



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

TO: Members of the Planning Commission
MEETING DATE: November 18, 2024
RE: Adoption of the Sixth Cycle Housing Element of the Alameda County General Plan and text and map amendments to the Castro Valley General Plan, Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance to implement the Housing Element

GENERAL INFORMATION

Staff presented the third draft Housing Element of the County’s General Plan to your Commission at your September 16, 2024 meeting, prior to submittal of the third draft of the Element to the State Department of Housing and Community Development (State HCD) on September 30th. State HCD provided comments to staff on the third draft on October 10th and staff submitted program revisions to State HCD to respond to the comments on October 21st. After receiving verbal confirmation from State HCD that the proposed revisions adequately address the October 10th comments, the final draft of the Housing Element was posted on the Planning Department webpage (<http://www.acgov.org/cda/planning/housing-element/housing-element.htm>) for a seven-day public review period, from October 30th to November 6th, as required by state law.

On November 7, 2024, County staff has received the attached letter from State HCD indicating that the draft Housing Element meets state statute with the recent revisions. Another round of public meetings has been scheduled with the Fairview, Eden Area, and Castro Valley MACs and staff will report on the outcome of those meetings at your Commission’s November 18th meeting. After your Commission takes action on the Housing Element, the Board of Supervisors will be asked to act on the final document and proposed rezonings necessary to implement the sites inventory in the Housing Element. After Board approval of the Draft Housing Element and text and map amendments to various General Plan and Specific Plan documents, as well as the County Zoning Ordinance, to implement the Housing Element, State HCD will be asked to certify the Housing Element.

STAFF RECOMMENDATION

Staff requests that your Commission hear a presentation by staff, take public testimony, and recommend that the Board of Supervisors adopt the 6th Cycle Housing Element and approve the proposed text and map amendments to the CVGP, CBDSP, and County Zoning Ordinance to implement the Housing Element, and approve the Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the project.

STAFF ANALYSIS

The Draft Housing Element was prepared in accordance with State HCD guidelines for the 6th Housing Element Cycle, incorporating additional considerations required under recent state housing-related legislation.

Section I of the draft Housing Element provides an overview of the document and relevant regulation. Section II provides a summary of the projected housing need. Section III summarizes the adequacy of available housing sites and housing resources with reference to relevant appendices. Section IV contains goals, policies, and actions related to housing in Alameda County. The comprehensive research and analysis supporting the development of the goals, policies, and programs in Section IV are compiled in the appendices to the Housing Element.

Appendix A: Housing Needs Assessment – Appendix A is an analysis of the existing and projected housing needs of the community. It provides a profile of socio-demographic information, such as population characteristics, household information, housing stock, tenure, and housing affordability. The assessment also considers groups with special housing needs, such as seniors, farmworkers, the homeless, large households, and female-headed households.

Appendix B: Sites Inventory and Methodology – Appendix B includes an inventory listing adequate sites zoned for residential uses and available for development within the planning period to meet the County’s fair share of regional housing needs across all income levels.

Appendix C: Housing Constraints – This appendix contains an assessment of impediments to housing production across all income levels covering both governmental (e.g., zoning restrictions, fees, etc.) and nongovernmental (e.g., market, environmental, etc.) constraints.

Appendix D: Existing Programs Review – Appendix D is an evaluation of the results of the goals, policies, and programs adopted in the previous Housing Element that compares projected outcomes with actual achieved results.

Appendix E: Public Participation Summaries – This appendix includes a detailed summary of public outreach conducted during the preparation of the Housing Element. This section is not yet complete since the outreach process will continue through adoption of the Element.

Appendix F: Affirmatively Furthering Fair Housing Assessment – To ensure that sites for housing, particularly lower-income units, provide access to amenities and opportunities, the analysis in this appendix assesses accessibility to jobs, transportation, good education, and health services relative to the housing sites identified in Appendix B to determine how the inventory affects fair housing conditions and access to opportunity.

Appendix G: Housing Resources – Appendix G provides a list of financial, administrative, and other resources at the local, regional, state, and federal levels to help the County address its housing needs.

Draft Housing Plan

The Housing Plan of the Housing Element serves as the County’s strategy for addressing its housing needs. It describes the housing goals, policies, and programs for the County. The goals indicate the County’s direction and intent on housing-related needs. Each goal encompasses several policies, which are statements that describe the County’s preferred course of action among a range of other options. Each goal also includes programs, which provide actionable steps to implement the County’s goals and to further the County’s progress towards meeting its housing allocation. Some programs contain quantified objectives, which represent measurable outcomes that can be used to benchmark the success of each program.

The Housing Element contains actions intended to significantly increase the amount and types of housing for all income levels in the Unincorporated County. These efforts are expected to be initiated throughout the planning period, ending January 31, 2031. In accordance with state law, the County will also evaluate the progress and effectiveness of Housing Element programs on an annual basis. Together, these actions reflect the County’s commitment to increasing affordable housing and improving existing housing

conditions. The goals, policies, and programs comprise a combination of strategies, including a continuation of existing successful policies and programs as well as new policies and programs to tackle emerging opportunities and constraints, address changes in state law, and provide innovative approaches to accommodate the larger RHNA.

Proposed Revisions to Programs to Respond to State HCD Comments

In response to the October 10, 2024 comments received from State HCD on the third Draft Housing Element and subsequent conversations with State HCD staff, planning staff have proposed the following additions and edits to the programs in the Housing Element:

- Program 1.C - Added more detail to the description of the County’s current process to coordinate with the City of San Leandro and BART to prepare for development of the Bay Fair BART parking lot.
- Program 1.D - Clarified timeline and process for development of the current Sheriff’s substation site.
- Program 1.O - Updated timeline for the preparation of the Castro Valley BART Station for future development.
- Program 1.Q - Added new program to clarify timelines and commitments for development of additional public sites listed in the sites inventory.
- Programs 2.F, 2.G, 5.B, 6.P, 6.Q - Updated and clarified timeframes, geographic targets, and quantified objectives.
- Program 4.H - Added new action to further encourage development of supportive housing for persons with disabilities and updated quantified objective.

Regional Housing Needs Allocation (RHNA)

The RHNA for Unincorporated Alameda County for the 2023-2031 Housing Element cycle is a total of 4,711 new housing units, 2.66 times higher than the RHNA of 1,769 units for the previous 2015-2022 Housing Element cycle. The County’s RHNA by income category is provided in the table below.

<i>Unincorporated Alameda County RHNA</i>					
<i>Cycle</i>	<i>Very Low Income (<50% of Area Median Income)</i>	<i>Low Income (50-80% of Area Median Income)</i>	<i>Moderate Income (80-120% of Area Median Income)</i>	<i>Above Moderate Income (>120% of Area Median Income)</i>	<i>Total</i>
2015-2023	430 units	227 units	295 units	817 units	1,769 units
2023-2031	1,251 units	721 units	763 units	1,976 units	4,711 units
% Increase	191%	218%	159%	142%	166%

Sites Inventory

The inventory of sites available for residential development provides an estimate of the number of housing units that could be constructed on each parcel, based on the zoning, general plan designation, and physical conditions on the site; to demonstrate that there is adequate capacity in the Unincorporated Area to accommodate the RHNA assigned to the County. A total of 536 sites have been identified throughout the Unincorporated Area to accommodate 5,289 units. Planning staff used the following methodology to prepare the Sites Inventory:

1. Identified projects in the development pipeline
2. Identified vacant public and private parcels, using assessor’s data, satellite imagery, and local knowledge

3. Identified underutilized parcels. ‘Underutilized’ is defined as the land itself being worth more than the existing improvements (pavement, buildings, etc.). Most of the underutilized sites included in the inventory are large parking lots, sites that are mostly vacant or parking with older (pre-1980) buildings and vacant commercial buildings.

After identifying vacant and underutilized sites, staff identified prospective sites that would be suitable for rezoning to meet the RHNA. The number of sites proposed for rezoning has increased over the earlier iterations of the Housing Element Draft to account for previous comments from residents and State HCD, staff’s ability to demonstrate sites’ likelihood of development within the planning period (2023-2031), and changes in the availability of land while also maintaining a minimum of 4,711 estimated units to fulfill RHNA and buffer sites.

In the Final Draft Sites Inventory, there are 536 total sites, which includes 111 parcels proposed for rezoning either to increase the density allowed or to add housing as an allowed use, 24 parcels identified as underimproved, 182 vacant parcels, and 219 parcels that have housing projects in the “pipeline” meaning that an application for a housing development has been submitted or a housing project has already been approved. The majority of RHNA units are in the Eden Area (approximately 44.6%) and Castro Valley (approximately 33.3%) with the remainder in Fairview and East County (see table below).

In addition to the sites listed in the inventory, projected development of accessory dwelling units (ADUs) over the eight-year planning period can be counted toward the sixth cycle RHNA. Planning staff anticipate including 427 ADUs toward meeting the RHNA, based on ADU construction numbers from 2018 to 2023. These ADUs are expected to be distributed throughout the urban unincorporated area. Projected ADUs are assigned to income categories in accordance with ABAG guidance.

Estimated Sites Inventory Units by Community						
	Total Proposed Units	Above Moderate Income Units	Moderate Income Units	Low and Very Low Income Units	% Units from Rezones	% Units from Permitted Projects
<i>Eden Area</i>	2,358	772	401	1,185	76.0%	13.9%
<i>Ashland</i>	1,489	351	282	856	80.6%	10.1%
<i>Cherryland</i>	197	56	54	87	43.7%	7.8%
<i>San Lorenzo</i>	614	352	41	221	75.6%	24.4%
<i>Hayward Acres</i>	58	13	24	21	65.5%	22.4%
<i>Castro Valley</i>	1,777	716	344	699	67.1%	17.5%
<i>Fairview</i>	524	489	26	9	78.8%	5.2%
<i>East County</i>	772	553	3	92	0.0%	100.0%
Projected ADU count	427	42	128	257	-	-
Total (no ADU projections)	5,289	2,530	774	1,985	62.5%	26.7%
Total (with ADUs)	5,716	2,572	902	2,242	-	-
RHNA	4,711	1,976	763	1,972	-	-

Below is a summary of the sites inventory in Castro Valley, Fairview and the Eden Area. Maps showing the sites are attached. A full description of the sites inventory can be found in Appendix B of the Draft Housing Element.

Castro Valley Summary of Inventory Sites

Sites within Specific Plan Areas

- Castro Valley Central Business District Specific Plan Area (CBDSP)
 - 12 parcels (estimated 522 units) in the sites inventory
 - 4 parcels (83 units) have projects in the permitting process.
 - 6 parcels (estimated 436 units) are proposed for rezoning, all at 40-86 units/acre
- Madison Avenue Specific Plan Area (MASP)
 - 5 parcels (estimated 20 units) in the sites inventory,
 - 2 parcels in the permitting process,
 - 3 parcels included at current zoning
- Castro Valley BART Station parking lot
 - Not on Sites Inventory but will be rezoned to comply with state law AB 2923, including updating the allowed residential density to 75-86 units per acre.

Sites outside Specific Plan Areas

- 111 parcels (239 units) have projects in the permitting process. 65 of these units are ADUs.
- 91 parcels (estimated 293 units) are included with the existing zoning. 86 of these parcels (280 units) are vacant residential sites.
- 30 parcels (estimated 703 units) are proposed for rezoning. These include the Sheriff Substation (adjusted for proximity to fault line and freeway, 75-86 units/acre, totaling 96 units) and the closed school at 2652 Vergil Ct (proposed rezoning to up to 22 units/acre, estimated 75 units). 12 parcels in northern Castro Valley are proposed for rezoning for up to 17 units/acre. None are located in Very High Fire Hazard areas.

Proposed Amendments to the CVGP and CBDSP

To accommodate the number of residential units estimated for parcels listed in the Housing Element Sites Inventory, text and map amendments to the CVGP, CBDSP, and County Zoning Ordinance are proposed to increase the allowed residential density or allow residential uses on parcels currently designated for only non-residential uses.

Proposed Amendments to Land Use Designations in the CVGP

Amendments are proposed to Table 4.2-1A “Residential Land Use Classifications” to add references to the Housing Element Zoning Overlay (described in the section below) which would apply to parcels on the Housing Element Sites Inventory. Higher residential density would be allowed in specified land use designations, as shown in the amended table. New “Residential 60” and “Residential 100” land use designations would apply to certain sites listed in the Sites Inventory that are located outside of the CBDSP.

Proposed changes to Table 4.2-1C: “Commercial and Central Business District Land Use Classifications” would allow residential as a primary use on sites listed in the Housing Element Zoning Overlay at densities specified for each land use designation. The Neighborhood Commercial Mixed Use and the

Community Commercial designations would allow 30-60 units per acre. The Downtown Community Commercial and the Core Pedestrian Retail designations would allow 40-86 units per acre. While the BART station parking lot is not included in the Sites Inventory, the BART Transit Village designation would be amended to allow 75-86 units per acre to comply with the zoning standards required by AB 2923.

Policy 8.4-7, regarding zoning for parcels with the “School” land use designation, currently allows residential development at the density allowed on surrounding properties. Proposed changes to this policy would allow residential development on school sites listed in the Sites Inventory at a higher density than what is allowed on surrounding properties.

The general plan land use designation on 13 parcels within Castro Valley would be changed to “Residential Small Lot RSL-17.” The designations on 10 parcels would be changed to “Residential 60.” The designation on one parcel would be changed from “Schools” to “Residential-Low Density Multifamily.” Figure 4-2, the general plan land use diagram in the CVGP, would be amended to reflect these new land use designations. Tables in the attached draft amendments list the existing and proposed designations for each parcel. Maps showing each parcel proposed to be changed are also included in the attached draft amendments.

Proposed Amendments to the CBD Specific Plan

Proposed text amendments to the CBDSP include the addition of an explanation of AB 2923 which added zoning requirements on BART-owned property within a half-mile of stations. A new “Land Use Group F: Castro Valley Transit Area (CTA)” would bring development standards on the BART site into compliance with AB 2923. A new “Land Use Group G: Very High Density Residential” would allow residential uses as the primary use up to a density of 86 units per acre on designated parcels.

Figure 21 in the CBDSP would be amended to create a new “Castro Valley Transit Area (CTA)” designation to apply to 5 BART-owned parcels and text on page 84 regarding future development of the BART station site would be modified to reference “Land Use Group F: Castro Valley Transit Area (CTA).” Program 5.1.1 would be amended to add references to the BART Transit Oriented Development Work Plan and “Land Use Group F: Castro Valley Transit Area (CTA).”

In addition, “Land Use Group G (Very High Residential Development)” would be added as an allowed use in Sub Areas 2, 7, and 10.

Fairview Summary of Inventory Sites

- 43 parcels (estimated 84 units) are vacant lots. Estimated unit capacity is based on current zoning densities allowed.
- 26 parcels (27 units) have projects currently in the permitting process. 12 of the 27 units are ADUs.
- 30 parcels (estimated 413 units) are proposed for rezoning, providing 78.8% of the estimated units in Fairview.
 - 27 parcels proposed for up to 17 units per acre
 - 1 parcel at 2637 East Avenue (APN 426-140-9-2) proposed for up to 22 units per acre.
 - 2 parcels, one on East Avenue (APN 425-170-2) and one at 2889 Kelly St (APN 416-180-20), proposed for up to 29 units per acre.

Proposed Amendments to the Fairview Specific Plan and Zoning Ordinance

Proposed Amendments to Permitted Land Uses and Densities in the Fairview Specific Plan

To accommodate the number of residential units estimated for 30 Fairview parcels listed in the Sites Inventory, amendments to the Fairview Specific Plan are proposed to increase the allowed residential density or allow residential uses on parcels currently designated for commercial uses. The majority of the affected parcels are vacant or have a history of proposed projects. The proposed density for 27 of the 30 parcels is 9 to 17 units per acre. This density is the equivalent of lower-density or larger townhomes and corresponds with 372 estimated units. One parcel (2637 East Avenue, APN 426-140-9-2) is proposed for 10 to 22 units per acre. The owners of this parcel have previously expressed interest in developing housing on the parcel. Residential development at a density of up to 29 units per acre would be allowed on two parcels, one on East Avenue (APN 425-170-2) and one at 2889 Kelly St (APN 416-180-20), Mixed use or all residential development would be allowed on the two parcels on East Avenue that are currently designated for commercial uses. A table in the attached draft resolution lists the 28 parcels where residential development is currently allowed and the proposed designation for each parcel.

In addition to the proposed changes to the land use map in the Specific Plan, the following text amendments are also proposed to define the new land use designations:

A new “Small Lot Residential” land use designation and corresponding “Residential 17” zoning category would apply to 27 parcels on the Housing Element Sites Inventory to accommodate residential use at densities ranging from 9 to 17 units per acre. This density range can include a variety of attached housing types including but not limited to apartments, townhomes, and flats.

A new “Medium High Density Residential” land use designation and corresponding “Residential 22” and “Residential 29” zoning categories would accommodate residential use up to 22 and 29 units per acre, respectively. These densities can include a variety of attached housing types including but not limited to apartments, townhomes, and flats and small/tiny homes. Commercial uses allowed in the CN and C1 zoning districts would be allowed as a secondary use.

The “Commercial” land use designation would be deleted from the Specific Plan.

Eden Area

Ashland Summary of Inventory Sites

77 Parcels in the Sites Inventory:

- 29 parcels (150 units) have projects in the permitting process
 - 16 parcels with ADUs
 - 79 units at Madrone Terrace on East 14th Street
- 15 parcels (estimated 30 units) are vacant residential or mixed-use sites
- 9 parcels (estimated 109 units) are underimproved and allow residential uses under existing general plan & zoning designations.
- 24 Parcels proposed for rezoning (1,200 units)
 - Bay Fair BART Parking Lot – estimated 448 units at 75-125 units/acre
 - Crunch Fitness (177 Lewelling Blvd) and two adjacent parcels (85 & 165 Lewelling Blvd) - estimated 396 units at 43-86 units/acre
 - Cherryland Place (Mission Blvd. and Hampton Rd.) - estimated 145 units at 43-86 units/acre

- Remaining estimated 211 units - proposed for parcels with the following current uses: auto sales, vacant lots, empty commercial sites, and a lot with owners actively pursuing housing development.

Cherryland Summary of Inventory Sites

63 parcels in the Sites Inventory:

- 17 parcels (17 units of housing, including 16 ADUs) have projects in the permitting process.
- 35 vacant parcels (estimated 67 units) - based on current zoning and general plan designations
- 6 parcels (estimated 27 units) identified as underutilized
- 5 parcels proposed for rezoning:
 - 3 parcels at Mission Blvd. and Hampton Rd. - estimated 46 units at 43-86 units/acre
 - Vacant parcel on Meekland Ave – estimated 9 units at 22-43 units per acre
 - Vacant parcel on Oak Street – estimated 31 units at 43-86 units per acre

San Lorenzo Summary of Inventory Sites

31 parcels in the Sites Inventory:

- 12 parcels (12 ADUs) have projects in the permitting process.
- 6 parcels (estimated 165 units) outside the Specific Plan area proposed for rezoning:
 - 15601 Washington Ave and 15600 Lorenzo Ave - estimated 59 units at 43-86 units per acre
 - 15715 Hesperian Blvd (construction staging area) - estimated 3 units at up to 9 units per acre
 - 1294 Bockman Rd (estimated 11 units) and 19390 Hesperian Blvd (estimated 29 units) at 22-43 units/acre
 - Unused portion of Grant Elementary School property (San Lorenzo Unified School District) estimated 57 units at 10-22 units/acre
- 437 estimated units are proposed in the San Lorenzo Village Center Specific Plan Area:
 - Village Green (approved mixed-use project) - 138 units
 - The following parcels are proposed for rezonings to 43-86 units per acre:
 - United Rentals, 15776 Hesperian Blvd (4 parcels) – estimated 70 units
 - 15800 Hesperian Blvd (parking area adjacent to Lucky Grocery store) – estimated 105 units
 - 507 Paseo Grande (vacant) – estimated 66 units
 - 16020 Hesperian Blvd (vacant building) - estimated 58 units

Hayward Acres Summary of Inventory Sites

6 parcels in the Sites Inventory:

- 2 parcels (13 housing units) have projects in the permitting process.
- 3 parcels (estimated 38 units) - proposed for rezoning:
 - 730 and 770 Bartlett Ave - owners are considering housing projects
 - 19510 Hesperian Blvd - restaurant with a large parking lot
- 719 West A St (estimated 7 units) - based on current zoning and general plan designations

Proposed Amendments to the Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance

To accommodate the number of residential units estimated for parcels listed in the Housing Element Sites Inventory, text and map amendments to the Eden Area General Plan (EAGP), Ashland and Cherryland Business District Specific Plan (ACBD), San Lorenzo Village Center Specific Plan (SLVCSP), and

County Zoning Ordinance are proposed to increase the allowed residential density or allow residential uses on parcels currently designated for only non-residential uses.

Proposed Amendments to Land Use Designations in the Eden Area General Plan

Proposed Text Amendments

The following amendments to the text of the EAGP are proposed:

The description of the “School” land use designation in the EAGP currently allows residential development at the density allowed on surrounding properties. Proposed changes to the land use designation description would allow residential development on school sites listed in the Sites Inventory at a higher density than what is allowed on surrounding properties, up to 10-22 units per acre.

A new land use designation, “Bay Fair Transit Area” (BTA), is proposed to comply with the development requirements mandated by state law and to facilitate future development of the BART-owned parking lot in the Unincorporated Area in coordination with BART and the City of San Leandro at a residential density of up to 125 units per acre, with commercial development allowed as a secondary use at a Floor Area Ratio (FAR) of 1.0.

Proposed Map Amendments

New general plan land use designations are proposed on 17 parcels within the Eden Area. A table in the attached draft amendments includes the existing and proposed designations for each parcel. Figure 3-4A – “General Plan Land Use Designations” in the EAGP would be amended to reflect these new land use designations. The attached draft amendments also list parcels to be added to the “Medium-High Density Residential,” “High Density Residential,” and “Medium Density Residential” overlays shown on Figure 3-4B – “General Plan Land Use Residential Overlays” of the EAGP. Parcels proposed to be changed from the “Medium-High Density Residential” overlay to the “High Density Residential” overlay in Figure 3-4B are also listed. Maps showing each parcel proposed to be changed are also included in the attached draft amendments.

Proposed Amendments to the Ashland and Cherryland Business District Specific Plan

Proposed text amendments to the ACBD Specific Plan include changes to Section 6.1.2 – “Applicability of Standards” to allow Housing Element Zoning Overlay Residential uses as a primary use in various zones at the density permitted by Table 6.2.2 – “Allowed Land Uses.” Amendments to Table 6.2.2 are proposed to specify residential densities allowed on parcels in the Housing Element Zoning Overlay.

New designations are proposed on three parcels within the ACBD. The attached draft document includes a map showing these parcels.

Proposed Amendments to the San Lorenzo Village Center Specific Plan

On parcels in the Housing Element Overlay Zone, proposed amendments to the San Lorenzo Village Center Specific Plan Land Use Table d. – “Residential Mixed Use Standards” would increase the residential density allowed to a maximum of 86 units per acre and reduce parking requirements to be consistent with the Overlay Zone.

Proposed Amendments to the County Zoning Ordinance

Amendments to the County Zoning Ordinance are also proposed to change the residential density or allow residential uses on parcels listed in the Sites Inventory that are not located within a specific plan area. A table with a full list of the parcels proposed for rezoning is attached. Maps showing each of the parcels listed in the table are included in the attached draft document. A new section is also proposed to be added to the Zoning Ordinance to establish standards for residential development within the Housing Element Zoning Districts, which apply to parcels listed in the Sites Inventory.

Housing Element Zoning Overlay Combining District

The proposed Housing Element Zoning Overlay Combining District (HE District) is intended to be combined with the existing base zoning district on parcels listed on the Housing Element Sites Inventory to incentivize the production of housing at all income levels by providing a streamlined permitting process for development. The attached draft text for the HE District provides guidelines and approval procedures for the development and improvement of land within combining HE districts within the unincorporated area. Table 1 in the attached draft text includes the applicable zoning standards, development standards, planning permit required, and procedure based on the density permitted by the applicable General Plan, Specific Plan and/or Zoning designations.

CEQA

The Draft Housing Element, as well as the proposed general plan, specific plan, and zoning ordinance text and map amendments, have been reviewed in accordance with the provisions of the California Environment Quality Act (CEQA) and an Initial Study (IS) was prepared which demonstrates that there is no substantial evidence that the proposed amendments will have a substantial effect on the environment. Based upon that Initial Study, the Alameda County Planning Department prepared a Mitigated Negative Declaration (MND) for the proposed amendments. An IS-MND was released for public review on November 3, 2023 and comments were accepted through December 4, 2023.

To address subsequent changes to the number and location of properties listed on the Sites Inventory, a revised IS-MND was prepared and recirculated for public review from September 13, 2024 through October 14, 2024. The Recirculated IS-MND determined that the proposed project would not result in additional or substantially more severe impacts than those analyzed in the previous Draft IS-MND. For the topic areas required to be analyzed by CEQA Guidelines Appendix G, the Recirculated IS-MND concluded that the project would have no impacts or less than significant impacts with respect to Aesthetics, Agriculture/Forestry Resources, Energy, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation, Utilities/Service Systems, and Wildfire. The issue areas of Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Noise, and Tribal Cultural Resources were found to have less than significant environmental impacts with mitigation measures incorporated. The Board of Supervisors will be asked to adopt the IS-MND when they consider approval of the Housing Element and proposed general plan, specific plan, and zoning ordinance text and map amendments. The Recirculated IS-MND is available on the Planning Department website at <https://www.acgov.org/cda/planning/housing-element/ceqa.htm>.

The attached Final IS-MND document includes comments received during the circulation of the Initial Study-Mitigated Negative Declaration (IS-MND) and responses to those comments. This document also includes revisions to the IS-MND made in response to comments, and the Mitigation Monitoring and Reporting Program (MMRP). Staff received six comment letters on the Draft IS-MND. Chapter 2, "Responses to Comments on the Draft IS-MND," identifies these commenting parties, their respective

comments, and responses to these comments. None of the comments received, or the responses provided, constitute a “substantial revision” by CEQA standards (CEQA Guidelines Section 15073.5). Staff received four comment letters on the Recirculated Draft IS-MND. Chapter 3, “Responses to Comments on the Recirculated Draft IS-MND,” identifies these commenting parties, their respective comments, and responses to these comments. None of the comments received, or the responses provided, constitute a “substantial revision” by CEQA standards (CEQA Guidelines Section 15073.5). Chapter 4: Draft IS-MND Revisions contains corrections to the Recirculated Draft IS-MND that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Recirculated Draft IS-MND, are contained in this chapter.

Opportunities for Public Input

More information about the Housing Element process and links to the final draft documents are provided on the Planning Department website, located here: <https://www.acgov.org/cda/planning/housing-element/housing-element.htm>.

The table below includes a list of scheduled meetings where the Final Draft Housing Element was or will be considered.

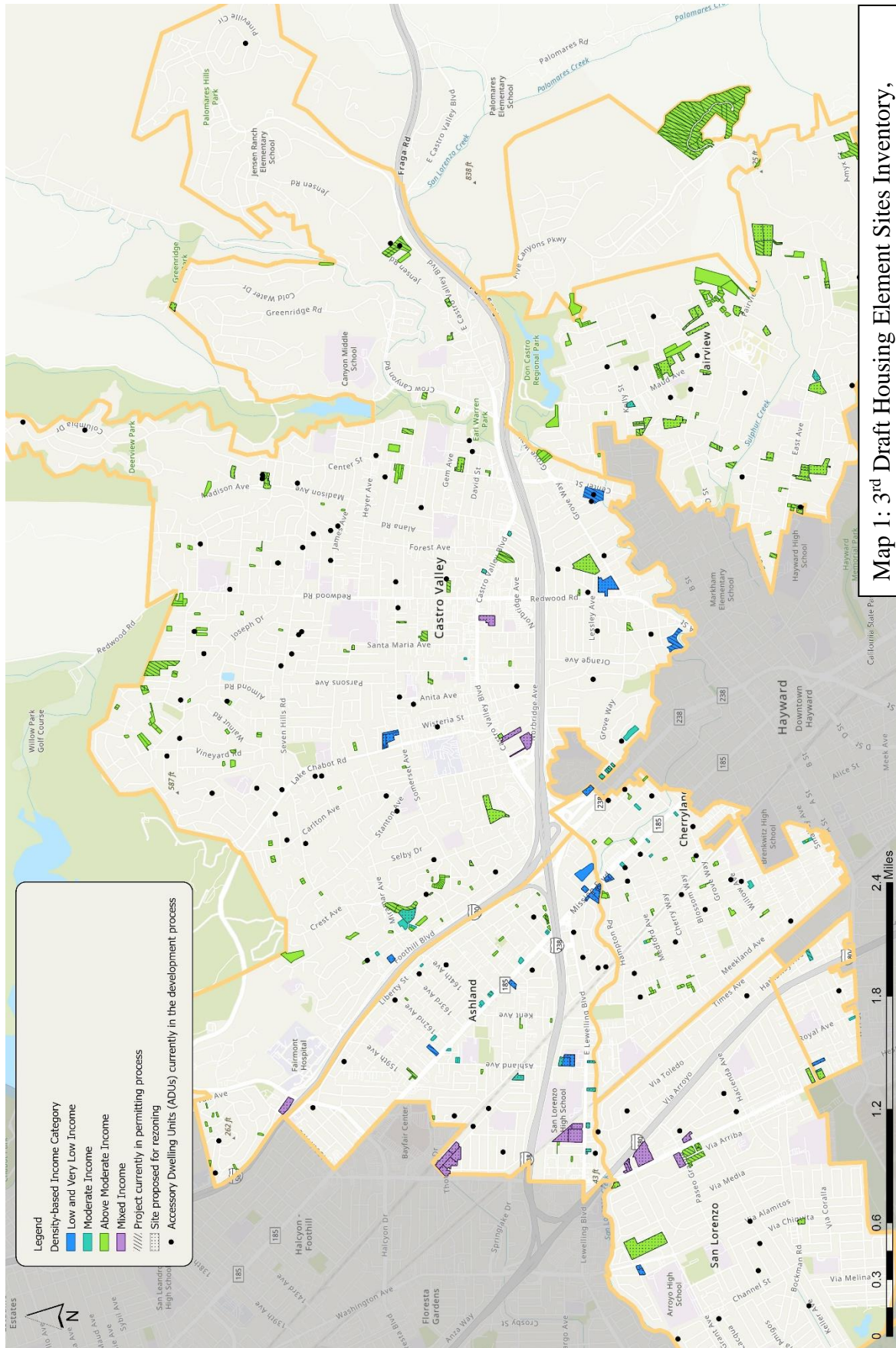
Tentative Public Meeting Schedule	
November 7	Fairview MAC
November 12	Castro Valley MAC
November 12	Eden Area MAC
November 18	Planning Commission
December 2	Board Transportation & Planning Committee
December 12	Board Planning Meeting (GPA approval and 1 st reading of ordinance amendments)
December 17	Regular Board Meeting (2 nd reading of ordinance amendments)

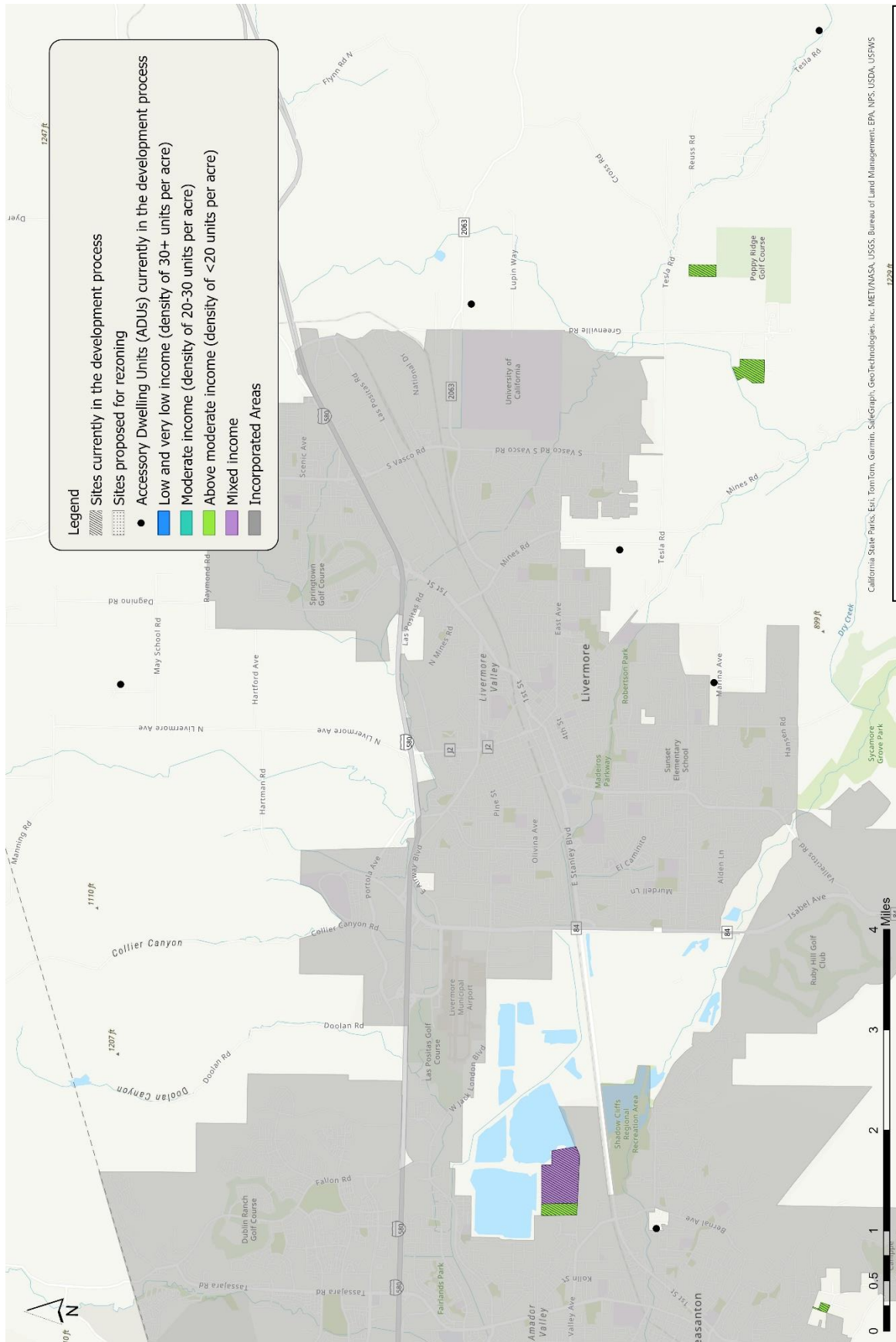
CONCLUSION

Staff requests that your Commission hear a presentation by staff, take public testimony, and recommend that the Board of Supervisors adopt the 6th Cycle Housing Element and approve the proposed text and map amendments to the Castro Valley General Plan, Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance to implement the Housing Element. After the Final Draft Housing Element is considered by your Commission, the Board of Supervisors will be asked to approve the final document, and the proposed general plan and specific plan amendments and rezonings, and the IS-MND prepared for the project.

