



November 8, 2020

City of Alameda Planning Board
2263 Santa Clara Avenue, room 190
Alameda, CA 94501

Subject: Alameda General Plan Update – Public Forum #3: Protecting the environment, responding to the climate crisis and meeting regional responsibilities- - (Item 7-A on Planning Board’s 11-9-20 agenda)

Dear Boardmembers:

The Alameda Architectural Preservation Society (AAPS) has the following comments on the Public Forum #3 topics:

1. **Revisit Policies CC-12 (Climate Friendly, Transit Oriented Development), and LU-16 (City Charter and Municipal Code Amendments).** Of the policies listed in the survey and staff report, those of concern to AAPS are CC-12 and LU-16. Both policies and their related action steps appear to call for:

Upzoning in extensive portions of Alameda; and

Eliminating residential density limits, relying instead on building envelope limits (height limits, minimum setbacks, floor area ratio, etc.) to regulate building size.

AAPS is concerned that implementation of these policies and actions could adversely impact the extensive historic neighborhoods that occupy much of the areas identified in these policies. In addition, like many other draft General Plan provisions, these policies and actions have significant ambiguities, including what specific building envelope provisions are being proposed and an unclear definition of the impacted areas.

As stated in Policy LU-16, its implementation would require amendment of Article 26 of the City Charter. Policy CC– 12 would also probably require amendment to Article 26. The effort to repeal Article 26 in its entirety in the November 3 election appears to have failed.

See our September 12, 2020 letter (attached) for more complete comments on these policies, as well as on other related provisions, including Policies LU-1, LU-15, LU–17, LU–18 and CC–17.

2. **Provide a resource conservation section,** including a building materials salvage and recycling policy as stated on Pages 8–9 of our September 12 letter. Many older buildings contain valuable materials, such as old growth lumber, that should not be indiscriminately consigned to landfill.

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The resource conservation section should also promote rehab/reuse of existing buildings as much as possible as an alternative to new construction to, among other things, conserve the embedded energy that was used to construct the existing buildings and minimize the additional energy that must be expended for replacement buildings. **The greenest building is a preserved building!**

3. **Add an action step for improving the City's tree preservation ordinance.** Although Policy ME-13 and other plan provisions promote tree planting and the city already has a very good master street tree plan, there should be a specific action step to strengthen the city's tree preservation ordinance. The current ordinance only protects Coast Live Oaks and certain landmark street trees and other city-owned trees, such as the London Planes along Central Avenue. **The existing ordinance should be expanded to protect all tree species over a certain size, except those considered undesirable, and provide clearer standards for defining "removal" and the circumstances justifying removal.** Many other Bay Area cities have stronger tree preservation ordinances with these provisions.
4. **Inconsistency between the plan provisions described in the staff report and those listed in the survey.** The survey only listed Policies CC-3, CC-16, LU-14, LU-16 and SN-15. Of these, the staff report listed only CC-3, SN-5 and CC-16, but also lists CC-4, CC-20, CC-23, CC-25, CC-9, LU-2, ME-13, ME-12 and CC-12 (for some reason not in alpha-numeric order). Why is there this inconsistency? If staff and the Planning Board are seeking public input on certain plan provisions, it would seem to make more sense to discuss all of the survey-listed policies in the Planning Board staff report.

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

Sincerely,

Christopher Buckley, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

Attachment: AAPS 9-12-20 letter to the Planning Board.

By electronic transmission:

cc: Andrew Thomas and Allen Tai
Mayor and City Council
Historical Advisory Board
AAPS Board and Preservation Action Committee



September 12, 2020

City of Alameda Planning Board
2263 Santa Clara Avenue, room 190
Alameda, CA 94501

Subject: Alameda General Plan - -8-13-20 Draft and Survey #1

Dear Boardmembers,

The General Plan is a very ambitious, complex and extremely important project. The Alameda Architectural Preservation Society (AAPS) is developing comments on the entire document, but in this letter is focusing on some overarching concerns plus the topics addressed in Survey #1.

It is unfortunate that the public forums have been scheduled while the COVID – 19 restrictions are still in place and during the run-up to the November 3 election, including the proposed repeal of Article 26. Many Alameda residents are distracted by these issues, which may impair full community participation in the General Plan process.

