



June 12, 2022

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

Subject: Revised draft zoning amendments related to Housing Element (Item 7-A on 6-13-22 Planning Board agenda)

Dear Planning Boardmembers:

The Alameda Architectural Preservation Society (AAPS) is still reviewing the revised draft zoning amendments, so the following comments are preliminary and subject to modification and/or expansion:

1. **The proposed upzonings continue to be excessive.** We reiterate our comments previously submitted in detail especially in our May 8 letter to the City Council and our May 22 letter to the Planning Board that most of the various forms of upzonings proposed in the draft Housing Element and the zoning amendments within **all** of the residential zoning districts and in the historic commercial districts appear unnecessary to meet the RHNA and state fair housing requirements. Again, we have not been able to find anything in state law or published HCD guidelines that mandate such sweeping and indiscriminate upzonings **everywhere**.
2. **Transit Oriented Housing Waiver (TOHW).** We reiterate that:
 - a. Reliance on bus lines as a basis for upzoning is unwise. Bus routes can be easily changed or eliminated and the high frequency service that is critical to a “quality” transit route can be easily reduced. It is irresponsible to base long-term and not easily reversed massive upzonings on something as ephemeral as a bus route. Planning for transit-oriented development is more appropriately based on more permanent transit infrastructure, such as fixed rail; and
 - b. If the TOHW is retained, it should be as a pilot program and:
 - i. Applied only to the extent necessary to meet the RHNA and/or fair housing requirements;
 - ii. Applied only to important nodes and to existing buildings fronting the transit corridor itself rather than within ¼ or 1/8 mile; and
 - iii. Use AAPS’s previously recommended expanded ADU program as an alternative to State Density Bonus Law (SDBL) projects.

If the pilot program works out well over a significant period it could be later expanded.

However, the new provision restricting unlimited density to new units less than 1000 ft.² is good. 800 ft.² should be considered, both as a way of maximizing the number of units and promoting affordability.

In addition, the waiver mapping is based on the location of the “high frequency transit corridors”, rather than an actual map or verbal description of the actual corridors (e.g. the 51A bus line) as they existed on the date of the zoning amendment adoption. This is irresponsible and somewhat bizarre, since it appears to mean that the mapping of such corridors is under the control of AC Transit. If AC Transit adds, deletes or changes a route, the half mile wide corridor would change accordingly with no action by the City of Alameda. To allow the City to retain control of the waiver mapping as well as make the provision more understandable to document users, **the waiver should be shown as a zoning map overlay**, such as shown on Exhibit A, which was provided to the Historical Advisory Board at its June 2, 2022 meeting.

3. Exempting adaptive reuse of existing buildings for residential purposes from residential density limits and open space standards in all residential zoning districts. AAPS has indicated interest in this approach, but subject to the following:

- a. Applying the strategy only to the extent necessary to meet the RHNA and/or fair housing requirements and only in targeted areas rather than everywhere;
- b. Setting limits on the number of units on a lot rather than allowing an unlimited number of units; and
- c. Requiring the additional units be in the form of ADUs to avoid triggering SDBL projects (which could demand a waiver from, among other things, limiting the new residential units to the existing building envelope). Alternatively, limit the total number of units on a lot to four to avoid triggering SDBL projects. Both alternatives could include a requirement that one or more of the units be affordable.

4. Elimination of all provisions implementing City Charter Article 26. The draft zoning amendments now explicitly delete Article III from the Development Regulations which sets forth the provisions implementing Article 26 and confirms the effect of the massive upzonings discussed in Items 1, 2 and 3 above. This deletion parallels the provisions in the draft Housing Element that effectively repeals of Article 26. **Has the City Attorney reviewed this?**

5. Webster Street height limits. The revised draft continues to call for a 60 foot height limit for all of Webster Street, but the 15 foot setback for upper floor height would now be triggered by 40 feet rather than the previously proposed 50 feet. This is helpful but also consider the following variations:

- a. Provide a 60 feet height limit north of Lincoln without setbacks in exchange for keeping 40 feet south of Lincoln.
- b. If the upper floor setback approach is kept south of Lincoln:

- i. Base the upper floor setback on sight lines rather than 15 feet (as WABA originally proposed for heights over 40 feet north of Lincoln); and
- ii. Require the upper floor setbacks on the street side of corner lots in addition to along the front lot line.