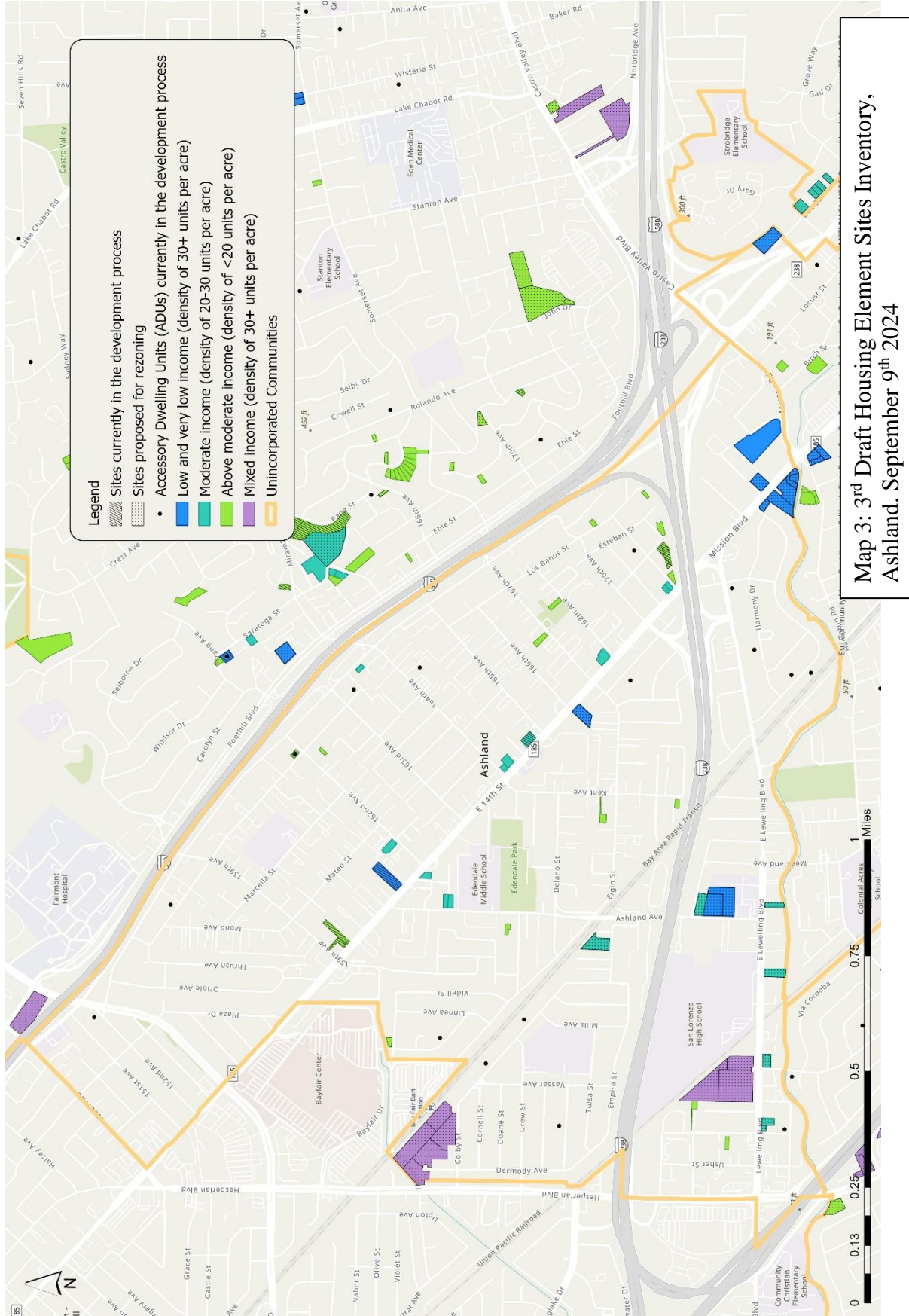
Attachments:

- Maps showing Inventory Sites
- Draft Resolution of the Planning Commission Recommending that the Board of Supervisors Adopt a General Plan Amendment in the form of the Draft Alameda County Housing Element 6th Cycle (2023-2031), Adopt the Initial Study and Negative Declaration Prepared for the Project, and Make General and Specific Plan Text and Map Amendments as required by law
- Draft Zoning Ordinance amendments
- Article IX - Housing Element (HE) Zoning Overlay Combining District
- 2023-2031 Housing Element Final Initial Study–Mitigated Negative Declaration, October 2024
- November 7, 2024 Letter from State HCD

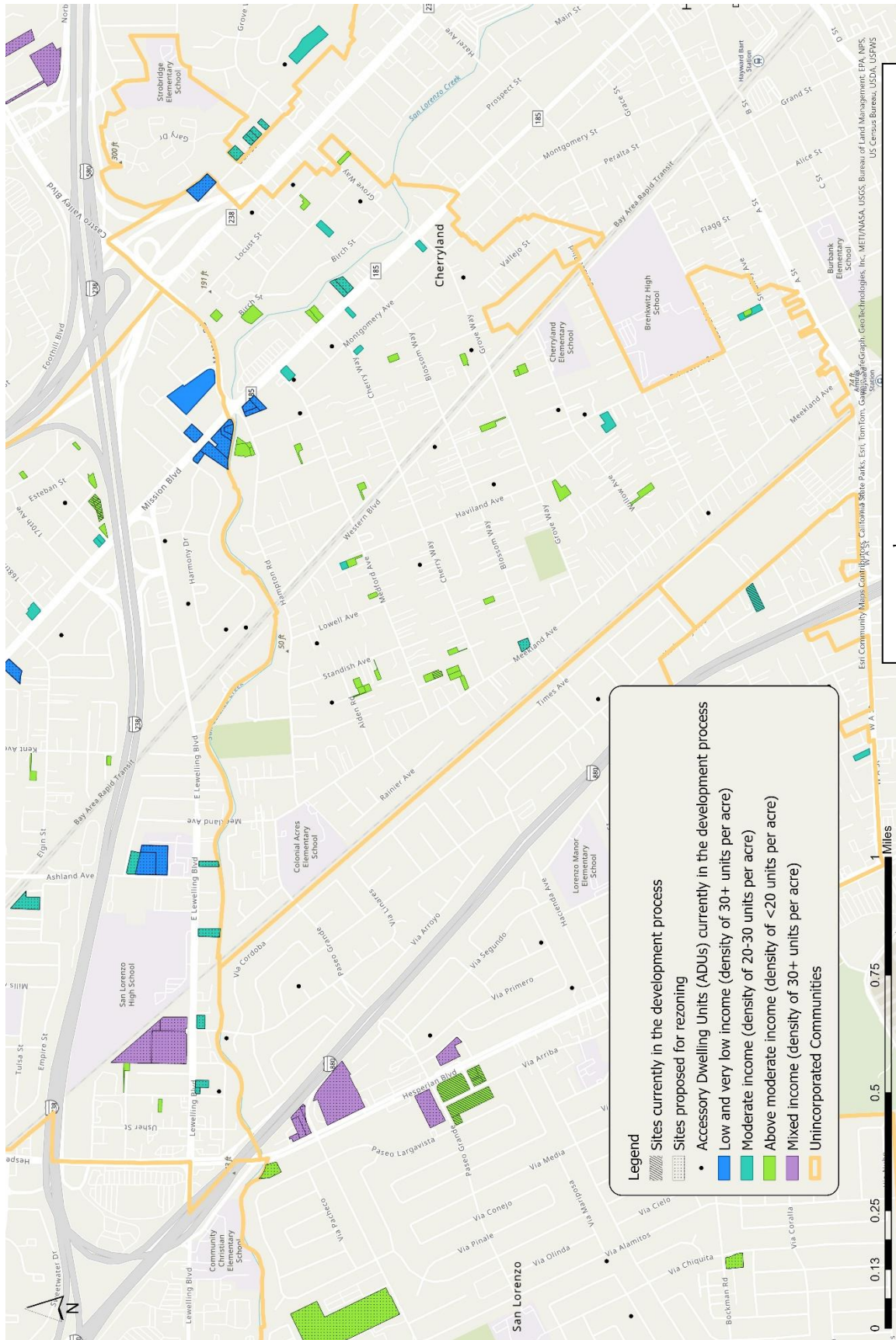




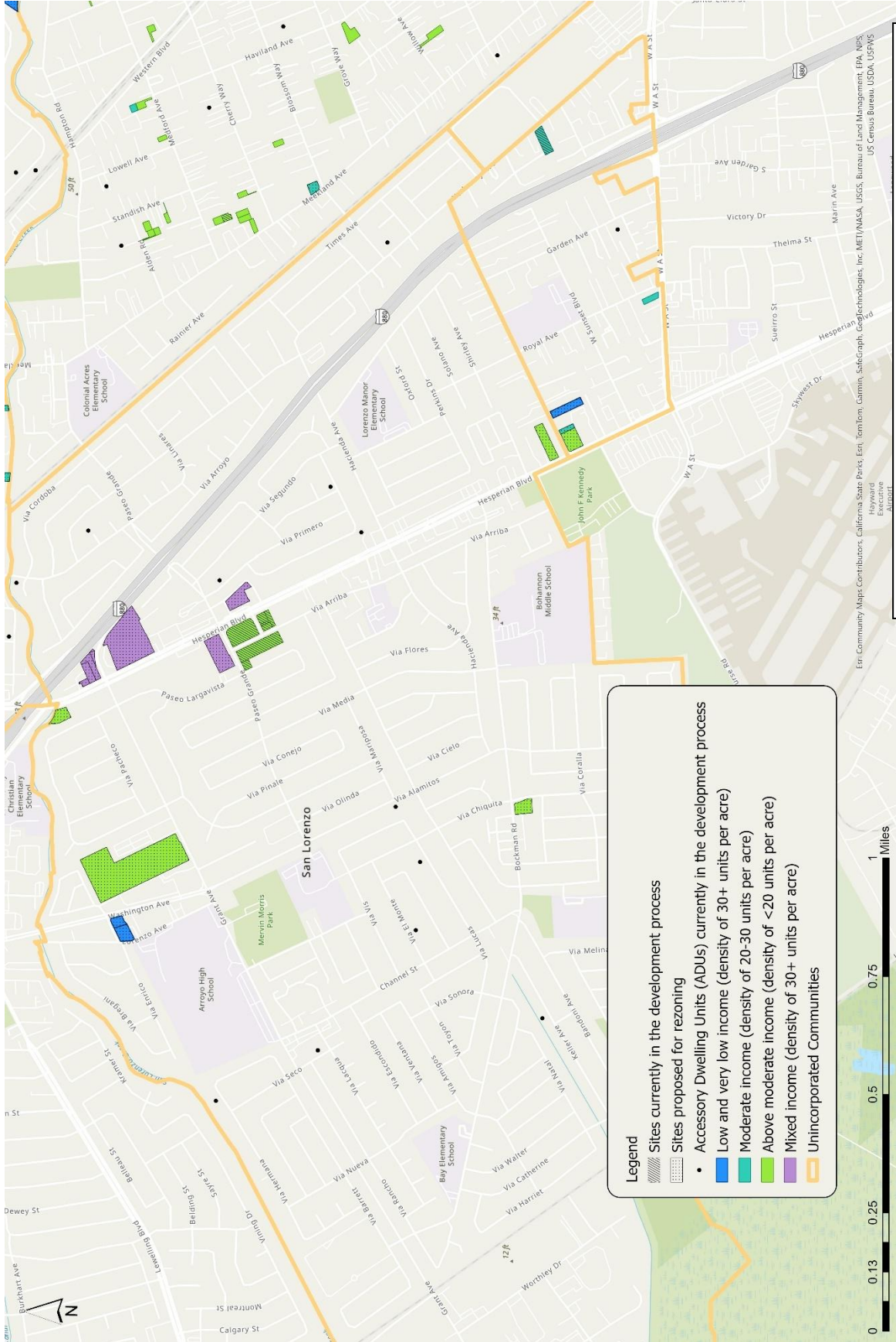
Map 2: 3rd Draft Housing Element Sites Inventory, East County. September 9th 2024



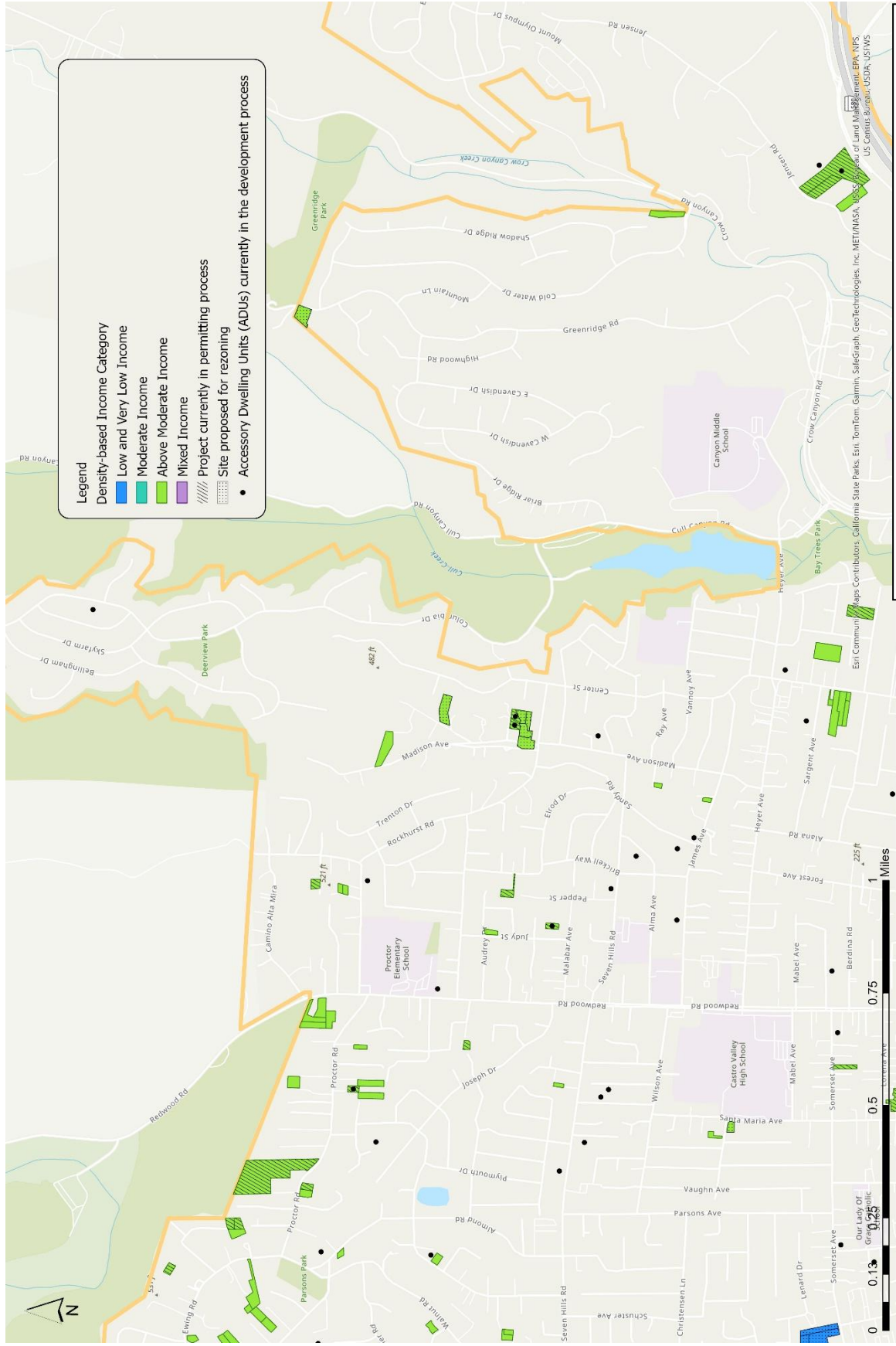
Map 3: 3rd Draft Housing Element Sites Inventory,
Ashland, September 9th 2024



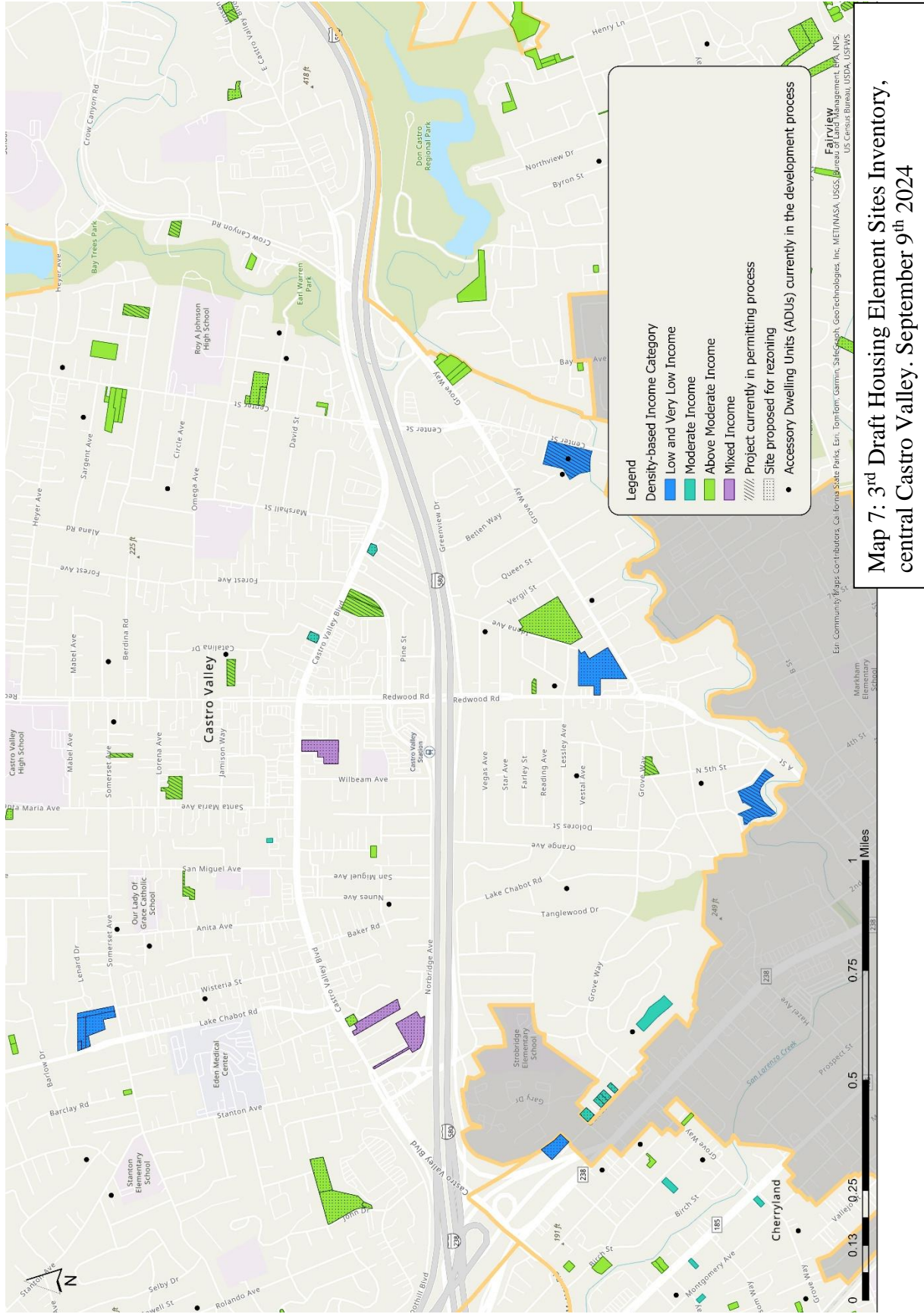
**Map 4: 3rd Draft Housing Element Sites Inventory,
Cherryland. September 9th 2024**

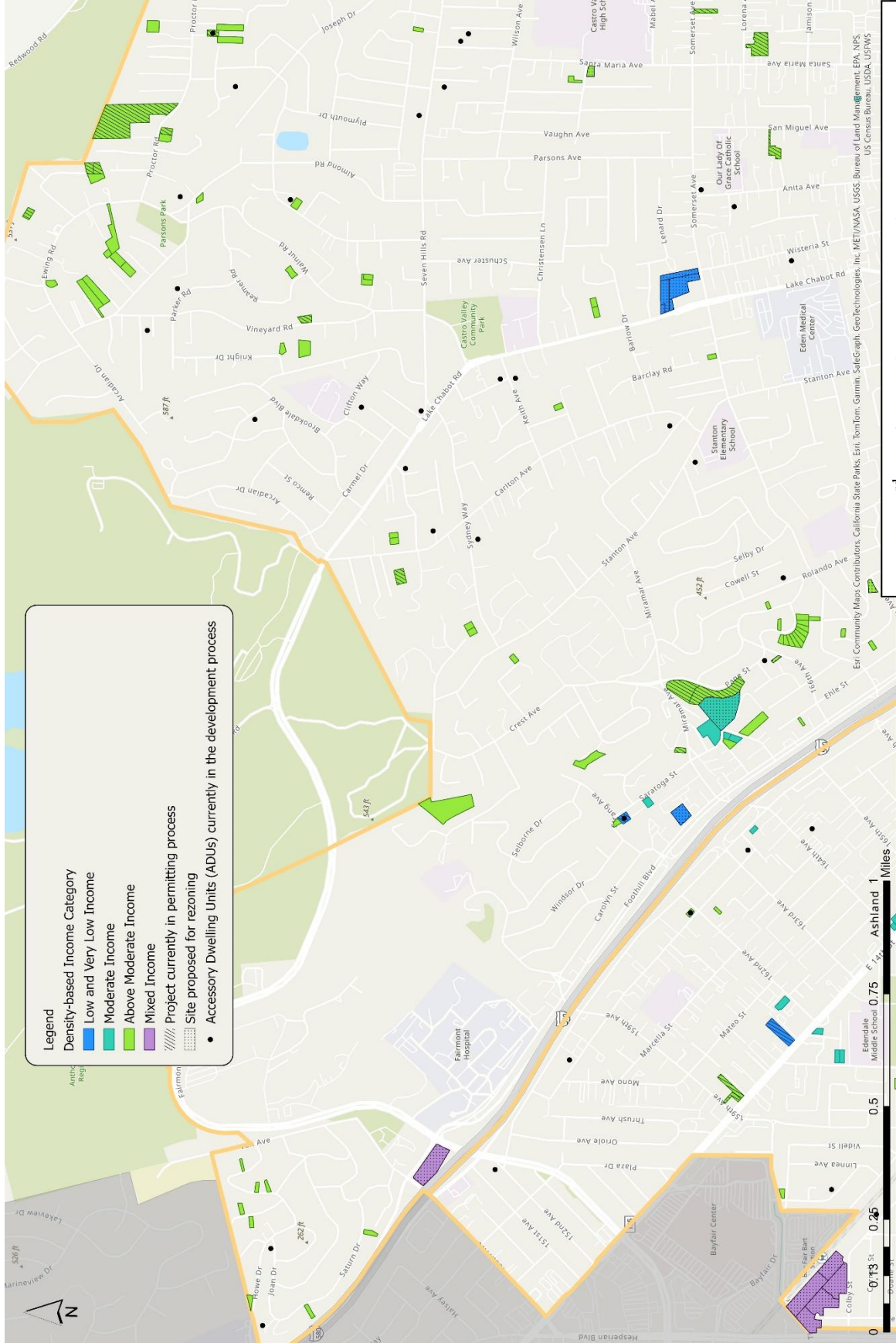


**Map 5: 3rd Draft Housing Element Sites Inventory,
Hayward Acres and San Lorenzo, September 9th 2024**

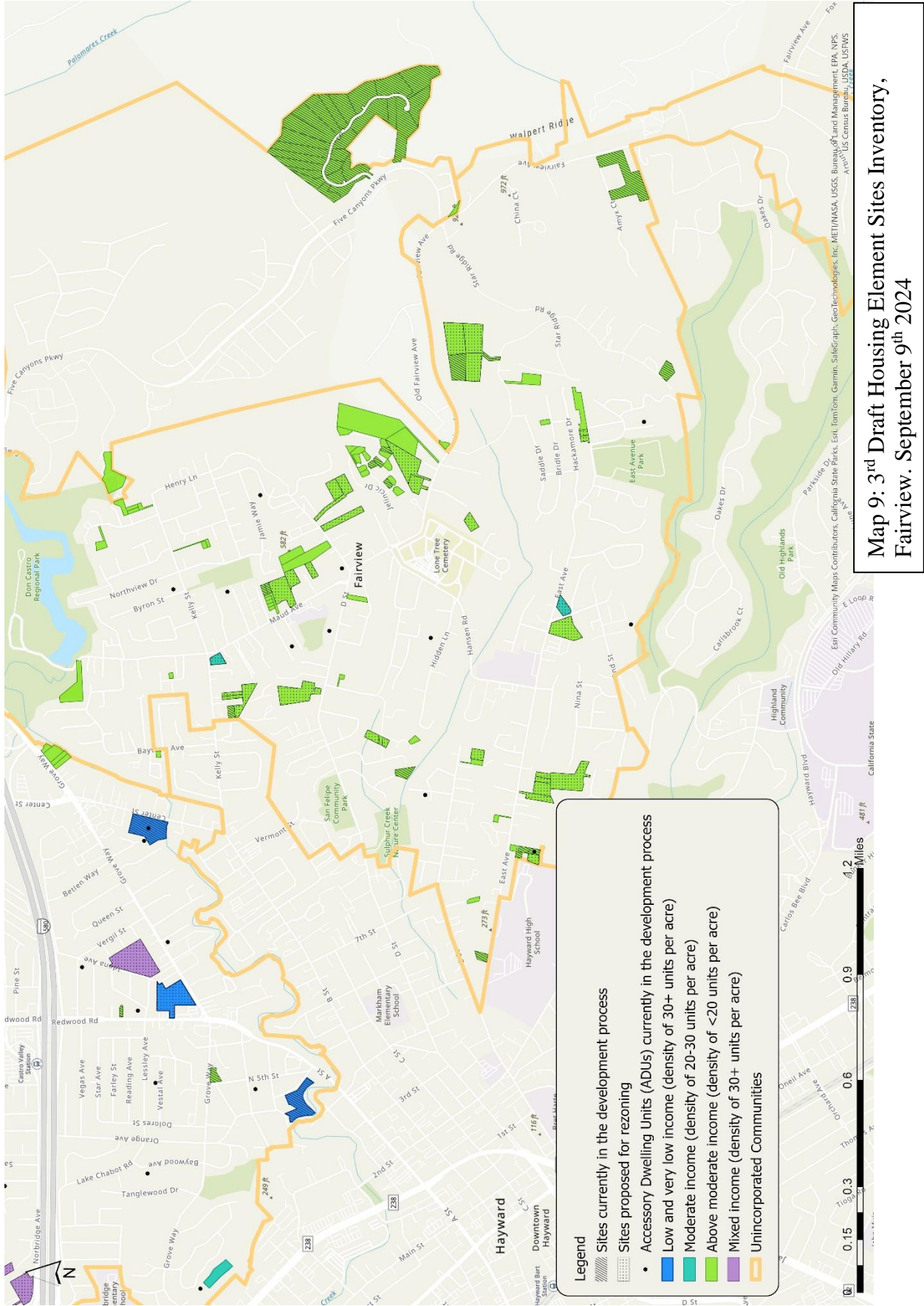


Map 6: 3rd Draft Housing Element Sites Inventory, eastern Castro Valley. September 9th 2024