PUBLIC INPUT AND SURVEY ISSUES.

It is good that the public forums are being held under Planning Board auspices. **But the Planning Board meeting format should be modified to allow for more thorough public discussion then allowed under the Planning Board's usual rules, including the three minute time limit.** A document as important and complex as the General Plan needs more opportunity for in-depth discussion. The usual process found in most other communities is more informal – allowing true back-and-forth discussion between members of the public, staff and Planning Board members. This allows more opportunities for ideas to be further developed and conflicting points of view and ambiguities to be resolved.

Regarding the survey, we agree with the staff report assessment that the survey results may not reflect a full cross-section of the community. Responding to the survey requires computer skills and equipment that many Alameda residents do not have, especially lower income people and older residents. Although challenging, providing the survey in hard copy form to as many of these residents as possible might be helpful.

GENERAL PLAN CONTENT.

The draft General Plan still needs lots of work. **Many of the draft provisions are ambiguously worded, overly subject to interpretation and sometimes internally inconsistent.** It is difficult to provide definitive comments, including responses to the surveys and for the Planning Board to respond to the four questions in the staff report, until these issues are corrected.

Here are some specific comments:

1. **Provide explanatory commentary embedded within at least the more significant policy and action statements as was done in the existing General Plan.** This commentary is necessary to present the rationale and specific implementing options for each policy and action. As mentioned in our comments below, the rationale and implementing options are not clear for many of the policies and actions. We called for this in our February 23, 2020 letter to the Planning Board (attached), but the recommendation has not been implemented.
2. **Provide alpha-numeric designations for the action statements.** The action statements are designated only by bullets and should instead have alpha-numeric designations to facilitate reference. Designations could be based on the policy statements that each action statement relates to. For example, the action statements listed under Policy CC-12 discussed above could be designated either as CC-12a and CC-12b or CC-12.1 and CC-12.2. The recently adopted Noise and Safety Elements used this approach.

We recommended alpha-numeric designations in our February 23, 2020 letter and the Planning Board and staff expressed support for this recommendation. Like our recommendation in Item 1 above, this recommendation has also not yet been implemented. The latest draft Noise and Safety Element now even omits its previous alpha-numeric designations for the action statements.

In our comments below, we attempt to mitigate this by assigning numeric designations to the action statements.

3. Land Use and City Design Element.

- a. **The draft Land Use and City Design Element is too vague for determining the extent and locations of possible increases in development intensity.** The proposed development intensities are not clearly defined in the land use map on page 14. The land-use classification definitions beginning on Page 15 appear to describe only existing conditions, not what is proposed, and seem to leave proposed intensities very open ended. The proposed maximum intensities must be clearly identified in the General Plan and the impacts discussed.

In addition, the updated Land Use and City Design Element should include an analysis of the updated plan's impacts on transportation and infrastructure and the maximum number of residential units and maximum floor area ratios and/or residential densities that could be achieved under build-out according to different land-use scenarios involving various densities. **A "holding capacity" analysis should be provided similar to the analysis on pages 5–11 of the existing Land-Use Element.** See attached Table 2-6 of the existing Land-Use Element that shows existing development levels by area compared to potential build out development levels. The existing and proposed development levels should also indicate the overall existing residential density for each area or other geographic unit, such as census tract or block.

The impacts of the State Density Bonus Law on height limits, other development regulations and overall future density also need to be considered. For example, a density bonus project in an area zoned for a 40 foot height limit could end up with a 50 foot or greater height (one or more additional stories). If floor area ratio, height limits and other form-based standards are adopted to replace residential density standards (as implied by

Policy LU-16, Action Bullet 1), the consistency of form-based standards with the State Density Bonus Law needs to be verified and the method for calculating density bonuses determined.

- b. **Policy LU-1, Action Bullets 3, 4, 5 and 8: Complete and sustainable Neighborhoods.**
Policy LU-1 states:

Maintain complete and connected neighborhoods that support a mix of uses and meet the needs of residents of all ages, physical abilities, and incomes.

Actions:

1. *Family-Friendly Neighborhoods. In all neighborhoods, provide equitable access to parks and recreation facilities, community services, public facilities, schools, child care facilities, and amenities.*
2. *Parks and Open Space. Maintain a comprehensive and integrated system of parks, trails, open space, and commercial recreation facilities within a safe and comfortable 1/4 mile walk from all neighborhoods.*
3. *Affordable Housing. In all neighborhoods, provide housing opportunities for all income levels, ages and family types and sizes. Provide both “for-rent” and “for-sale” affordable housing units.*
4. *Accessory Dwelling Units. In all neighborhoods, allow for accessory, in-law or secondary units to provide affordable housing opportunities for seniors and small households.*
5. *Shared Housing. In all neighborhoods, allow for shared housing opportunities, including co-housing, congregate housing, senior assisted living, single room occupancy housing, transitional housing, emergency warming shelters, and shelters for the homeless.*
6. *Cottage Business and Home Occupations. Allow employment and business opportunities by permitting “cottage businesses”, home occupations, and live-work opportunities in all neighborhoods to reduce distances between home and work and home and shopping.*
7. *Local Food. Allow for farmers’ markets, fresh food stands and community gardens to supplement the availability of healthy food throughout the City.*
8. *Prohibit Barriers. Prohibit land use regulations that are not equitable or that are exclusionary.*

How literally is the reference “all neighborhoods” to be taken from these action statements? For Action Bullet 5, is allowing “cohousing, congregate housing, senior assisted living, single room occupancy housing, transitional housing, emergency warming shelters, and shelters for the homeless” really being proposed for **all** neighborhoods and **everywhere** within all neighborhoods? If so, it would appear that abolition of one family zoning, duplex zoning and possibly other low density zoning classifications is being

proposed. If this is the actual proposal, what is the strategy for accommodating social services and other support for transitional housing, homeless shelters and some of the other types of shared housing in existing low density residential neighborhoods?

For purposes of this policy, “neighborhood”, needs to be defined. If “neighborhood” means those shown on the Survey #1, Exhibit 1 map, there appears to be enough flexibility to accommodate these uses in all neighborhoods. But criteria needs to be developed for each of these uses to help identify the most suitable locations to accommodate them within each neighborhood. However, within the plan document itself, we only find the neighborhood names on some of the maps without the neighborhood boundaries that are shown on the Exhibit 1 map. If these are the “neighborhoods” referred to in Policy LU-1, the survey map showing the neighborhood boundaries needs to be included in the Plan, perhaps with brief descriptions of each neighborhood.

In addition, what kinds of land use regulations are considered “not equitable” or “exclusionary” as stated in Action Bullet 8?

As in the case of many are the plan’s other policy and action statements, commentary and analysis needs to be provided describing how these proposals will actually be implemented.

c. **LU-15: Transit Oriented Infill Development.** Policy LU-15 states:

Promote and support dense mixed-use infill development on vacant and underutilized parcels in the Mixed-Use, Community Mixed-Use, Neighborhood Mixed-Use, and Medium-Density Residential areas.

What is meant by “dense”? What are considered “underutilized parcels”?

d. **Policy LU-16. City Charter and Municipal Code Amendments.** Land Use and City Design Policy LU-16 states “...consider amendments to Article 26 of the City Charter...” and describes various related changes to the Municipal Code’s zoning ordinance.¹ This Article 26 statement is already somewhat obsolete, since the Alameda City Council (over AAPS objections) voted on July 7, 2020 to put repeal of Article 26 on the November ballot. For purposes of Plan review, it should be assumed at least for now that Article 26 will be repealed, which will open the door to a wide range of development options. Related to this, are several problematic statements in Policy LU-16’s action statements:

***Action Bullet 1: Transit-Oriented Mixed Use Development.** Consider amending the Municipal Code to remove existing zoning prohibitions on multifamily buildings and residential zoning density limits in the transit oriented areas within a 1/4 mile radius of a daily commute transit line or ferry terminal in the Medium Density, Mixed Use, Community Mixed Use and Neighborhood Mixed Use areas. Regulate building size in these areas with height, setback, lot coverage, setback, and/or floor area ratio standards.*

¹ Article 26 has two main parts: Section 26–1 limits the number of residential units in a building to two; Section 26-3 requires at least 2000 sf of lot area per unit.

This statement calls for elimination of all residential zoning density limits in the transit oriented areas of the medium density, mixed use, community mixed use and neighborhood mixed use areas and relying on the building envelope provisions of the zoning ordinance to determine building size, including, perhaps, a new floor area ratio standard.

As noted in Item 3a above, it is not clear what the maximum intensity might be within the transit oriented areas and elsewhere, leaving the question of maximum intensity open ended. If residential density standards are eliminated, it would appear that form-based standards, such as floor area ratio, would be relied on.

What are the proposed numbers for floor area ratios, height limits and other form-based standards? How would form-based standards interface with the State Density Bonus Law, which is based on residential density standards?

The Medium Density Residential Area applies to much of central Alameda. The “commute transit lines” referred to in Action Bullet 1 need to be defined, but we assume the term refers to the 51 and 19 bus lines. **There needs to be a clear definition of “commute transit lines” in the plan.** If the 51 and 19 are, in fact, considered “commute transit lines”, eliminating density limits on properties within a quarter-mile of these lines in the Medium Density Residential Area could open up much of central Alameda to more intense development.

The Medium Density Residential Area includes a very large number of buildings on the City’s Historic Building Study List which forms by far the greatest portion of the City’s list of historic properties. The other land use classification areas also contain substantial numbers of historic properties, including the Park Street National Register District and, in the case of the Mixed Use Area, the Alameda Naval Air Station National Register District and the Del Monte Building.

Note: Using something as ephemeral as a commuter bus line as the sole criterion for promoting something as expensive and long-term as multi family housing seems inadvisable, since these bus lines can easily be eliminated, rerouted or have their headways increased by a simple vote of the AC Transit Board. Basing such development on less ephemeral public transportation, such as fixed rail, would make more sense.

The impacts of the zoning changes, including additional density increases resulting from application of the state density bonus law (whether or not the base intensity is derived from form-based standards or residential density standards), on these historic buildings as well as on other parameters need to be more clearly described in the Land-Use and City Design Element.

Action Bullet 2: Architectural Character. Consider amending the Municipal Code to prohibit the demolition of residential buildings constructed prior to 1942 for the purpose of increasing the number of housing units on the property, unless the property is a designated in the Housing Element as a Housing Opportunity Site necessary to meet the City’s regional housing needs allocation or the structure lacks architectural merit. Permit increases in residential density within existing residential buildings provided that the structure is not demolished.

As written, this action suggests that the current requirement for Historical Advisory Board (HAB) approval of demolition for all pre-1942 buildings will be limited to just pre-1942 residential buildings that are to be demolished for the purpose of increasing the number of housing units on the property, and providing an automatic exception to the demolition prohibition if the property is “designated in the Housing Element as a Housing Opportunity Site necessary to meet the City’s Regional Housing Needs Allocation (RHNA) or the structure lacks architectural merit”. If this is the case, HAB approval would no longer be required for demolition of other pre-1942 residential buildings nor pre-1942 nonresidential buildings. **AAPS considers any such limitation of the scope of the existing demolition ordinance to be highly objectionable.**

However, is any such limitation of the scope of the existing demolition ordinance actually being proposed? It seems inconsistent with Policy LU-26, Action Bullet 2, which states “Maintain demolition controls for historic properties”.

Also, what is the definition of “demolition” and “architectural merit”? And is a “Housing Opportunity Site” the same as the “Housing Opportunity Areas” referred to elsewhere in the draft Plan?

The last sentence of LU-16, Action Bullet 2 is also needs clarification. What degree of residential density increases is envisioned within existing residential buildings? Would it be the same in all neighborhoods? Would such increases be limited to existing building envelopes or would additions be allowed to accommodate the increases? What would be the extent of the additions? Could they exceed the volume of the existing building and, if so, to what degree?

e. **Policy LU-17. Housing Opportunity Areas.** Policy LU-17 states:

Provide opportunities for new housing and appropriately zoned property to accommodate the regional and local housing need consistent with the regional Sustainable Communities Strategy, in Mixed-Use, Community Mixed-use, and vacant sites within Medium-Density Residential areas.

Identifying housing opportunity areas within the listed land use classifications would be a major expansion of the geographic scope of housing opportunity areas, which under the current Housing Element and zoning map are limited to the Multi-Family Overlay Zone, which is mostly along the northern waterfront.

The impacts of this expansion, including additional density increases resulting from application of the State Density Bonus Law, on the numerous historic buildings in the listed land use classifications need to be discussed in the Land-Use and City Design Element as well as on the other parameters.

*Note: Survey #1, Exhibit 7 deletes “vacant lots within the medium density residential area” from its recitation of Policy LU-17. **Which version of Policy LU-17 is correct?** Is it the version within the Land-Use and City Design Element itself or is it the version that is in the survey?*

Adding to the confusion, the staff report lists the “North Housing and Tilden Avenue (sic-- it is Tilden Way) vacant sites” among the housing opportunity areas, but these sites are not listed in the plan itself as housing opportunity areas. **If these are the only sites envisioned for increased density within the medium density residential area, AAPS’s concerns regarding the policy’s impacts on the medium density residential area would be satisfactory addressed.**

- f. **LU-18 Balancing Regional Housing Needs and Business Needs.** Policy LU-18 states:

When meeting regional housing needs, prioritize up-zoning of existing residentially zoned sites over rezoning of business and employment zoned areas in Business and Employment, Maritime Commercial, and Industrial lands on the Land Use Diagram.

It is not clear why upzoning of existing residentially zoned areas is necessary given the availability of the existing mixed use zoned areas and the various identified priority development areas (PDAs) and housing opportunity areas (HOAs). The Land Use and City Design Element needs to explain this, including providing the number of residential units that can be accommodated within each PDA and HOA and the potential magnitude of any RHNA shortfall (in terms of number of units) caused by limiting potential multifamily residential development to the PDAs and HOAs.

In any case, LU-18 opens up all existing residential areas, including R-1, to upzoning. **Is upzoning of R-1 and all other residential zones really being proposed?** If this is the case, the rationale of such a radical upzoning needs further explanation and the impacts discussed.

The intent of Policy LU-18 appears to be identification of additional sites besides those in PDAs and HOAs for multifamily housing to help address the RHNA. If this is the case, it should be stated more clearly as part of Policy LU-18 and possible additional areas listed in priority order. **Other non-residential sites should be prioritized rather than existing residential areas** and include, perhaps, additional shopping centers (such as Bridgeside), and the large open parking area between Wind River and Encinal Terminals/Del Monte.

4. Conservation and Climate Action Element

We would like to reiterate our previous comments regarding the Conservation and Climate Action Element in our February 23, 2020 letter:

- a. **Policy CC-12. Climate-Friendly, Transit-Oriented Development:** Policy CC-12 states:

Reduce automobile use and vehicle miles traveled by new residents by requiring transit oriented, medium and high density mixed use development on transit and commercial corridors and near ferry terminals in Alameda.

Actions:

- *Residential Density. When zoning property for residential or residential mixed use, zone for medium and high density housing and prohibit low density housing to reduce vehicle miles travelled and greenhouse gas emissions from new housing in Alameda.*

- *Commercial Intensity. When zoning property for commercial use, allow for higher floor area ratio (FAR) when proximate to transit or planned transit.*

Policy CC-12's call for "medium and high density mixed use development on transit ... corridors" is overly simplistic and problematic, since it would appear to apply to all of the 51 and 19 bus lines on Santa Clara and Buena Vista Avenues, most of which extends through historic neighborhoods. In addition, "transit corridor" needs to be defined.

Similarly, the first action statement's apparent prohibition of "low density" housing is ambiguous and highly problematic, since it seems to apply to **all** residential zoning, yet also appears to be directed only toward "new housing". If applicable to all residential zoning, it effectively calls for eliminating one- and two-family zoning citywide, which is overkill, would require repeal or major modification of City Charter Article 26 and is inconsistent with much of the "Themes" text. As stated in AAPS's January 10, 2020 letter to the Planning Board responding to the December 9, 2019 staff evaluation of Article 26, the linkage between low density housing **in Alameda** and greenhouse gas emissions is tenuous.

