

DRAFT
CITY OF ALAMEDA ORDINANCE No. _____
New Series

AMENDING CHAPTER 30 OF THE ALAMEDA MUNICIPAL CODE TO ADDRESS COMMERCIAL RECREATIONAL USES, ARCADES, GROUND FLOOR OFFICE USES, AND THE DEFINITION OF FAMILY.

BE IT ORDAINED by the City Council of the City of Alameda:

Findings.

In enacting this Section, the City Council finds as follows:

1. **The amendments maintain the integrity of the General Plan.** The proposed zoning text amendments are necessary to support General Plan policies regarding economic development and fair housing. The zoning amendments related to the definition of family also ensure consistency between the State of California Government Code and the Alameda Municipal Code.
2. **The amendments will support the general welfare of the community.** The proposed zoning text amendments will support the general welfare of the community by establishing clear standards for a variety of business types and support economic development objectives.
3. **The amendments are equitable.** The proposed zoning amendments is equitable in that it establishes appropriate processes and procedures for the review of future development proposals.
4. **California Environmental Quality Act.** The proposed amendments are categorically exempt under California Environmental Quality Act Section 15305 – Minor Amendments to Land Use Limitations.

Section 1. Section 30-2 Definitions shall be amended to:

Revise the definition of “family” as follows:

Family: Family shall be defined as “One or more persons or employees living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.”

Add a definition of “commercial recreation” to read as follows:

“Commercial Recreation includes recreational uses such as skating rinks, bowling alleys, arcades, paintball, children's playland, rock climbing, miniature golf and other similar establishments of an entertainment or amusement nature that are conducted within a building for commercial purposes.”

Section 2. Section 30-10 Game Machines shall be deleted.

Section 3. Section 30-4.6 R-6 Hotel Residential District, subsection c. Uses Requiring Use Permits shall be amended to include new subsection: “3. Commercial Recreation.”

Section 4. Section 30-4.8 C-1 Neighborhood Business District, subsection c. Uses Requiring Use Permits shall be amended to include new subsection: “4(k). Commercial Recreation.”

Section 5. Section 30-4.9 C-2 Central Business District, subsection c. Uses Requiring Use Permits – “12. Reserved.” shall be amended to: “12. Commercial Recreation.”

Section 6. Section 30-4.9A C-C Community Commercial District, subsection c.1 Uses Requiring Use Permits shall be amended to include new subsection: “(ss). Commercial Recreation.”

Section 7. Section 30-4.25 North Park Street District, subsection e. Use Regulations, Table B: Allowed Land Uses, shall be amended to include Commercial Recreation as a conditional use in the Gateway District and Workplace District and prohibited in the Residential, Mixed Use, and Maritime Manufacturing subdistricts.

Section 8. Section 30-4.9A C-C Community Commercial District, subsection b.1 Uses Permitted, subsection (mm), shall be amended to read as follows:

“Office uses, provided that such use shall not occupy the front fifty (50%) percent of the ground floor space directly fronting a public street, alley or sidewalk, which shall be reserved for retail sales and/or service uses permitted in the district. Parcels that have a frontage on Santa Clara Avenue and are located between Park Street and Broadway may have office uses occupying the entire ground floor space.”

Subsection c.1 Uses Requiring Use Permits, subsection (dd), shall be amended to read as follows:

“Office uses not associated with a permitted or conditional use in this district and/or occupying the front fifty (50%) percent of the ground floor space directly fronting a public street, alley or sidewalk,”

Section 9. Severability Clause. It is the declared intent of the City Council of Alameda that if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provision of this ordinance.

Section 10. This ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

* * * * *