

DRAFT - October 18, 2013

Section 30-4.23 Alameda Point

A. Purpose

This section provides regulations to facilitate and guide future development at Alameda Point consistent with the goals and objectives of the 1996 Naval Air Station (NAS) Alameda Community Reuse Plan and the City of Alameda General Plan, which include:

- i. Seamlessly integrating the former Naval Air Station property into the physical and social fabric of the City of Alameda.
- ii. Replacing the jobs lost by the departure of the Navy and fostering new economic development opportunities on the former federal lands.
- iii. Increasing public access to the waterfront and supporting maritime commercial and industrial use of the waterfront.
- iv. Creating mixed-use transit oriented walkable districts that deemphasize the automobile and support alternative modes of transportation.
- v. Creating sustainable districts that minimize greenhouse gas emissions, energy and water use, and maximize protection of the natural environment.

B. Applicability

The regulations in this section are applicable to all properties within the Alameda Point Zoning District. In addition to these regulations, all new construction, alterations, and land use within the Alameda Point Zoning District must comply with the following permit requirements.

- i. Alameda Municipal Code: Regulations in the Alameda Municipal Code (AMC) not covered by this section remain applicable to the Alameda Point District. When the content of this section conflicts with the AMC, this section shall govern, including but not limited to Section 13-19 (Green Building Requirements) and Section 30-58 (*Water Conservation and Bay Friendly Landscaping Requirements*).
- ii. Waterfront Town Center District and Main Street Neighborhood Sub-district Master Plan Required - Any proposal to construct any new residential units or build a new building that establishes a new use within the AP-Main Street Neighborhood or AP-Waterfront Town Center Districts shall require approval of a Master Plan, consistent with AMC Section 30-4.20 MX Mixed Use Planned Development District regulations.
- iii. Development Plan and Design Review Required for all New Development - Any proposal that includes construction of new buildings or modifications to an existing building, landscape area, parking area or other physical feature shall include a Development Plan that meets the requirements of AMC 30-4.13(j) Planned Developments. All improvements requiring building permits shall be subject to the requirements of AMC 30-36 Design Review Procedures and AMC 30-37 Design Review Regulations. All design review applications shall be reviewed for conformance with the regulations of this Section and the applicable sections of the Citywide Design Review Manual.

Biological Regulations and On-Site Lighting: All new construction projects, alterations to existing buildings and new uses shall comply with the conditions set forth in the Declaration of Restrictions for the Former Naval Air Station (Declaration) consistent with the Biological Opinion issued by the U.S. Fish and Wildlife.

- iv. NAS Alameda Historic District Guidelines All new construction and modifications to existing buildings within the NAS Alameda Historic District shall be consistent with the Guide to Preserving the Character of the Naval Air Station Alameda Historic District, as amended, and AMC Section 13-21(Preservation of Historical and Cultural Resources).
- v. Alameda Point Environmental Impact Report Mitigation Monitoring Program. All new development and uses shall be reviewed for consistency with the 2014 Alameda Point Environmental Impact Report adopted Mitigation Monitoring and Reporting Program.
- vi. Alameda Point Master Infrastructure Plan. All new development and uses shall be reviewed for consistency with the Alameda Point Master Infrastructure Plan.
- vii. Alameda Point Master Transportation Demand Management Plan. All new development and uses shall be reviewed for consistency with the Alameda Point Transportation Demand Management Plan.

C. Alameda Point Sub-district Purpose Descriptions The Alameda Point Zoning District is comprised of six sub-districts. Each sub-district includes a specific set of regulations designed to achieve the following purposes and intent:

- i. Waterfront Town Center (WTC) - This sub-district provides lands for a mix of uses that include waterfront and visitor-serving uses, including retail, service, entertainment, lodging, recreational, and medium to high-density residential uses. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment designed to de-emphasize the automobile and create a mixed-use environment that supports the emergence of a transit and pedestrian-friendly mixed-use waterfront neighborhood. To ensure that the development of this area achieves these purposes, a master plan is required for this sub-district..
- ii. Main Street Neighborhood (MS) - This sub-district provides lands for a variety of housing types with complementary small-scale neighborhood-serving retail, urban agriculture and parks uses, and a mix of residential densities. Development standards should support development of a walkable, transit friendly neighborhood with safe streets, adequate common open space areas, and site planning that complements the NAS Alameda Historic District Residential Subarea character-defining features. Use standards should support a diversity of household types, including supportive housing, assisted living, and a mix of neighborhood compatible uses, such as community gardens, childcare centers, urban farms, and other uses. To ensure that the development of this area achieves these purposes, a master plan is required for this sub-district. All regulations and standards shall be included in the master plan.

