

FAIRVIEW SPECIFIC PLAN UPDATE  
STEERING COMMITTEE

**AGENDA**

April 13, 2017

6:00 – 8:00 PM

1. **Welcome and Introductions (15 minutes)**
2. **Consultant Team Organization, Tasks, and Work Schedule (10 minutes)**
3. **Overview of Existing Plan and Proposed Plan Organization (10 minutes)**
4. **Review of Revisions Recommended by Committee to Date (40 minutes)**
5. **Additional Areas for Discussion at Future Meetings (30 minutes)**
  - a. Topics Noted at Prior Meetings
  - b. Other Topics Not Yet Covered
6. **Next Steps and Meeting Dates (15 minutes)**

# Fairview Specific Plan Update

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APRIL 13, 2017 STEERING COMMITTEE

MEETING MATERIALS

# Consulting Team

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## Barry Miller Consulting

- ❑ Project Manager and principal author of Plan revisions
- ❑ Sole proprietor based in Berkeley
- ❑ 30+ yrs preparing General Plans and Specific Plans
- ❑ Past projects in Oakland, Piedmont, San Leandro, Fremont, Newark, Danville, Walnut Creek, Concord

## Rincon Consultants

- ❑ Environmental Consultant based in Oakland
- ❑ Tasked with CEQA analysis for Fairview Plan
- ❑ Will collect and analyze natural resource data—slopes, hydrology, geology, vegetation, wildlife, hazmats, etc.—to ensure that policies and development standards minimize environmental impacts

## Kittelson Associates

- ❑ Traffic consultant based in Oakland
- ❑ Will evaluate existing and projected traffic conditions
- ❑ Consider potential solutions to congestion and safety hazards
- ❑ Consider other travel modes such as walking and biking

# Major Work Tasks

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- 1. Reconnaissance:** Fieldwork, review of existing documents, data collection/ mapping
- 2. Identify Issues and Alternatives:** development standards, transportation, resource protection, equestrian access, etc.
- 3. Prepare Draft Plan:** Update narrative text, maps, policies, and standards.
- 4. Prepare CEQA Document**
- 5. Adoption Process:** Public review/ comment, public hearings, and production of Final documents

**Cross-cutting task: Community Engagement (Steering Committee)**

# Schedule

Calendar Year	2017										2018		
Month	3	4	5	6	7	8	9	10	11	12	1	2	3
1. Reconnaissance													
2. Identify Issues and Alternatives													
3. Prepare Public Review Draft Plan													
4. CEQA Review													
5. Adoption													

Approximately 6 committee meetings



# Existing Plan Organization

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## 1. Purpose

## 2. Background

## 3. Plan Policies

- Residential Density (9 sub-topics)
- Traffic and Circulation (public streets, private streets)
- Natural Features (policies, principles, guidelines, trees, riparian, landscapes)
- Geology
- Erosion/ Sedimentation
- Flood Hazards
- Water Supply and Quality
- Noise, Air Quality, Fire Hazards (3 sections)

## 4. Infrastructure, Implementation, and Recommendations

- (A-L) Communication, Energy, Fire Protection, Flood Control, Parks, Police, Roads/ Street Lighting, Schools, Sewer, Transit. Water, Circulation

## 5. Other Issues Needing More Attention

- (A-E) Sewage and Water, Drainage, Fairview Av, Community Parks, Undergrounding Utilities

Maps: Location Map

Area Map

Specific Plan Map

# Proposed Plan Organization (Preliminary)

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1. Introduction (purpose, how to use the plan, etc.)
2. Context (history of Fairview, demographics, forecasts, facts and figures, regional context)
3. Land Use and Development (development standards, subdivisions, equestrian issues, second units, etc.)
4. Transportation (vehicles, bikes, pedestrians, safety/ traffic calming, improvements)
5. Natural Features (trees, riparian areas, creeks, water quality, slopes, wildlife)
6. Hazards (fire safety, seismic/ geologic, erosion, noise, flooding, air quality)
7. Community Services (schools, parks, police, fire/EMS, utilities, lighting, energy, telecom)
8. Implementation (next steps, specific actions and projects, on-going measures and programs)

# Key Development Standards

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- ❑ Lot Size (for land with subdivision potential)
- ❑ Lot Dimensions (width, depth, frontage, etc.)
- ❑ Unbuildable areas (steep slopes, riparian areas)
- ❑ Setbacks (minimum separation of structures from property lines)
- ❑ Maximum Height (and height calculation)
- ❑ Floor Area Ratio (ratio of habitable floor area to lot area)
- ❑ Lot Coverage (percent of site covered by structures)
- ❑ Required private open space



# Changes Recommended in 2015-16

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- ❑ Focus has been on “Residential Density” section
- ❑ Deleted references to “townhouses”
- ❑ Strengthened key provisions – “shall” instead of “should”
- ❑ Changes to density requirements for new lots: “prevailing lot” calculation, number of units per acre, addition of R-1-L-BE
- ❑ Changes to setback standards (adding or increasing dimensions)
- ❑ Further limits to development on slopes over 30%

# Issues Requiring Further Discussion

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- ☐ Standards to address bulk and excessively large homes
- ☐ View protection
- ☐ Applicability of design guidelines
- ☐ Accessory dwelling units
- ☐ Private street standards
- ☐ Trails and trail access
- ☐ Other Issues?