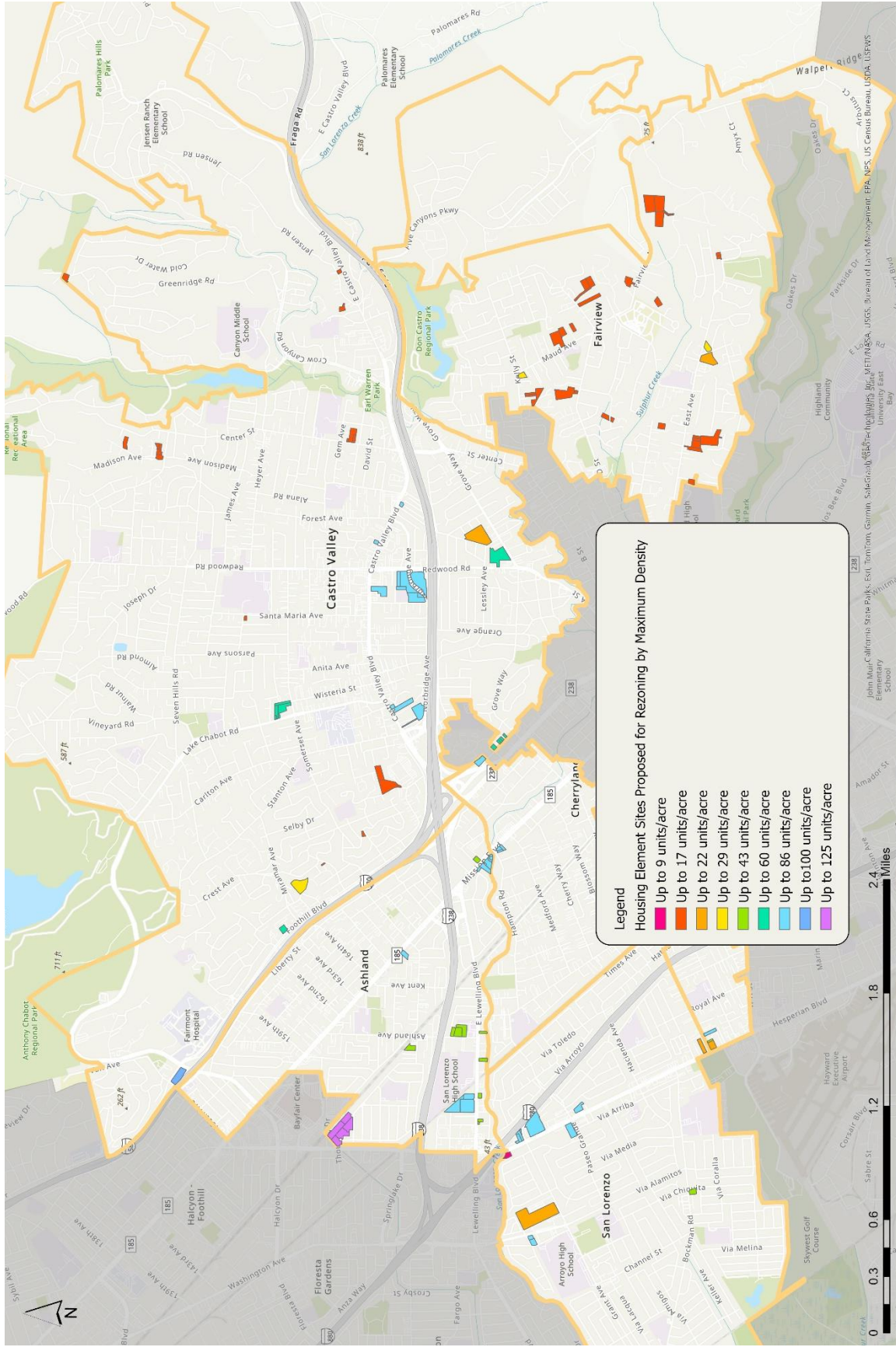




**Map 8: 3rd Draft Housing Element Sites Inventory,
western Castro Valley, September 9th 2024**



Map 9: 3rd Draft Housing Element Sites Inventory,
Fairview. September 9th 2024



Map 10: 3rd Draft Housing Element Sites Inventory, Sites proposed for rezoning by maximum housing density per acre. September 9th 2024

**THE COUNTY PLANNING COMMISSION OF ALAMEDA COUNTY
HAYWARD, CALIFORNIA**

RESOLUTION NO. ____ AT MEETING HELD NOVEMBER 18, 2024

ADOPTION OF THE SIXTH CYCLE HOUSING ELEMENT OF THE ALAMEDA COUNTY GENERAL PLAN AND TEXT AND MAP AMENDMENTS TO THE CASTRO VALLEY GENERAL PLAN, EDEN AREA GENERAL PLAN, ASHLAND AND CHERRYLAND BUSINESS DISTRICT SPECIFIC PLAN, CASTRO VALLEY CENTRAL BUSINESS DISTRICT SPECIFIC PLAN, FAIRVIEW SPECIFIC PLAN, SAN LORENZO VILLAGE CENTER SPECIFIC PLAN, AND COUNTY ZONING ORDINANCE TO IMPLEMENT THE HOUSING ELEMENT, AND ADOPTION OF THE INITIAL STUDY AND NEGATIVE DECLARATION PREPARED FOR THE PROJECT,

**Introduced by _____
Seconded by _____**

WHEREAS, to comply with State Housing Element Law, the County of Alameda has prepared the Housing Element 2023-2031 (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the County's Regional Housing Needs Assessment (RHNA); and

WHEREAS the County's RHNA requires the County jurisdiction to accommodate 4,711 housing units at a variety of incomes levels, to be located throughout the unincorporated area; and

WHEREAS, amendments to the Castro Valley General Plan, Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance are necessary to accommodate the County's RHNA on the sites identified in the Housing Element Sites Inventory; and

WHEREAS, the County of Alameda conducted extensive community outreach over the last two years including public meetings before the County's Municipal Advisory Councils, Planning Commission and Board Subcommittees; and

WHEREAS, in accordance with Government Code Section 65585 (b), on August 16, 2024, the County posted the draft Housing Element and requested public comment for a 30-day review period, and on September 30, 2024 after responding to public comments, the County submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on November 7, 2024, the County received a letter from HCD stating that the draft Housing Element meets state statute, and will comply with State Housing Element Law when it is adopted; and

WHEREAS, this Commission did review the Alameda County Housing Element in accordance with the provisions of the California Environmental Quality Act and an Initial Study has been prepared which demonstrates that there is no substantial evidence that the proposed amendments will have a substantial effect on the environment. Based upon that Initial Study, the Alameda County Planning Department prepared a Negative Declaration for the proposed amendments. The Initial Study and Negative Declaration were provided for public review from November 3, 2023 to December 4, 2023; and

WHEREAS, to address subsequent changes to the number and location of properties listed on the Housing Element Sites Inventory, a revised IS-MND was prepared and recirculated for public review from September 13, 2024 to October 14, 2024; and

WHEREAS, on November 18, 2024, this Commission conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element and General Plan and Specific Plan text and map amendments described in Exhibit A, which exhibit is attached hereto and incorporated herein by this reference; and rezonings being brought for approval with the Housing Element; reviewed the Housing Element and all pertinent maps, documents and exhibits, and all attachments, and oral and written public comments; and

WHEREAS the Planning Commission is authorized and obligated to make recommendations to the Board of Supervisors on matters related to planning and zoning; and

WHEREAS it is the finding of this Commission that the proposed adoption of the Sixth Cycle Housing Element of the Alameda County General Plan and text and map amendments to the Castro Valley General Plan, Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance is in the public interest because it promotes development of much needed housing for residents of the Unincorporated Area; and

WHEREAS the proposed amendments are consistent with all of the other elements of the General Plan, in that it does not require any significant changes to the other elements of the General Plan, or recommend policies and programs that would contradict the goals and policies contained therein; and

WHEREAS the complete record for this process is in the custody of the Alameda County Planning Department, and may be found at Room 111, 224 West Winton Avenue, Hayward, California 94544.

NOW, THEREFORE,

BE IT RESOLVED that this Planning Commission accepts and approves the proposed adoption of the Sixth Cycle Housing Element of the Alameda County General Plan and text and map amendments to the Castro Valley General Plan, Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance to implement the Housing Element and related CEQA environmental assessment; and

BE IT FURTHER RESOLVED that this Planning Commission does hereby recommend that the Board of Supervisors approve the adoption of the Sixth Cycle Housing Element of the Alameda County General Plan and text and map amendments to the Castro Valley General Plan, Eden Area General Plan, Ashland and Cherryland Business District Specific Plan, Castro Valley Central Business District Specific Plan, Fairview Specific Plan, San Lorenzo Village Center Specific Plan, and County Zoning Ordinance to implement the Housing Element and related CEQA environmental assessment.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

EXCUSED:

ABSENT:

ABSTAINED:

ALBERT LOPEZ, PLANNING DIRECTOR AND SECRETARY,
ALAMEDA COUNTY PLANNING COMMISSION

EXHIBIT A - GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS TO IMPLEMENT THE SIXTH CYCLE HOUSING ELEMENT OF THE ALAMEDA COUNTY GENERAL PLAN

Text Amendments to the Castro Valley Area General Plan, Table 4.2-1A
 using ~~strikeouts~~ for deletions, and underline for new text.

Table 4.2-1A: Residential Land Use Classifications				
Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning	Maximum Density (Units per Net Acre)
Rural Residential	This designation is intended to retain opportunities for rural living with very low density, one-family detached housing on large lots greater than 20,000 square feet in size. The primary purpose is residential with the secondary purpose being crops, orchards, and gardens, and limited animal-keeping.	R-1(B-40); R-1(B-E, CSU, RV); R-1(L, B-E)	RR-40; RR-20	1-2
Hillside Residential	This designation is used in areas of steep slopes and/or high fire hazard areas to ensure that adequate mitigations are identified for the development of one-family detached dwellings. Lots range from 5,000 to 10,000 square feet resulting in residential densities between 4 and 8 units per net acre. Minimum lot sizes are to be based on the slope.	R-1 (B-E, CSU, RV); R-1 (B-E)	RH-10: minimum 10,000 sf lot; RH-8: minimum 8,000 sf lot; RH-7.5: minimum 7,500 sf lot; RH-6.5: minimum 6,500 sf lot; RH-5: minimum 5,000 sf lot	4-8

Table 4.2-1A: Residential Land Use Classifications				
Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning	Maximum Density (Units per Net Acre)
Residential - Single Family	This land use category provides for and protects established neighborhoods of one-family dwellings. Community facilities compatible with low-density residential uses ranging from 4 to 8 units per net acre are allowed.	R-1	R-1-7.5: minimum 7,500 sf lot; R-1-5: minimum 5,000 sf lot	4-8
Residential - Small Lot	This designation is intended to provide for and protect small lot subdivisions where a variety of housing types are located on lots between 2,500 and 5,000 square feet in size. Housing types include one-family detached, duplexes, townhouses, and rowhouses <u>and other housing types.</u> Residential densities range from 8 to 17 units per net acre. <u>For parcels in the Housing Element Zoning Overlay, projects eligible for permit streamlining.</u>	RS; R-2; RS(D-35); RS(D-25)	RSL-5: One-family detached, duplexes and townhouses with maximum 5,000 sf lot area per unit; RSL-3.5: Small one-family detached with 3,500 to 5,000 square foot lot per unit; RSL-2.5: Duplexes, and townhouses <u>and other attached housing types,</u> with 2,500 square foot lot per unit. <u>For parcels in the Housing Element Zoning Overlay, minimum parcel size is 1,200 square feet.</u>	8-17

Table 4.2-1A: Residential Land Use Classifications				
Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning	Maximum Density (Units per Net Acre)
Residential - Low Density Multifamily	This designation is intended for high density townhouses, and low density multi-family residential uses such as garden apartments and condominiums. Typical lot sizes are 2,000 square feet per unit. Residential densities range from 18 to 22 units per net acre.	R-3; RS(D-20)	RLM	18-22
Residential - Medium Density Multifamily	This designation is intended for medium density apartments and condominiums. Typical lot sizes are 1,500 square feet per unit. Residential densities range from 23 to 29 units per net acre.	RS(D-3); RS(D-15)	RM	23-29
Residential - Mixed Density	This land use category is intended to provide a variety of housing types near commercial business districts while maintaining the existing character and development pattern of the neighborhood. The housing types include one-family dwellings, duplexes, townhomes, and two-story multi-family residential uses. Residential densities range from 8 to 29 units per net acre based on the lot width, depth, and size.	R-1; R-2; R-3; R-4; RS; RS(D-25); RS(D-3); RS(D-35)	RMX	8-29

Table 4.2-1A: Residential Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning	Maximum Density (Units per Net Acre)
Residential - Downtown Mixed Use	<p>The Downtown Mixed Use land use category allows for a vertical mix of uses that is uniquely appropriate to the central business district. The primary use is high density multi-family residential with densities ranging from 30 to 60 units per net acre. Ground floor commercial uses are required along Castro Valley Boulevard west of Forest Avenue or Norbridge. Landscaped front yards are required along Castro Valley Boulevard east of Forest Avenue. Ground floor commercial uses are encouraged along other high-traffic streets. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay</u></p>	Portions of CBD Sub-area 10	CBD-RMU-40; CBD-RMU-60	30-60; ** 1.0 FAR* <u>40-86 units per acre***</u>
<u>Residential 60</u>	<u>Sites identified to implement Housing Element, are located outside the Downtown Specific Plan and are suitable for higher density residential as a primary use.</u>		<u>Residential 60</u>	<u>***60 units per acre</u>
<u>Residential High Density 100</u>	<u>Sites identified to implement Housing Element, are located outside the Downtown Specific Plan and are suitable for highest density residential as a primary use.</u>		<u>High Density Residential 100</u>	<u>***100 units/acre</u>

Table 4.2-1A: Residential Land Use Classifications				
Land Use Category	Description	Corresponding Existing Zoning	Proposed Zoning	Maximum Density (Units per Net Acre)
Residential - Downtown Low Density	This designation is for the existing single-family neighborhoods within the CBD Specific Plan Area. Lot sizes are typically 5,000 square feet. One-family detached dwellings and duplexes are allowed.	Portions of CBD Sub-area 11	CBD-R-1 or R-1	10
Residential - Downtown Medium Density	This designation is applied to existing residential areas close to Castro Valley Boulevard commercial areas and the BART station. Housing types include townhouses, condominiums and apartments. Residential densities range dependent on lot size and width.	Portions of CBD Sub-area 11	CBD-RMX or RMX	8-29
<p>* FAR = Floor Area Ratio. Floor Area Ratio is equal to the total square feet of floor area divided by the total square feet of lot area. Floor area excludes areas devoted to parking.</p> <p>** On sites with mixed-use development, commercial density (FAR) and residential density (units per acre) are allowed to be combined, provided that buildings meet all other development standards.</p> <p>*** On sites listed in the Housing Element Zoning Overlay, residential is allowed as a primary use per the described density.</p>				
<p><i>Source: Kahn/Mortimer/Associates and Dyett & Bhatia: 2010, Castro Valley Central Business District Specific Plan, 1993.</i></p>				

Text Amendments to the Castro Valley Area General Plan, Table 4.2-1C,
 using ~~strikeouts~~ for deletions, and underline for new text.

Table 4.2-1C: Commercial and Central Business District Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning Districts	Proposed Zoning	Maximum Intensity (FAR*) and Density (units per acre)
Commercial Land Uses				
Neighborhood Commercial Mixed Use	This designation applies to areas where the primary purpose is for neighborhood-serving retail and commercial service uses. Typical uses include but are not limited to convenience stores, small restaurants, hair salons, and fitness studios. Multi-family residential and live-work uses are allowed above the ground floor. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay</u>	C-N	CNM	1.0; 22 units per net acre ** <u>30-60 units per net acre***</u>
Community Service and Office	This land use category is intended for low-intensity office, administrative, retail, and personal service uses.	C-O	CS	1.0
Community Commercial	This designation is intended to provide a wide range of commercial goods and services to meet community needs generally in an auto-oriented setting. Typical uses include community-serving retail and commercial services, comparison retail, and office uses. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay</u>	C-1; C-2; C-N; C-O	CC	1.5 <u>30-60 units per net acre***</u>
General Commercial	This designation is intended for retail and service uses that meet the local, sub-regional, and regional demand. These uses are best located where there is the highest level of automobile access.	C-2	CG	1.0
Central Business District Land Uses (Figure 4-7)				
Low-Intensity Retail	This designation allows land-extensive, auto-oriented uses near the freeway. Typical uses include retail, service, wholesale commercial, and industrial uses with some limited office uses.	CBD Sub-area 1	CBD-1	1.5

Table 4.2-1C: Commercial and Central Business District Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning Districts	Proposed Zoning	Maximum Intensity (FAR*) and Density (units per acre)
Heritage Retail	This designation supports existing pedestrian-oriented retail with continuous frontages. Ground floor retail, commercial services, or medical or dental offices are required. Live-work uses may be allowed behind or above the historic retail frontage on Castro Valley Boulevard or fronting San Carlos Avenue.	Portion of CBD Sub-Area 3	CBD-2	1.0
Downtown Community Commercial	This designation is intended to provide a wide range of commercial goods and services to meet community needs generally in an auto-oriented setting. Typical uses include retail and commercial services, comparison retail, and office uses. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay</u>	Portions of CBD Sub-areas 2, 5, 7, 10	CC or CBD-3	2.0 <u>40-86 units per acre***</u>
Downtown General Commercial	This designation is intended for service-oriented commercial and office uses. Due to the location near the Medical Center and the existing character, offices uses, in particular medical and dental offices are encouraged. Live-work units may be allowed if determined to be appropriate with adjacent uses but not other types of residential uses.	Portion of CBD Sub-Area 3	CBD-4	2.0
Core Pedestrian Retail	This designation is intended for the intensive pedestrian-oriented retail and service uses that form the heart of the Castro Valley community. Ground floor offices uses will be limited. A public park and parking will be integrated into the Village District. Multi-family residential uses and administrative office uses are allowed above the ground floor or behind retail frontage. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay</u>	Portion of CBD Sub-area 7	CBD-5	2.0; 30-60 units per net acre**; <u>40-86 units per acre***</u>
Entertainment-Theater	This designation is intended to support the regional theater with additional entertainment uses and complementary retail and restaurant uses. The district should be a pedestrian-oriented destination that is well served with parking.	Portion of CBD Sub-area 5	CBD-CE-1	2.0

Table 4.2-1C: Commercial and Central Business District Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning Districts	Proposed Zoning	Maximum Intensity (FAR*) and Density (units per acre)
Regional Retail and Entertainment	This designation is intended to provide for and protect the existing commercial recreation and entertainment uses. Complementary retail, hospitality, and office uses are allowed. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay</u>	Portion of CBD Sub-area 2	CBD-CE-2	2.0 <u>40-86 units per acre***</u>
Professional-Medical Office	This designation provides for and protects the concentration of medical and professional office uses surrounding Sutter Medical Center Castro Valley. Complementary health-related professional and technical services, nursing homes, retail, and personal services such as fitness centers, day care, and restaurants, parking structures are encouraged.	CBD Sub-area 4	CBD-PM	2.0
Redwood Road Office Commercial	This designation supports high-intensity office development to provide employment opportunities between the Castro Valley BART station and downtown. Complementary retail, personal services such as day care and restaurants, parking structures, and other public facilities are encouraged. High density mixed use and residential uses are allowed west of Redwood Road, adjacent to the Transit Village.	CBD Sub-area 9	TOD-O	2.0
BART Transit Village	This designation is unique to the area adjacent to the Castro Valley BART station which will provide for high-intensity mixed use with residential, office, retail, and parking structures. Pedestrian access to and from the BART station and across Norbridge Avenue is a priority. The maximum residential density is 60-86 units per net acre. <u>Residential is permitted as a primary use on sites listed in the Housing Element Zoning Overlay.</u>	CBD Sub-area 8	TOD-R Castro Valley Transit Area (CTA)	2.0; 3.0 <u>30-75-60-86</u> units per net acre**/***
Downtown Civic and Community Center	This designation is intended for public facilities including the Castro Valley Library and Alameda County offices.	Portion of CBD Sub-area 10	PF	2.0

* FAR = Floor Area Ratio. Floor Area Ratio is equal to the total square feet of floor area divided by the total square feet of lot area. Floor area excludes areas devoted to parking.

** On sites with mixed-use development, commercial density (FAR) and residential density (units per acre) are allowed to be combined, provided that buildings meet all other development standards.

*** On sites listed in the Housing Element Overlay, residential is allowed as a primary use per the described density.

Table 4.2-1C: Commercial and Central Business District Land Use Classifications

Land Use Category	Description	Corresponding Existing Zoning Districts	Proposed Zoning	Maximum Intensity (FAR*) and Density (units per acre)
-------------------	-------------	---	-----------------	---

Source: Kahn/Mortimer/Associates and Dyett & Bhatia, 2010; Castro Valley Central Business District Specific Plan, 1993; Castro Valley Redevelopment Strategic Plan, 2006.

Text Amendments to the Castro Valley Area General Plan description of schools in Table 4.2-1B,
using strikeouts for deletions, and underline for new text.

This designation identifies publicly-owned or operated educational facilities of all sizes serving all age groups in Castro Valley. The designation also includes sites that are owned or used by the school districts for school-related purposes such as maintenance or corporation yards as well as parcels which are leased to private entities. Housing Element sites may be of a higher density than surrounding land uses. Any private development proposed on a former school site shall incorporate on site a feature intended to serve as a benefit to the community, such as a park, playground, trail easement, athletic field, public plaza, community meeting facility, or child care center. The feature shall remain accessible to the public. The scale of the community benefit shall be commensurate with the size of the parcel and the intensity of the proposed development. Decisions regarding the type of feature to be provided and its design shall take into consideration public input and shall be coordinated with relevant public entities that will be involved in its operation and maintenance.

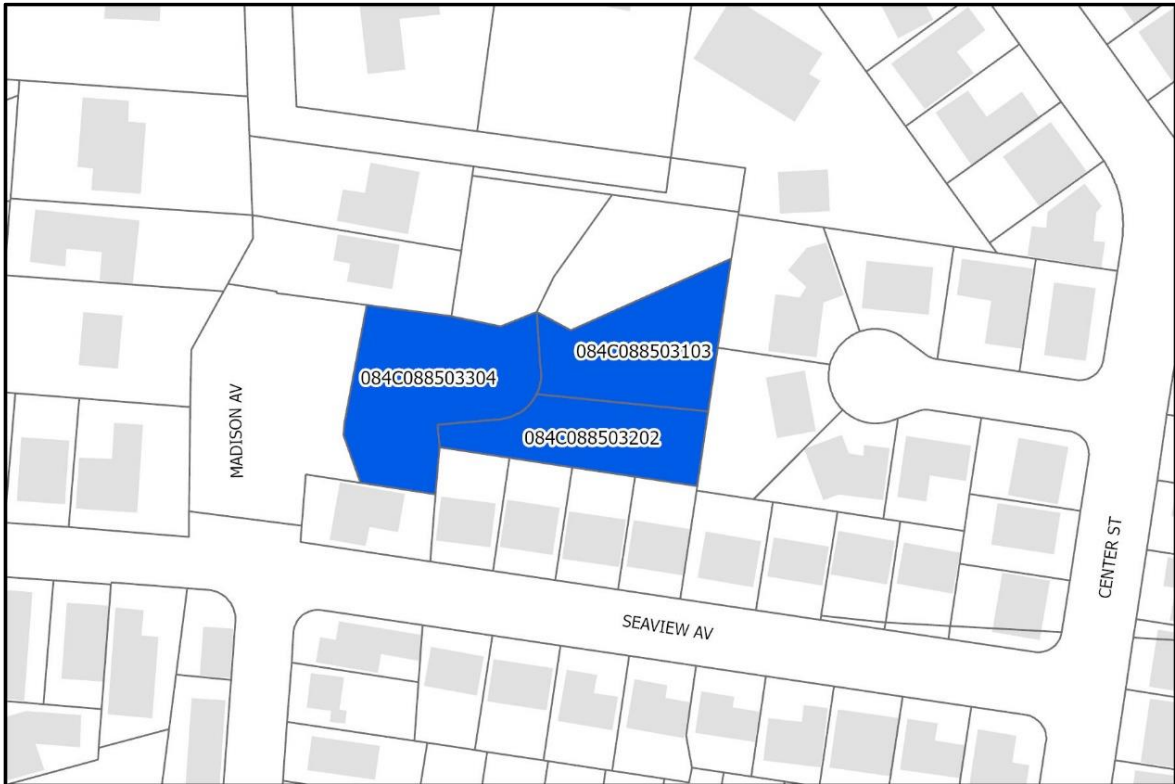
Text Amendment to the Castro Valley Area General Plan, Policy 8.4-7,
using strikeouts for deletions, and underline for new text.

Policy 8.4-7 Zoning for Lands designated ‘School’. Lands designated ‘School’ in the General Plan shall be zoned for both school and residential uses. The zoning designation shall call out a density of development that is comparable to surrounding land uses. Housing Element sites may be of a higher density than surrounding land uses.

Map Amendments to the Castro Valley Area General Plan:

APN	From Castro Valley General Plan	To Castro Valley General Plan
80A-209-4	Hillside Residential	Residential Small Lot RSL-17
80A-221-40	Hillside Residential	Residential Small Lot RSL-17
84B-570-123-3	Residential Single Family	Residential Small Lot RSL-17
84C-1064-26	Residential Single Family	Residential Small Lot RSL-17
84C-1064-27	Residential Single Family	Residential Small Lot RSL-17
84C-1064-28	Residential Single Family	Residential Small Lot RSL-17
84C-885-31-3	Rural Residential	Residential Small Lot RSL-17
84C-885-32-2	Rural Residential	Residential Small Lot RSL-17
84C-885-33-4	Rural Residential	Residential Small Lot RSL-17
84C-885-34-2	Rural Residential	Residential Small Lot RSL-17
85-1613-1	Hillside Residential	Residential Small Lot RSL-17
85-5450-54	Residential Single Family	Residential Small Lot RSL-17
85-5475-2	Rural Residential	Residential Small Lot RSL-17





APN	From Castro Valley General Plan	To Castro Valley General Plan
415-160-14	Residential Low Density Multi-Family	Residential 60
415-160-15	Residential Low Density Multi-Family	Residential 60
415-160-16	Residential Low Density Multi-Family	Residential 60
415-160-18	Residential Low Density Multi-Family	Residential 60
415-160-53	Residential Low Density Multi-Family	Residential 60
84B-550-1-1	Residential Single Family	Residential 60
84B-553-1-4	Residential Single Family	Residential 60
84B-553-14-3	Residential Single Family	Residential 60
84B-553-16	Residential Single Family	Residential 60
84B-553-1-6	Residential Single Family	Residential 60





APN	From Castro Valley General Plan	To Castro Valley General Plan
416-40-44	Schools	Residential - Low Density Multifamily



Text Amendments to the Eden Area General Plan,
using ~~strikeouts~~ for deletions, and underline for new text.

[Page 3-29] 8. School (S) This designation identifies publicly-owned or operated educational facilities of all sizes serving all age groups in the Eden Area. The designation also includes sites that are owned or used by the school districts for school-related purposes such as maintenance or corporation yards as well as parcels which are leased to private entities. Sites designated as ‘School’ may also be developed as residential uses at a density comparable to surrounding uses if the school district which owns them determines that they are no longer needed for educational purposes. Housing Element sites may be of a higher density than surrounding land uses.

9. Bay Fair Transit Area (BTA) This designation is a Priority Site for implementation of the 2023-2031 Housing Element and is being reclassified for compliance with AB2923. A significant project is contemplated at this site in conjunction with BART, and in coordination with the City of San Leandro, including the redevelopment/reuse of the City’s site at the Bayfair Mall. The County portion of the BTA site is zoned up to 125 units per acre and allows commercial uses as a secondary use at an FAR of 1.0. The site is envisioned to be primarily a new residential neighborhood with ancillary BART-related and small-scale commercial uses.

TABLE 3-2 - Is hereby amended as follows:

Land Use Designation	Number of Acres	Allowed Density/ Intensity^{a,b}
Low Density Residential (LDR)	1,136.1	0-9 DU/AC
Low-Medium Density Residential (LMDR)	371.9	7-12 DU/AC
Medium Density Residential (MDR)	683.4	10-22 DU/AC
Medium-High Density Residential (MHDR)	15.5	22-43 DU/AC
High Density Residential (HDR)	9.4	43-86 DU/AC
Medium Density Residential and General Commercial as a Secondary Use (MDR/GC)	8.3	10-22 DU/AC 1.0 FAR
Medium-High Density Residential and General Commercial as a Secondary Use (MHDR/GC)	7.4	22-43 DU/AC 1.0 FAR
High Density Residential and General Commercial as a Secondary Use (HDR/GC)	7.5	43-86 DU/AC 1.0 FAR
General Commercial (GC)	46.0	1.0 FAR
General Commercial and Low-Medium Density Residential as a Secondary Use (CG/LMDR)	6.4	1.0 FAR 7-12 DU/AC
General Commercial and Medium Density Residential as a Secondary Use (GC/MDR)	59.6	1.0 FAR 10-22 DU/AC
General Commercial and Medium-High Density Residential as a Secondary Use (GC/MHDR)	71.5	1.0 FAR 22-43 DU/AC
General Commercial and High Density Residential as a Secondary Use (GC/HDR)	38.8	1.0 FAR 43-86 DU/AC
<u>Bay Fair Transit Area High Density Residential and General Commercial as a secondary use (BTA-HDR/GC)</u>	<u>7.1</u>	<u>125 DU/AC</u> <u>1.0 FAR</u>
Light Industrial (I)	116.8 ^c	0.5 FAR
Research and Development/Office (R&D/O)	116.8 ^c	1.0 FAR
San Lorenzo Specific Plan Area (SLSPA)	28.7	19.5 DU/AC (average for the District) 230,000 square feet of C&P
Public (Pub)	207.5	1.5 FAR

Park (P)	77.6	N/A
School (S)	210.9	N/A 10-22 DU/AC
Total Acres	3,094.7	

^a DU/AC stands for dwelling units per acre.

^b FAR stands for Floor Area Ratio.

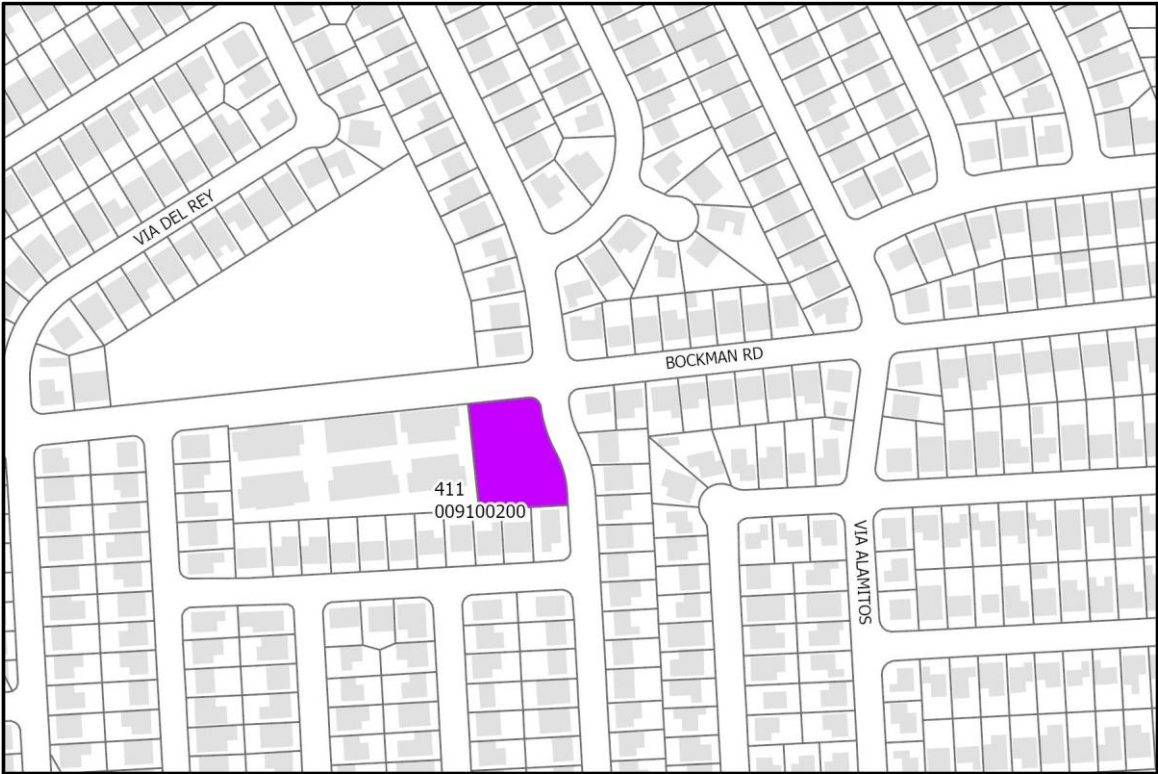
^c The acreage for both Industrial and Research and Development/Office covers the same parcels as these two designations are used simultaneously in this General Plan. Thus, this acreage is only counted once in the Total Acreage for the Eden Area.