- iii. Enterprise (E) – This Sub-district provides lands for employment and business uses, including office, research and development, bio-technology and high tech manufacturing and sales, light and heavy industrial, maritime, community serving and destination retail, and similar and compatible uses. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment and ensure high quality, well designed buildings within walking distance of services, restaurants, public waterfront open spaces, and residential areas. Use standards are intended to encourage and facilitate job growth and limit intrusion of uses that would limit or constrain future use of these lands for productive and successful employment and business use.
- iv. Enterprise-2 The E-2 sub-district serves the same purposes as the Enterprise District, but uses in the E-2 area must be compatible with the Waterfront Town Center and adjacent Main Street neighborhoods.
- v. Enterprise-3 The E-3 subdistrict fronts onto Main Street and the Main Street neighborhood. Main Street fronting residential use is conditionally permitted in this subdistrict to create more seamless integration between the Enterprise Subdistrict and the existing Main Street neighborhood.
- vi. Enterprise-4 The E-4 district is restricted to maritime uses. Residential uses and other sensitive or non-maritime oriented uses are prohibited.
- vii. Adaptive Reuse – (AR) - This sub-district provides lands for employment and business uses, including office, research and development, bio-technology and high tech manufacturing and sales, light and heavy industrial, maritime, commercial, community serving and destination retail, and other uses that support reinvestment in the existing buildings and infrastructure within the NAS Alameda Historic District. Development standards are intended to create a pedestrian, bicycle, and transit supportive urban environment that is compatible with the character-defining features of the NAS Alameda Historic District. Use standards are intended to provide a wide range of investment opportunities within the district to encourage private reinvestment in the Historic District.
- viii. Open Space (OS) – This sub-district provides lands for parks, recreation, trails, and large-scale public assembly and event areas. Development standards are intended to support maximum public access, use and enjoyment of these lands, and the protection of natural habitat and wildlife. Use standards are intended to allow for a variety of public open space and compatible uses, such as museums, concessions and parking areas necessary for public use of these lands, in a manner that ensures the protection of the natural environment. Residential, office, and non-visitor serving or non maritime oriented commercial uses are not permitted in this sub-district.
- ix. Nature Reserve/Government (NR\G) –This sub-district provideds lands for wildlife habitat. Use of this area should preserve and protect the natural habitat in this area to the fullest extent possible, compatible with the protection of endangered species and other wildlife and plant life that may inhabit, make use of, or be permanently

established within this area. Uses include seasonal public access, on-going management and monitoring and activities related to education and research consistent with federal requirements. Pursuant to Section 30-4.17, the G, Special Government Combining District Government Combining District applies to this property because the land is owned by the U.S. Government.

D. Site Planning and Building Design Requirements

This section provides regulations for the placement of buildings and improvements to land. Planned Development and Design Review applications shall be reviewed for consistency with these regulations

Building Orientation: All new buildings shall be oriented toward the adjacent public right of way (i.e., public street or public park) and shall provide a main public entrance with direct access to the public right-of-way.

Pedestrian Orientation: To support the pedestrian environment and de-emphasize the automobile:

- a. Surface parking lots or parking structures shall be minimized in size and placed behind or beside the building. Parking lots shall not be placed between buildings and streets.
- b. Drive through lanes are prohibited.
- c. Site improvements shall include bicycle racks, pedestrian pathways through parking areas, pedestrian lighting, and sidewalks and street trees on all streets adjacent to the property.
- d. Public and commercial service facilities such as Automated Teller Machines shall be conveniently located adjacent to the pedestrian public right-of-way.
- e. Ground floor windows adjacent to the public pedestrian right of way shall provide an unobstructed view into the building for a distance of at least 5 feet to animate the pedestrian experience.

Front Setback: New buildings shall be aligned with the front setback of buildings on the block to maintain a consistent setback and "street wall" along the block and maintain the historic character of the district. In cases where a consistent "street wall" of buildings does not exist, the following standards should govern:

- a. In the Adaptive Reuse District, the building front setback should be consistent with the setback of the other NAS Alameda Historic District contributing buildings on the block or the adjacent blocks to maintain the character defining features of the Historic District.
- b. In the Enterprise District, new buildings should be placed as close to the front property line as possible to facilitate pedestrian access, but in no case shall the building be setback more than 20 feet.
- c. In the Open Space and Nature Reserve District, new buildings should be placed in a manner that maximizes and supports the open space, recreational, and/or nature preserve use of the district.
- d. In the Main Street and Waterfront Town Center sub-districts, front setbacks shall be determined by the Master Plan for the sub-district.

Rear Setback: No rear setback is required unless the building abuts a residential use or a

public open space. In such cases, a 20 foot rear setback shall be provided. In cases where the rear of the building faces a public street or public open space, the rear of the building shall be aligned with the rear or front setback of the existing buildings on the abutting parcels to maintain a consistent "street wall" and the character of the district.

Side Setbacks: No side yard setback shall be required in the Enterprise or Adaptive Reuse sub-districts, unless the parcel or site abuts a public open space or residential use. In such cases, a 20-foot side yard setback shall be provided. In cases where the side yard abuts a public street, the side yard setback shall be sufficient to align the building with the front setback of the adjacent buildings. In the Adaptive Reuse sub-district, the side street facing setback should be consistent with adjacent contributing Historic District structures on the side street, unless a finding can be made that the proposed setback is consistent with the character defining features of the NAS Historic District. Sidesetbacks in the Main Street and Waterfront Town Center sub-districts shall be defined in the Master Plan for the sub-district. In the Open Space and Nature Reserve District, new buildings should be placed in a manner that maximizes and supports the open space, recreational, and/or nature preserve use of the district.

Setback Landscaping: In cases where a front or side yard setback that faces a public street or public open space is provided, that setback area shall be landscaped or improved for public use. In the Adaptive Reuse District, the landscape plan shall be consistent with the Cultural Landscape Guidelines. To protect the endangered species, no landscape materials may be planted in the Open Space District lands located west of Saratogo that are capable of growing over 20 feet in height.

Lighting To ensure the protection of endangered species, lighting plans shall ensure that the cumulative increase in ambient nighttime light levels within 750 feet of the least ten colony does not increase by more than 10 percent over 2013 baseline conditions. Within line of sight of the Nature Preserve, the number of new lights located on Nature Preserve facing walls and areas shall be the minimum necessary for security and public safety. All new lights shall be directed away and/or screened from the Nature Preserve. Windows facing the Nature Preserve shall be coated with a non-reflective tinting material. All light posts shall be fitted with anti-perching devices. Within in the Open Space District lands located west of Saratogo nighttime lighting shall be the minimum necessary for public safety between April 1 and August 15.

E. Building Height Requirements

Adaptive Reuse Sub-district. The maximum building height in the Adaptive Reuse sub-district shall be determined by the height of the adjacent NAS Alameda Historic District contributor buildings. In cases where the adjacent buildings differ in height, the tallest adjacent contributing building shall be the determining building height. The height of the new building shall not exceed the height of the adjacent contributor buildings.

Adaptive Reuse Sub-district West of Monarch Street. For the protection of endangered species, all new buildings and additions to existing buildings shall be reviewed for consistency with the special building height and placement requirements set forth in the Declaration of Restrictions for the Former Naval Air Station consistent with the Biological Opinion issued by the U.S. Fish and Wildlife.