We were surprised by the concern of some Planning Board members that dividing Park Street and Webster Street into different height zones would be too complicated. This is already done on Park Street and is a common practice in other communities. Good zoning rules should be based in part on conditions on the ground rather than a potentially arbitrary mapping over a relatively large area that does not recognize more localized conditions.

We still consider the proposed unlimited density and increased height limits for the historic portions of Park and Webster Streets unnecessary to meet the RHNA and State fair housing requirements and which, through SDBL projects, could lead to taller buildings than intended, as well as other unforeseen consequences.

6. **For new buildings at the front of interior lots and adjacent to existing buildings with substandard front yard setbacks, allow exceptions to the normally required front yard setback by allowing the setback to be the average of the adjacent buildings' front setbacks.** This is similar to a provision now proposed for deletion currently applicable only to entire blocks within new large scale developments that should be retained and expanded to apply to individual development sites to help maintain streetscape, design character and more efficient lot coverage.
7. **In all residential zones, require the portion of a building over three stories or 35 feet to be located within the roof envelope,** using dormers to develop habitable living space to minimize visual bulk, mitigate solar access impacts on neighbors and so that large new buildings don't look like big boxes, like many post-1920s apartment buildings.
8. **Minimize interior and exterior demolition to promote resource conservation and retain valuable materials.** When adding units within existing pre-1942 building envelopes, include requirements that discourage gut rehab to help preserve distinctive interiors and minimize the amount of debris that ends up in the landfill. This strategy will promote the resource conservation provisions added last year to the General Plan and help avoid over-improvements that increase costs and inhibit production of affordable housing. The California Historical Building Code (CHBC) would help implement this strategy, since:
 - a. the CHBC allows alternatives to regular code that preserve historic fabric, can significantly reduce code-related project costs and allow projects that would be financially infeasible under regular code to become feasible; and
 - b. in Alameda, the CHBC applies to all pre-1942 buildings and post-1942 buildings on the Historic Building Study List, comprising thousands of structures.

9. North Park Street District.

We continue to recommend:

- a. A 40 foot height limit on the west side of Park Street between Pacific and Buena Vista Avenues; and
- b. Retaining the existing height limits and one unit per 2000 ft.² of lot area in at least the Residential, Mixed Use and possibly portions of the Workplace Subdistricts.

See our May 8, 2022 letter to the City Council for further discussion. As stated in that letter, much of North Park Street consists of one of the oldest and most historically significant residential areas in Alameda and also includes important historic buildings on the west side of Park Street between Encinal and Buena Vista Avenues.

10. Other residential zoning relaxations. There are numerous other relaxations of existing zoning rules, including reduction of minimum lot sizes to 2000 ft.², reduced side yard setbacks on wide lots, increased lot coverage by buildings, elimination of minimum lot width, and reduction in usable open space. These changes are apparently intended to promote new development, but there needs to be analysis of whether each of these changes is really necessary as well as adverse impacts, such as promoting McMansions, conversion of pervious to impervious surfaces (thereby increasing stormwater runoff), and tree and vegetation removals.