# Next Steps

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- ❑ Complete “audit” of existing Plan
- ❑ Prepare maps and data for Plan Update (April-May)
- ❑ Prepare Plan “context” (history of Fairview, demographics, forecasts, trends)
- ❑ Identify key issues requiring further research and best practices study
- ❑ Confirm development standards
- ❑ Set next meeting date for Steering Committee (late May)

## FAIRVIEW POLICIES ON RESIDENTIAL DENSITY, MOST RECENT MARK-UP

### 1. Conventional Single Family Development

Density and design of conventional single family developments shall be governed by the policies of this Plan and Zoning and Subdivision Ordinance regulations. New single family parcels must be consistent with the existing land use pattern of the surrounding neighborhood. Even though subdivision proposals may meet the minimum requirements for lot size or median lot width; they may not create lots substantially smaller or narrower than the prevailing lots in the neighborhood. The "surrounding neighborhood" to be used in determining the prevailing lot size; both area and width ~~should~~ shall be determined by one of the following three methods:

- a. A discrete tract that was developed at one time and which functions as a cohesive neighborhood.
- b. An area defined by physical features, both natural and human-made, including creeks, ridges, and roads. These features function as area boundaries that define an integral area.
- c. A discrete unit of contiguous similarly sized lots that have an established pattern of single family lots larger than the minimum requirement.

The existing "prevailing lot" on which is based the appropriate lot size, both area and width, for any new subdivision should be determined by the larger of the following two methods by the approval authority:

- a. Predominant lot area and width (that which occurs with the greatest frequency within the neighborhood); non-conforming lots, including those approved through a PD, and lots less than the minimum allowed by zoning shall not be used in the lot consistency calculations; or
- b. Median area and width of lots within a surrounding neighborhood.

In addition, during the review process, which includes community input, the decision-making body will evaluate neighborhood character and external influences which affect that character prior to approval of infill development applications. Significant changes to the neighborhood character that cannot be mitigated or which can be mitigated but which significantly adversely impact the neighborhood ~~may result in~~ shall be grounds for denial of a project. This evaluation shall address the following issues: traffic conditions, street width, parking, public services and utilities, building height, natural features such as mature vegetation and creeks, slopes and grading, and retention of existing areas of contiguous open space.

~~In hillside areas<sup>1</sup>, the~~ The following density limitations ~~will~~ shall also apply:

- a. 6 units per gross acre of developable site area<sup>21</sup> in the R-1 (Single Family Residence, 5000 square feet minimum building site area) District.
- b. b. 5 units per gross acre of developable site area in the R-1-B-E (Single Family Residence, 6,000 square feet minimum building site area) District; and
- c. c. ~~3.5~~ 3 units per gross acre of developable site area in the R-1-B-E (Single Family Residence, 10,000 square feet minimum building site area) District
- d. 1 unit for every 1-5 acre parcel size in the R1-L-B-E (Single Family Residence 1-5 acre minimum building site area) District.<sup>2</sup>
- e. The development potential listed above represents the maximum densities allowed and is not guaranteed. Actual densities of residential development allowed on any site shall be determined by such factors as lot size consistency, site conditions and environmental constraints (topography, trees, views, etc.), traffic and access, adequacy of infrastructure, potential hazardous conditions, and compatibility with existing land use patterns and protection of the integrity of the surrounding neighborhood. When calculating density, fractions of units shall be disregarded, housing units will not be “rounded up” to next whole number regardless of the fraction thereof.

