yuen	Alameda	CA	94502	US	11/8/22
Keston Freeman-	Alameda	CA	94501	US	11/8/22
Chester Plomgrer	Alameda	CA	94502	US	11/8/22
Ellen Paisal	Alameda	CA	94501	US	11/8/22
Verna Vaughan	Alameda	CA	94501	US	11/8/22
Elizabeth Adelste	Alameda	CA	94501	US	11/8/22
Ian Stride	Alameda	CA	94501	US	11/9/22
Maria Sammar Al	Alameda	CA	94501	US	11/8/22
janel apple-litzky	alameda	CA	94501	US	11/9/22
Susan Ramod	Alameda	CA	94501	US	11/9/22
Nathan Ramos	Alameda	CA	94501	US	11/9/22
Zach Ramos	Alameda	CA	94501	US	11/9/22
Stacey Lee	Alameda	CA	94502	US	11/9/22
Mark Theiding	Alameda	CA	94502	US	11/9/22
Tobey Theiding	Alameda	CA	94501	US	11/9/22
Mirren Theiding	Alameda	CA	94502	US	11/9/22
Sandy Macasieb	Alameda	CA	94501	US	11/9/22
Thomas Saxby	Alameda	CA	94501	US	11/9/22
Stan Rozal	Alameda	CA	94501	US	11/9/22
Guadalupe Marti	Alameda	CA	94501	US	11/9/22

Mary-Jo Knight	Alameda	CA	94501	US	11/9/22
Magdalena Pyzial	Alameda	CA	94501	US	11/9/22
Caroline lane	Hayward	CA	94541	US	11/9/22
Dave Lachs	Alameda	CA	94501	US	11/9/22
Celeste Lane	Alameda	CA	94501	US	11/9/22
Ciara Lane	Alameda	CA	94501	US	11/8/22
David Lonsdale	Alameda	CA	94501	US	11/9/22
Randie Bradley	Alameda	CA	94501	US	11/8/22
Lisa Jasper	Alameda	CA	94502	US	11/9/22
Craig Roberts	Alameda	CA	94501	US	11/9/22
Abbie Harlow	Alameda	CA	94501	US	11/9/22
Thomas Garcia	Alameda	CA	94501	US	11/8/22
Selue Chivara	Alameda	CA	94501	US	11/9/22
kevin Suarez	Alameda	CA	94501	US	11/9/22
Lia Almeida	Alameda	CA	94501	US	11/9/22
Kevin Moreno	Alameda	CA	94501	US	11/9/22
Christine Harlow	Alameda	CA	94501	US	11/9/22
Patrice Holmes	Alameda	CA	94501	US	11/9/22
Holly Lewicki	Alameda	CA	94501	US	11/10/22
Huiying Wu	Alameda	CA	94501	US	11/10/22
Brian Thoms	Alameda	CA	94501	US	11/10/22
Benjamin Winter	Alameda	CA	94501	US	11/10/22
Saskia Winter	Alameda	CA	94587	US	11/10/22
Candy Bowers	Alameda	CA	94502	US	11/10/22
Allan Brochier	Alameda	CA	94501	US	11/10/22
Ted Casey	Alameda	CA	94501	US	11/10/22
Maurice Watkins	Alameda	CA	94501	US	11/10/22
Ariana Huber	Alameda	CA	94501	US	11/10/22
Wendy V.	Alameda	CA	94501	US	11/10/22
Erik Jacobsen	Alameda	CA	94501	US	11/10/22
Josiah Levin	Alameda	CA	94501	US	11/10/22
Stephanie Brochier	Alameda	CA	94501	US	11/11/22
Christine Laine	Alameda	CA	94501	US	11/11/22
Sean Baker	Alameda	CA	94501	US	11/11/22
travis jessee	Alameda	CA	94501	US	11/11/22
mikayla mckinney	Alameda	CA	94501	US	11/11/22
Angel Muñoz	Alameda	CA	94501	US	11/11/22
Gabriela Garcia	Alameda	CA	94501	US	11/11/22
Lea Shepherd	Alameda	CA	94501	US	11/11/22
Emery Fields Jr	Alameda	CA	94501	US	11/11/22
Kadey Haines	Alameda	CA	94501	US	11/11/22
Brett Sutton	Alameda	CA	94501	US	11/11/22
Fatima Soto	Alameda	CA	94501	US	11/11/22

Amanda McNeill	Alameda	CA	94501	US	11/11/22
Logan Berman	Alameda	CA	94501	US	11/11/22
Carl Winterbauer	Alameda	CA	94501	US	11/11/22
Phillip Morris	Alameda	CA	94501	US	11/11/22
Pat Cronin	Alameda	CA	94501	US	11/11/22
Sally Simpson	Alameda	CA	94502	US	11/11/22
Candace Gutleben	Alameda	CA	94501	US	11/11/22
Ken Gutleben	Alameda	CA	94501	US	11/11/22
Deborah Fishman	Alameda	CA	94501	US	11/11/22
Alexandra Mumr	Alameda	CA	94501	US	11/11/22
stanley simpson	Alameda	CA	94501	US	11/11/22
Jessica Alexander	Alameda	CA	94501	US	11/11/22
Jonathan Garcia	Alameda	CA	94501	US	11/11/22
James Morton	Alameda	CA	94501	US	11/11/22
Cathe Shaw	Alameda	CA	94501	US	11/11/22
aryanna cerros	Alameda	CA	94501	US	11/11/22
Jessie Vanderwal	Alameda	CA	94501	US	11/11/22
Virginia Darrow	Alameda	CA	94501	US	11/11/22
Kathleen Sullivan	Alameda	CA	94501	US	11/11/22
Paul Vogel	Alameda	CA	94501	US	11/11/22
Caiden Henson	Alameda	CA	94501	US	11/11/22
Barbara Cone	Alameda	CA	94501	US	11/11/22
Virginia Krutilek	Alameda	CA	94501	US	11/11/22
gretchen Lipow	Alameda	CA	94501	US	11/12/22
Andrew Weber	Alameda	CA	94501	US	11/12/22
Juan Salazar	Alameda	CA	94501	US	11/12/22
Christina Glass	Alameda	CA	94501	US	11/12/22
Debbie Fu	Alameda	CA	94501	US	11/12/22
Yolanda Bell	Alameda	CA	94501	US	11/12/22
Jax Flores	Alameda	CA	94501	US	11/12/22
Stacey Perkins	Alameda	CA	94501	US	11/12/22
Christine Ganser	Alameda	CA	94501	US	11/12/22
Andrew Goldsmit	Alameda	CA	94501	US	11/12/22
Chris Wilkinson	Alameda	CA	94501	US	11/12/22
Janet C Wondra	Alameda	CA	94501	US	11/12/22
Shari Cox	Alameda	CA	94501	US	11/12/22
ell w	Alameda	CA	94501	US	11/12/22
Shanon Wilson	Alameda	CA	94501	US	11/12/22
Kari Termini	Alameda	CA	94501	US	11/12/22
Taran Kaynes	Alameda	CA	94501	US	11/12/22
Andy Soderstrom	Alameda	CA	94501	US	11/12/22
kaylee sargent	Alameda	CA	94501	US	11/12/22
Lisa Avram	Alameda	CA	94501	US	11/12/22

Alivia Miller	Alameda	CA	94501 US	11/12/22
Denise Trotter	Alameda	CA	94501 US	11/12/22
James Delong	Alameda	CA	94501 US	11/12/22
Leo Magloire	Alameda	CA	94501 US	11/12/22
ken meade	Alameda	CA	94501 US	11/12/22
Amelia Smith	Alameda	CA	94501 US	11/12/22
lila euler	Alameda	CA	94501 US	11/12/22
Lindsey Hill	Alameda	CA	94501 US	11/12/22
Brandon Buthma	Alameda	CA	94501 US	11/12/22
Jahames Richard	Alameda	CA	94501 US	11/12/22
Demi Schaper	Alameda	CA	94501 US	11/12/22
Maddie Gardner	Alameda	CA	94501 US	11/12/22
Lexi Lu	Alameda	CA	94501 US	11/12/22
Nithya Nair	Alameda	CA	94501 US	11/12/22
Liam Miller	Alameda	CA	94501 US	11/12/22
Asha Lipman	Alameda	CA	94501 US	11/12/22
Steffany Frezza	Alameda	CA	94501 US	11/12/22
Kaliyah Beeks	Alameda	CA	94501 US	11/12/22
Erica Realegeno	Alameda	CA	94501 US	11/12/22
Ashley Ramos	Alameda	CA	94501 US	11/12/22
Marcela Almeida	Alameda	CA	94501 US	11/12/22
Saniyah G. Miley	Alameda	CA	94501 US	11/12/22
Emily Becker	Alameda	CA	94501 US	11/12/22
Sayaka Vang	Alameda	CA	94501 US	11/12/22
Madison Wright	Alameda	CA	94501 US	11/12/22
A'mya Goff	Alameda	CA	94501 US	11/12/22
Aditi Mwar	Alameda	CA	94501 US	11/12/22
Riley Miller	Alameda	CA	94501 US	11/12/22
Anna Harper	Alameda	CA	94501 US	11/12/22
Madisen M	Alameda	CA	94501 US	11/12/22
Aubrey Morales	Alameda	CA	94501 US	11/12/22
Jasmine Mata	Alameda	CA	94501 US	11/12/22
Jamie Harrison	Alameda	CA	94501 US	11/12/22
Karen Park	Alameda	CA	94501 US	11/13/22
MARTHA MCCUN	Alameda	CA	94501 US	11/13/22
Leonard Stanton	Alameda	CA	94501 US	11/13/22
Felicia Chappell J	Alameda	CA	94501 US	11/13/22
Susan Sherratt	Alameda	CA	94502 US	11/13/22
Michael Allen	Alameda	CA	94501 US	11/13/22
Richard Sherratt	Alameda	CA	94502 US	11/13/22
Barbara Alexandre	Alameda	CA	94501 US	11/13/22
Briana Casadidio	Alameda	CA	94501 US	11/13/22
Simone Williams	Alameda	CA	94501 US	11/13/22