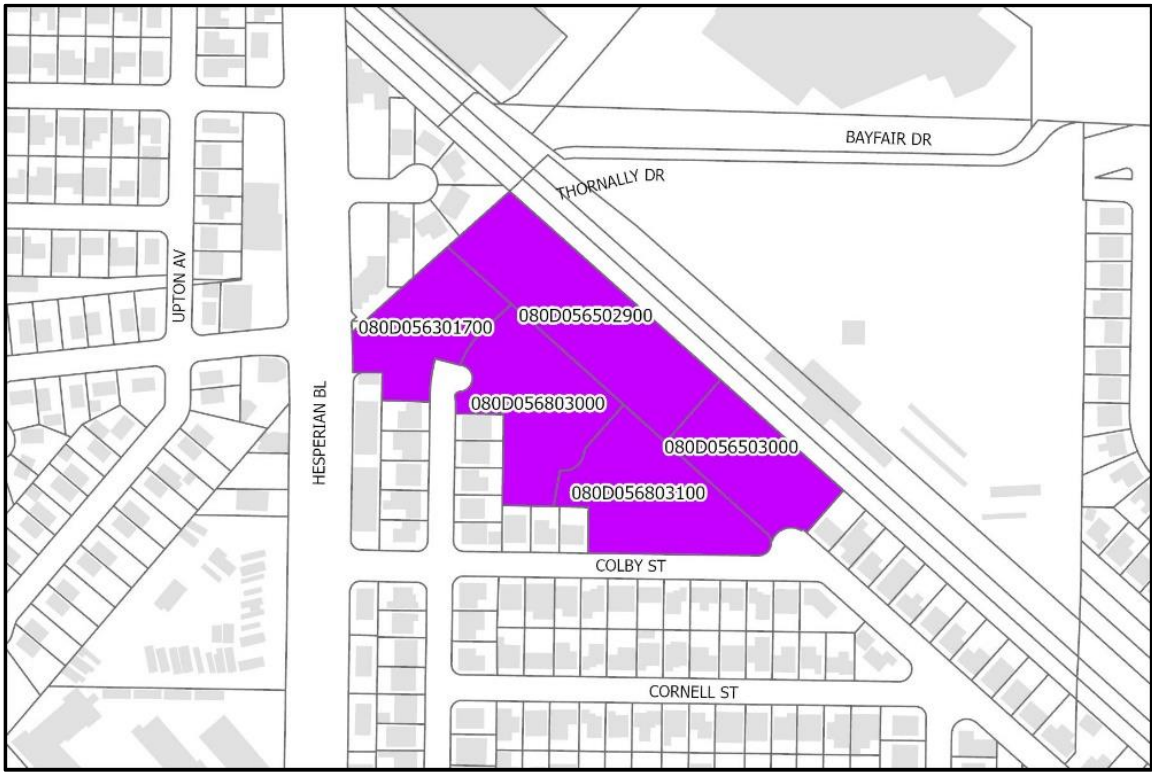
Source: Design, Community & Environment.

Map Amendments to the Eden Area General Plan.

FIGURE 3-4A GENERAL PLAN LAND USE DESIGNATIONS is amended to **change** the following parcels

APN	From Eden Area General Plan	To Eden Area General Plan
411-91-2	General Commercial	Medium High Density Residential
413-23-43-3	Medium Density Residential	Medium High Density Residential
413-23-43-4	Medium Density Residential	Medium High Density Residential
413-23-67-4	Medium Density Residential	Medium High Density Residential
432-4-30-2	Medium Density Residential	Medium High Density Residential
80D-566-36-1	Low Density Residential	Medium High Density Residential
412-22-7-2	School	Medium Density Residential, School
411-21-5-2	Medium Density Residential	High Density Residential
411-21-5-4	General Commercial	High Density Residential
413-15-33-2	Public	High Density Residential
415-160-51	Medium High Density Residential	High Density Residential
432-4-34-2	Medium Density Residential	High Density Residential
80D-563-17	High Density Residential	Bay Fair Transit Area
80D-565-29	High Density Residential	Bay Fair Transit Area
80D-565-30	High Density Residential	Bay Fair Transit Area
80D-568-30	High Density Residential	Bay Fair Transit Area
80D-568-31	High Density Residential	Bay Fair Transit Area





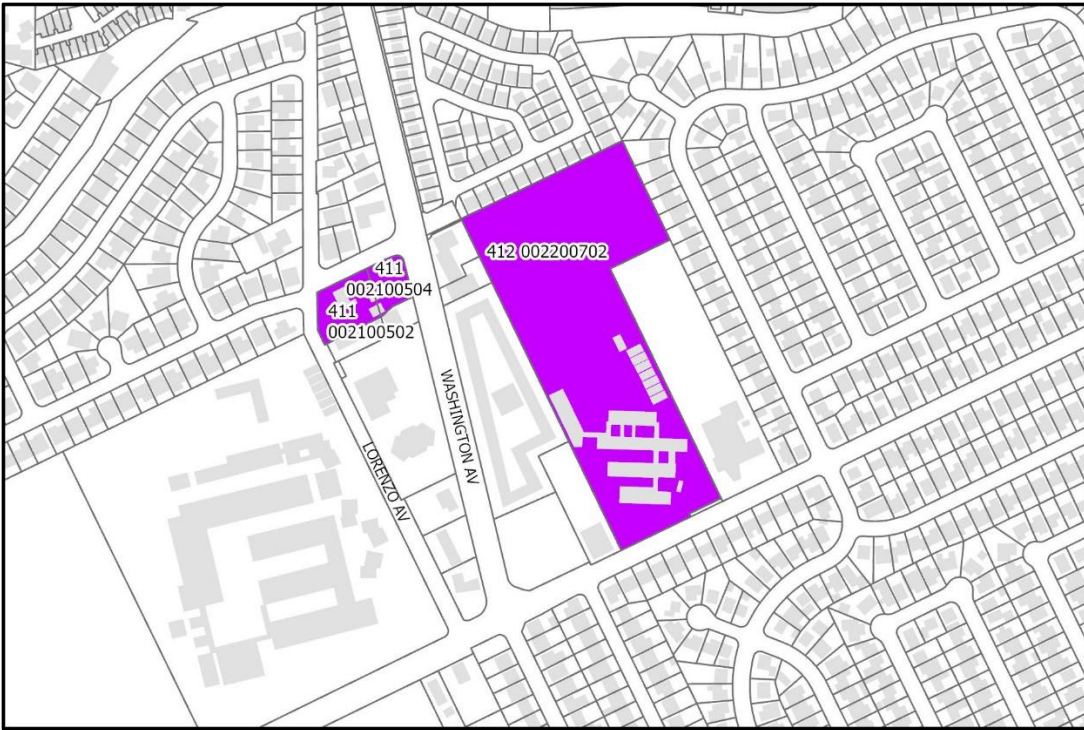


FIGURE 3-4B GENERAL PLAN LAND USE RESIDENTIAL OVERLAYS is amended to **add** the following parcels into the category of **Medium-High Density Residential**

APN
413-63-6-3
413-67-5-2
413-70-6-4
413-93-1-3
413-93-2-2
429-10-59-2

FIGURE 3-4B GENERAL PLAN LAND USE RESIDENTIAL OVERLAYS is amended to **add** the following parcels into the category of **High Density Residential**.

413-15-33-5
413-15-34-3

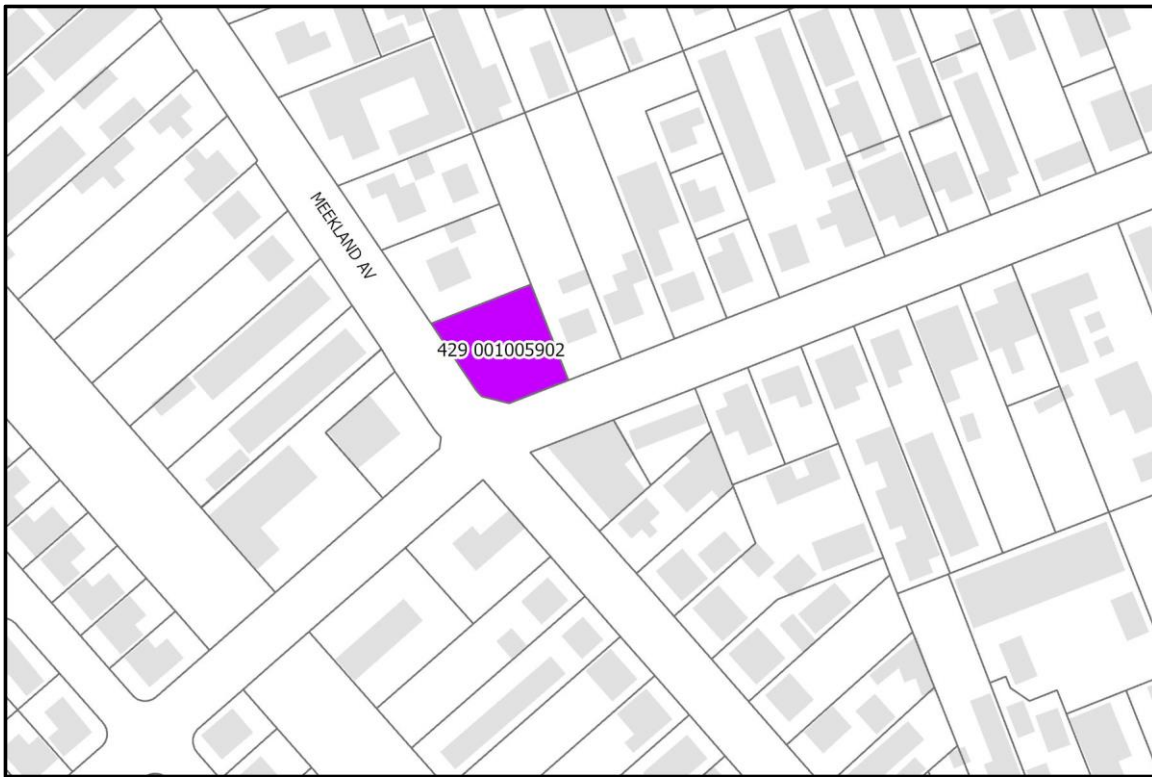
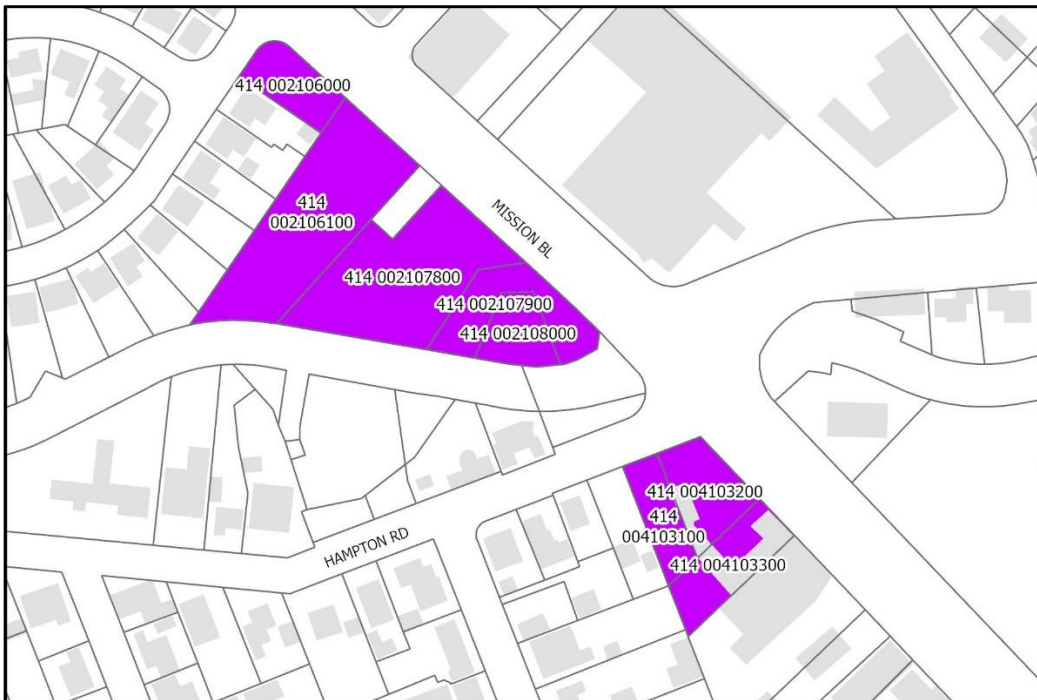


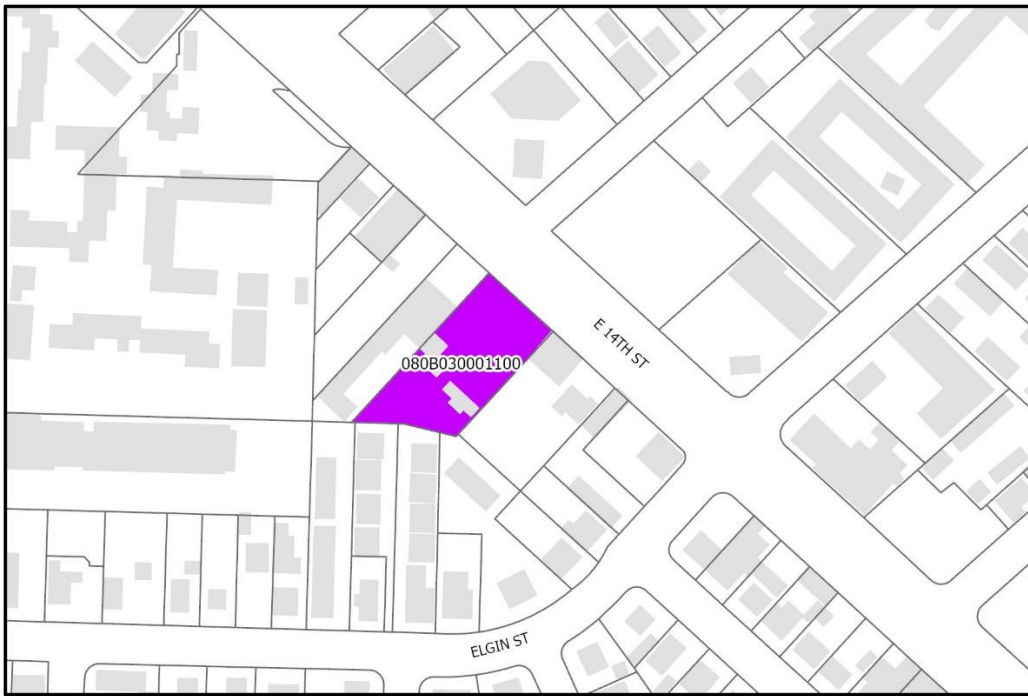
FIGURE 3-4B GENERAL PLAN LAND USE RESIDENTIAL OVERLAYS is amended to **add** the following parcel into the category of **Medium Density Residential**.

432-4-28-6

FIGURE 3-4B GENERAL PLAN LAND USE RESIDENTIAL OVERLAYS is amended to **change** the following parcels from **Medium-High Density Residential** into the category of **High Density Residential**

APN
414-41-31
414-41-32
414-41-33
80B-300-11
414-21-61
414-21-78
414-21-79
414-21-60
414-21-80





Text Amendments to the Fairview Area Specific Plan,
using ~~strikeouts~~ for deletions, and underline for new text.

[Page 3-12] Add a new definition “Small Lot Residential” This designation is applied to sites to implement the 2023-2031 Housing Element and can include a variety of attached housing types including but not limited to apartments, townhomes, and flats. Many of the parcels with this designation are vacant land zoned for residential use at density ranging from 9 to 17 units per acre. Lot sizes can range but should not be smaller than 1,200 square feet. Projects 10 units and less built on vacant land can benefit from a streamlined ministerial approval process and are encouraged (see SB1123).

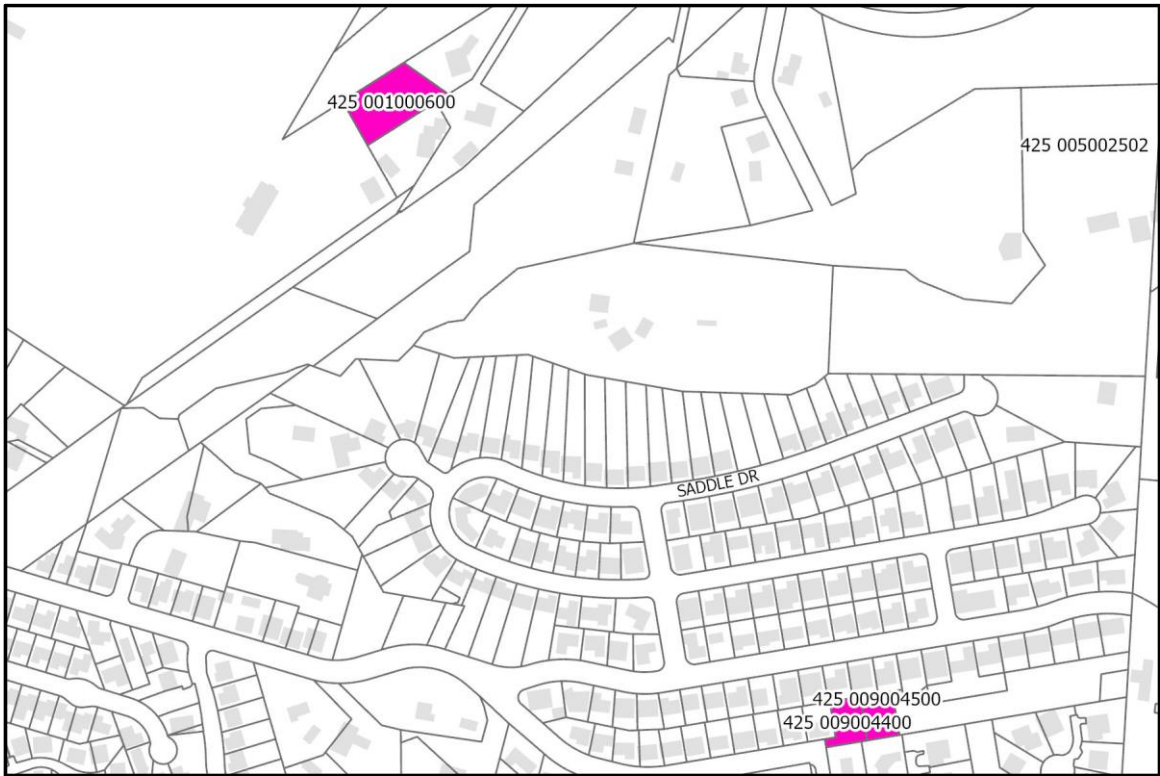
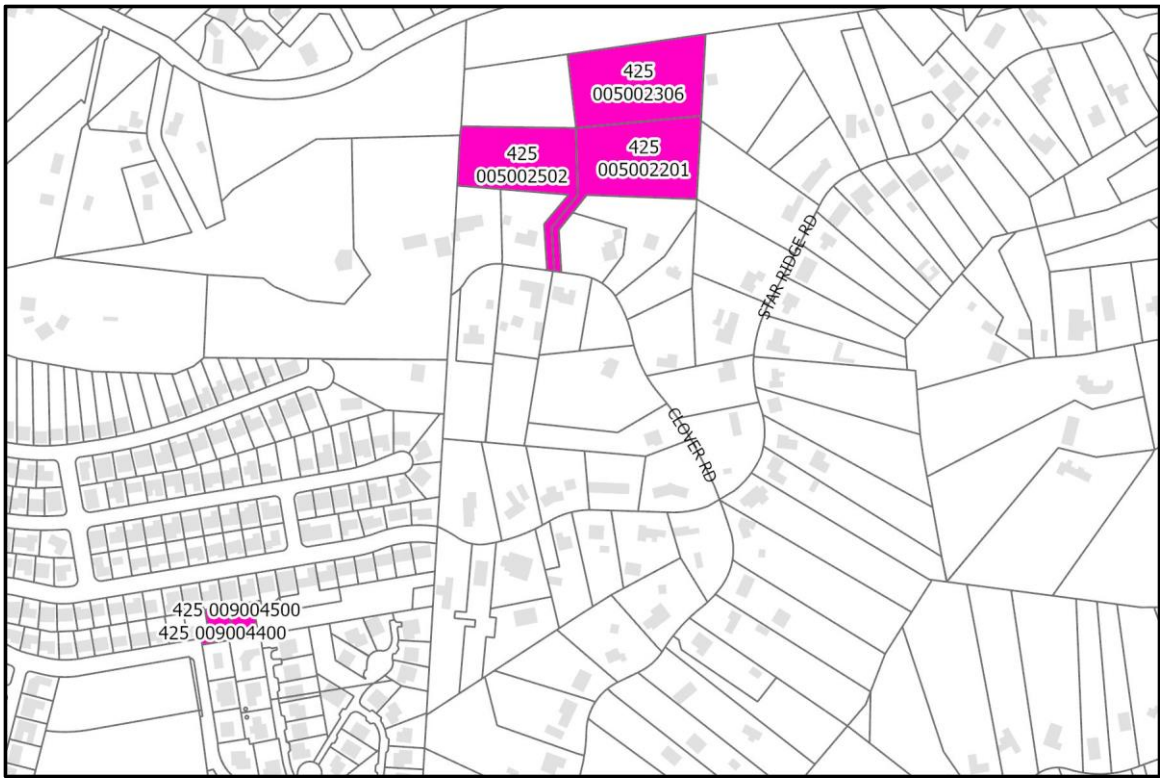
Add a new definition “Medium High Density Residential” This designation is applied to sites to implement the 2023-2031 Housing Element and can include a variety of attached housing types including but not limited to apartments, townhomes, and flats and small/tiny homes. The density range is 22 to 29 units per acre. The Residential use is the primary use, and community serving uses are secondary, and can be allowed but are not required. As these are higher residential density sites, neighborhood and community serving uses such as community facilities, commercial uses (such as grocery stores, banks, restaurants, and other small businesses) and institutional uses are permitted as a secondary use with a maximum Floor Area Ratio of 1.0.

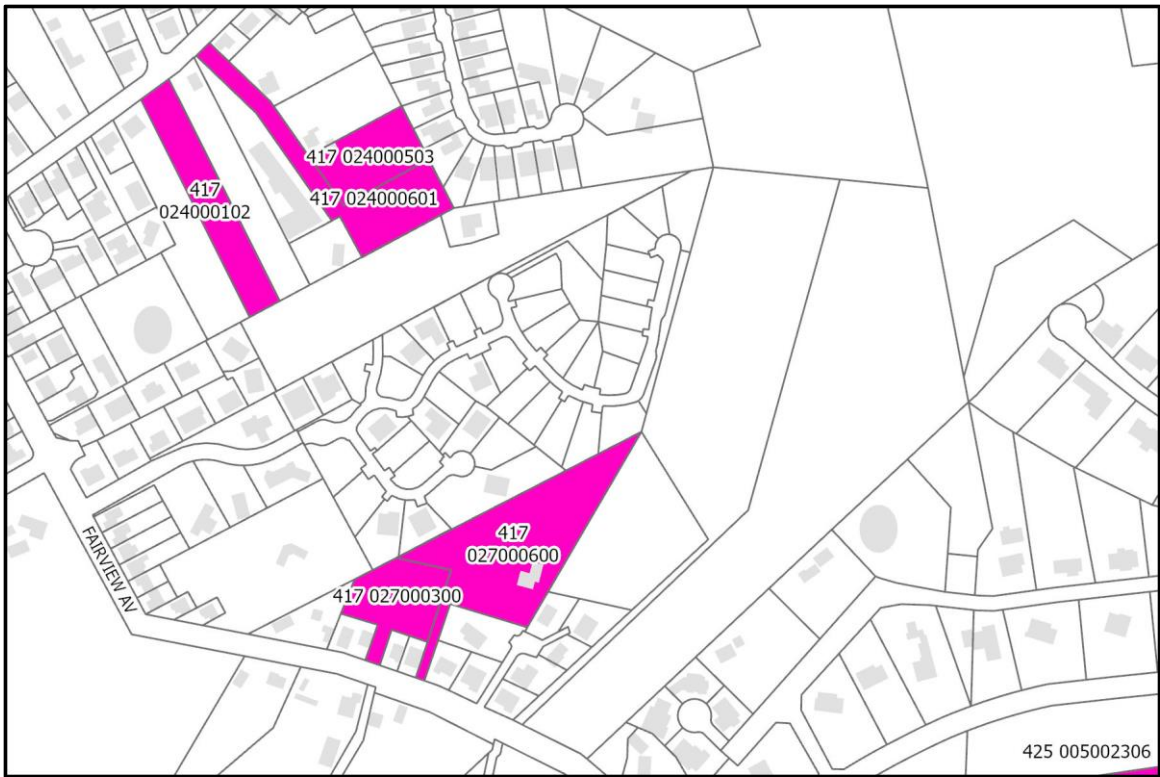
~~(f) Commercial. This category corresponds to areas that are appropriate for neighborhood serving and general commercial uses such as grocery stores, banks, restaurants, and other small businesses. The maximum allowable floor area ratio on these properties is 1.0. Residential uses are discouraged on these properties in order to maintain opportunities for businesses serving Fairview residents. Only two parcels in Fairview have this designation, and their continued use with activities serving the local community is encouraged. Parcels with this designation have Commercial zoning.~~

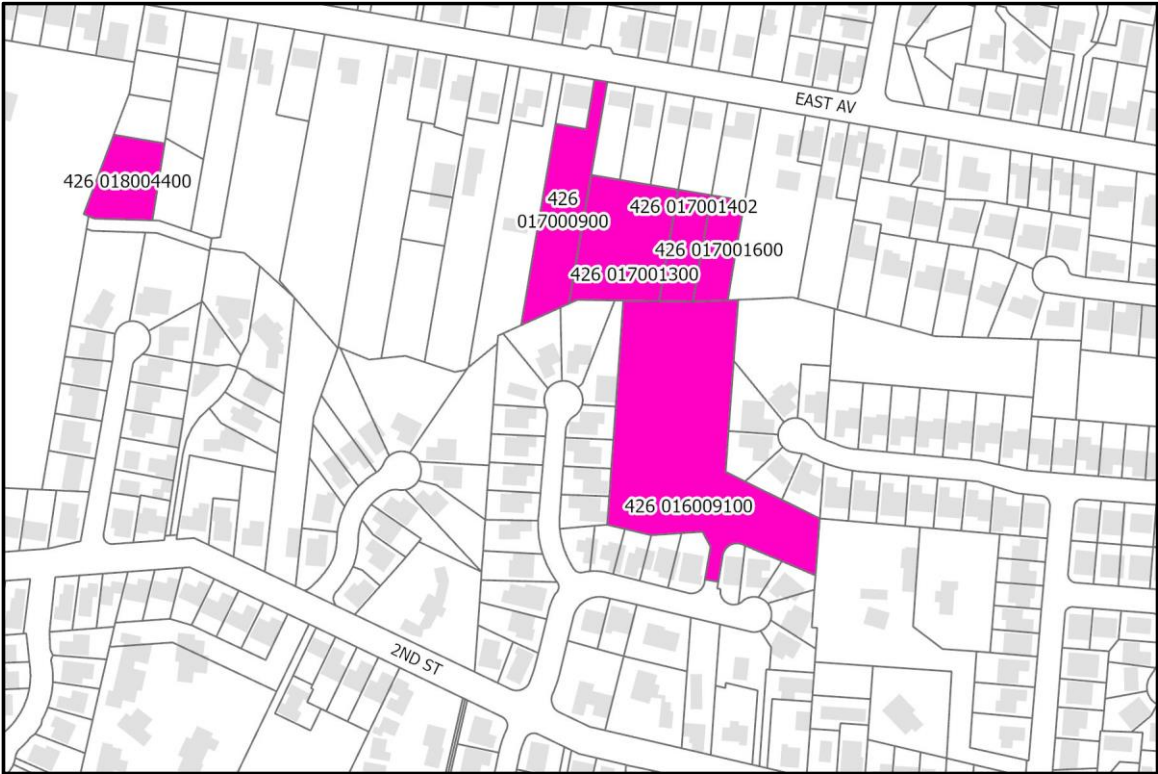
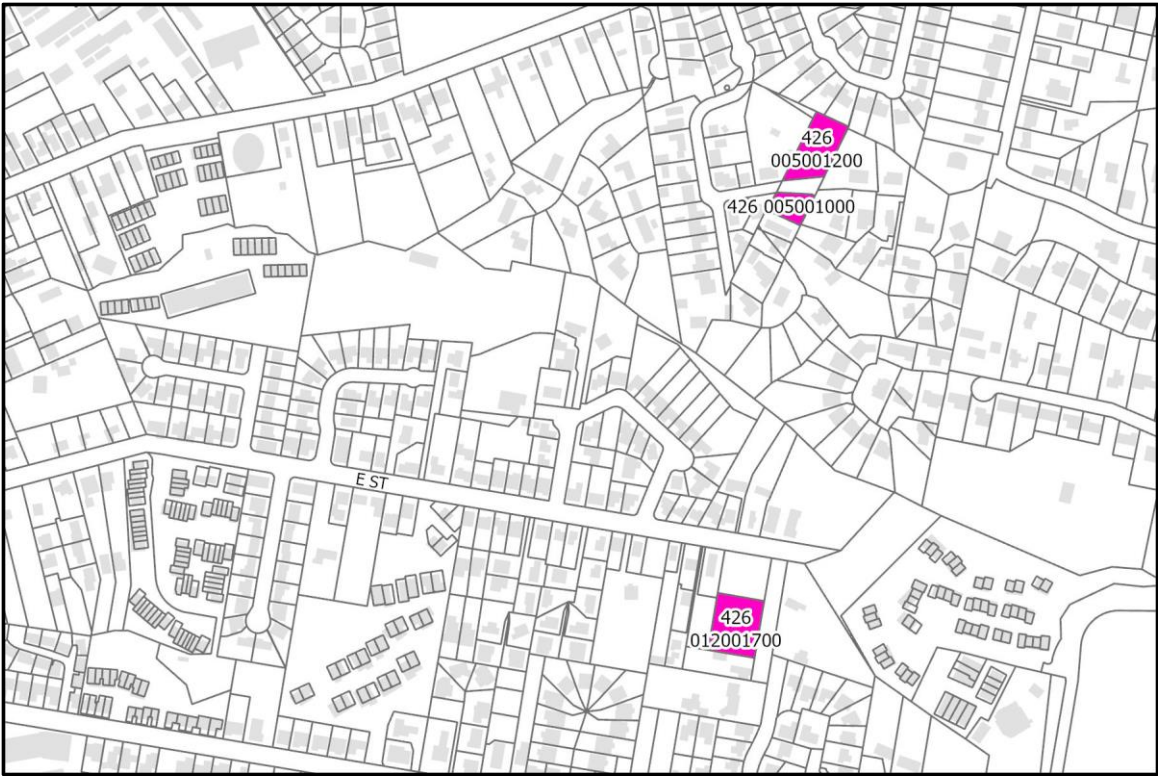
Map Amendments to the Fairview Area Specific Plan.

