

APPROVED MINUTES
REGULAR MEETING OF THE
CITY OF ALAMEDA PLANNING BOARD
MONDAY, FEBRUARY 10, 2020

1. CONVENE

Board Member Teague convened the meeting at 7:00 p.m.

2. FLAG SALUTE

3. ROLL CALL

Present: Board Members Cavanaugh, Hom, Rothenberg, Ruiz, Saheba, and Teague.

Absent: President Curtis.

4. AGENDA CHANGES AND DISCUSSION

None.

5. ORAL COMMUNICATIONS

None.

6. CONSENT CALENDAR

None.

7. REGULAR AGENDA ITEMS

7-A 2020-7700

Adoption of Objective Design Review Standards. The Objective Design Review Standards (Objective Standards) consist of a checklist of architectural and site design standards that will apply to housing development projects under State law. Adoption of the Objective Standards is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), the common sense exception that CEQA applies only to projects that have the potential for causing a significant effect on the environment and 15183, projects consistent with a community plan, general plan or zoning

Heather Coleman, planning consultant, gave a presentation. The staff report and attachments can be found at:

<https://alameda.legistar.com/LegislationDetail.aspx?ID=4323148&GUID=9528948B-224C-41EB-81F3-36581EC2A0CA&FullText=1>.

Board Member Hom shared that he provided some written comments to staff regarding the proposed standards.

Board Member Ruiz asked why the standards refer to two separate dimensional requirements for window recesses.

Ms. Coleman said that the two inch recess is a requirement and the four inch recess was provided as part of a menu of options to meet the articulation requirement.

Board Member Rothenberg asked why the standards regarding site context only applied if pre-1942 buildings were present.

Staff Member Tai said staff was trying to ensure that new development within traditional historic neighborhoods would be sensitive to architecture called out in the Historic Preservation Ordinance.

Board Member Saheba asked how context would be defined.

Ms. Coleman said they looked at different ways to define context and decided they would limit it to the buildings that are most visible from the project site as opposed to a set distance.

Board Member Teague asked if an applicant could pick multiple context buildings with different styles.

Ms. Coleman said that they would want to avoid mixing styles and the intent is to limit the context building to one style.

Board Member Teague asked if objective standards could be created to only apply to a specific area within Alameda and not the entire city.

Ms. Coleman said that you could create a standard that applied to a defined area.

Board Member Teague asked if stricter standards could be implemented in the future.

Assistant City Attorney Chen said that nothing would prevent revisiting the standards, noting that whatever standards are in place when an application is deemed complete will be applicable.

Board Member Teague opened the public hearing.

Dorothy Freeman noted the 2100 Clement project as an example of excellent design which respects the context of the existing historic neighborhood that should be applied citywide.

Greg Smith said the West Alameda Business Association requests strengthening items to help preserve the character of Webster Street.

Karen Lithgow said Alameda Architectural Preservation Society wants to protect the character of Alameda's historic neighborhoods and asks that the items in their comment letters be included.

Doug Biggs asked that action on this item be delayed. He said the objective standards are being packed with items that could burden affordable housing providers.

Kathleen Mertz said the latest version has a lot of new items in it that housing providers need time to review and help refine. She asked for a delay in adoption in order to prevent impacts on the cost to provide housing. She said the Everett Commons project referenced as a good design ended up costing almost one million dollars per unit to build.

Danielle Thoe said the board and staff should take another look at what objective standards are. She said they should not include subjective design standards.

Betsy Mathieson said it is important that any new building should be compatible with the existing buildings in the area. She said the standards should be at least as prescriptive as our current guidelines because of the streamlined nature of these projects.

Christopher Buckley shared some examples of buildings that they would like to avoid by having clear standards and ensuring context sensitive development.

Board Member Teague closed the public hearing.

Board Member Saheba asked if there was a deadline to adopt objective standards.

Staff Member Tai said there is no deadline, adding that a streamlined application today would rely on any objective standards found in existing design guides.

Board Member Saheba said creating clarity in this document is a challenge. He said the document gives enough parameters for applicants to decide what course they want to choose.

Board Member Ruiz said she had a follow up conversation with Mr. Buckley about the AAPS comments. She said she understands the concerns of both sides and thinks the context section will need the most work.

Board Member Hom said staff had a hard job to capture subjective design guidelines in objective standards and it is a delicate balance. He agreed that the neighborhood context item may need further refinement. He suggested getting these guidelines in place now and revisiting them after a year.

Board Member Cavanaugh asked if any green energy items should be included in the standards. He said he liked the idea of tailoring the standards to the specific neighborhood context.

Board Member Teague asked if the City Council needs to approve this item after the Planning Board. (Staff answered: no.) He said he would like to see this come back much sooner than one year after staff works with the business districts and on the neighborhood context items. He added his desire to know from housing providers what items would have large costs associated with them.