Roberta Hough	Alameda	CA	94501 US	11/13/22
Carol Chan	Alameda	CA	94501 US	11/13/22
Robert Ortiz	Alameda	CA	94501 US	11/13/22
Shaela Strata	Alameda	CA	94501 US	11/13/22
judy jafraty	Alameda	CA	94501 US	11/13/22
Stephanie Engle	Alameda	CA	94501 US	11/13/22
Ben Deligato	Alameda	CA	94501 US	11/13/22
Jan Rosa	Alameda	CA	94501 US	11/13/22
Sharon Stehr	Alameda	CA	94501 US	11/13/22
Jacquelyn Jacob	Alameda	CA	94501 US	11/13/22
Michael Burns	Alameda	CA	94501 US	11/13/22
Susan Allington	Alameda	CA	94501 US	11/13/22
Mary Stanton	Alameda	CA	94501 US	11/13/22
irene ok	Alameda	CA	94501 US	11/13/22
Michelle Hill	Alameda	CA	94501 US	11/14/22
Elmer Strasser	Alameda	CA	94501 US	11/14/22
Helen Freeman	Alameda	CA	94501 US	11/14/22
Paul Lau	Alameda	CA	94501 US	11/14/22
andrea wilder	Alameda	CA	94501 US	11/14/22
Marjorie Schultz	Alameda	CA	94502 US	11/14/22
Renata Frey	Alameda	CA	94501 US	11/14/22
Annette Strasser	Alameda	CA	94501 US	11/14/22
Nina Cooper	Alameda	CA	94501 US	11/14/22
Holly Cromer	Alameda	CA	94502 US	11/14/22
fred Eihl	Alameda	CA	94501 US	11/14/22
Chris Lundeen	Alameda	CA	94501 US	11/14/22

From: [Carol Gottstein](#)
To: [City Clerk](#); [CityCouncil-List](#)
Subject: [EXTERNAL] Housing Element 11-15-22 Council Regular Agenda Item 7-B
Date: Monday, November 14, 2022 2:56:23 PM
Attachments: [We sent you safe versions of your files.msg](#)
[Builders-Remedy-and-Housing-Elements-Nov-2022.pdf](#)
[We tell it to the judge - Alameda Merry-Go-Round.pdf](#)

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

Dear City Clerk and Council Members:

I noticed that the ABAG Technical Assistance memo on the Builder's Remedy was not included in the packet for this Council agenda item, although it was part of Exhibit 2 for Item 7-C presented to the Historical Advisory Board on Nov 3, 2022. It is attached to this email.

Also attached is a pdf of the Nov. 13, 2022 Alameda Merry-Go-Round blog post by Robert Sullwold: "We Tell It To The Judge". Since I am in agreement with everything Mr. Sullwold says (and cannot say it any better), I submit his post as my correspondence for this agenda item.

Please do not upzone the R-1 districts as proposed by City Planner Andrew Thomas' "Program 4" for the draft Housing Element. I do not believe it is necessary in order to achieve compliance with State RHNA Law. Thank you.

Carol Gottstein
1114 Grand St., 94501



DISCLAIMER: This document is intended solely as a technical overview of the provisions of certain provisions of the Housing Accountability Act. It is not intended to serve as legal advice regarding any jurisdiction's specific policies or any proposed housing development project. Local staff should consult with their city attorney or county counsel when determining the applicability of these provisions to any proposed housing development project in their jurisdiction.

The “Builder’s Remedy” and Housing Elements

There have recently been press reports regarding the so-called “Builder’s Remedy” that can be used to avoid local zoning requirements when a locality’s housing element does not substantially comply with state law. These reports have stated that, if a locality has a noncompliant housing element the city or county must approve the housing development project, regardless of the local zoning.

The “Builder’s Remedy” arises from the Housing Accountability Act (Government Code Section 65589.5¹; the HAA). This paper describes the provisions of the HAA that constitute the “Builder’s Remedy” and how they may apply to a proposed housing development project.

How Does the “Builder’s Remedy” Work?

The HAA requires that cities and counties make one of five findings to deny, or to apply conditions that make infeasible, a housing development project “for very low, low- or moderate-income households” or an emergency shelter. (Section 65589.5(d).) A housing development project with 20 percent of the total units available to lower income households or with all of the units available for moderate or middle income households may qualify as housing “for very low, low- or moderate income households” (see detailed description below). Any of the five findings would allow denial of an eligible project:

1. The city or county has met or exceeded its Regional Housing Needs Allocation (RHNA) for the proposed income categories in the development.
2. The housing development or emergency shelter would have a specific adverse impact on public health and safety, and there is no way to mitigate or avoid the impact without making the development unaffordable. The impact must be based on objective, written public health or safety standards in place when the application was deemed complete.
3. The denial or condition is required to meet state or federal law, and there is no feasible method to comply without making the development unaffordable.
4. The project is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agriculture or resource preservation or there are not adequate water or sewage facilities to serve the project.

¹ All future references are to the Government Code unless otherwise specified.

Regional Housing Technical Assistance Program

5. The project is inconsistent with both the zoning ordinance and the land use designation as specified in any general plan element. **However, a city or county cannot make this finding if it has not adopted a housing element in substantial compliance with state law.**

If a locality has not adopted a housing element in substantial compliance with state law, developers may propose eligible housing development projects that do not comply with either the zoning or the general plan. The term “Builder’s Remedy” is used to describe the situation where a local agency may be required to approve an eligible housing development project because it cannot make one of the other four findings.

Are Projects Using the “Builder’s Remedy” Exempt from CEQA Review?

The HAA contains no exemptions from the California Environmental Quality Act. The HAA states specifically that nothing relieves the local agency from making the required CEQA findings and otherwise complying with CEQA. (Section 65589.5(e).) However, there is a growing debate as to the interplay between the Builder’s Remedy and CEQA. A project may be exempt from CEQA under other provisions of CEQA, other state laws, or the CEQA Guidelines. Agencies may wish to consult their legal counsel regarding the appropriate CEQA review.

When Does a Housing Element No Longer Comply with State Law? Is There a Grace Period If the Housing Element Is Not Adopted by the Due Date?

Housing elements are required to comply with current state housing element law on the established due date (**January 31, 2023** in the ABAG region). State law has changed significantly since fifth cycle housing elements were adopted, and it would be unlikely that a fifth cycle housing element would substantially comply with current state law. If a sixth cycle element has not been adopted by the due date, the housing element would likely be out of compliance with state law until a complying sixth cycle housing element is adopted. **There is no grace period**, even for the period when a housing element is being reviewed by the Department of Housing and Community Development (HCD).

HCD approval is not required for a housing element to be found substantially compliant with state law. State law provides that a city or county may adopt its own findings explaining why its housing element is substantially compliant with state law despite HCD’s findings. (Section 65585(f).) However, HCD is authorized to refer agencies to the Attorney General if it finds a housing element out of compliance with state law. (Section 65585(j).)

Are a Local Agency’s Development Standards Null and Void If the Housing Element is Not in Compliance with State Law?

No, the local agency’s development standards are not null and void if the housing element is not in substantial compliance with state law. The “Builder’s Remedy,” however, may require a local agency to approve an eligible housing development project despite its noncompliance with local development standards. Conversely, other projects may be challenged because a finding of general plan consistency cannot be made if the general plan is out of compliance with state law.

What Projects Are Eligible to Use the “Builder’s Remedy”?

The “Builder’s Remedy” applies only to a housing development project “for very low, low- or moderate-income households” and to emergency shelters. The HAA defines a “housing development project” as either:

- Residential units only;
- Mixed-use developments with at least two-thirds of the square footage designated for residential use; or

Regional Housing Technical Assistance Program

- Transitional housing or supportive housing.² (Section 65589.5(h)(2).)

“Housing for very low, low-, or moderate-income households” includes either:

- 20% of the total units sold or rented to lower income households;
- 100% of the units sold or rented to moderate income households; or
- 100% of the units sold or rented to middle income households.³

Monthly housing costs for lower income households cannot exceed 30 percent of 60 percent of median income, adjusted for household size, and the units must remain affordable for 30 years. Monthly housing costs for moderate income households cannot exceed 30 percent of 100 percent of median income. There are no standards in the HAA for housing costs for middle income households. (Sections 65589.5(h)(3), (h)(4).)

An emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Section 65582(d); Health & Safety Code Section 50801(e).)

² As defined in Section 65582.

³ Those earning no more than 150 percent of median income.

Alameda Merry-Go-Round

Commentary by Robert Sullwold

We tell it to the judge

Posted on November 13, 2022 by Robert Sullwold

The Court: “Madam Clerk, call the next case.”

The Clerk: “Yes, Your Honor. Next on the docket is City of Alameda v. California Department of Housing and Community Development.”

The Court: “What is this case all about?”

The Clerk: “The plaintiff is seeking a declaratory judgment that state Housing Element Law does not require the City to re-zone entire residential districts to permit multi-family housing with a density of at least 30 units per acre. It is also seeking a writ of mandamus directing the Department to certify a Housing Element substantially identical to the one submitted by the City in August 2022, but omitting Program 4 and related text.”