FIGURE 3-1 LAND USE MAP DESIGNATIONS is amended to **change** the following parcels:

APN	From Fairview Land Use Map	To Fairview Land Use Map
416-180-1	Low Density Residential	Small Lot Residential
416-180-12	Low Density Residential	Small Lot Residential
416-180-14	Low Density Residential	Small Lot Residential
417-210-72	Very Low Density Residential	Small Lot Residential
417-220-40	Very Low Density Residential	Small Lot Residential
417-220-42	Very Low Density Residential	Small Lot Residential
417-240-1-2	Very Low Density Residential	Small Lot Residential
417-240-5-3	Very Low Density Residential	Small Lot Residential
417-240-6-1	Very Low Density Residential	Small Lot Residential
417-270-3	Very Low Density Residential	Small Lot Residential
417-270-6	Very Low Density Residential	Small Lot Residential
425-10-6	Very Low Density Residential	Small Lot Residential
425-50-22-1	Rural Residential	Small Lot Residential
425-50-23-6	Rural Residential	Small Lot Residential
425-50-25-2	Rural Residential	Small Lot Residential
425-90-44	Very Low Density Residential	Small Lot Residential
425-90-45	Very Low Density Residential	Small Lot Residential
426-120-17	Low Density Residential	Small Lot Residential
426-160-91	Low Density Residential	Small Lot Residential
426-170-13	Low Density Residential	Small Lot Residential
426-170-14-2	Low Density Residential	Small Lot Residential
426-170-16	Low Density Residential	Small Lot Residential
426-170-9	Low Density Residential	Small Lot Residential
426-180-44	Low Density Residential	Small Lot Residential
426-50-10	Very Low Density Residential	Small Lot Residential
426-50-12	Very Low Density Residential	Small Lot Residential
416-200-22-6	Low Density Residential	Small Lot Residential
416-180-20	Low Density Residential	Medium High Density Residential
426-140-9-2	Commercial	Medium High Density Residential
425-170-2	Commercial	Medium High Density Residential









Text Amendments to the Ashland Cherryland Business District (ACBD) Specific Plan,
 using ~~strikeouts~~ for deletions, and underline for new text.

6.1.2 Applicability of Standards [add section 7].

7. Housing Element Zoning Overlay

This overlay is intended to implement the 2023-2031 6th Cycle Housing Element. Parcels within the overlay are allowed Residential uses as the primary use. Commercial uses are permitted as provided for in the plan, but are not required.

TABLE 6.2.1 ZONES	
Zone	Description
District Mixed Use [DMU]	General applicability. Ashland and Cherryland Districts. Intent. To provide a vibrant, walkable urban main street mixed-use commercial environment that supports public transportation alternatives and provides locally- and regionally-serving commercial, retail, and entertainment uses, as well as a variety of urban housing choices. <u>In the Housing Element Zoning Overlay Residential uses are permitted as a primary use at the densities permitted by Table 6.2.2</u>
District Commercial [DC]	General applicability. Four Corners District. Intent. To provide a vibrant, walkable urban main street commercial environment that serves as the focal point for the surrounding neighborhoods and provides locally- and regionally-serving commercial ,retail, and entertainment uses. <u>In the Housing Element Zoning Overlay Residential uses are permitted as a primary use at the densities permitted by Table 6.2.2</u>
Bayfair Corridor [BC]	General applicability. Bayfair Corridor Intent. To provide a vibrant mixed-use environment adjacent to public transit that strengthens present and future commercial opportunities, serves daily needs of surrounding neighborhood residents, and accommodates growth and infill.

Corridor Mixed-Use - Residential [CMU-R]	<p>General applicability. Cherryland Corridor</p> <p>Intent. To provide an urban form that can accommodate a very diverse range of uses, including mixed-use and commercial services, to encourage revitalization and investment. Commercial allowed as a secondary use.</p>
Corridor Mixed-Use - Commercial [CMU-C]	<p>General applicability. West Eden and Cherryland Corridors</p> <p>Intent. To support neighborhood-serving commercial uses on small and medium-sized lots in various structures, including house form building types. Residential allowed as a secondary use, <u>except in the Housing Element Zoning Overlay in which case Residential uses are also permitted as a primary use.</u></p>
Corridor Neighborhood - Commercial [CN-C]	<p>General applicability. West Eden Corridor</p> <p>Intent. To support neighborhood-serving commercial uses on small and medium-sized lots in various structures, including house form building types. Residential allowed as a secondary use.</p>
Corridor Neighborhood [CN]	<p>General applicability. Central Lewelling Corridor</p> <p>Intent. To accommodate a variety of uses appropriate in a neighborhood setting such as medium density housing choices and a limited amount of retail, commercial, and office uses as allowed in the Eden Area General Plan. <u>In the Housing Element Zoning Overlay Residential uses are permitted as a primary use at the densities permitted by Table 6.2.2</u></p>
Residential [R]	<p>General applicability. Four Corners and Central Lewelling Neighborhoods</p> <p>Intent. To preserve existing and allow new small-to-medium lot detached homes and reinforce their role within a walkable neighborhood.</p>
Public [P]	<p>General applicability. San Lorenzo High School, San Lorenzo Cemetery</p> <p>Intent. To allow for public serving uses such as schools.</p>
Open Space [OS]	<p>General applicability. Meek Estate Park</p> <p>Intent. To preserve land for parks and open space for active or passive recreational use.</p>
Auto Overlay [A-O]	<p>General applicability. Cherryland Corridor</p> <p>Intent. To establish an area where auto related businesses are allowed by right in order to implement policies and programs in the Ashland and Cherryland Business District Specific Plan. The zone will accommodate a variety of uses and jobs to reduce displacement and concentrate auto uses.</p>

6.2.3 Allowed Land Uses and Permit Requirements

TABLE 6.2.2 ALLOWED LAND USES (1)											
Land Use Type	Specific Use Standards	Zone									
		DMU	DC	BC	CMU-C	CMU-R (2)	CN-C	CN (3)	R	P	OS
Key: P = Allowed by Right MUP = Minor Use Permit Required - = Use Not Allowed CUP = Conditional Use Permit Required TUP = Temporary Use Permit Required											
Entertainment and Recreation											
Adult entertainment activity		-	-	-	-	-	-	-	-	-	-
Health/Fitness facility <5,000 sf		MUP	MUP	MUP	MUP	-	-	-	-	-	-
Health/Fitness facility >5,000 sf		CUP	CUP	CUP	CUP	-	-	-	-	-	-
Indoor/Outdoor Recreation		CUP	CUP	-	CUP	-	-	-	-	-	MUP
Park, playground (4)		P	P	P	P	P	P	P	P	P	P
Studio: art, dance, martial arts, music, etc.		P	P	P	P	P (2)	P	P (3)	-	-	-
Theater, cinema, or performing arts		P	P	P	P	P (2)	-	-	-	-	-
Office, Civic, and Public Assembly											
Government		P	P	P	P	P	P	P (3)	P	P	-
Library, museum, or art gallery		P	P	P	P	P (2)	-	-	-	-	MUP
Office, general		P	P	P	P	-	P	P (3)	-	-	-
Meeting facility, public or private		P	P	P	P	-	-	-	CUP	-	MUP
School, public or private		MUP	MUP	MUP	P	-	-	-	CUP	P	-
Restaurant and Food											
Drive-through Restaurant	Section 6.2.5.2	-	-	-	MUP	-	-	-	-	-	-
Micro-Brewery	Section 6.2.5.1	CUP	CUP	CUP	CUP	-	-	-	-	-	-
Pub/Bar/Tavern	Section 6.2.5.1	CUP	CUP	CUP	CUP	-	-	-	-	-	-
Restaurant, café, coffee shop (May include alcohol sales)		P	P	P	P	P (2)	P	MUP (3)	-	-	-

TABLE 6.2.2 ALLOWED LAND USES (1)											
Land Use Type	Specific Use Standards	Zone									
		DMU	DC	BC	CMU-C	CMU-R (2)	CN-C	CN (3)	R	P	OS
Key: P = Allowed by Right MUP = Minor Use Permit Required - = Use Not Allowed CUP = Conditional Use Permit Required TUP = Temporary Use Permit Required											
w/ Outside dining	Section 6.2.5.6	P	P	P	P	MUP (2)	-	MUP (3)	-	-	-
Retail											
Alcohol Outlet	Section 6.2.5.1	CUP	CUP	CUP	CUP	-	-	-	-	-	-
Tobacco Outlet		CUP	CUP	CUP	CUP	-	-	-	-	-	-
General Retail < 10,000 sq. ft.		P	P	P	P	P (2)	P	P (3)	-	-	-
General Retail > 10,001 sq. ft.		P	P	P	MUP	-	-	-	-	-	-
General Retail w/ onsite production		P	P	P	P	-	P	P (3)	-	-	-
Second hand/thrift stores		P	P	P	P	P (2)	P	P (3)	-	-	-
Services											
Bail bonds/check cashing		-	-	-	P	-	CUP	CUP (3)	-	-	-
Business service		P	P	P	P	P (2)	P	P (3)	-	-	-
w/ drive through service	Section 6.2.5.2	MUP	MUP	MUP	MUP	MUP (2)	-	MUP (3)	-	-	-
Care facility for the Elderly <7		P	P	P	P	P	P	P	P	-	-
Care facility for the Elderly >7		CUP	CUP	CUP	CUP	CUP (2)	CUP	CUP (3)	CUP	-	-
Commercial services		MUP	MUP	P	P	P (2)	P	P (3)	-	-	-
Day Care small < 9 (6)		P	P	P	P	P	P	P	P	-	-
Day Care large 9-14 (6)		P	P	P	P	P (2)	P	P (3)	-	-	-
Day Care center >14		CUP	CUP	CUP	MUP	MUP (2)	MUP	MUP (3)	CUP	-	-
Emergency Shelter	ACGOC 17.52.1160-1165	CUP	CUP	CUP	CUP	-	CUP	CUP (3)	-	-	-
Funeral Home/ Mortuary (5)		P	P	P	P	P	CUP	CUP	-	-	-
Hotel/Motel		P	P	P	P	-	-	-	-	-	-
Laundromat/Dry Cleaning		P	P	P	P	P (2)	-	P (3)	-	-	-

TABLE 6.2.2 ALLOWED LAND USES (1)											
Land Use Type	Specific Use Standards	Zone									
		DMU	DC	BC	CMU-C	CMU-R (2)	CN-C	CN (3)	R	P	OS
Key: P = Allowed by Right MUP = Minor Use Permit Required - = Use Not Allowed CUP = Conditional Use Permit Required TUP = Temporary Use Permit Required											
Medical or residential care facility <7	ACGOC 17.54.133	P	P	P	P	P (2)	P	P	P	-	-
Medical or residential care facility >7		CUP	CUP	CUP	CUP	-	CUP	CUP (3)	CUP	-	-
Medical Services		P	P	P	P	-	P	P (3)	-	-	-
Personal services		P	P	P	P	P (2)	P	P (3)	-	-	-
Personal services-restricted		CUP	CUP	CUP	MUP	-	-	-	-	-	-
Repair, commercial (non-vehicular)		-	-	-	P	-	-	-	-	-	-
Storage Garage		-	-	-	-	-	-	-	-	-	-
Transitional and Supportive Housing	ACGOC 17.54.133	P	P	P	P	P	P	P	P	-	-
Residential											
Accessory Building		P	-	P	P	P	P	P	P	-	-
Dwelling: Multi-Family		P (7)	<u>P (7)</u>	P (7)	P (7)	P	P (7)	P (3)	P	-	-
Dwelling: Single Family		-	-	-	P (7)	P	P (7)	P (3)	P	-	-
Home Occupation, no clients		P	P	P	P	P	P (7)	P (3)	P	-	-
Home Occupation, with clients	Section 6.2.5.3	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP		
Live/work unit		P (7)	-	P (7)	P (7)	P	P	P	-	-	-
Mixed-Use	Section 6.2.5.4	P (7) (8)	<u>P (7)</u>	P (7) (9)	P (7) (9)	P (2) (10)	P (7) (9)	-	-	-	-
Single Room Occupancy	ACGOC 17.54.134	P (7)	<u>P (7)</u>	P (7)	P (7)	P	-	-	-	-	-
Automobile Related											
Car Wash		-	-	CUP	CUP (11)	CUP (11)	CUP	(11)	-	-	-
Commercial vehicle sales, rental, storage		-	-	-	-	-	-	-	-	-	-
Gas Station		-	-	CUP	CUP (11)	CUP (11)	CUP	(11)	-	-	-
Automobile Sales, Rentals (new/used)		-	-	-	CUP (11)	CUP (11)	CUP	(11)	-	-	-

TABLE 6.2.2 ALLOWED LAND USES (1)

Land Use Type	Specific Use Standards	Zone									
		DMU	DC	BC	CMU-C	CMU-R (2)	CN-C	CN (3)	R	P	OS
Key: P = Allowed by Right MUP = Minor Use Permit Required - = Use Not Allowed CUP = Conditional Use Permit Required TUP = Temporary Use Permit Required											
Repair, commercial (motor vehicles)		-	-	-	CUP (11)	CUP (11)	CUP	(11)	-	-	-
Parking facility		CUP	CUP	CUP	CUP (11)	CUP (11)	CUP	(11)	-	-	-
Towing, Impound Storage Facilities		-	-	-	-	-	-	-	-	-	-
Other											
Temporary Use/ Structure	Section 6.2.5.7	TUP	TUP	TUP	TUP	TUP (2)	TUP	TUP (3)	-	TUP	TUP
Transit Station		P	P	P	P	-	P	-	-	P	-

Notes:

- For uses not listed in this table, use determination will be made through Planning Commission hearing. See ACGOC 17.54.050 - Uses not listed—Procedure.
- Commercial only allowed as a secondary use.
- Commercial allowed on parcels designated General Commercial in the General Plan and Residential uses allowed on parcels designated Residential in the General Plan. In the Housing Element Zoning Overlay Residential uses are permitted as a primary use at the densities permitted by Table 6.2.2
- CUP required at the following intersections: Ashland Ave/ E.14th Street, Mattox Rd/Mission Blvd, E. Lewelling Blvd/Mission Blvd key intersections, and Hesperian Blvd/Lewelling Blvd.
- CUP required if includes an accessory crematorium.
- Up to eight children allowed in a small day care and up to 14 children allowed in a large day care if (a) At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age. (b) No more than two infants are cared for during any time when more than six children are cared for. (c) The licensee notifies each parent that the facility is caring for two additional school age children and that there may be up to seven or eight children in the home at one time. (d) The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.
- Residential only allowed as a secondary use. In the Housing Element Zoning Overlay Residential uses are permitted as a primary use at the densities permitted by Table 6.2.2
- For Commercial/residential mixed use. Vertical mixed use, when residential is located above a ground floor non-residential use, is required. Horizontal mixed-use, when a residential use is located on the ground floor behind a non-residential use facing a major arterial, is allowed only if there is also vertical mixed use on the site.
- For Commercial/Residential mixed use. Vertical and horizontal mixed use allowed.
- For Residential/Commercial mixed use. Vertical and horizontal mixed use allowed.
- Use is allowed by right for property located within the Auto Overlay Zone, see Table 6.2.1 and Figure 6.2.1.

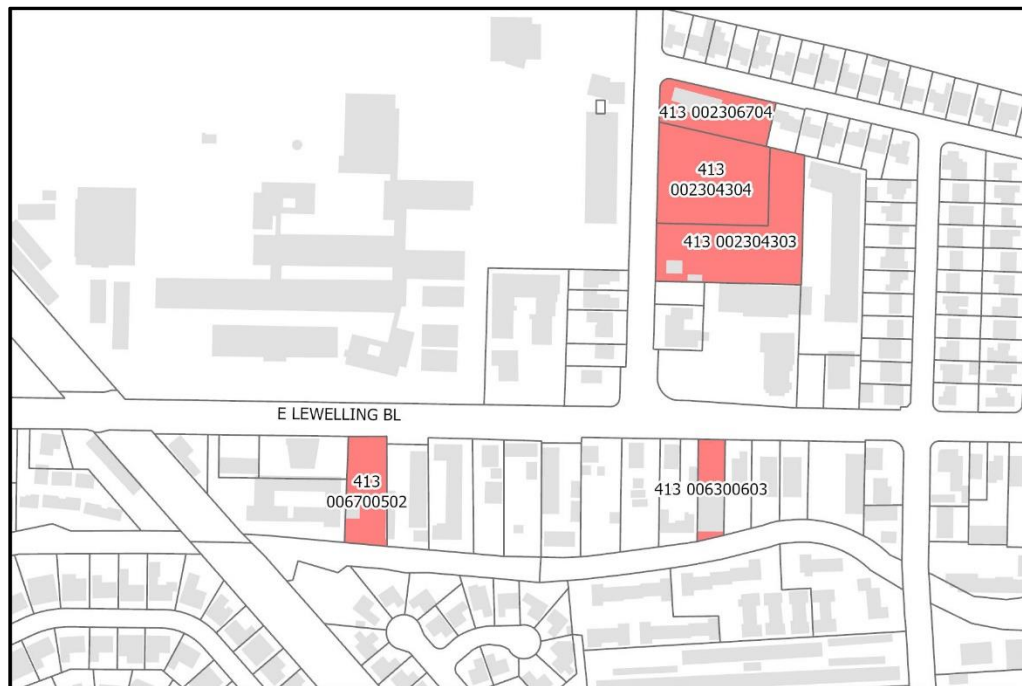
6.2.4 Development Standards

TABLE 6.2.3 DEVELOPMENT STANDARDS														
Development Standards	Zone													
	DMU/DC		BC		CMU-C/CMU-R		CN/CN-C		R		P		OS	
Building Placement	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Setbacks (distance from ROW)														
Front	Per Frontage Requirement Section 6.3								(8)	20'	10'	n/a	n/a	n/a
Side Street	n/a	0'	n/a	0'	n/a	n/a	n/a	10'	n/a	20'	15'	n/a	n/a	n/a
Side	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	5'	n/a	5'	n/a	n/a	n/a
Rear	5'	n/a	5'	n/a	5'	n/a	20'	n/a	20'	n/a	n/a	n/a	n/a	n/a
Adjacent to Residential	15'	n/a	15'	n/a	10'	n/a	n/a	n/a	n/a	n/a	15'	n/a	n/a	n/a
Lot Requirements	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Lot Coverage (max)	n/a	90%	n/a	90%	n/a	75%	n/a	70%	n/a	60%	n/a	50%	n/a	10%
Floor Area Ratio (FAR)	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
	0.5 (1)	2.5	n/a	2.5	n/a	1.0	n/a	1.0	n/a	1.0	n/a	1.0	n/a	1.0
Density	Max		Max		Max		Max		Max		Max		Max	
	86 du/ac <u>For parcels in the Housing Element Overlay Zone there is also a minimum density of 43 du/ac</u>		43 du/ac		CMU-R: 12 du/ac CMU-C: 43 du/ac <u>86 du/ac for parcels in the Housing Element Overlay Zone</u>		22 du/ac <u>43 du/ac for parcels in the Housing Element Overlay Zone</u>		R-1 9 du/ac R-2 22 du/ac R-3 22-43 du/ac		n/a		n/a	
Building Form	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Height														
Stories	n/a	5 (2)	n/a	4(3)	n/a	3.5 (3)	n/a	2.5	n/a	2.5	n/a	4(3)	n/a	n/a
Feet (4)	25'	75'	n/a	55'	n/a	45'	n/a	35'	n/a	35'	n/a	55'	n/a	n/a
Ground Floor Height	15'	n/a	15'	n/a	12'	n/a	12'	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Upper Floor(s) Height	10'	n/a	10'	n/a	8'	n/a	8'	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Frontage and Encroachments (5)														
Frontage Requirement (6)	70%	n/a	60%	n/a	60%	n/a	50%	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Allowed Frontage Types	see Section 6.3								n/a	n/a	n/a	n/a	n/a	n/a
Encroachment into Front setback (7)	n/a	2'	n/a	2'	n/a	2'	n/a	2'	n/a	2'	n/a	2'	n/a	2'
Encroachment into side street or rear setback (7)	n/a	4'	n/a	4'	n/a	4'	n/a	4'	n/a	4'	n/a	4'	n/a	4'

TABLE 6.2.3 DEVELOPMENT STANDARDS							
Development Standards	Zone						
	DMU/DC	BC	CMU-C/CMU-R	CN/CN-C	R	P	OS
Other							
Parking	See Section 6.4						
Signs	See Section 6.5						
Landscaping	See ACGOC 17.64 Water Efficient Landscape Ordinance						
Fencing	Except as provided in Section 6.3 (Frontage Standards), See ACGOC 17.52.410 - 17.52.460						
Notes:							
1. Minimum FAR applies only to lots 50 feet wide, or wider.							
2. Additional stories allowed with a CUP.							
3. 5 stories allowed with a CUP.							
4. Roofs, rooftop decks, and rooftop equipment may encroach above max height up to 4 feet.							
5. Any encroachment into County property requires an encroachment permit.							
6. Percent of lot width occupied by allowed frontage, or combination of frontages.							
7. Applies to encroachments of architectural features, balconies, decks, bay windows, etc. Encroachments may increase if allowed by a Frontage Types in Section 6.3.							
8. Average of the setbacks of the two adjacent properties.							
9. <u>For parcels in the Housing Element Overlay Zone, certain development standards may be modified through an administrative modification process.</u>							

APN	ACBD Before	ACBD After
413-23-43-3	Residential- Medium Density (R-2)	Residential- Medium-High Density (R-3)
413-23-43-4	Residential- Medium Density (R-2)	Residential- Medium-High Density (R-3)
413-23-67-4	Residential- Medium Density (R-2)	Residential- Medium-High Density (R-3)



Text Amendments to the Castro Valley Central Business District Specific Plan,
using ~~strikeouts~~ for deletions, and underline for new text.

[Page 38] Section IV. LAND USE A. BACKGROUND AND ANALYSIS, 3. Special Issues, c. BART Station Development: On September 30, 2018, Governor Brown signed AB 2923 into law. It added sections 29010.1 through 29010.12 to California’s Public Utilities Code, affecting zoning requirements on existing BART-owned property in Alameda, Contra Costa, and San Francisco counties within a half-mile of stations. BART has designated the Castro Valley station as a Neighborhood Town Center, and has adopted AB 2923 Baseline Zoning Standards which are described in Land Use Group F.

[Page 58] Subarea 8: ~~Norbridge Avenue BART station~~ Castro Valley Transit Area (CTA)

Development Objectives: This subarea constitutes the major portion of the BART station parking area, ~~for which design plans are currently being developed.~~ It is possible that there will be joint development with the BART District in the future; when this is done, the station area must be developed in a manner consistent with its location adjacent to a major entrance to the community and the central business area. Policies for joint development are discussed in the design element of the plan, §VI.B.5.

Allowed Uses: The underlying use of the property is the Castro Valley BART station. If additional development of the property occurs Land Use Group F Castro Valley Transit Area (CTA) is the primary land use group allowed. C (Offices) (all types) and Land Use Group D (High Density Residential) uses are allowed. Public use facilities, such as community service offices, are specifically encouraged. In addition, other businesses which relate to the BART station are permitted, such as professional offices and commuter service-oriented retail.

[Page 79] New 3. LAND USE GROUP DEFINITIONS Sections:

Land Use Group F: Castro Valley Transit Area (CTA): This designation acknowledges legislation by the State of California (AB2923) which sets minimum Residential densities as well as specific development standards for BART stations. BART has designated the station as a Neighborhood/Town Center station type which allows a mix of Residential, Office and Commercial uses. Notably, Residential uses are mandatory while Office and Commercial uses are optional. The Residential density range for the CTA is 75-86 units per acre. The allowable height is 5 stories or higher with a Floor Area Ratio of 3.0 or higher. There is a zero minimum vehicle parking requirement for all land uses and a maximum Residential vehicle parking of 1.0 spaces per units or lower. Maximum parking for office and retail uses is 2.5 spaces per 1,000 square feet or lower. Shared or unbundled vehicle parking is allowed (neither prohibited nor required), and there is a minimum secured bicycle parking requirement of one space per residential unit, or higher.

Land Use Group G: Very High Density Residential: This designation is used to implement Housing Element sites in the plan area and allows residential uses as the primary use up to a density of 86 units per acre. This Land Use Group should be used and applied where significant new infill residential development is anticipated.

[Page 78] Amend Figure 21 to remove the following parcels from Residential Land Use - As Secondary Use in subarea 8, create a new land use category on the map Castro Valley Transit Area (CTA) for these same parcels:

84A-60-14-2
84A-64-12-9

84A-68-9-8
84A-68-9-9
84A-72-8-5

[Page 84 Special Issues]

c . BART Station Development: The area to be developed as the parking for the Castro Valley BART station shall be converted to a Neighborhood/Town Center station type ~~mixed-use development~~ as soon as may be economically and practically feasible. This shall be done by working with the BART District and private developers. Development shall be pursuant to **Land Use Group F: Castro Valley Transit Area (CTA)**. ~~include commercial development which relates to the station along the Redwood Road frontage, and either high density residential development or type C2 and C3 office development or other commercial development which relates to the station on the remainder of the site.~~ Any parking structure constructed as a part of such joint development shall not front on Redwood Road. Joint development is discussed further in §VI.B.5. below

[Page 152] 5.1.1 Program: BART Station Area Joint Development

On September 30, 2018, Governor Brown signed AB 2923 into law. It added sections 29010.1 through 29010.12 to California’s Public Utilities Code, affecting zoning requirements on existing BART-owned property in Alameda County. ~~The Bay Area Rapid Transit (BART)~~ BART District policy is supportive of joint development at station areas where there can be demonstrated enhancement of ridership, improvements to the overall quality of the site, and generation of revenue. A feasible joint development project under current conditions for the Castro Valley station area is described in the BART Transit Oriented Development Work Plan, which designates the station as a Neighborhood/Town Center station type. ~~Development at the BART station is described in Land Use Group F - Castro Valley Transit Area (CTA).~~ Development at the BART station is described in Land Use Group F - Castro Valley Transit Area (CTA). ~~is a mixed-use, office and retail building with frontage on Redwood Road. The office use also could include a public facility, such as County agency or department offices. Parking requirements, which could be reduced somewhat because of the transit adjacent location, would include provision for replacing spaces lost to BART due to the development project. Building height for properties fronting on Redwood Road, which includes the BART station area site, can exceed the general three story height limit for the Plan Area as discussed in the Design Guidelines, §H. BUILDING SCALE, MASS AND HEIGHT, above.~~

The architectural design of the joint development project should be responsive to the gateway character of such a location and the public nature of a BART station area. ~~Economic pro forma studies of such a joint development project were prepared as part of the Plan and provide a base of information demonstrating its feasibility.~~

[Page 153] Delete FIGURE 35 in its entirety.

[Page 47] Sub Area 2

Add Land Use Group G (Very High Residential Development) as an allowed use in the Sub Area.

[Page 58] Sub Area 7

Add Land Use Group G (Very High Residential Development) as an allowed use in the Sub Area.

[Page 65] Sub Area 10

Add Land Use Group G (Very High Residential Development) as an allowed use in the Sub Area.

Text Amendments to the Fairview Area Specific Plan,

using ~~strikeouts~~ for deletions, and underline for new text.

[Page 3-14] (c) Other Districts. Other districts occur in Fairview, reflecting established land uses. These include PD (Planned Development), RS (Residential Suburban), ~~Commercial~~, and Agricultural. Development in these districts shall be subject to the provisions of the Alameda County Zoning Ordinance and the Alameda County Residential Design Standards and Guidelines, as well as the Fairview Specific Plan. Additional new districts have been created as part of the 2023-2031 Housing Element, labeled Residential 17, Residential 22, and Residential 29.

[Page 3-14] 3.4.3 Zoning – Create new Zoning categories as follows:

Residential 17 – Allows Residential uses as the primary use up to 17 units per acre. This designation is a low-medium density residential designation that will allow attached housing types to achieve the desired densities. Objective development and design standards will apply to these projects, as well as other provisions of the plan. The method for calculating developable site area as described in Section 3.4.3(e) applies.

Residential 22 - Allows Residential uses as the primary use up to 22 units per acre. This designation is a medium-low density residential designation that will allow attached housing types to achieve the desired densities. Objective development and design standards will apply to these projects, as well as other provisions of the plan. The method for calculating developable site area as described in Section 3.4.3(e) applies. Given the location of these parcels, in addition to the primary residential use, neighborhood serving commercial uses are allowed but not required. Commercial uses shall be limited to those uses allowed in the CN and C1 zoning districts subject to the provisions of the Alameda County Zoning Ordinance.

Residential 29 - Allows Residential uses as the primary use up to 29 units per acre. This designation is a medium density residential designation that will allow attached housing types to achieve the desired densities. Objective development and design standards will apply to these projects, as well as other provisions of the plan. The method for calculating developable site area as described in Section 3.4.3(e) applies. Given the location of these parcels, in addition to the primary residential use, neighborhood serving commercial uses are allowed but not required. Commercial uses shall be limited to those uses allowed in the CN and C1 zoning districts subject to the provisions of the Alameda County Zoning Ordinance.

[Page 3-25] 3.4.9 Height (a) Maximum Height Limit. No structure shall have a height of more than two stories or 25 feet, whichever is greater, except as provided by the Alameda County Residential Design Standards and Guidelines and Sections (c) and (d) below. The building height limitations do not apply to chimneys, church spires, flag poles, or mechanical appurtenances incidental to the permitted use of a building. Residential densities 22 units per acre and higher are allowed up to 30’, and 35’ with a Site Development Review permit.