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

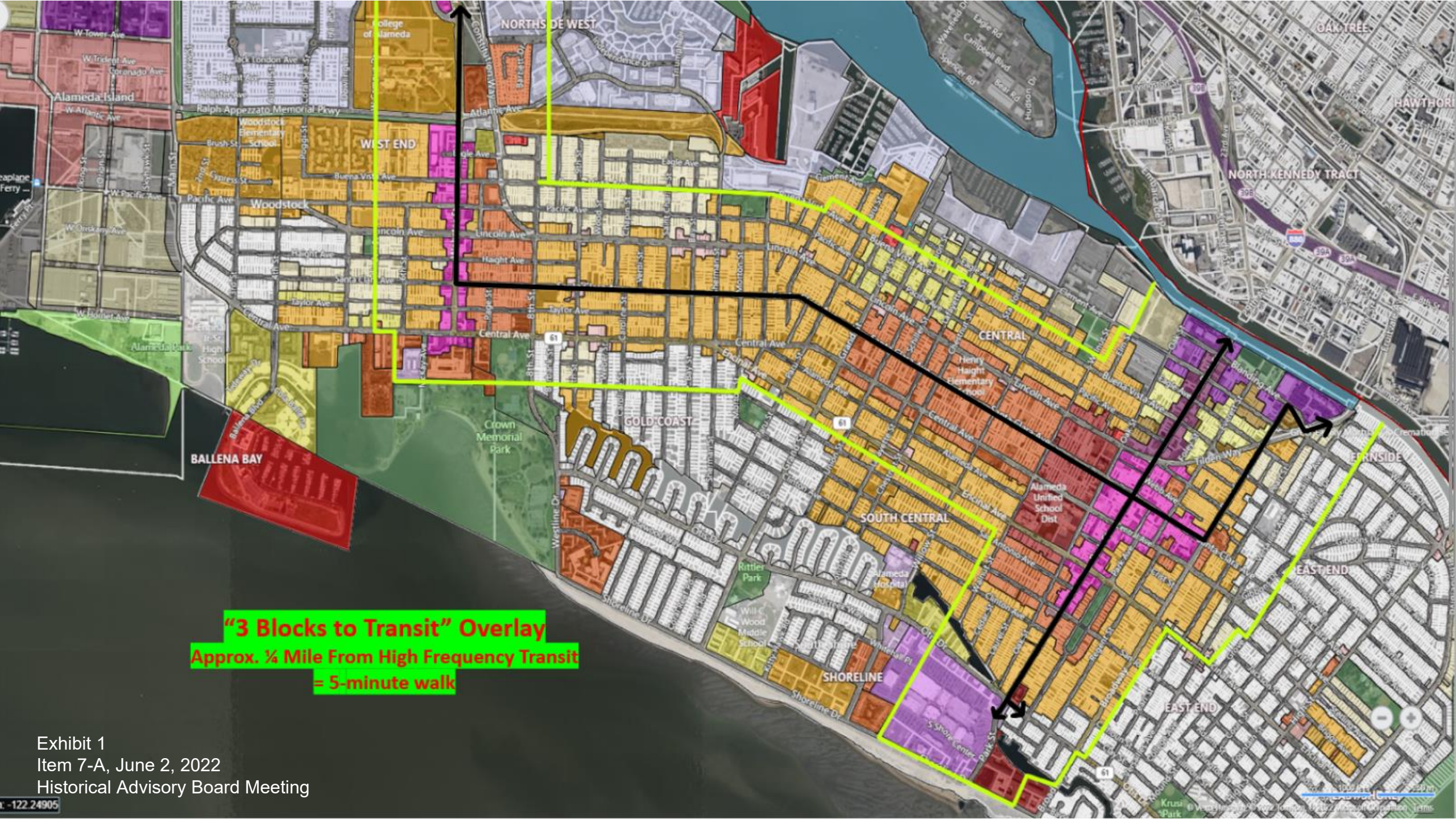
Sincerely,

Christopher Buckley, Chair
Preservation Action Committee
Alameda Architectural Preservation Society

Exhibits:

A. Transit Overlay Map provided at 6-2-22 HAB meeting

cc: Mayor and City Council (by electronic transmission)
Historical Advisory Board (by electronic transmission)
Andrew Thomas and Allen Tai, Planning, Building, and Transportation Department (by electronic transmission)
AAPS Board and Preservation Action Committee (by electronic transmission)



"3 Blocks to Transit" Overlay
Approx. ¼ Mile From High Frequency Transit
= 5-minute walk