The Court: “Counsel, state your appearances.”

MGR: “The Alameda Merry-Go-Round for plaintiff.”

Mr. Knox White: “John Knox White, Esquire, for defendant.”

The Court: “Counsel, you may proceed.”

The foregoing, of course, is a fantasy.

It will never happen – and not only because Mr. Knox White is not a lawyer or a member of the State Bar of California and thus would not be given the opportunity to enlighten the judge with his legal wisdom.

No, the scenario we imagine is fantastical because City Council would never authorize the filing of such an action. Even were a majority of its members convinced that the suit had legal merit, they’ve demonstrated a strong aversion to invoking the judicial process to press the City’s case. (“You mean we’d have to pay lawyers? And we might lose? We’d rather spend the cash hiring another firefighter – it’ll only cost \$225,000 per year!”)

More importantly, a majority of Council already has made it clear that, since an HCD staff member told City Planner Andrew Thomas that the Department won’t certify a Housing Element unless it requires citywide residential re-zoning, there’s no point in seeing whether someone whose job is to interpret the law – a Superior Court judge – reads the statute the same way the HCD staffer does.

So this is just another lost cause, isn’t it, Senator Payne?

But whether or not it's a cause worth fighting for, we think it's one worth at least talking about before the inevitable 3-to-2 vote by Council next Tuesday to approve the final version of the Housing Element prepared by Mr. Thomas and to direct him to submit it to HCD.

Herewith, the brief that might be submitted on behalf of the plaintiff (citations omitted, and legalese – we hope – kept to a minimum):

STATEMENT OF FACTS

Until March 2022, residential zoning in Alameda was straightforward. There were six residential districts. No multi-family housing was permitted in any of them except for the R-2 district, where duplexes were allowed. And the maximum density was one unit per 2,000 square feet (i.e., 21.78 units per acre).

The first change occurred when Council enacted an ordinance implementing SB 9, which the Legislature had passed in August 2021. The statute and ordinance applied just to the R-1 zoning district, where only single-family homes were permitted. It allowed a homeowner to convert an existing single-family home into a duplex or to build a new stand-alone unit on an existing lot. In addition, it allowed the homeowner to split the lot into two and build two units on the new lot. If all of the new units authorized by SB 9 got built on a 5,000-square-foot lot zoned R-1, the residential density for that parcel would rise to 34.92 units per acre.

But the real change was yet to come. In drafting the 2023-31 Housing Element, Mr. Thomas included a “program” – Program 4 – for a complete rewrite of the zoning ordinance. Under his scheme, the multi-family prohibition would be eliminated. So would the 21.78-unit-per-acre density limitation. Instead, multi-family housing would be permitted in every residential district, and the maximum density would go from 30 units per acre in R-3 to 60 units per acre in R-6. (The basic maximum density for R-1 and R-2 would remain at 21.78 units per acre, but it could go higher in R-1 if additional units were built pursuant to SB 9).

Moreover, even these more generous density standards would be “waived” – i.e., no density limits would apply – in two circumstances: where a proposed housing development in the R-1 through R-6 districts was located within a quarter mile of a “high-quality transit corridor” and the new units were no more than 1,200 square feet in size, or where one or more units were added within an existing building. (In the latter case, proposals to add more than four new units to a structure in the R-1 through R-6 districts would require a conditional use permit.)

On its face, Mr. Thomas's proposed program violated Article XXVI of the City Charter, which Alameda voters had reaffirmed overwhelmingly in November 2020. But the City Planner was no scofflaw. Article XXVI, he contended, was “pre-empted” by the state Housing Element law, which, he asserted, *required* the City to make the zoning changes he included. It is that assertion we now ask the Court to reject.

ARGUMENT

1. The State Housing Element Law Does Not Require the City to Re-Zone Entire Residential Districts to Permit Multi-Family Housing With a Density of At Least 30 Units Per Acre

We begin, as we must, with the text of the law itself.

Nowhere in the text of the Housing Element chapter (Government Code § 65580, et seq.) can there be found any requirement that a city must zone (or, if necessary, re-zone) entire residential districts to permit multi-family housing.

In fact, of the 16 times the Housing Element chapter uses the term “multi-family” (or “multifamily”), only two are found in sentences that set forth generally applicable directives (sections 65583(c)(1) and 65583.2(c)). But, on their face, these sections simply impose a duty on a city to “facilitate and encourage” residential development, including but not limited to “multi-family rental housing”; they do not require the city to zone or (re-zone) areas for any particular type of housing. (We’ll discuss the implications of the separate duty to “affirmatively further fair housing” in Part 3.)

When the Legislature *did* intend to require re-zoning, it said as much in so many words. For example, section 65583(c)(1)(A) provides that, if a city does not identify sites “adequate” to meet its RHNA obligations, it must re-zone those sites, “including adoption of minimum density and development standards,” within three years. No similar language requires a city to re-zone property if it fails to provide “adequate” multi-family housing.

Moreover, multi-family rental housing is only one of a “variety of types of housing” that a city must “facilitate and encourage.” If the statute is to be read to require a city to zone (or re-zone) for one housing type on the list, the requirement must apply to all of them. Thus, every city, even a metropolitan one, must zone areas to permit, for example, “housing for agricultural employees.” But that would be absurd: there are (as far as we know) no commercial farms in Alameda. And it is a cardinal rule of statutory interpretation that a law should be construed to avoid nonsensical results.

Even less compelling is the proposition that the Housing Element Law requires that every residential parcel must have a density of at least 30 units per acre.

The statute mentions a 30-unit-per-acre density only once, and the context is crucial. Every city is assigned a RHNA quota in four income categories, and the city must designate sites sufficient to make available the number of units specified for each one. To aid in that task, section 65583.2(c)(3)(B)(iv) states that sites allowing at least 30 units per acre “shall be deemed appropriate” to “accommodate” housing for lower-income households.

This section can be read chiefly to establish a presumption: if a site is zoned for at least 30 units per acre, the city can count it toward the RHNA low-income quota. At most, it might be read to require a city to ensure that enough parcels will be zoned at 30 units per acre to generate the RNHA-mandated number of low-income units. But even under this reading, the supposed requirement would end once the target was reached. At that point, no more parcels would need to be zoned at 30 units per acre, and there would be no obligation to permit that density on any other residential lot.

2. The City of Alameda Has Met Its Obligations Under the State Housing Element Law by Zoning Specific Sites for Multi-Family Housing With a Density of 30 Units Per Acre

The claim that state law requires re-zoning entire residential districts to permit multi-family housing with a density of at least 30 units per acre represents an expansive – indeed, extreme – reading of the duties imposed by the Housing Element Law. But a more moderate interpretation of the statute is possible – and more defensible.

Under this interpretation, the Housing Element Law could be read to require the City to permit *some* multi-family housing in *some* of its residential and mixed-use districts (where residential as well as other uses are allowed). If it did so, it would fulfill its statutory obligation to “facilitate and encourage” multi-family housing. By the same token, the Housing Element Law could be read to require the City to zone *some* parcels at 30 per units per acre. If it did so, it could, by taking advantage of the statutory presumption, fulfill its statutory obligation to make sites available for lower-income households. In either case, it’s not a matter of all-or-nothing; the duty is principally to do *something* to accomplish the stated goal.

But if this interpretation is correct, the City will be able to satisfy its statutory duties without having to resort to citywide residential re-zoning. The site inventory in the Housing Element includes the following projects:

Project	Zoning	Density	Total No. New Units	No. New VL & L Units
North Housing	R-4 with M-F overlay	30 units/acre	586	586
Habitat for Humanity	R-4 with M-F overlay	30 units/acre	68	68
Admirals’ Cove	R-4 with M-F overlay	30 units/acre	227	18
Alameda Marina	MX with M-F overlay	30 units/acre	364	31
Encinal Terminals	MX with M-F overlay	30 units/acre	589	45

Through these five projects, the City is making available a total of 1,834 new units of multi-family housing, all of which are zoned at 30 units per acre, within the R-4 and MX districts. All of these units could be considered “low-income” units under the statutory presumption, but even without it, the projects provide a total of 748 new units of low-income housing. (This is less than the RHNA quota for the VL and L categories, but the difference is made up through re-zoning commercial sites for residential use.) Under these circumstances, the citywide residential re-zoning proposed by Program 4 is unnecessary to “facilitate and encourage” multi-family housing or to make sites available for low-income households.

The Housing Element can, and should, be certified without it.

3. Re-zoning Entire Residential Districts to Permit Multi-Family Housing With a Density of At Least 30 Units Per Acre Is Not Necessary to “Affirmatively Further Fair Housing”

The state’s fair-housing laws do not furnish an independent basis for requiring Alameda to re-zone entire residential districts to permit multi-family housing with a density of at least 30 units per acre.

Six sections of the Housing Element Law explicitly impose a duty related to “affirmatively further[ing] fair housing.” Both sections 65583(c)(1) and 65583.2(c), cited above, refer to this duty. Even more directly, section 65583(c)(5) requires a city to adopt a “program” designed to “[p]romote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other [protected] characteristics. . . .”

The statute itself does not spell out exactly what such a program must comprise. Nor has HCD promulgated regulations setting forth any standards. Instead, in April 2020 and again in April 2021, it published “guidelines”

advising a city about how to draft a Housing Element that would be consistent with the duty to affirmatively further fair housing. Guidelines, of course, do not have the force of law, but they are relevant to statutory interpretation.