[Page 3-20] 3.4.5 Required Yards – Create new table describing setbacks as follows:

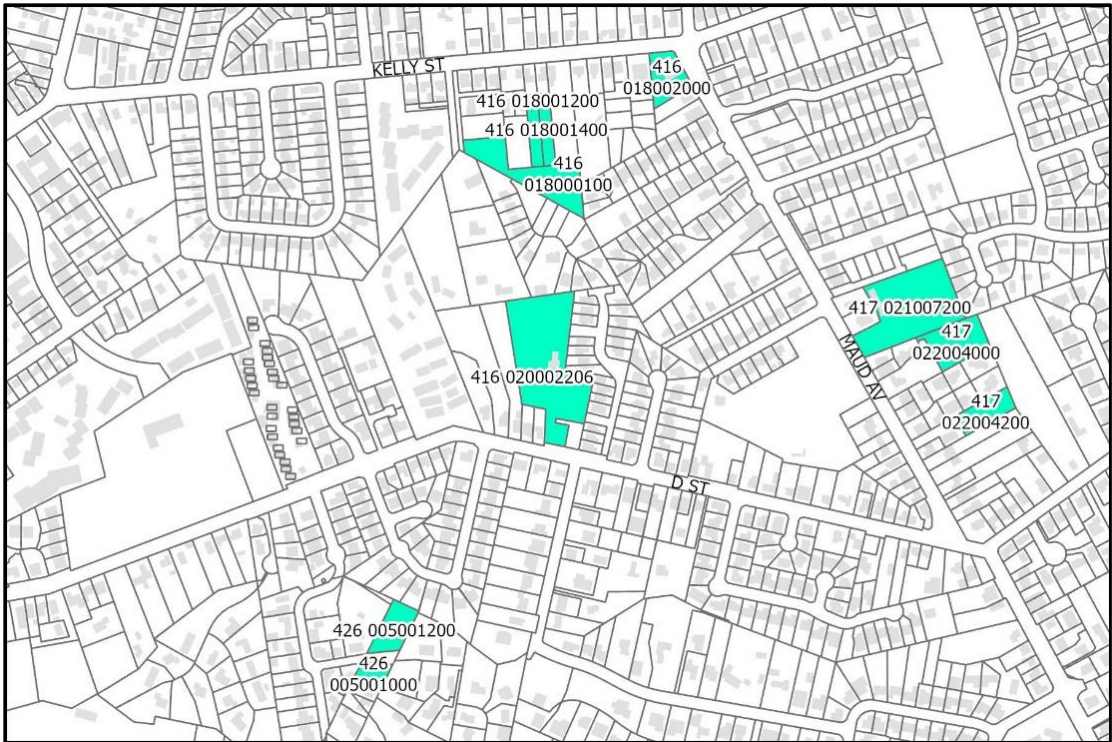
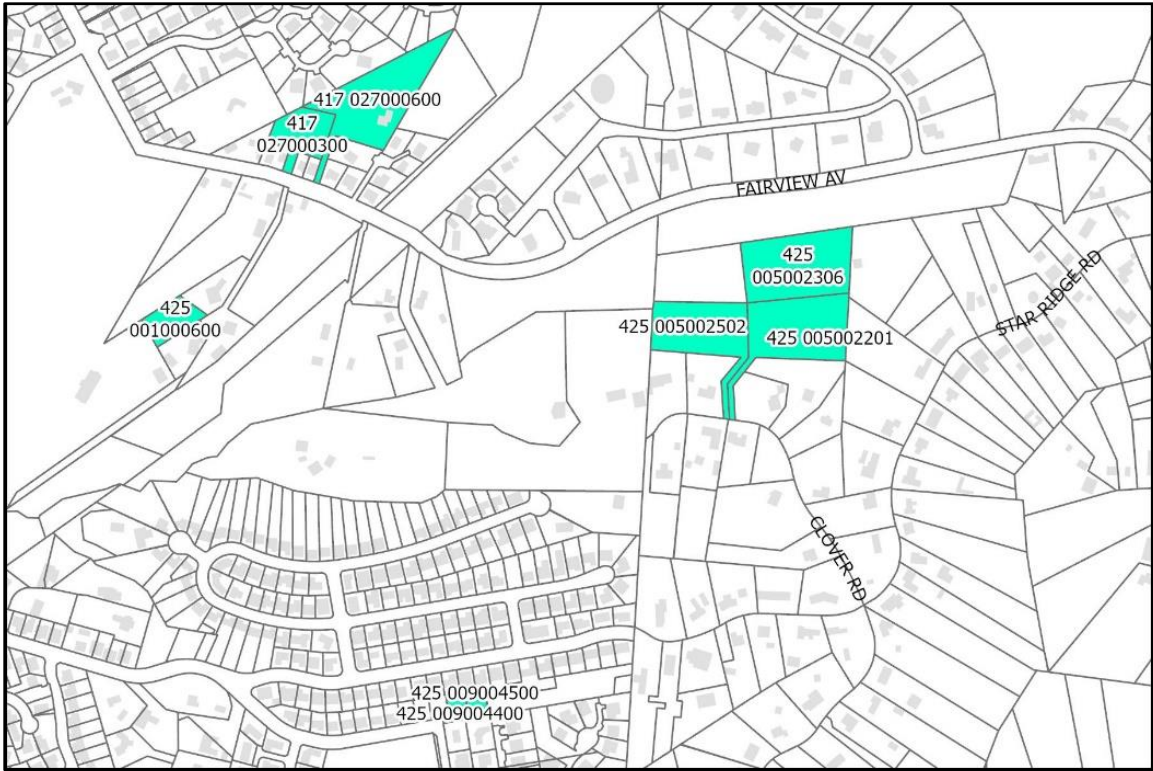
<u>Base Zoning District</u>	<u>Side Yard</u>	<u>Corner Side Yard (streetfacing)</u>	<u>Front Yard</u>	<u>Rear Yard</u>
<u>Residential 17</u>	<u>5</u>	<u>10</u>	<u>15</u>	<u>15</u>
<u>Residential 22</u>	<u>5</u>	<u>10</u>	<u>15</u>	<u>15</u>
<u>Residential 29</u>	<u>5</u>	<u>10</u>	<u>10</u>	<u>15</u>

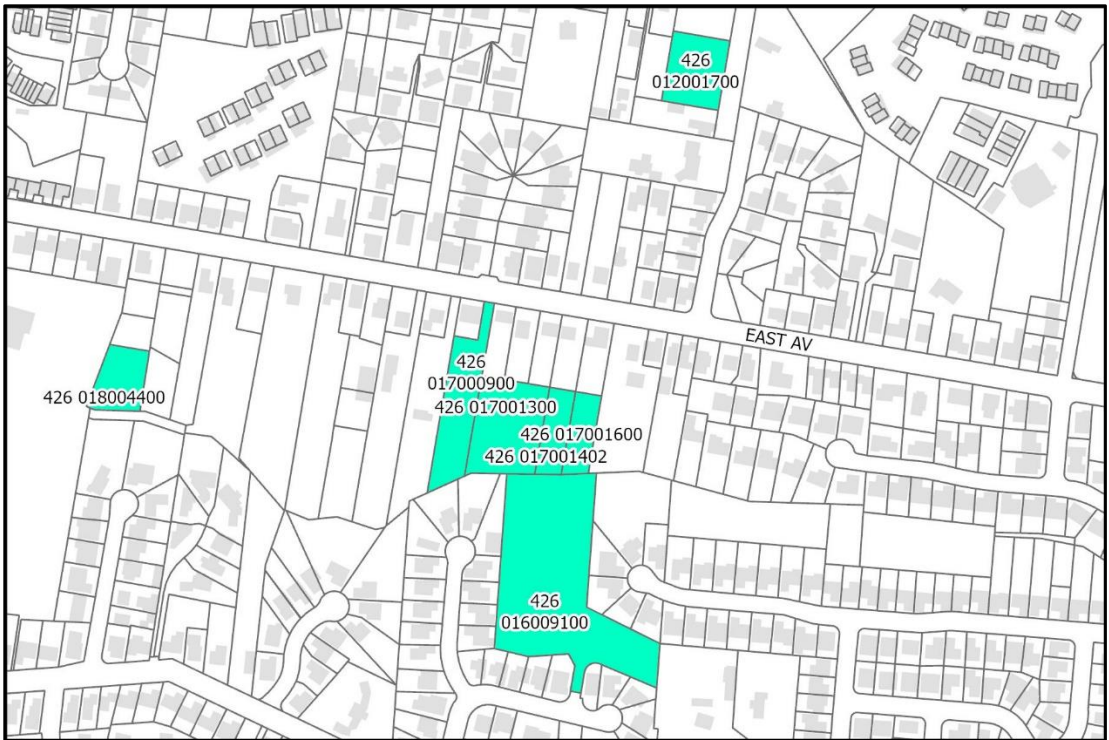
Map Amendments to the Fairview Area Specific Plan, Figure 3-2 Zoning Map.

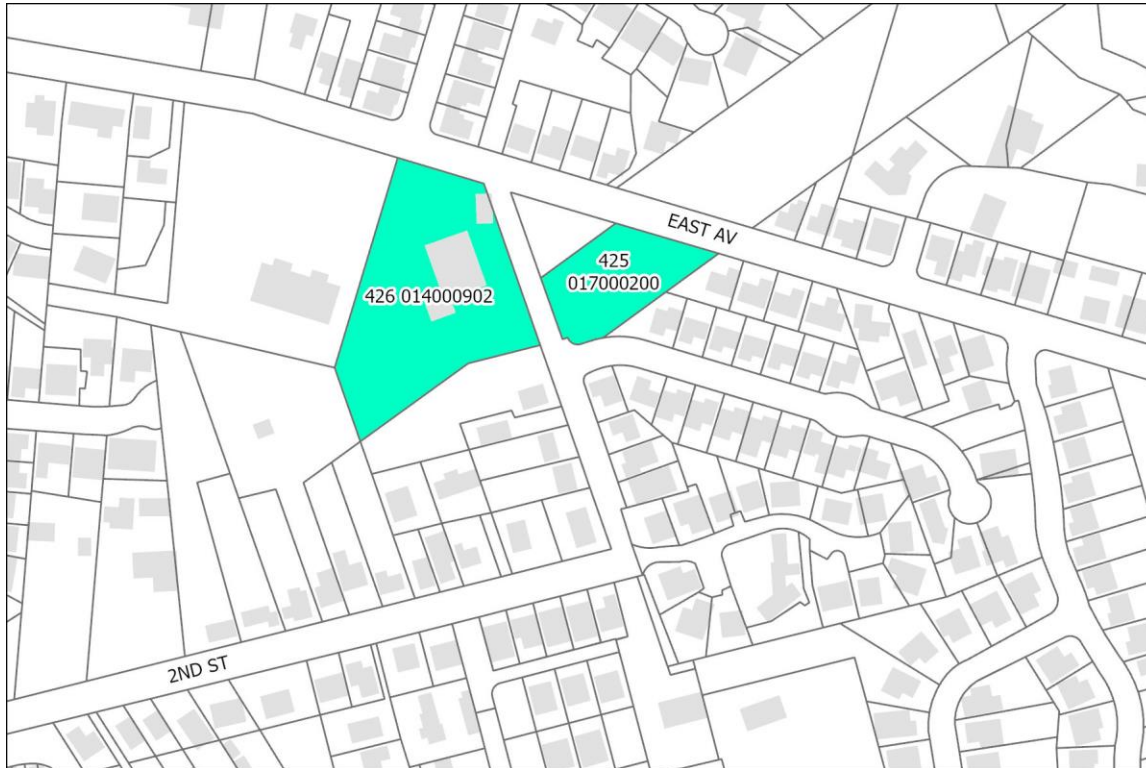
[Page 3-17] Figure 3-2 Zoning Map – Create new Fairview Zoning categories of Residential 17, Residential 22 and Residential 29

Rezone the following parcels per the table and maps below:

	APN	From Fairview Specific Plan zoning	To Fairview Specific Plan zoning
	416-180-20	R-1 Single Family	Residential 29
	416-180-1	R-1 Single Family	Residential 17
	416-180-12	R-1 Single Family	Residential 17
	416-180-14	R-1 Single Family	Residential 17
	417-210-72	R-1 Single Family	Residential 17
	417-220-40	R-1 BE Single Family	Residential 17
	417-220-42	R-1 BE Single Family	Residential 17
	417-240-1-2	R-1 BE Single Family	Residential 17
	417-240-5-3	R-1 BE Single Family	Residential 17
	417-240-6-1	R-1 BE Single Family	Residential 17
	417-270-3	R-1 BE Single Family	Residential 17
	417-270-6	R-1 BE Single Family	Residential 17
	425-10-6	R-1 BE Single Family	Residential 17
	425-50-22-1	R1-L-BE Single Family	Residential 17
	425-50-23-6	R1-L-BE Single Family	Residential 17
	425-50-25-2	R1-L-BE Single Family	Residential 17
	425-90-44	R-1 BE Single Family	Residential 17
	425-90-45	R-1 BE Single Family	Residential 17
	426-120-17	R-1 BE Single Family	Residential 17
	426-160-91	R-1 BE Single Family	Residential 17
	426-170-13	R-1 BE Single Family	Residential 17
	426-170-14-2	R-1 BE Single Family	Residential 17
	426-170-16	R-1 BE Single Family	Residential 17
	426-170-9	R-1 BE Single Family	Residential 17
	426-180-44	R-1 BE Single Family	Residential 17
	426-50-10	R-1 BE Single Family	Residential 17
	426-50-12	R-1 BE Single Family	Residential 17
	416-200-22-6	R-1 BE Single Family	Residential 17
	426-140-9-2	CN Neighborhood Business	Residential 22
	425-170-2	C1 Retail Business	Residential 29







BE IT FURTHER RESOLVED, the Board of Supervisors does hereby approve the following **text** amendments to the **San Lorenzo Village Center Specific Plan**, using ~~strikeouts~~ for deletions, and underline for new text.

[Page 30] Land Use table d. is amended as follows:

d. Residential and Residential/Mixed Use Standards

Residential Use	Permitted where part of a project that includes commercial development, <u>except in Housing Element Overlay Zone which allows Residential Uses as the primary use up to 86 units per acre.</u>
Unit density	Overall density: 19.66 units per acre. <u>Exception: Density for parcels in the Housing Element Overlay Zone may be higher.</u>
Number of Units	450 for Subareas 2, 4 and 5A through 5D, 130 for Subarea 6, total not to exceed 580 for entire Plan Area. <u>Exception: Units for parcels in the Housing Element Overlay Zone may exceed total for entire Plan area.</u>
Residential Open Space	Open space is permitted in (lieu of private) at not less than 150 sf per unit and is encouraged on roof tops, and courtyard gardens.
Parking	Standard housing: 2 spaces per unit; or as determined by parking demand study, whichever is greater. <u>Parking for projects in Housing Element Overlay Zone may be reduced.</u> Senior housing: as determined by parking demand study
Guest parking	As determined by parking demand study
Other residential uses	C. <u>Except parcels and projects in the Housing Element Overlay Zone are eligible for permit streamlining.</u>

ORDINANCE NO. O-2024-XX

AN ORDINANCE AMENDING TITLE 17 – ZONING, OF THE ALAMEDA COUNTY MUNICIPAL CODE TO ADOPT PROVISIONS RELATED TO THE SIXTH CYCLE HOUSING ELEMENT UPDATE

Summary

This ordinance amends Title 17 – Zoning, of the County of Alameda Municipal Code, to modify definitions, use classifications, and permitting requirements for residential development, to align with programs detailed in the Sixth Cycle Housing Element Update (2023-2031 planning period) and in accordance with recent amendments to State law.

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA ORDAINS AS FOLLOWS:

SECTION I

The Zoning Map described in Section 17.02.090, shall be modified as follows for the parcels listed below:

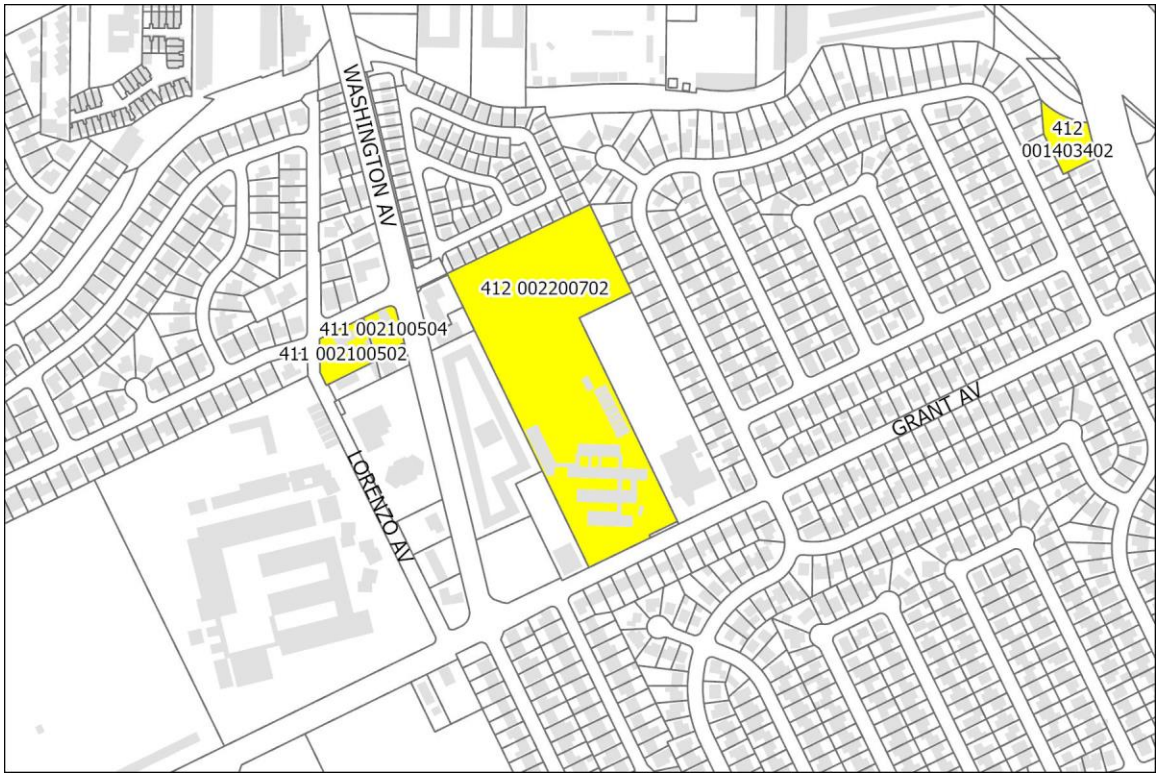
County Assessor's Parcel Number	Parcel Address	Current Zoning District designation	New Zoning District Designation
085 -5450-054-00	4980 Jensen Road	Planned Development, ZU-1566	Residential Small Lot 17 (RSL-17-HE)
085 -5475-002-00	Jensen Road	Planned Development, ZU-1489	Residential Small Lot 17 (RSL-17-HE)
412 -0087-071-02	19390 Hesperian Blvd	R-S-D-25 / C-1	Retail Business 22 (C1-22-HE)
432 -0004-028-06	19510 Hesperian Blvd	C-1	Retail Business 22 (C1-22-HE)
429 -0010-059-02	Meekland Ave	C-N	Neighborhood Commercial Medium High Density Residential 43 (CN-MHDR-43-HE)
411 -0021-005-02	15600 Lorenzo Ave	R-3	High Density Residential 86 (HDR-86-HE)
411 -0021-005-04	15601 Washington Ave	C-1	High Density Residential 86 (HDR-86-HE)
415 -0160-051-00	21112 Oak St	R-S-DV	High Density Residential 86 (HDR-86-HE)
432 -0004-034-02	730 Bartlett Ave	R-S-DV	High Density Residential 86 (HDR-86-HE)
411 -0091-002-00	1294 Bockman Rd	Planned Development, ZU-1209	Medium High Density Residential 43 (MHDR-43-HE)
432 -0004-030-02	770 Bartlett Ave	R-S-DV	Medium High Density Residential 43 (MHDR-43-HE)
080D-0566-036-01	764 Galway Dr	Planned Development, ZU-1997	Medium High Density Residential 43 (MHDR-43-HE)
416 -0030-014-03	2417 Grove Way	CC	Community Commercial 60 (CC-60-HE)

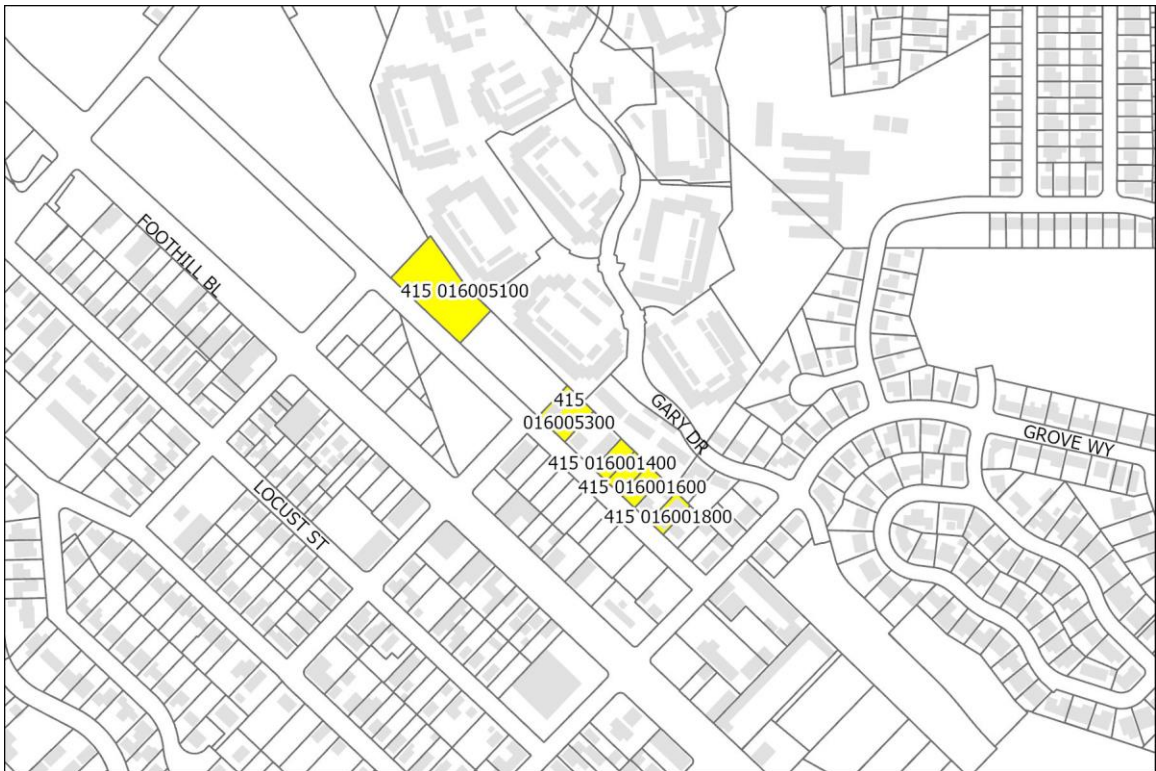
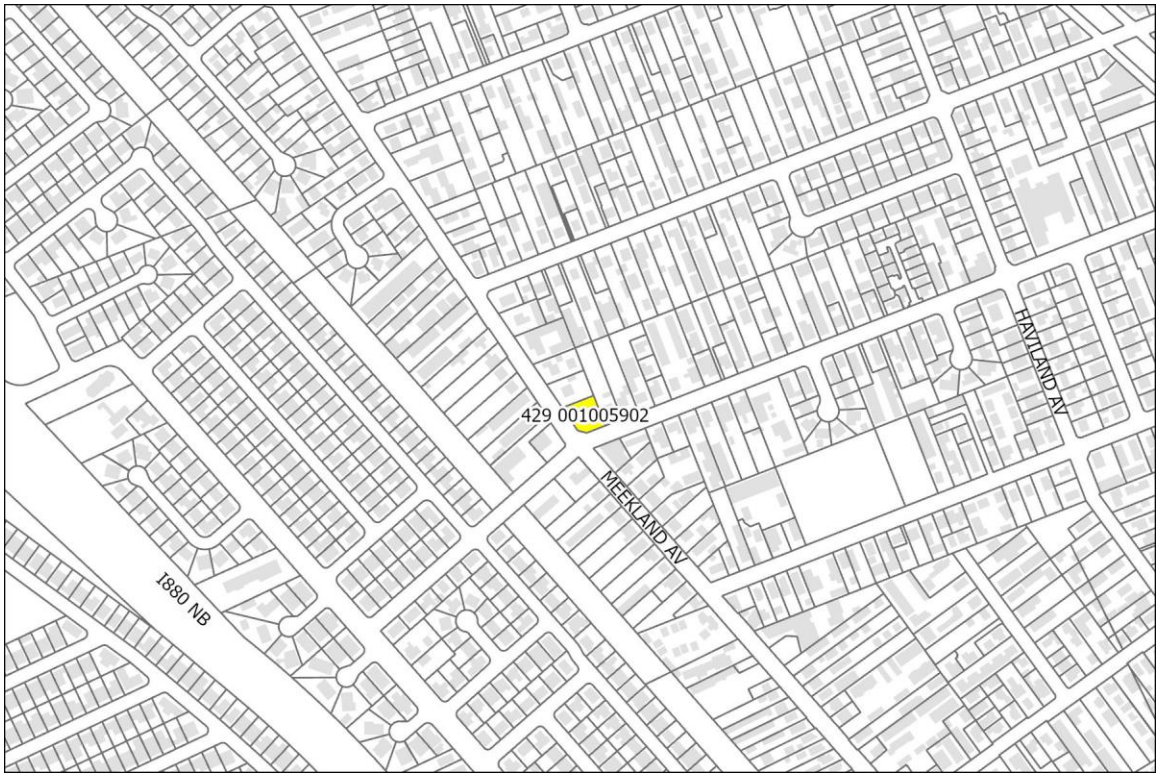
County Assessor's Parcel Number	Parcel Address	Current Zoning District designation	New Zoning District Designation
415 -0160-014-00	21406 Oak St	R-4	Residential 60 (R-60-HE)
415 -0160-015-00	21420 Oak St	R-4	Residential 60 (R-60-HE)
415 -0160-016-00	21408 Oak St	R-4	Residential 60 (R-60-HE)
415 -0160-018-00	21454 Oak St	R-4	Residential 60 (R-60-HE)
415 -0160-053-00	21320 Oak St	R-4	Residential 60 (R-60-HE)
084B-0550-001-01	2974 Somerset Ave	R-1-RV	Residential 60 (R-60-HE)
084B-0553-001-04	19628 Lake Chabot Rd	R-1-RV	Residential 60 (R-60-HE)
084B-0553-014-03	2964 Somerset Ave	R-1-RV	Residential 60 (R-60-HE)
084B-0553-016-00	19672 Lake Chabot Rd	R-1-RV	Residential 60 (R-60-HE)
084B-0553-001-06	19634 Lake Chabot Rd	R-1-RV	Residential 60 (R-60-HE)
080A-0153-003-06	Plaza Dr	P-F	High Density Residential 100 (HDR-100-HE)
080A-0199-001-05	Miramonte Ave	Planned Development, ZU-1762	Residential Medium Density Family 29 (RMF-29-HE)
080A-0209-004-00	166 th Ave	R-1-RV-H-O	Residential Small Lot 17 (RSL-17-HE)
080A-0221-040-00	President Dr	R-1-RV-H-O	Residential Small Lot 17 (RSL-17-HE)
084A-0240-002-00	20396 John Dr	RSL-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084A-0250-009-03	20338 John Dr	RSL-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084A-0250-009-04	20396 John Dr	RSL	Residential Small Lot 17 (RSL-17-HE)
084B-0570-123-03	19271 Santa Maria Ave	R-1-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084C-1064-026-00	20124 Center St	R-1-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084C-1064-027-00	20104 Center St	R-1-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084C-1064-028-00	20074 Center St	R-1-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084C-0885-031-03	Bains Ct	R-1-BE-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084C-0885-032-02	Bains Ct	R-1-BE-CSU-RV	Residential Small Lot 17 (RSL-17-HE)
084C-0885-033-04	Madison Ave	R-1-BE-CSU-RV	Residential Small Lot 17 (RSL-17-HE)

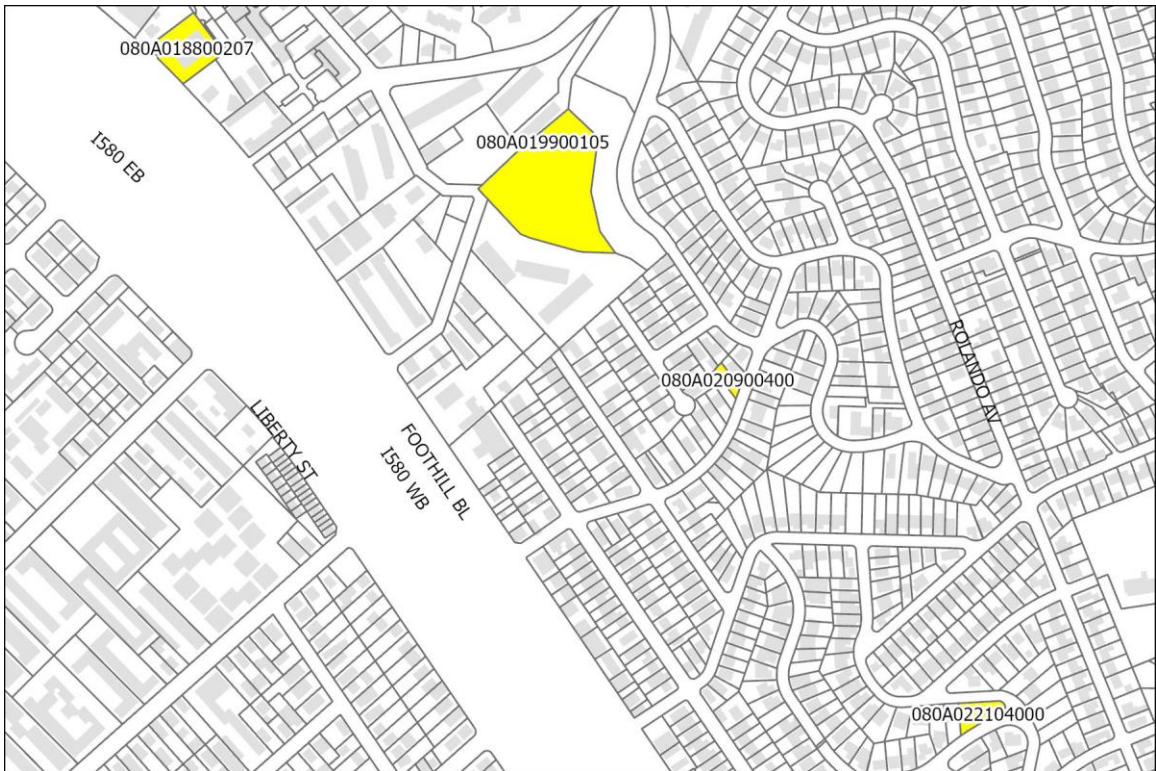
County Assessor's Parcel Number	Parcel Address	Current Zoning District designation	New Zoning District Designation
085 -1613-001-00	6132 Greenridge Rd	R-1-BE-CSU-RV-H-O	Residential Small Lot 17 (RSL-17-HE)
080D-0563-017-00	Dermody Ave	R-S-D-15	Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE)
080D-0565-029-00	Wagner St	R-S-D-15	Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE)
080D-0565-030-00	Wagner St	R-S-D-15	Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE)
080D-0568-030-00	Wagner St	R-S-D-15	Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE)
080D-0568-031-00	Wagner St	R-S-D-15	Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE)
412 -0014-034-02	15715 Hesperian Blvd	Planned Development, ZU-1468	Residential 9 (R-9-HE)
080A-0188-002-07	16290 Foothill Blvd	Planned Development, ZU-PLN2013-00214	Neighborhood Commercial 60 (CN-60-HE)
412 -0022-007-02	879 Grant Ave	R-1	Residential Suburban 22 (RS-22-HE)
416 -0040-044-00	2652 Vergil Ct	SCV	Residential Low Medium Density 22 (RLM-22-HE)

