

From: [Zac Bowling](#)
To: [Andrew Thomas](#)
Cc: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [John Knox White](#); [Trish Spencer](#); [Manager Manager](#)
Subject: Re: [EXTERNAL] Re: Public comment regarding Item 7-B and 7-C
Date: Tuesday, November 16, 2021 7:10:39 PM

Ah!! I missed that! Thank you Andrew!
Zac Bowling

On Tue, Nov 16, 2021 at 6:50 PM Andrew Thomas <athomas@alamedaca.gov> wrote:

Zac. Thank you for your emails.

Just wanted to make sure you all knew about Policy ME-15 Action e. and ME-16 Action f. which both support BART expansion to West Alameda.

- andrew

From: Zac Bowling [mailto:zac@zacbowling.com]
Sent: Tuesday, November 16, 2021 6:26 PM
To: City Clerk <CLERK@alamedaca.gov>; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Tony Daysog <TDaysog@alamedaca.gov>; John Knox White <JknoxWhite@alamedaca.gov>; Trish Spencer <tspencer@alamedaca.gov>; Manager Manager <MANAGER@alamedaca.gov>; Andrew Thomas <athomas@alamedaca.gov>
Subject: [EXTERNAL] Re: Public comment regarding Item 7-B and 7-C

One more quick addition:

We should be actively encouraging the Southern expansion of BART through Alameda. Ideally along Main street or Webster on the west end or along Park Street on the east end. I would support this addition to the general plan. Increased densities as discussed previously in these locations would help us make the case to BART that this makes sense.

Zac Bowling

On Tue, Nov 16, 2021 at 4:27 PM Zac Bowling <zac@zacbowling.com> wrote:

Dear mayor and city council members,

I'm going to deviate a bit from many of the letters you have received on these items by not first declaring how many years I've lived here, all the properties I own, or how many generations my family has been here. It's odd when folks lead with those qualities when they aren't really germane. As if by declaring that they have some greater claim to our community than any more recent arrivals or renters, or those who can't afford to live here. But I guess that fits the theme with the issues we have to face with folks working to exclude new neighbors from our community.

You have an important agenda tonight. Approval of the general plan and the first of many discussions and workshops around our Housing Element over the next year.

RE: General plan update

A lot of good work has been done on our general plan and I'm very happy where we landed on that. **I urge you to move forward with approval of the general plan and EIR.** I also want to thank staff for their hard work on this.

RE: Staff's work on the housing element draft

On the housing element, I believe staff has done a good job so far on the early draft work they have done for the housing element. They are taking their responsibility to form a complaint and fair housing seriously and I believe we are moving in the right direction. I support the draft plan they are presenting to you tonight. While there is a lot of work still to do I believe staff is coming at this from the right angle.

RE: RHNA Appeal

I was less than enthused by the move to appeal to the assigned draft RHNA to ABAG. I understand the strategy behind the appeal but I still believe it was not a good use of staff resources and committee member time for both Alameda and ABAG when we know that the appeal would be immediately rejected, as nearly all appeals are, for

not meeting the criteria valid for an appeal. **Now that the appeal is denied it's time to move forward and plan how we are going to meet our RHNA.**

RE: Upzoning of R-1 to R-6

Staff is correct in bringing a proposal to upzone and increase the densities of our existing R-1 to R-6. We know this because:

1. From the early work by staff in finding available sites and determining the LoD (likelihood of development) on those sites by reaching out to property owners, by taking in all currently entitled and pipelined projects, and by making all the safe harbor calculations for ADUs, we know there is absolutely no way to meet our RHNA without considering upzoning of some of our R-1 to R-6 residential neighborhoods.