Board Member Rothenberg made a motion to approve the item with the direction to refine and amend them in the next six months with the Housing Authority and other relevant stakeholders. Board Member Hom seconded the motion.

Board Member Ruiz suggested amending the motion to include the comment to “select two items” from the list instead of only one. Board Members Rothenberg and Hom accepted the friendly amendment.

Board Member Saheba said that he would like to get a report back if any projects use these streamlined standards before the refinements are brought back.

The motion passed 6-0.

7-B 2020-7701

Proposed Citywide Text Amendments to the City of Alameda Zoning Ordinance (AMC Chapter 30) to modify Accessory Dwelling Unit regulations to comply with state law and make other administrative, technical, and clarifying amendments pertaining to appeals and Youth Centers definition. Applicant: City of Alameda. Public hearing to consider proposed amendments to Alameda Municipal Code Chapter 30. The proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15282(h), 15061(b)(3), and 15183 and Public Resources Code section 21080.17

Allen Tai, City Planner, gave a presentation. The staff report and draft ordinance can be found at:
<https://alameda.legistar.com/LegislationDetail.aspx?ID=4323159&GUID=6A4D178B-F107-4BF0-9342-E2F455B28C3E&FullText=1>.

Board Member Rothenberg asked if the changes would permit trailers (pre-fabricated) homes in backyards. She also asked why so few permitted units are not being built.

Staff Member Tai said that manufactured homes are defined by the state and would have to meet all the building code requirements in order to be placed on property in Alameda.

He said that high construction costs are what typically prevents permitted units from being constructed.

Board Member Cavanaugh asked if there was anything that protects neighbors' views from being obstructed by an ADU.

Staff Member Tai said state law is very specific and view preservation is not something that can be included in the ADU ordinance.

Board Member Cavanaugh asked how we ensure that ADUs are not used as vacation rentals.

Staff Member Tai said that applicants must record a deed restriction prohibiting that type of use.

Board Member Ruiz asked whether the new provisions apply to new multifamily buildings, or only existing buildings.

Assistant City Attorney Chen said there are inconsistencies in state law that will likely require cleanup legislation.

Board Member Teague sought clarification regarding the legal interpretation of several provisions.

There was a discussion about when the eight foot ceiling height limitation applies, such as only in the flood zone where the finished floor must be raised and the 16 foot overall height limit must be granted an exception.

Board Member Teague opened the public hearing.

Kathleen Russo said the way the 25% rule was being applied was making her project economically infeasible.

Betsy Mathieson said ADUs can be a good way for more housing to be permitted in historic neighborhoods.

Board Member Teague closed the public hearing.

Board Member Ruiz said that the four foot setback language needs clarification.

Board Member Teague said we should be liberal in the application of the ADU law. He said their impacts are less than concentrating new development in large projects. He said single family homes should be able to add a JADU and detached ADU. He suggested the multifamily provision allow 25% and round up instead of rounding down and permit

detached units and/or duplexes. He expressed support for eliminating the lot coverage requirements. He proposed allowing a design standard option from the Secretary of the Interior be included.

Board Member Hom said he would like to keep the 25% maximum, but is open to allowing duplexes.

Board Member Saheba expressed support for modifying the 25% rule to “round up.”

Assistant City Attorney Chen raised the possibility that rounding up would exceed the 25% maximum language and possibly expose the ordinance to being nullified from some sort of legal challenge.

Board Member Teague said there is a provision that permits local ordinances to be less restrictive than the state law and would be willing to risk exceeding the 25% by rounding up. He asked Christopher Buckley to comment on the differentiation question in the Secretary of the Interior standards as pertains to detached ADUs.

Mr. Buckley said there is a lot of discretion and varying interpretations of what differentiation means in the standards.

Board Member Hom made a motion to approve the ordinance with an amendment to allow for rounding up on the 25% cap regarding multifamily units as well as permitting two detached ADUs to be built as a duplex. Board Member Ruiz seconded the motion. The motion passed 6-0.

8. MINUTES

8-A 2020-7698

Draft Meeting Minutes – December 9, 2019

Board Member Rothenberg moved approval of the minutes. Board Member Ruiz seconded the motion. The motion passed 6-0.

9. STAFF COMMUNICATIONS

9-A 2020-7695

Planning, Building and Transportation Department Recent Actions and Decisions

9-B 2020-7697

Oral Report - Future Public Meetings and Upcoming Planning, Building and Transportation Department Projects

Staff Member Tai gave brief report on upcoming items.

10. WRITTEN COMMUNICATIONS

None.

11. BOARD COMMUNICATIONS

None.

12. ORAL COMMUNICATIONS

None.

13. ADJOURNMENT

Board Member Teague adjourned the meeting at 9:23 p.m.