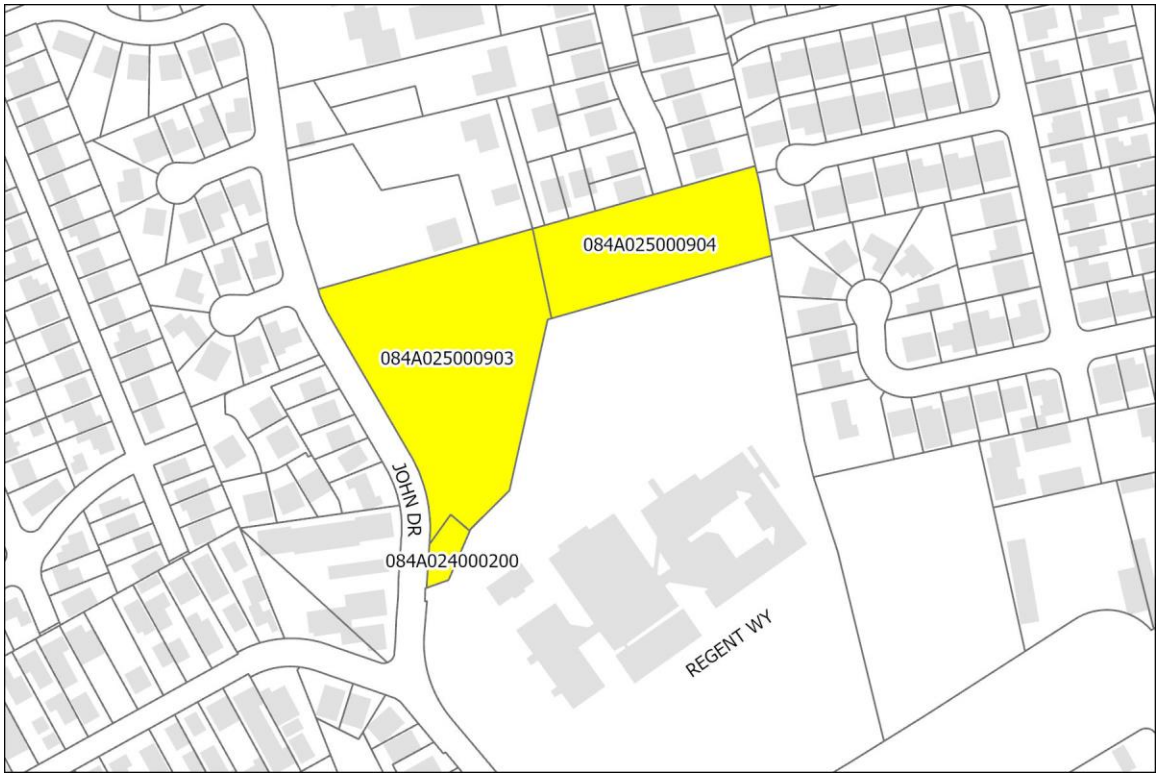
SECTION II

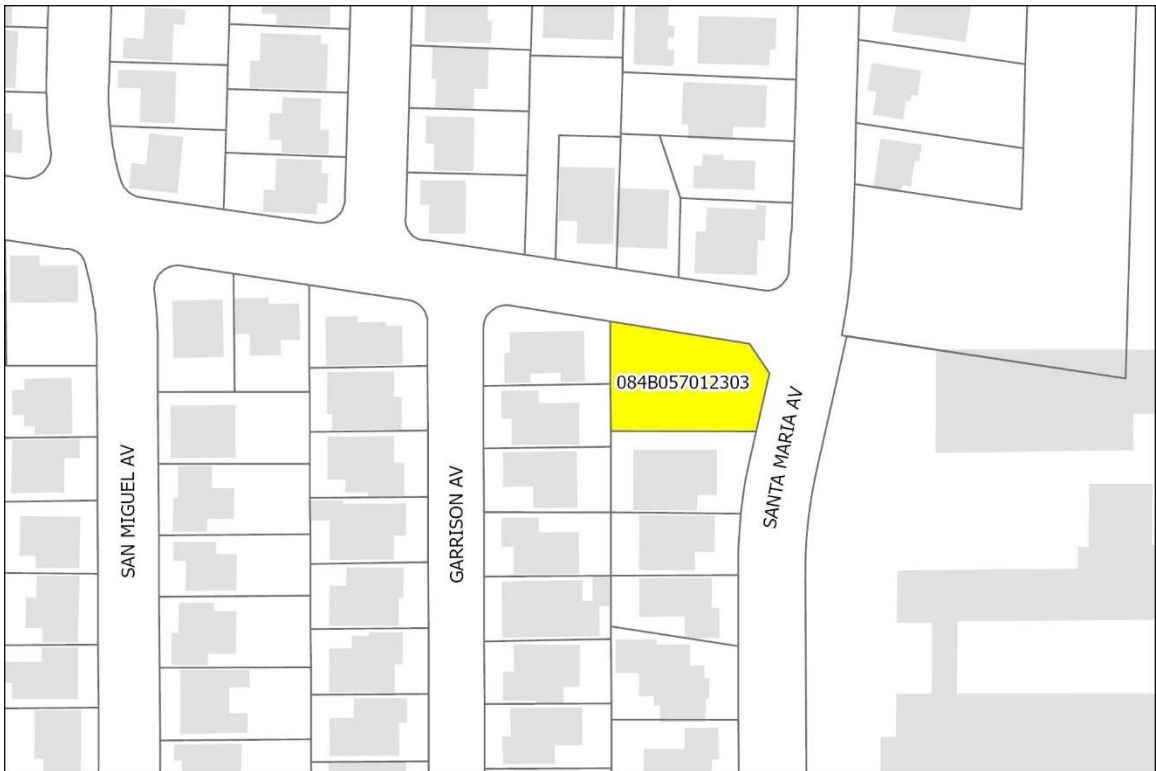
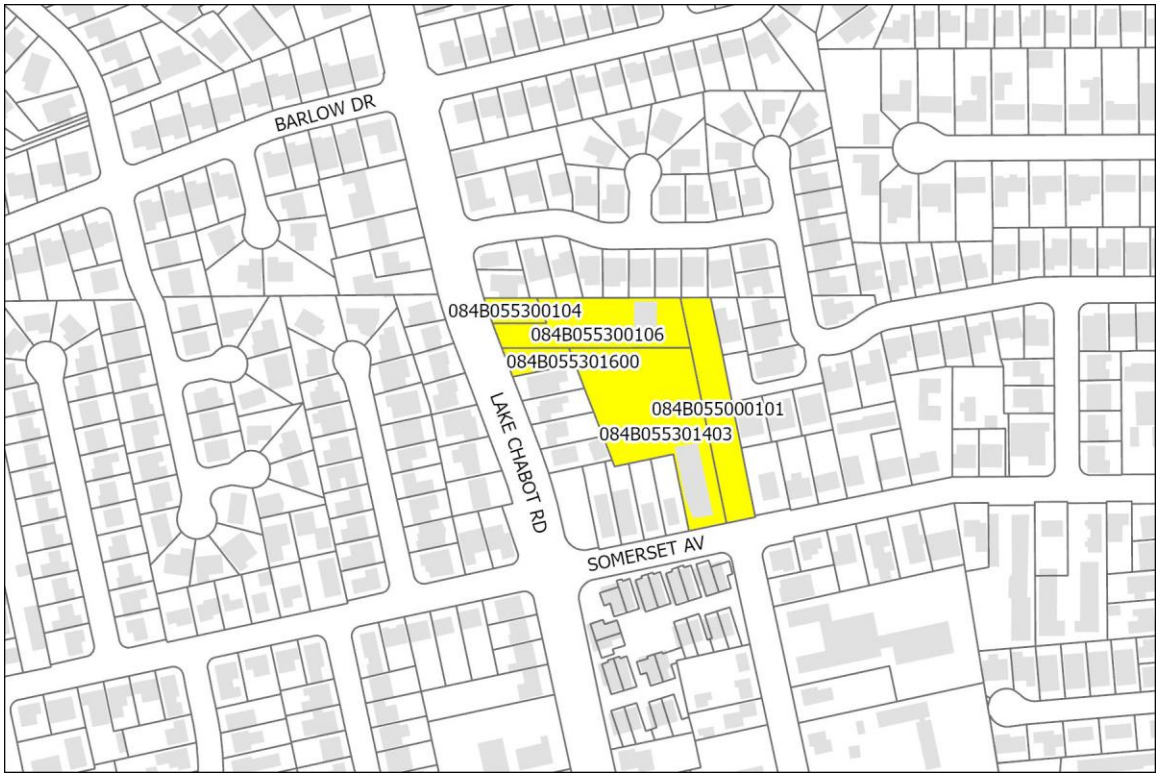
Maps of the rezoned parcels follow, with their respective designated Assessor's Parcel Numbers as of the date of this Ordinance:

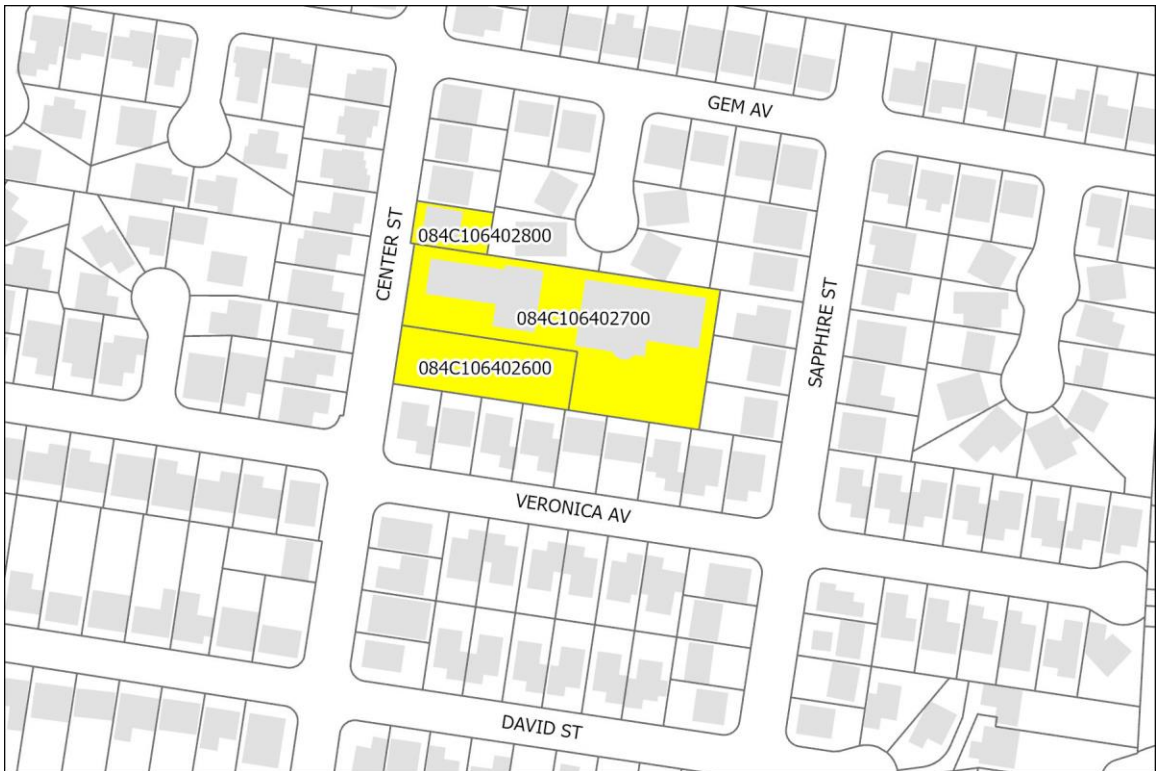
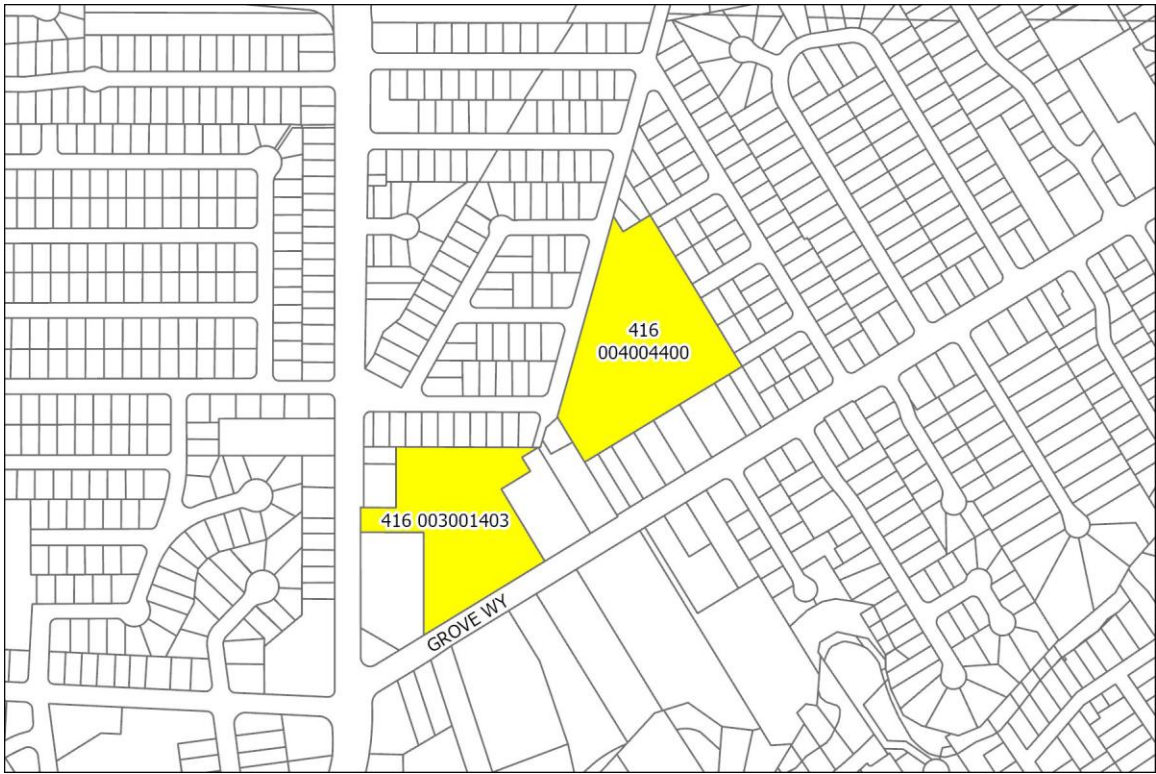


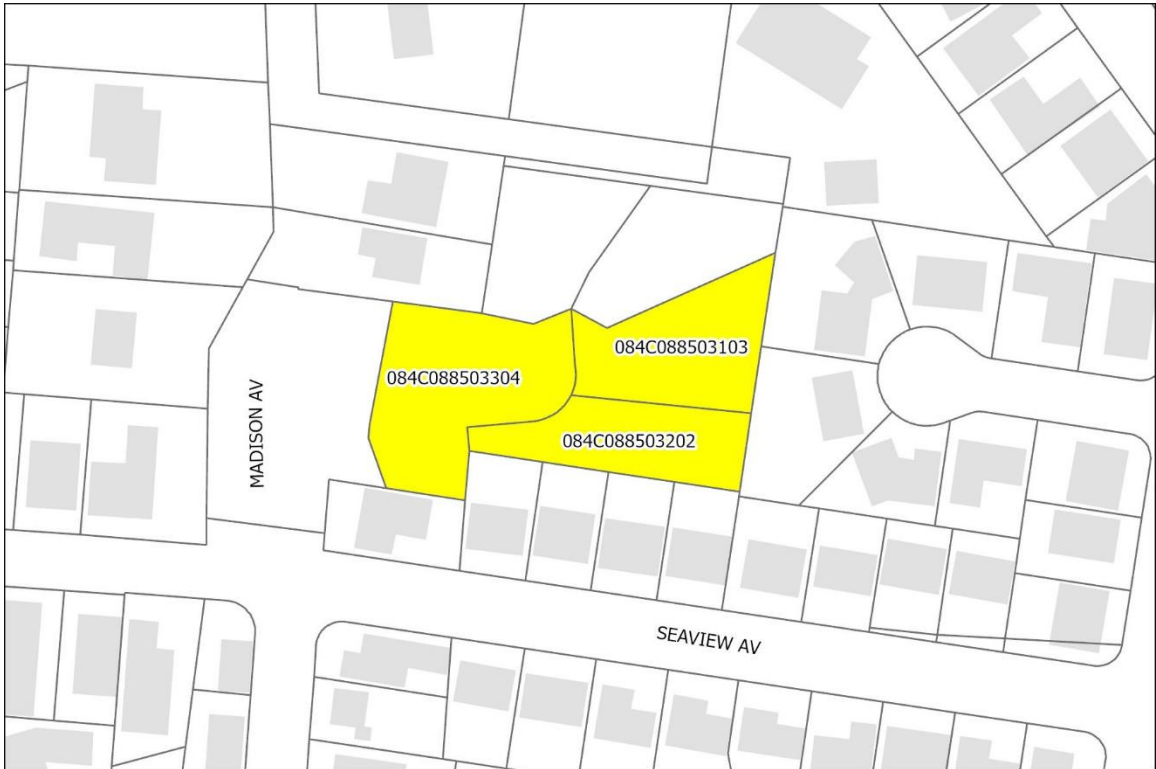


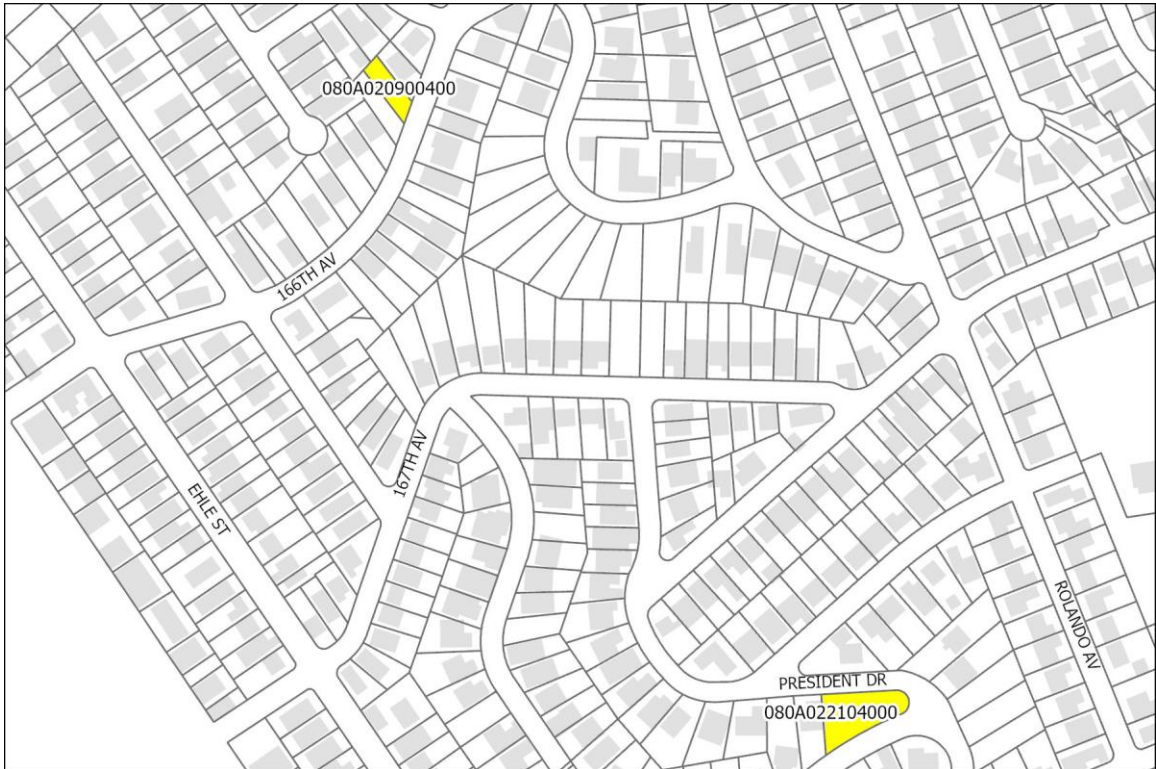
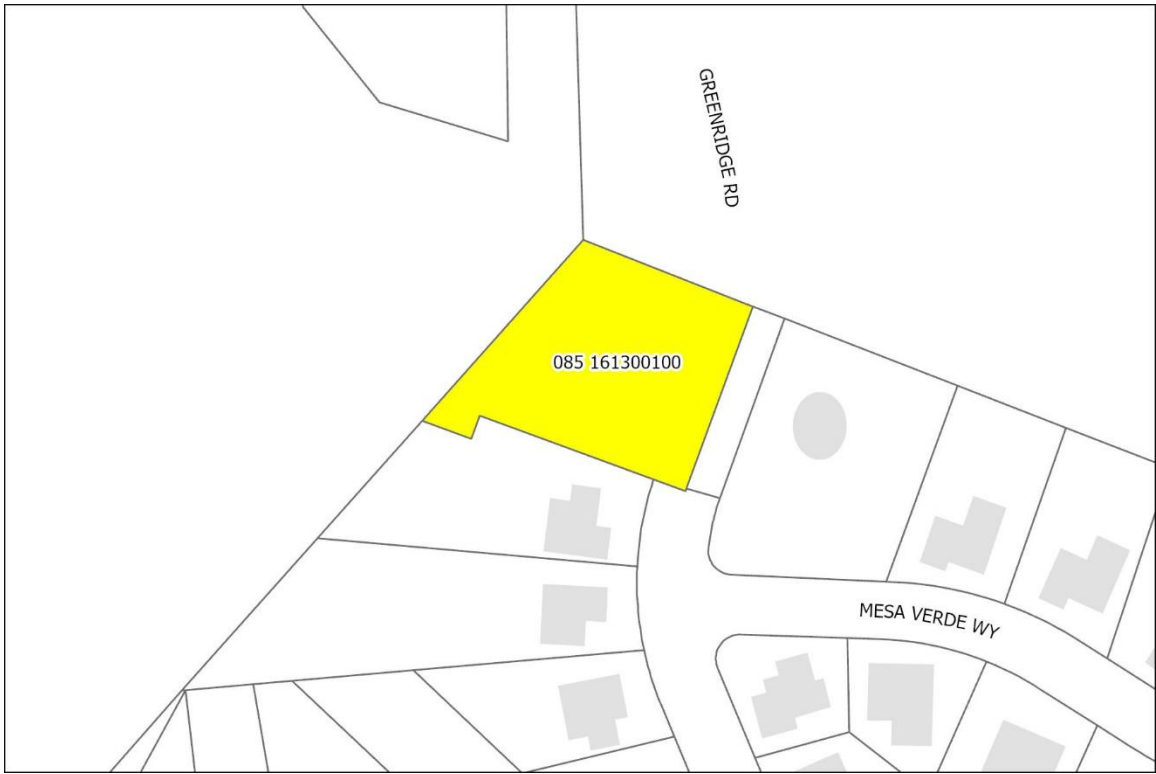


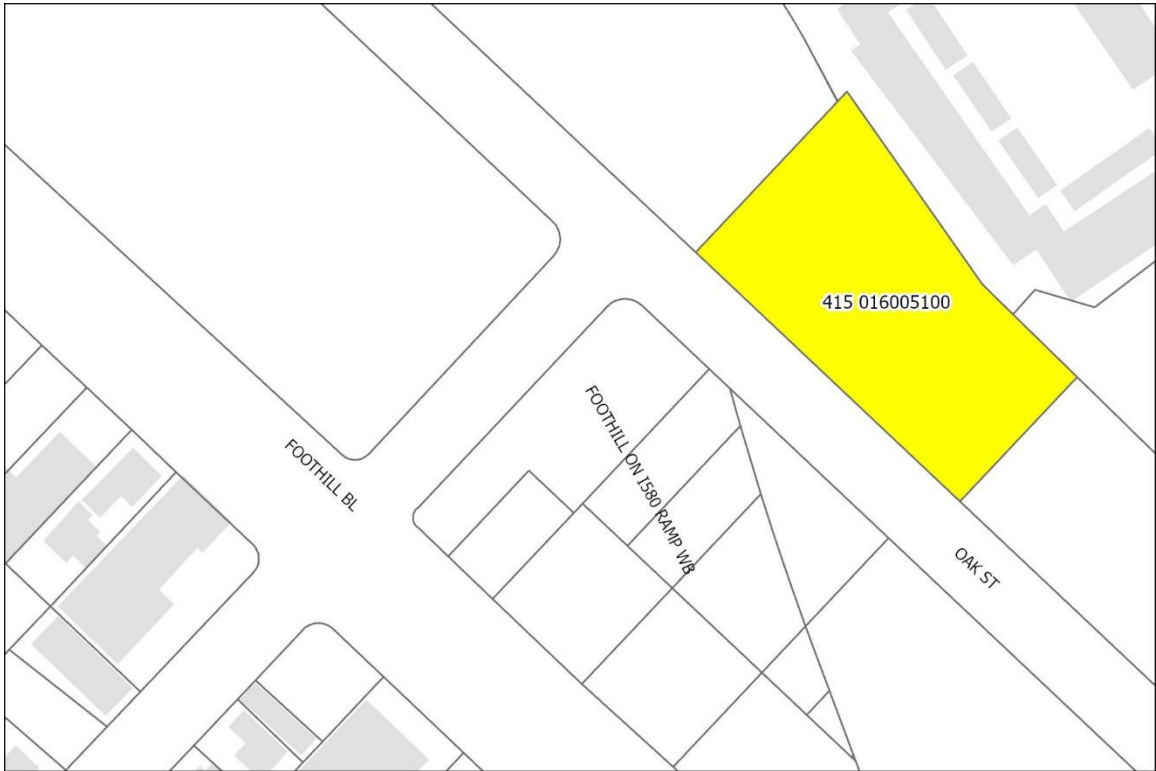
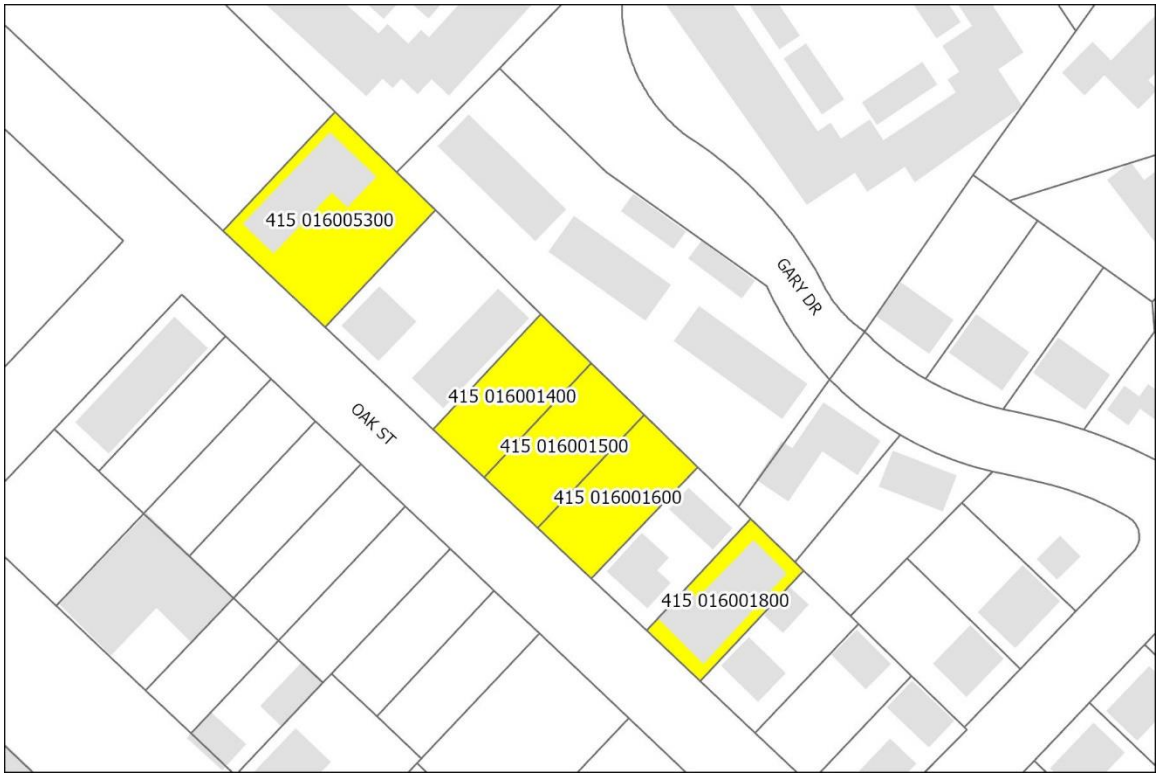












SECTION II

Alameda County Zoning Ordinance Chapter 17.XX is added to Title 17 of the Alameda County Ordinance Code (Zoning Ordinance), to read as follows:

Chapter 17.XX

Housing Element Zoning Districts

Sections:

17.XX.010 Purpose.

The purpose of this chapter is to implement the policy action items of the 2023-2031 Housing Element of the Alameda County General Plan. The properties designated within the zoning districts in this Chapter shall be located in the Housing Element (HE) Zoning Overlay Combining District. Residential and mixed-use residential development that meets 2023-2031 Housing Element goals and policies shall be subject to the general provisions, process and procedures, permit streamlining, development standards, administrative modification processes, and parking space standards listed in Sections 17.30.25 through 17.30.32 of this Title.

17.XX.015 – Housing Element districts—Reference to Residential Design Standards and Guidelines. Residential development and mixed-use residential development within the Housing Element Zoning Districts) shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.

17.XX.020 Neighborhood Commercial 60 (CN-60-HE)

- A. Intent – the intent of the Neighborhood Commercial 60 (CN-60-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential and mixed-use residential development in the CN zoning district while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 - 2. for construction of over 10 primary dwelling units;
 - 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses –
 - 1. Uses listed as Permitted in Section 17.36.020 - Permitted uses
 - 2. Residential uses and residential accessory structures and uses
 - 3. Mixed-use residential uses.
- D. Conditional Uses – Uses listed as Conditionally Permitted in Section 17.36.030 - Conditional uses.
- E. Floor Area Ratio –
 - 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 - 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.

3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts
- F. Lot Coverage –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts
- G. Residential Density – 30 dwelling units per net acre minimum and 60 dwelling units per net acre maximum
- H. Building Site –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts
- I. Yards –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts
- J. Height of buildings –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts
- K. Parking –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as

- amended, for the High Density Residential for the CVCBD Land Use Group E development type.
- 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
- 3. for non-residential development: as listed in Chapter 17.52 – General Requirements, as modified by the Residential Design Standards and Guidelines.
- L. Other regulations –
 - 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 - 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 - 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts

17.XX.030 Retail Business 22 (C1-22-HE)

- A. Intent – the intent of the Retail Business 22 (C1-22-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential and mixed-use residential development in the C1 zoning district while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 - 2. for construction of over 10 primary dwelling units;
 - 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses –
 - 1. Uses listed as Permitted in Section 17.38.020 – Permitted uses
 - 2. Residential uses and residential accessory structures and uses
 - 3. Mixed-use residential uses.
- D. Conditional Uses – Uses listed as Conditionally Permitted in Section 17.38.025 – Conditional uses – Planning commission and in Section 17.38.030 – Conditional uses – Board of Zoning Adjustments.
- E. Floor Area Ratio –
 - 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Medium Density Residential R-S-D20 development type.
 - 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group D development type at 17.4 – 21.8.
 - 3. for non-residential development: development regulations as listed in Chapter 17.38 – C-1 Districts
- F. Lot Coverage –
 - 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as

1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Medium Density Residential R-S-D20 development type.
2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group D development type at 17.4 – 21.8.
3. for non-residential development: development regulations as listed in Chapter 17.38 – C-1 Districts

17.XX.040 Community Commercial 60 (CC-60-HE)

- A. Intent – the intent of the Community Commercial 60 (CC-60-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential and mixed-use residential development in the CC zoning district while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 2. for construction of over 10 primary dwelling units;
 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses –
 1. Uses listed as Permitted in Section 17.51.050(B) – Permitted uses
 2. Residential uses and residential accessory structures and uses
 3. Mixed-use residential uses.
- D. Conditional Uses – Uses listed as Conditionally Permitted in Section 17.51.050(C) – Conditional uses.
- E. Floor Area Ratio –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Section 17.51.050(D) – Floor Area Ratio
- F. Lot Coverage –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Section 17.51.050 – Community commercial districts.
- G. Residential Density – 30 dwelling units per net acre minimum and 60 dwelling units per net acre maximum

- H. Building Site –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Section 17.51.050 – Community commercial districts.
- I. Yards –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Section 17.51.050 – Community commercial districts.
- J. Height of buildings –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Section 17.51.050 – Community commercial districts.
- K. Parking –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.
 3. for non-residential development: development regulations as listed in Section 17.51.050 – Community commercial districts.
- L. Other regulations –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type.
 2. for mixed-use residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Residential Mixed-Use Standards for the CVCBD Land Use Group E development type.