Enterprise District. The maximum permitted height for any building in the E-1, E-2, and E-4 sub-districts shall be 100 feet. In the E-3 sub-district, any building that fronts onto Main Street shall

not exceed 30 feet in height. Any portion of a new building that is over 30 feet high shall be set back 100 feet. In the E-1 subdistrict, any building that fronts onto West Hornet Avenue and the public open space shall not exceed 40 feet in height. Any portion of the building that is over 40 feet in height shall be setback at least 100 feet from the West Hornet Avenue public right-of-way.

Open Space and Nature Reserve Districts: Consistent with the Declaration of Restriction, the maximum permitted height for any new building in these two sub-districts shall be 20 feet.

Main Street Neighborhood and Waterfront Town Center Sub-districts. Height limits for these two sub-districts shall established in the Master Plan for these sub-districts.

F. Building Types and Building Frontage Design.

- i. Table A: Building Form and Site Design Standards identifies the building types and frontage types permitted (P), conditionally permitted (C), or not permitted (-), within each sub-district. Standards for the Town Center and the Main Street Neighborhood shall be included in the required Town Center and Main Street Neighborhood Master Plan.

Table A – Building Type and Frontage Types

	Enterprise	E-2	E-3	E-4	AR	WTC	MS	OS	NR/G
Building Type									
Commercial Block	P	P	P	P	P	P	P	-	-
Workplace	P		P	P	P	P	P	P	P
Research and Development and Industrial Bldg.	P	P	P	P	P	P	-	P	P
Parking Structure	P	P	-	P	P	P	-	-	-
Work-Live	-	-	C	-	P	P	P	-	-
Stacked Flat	-	-	C	-	-	P	P	-	-
Multiplex	-	-	C	-	-	P	P	-	-
Row house	-	-	C	-	-	P	P	-	-
Courtyard Housing	-	-	C	-	-	P	P	-	-
Single Family Detached	-	-	C	-	-	-	P	-	-
Carriage House	-	-	C	-	-	-	P	-	-
Adaptive Reuse of Existing Buildings	P	P		P	P	P	P	P	-
Frontage Type									
Storefront	P	P	P	P	P	P	P	-	-
Formal Entry	P	P	P	P	P	P	P	P	-
Forecourt	P	P	P	P	P	P	P	P	-
Stoop	-	-	P	-	-	P	P	-	-

	Enterprise	E-2	E-3	E-4	AR	WTC	MS	OS	NR/G
Front yard	-	-	P	-	-	-	P	-	-

- ii. In the Adaptive Reuse subdistrict, building massing, form, and architectural details shall be compatible with adjacent structures and complement the historic character of the district.

G. Use Regulations

Table C – Allowed Land Uses indicates the land uses that are permitted “by right” (P), by conditional use permit (C), or not permitted (-), within each Sub-district. Conditional use permits may be granted pursuant to the procedures and standards of Section 30-21.3 and .4.

Table C: Alameda Point Zoning District-Allowed Land Uses

Residential , Open Space, and Lodging

Use	E-1	E-2	E-3	E-4	AR	WTC	MS	OS	NR
Dwelling unit	-	-	C	-	C	P	P	-	-
Bed & Breakfast	-		C	-	P	P	P	-	-
Hotels	-	P	C	-	P	C	C	-	-
Community Garden	-	-	C	-	P	C	P	P	-
Golf courses	-	-	-	-	-	-	-	P	-
Parks/playgrounds/ sports fields	-	C	C	-	P	P	P	P	-
Trailheads, Trails, and comfort stations	P	P	P	P	P	P	P	P	C
Artist Studio	C	C	P	-	P	P	P	-	-
Work/Live	-	C	P	-	C	C	C	-	-

Retail

Use	E-1	E-2	E-3	E-4	AR	WTC	MS	OS	NR
Office	P	P	P	C	P	P	P	-	-
Large Format Retail	C	C	C	-	C	C	-	-	-
Retail	P	P	C	-	P	P	C	-	-
Retail, catalog and mail order	P	P	C	-	P	C	-	-	-
Retail, plant nursery	C	C	C	-	P	C	C	-	-
Grocery and Convenience stores	C	C	C	-	C	C	C	-	-
Art Gallery	-	C	P		P	P	P	-	-
Café	C	C	C		P	P	C	C	-
Catering services	C	C	C	-	P	C	C	-	-
Restaurant	C	C	C	C	C	P	C	C	-
Bars/Tavern	-	-	-	-	C	C	-		-
Banks and financial	C	C	C	C	P	P	-	-	-

services									
Repair business (consumer products)	C	C	C	C	P	P	C	-	-
Personal Services	C	C	C	C	-	P	C	-	-
Liquor Store	-	-	-	-	-	C	-	-	-
Urban farm	C	C	C	-	C	C	P	C	-

Education and Assembly

Use	E-1	E-2	E-3	E-4	AR	WTC	MS	OS	NR
Animal shelter	C	C	C	-	P	-	C	-	-
Clubs	C	C	C	C	P	P	C	C	-
Meeting Halls	-	C	C	-	P	P	-	-	-
Community Centers	-	C	C	-	P	P	P	C	-
Conference Center	-	C	C	-	P	P	P	-	-
Library	-	C	C	-	P	P	P	-	-
Museum	C	C	C	C	P	P	C	C	-
Theater /Entertainment	C	C	C	-	P	P	C	C	-
Religious Assembly	-	C	P	-	P	C	P	-	-
Health and fitness facilities	C	C	P	-	P	C	C	C	-
Hospitals	C	C	C	-	P	C	-	-	-
Health Clinic	-	C	C	-	P	P	P	-	-
Veterinary Clinic	C	C	C	-	P	C	C	-	-
Government facilities and offices	P	P	P	-	P	P	C	C	-
Transit Station	P	P	P	C	P	P	P	C	-
Post Office	C	C	C	-	P	P	P	-	-
Funeral Home	-	C	-	-	C	C	-	-	-
Teaching studios (art, dance, fitness, music)	C	C	C	-	P	P	-	-	-
College	C	P	P	C	P	C	C	-	-
Schools	C	C	C	C	P	C	C	-	-
Emergency Shelter	C	C	-	-	C	C	C	-	-
Child Care	C	C	C	-	P	P	P	-	-
Family day care, Large (7 or more children)	-	-	C	-	P	P	C	-	-
Family day care, Small (6 or fewer children)	-	-	-	C	P	P	P	-	-

Transportation Services

Use	E-1	E-2	E-3	E-4	AR	WTC	MS	OS	NR
Car or Bike sharing facility	P	P	P	-	P	P	P	-	-
Automobile, sales, rental and leasing	C	C	-	-	P	C	-	-	-

Automobile, servicing and repair	C	C	-	-	C	-	-	-	-
Service Station/Car Wash	C	C	-	-	-	C	-	-	-
Parking, garage or surface lot (private & public)	C	C	C	C	C	C	C	C	-
Bus Shed/Maintenance Facility	C	C	-	-	P	C	-	-	-

Marine

Use	E-1	E-2	E-3	E-4	AR	WTC	MS	OS	NR
Marine research	P	P	C	P	P	P	-	P	-
Maritime workplace	P	P	C	P	P	P	C	-	-
Maritime wholesaling	P	P	-	P	P	C	-	-	-
Marine Fuel Sales, serviceBoat sales and repair.	P	C	-	P	P	C	-	-	-
Maritime Concessions	-	C	-	P	P	C	-	C	-
Boating clubs or schools	-	C	-	P	P	P	-	C	-
Commercial Marina	-	-	-	P	C	C	-	-	-
Ferry landing and terminal	-	-	-	P	-	P	-	P	-
Dry Boat Storage (outdoor)	C	C	-	P	C	C	-	-	-

Industrial

Use	E-1	E-2	E-3	E-4	AR	WTC	MS	OS	NR
Building materials storage/contractor yards	C	-	-	-	C	-	-	-	-
Food and beverage manufacturing	P	C	C	-	P	C	-	-	-
Industrial, Light	P	C	C	P	P	C	C	-	-
Industrial, Heavy	C	-	-	P	C	-	-	-	-
Industrial Arts	C	C	C	C	P	C	-	-	-
Utilities- Large	C	C	C	C	C	C	-	-	-
Utilities -Small	P	P	C	P	P	P	P	C	-
Printing and publishing	P	P	C	-	P	C	-	-	-
Specialty trade contractors and businesses	P	C	C	C	C	C	C	-	-
Storage, outdoor	C	C	-	C	C	C	-	-	-
Storage, indoor	P	P	C	P	P	C	-	-	-

Wholesaling and distribution	C	C	-	C	P	C	-	-	-
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- i. Similar Uses. If a proposed use is not listed in Table C - Allowed Land Uses as a permitted or conditionally permitted use it shall not be permitted unless the Community Development Director or the Planning Board determines that the proposed use is substantially similar to a use specified as a permitted or conditional use in that Sub-district. Such determination shall not permit the establishment of any use that would be inconsistent with the statement of purpose of the Sub-district in question, and no interpretation shall have the effect of amending, abrogating, or waiving any other standard or requirement established in these regulations.
- ii. Accessory Uses. Accessory uses customarily incidental to any of the above permitted uses when on the same lot are permitted. Accessory uses customarily incidental to any of the above conditional uses when located on the same lot are conditionally permitted with the granting of a Use Permit pursuant to AMC, Section 30-21.3 or .4.
- iii. Work Live Uses. Work/Live uses shall be consistent with Section 30-15, except that in the Alameda Point District, work live units may be allowed in new buildings consistent with the Work Live Work type described in the Design Review Manual. Projects that are eligible for Density Bonus waivers pursuant to Section 30-17 may include Work Live that are not consistent with the requirements of Section 30-15.
- iv. Outdoor Operations and Activities. Any use that is normally conducted within a building and permitted by the zoning may be permitted outdoors with conditional use permit approval.
- v. Residential Use in Contributing Buildings in the Adaptive Reuse Sub-district. Residential use may be conditionally approved only in Contributing Structures Building 2, 4, and 18 within the NAS Historice District Administrative Core Sub-district, as defined in the Guide to Preserving the NAS Historic District.
- vi. Residential Use in Enterprise-3 Sub-district. Residential Use may be conditionally approved facing Main Street in the E-3 sub-district, if the following additional findings can be made: 1) the approval of residential use on the site as proposed and conditioned will not impede the development of the Enterprise District as an employment and business district, and 2) that the proposed residential uses face Main Street and the design of the residential buildings is compatible in design to the residential neighborhoods on the east side of Main Street.
- vii. Adaptive Reuse Sub-district between Saratoga and Lexington Streets. All use of these lands and existing buildings shall be reviewed for consistency with Senate Bill _____ regarding State Lands at Alameda Point.
- viii. Fireworks Prohibitions: To protect the least tern endangered species, fireworks displays shall not be permitted between April 1 and August 15.
- ix. Feeding Station Prohibitions. To protect the least tern endangered species, feral cat feeding stations and colonies, and the feeding of any native and non-native wildlife species that are potentially predetores of least terns is prohibited.

H. Interim Uses

Use permits may be issued for interim uses that may not be permitted or conditionally permitted as set out in *Table C – Alameda Point - Allowed Land Uses*.

The purpose of Interim Use Permits (IUP) is to provide a process for permitting short-term uses and activities for a defined period of time, not to exceed five (5) years. Interim uses are not intended to be permanent uses but are transitional in nature, generally allowing for emergency situations, construction and remediation activities, or the cultivation and establishment of small, low-overhead businesses and their eventual relocation into permanent structures. To approve an IUP, the following findings must be made in addition to the findings necessary for a Conditional Use Permit per AMC Section 30-21.

- i. The interim use is for a limited time period and conditions of approval ensure that the use will not impede or limit ultimate redevelopment of Alameda Point consistent with the General Plan and Reuse Plan; and
- ii. The proposed use does not include construction of new structures or improvements that, as a practical matter, could prevent or inhibit the property from being converted to a use consistent with this section; and
- iii. The proposed use will not interfere with any existing Public Trust use or purpose, or with any adjacent use.
- iv. Interim Use Permits may be granted in the Main Street Neighborhood District and the Town Center District prior to adoption of a Master Plan for the district. In the Main Street Neighborhood District, interim use permits may be granted to existing tenants and residents for permanent physical modifications to existing buildings and minor new buildings