In general, the action statements throughout the draft General Plan materials need to be stated more specifically, as was done in much of the 1991 General Plan.

b. Policy CC-17. Energy Efficiency and Conservation. Policy CC-17 states:

Promote efficient use of energy and conservation of available resources in the design, construction, maintenance and operation of public and private facilities, infrastructure and equipment.

Actions:

- *Energy Efficient Building Renovations. Streamline permitting requirements for energy-efficient building renovations.*

The implementation of this action step needs to be clarified. **If the strategy means eliminating design review for window replacements, it is unacceptable.** The city needs to recognize that the energy conservation benefits of window replacements are not that significant nor cost-effective in Alameda's mild climate and that the double glazing used in energy-efficient windows frequently breaks down after 20 years or so, causing condensation between the two sheets of glass and requiring replacement of the failed unit and sometimes the entire window. This sets up the building for an ongoing cycle of failed units and/or window replacements and negating much of the energy and resource conservation intended by the policy and action statements.

In addition, any provisions promoting window replacements also need to consider the loss of the embedded energy in the existing and replacement windows through their manufacture and the inconsistency of replacing serviceable old growth wood windows (which, properly maintained, can often last hundreds of years) with resource conservation objectives.

Related to this, **the Conservation and Climate Action Element needs a resource conservation section, including a salvage or recycle policy.** The potential demolition of buildings (to promote more housing) instead of rehab/reuse goes against any conservation practices. **The most green building is a preserved building!** The Plan needs stronger policies that promote rehabilitation and adaptive reuse and require recycling and salvage for any construction project, especially demolition.

When the General Plan's Chapter 1 (Setting and Organization of the General Plan) was first issued in 2019, we felt reassured by the following statement in Section 1.3:

*The growth in housing and population will be primarily located in Alameda's two designated priority development areas at the former Naval Air Station lands at Alameda Point and the former industrial lands along the northern waterfront in Alameda. Locations for additional housing elsewhere in the City of Alameda are limited to a few small remaining vacant lots, accessory units on existing residential properties, and a limited number of mixed use opportunity sites along the Park Street and Webster Street corridors. **It is expected that Alameda's existing historic neighborhoods and commercial main streets will look very similar in 2040 as they do today and as they did in 2000** (emphasis added). The Land Use Element and the Housing Element identify housing opportunity areas and sites within the City of Alameda.*

However, some of the plan's specific provisions as discussed above appear highly inconsistent with Section 1.3. **What truly is the 2040 "vision" for Alameda?**

REVIEW OF THE DRAFT GENERAL PLAN BY THE HISTORICAL ADVISORY BOARD

Since some of the draft General Plan provisions could impact historic properties and some changes to the City's historic preservation program are proposed, the Historical Advisory Board should be given the opportunity to review and comment on the draft plan. Will this review occur?

PLANNING BOARD RESPONSES TO THE STAFF REPORT'S FOUR QUESTIONS:

Here are the four questions:

1. Does the Planning Board endorse the inclusion of Theme #1 in the General Plan?
2. If yes, does the Planning Board wish to modify or expand the theme in any way?
3. Does the Planning Board endorse the policy directions articulated by the policies highlighted in the survey and in this staff report?
4. Does the Planning Board wish to modify or revise policies in any way?

Given the ambiguities in the land use map and Policies LU-1 and LU-17, we recommend that the Planning Board respond to Question 3 by declining to "endorse" the "policy directions articulated by (these) policies" until their ambiguities can be resolved and to ask for a resolution of these ambiguities in its response to Question 4.

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

Sincerely,

Christopher Buckley, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

Attachments: (1) AAPS 2-23-20 letter to Planning Board
(2) Existing Land-Use Element Table 2-6 - -Land Use by Planning Sector 1989-1990 and
Buildout (2010)

By electronic transmission:

cc: Andrew Thomas and Allen Tai
Mayor and City Council
Historical Advisory Board
AAPS Board and Preservation Action Committee