2. We will have to consider upzoning particular residential areas in Alameda to meet the requirements under Housing Element AFFH (Affirmatively Furthering Fair Housing) rules. Years of exclusionary zoning, red lining, and racially restrictive deed covenants in certain parts of Alameda still have a lasting impact on certain neighborhoods to this day. The segregationist patterns created by past policy still exist today and have not been corrected for. The only way to correct that is allowing higher density and affordable housing near these areas of exclusion. This is especially important in areas with better parks and schools. It's the only way to equitably correct for past wrongs.

RE: Article 26

There has been some discussion within online forums and in other public comments on this item trying to force you as a board to focus on Article 26 and the election last year that failed to remove our exclusionary zoning language. We know however that state law trumps local law so until we meet our obligations under state law first. This means that Article 26 limitations are going to be effectively moot going forward given the size of our RHNA and other state housing law requirements. I don't foresee a time when Article 26 will ever become relevant again.

Effectively that means given our RHNA and other aspects of state law around density requirements, Article 26 is no longer going to be even enforceable and will likely become a sad relic of our history. Maybe a future generation will be able to finally vote to remove it.

For you tonight, there is no reason to even dive into discussion of Article 26 or to get distracted trying to derive any meaning of voter intent with measure Z vote last year. It's entirely inconsequential. This city has to meet its obligation under state law and then, and only then, can it consider how it can enforce Article 26.

RE: Tidelands exchange, city owned land, and Navy cap

A super majority of council **must** vote to approve the estuary tidelands exchange and sale of any other city owned sites identified by staff if we are going to have any chance of meeting our RHNA. We must also work to get the Navy cap raised at Alameda Point. If we fail to do any of that, staff and council's only other option to have a compliant housing element will be to dial up the densities allowed in other parts of Alameda, including in our existing residential areas.

RE: Affordable housing overlay

The hardest part to hit in any RHNA is the very low income and low income housing brackets. To that end, I believe we should move to follow Berkeley's lead and adopt an affordable housing overlay to allow for densities of greater than 60 units or higher per acre if the project can provide a higher amount of affordable housing to incentivize projects of that nature.

RE: Higher densities on Webster and Park

I think we need to increase the allowable densities along these two transit corridors. We can do more to build more walkable communities in these spots. This is important to save dying retail in these areas by allowing for much larger densities in these locations. Determining the LoD on all of these parcels is harder but I think it makes the most sense. Lets go to 200 or 300 DAU in these areas and make it vital that developments in these areas allow folks to live car free in these neighborhoods.

RE: ADU projections are likely too high

One nit I have so far with the draft housing element's site inventory is that I don't believe the 60 ADUs per year estimate is sustainable in our current housing inventory. SB-9 or other zoning changes could cannibalize that. HCD hasn't updated further safe-harbor guidance. I believe we should increase the amount of density in other areas to make up for the likelihood of missing this estimate of 400+ ADUs in 8 year. I look forward to working with staff to dive into this.

RE: Consequences of failing to pass a complaint housing element

I hope I don't have to tell you how bad it would be if we fail to certify a compliant housing element over the next year. HCD and the AG's office has created a housing task force to come after cities. The city could face fines, loss of all planning control, development by ministerial right, and loss of funding. It's imperative for ALL of the council to come together on this. More details:

<https://www.fairhousingelements.org/news/consequences>

Thank you!

Zac Bowling



November 16, 2021

Mayor and Councilmembers
City of Alameda
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

Subject: Draft Alameda General Plan (Item 7-C on City Council's 11-16-21 agenda) - -AAPS comments

Dear Mayor Ashcraft and City Councilmembers:

The October, 2021 General Plan draft looks good. The Alameda Architectural Preservation Society (AAPS) would like to thank the Planning Board, staff and consultants for the latest revisions, which satisfactorily address our previous concerns.

However there are still some small loose ends:

1. **Section 1.5, Paragraph 3:** Consider the following correction and edit:

The Alameda Municipal Code, ~~issue specific and area~~ and specific plans adopted by the City Council also play an important role implementing the General Plan. All these plans must be consistent with the General Plan, and they provide specific, shorter term actions to achieve longer term General Plan policy objectives. Examples include:

2. **Strengthen CC-26a (Tree Preservation) to call for an improved Tree Preservation Ordinance.** CC-26a currently reads:

*a. **Tree Preservation.** Continue to require and incent (sic) the preservation of large healthy non-invasive trees and vegetation.*

The existing tree preservation ordinance only protects Coast Live Oaks and certain prominent street trees, such as Central Avenue's London Planes and Burbank Street's Palms and needs more effective enforcement provisions and construction-related tree protection requirements. Among other things, protection needs to be expanded to other desirable species, such as Coast Redwoods.

Here are two possible revisions to CC-26a:

Shorter version:

*a. **Improve the Tree Protection Ordinance.** Revise the ordinance to protect additional desirable species, provide specific tree protection strategies for construction projects and set forth more effective enforcement provisions.*

More detailed version:

*a. **Improve the Tree Preservation Ordinance.** Revise the ordinance to:*

a. Protect large examples of all desirable species rather than just Coast Live Oaks and certain landmark street trees;

b. Provide specific construction-related tree protection strategies to avoid tree removals and/or impairment of tree health; and

c. Improve enforcement provisions.

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

cc: City Manager, Assistant City Manager and City Clerk (by electronic transmission)
Andrew Thomas and Allen Tai Planning, Building and Transportation Department (by electronic transmission)
AAPS Board and Preservation Action Committee (by electronic transmission)

From: [gaylon.parsons](#)
To: [City Clerk](#); [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Malia Vella](#); [Trish Spencer](#); [John Knox White](#)
Subject: [EXTERNAL] Nov 16 council meeting, Items 7-B, 7-C, 7-D
Date: Monday, November 15, 2021 12:59:40 PM

Dear mayor and city council members,

Your agenda is robust for Tuesday night! My hope is that each of you are focused on getting to the most consequential items the city has seen in a long time, specifically Items 7-B, 7-C, and 7-D.

Item 7-D: I encourage you all to vote to approve the movement of parking enforcement positions to public works. There is no reason why sworn officers should enforce parking, and this item addresses that inefficient use of resources. I encourage the council to keep going. Most routine traffic stops likely do not need an armed response, either.

Item 7-C: Please vote yes to certifying the final EIR and to adopting the Alameda General Plan 2040. The amount of public engagement on the Alameda General Plan has been impressive. I thank staff for their effort to hear from as many organizations and community members as possible. The resulting document centers equity and recognizes that change is our only constant - whether from inertia and decay or from a purposeful, creative vision that puts people first. The General Plan 2040 enables us to do that.

Item 7-B: While this is a workshop rather than an item to take yes/no action on, it is important for this council to offer a clear point of view and direction. My sincere hope is that you all are able to identify the things that the city is required by state law to do. My sincere hope is that you all do not waste your constituents' time on re-litigating our rejected RNHA appeal. The City of Alameda will need to meet those goals, and our Housing Element should allow us to plan for change with purpose and creativity. The result, from that process, will be a city we can all recognize and enjoy.

Given the new emphasis on accountability from the state, and the potential for us to not have our Housing Element certified if we choose to be too cutesy with workarounds, it seems more important than ever to be realistic and clear-eyed when it comes to some of the actions that we are going to have to take in order to meet our immediate RHNA goals. I am thinking specifically of Encinal Terminals, of doing everything we can to maximize housing at Alameda Point, and to targeting any new multifamily homes at 60 units/acre density.

The current draft Housing Element is good, and I encourage the council to adopt an attitude of getting things done to help clarify for your constituents what the stakes are, what the options are, and what the council can accomplish. Get to agreement; it is the best way for the community to hear clear messaging and to understand what is negotiable and what

isn't. Please be forthright and clear. This is no time to insinuate, to muddy the waters, or to be contrary for the sake of being contrary.

Thank you for your service to the city of Alameda.

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Gaylon Parsons