The initial set of guidelines was 11 pages long and offered concrete advice. It recommended two “courses of action” for preparing the site inventory in a way that would affirmatively further fair housing. A city should “[e]nsure that sites zoned to accommodate housing for lower-income households are not concentrated in lower-resource areas and segregated concentrated areas of poverty, but rather dispersed throughout the community, including in areas with access to greater resources, amenities, and opportunity.” Moreover, where sites for low-income housing *were* located in such areas, the city should adopt policies and programs designed to “remediate those conditions. . . .”

For the City of Alameda, these guidelines did not require any zoning changes other than the ones already proposed for the individual sites identified in the site inventory. The only “lower-resource” area in the city is a portion of the West End; there are *no* “Racially and Ethnically Concentrated Areas of Poverty” in Alameda. As it happens, the sites for low-income housing included in the site inventory are not concentrated in the West End. Instead, they are scattered throughout the city. Accordingly, the guidance originally given by HCD would not suggest any need for citywide residential re-zoning.

(The map below depicts the “resource” areas in Alameda, with “housing opportunity sites” shown as red dots.)

FIGURE D-1 TCAC RESOURCE AREA DESIGNATIONS

Source: TCAC/HCD, 2021

The second set of guidelines is far longer (94 pages) than the first. It also is more prolix and less concrete than its predecessor.

Toward the very end, the guidelines list, in a series of bullet points, a handful of recommended “actions” and “action areas” for a city to take to affirmatively further fair housing. Re-zoning entire residential districts for multi-family housing with densities of at least 30 units per acre is not one of them. To be sure, the guidelines recognize that re-zoning is a tool a city can use to advance the statutory goal. But it is a tool that a city should employ selectively, not indiscriminately. (“In some cases,” the guidelines note, “a locality might find circumstances warranting rezoning above and beyond the regional housing need to promote more housing choices and affordability.”) In any event, its use is not mandatory.

Moreover, the case for requiring citywide residential re-zoning would be far stronger if the City had failed to take any other “meaningful actions” to affirmatively further fair housing. In fact, however, according to the City’s own analysis, the individual sites identified in the site inventory, collectively, will lead to just the sort of results the

guidelines are looking for – e.g., ameliorating “patterns of segregation,” improving “access to opportunity,” and reducing “displacement risk.” There is no need for the City to make any wholesale zoning changes as well.

During public meetings, Mr. Thomas has relied not so much on the guidelines published by HCD, a governmental agency, as on a November 2021 letter written, at Mr. Thomas’s request, by an HCD staff member, Paul McDougall. That letter, of course, carries no weight in court. To use the familiar phrase, it’s just one man’s opinion.

Moreover, even if the Court were to consider Mr. McDougall’s views on the law, his letter does not suggest that citywide residential re-zoning is required. The letter roundly condemns Article XXVI of the City Charter as “fundamentally contrary” to the state fair-housing law. But it does not declare that the remedy is to re-zone entire residential districts. Instead, it endorses re-zoning on a site-by-site basis. This targeted re-zoning, which the City did for the prior planning cycle and which it also proposes to do for this one, would be entirely consistent with the statutory interpretation set forth in Part 2 herein.

Thus far the brief for the plaintiff. Now back to the fantasy:

The Court: “Thank you, counsel. Mr. Knox White, do you have a brief to submit?”

Mr. Knox White: “You mean a tweet? I’ll have my publicist post a screenshot on her blog.”

Sources:

Housing element: [2022-11-15 – Resolution \(draft H.E. attached\) \(clean copy\)](#)

Zoning ordinance: [2022-11-15 – Ordinance \(zoning amendments attached\) \(clean copy\)](#)

HCD guidelines: [HCD Memo on AFFH \(4-23-20\)](#); [HCD, Affirmatively Furthering Fair Housing \(April 2021\) \(clean copy\)](#)



About Robert Sullwold

Partner, Sullwold & Hughes Specializes in investment litigation

[View all posts by Robert Sullwold →](#)

This entry was posted in [Housing](#) and tagged [Affirmatively further fair housing](#), [Andrew Thomas](#), [HCD](#), [Housing Element](#), [Paul McDougall](#), [RHNA](#). Bookmark the [permalink](#).

9 Responses to *We tell it to the judge*



Paul Foreman says:

November 13, 2022 at 9:19 pm

Very accurate beautifully written article. I have raised all of these issues except the 94 page HCD guideline, but if anyone were to sue the city or HCD, your “brief” would be a great source. I will send it to City Council and have it placed on the record when the housing element is brought before Council for a vote on Nov.15.

[Reply](#)

**Bill Pai** *says:*

November 13, 2022 at 10:10 pm

Excellent analysis, thank you.

[Reply](#)**Joyce Boyd** *says:*

November 14, 2022 at 1:18 am

The Housing Element is a complicated issue. Thank you for the research, humor, and clear explanation.

[Reply](#)**Publius** *says:*

November 14, 2022 at 6:33 am

Mr. Knox White is no mere “esquire” and you disrespect him by not printing his complete title, which is “His Excellency, the Grand Exalted Vice Mayor.”

[Reply](#)**dodikellehercomcastnet** *says:*

November 14, 2022 at 7:07 am

Thank you for a clear and engaging articulation of the issues.

[Reply](#)**Suzanne** *says:*

November 14, 2022 at 9:48 am

Your essay should be required reading for everyone.

[Reply](#)**richard94501** *says:*

November 14, 2022 at 10:23 am

Let’s address the boogie man: If the draft housing element WITHOUT the citywide up-zoning is approved, “unpredictable things will happen.” But “unpredictable things will happen” if it is approved WITH the citywide up-zoning. The only difference is the scale.

According to Planning Director Andrew Thomas, if the up-zoning is removed, and the Housing Element submitted by the city is NOT approved, a clause in the state housing law kicks in that suspends local zoning laws until a city has a certified Housing Element. This means any size housing complex can be built anywhere a developer chooses. The little-known “or else” clause in the housing law is called the Builders Choice.

If this draft Housing Element with up-zoning IS approved, the only difference is one of degree. Instead of being able to plop down a 20-story apartment building in any neighborhood, a developer would be limited to a seven-story building anywhere it can be crammed in, as will soon be approved in the middle of the Admiral’s Cove two-story apartment complex after demolishing one four-plex. The draft Housing Element is Builders Choice Lite.

[Reply](#)**permanentevigilante** says:

November 14, 2022 at 12:16 pm

I think you mean “Builder’s Remedy”. As described in Exhibit 2, Item 7-C, of the Nov.3, 2022 Historical Advisory Board meeting; ABAG Technical Assistance for Local Planning bulletin: The HAA requires that cities make only one of five findings to deny a project. The first finding: “city has met or exceeded its RHNA for the proposed income categories in the development”, sounds like it may have been met by Alameda without the excessive upzoning Andrew Thomas proposes.

[Reply](#)**Paul Foreman** says:

November 14, 2022 at 11:41 am

The last paragraph of your fine brief needs a little clarification.. You appear to say that the draft housing element contains a site by site targeting for upzoning. That statement is true for every site except the proposed upzonings of the R-1 to R-6 zoning districts, which are clearly not site by site. This is especially troubling because, since the parcels in these districts are not vacant but occupied the Housing Element Law mandates a site by site analysis.

[Reply](#)**permanentevigilante** says:*Your comment is awaiting moderation.*

November 14, 2022 at 1:33 pm

Hmm. The following document was included in the Nov 3, 2022 HAB Exhibits, but is missing from the 11.15.2022 City Council Meeting Exhibits. <https://abag.ca.gov/sites/default/files/documents/2022-11/Builders-Remedy-and-Housing-Elements-Nov-2022.pdf>

It is short and easy to read, and I find it very helpful to my understanding.

[Reply](#)

From: [Drew Dara-Abrams](#)
To: [Malia Vella](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [City Clerk](#); [Andrew Thomas](#); [Marilyn Ezzy Ashcraft](#)
Cc: [Josh Geyer](#)
Subject: [EXTERNAL] Item 7B: Adoption of the 2023-2031 Housing Element and Related Zoning Amendments
Date: Monday, November 14, 2022 2:00:48 PM
Attachments: [We sent you safe versions of your files.msg](#)
[Housing Element Working Group letter to City Council before 11 15 2022 meeting-final.pdf](#)

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

Dear Mayor Ezzy Ashcraft, Vice Mayor Vella, Councilmembers, Ms. Weisiger, and Mr. Thomas,

Please see attached for a letter from the Housing Element Working Group (HEWG) in support of the Housing Element and Zoning Amendments that Council will be hearing at tomorrow evening's meeting (Item 7B).

Thank you,
Drew Dara-Abrams on behalf of the HEWG

November 14, 2022

Re: Adoption of the 2023-2031 Housing Element and Related Zoning Amendments

Dear Mayor Ezzy Ashcraft, Vice Mayor Vella, and Councilmembers,

The Housing Element Working Group (HEWG) formed in September 2021 by members of Renewed HOPE and other housing advocates. Our purpose is to ensure that Alameda makes a rigorous and good-faith effort to produce a Housing Element that fulfills Alameda's obligations to produce our share of housing while addressing our long history of exclusionary housing policies. HEWG includes extensive and varied experience building and advocating for housing for people of all incomes and backgrounds in Alameda. The group has met regularly, monitored the city's progress, and engaged repeatedly with the Planning Board, City planning staff, and other stakeholders.

We strongly support adoption of the Housing Element and associated Zoning Amendments by City Council. We are writing to you to provide this positive feedback and to share some thoughts on how to most effectively meet the *ongoing* goals of the Regional Housing Needs Allocation (RHNA) and Affirmatively Furthering Fair Housing (AFFH) requirements that will be embedded into Alameda's new Housing Element.