3. for non-residential development: development regulations as listed in Section 17.51.050 – Community commercial districts.

17.XX.050 Neighborhood Commercial Medium High Density Residential 43 (CN-MHDR-43-HE)

- A. Intent – the intent of the Neighborhood Commercial Medium High Density Residential 43 (CN-MHDR-43-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential and mixed-use residential development in the CN designation while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 2. for construction of over 10 primary dwelling units;
 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses –
 1. Uses listed as Permitted in Section 17.36.020 - Permitted uses
 2. Residential uses and residential accessory structures and uses
 3. Mixed-use residential uses.
- D. Conditional Uses – Uses listed as Conditionally Permitted in Section 17.36.030 - Conditional uses.
- E. Floor Area Ratio –
 1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.
- F. Lot Coverage –
 1. for residential development: development regulations as listed in for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.
- G. Residential Density – 22 dwelling units per net acre minimum and 43 dwelling units per net acre maximum
- H. Building Site –

1. for residential development: development regulations as listed in for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.
- I. Yards –
1. for residential development: development regulations as listed in for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.
- J. Height of buildings –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.
- K. Parking –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.

3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.
- L. Other regulations –
1. for residential development: development regulations as listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type.
 2. for mixed-use residential development: development regulations as listed separately as follows:
 - a. for the residential portion, those development regulations listed in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type;
 - b. for the non-residential portion, those development regulations listed in Chapter 17.36 – C-N Districts.
 3. for non-residential development: development regulations as listed in Chapter 17.36 – C-N Districts.

17.XX.060 Residential 9 (R-9-HE)

- A. Intent – the intent of the Residential 9 (R-9-HE) Housing Element Overlay Combining Zoning District is to permit single-family or multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area of existing permitted or conditionally permitted uses;
 2. construction of 5 or more primary dwelling units;
 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.12.030 - Permitted uses
- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.12.035 - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.12.040 - Conditional uses – Board of Zoning Adjustments.
- F. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence (R-S) development type. On matters not provided for in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, the respective regulations in this zoning ordinance shall apply.
- G. Residential Density – nine (9) dwelling units per net acre maximum
- H. Other regulations –
 1. Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence (R-S) development type. On matters not provided for in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, the respective regulations in Chapter 17.12 – R-S Districts and in this zoning ordinance shall apply.

17.XX.070 Residential 60 (R-60-HE)

- A. Intent – the intent of the Residential 60 (R-60-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction of more than 10 primary dwelling units;
 - 2. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 3. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.16.020 - Permitted uses
- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.16.025 - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.16.030 - Conditional uses – Board of Zoning Adjustments.
- F. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential for the CVCBD Land Use Group E development type for residential uses only. On matters not provided for in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, the respective regulations in this zoning ordinance shall apply.
- G. Residential Density – 30 dwelling units per net acre minimum and 60 dwelling units per net acre maximum
- H. Other regulations –
 - 1. Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the CVCBD Land Use Group E development type for residential uses only. On matters not provided for in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, the respective regulations in this zoning ordinance shall apply.

17.XX.080 Residential Low Medium Density 22 (RLM-22-HE)

- A. Intent – the intent of the Residential Low Medium Density 22 (RLM-22-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area of existing permitted or conditionally permitted uses;
 - 2. construction of over 10 primary dwelling units;
 - 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses –
 - 1. Uses listed as Permitted in Section 17.51.090(B) - Permitted uses
 - 2. Residential uses and residential accessory structures and uses
- D. Conditional Uses – Uses listed as Conditionally Permitted in Section 17.51.090(C) - Conditional uses
- E. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence 2,000 sq.ft. per dwelling unit (R-S-D-20) development type. On matters not provided for in the "Residential Design Standards

and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.

- F. Residential Density – 18 dwelling units per net acre minimum and 22 dwelling units per net acre maximum
- G. Other regulations –
 - 1. Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence 2,000 sq.ft. per dwelling unit (R-S-D-20) development type. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.
 - 2. Non-residential development shall be subject to the development regulations of the Zoning Ordinance Section 17.51.090.

17.XX.090 Residential Medium Density Family 29 (RMF-29-HE)

- A. Intent – the intent of the Residential Medium Density Family 29 (RMF-29-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development, and to support medium density multi-family residential development in Castro Valley. The RMF-29-HE district implements and is consistent with the residential medium density multifamily land use classification of the Castro Valley General Plan.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction of over 10 primary dwelling units;
 - 2. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 3. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.51.030(C) - Permitted uses
- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.51.30(D) - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.51.30(E) - Conditional uses – Board of Zoning Adjustments.
- F. Residential Density – 22 dwelling units per net acre minimum and 29 dwelling units per net acre maximum
- G. Design Standards and Guidelines –
 - 1. Residential projects within the RMF-29-HE districts are subject to the development regulations in Section 17.51.030 – “Residential medium density family district”, as amended.
 - 2. On matters not provided for in Section 17.51.030, the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence 2,000 sq.ft. per dwelling unit (R-S-D-20) and the Suburban Residence 1,500 sq.ft. per dwelling unit (R-S-D-15) development types, shall apply as applicable based on the proposed building type.
 - 3. For the residential design standards and the requirements for which Section 17.51.030 is silent the residential design guidelines applicable to the proposed building type apply.

17.XX.100 Residential Small Lot 17 (RSL-17-HE)

- A. Intent – the intent of the Residential Small Lot 17 (RSL-17-HE) Housing Element Overlay Combining Zoning District is to support infill projects of duplexes, small lot single-family detached units, and townhouses. The RSL district implements and is consistent with the residential small lot land use classification of the Castro Valley General Plan.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction of over 10 primary dwelling units;

- 2. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
- 3. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.51.020(C) - Permitted uses
- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.51.020(D) - Conditional uses
- E. Residential Density – 8 dwelling units per net acre minimum and 17 dwelling units per net acre maximum
- F. Design Standards and Guidelines –
 - 1. Residential projects within the RSL-17-HE districts are subject to the development regulations in Section 17.51.020 – “Residential small lot districts”, as amended.
 - 2. On matters not provided for in Section 17.51.020, the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence 3,500 sq.ft. per dwelling unit (R-S-D-35) and the Suburban Residence 2,500 sq.ft. per dwelling unit (R-S-D-25) development types, shall apply as applicable based on the proposed building type.
 - 3. For the residential design standards and the requirements for which Section 17.51.020 is silent the residential design guidelines applicable to the proposed building type apply.

17.XX.110 Residential Suburban 22 (RS-22-HE)

- A. Intent – the intent of the Residential Suburban 22 (RS-22-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area of existing permitted or conditionally permitted uses;
 - 2. construction of over 10 primary dwelling units;
 - 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.12.030 - Permitted uses
- D. Conditional Uses – Uses listed as Conditionally Permitted in Section 17.12.035 - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.12.040 - Conditional uses – Board of Zoning Adjustments
- F. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Suburban Residence 3,500 sq.ft. per dwelling unit (R-S-D-35) and the Suburban Residence 2,000 sq.ft. per dwelling unit (R-S-D-20) development types, as applicable based on the proposed building type. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.
- G. Residential Density – 10 dwelling units per net acre minimum and 22 dwelling units per net acre maximum
- H. Other regulations –
 - 1. Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the Suburban Residence 3,500 sq.ft. per dwelling unit (R-S-D-35) and the Suburban Residence 2,000 sq.ft. per dwelling unit (R-S-D-20) development types, as applicable based on the proposed building type. On matters not provided for in the “Residential Design Standards and

Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.

2. Non-residential development shall be subject to the development regulations of the Zoning Ordinance Chapter 17.12.

17.XX.120 Medium High Density Residential 43 (MHDR-43-HE)

- A. Intent – the intent of the Medium High Density Residential 43 (MHDR-43-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 2. for construction of over 10 primary dwelling units;
 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.16.020 - Permitted uses
- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.16.025 - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.16.030 – Conditional Uses – Board of Zoning Adjustments.
- F. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.
- G. Residential Density – 22 dwelling units per net acre minimum and 43 dwelling units per net acre maximum
- I. Other regulations –
 1. Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, for the High Density Residential R-4 development type. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, the respective regulations in this zoning ordinance shall apply.
 2. Non-residential development shall be subject to the development regulations of the Zoning Ordinance Chapter 17.16.

17.XX.130 High Density Residential 86 (HDR-86-HE)

- A. Intent – the intent of the High Density Residential 86 (HDR-86-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 2. for construction of over 10 primary dwelling units;
 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.16.020 - Permitted uses.

- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.16.025 - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.16.030 – Conditional Uses – Board of Zoning Adjustments.
- F. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, Chapter 6 “Standards that Apply to All or Some Development Projects with Residential Uses”, Chapter 7 “Definitions and Rules of Measurement”, and Chapter 8 “Residential and Mixed-Use Residential Objective Standards”. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, or where there is a conflict with the regulations in this zoning district, the following regulations in this zoning district shall apply.
- G. Residential Density – 43 dwelling units per net acre minimum and 86 dwelling units per net acre maximum
- J. Other regulations –
 - 1. Residential development shall be subject to the following regulations:
 - a. Height: 5 stories maximum (two additional stories allowed with a Conditional Use Permit); 75 feet height maximum (roofs, rooftop decks, and rooftop equipment may encroach above max height up to 4 feet)
 - b. Setbacks:
 - i. Front Yard: 20 feet minimum
 - 1. May be modified if project design follows the development regulations of the *Ashland and Cherryland Business Districts Specific Plan*, Section 6.3.8 “Terrace” development, or Section 6.3.10 “Stoop” development, in which case the frontage development standard and design regulations shall apply per Section 6.3.8 “Terrace” development, or Section 6.3.10 “Stoop” development, respectively.
 - ii. Rear Yard: 20 feet minimum
 - iii. Street Side Yard: 10 feet minimum
 - iv. Interior Side Yard: 10 feet minimum
 - c. Lot coverage: 90% maximum
 - d. Floor Area Ratio: 0.5 Minimum (applies only to lots 50 feet wide, or wider) and 2.5 maximum
 - e. Open Space Per unit: 50 square feet minimum, at a minimum dimension of 5 feet.
 - f. On-Site Common Useable Open Space: required for ten or more primary dwelling units at 1,000 square feet minimum, no less than 100 sq ft per unit, at a minimum dimension of 25 feet.
 - g. Site Landscaping shall occupy a minimum 15% of project site.
 - h. There shall be no minimum tree canopy shading requirements of on-site parking or vehicular access.
 - i. On-site Parking:
 - i. a minimum of one on-site parking space per dwelling unit is required;
 - ii. if parking is provided: at least one car-share parking space must be designated in new residential developments that offer more than 10 private car parking spaces; two car-share parking spaces must be provided in developments with more than 30 private car parking spaces;
 - iii. Shared or unbundled vehicle parking is allowed (neither prohibited nor required);
 - iv. Minimum secured bicycle parking: one space per primary dwelling unit minimum;
 - v. parking regulations for residential development as listed in the *Ashland and Cherryland Business Districts Specific Plan* Section 6.4.1.2 General Parking Standards shall be applicable for residential development subject to this Zoning Ordinance section.

- j. Percent of lot width occupied by allowed frontage, or combination of frontages: 70% minimum.
- k. Allowable encroachments into setbacks (applies to encroachments of architectural features, balconies, decks, bay windows, etc):
 - i. Into front yard setback: 2 feet
 - ii. Into street side or rear yard setbacks: 4 feet
- 2. Non-residential development shall be subject to the development regulations of the Zoning Ordinance Chapter 17.16.
- 3. Accessory structures, buildings, and uses, and on-site landscaping, shall be subject to the applicable development regulations of this zoning ordinance.

17.XX.140 High Density Residential 100 (HDR-100-HE)

- A. Intent – the intent of the High Density Residential 86 (HDR-86-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review -- Site Development Review shall be required for:
 - 1. construction or remodel of 1,000 sq.ft. or more of non-residential floor area;
 - 2. for construction of over 10 primary dwelling units;
 - 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 4. development subject to the Housing Element Overlay District shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Permitted Uses – Uses listed as Permitted in Section 17.16.020 - Permitted uses.
- D. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.16.025 - Conditional uses – Planning Commission.
- E. Conditional Uses – Board of Zoning Adjustments – Uses listed as Conditionally Permitted in Section 17.16.030 – Conditional Uses – Board of Zoning Adjustments.
- F. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, Chapter 6 “Standards that Apply to All or Some Development Projects with Residential Uses”, Chapter 7 “Definitions and Rules of Measurement”, and Chapter 8 “Residential and Mixed-Use Residential Objective Standards”. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, or where there is a conflict with the regulations in this zoning district, the following regulations in this zoning district shall apply.
- G. Residential Density – 86 dwelling units per net acre minimum and 100 dwelling units per net acre maximum
- H. Other regulations –
 - 1. Residential development shall be subject to the following regulations:
 - a. Height: 7 stories maximum; 75 feet height maximum (roofs, rooftop decks, and rooftop equipment may encroach above max height up to 4 feet)
 - b. Setbacks:
 - i. Front Yard: 20 feet minimum
 - 1. May be modified if project design follows the development regulations of the *Ashland and Cherryland Business Districts Specific Plan*, Section 6.3.8 “Terrace” development, or Section 6.3.10 “Stoop” development, in which case the frontage development standard and design regulations shall apply per Section 6.3.8 “Terrace” development, or Section 6.3.10 “Stoop” development, respectively.
 - ii. Rear Yard: 20 feet minimum
 - iii. Street Side Yard: 10 feet minimum

- iv. Interior Side Yard: 10 feet minimum
- c. Lot coverage: 90% maximum
- d. Floor Area Ratio: 0.5 Minimum (applies only to lots 50 feet wide, or wider) and 3.0 maximum
- e. On-Site Common Useable Open Space: required for ten or more primary dwelling units at 1,000 square feet minimum, no less than 100 sq ft per unit, at a minimum dimension of 25 feet.
- f. Site Landscaping shall occupy a minimum 15% of project site.
- g. There shall be no minimum tree canopy shading requirements of on-site parking or vehicular access.
- h. On-site Parking:
 - i. a minimum of one on-site parking space per dwelling unit is required;
 - ii. if parking is provided: at least one car-share parking space must be designated in new residential developments that offer more than 10 private car parking spaces; two car-share parking spaces must be provided in developments with more than 30 private car parking spaces;
 - iii. Shared or unbundled vehicle parking is allowed (neither prohibited nor required);
 - iv. Minimum secured bicycle parking: one space per primary dwelling unit minimum;
 - v. parking regulations for residential development as listed in the *Ashland and Cherryland Business Districts Specific Plan* Section 6.4.1.2 General Parking Standards shall be applicable for residential development subject to this Zoning Ordinance section.
- i. Percent of lot width occupied by allowed frontage, or combination of frontages: 70% minimum.
- j. Allowable encroachments into setbacks (applies to encroachments of architectural features, balconies, decks, bay windows, etc):
 - i. Into front yard setback: 2 feet
 - ii. Into street side or rear yard setbacks: 4 feet
- 2. Non-residential development shall be subject to the development regulations of the Zoning Ordinance Chapter 17.16.
- 3. Accessory structures, buildings, and uses, and on-site landscaping, shall be subject to the applicable development regulations of this zoning ordinance.

17.XX.150 Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE)

- A. Intent – the intent of the Bay Fair Transit Area High Density Residential 125 General Commercial (BTA-HDR-125-GC-HE) Housing Element Overlay Combining Zoning District is to permit multi-family residential development while continuing to maintain existing Permitted and Conditionally Permitted uses as legally conforming.
- B. Site Development Review – Site Development Review shall be required for:
 - 1. any construction of over 10 primary residential dwelling units if the new construction is not affordable housing;
 - 2. remodel of 1,000 sq.ft. or more of non-residential floor area;
 - 3. remodel of over 50% of the existing exterior volume of the total number of primary dwelling units; or
 - 4. development subject to the Housing Element Overlay District and shall be reviewed under the procedures set forth in Sections 17.30.25 through 17.30.32 of this Title.
- C. Streamlined Site Development Review – Streamlined Site Development Review may be granted for new affordable housing construction if the development complies with the following criteria:
 - a. satisfies the requirements of Senate Bill 35 (2017, Weiner):
 - i. the project is at least 50% residential;

- ii. a minimum of 20% of proposed housing is affordable to low- or very low- income households;
 - iii. the height is within one story of the tallest approved height within a ½ mile; and
 - iv. the construction plan meets required labor standards described in the bill.
 - b. is located in the Housing Element Overlay;
 - c. development standards are met in the BTA-HDR-125-GC-HE Zoning District; and
 - d. development complies with the Objective Residential Design Standards.
- D. Permitted Uses – Uses listed as Permitted in Section 17.16.020 - Permitted uses, and in Section 17.36.020 Permitted Uses.
 - 1. Restaurants and cafes may include outdoor dining;
 - 2. Non-alcoholic retail may include outdoor display.
- E. Conditional Uses – Planning Commission – Uses listed as Conditionally Permitted in Section 17.16.025 - Conditional uses – Planning Commission.
- F. Conditional Uses – Board of Zoning Adjustments:
 - 1. Uses listed as Conditionally Permitted in Section 17.16.030 – Conditional Uses – Board of Zoning Adjustments;
 - 2. Public utility substation, not including service yard, storage of materials, or vehicles, or repair facilities;
 - 3. Commercial parking lot;
 - 4. Commercial parking garage;
 - 5. Alcohol outlet;
 - 6. Indoor recreation facility.
- G. Reference to Residential Design Standards and Guidelines – Residential development shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County", as amended, Chapter 6 “Standards that Apply to All or Some Development Projects with Residential Uses”, Chapter 7 “Definitions and Rules of Measurement”, and Chapter 8 “Residential and Mixed-Use Residential Objective Standards”. On matters not provided for in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, as amended, or where there is a conflict with the regulations in this zoning district, the following regulations in this zoning district shall apply.
- H. Residential Density – 75 dwelling units per net acre minimum and 125 dwelling units per net acre maximum
- I. Other regulations –
 - 1. Residential development shall be subject to the following regulations:
 - a. Height: 7 stories maximum; 75 feet height maximum (roofs, rooftop decks, and rooftop equipment may encroach above max height up to 4 feet)
 - b. Setbacks:
 - i. Front Yard: Project development shall follow the development regulations of the *Ashland and Cherryland Business Districts Specific Plan*, per one or more of the following Sections:
 - 1. Section 6.3.6 “Shop front and Awning” development;
 - 2. Section 6.3.7 “Forecourt” development;
 - 3. Section 6.3.8 “Terrace” development;
 - 4. Section 6.3.10 “Stoop” development.
 - ii. Rear Yard: 5 feet, or 15 feet minimum if adjacent to residential
 - iii. Street Side Yard: 5 feet minimum
 - iv. Interior Side Yard: 0 feet minimum
 - c. Lot coverage: 90% maximum
 - d. Floor Area Ratio: 0.5 Minimum (applies only to lots 50 feet wide, or wider) and 3.5 maximum
 - e. Ground floor height: 15 feet minimum for non-residential use on ground floor

- f. Upper floor(s) height: 10 feet minimum
- g. On-Site Common Useable Open Space: required for ten or more primary dwelling units at 1,000 square feet minimum, no less than 100 sq ft per unit, at a minimum dimension of 25 feet.
- h. Site Landscaping shall occupy a minimum 15% of project site.
- i. There shall be no minimum tree canopy shading requirements of on-site parking or vehicular access.
- j. On-site Parking:
 - i. for residential uses: a maximum of one on-site vehicle parking space per primary dwelling unit is allowed;
 - ii. for non-residential uses: no minimum vehicle parking is required; maximum 2.5 parking spaces per 1,000 square feet.
 - iii. if parking is provided: at least one car-share parking space must be designated in new residential developments that offer more than 10 private car parking spaces; two car-share parking spaces must be provided in developments with more than 30 private car parking spaces;
 - iv. shared or unbundled vehicle parking is allowed;
 - v. for residential uses: a minimum of one secured bicycle parking space per primary dwelling unit;
 - vi. parking regulations for residential development as listed in the *Ashland and Cherryland Business Districts Specific Plan* Section 6.4.1.2 General Parking Standards shall be applicable for residential development subject to this Zoning Ordinance section.
- k. Percent of lot width occupied by allowed frontage, or combination of frontages: 70% minimum.
- l. Allowable encroachments into setbacks (applies to encroachments of architectural features, balconies, decks, bay windows, etc):
 - i. Into front yard setback: 2 feet
 - ii. Into street side or rear yard setbacks: 4 feet
- 2. Non-residential development shall be subject to the development regulations of the Zoning Ordinance Chapter 17.16.
- 3. Accessory structures, buildings, and uses, and on-site landscaping, shall be subject to the applicable development regulations of this zoning ordinance.

SECTION IV

17.55.180 Severability.

To the extent possible, this chapter shall be interpreted to be consistent with the provisions of Government Code Section 66310, *et seq.* If any part of this chapter is found to be invalid or inconsistent with Government Code Sections 66310, *et seq.*, such provision shall be null and void and the remaining sections will still be applied to the maximum extent feasible.

SECTION V

This Ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of 15 days after its adoption by the Board of Supervisors, this ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the

XXXX day of XXXX, 2024, by the following called vote:

AYES:

NOES:

EXCUSED:

ABSTAINED:

PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

Anika Campbell-Belton, Clerk
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

By: _____
Melanie S. O'Brien
Deputy County Counsel

Article IX

Housing Element (HE) Zoning Overlay Combining District

17.30.25 Housing Element Overlay Combining District - Intent

The district, hereinafter designated as the Housing Element (HE) zoning overlay district, is established to be combined with other districts in order to provide for permit streamlining, incentivize the production of housing at all income levels, and to allow for variations in the intensity of development. The HE district is aligned with the base district per the density permitted by General plans, Specific Plans and/or Zoning. The purpose of this article is to provide guidelines and approval procedures for the development and improvement of land within HE districts in unincorporated Alameda County.

17.30.26 Housing Element Overlay District – Map

The HE district map shall show all the overlay parcels and designate the maximum density which shall then determine the applicable development standards and objective design standards described in Table 1 below, 17.30.29 - Review Process and Procedure. The map shall also identify those sites identified for low-income households, and the provisions of 17.30.28(3) and 17.30.28 (6) shall apply on these sites.

17.30.27 Applicability

The district regulations shall apply to all parcels identified in the adopted Housing Element Zoning Overlay District Map (as amended).

17.30.28 - General provisions

1. In a combining HE district all regulations shall remain the same as in the district with which it is combined except as to the matters hereinafter described. In the case of any conflict the HE district shall govern.
2. Parcels within the HE district shall benefit from permit streamlining and in many cases, ministerial approval.
3. For parcels designated 'Low Income' or 'Mixed Income' in the 6th Cycle Housing Element, by-right approval shall be given to owner-occupied and rental multi-family projects in which 20 percent or more of the units are affordable to lower-income households. In addition, all HE District sites intended to accommodate the lower-income households are required to build to a minimum density of at least 20 units per acre.
4. All sites in the HE district shall be determined to have building site status, conforming lot dimensions (frontage, depth, width) and to meet minimum building site size, regardless of the zoning or specific plan district in which they are located.
5. All sites in the HE district shall allow residential uses as a primary use. The primary residential use can, but is not required to be, combined with a secondary commercial use if the underlying zoning district allows such commercial use.
6. For any mixed-use project sites identified in the sites inventory for 'Low Income' and 'Mixed Income' units, residential use is required of at least 50 percent of the total floor area on these sites.

7. In the case of a subdivision into fee simple parcels, stock cooperative or condominiums units, Chapter 16 of the County Code shall be required, in addition to any HE district requirements.

17.30.29 - Review Process and Procedure

For all residential or mixed-use projects being proposed in the HE overlay district, the following table shall be used to determine the Applicable Zoning Standards, Objective Design Standards, Planning Permit Required and Procedure. The density of the project is the basis for review using the table below:

Table 1

Density as Units/Acre	Zoning District Applicability	Development Standards and Objective Design Standards	Planning Permit Required	Procedure
Below 9 Units/Acre	Any parcel based on the R-1 zone, or any parcel in the Overlay where the expected capacity is 1 unit.	Applicable base single-family zoning, including minimum lot size, coverage and floor area limitations. Follow base zoning and/or specific plan requirements.	None	Ministerial
9-21 Units/Acre	R-9-HE ACBD-R1 R1 RSL-CSU-RV CVCBD-CVBD-S11W PD-2226 R1 R2-BE RS-D3 RS-SU RSL-17-HE FA-17-HE PD-1408 PD-2166 RS-D20	Follow applicable Zoning District for Development Standards and Complete Objective Design Standards Checklist for 9-21 Units/Acre	Compliance with Zoning Standards and Objective Design Standards Checklist	Ministerial
			Site Development Review if not in compliance	Discretionary - limit of 1 hearing at Municipal Advisory Council
22-43	R-S-22-HE FA-CN-22-HE C1-22-HE RLM-22-HE AO-CMU-R R2 R2-BE	Follow Zoning Districts for Development Standards, and complete Objective Design Standards Checklist for 22-43 Units/Acre	Compliance with Zoning and Objective Design Standards Checklist	Ministerial
			Site Development	Discretionary - limit of 1

	R3-BE RS-D25 RS-D35 FA-29-HE FA-CN-29-HE RMF-HE RMF-D3 RS-D15 CVBD-S07 CN-43-HE ACBD-DC-43-HE GC-MHDR-43-HE ACBD-R3-HE MHDR-43-HE ACBD-DMU-43-HE ACBD-AO-CMU-C CMU-C PD-1487		Review if not in compliance	hearing at Municipal Advisory Council
44-86	R-60-HE CC-60-HE CN-60-HE CVBD-S02-86-HE CVBD-S07-86-HE CVBD-S10-86-HE ACBD-DC-86-HE ACBD-DMU-86-HE ACBD-CMU-C-86-HE HDR-86-HE SLZ-86-HE CVBD-CTA-S08-86-HE DMU	Follow Zoning Districts for Development Standards, and complete Objective Design Standards Checklist for 44-86 Units/Acre	Compliance with Zoning and Objective Design Standards Checklist	Ministerial
			Site Development Review if not in compliance	Discretionary - limit of 1 hearing at Municipal Advisory Council
87-125	HDR-100-HE; BTA-HDR-125 / GC-HE	Follow Zoning Districts for Development Standards, and follow Chapter 8 of Residential Design Standards and Guidelines	Compliance with Zoning and Chapter 8 of Residential Design Standards and Guidelines	Ministerial
			Site Development Review if not in compliance	Discretionary - limit of 1 hearing at Municipal Advisory Council

17.30.29 Procedures and Permit Streamlining

As described in Table 1 above, all density ranges below 9 units per acre (single family density) follow the base zoning or specific plan standards and shall be ministerially approved. Above 9 units per acre projects must utilize the County's Checklist for Residential Development (as they may be amended) to demonstrate compliance with objective standards that can result in a ministerial approval. Otherwise requires a Site Development Review permit.

Project that do require a Site Development Review are limited to one (1) public hearing to approve any project in the HE Overlay - beyond the conclusion of the hearing the project is deemed approved. A project manager from the Planning Department will be assigned to facilitate the permit process.

17.30.30 Development Standards

As described in Table 1 above, Development Standards shall be determined by the density range that best corresponds to the building type as identified in the Checklist for Residential Development. In no case shall projects exceed HE Overlay density maximum, except as allowed by State law. Minor variations between Residential Design and Objective Standards categories may be allowed as determined by the Planning Director.

17.30.31 Administrative Modification

In order to facilitate projects achieving maximum densities within the HE Overlay, an Administrative Modification is available. The Administrative Modification is a no-cost request to modify development standards. Applies to lot dimensions, height, setbacks, open space, landscaping and parking. Available to applicants and projects under applicability section above and can only be appealed under findings of adverse specific impact described in Housing Accountability Act Government Code section 65589.5 (a)(3).

17. 30.32 Required Parking Spaces

Projects in Zoning Districts based on the Single-Family R-1 Districts shall follow zoning or specific plan requirements which normally require more than 1 space per unit. Projects with proximity to transit stations/stops may have reduced parking requirements based on State laws pertaining to such matters. In all other cases the parking requirement shall not exceed:

- a. Studio Units: one (1) parking space per unit
- b. One-bedroom units: one and one-half (1.5) parking spaces per unit
- c. Two-bedroom or more units: two (2) parking spaces per unit, one of which can be tandem and/or uncovered

Guest Parking: Projects in Zoning Districts based on the Single-Family R-1 Districts shall follow zoning or specific plan requirements. In all other cases the Guest parking requirement shall not exceed: .25 per unit.

In no case shall the parking requirement for projects above 9 units per acre exceed 2.25 per unit, inclusive of guest parking.

17.30.33 California Environmental Quality Act– All projects in applicability section above are Exempt from the California Environmental Quality Act based on the action of the Board of Supervisors making findings approving the HE Overlay.

17.30.34 Administration – Review no less than one time per year as part of the annual General Plan report, or no more than two times per calendar year to address RHNA compliance/no net loss, and to review any additions/subtractions to district.

17.30.36 Sunset The HE district overlay shall sunset upon adoption by the Board of Supervisors of the 7th Cycle Housing Element.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

651 Bannon Street, Suite 400
Sacramento, CA 95811
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



November 7, 2024

Albert Lopez, Director
Planning Department
Community Development Agency
County of Alameda
224 West Winton Avenue, Room 111
Hayward, CA 94544

Dear Albert Lopez:

RE: County of Alameda's 6th Cycle (2023-2031) Revised Draft Housing Element

Thank you for submitting the County of Alameda's (County) revised draft housing element that was received on September 30, 2024, including additional revisions on November 6, 2024. All revisions were posted and made available to the public for seven days prior to review. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the revised draft housing element, including additional revisions, meets the statutory requirements of State Housing Element Law (Gov. Code, § 65580 et seq.). The revised draft, with additional revisions, addresses the statutory requirements described in HCD's July 9, 2024 review. However, the housing element cannot be found in substantial compliance until the County has completed necessary rezones as described below. The housing element will comply with State Housing Element Law when rezoning is complete and the element is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the County did not adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), programs (e.g., Programs 1.A, 1.C, 1.G, 1.H, 1.J and 1.L) to make prior identified sites available and address a shortfall of capacity to accommodate the regional housing needs allocation (RHNA) must be completed no later than one year from the statutory deadline, pursuant to Government Code sections 65583, subdivision (c)(1)(A) and 65583.2, subdivision (c). As this year has passed and all necessary rezonings have not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning has been completed.

As a reminder, the County's 6th cycle housing element was due January 31, 2023. As of today, the County has not completed the housing element process for the 6th cycle. The County's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the County to expeditiously adopt, rezone and submit to HCD to regain housing element compliance.

In addition, for your information, since the element relies on nonvacant sites to accommodate 50 percent or more of the housing needs for lower-income households, requirements are triggered to make findings based on substantial evidence (as part of adoption) that the existing use is not an impediment and will likely discontinue in the planning period.

For your information, pursuant to Government Code section 65583.3, the County must submit an electronic sites inventory with its adopted housing element. The County must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The County can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the County should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the County will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the County to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the commitment and collaboration of the housing element update team and particularly applauds the hard work and collaboration of olivia ortiz. HCD looks forward to working with the County through adoption and rezoning. If HCD can provide assistance in implementing the housing element, please contact Alex Goelzer, of our staff, at Alex.Goelzer@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager