

CITY OF ALAMEDA ORDINANCE No. _____

New Series

AMENDING CHAPTER XXX OF THE ALAMEDA MUNICIPAL CODE
(ZONING ORDINANCE) TO ADD SHARED LIVING TO DEFINITIONS
AND THE COMMERCIAL DISTRICTS.

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 amendments to the Zoning Ordinance related to shared living are consistent with the City of Alameda's General Plan. General Plan Policy 2.5.h states that the City should consider amendments to the Municipal Code to encourage mixed use development including retention and addition of housing within retail areas. Housing provided above retail space can add patrons and expand housing opportunities. Allowing shared living above ground floor retail with use permit approval within the commercial districts is consistent with this General Plan policy. Furthermore, the purpose of the C-C Zoning District supports an "emphasis on pedestrian-oriented retail and service uses on the ground floor level, with office and residential uses on the upper levels." The C-1 and C-2 Zoning Districts allow residential uses above ground floor retail.
2. The amendments will support the general welfare of the community. The proposed shared living amendments to the Zoning Ordinance are consistent with the City of Alameda's housing goals, policies and programs. The amendments would help Alameda meet the objectives specified in the General Plan Housing Element by encouraging new shared living facilities above the ground floor in the mixed-use commercial districts. The commercial districts are generally located in pedestrian oriented areas within close proximity to transit services and public facilities. The commercial districts are ideal locations for shared living uses and will help to ease a rental housing deficit, while maximizing limited land resources and existing infrastructure. Therefore, the proposed zoning text amendment will enhance the general welfare of the Alameda community.
3. The amendments are equitable. The proposed amendments are equitable in that it allows share living located above the ground floor with use permit approval in all three commercial districts.
4. The amendments are exempt from the California Environmental Quality Act. The proposed amendments are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305 Minor Alterations in Land Use Limitations.

Section 1. Section 30-2.b Definitions shall be amended as follows:

~~Boarding house shall mean a residential building, or portion thereof, other than a hotel, where regular meals and lodging for four (4) or more persons are provided for compensation or profit. This definition includes fraternity, sorority and cooperative boarding houses.~~

~~Lodging house shall mean a residential building, or portion thereof, other than a hotel where sleeping quarters for four (4) or more persons or families are provided for compensation or profit. This definition includes "rooming house."~~

~~Rooming house shall mean a residential building or portion thereof, other than a hotel where sleeping quarters for four (4) or more persons or families are provided for compensation or profit. This definition includes lodging house.~~

~~Single room occupancy (SRO) unit means a multi-unit housing for very low income persons that typically consists of a single room and shared bath and also may include a shared common kitchen and common activity area. SROs may be restricted to seniors or be available to persons of all ages.~~

Shared Living means a residential building, or portion thereof, other than a hotel that provides private living quarters without private, independent kitchen facilities. A shared common kitchen and common activity area may be provided. Shared living also include single room occupancy (SRO) units, which provide housing for very low-income persons that typically consist of a single room with access to a shared bath. Shared living may be restricted to seniors or be available to persons of all ages

Section 2. Section 30-4.8.c (Uses Requiring Use Permits) shall be amended to add:

11. shared living, provided the facility is located above the ground floor

Section 3. Section 30-4.9.c (Uses Requiring Use Permits) shall be amended to add:

17. shared living, provided the facility is located above the ground floor,

Section 4. Section 30-4.9A.c (Uses Requiring Use Permits) shall be amended as follows:

(jj) shared living, provided the facility is located above the ground floor,

(jj~~kk~~) Small upholstery shops, exclusive of refinishing and other furniture repair or manufacturing,

(~~kk~~) Stores devoting commercial area, gross sales, or inventory, to the sale of second quality, irregular or discontinued merchandise or to the liquidation of merchant's or manufacturer's stock,

(~~ll~~~~mm~~) Taverns,

- (~~mm~~~~nn~~) Theater, including movie and live,
- (~~nn~~~~oo~~) Those portions of grocery stores devoted to the sale of alcoholic beverages,
- (~~ee~~~~pp~~) Upholstery shop, exclusive of refinishing and other furniture repair or manufacturing,
- (~~pp~~~~qq~~) Used household articles and clothing stores,
- (~~qq~~~~rr~~) Veterinary clinic and/or veterinary hospital, provided the Planning Board finds the use has sufficient air conditioning and soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety and welfare. No outside pens or runs shall be permitted.
- (~~rr~~~~ss~~) Yoga Studios located on the ground floor
- (~~ss~~~~tt~~) Commercial recreation.

Section 5. Section 30-4.25.e.i (Table B – Allowed Land Uses) shall be amended as follows:

<u>Use</u>	<u>Gateway</u>	<u>Maritime Manufacturing</u>	<u>Workplace</u>	<u>Mixed Use</u>	<u>Residential</u>
<u>Dwelling unit upper floor</u>	<u>P</u>	<u>-</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>Dwelling unit ground floor</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>P</u>
<u>Shared living</u>	<u>P</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

Section 6. Section 30-4.5.b (Uses Permitted) shall be amended as follows:

- 2. ~~Boarding and lodging houses.~~ Shared living
- 7. ~~Single room occupancy units.~~

Section 7. Section 30-4.23.c.1. (Housing Types Permitted) shall be amended as follows:

- f. ~~Single room occupancy.~~ Shared living

Section 8. Section 30-7 (Schedule of Required Minimum and Maximum Off-Street Parking Space) shall be amended as follows:

<u>Rooming house</u> <u>Shared living/bed and breakfast</u>	<u>Per room</u>	<u>1</u>	<u>-</u>
	<u>For Resident Family</u>	<u>1</u>	<u>-</u>

Section 9. Section 30-51.1 (Definitions) shall be amended as follows:

Dwelling shall mean a building or portion thereof designed exclusively for residential occupancy, but not including hotels, motels, ~~boarding houses,~~ ~~lodging houses~~ shared living, or house trailers, if the latter five (5) entities are located in approved districts or zones.

Section 10. Section 30-53 (Multiple dwelling unit; Exclusions) shall be amended as follows:

e. Hotels and motels designed for transient occupancy only, and ~~boarding houses and lodging houses~~ shared living.

Section 11. Section 30-6.3.c.3 (Multiple-Residential) shall be amended as follows:

c. ~~Rooming/Boarding houses~~ Shared living: Ten (10) square feet.

Section 122. 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 313. 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.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

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I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the _____ day of _____, 2017, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this _____ day of _____, 2017.

Lara Weisiger, City
Clerk City of Alameda

Approved as to form:

Janet C. Kern, City Attorney
City of Alameda