First, we all owe thanks to City staff as well as Planning Board members for much hard work made in good faith to meet the state's requirements. This process has spanned approximately two years, with dozens of meetings and many rounds of revisions to documents, maps, and zoning codes. Council has held multiple workshops, so you all know first-hand how wide-ranging and passionate the input has been into this process. It's to the credit of staff and volunteer board members that this has been a productive process.

On October 9, 2022, the *Mercury News* reported that 14 out of 15 Bay Area cities had their Housing Element drafts rejected by the state [emphasis added to indicate the "lone success"]:

As of last week, the California Department of Housing and Community Development had rejected drafts from 14 of the 15 Bay Area municipalities it had reviewed so far – with Alameda the lone success.

The agency told San Francisco, Oakland, Sunnyvale, Mountain View, Redwood City, Antioch and others to rewrite their drafts to provide proof the sites identified for future homes have a realistic chance of development, and to offer the possibility of rezoning certain neighborhoods for denser housing, among various other instructions.

Public officials and housing experts say the denials weren't a surprise given the state's high planning expectations. They anticipate many more rejection letters are on the way.

<https://www.mercurynews.com/2022/10/09/bay-area-cities-running-out-of-time-to-convince-the-state-they-can-build-441000-new-homes/>

We hope Councilmembers appreciate how well City staff and Planning Board members have carried out their responsibilities to meet “the state’s high planning expectations,” even as many other cities — some with higher budgets and more resources — are getting mired in details and political infighting.

Third, we strongly believe the City will need to review its progress toward meeting RHNA and AFFH goals on an annual basis and be prepared to make further adjustments to the zoning code. In recent years, the City’s Planning staff have prepared an annual report on housing production. It’s a very general and coarse overview of the number of residential units built in the city and the status of various housing-related programs. To ensure the City meets the state’s current requirements going forward, the City will need to prepare much more detailed and granular annual reports.

Detailed annual reports will be particularly important to meeting Alameda’s AFFH goals. For example, Program 4, which enables the production of some types of multi-family housing in the City’s “R” zones is estimated to only produce a small number of units in total. However, those units are of great importance to the City demonstrating its ability to provide a wider range of housing units in our high-resource neighborhoods. If in coming years the proposed Zoning Amendments are not sufficient to enable more of the type of multi-family development that already exists in our pre-war “streetcar suburb” neighborhoods, then we trust that Planning staff and the Planning Board will look into further adjustments to the zoning code. We have already proposed targeted reductions to side-yard and rear-yard setbacks and we will be ready to propose these changes again should the number of expected units not be produced.

The success of many of the programs in the Housing Element will depend upon outside conditions, particularly the types of financing available to property owners and developers. Detailed annual reports on housing production will provide opportunities for the City, HEWG, and other local stakeholders to propose further refinements to keep the City on track to meet both its overall RHNA numbers and the distribution required to support AFFH goals.

Fourth, we look forward to supporting an effort to put a local bond measure on the ballot to help fund affordable housing in Alameda (part of Program 8). Subsidized affordable housing is a key component toward building a more inclusive Alameda. It’s not an “either/or” option to market-rate housing, but rather a complement that enables the City to provide a wider range of housing options to a wider range of residents. A local bond measure would also complement the other means of financing housing and provide the City flexibility to build housing if/when non-profit and market-rate developers are less equipped to build.

We have heard a wide range of City Council members support subsidized affordable housing in recent years. We look forward to working together to propose a bond measure.

Finally, we want to remind City Council and our fellow community members of how interlocking this housing crisis is. Behind nearly every challenge in Alameda and the Bay Area is the problem of housing scarcity and resulting high costs. It appears in the form of homelessness. It appears in the form of local businesses and the City itself having trouble

recruiting and paying employees enough to live nearby, and it appears in the form of long commutes for workers, making transportation the largest local source of greenhouse gas emissions. It appears in the form of patterns of residential segregation that may not be supported by a majority of current-day residents, but which have yet to be set right. It appears in everyone who considers moving away from Alameda and the Bay Area due to the ever-increasing cost of apartments, condos, and houses. It appears in the many people who have already done so, leaving friends and family behind. While the Housing Element and Zoning Amendment will unfortunately not be a magic wand, these plans put Alameda on a better track and will make meaningful progress across all these challenges.

Please vote to adopt the Housing Element and Zoning Amendments as have been drafted and refined with such care by the City's dedicated staff, volunteer board members, and many stakeholders.

Thank you for your time.

Alameda Housing Element Working Group:

Zac Bowling
Kevis Brownson
David Burton
Drew Dara-Abrams
Mike Friedrich
Josh Geyer
Josh Hawn
Lynette Lee
Gaylon Parsons
Laura Thomas

From: [Lici Baumgartner](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); [Malia Vella](#); [Eric Levitt](#); [Gerry Beaudin](#); [Andrew Thomas](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Minimize additional density in the proposed Housing Element
Date: Monday, November 14, 2022 1:38:17 PM

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

I wish to state what I have always believed: that adding housing density to an already overcrowded island with limited paths of egress/ingress is unsafe and detrimental to the residents of this city.

My true wish is that leadership finds the courage to file suit against the state to oppose the additional housing requirements, since we have reasons to support that. Sadly, I doubt that this will happen, since it seems that recent councils have favored developers over the quality of life for the existing residents, time and again.

I will settle for stating my wish that you do all that you can to minimize housing density in the new Housing Element. Again, I doubt it will happen, but one can hope.

Thank you all for your time.

Regards,

Lici Baumgartner
1054 San Antonio Ave



November 14, 2022

Subject: Housing Element & Zoning Changes, Item 7B 11/15 City Council Agenda

Honorable Mayor, Vice Mayor, and City Council Members:

I write to request that you approve the Housing Element and accompanying changes in code that are required for implementation.

Alameda is fortunate to be served by a diligent and creative Planning Department, that has organized and facilitated the two year process of drafting our Housing Element for the next cycle to be effective in 2023. Through a dedicated website Alameda2040.org, many public meetings, survey questions and answers, the staff has reached out to the public and worked and reworked the draft, incorporating ideas and comments from many Alamedans. Upon sending the draft to the State of California, Alameda was unique in the Bay Area in receiving conditional approval of its draft on the first submission.

The severity of the housing crisis is undeniable, and its consequences far reaching in every other problem we face, from climate change to supporting good schools to traffic and transportation to what we pay for our groceries. Please make sure that Alameda does its part in contributing to the solution by voting 'Yes' to adopt this plan into law.

Thank you,

A handwritten signature in black ink, appearing to read 'Kevis Brownson'.

Kevis Brownson
Everett Street
Alameda

Cc: City Clerk
Housing Element Working Group

From: [Reyla Graber](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#)
Subject: [EXTERNAL] Urgent:The CC should adopt ACT modifications before approving the Housing Element 11/15/22
Date: Monday, November 14, 2022 12:52:44 PM

Dear Mayor and City Council Members,

I urgently request that you to make some important modifications to the Housing Element (HE) presented to you TUESDAY by your Planning Staff..

As it is is now written , the HE will create up zoning throughout our entire City .

However, we can meet our State RHNA requirements and still save our City from this universal up zoning which will have serious negative impacts on our City.

May I refer you to the well researched ACT letter that you have before you.

I urge you to adopt these modifications as presented in the letter .

If you fail to modify, I am certain this

will be VERY detrimental to the future of our City and its residents.

None of us want that. Please do your duty on behalf of your community and adopt these modifications .

Sincerely.

Reyla Graber

From: [Jennifer Bowles](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#); [City Clerk](#)
Subject: [EXTERNAL] Agenga Item 7-B, City Council Mtg. 11/15/2022
Date: Monday, November 14, 2022 12:28:30 PM

Madam Mayor and City Council Members,

I am writing to urge you to change the Housing Element and zoning recommendations as recommended by AAPS.

Sincerely,

Jennifer Bowles

From: ps4man@comcast.net
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Andrew Thomas](#); [Allen Tai](#); [Yibin Shen](#); [Manager Manager](#); [City Clerk](#)
Subject: [EXTERNAL] Item 7-B-City Council Agenda Nov. 15, 2022-Housing Element, Zoning Amendments
Date: Monday, November 14, 2022 11:11:50 AM

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

I ask that you read Attorney Sullwold's "brief" at <https://alamedamgr.wordpress.com/2022/11/13/we-tell-it-to-the-judge/#more-15792> in which he reviews every section of the Housing Element Law and HCD guidelines that relate to the fair housing requirements of the Law and provides citations to the relevant text. He finds nothing in these documents that require the massive upzoning of our R-1 thru R-6 zoning districts to obtain a certified housing element.

ACT and AAPS have been expressing the same conclusion in multiple letters to you and the Planning Board and requested that you get written clarification from HCD as to whether such upzoning is required and, if so, the legal authority for that conclusion. I wrote a letter requesting said clarification to Senior HCD Official Paul McDougall on Sept. 13 of this year. He has failed to respond. My review of the first 14 housing elements in Southern California approved by the same officer reveal that they required no such citywide upzonings.

I submit that it is now irrefutably clear that the Housing Element Law does not require the citywide residential upzoning of Alameda or any city. Thus, any of you who vote to adopt the current draft housing element without first getting the clarification from HCD requested above should accompany your vote with a clear statement that it is based on your personal views rather than any HCD mandate.

I ask that this email be placed on the record for the above captioned Agenda item.

Paul Foreman

From: [Dorothy Freeman](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Tony Daysog](#); spencer@alamedaca.gov; [Malia Vella](#)
Cc: [Lara Weisiger](#); [Manager Manager](#)
Subject: [EXTERNAL] November 15, 2022, City Council Agenda Item: Item 7B
Date: Monday, November 14, 2022 11:11:20 AM

November 14, 2022

City Council Agenda Item: November 15, 2022 Item 7B

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

I am writing to express my concern about the Planning Department's recommendation to upzone Alameda in its entirety. The reason for this planned upzoning is said to be required by the Housing Element Law (HEL) RHNA and fair housing requirements.

I understand that there is no state level requirement behind the Planning Department's recommendation to do this upzoning. I also understand that the upzoning is not required to achieve our RHNA numbers for this 8 year period. If we can accomplish the required RHNA housing units without the upzoning, why are we being told the upzoning has to be done?

The reason for the "fair housing requirements" is to eliminate the concentration of lower income properties being located in one area thereby ostracizing those families and eliminating the possibility of future slum areas. No one wants slums in Alameda. The locations for future multi-unit developments listed in the proposed RHNA are not concentrated in one part of Alameda. They are spread around the city enough to satisfy the fair housing requirements. Also our present lower rent units are not concentrated in one location in Alameda either. Most of the mom and pop rentals are located in the historical buildings that were divided into multiple units for WWII workers. The historical housing is located in the major portion of Alameda's main island, the very area designated in the "Transit Overlay"

The planned upzoning will not achieve the desired fair housing requirements, especially because lower income housing is already spread around Alameda. Demolishing existing buildings will be counter-productive and not result in the desired "fair housing". Any NEW housing will be governed by the Costa-Hawkins Rental Housing Act and cannot be rent controlled. New units will become available for rent at market rates and the present distribution of lower rental units distributed around the city will eventually be replaced as present owners place their properties on the market for sale.

Presently Alameda's major housing of 2 to 6 unit/building are scattered around Alameda with 3114 rental units being located within the "Transit Overlay". Most of these units are owned by the mom and pop landlords mentioned above. They provide the lowest rent per unit in all of Alameda. Many of these units are providing well below market rate rents and provide the best chance of maintaining fair housing requirements in Alameda.

The major East West streets in Alameda are all included in the Transit Overlay and would become prime target areas for development if the upzoning is approved. Santa Clara Avenue has the most rental units with 2 to 6 units per lot totaling 106. Add the one rental unit per lot and the number rises to 158. Lincoln Avenue is next with 103 lots of 2 to 6 units per lot and adding the one unit per lot that number rises to 171. Pacific Avenue has 93 lots each with 2 to

6 units and add the one unit per lot it becomes 161. Buena Vista Avenue, with 66 units at 2 to 6 units per lot plus the 1 unit per lot the total becomes 112. Central Avenue has 84 units each with 2 to 6 units per lot and add the one unit per lot it becomes 153. So Alameda has 755 lots on just these 5 major streets with hundreds of tenants in danger of being forced to relocate because their property comes up for sale and is purchased by a developer who plans demolition or major internal remodeling to add additional units to the interior structure of the building. These 3114 families within the 2 to 6 units per lot included in just the "Transit Overlay" are in jeopardy of forced relocation. There are 4081 families within all of Alameda in the 2 to 6 units per building. Add to that nearly 2000 single rental units per lot and many more families who are renters are in jeopardy of being forced from their homes. There are so many buildings with rental units in Alameda that thinking they will not be involved in developers purchasing them and displacing rental tenants is wishful thinking.

Tenants will be forced to relocate whenever a property is sold for plans to increase the number of units per parcel while the only consideration the tenants will receive are the relocation fees. Rents in the Bay Area are not anywhere comparable to the low rents charged by Alameda's mom and pop landlords. Relocated families will not be able to find comparable rents if they can find a place to move to at all. A recent study stated there are 15 tenants looking for every vacant unit in the Bay Area. And new constructed units will be market rate. There is no "fair housing" in this plan.

These numbers do not take into consideration the loss of many of Alameda's wonderful historical buildings that make Alameda such a desirable place to live. This is something that needs to be calculated along with the forced relocation of the families that live in so many of these historical buildings. Alameda's historic preservation ordinance may require the Historical Advisory Board to review all demolition requests but that will not be a guarantee of protection.

I urge you to vote no on the Planning Department's recommendation to upzone Alameda's R1 to R6 residential zones included in agenda item 7B. It is not necessary to achieve our required Housing Element. It will result in Alameda families being displaced with nowhere to go. It will replace existing lower rents with market rate rents. It will not guarantee fair housing.

Respectfully yours,

Dorothy Freeman

cc: City Clerk Lara Weisiger
Acting City Manager Erin Smith

From: [Lisa Tang](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-B-City Council Agenda Nov. 15, 2022-Housing Element, Zoning Amendments
Date: Monday, November 14, 2022 10:30:36 AM

Alameda City Council:

The proposed upzonings under this Council agenda item effectively repeal City Charter Article 26 (“Measure A”), radically densify Alameda and undo the 2020 election defeat of Measure Z that would have repealed Article 26 outright.

I adamantly oppose the proposed upzoning! as they are **not necessary** to meet the RHNA requirements imposed on us by the State but will **seriously affect** the character of our small town. **I strongly urge you** to adopt the recommendations of the Alameda Citizens Task Force changing the Housing Element and zoning amendments as follows:

1. Adopt the Planning Board recommendation to limit the number of regular units to four within existing building envelopes in the R1 through R6 zones and apply this also to the North Park Street residential and mixed use areas
2. Delete the 30 to 60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay, and the North Park zoning district unlimited density allowance. These upzonings will put over 4000 existing relatively affordable rent-controlled housing units at risk replacing them with non-rent controlled market rate units, thus displacing current tenants and creating gentrification.
3. The 30 to 60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay are not needed to meet Alameda’s Regional Housing Needs Assessment (RHNA) since any units they generate are not being counted as part of the Housing Element’s RHNA site inventory. They also do not appear to be needed to meet state fair housing requirements because the Housing Element’s allowance of additional units within existing buildings citywide allows lower income housing throughout the city.
4. Change the proposed unlimited density no more than 30 units per acre and 40’ height limits in the historic portions of the Park Street and Webster Street Business Districts and the Stations. The draft Housing Element unlimited density and 60’height limit will encourage developers to demolish historic buildings and qualify for density bonus waivers which will allow buildings as much as three stories taller than 60’ and construct intrusive, out of scale new buildings in historic areas.
5. Although Alameda’s historic preservation ordinance requires Historical Advisory Board approval for historic building demolitions and some alterations, such approval is not required in most cases for intrusive new construction and there is no assurance that the Board or, on appeal, the City Council (by simple majority vote) will not approve such demolitions.

With these changes, Alameda can meet the RHNA requirements without destroying the character of our City!

Thank you for your consideration of the above.

Lisa Tang

Alameda Resident 34 years

From: [Lisa Baker](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [City Clerk](#)
Subject: [EXTERNAL] Agenda Item 7-B on November 15
Date: Monday, November 14, 2022 9:18:13 AM

Dear Mayor Ashcraft and all:

The massive increase in the residential development of Alameda under the new Housing Element of the Alameda General Plan is deeply distressing to those of us who already live in modest neighborhoods like mine where small Victorian houses have been split into 4 or more units with no off-street parking, where in-law units are crammed into back gardens, and EVERYBODY seems to have more than one car, despite optimistic predictions that people aren't driving much. Does housing require every single private open space to be covered with concrete and buildings??

One of the ironies I find in this situation is that my particular neighborhood is already racially and economically diverse, and has been for many years - smallish apartment units interspersed with small Victorian houses - some single family, some split into the units I mentioned, some with what are now called ADU's in their back yards or basements. Many of the tenants are low income, some of the single family homes are higher up the financial scale, some not. A huge problem for all of us is the lack of on-street parking because there are way too many cars.

Just hoping that not too much more is crammed into this little street.

Please at the very least:

Do not upzone Alameda's residential neighborhoods, the "Stations", and historic sections of Park Street and Webster Street.

to meet the RHNA, use under-utilized areas like shopping centers, Alameda Point, and the nonhistoric sections of Alameda.

Ask the Federal Government to remove Alameda Point development restrictions.

If upzoning is still going ahead in some areas, target the smallest possible sections of current residential locations where parking and historic structures are the least impacted.

Sincerely,
Lisa Haderlie Baker
Taylor Avenue, Alameda

From: [jane.peal](#)
To: [City Clerk](#)
Subject: [EXTERNAL] upzoning
Date: Monday, November 14, 2022 8:34:29 AM

I urge you to please change the Housing Element and zoning amendments as recommended by AAPS.

Thank you for your consideration, Jane Peal

Jane Peal, MFT
Integral Counseling for Individuals,
Couples, & Adult Adoptees
Alameda Office
<http://www.janepeal.com>
jane@janepeal.com
415.902.5761

Notice of Confidentiality: This email, and any attachments, is intended only for use by the addressee(s) and may contain privileged or confidential information. Any distribution, reading, copying or use of this communication and any attachments by anyone other than the addressee, is strictly prohibited and may be unlawful. If you have received this email in error, please immediately notify me by email (by replying to this message), and permanently destroy or delete the original and any copies or printouts of this email and any attachments.

From: [Patricia Baer](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [City Clerk](#)
Subject: [EXTERNAL] Item 7-B
Date: Monday, November 14, 2022 7:33:07 AM

Please change the Housing Element and zoning amendments as recommended by ACT.

Patsy Baer

From: [Paul Lau](#)
To: [John Knox White](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] No on upzoning our entire City of Alameda
Date: Sunday, November 13, 2022 9:07:42 PM

Dear Mayor and City Council Members,
I urgently request that you make some important modifications to the Housing Element (HE) presented to you TUESDAY by your Planning Staff.

As it is is now written , the HE will create up zoning throughout our entire City .

However, we can meet our State RHNA requirements and still save our City from this universal up zoning which will have serious negative impacts on our City.

May I refer you to the well researched ACT letter that you have before you. I urge you to adopt these modifications as presented in the letter.

If you fail to modify, I am certain this will be VERY detrimental to the future of our City and its residents. None of us want that.

Please do your duty on behalf of your community and adopt these modifications.

Sincerely.

Paul

From: [Susan Natt](#)
To: [Marilyn Ezzy Ashcraft](#); [John Knox White](#); [Lara Weisiger](#); [Malia Vella](#); [Tony Daysog](#); [Trish Spencer](#)
Subject: [EXTERNAL] Item 7-B-City Council Agenda Nov. 15, 2022-Housing Element, Zoning Amendments
Date: Sunday, November 13, 2022 8:39:37 PM

Alameda City Council:

The proposed upzonings under this Council agenda item effectively repeal City Charter Article 26 ("Measure A"), radically densify Alameda and undo the 2020 election defeat of Measure Z that would have repealed Article 26 outright.

I adamantly oppose the proposed upzoning! as they are **not necessary** to meet the RHNA requirements imposed on us by the State but will **seriously affect** the character of our small town. **I strongly urge you** to adopt the recommendations of the Alameda Citizens Task Force changing the Housing Element and zoning amendments as follows:

1. Adopt the Planning Board recommendation to limit the number of regular units to four within existing building envelopes in the R1 through R6 zones and apply this also to the North Park Street residential and mixed use areas
2. Delete the 30 to 60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay, and the North Park zoning district unlimited density allowance. These upzonings will put over 4000 existing relatively affordable rent-controlled housing units at risk replacing them with non-rent controlled market rate units, thus displacing current tenants and creating gentrification.
3. The 30 to 60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay are not needed to meet Alameda's Regional Housing Needs Assessment (RHNA) since any units they generate are not being counted as part of the Housing Element's RHNA site inventory. They also do not appear to be needed to meet state fair housing requirements because the Housing Element's allowance of additional units within existing buildings citywide allows lower income housing throughout the city.
4. Change the proposed unlimited density no more than 30 units per acre and 40' height limits in the historic portions of the Park Street and Webster Street Business Districts and the Stations. The draft Housing Element unlimited density and 60' height limit will encourage developers to demolish historic buildings and qualify for density bonus waivers which will allow buildings as much as three stories taller than 60' and construct intrusive, out of scale new buildings in historic areas.
5. Although Alameda's historic preservation ordinance requires Historical

Advisory Board approval for historic building demolitions and some alterations, such approval is not required in most cases for intrusive new construction and there is no assurance that the Board or, on appeal, the City Council (by simple majority vote) will not approve such demolitions.

With these changes, Alameda can meet the RHNA requirements without destroying the character of our City!

Thank you for your consideration of the above.

Susan Natt
Alameda Resident for the past 16 years

From: [Donna Fletcher](#)
To: [Marilyn Ezzy Ashcraft](#); [Trish Spencer](#); [John Knox White](#); [Malia Vella](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-B Public Hearing to Consider Adoption of the 2024-2031 Housing Element
Date: Sunday, November 13, 2022 8:25:24 PM

Dear Mayor Ashcraft and members of the Council,

The community's involvement in developing our current Housing Element has been remarkable!

I applaud both the staff's effort to communicate, educate, and seek input; as well as the community's effort to understand and respond to the state's extremely technical and complex set of requirements, laws, and mandates.

From what I've heard and observed in the public dialogue, it is clear that each group, regardless of their position recognizes the importance for Alameda to have a state certified Housing Element.

The primary sticking point for many Alamedans is the adverse impact of density in neighborhoods and height limits in historic business districts.

I am asking for council to address these concerns by modifying the Housing Element and Zoning amendments as recommended by the Alameda Citizens Taskforce, without reducing the RHNA required number of housing units.

My understanding is that this change to the Housing Element can be made within the January 31, 2023 window for compliance.

I also understand that the units gained from upzonings in R-3 thru R-6 are not being counted to meet RHNA, so deleting them will not lower the RHNA site inventory. More importantly, the units (or locations) gained do not appear to be needed to meet fair housing requirements, because the Housing Element's provision for additional units within existing buildings enables lower income housing throughout the city.

Thank you for your consideration!

Respectfully submitted,
Donna Fletcher
112 Centre Court

From: [Edward Sing](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#); [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-B-City Council Agenda Nov. 15, 2022-Housing Element, Zoning Amendments
Date: Sunday, November 13, 2022 7:39:08 PM

Alameda City Council:

The proposed upzonings under this Council agenda item effectively repeal City Charter Article 26 (“Measure A”), radically densify Alameda and undo the 2020 election defeat of Measure Z that would have repealed Article 26 outright.

I adamantly oppose the proposed upzoning! as they are **not necessary** to meet the RHNA requirements imposed on us by the State but will **seriously affect** the character of our small town. **I strongly urge you** to adopt the recommendations of the Alameda Citizens Task Force changing the Housing Element and zoning amendments as follows:

1. Adopt the Planning Board recommendation to limit the number of regular units to four within existing building envelopes in the R1 through R6 zones and apply this also to the North Park Street residential and mixed use areas
2. Delete the 30 to 60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay, and the North Park zoning district unlimited density allowance. These upzonings will put over 4000 existing relatively affordable rent-controlled housing units at risk replacing them with non-rent controlled market rate units, thus displacing current tenants and creating gentrification.
3. The 30 to 60 units/acre upzonings in the R-3 thru R-6 zoning districts, the R-1 thru R-6 transit overlay are not needed to meet Alameda’s Regional Housing Needs Assessment (RHNA) since any units they generate are not being counted as part of the Housing Element’s RHNA site inventory. They also do not appear to be needed to meet state fair housing requirements because the Housing Element’s allowance of additional units within existing buildings citywide allows lower income housing throughout the city.
4. Change the proposed unlimited density no more than 30 units per acre and 40’ height limits in the historic portions of the Park Street and Webster Street Business Districts and the Stations. The draft Housing Element unlimited density and 60’ height limit will encourage developers to demolish historic buildings and qualify for density bonus waivers which will allow buildings as much as three stories taller than 60’ and construct intrusive, out of scale new buildings in historic areas.
5. Although Alameda’s historic preservation ordinance requires Historical Advisory Board approval for historic building demolitions and some alterations, such approval is not required in most cases for intrusive new construction and there is no assurance that the Board or, on appeal, the City Council (by simple majority vote) will not approve such demolitions.

With these changes, Alameda can meet the RHNA requirements without destroying the character of our City!

Thank you for your consideration of the above.

Ed Sing

Alameda Resident 25 years

From: [Andrew Thomas](#)
To: [City Clerk](#)
Subject: Fwd: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Date: Sunday, November 13, 2022 4:24:48 PM

For council

Andrew Thomas,
510-774-5361 (c)

Begin forwarded message:

From: Barbara Caulfield <info@email.actionnetwork.org>
Date: November 12, 2022 at 9:50:15 PM PST
To: Andrew Thomas <athomas@alamedaca.gov>
Subject: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Reply-To: boatbride@gmail.com

Director of City Planning Andrew Thomas,

Mayor and City Council,

Thank you for your consideration of item 7-B on the November 15th council agenda.

I support the adoption of the city's housing element and associated zoning amendments. State law requires that the City Council adopt a housing plan that meets the regional need for housing and affirmatively furthers fair housing. I support the current plan.

As the letter from HCD states, the current draft of the Housing Element as proposed is fully compliant with State Housing Element Law. Modifying any aspect of the Housing Element at this point would risk the city missing its January 31st deadline and risk putting the city in a period of non-compliance. I oppose any change or delay that would result in financial penalties.

If the City Council fails to adopt the Housing Element, our community will suffer consequences, including building in areas zoned for business and losing state funding for parks, infrastructure, and other public projects. We need to move forward.

Please vote to adopt the staff-recommended Housing Element.

Barbara Caulfield
boatbride@gmail.com

60 Ratto Rd
Alameda, California 94502

From: [Dodi Kelleher](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [John Knox White](#); [Trish Spencer](#); [Tony Daysog](#)
Cc: [Lara Weisiger](#); [City Clerk](#)
Subject: [EXTERNAL] November 15th City Council Meeting Agenda Item 7-B
Date: Sunday, November 13, 2022 3:32:05 PM

Mayor Ezzy Ashcraft and City Council Members,

As a homeowner of many years and a member of AAPS, I write to oppose the significant and unneeded upzoning of our older established neighborhoods, including the historic commercial districts, and respectfully request that you consider the changes to the Housing Element submitted by Christopher Buckley for AAPS that would better protect these areas from outsized developments while still meeting the RHNA and Fair Housing requirements. I will not repeat all of the points in the AAPS letter but will call out a few that I believe put our residential neighborhoods in most jeopardy of building demolitions and replacement with outsized building developments:

- The “Transit Overlay” - Eliminate or substantially scale back the “Transit Overlay” that allows unlimited density and height limit increases to at least 40 feet within ¼ mile of the 51 bus line and other “high quality” bus lines. Given Alameda’s relatively small geographic footprint, that ¼ mile maps out to cover a substantial portion of Alameda residential neighborhoods, especially R3-R6. With unlimited density comes the potential for State Density Bonus, a height of 40 foot building could become a 60+ foot building or 6+ stories.
- Residential Upzoning- Eliminate or Reduce the Housing Element’s unlimited residential density in all existing buildings and the substantially increased upzoning in R-3-R6, including the Mixed Use Subdistricts, which are mostly residential. Again, a developer will be able to use the State Density Bonus to greatly increase the height and size once the lot(s) are cleared.
- Eliminate the Housing Element’s reduction of minimum lot size, side and rear yard setbacks, and other zoning changes that allow increased building coverages.

In closing, wholesale upzoning will encourage developers to buy up and demolish historic buildings and construct intrusive, out of scale new buildings in their place. The “Transit Overlay” as well as the R3 through R6 and North Park Street upzoning are not needed to meet Alameda’s RHNA, since any units they generate are not being counted as part of the Housing Element’s RHNA site inventory. They also do not appear to be needed to meet State fair housing requirements because the Housing Element already provides for additional units plus unlimited ADUs within existing buildings citywide and add to the already existing SB9 upzoning of R1 that allows four units on existing R1 lots plus ADUs. This is in addition to the sites across Alameda and in high opportunity zones already listed in the site inventory to meet the RHNA and Fair Housing obligations in this Housing Element.

I request that this letter become part of the meeting record.

Sincerely,

Dolores Kelleher

From: [Barbara Caulfield](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Date: Saturday, November 12, 2022 9:51:47 PM

City Clerk Lara Weisiger,

Mayor and City Council,

Thank you for your consideration of item 7-B on the November 15th council agenda.

I support the adoption of the city's housing element and associated zoning amendments. State law requires that the City Council adopt a housing plan that meets the regional need for housing and affirmatively furthers fair housing. I support the current plan.

As the letter from HCD states, the current draft of the Housing Element as proposed is fully compliant with State Housing Element Law. Modifying any aspect of the Housing Element at this point would risk the city missing its January 31st deadline and risk putting the city in a period of non-compliance. I oppose any change or delay that would result in financial penalties.

If the City Council fails to adopt the Housing Element, our community will suffer consequences, including building in areas zoned for business and losing state funding for parks, infrastructure, and other public projects. We need to move forward.

Please vote to adopt the staff-recommended Housing Element.

Barbara Caulfield
boatbride@gmail.com
60 Ratto Rd
Alameda, California 94502

From: [Andrew Thomas](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Date: Saturday, November 12, 2022 8:01:59 AM

For council

Andrew Thomas,
510-774-5361 (c)

Begin forwarded message:

From: Shaun Reid <info@email.actionnetwork.org>
Date: November 11, 2022 at 4:26:30 PM PST
To: Andrew Thomas <athomas@alamedaca.gov>
Subject: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Reply-To: mtbshaun@gmail.com

Director of City Planning Andrew Thomas,

Mayor and City Council,

Thank you for your consideration of item 7-B on the November 15th council agenda.

I support the adoption of the city's housing element and associated zoning amendments. State law requires that the City Council adopt a housing plan that meets the regional need for housing and affirmatively furthers fair housing.

As the letter from HCD states, the current draft of the Housing Element as proposed is fully compliant with State Housing Element Law. Modifying any aspect of the Housing Element at this point would risk the city missing its January 31st deadline and risk putting the city in a period of non-compliance.

If the City Council fails to adopt the Housing Element, our community will suffer consequences, including building in areas zoned for business and losing state funding for parks, infrastructure, and other public projects.

Please vote to adopt the staff-recommended Housing Element.

Shaun Reid
mtbshaun@gmail.com
1709 Encinal Avenue
Alameda, California 94501

From: [Emilio Cazares](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] I support the adoption of the current Alameda Housing Element
Date: Friday, November 11, 2022 8:23:12 PM

City Clerk Lara Weisiger,

Dear Mayor and City Council,

I fully support the adoption of the city's current staff-recommended draft Housing Element.

Let's keep the City of Alameda in compliance with the required housing regulations. It is time for more housing in Alameda, let's get to it.

Emilio Cazares
emiliocazares502@gmail.com
55 Garden Road
Alameda, California 94502

From: [Amelia Rose](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] I support the adoption of the current Alameda Housing Element
Date: Friday, November 11, 2022 1:16:03 PM

City Clerk Lara Weisiger,

Dear Mayor and City Council,

I fully support the adoption of the city's current staff-recommended draft Housing Element.

For two years the city has collected input from the public at over 25 meetings. The current draft of the Housing Element represents all of that input as a community. Changing it at the 11th hour ignores all of that hard work and only works to put Alameda at risk of being out of compliance with state housing law.

Amelia Rose
amyjrose9@gmail.com
1917 Chestnut St
Alameda , California 94501

From: [Andrea Ford](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Item 7-B - Adopt the housing element
Date: Friday, November 11, 2022 12:34:23 PM

City Clerk Lara Weisiger,

Dear Mayor and City Council members,

I ask that adopt you adopt the staff-recommended draft housing element.

Don't put Alameda at risk for the consequences of missing the January 31st deadline on this.
We do not want to see what is happening with the "Builder's Remedy" in Santa Monica
happen in Alameda.

Thank you,

Andrea Ford
ford.dreanicole@gmail.com
1406 Bay Street APT B
Alameda, California 94501

From: [Andy Murdock](#)
To: [Malia Vella](#); [Marilyn Ezzy Ashcraft](#); [City Clerk](#); [John Knox White](#); [Tony Daysog](#); [Trish Spencer](#)
Subject: [EXTERNAL] Support for the 2023-2031 Housing Element
Date: Friday, November 11, 2022 9:39:20 AM

Dear Mayor Ashcraft, Vice-Mayor Vella and City Councilmembers,

I'm writing in support of approving the 2023-2031 Housing Element (Item 7-B in the November 15, 2022 City Council agenda).

I'd like to thank the City staff for the countless hours of work over the past few years, and the many chances that were provided to the community to provide meaningful input into the drafting of this Housing Element. The fact that Alameda was the first city in the Bay Area to produce a draft Housing Element that was deemed in compliance with state law is something we should be proud of as a city. Cities across the state are finding this process quite challenging. The fact that we were able to navigate the process and create a plan that both complies with State law and fits with the spirit and history of the City of Alameda is commendable.

As the response from the HCD made crystal clear, the Alameda Housing Element passes muster because it (a) meets the State mandated number for adding new housing and, (b) that this is done in a way that meaningfully affirmatively furthers fair housing across the island. To my mind, we could do much more on part (b); to others, I know it feels like the HE is proposing too much. The fact remains that we can't simply put all new housing on one end of the island, and all areas must contribute to solving the housing shortage. Most importantly, passing the Housing Element on time will allow the City to maintain local control, avoid fines that the City can't afford, and allow us to access important sources of funding.

Thanks again to all of the efforts of the City staff. I have been happy to have been part of the process in my own small way and to watch the evolution of the plan from the earliest drafts to where we are today. I do think that there's more that the City can and should do with regards to housing in the coming years, but this is a wonderful start. Please approve the Housing Element and let's be a part of the solution to our city's, region's and state's housing crisis.

Best wishes,
Andy

Andy Murdock
3045 Windsor Drive, Alameda
andymurdock@gmail.com

From: [Sarah Bell](#)
To: [Lara Weisiger](#)
Subject: [EXTERNAL] Vote to adopt the Housing Element (Item 7-B)
Date: Thursday, November 10, 2022 6:29:08 PM

City Clerk Lara Weisiger,

Dear Mayor and Members of the City Council,

I am in support of the staff-recommended draft housing element, and I would ask that the council vote to adopt it without modification. I also want to thank the staff for their hard work on this over the last 2 years.

I believe the current housing element provides a balanced approach to weigh all the city's goals with our requirements under state law.

The proposed zoning changes in the housing element are not only thoughtful to preserve much of Alameda's unique character but are necessary to meet our requirements under Affirmatively Furthering Fair Housing and the balance of our RHNA.

As we have known since the 5th cycle housing element when we adopted a multifamily overlay and backed up by the letter from HCD last year, Article 26 of the City Charter violates state housing law and cannot be enforced.

Sarah Bell
bell.sarah@gmail.com
1080 Jones St Apt 525
Berkeley, California 94710

From: [Andrew Thomas](#)
To: [Lara Weisiger](#)
Subject: Fwd: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Date: Thursday, November 10, 2022 5:44:26 PM

Fyi

Andrew Thomas,
510-774-5361 (c)

Begin forwarded message:

From: Zac Bowling <zac@zacbowling.com>
Date: November 10, 2022 at 4:17:43 PM PST
To: Andrew Thomas <athomas@alamedaca.gov>
Subject: [EXTERNAL] Item 7-B - Adopt the draft Housing Element as is!
Reply-To: zac@zacbowling.com

Director of City Planning Andrew Thomas,

Mayor and City Council,

Thank you for your consideration of item 7-B on the November 15th council agenda.

I support the adoption of the city's housing element and associated zoning amendments. State law requires that the City Council adopt a housing plan that meets the regional need for housing and affirmatively furthers fair housing.

As the letter from HCD states, the current draft of the Housing Element as proposed is fully compliant with State Housing Element Law. Modifying any aspect of the Housing Element at this point would risk the city missing its January 31st deadline and risk putting the city in a period of non-compliance.

If the City Council fails to adopt the Housing Element, our community will suffer consequences, including building in areas zoned for business and losing state funding for parks, infrastructure, and other public projects.

Please vote to adopt the staff-recommended Housing Element.

Thank you.

Zac Bowling
zac@zacbowling.com
1531 Sherman

Alameda, California 94501