## ~~2. Townhouse Condominium Development~~

~~In order to provide for maximum site and design review, townhouses or condominiums may be developed through rezoning to a PD (Planned Development or R-S (Suburban Residence) District requirements. Unless a clear and convincing public need is demonstrated and increased density will not cause unmitigatable community, neighborhood, or site impacts, densities should not exceed the following limits:~~

<sup>1</sup> Gross acre of developable site area means: 1) Areas of less than 30% slope; 2) Areas outside of any ~~private~~ streets, access easements, stems, driveways that serve more than one lot, designated parking spaces, and any other unserviceable or unbuildable portion of the lot; and 3) Areas outside of riparian areas and required creek setbacks. For purposes of this Area Plan, a riparian area is defined as any area for which a watercourse, intermittent or perennial; pond; lake; marsh; or any other wetland; or the vegetation of wildlife dependent on or associated with any of the above, forms the environmental focal point. The limits of a riparian area and their setbacks will ~~normally~~ be considered the demarcation line between the vegetation zones of wetland and upland.

<sup>2</sup> The R-1-L-BE designation contains the “L” combining zone which is to allow limited agriculture. The intent of this combining zone is to allow additional uses of a rural nature, in suburban or rural areas where the lot pattern, size and other conditions are such that the specified uses will not be incompatible with the residential environment. See section 17.26 of the zoning ordinance for a full description of the “L” district.

- ~~a. 7 units per gross acre of developable site area in neighborhoods that are in the R-1 (Single Family Residence, 5000 square feet minimum building site area) District;~~
- ~~b. 6 units per gross acre of developable site area in neighborhoods that are in the R-1-B-E (Single Family Residence, 6000 square feet minimum building site area) District;~~
- ~~c. 4.4 units per gross acre of developable site area in neighborhoods that are in the R-1-B-E (Single Family Residence, 10,000 square feet minimum building site area) District;~~
- ~~d. 2, 1, 0.2, and .01 units per gross acre in neighborhoods that are in the R-1-B-E 20,000 square feet, 1 acre, 5 acres, and A (Agricultural) districts, respectively.~~

~~Open space areas designated in townhouse and condominium projects shall be permanently preserved as open space through use of easements or restrictions in the project CC&Rs.~~

### **3.2. Land Use**

Where boundaries between density categories do not lie along streets or other easily defined physical features, such boundary lines are approximate and the exact boundary shall be determined ~~will be determined in the process of acting on development proposals~~ by a survey prepared by a civil engineer or licensed surveyor. Under these circumstances, lot size consistency analysis as required by section III.B shall be used to determine appropriate density.

### **4.3. Setbacks**

- a. The side yard setback in the R-1 (Single Family Residence, 5000 square feet minimum building site area) District and the R-1-B-E (Single Family Residence, 6,000 square feet minimum building site area) District shall be a minimum of 7 feet and the minimum front yard and rear yard setbacks shall be 20 feet. Street side yard requirement shall be 15'.
- b. The side yard setback in the R-1-B-E (Single Family Residence, 10,000 square feet minimum building site area) District and the R-1-B-E (Single Family Residence, 20,000 square feet minimum building site area) District shall be a minimum of 15 feet ~~and~~, the minimum front yard setback shall be 30 feet, and the minimum rear yard setback shall be 20 feet.
- c. The side yard setback in the R-1-B-E (Single Family Residence, 1 acre minimum building site area) District and the R-1-B-E (Single Family Residence, 5 acre minimum building site area) District shall be a minimum of 20 feet, the minimum front yard setback shall be 30 feet, and the minimum rear yard setback shall be 20 feet.
- d. Front yard setbacks shall be measured from the front property line on public streets and from the edge of the access easement on private streets.

- e. On corner lots, the street side yard setback shall be 15 feet. The side yard setback shall be measured from the back of the sidewalk to the building wall or, in the absence of a sidewalk, the back of the curb to the building wall.
- f. The setback from a guest parking bay and a dwelling shall be located within roadway easement and consistent with the property's front yard setback or side yard if located on a street side yard. The setback shall be measured from the back of the sidewalk to the building wall or, in the absence of a sidewalk, the back of the curb/paving to the building wall.
- g. On stem lots the minimum front yard setback shall be ~~15~~20 feet from the front property line of the developable area, excluding the stem portion. For purposes of this section, the front property line is the lot line closest and parallel to the street from which the property gets access.

DIAGRAM APPEARS HERE

#### **5-4. Building Lot Coverage**

Building lot coverage shall be the percentage of lot area which may be covered by all buildings or structures on a lot. In calculating the percentage of lot coverage, the area at ground level of all roofed buildings on the premises shall be included as coverage, excluding the architectural and other features listed in Section ~~17.52.370~~ 8-60.37 of the Zoning Ordinance of the County of Alameda. In hillside areas the following percentage of building lot coverage shall apply:

- a. The building lot coverage shall be a maximum of 40% in the R-1 (Single Family Residence, 5,000 square feet minimum building site area) District and the R-1-B-E (Single Family Residence, 6,000 square feet minimum building site area) District.
- b. The building lot coverage shall be a maximum of 30% in the R-1-B-E (Single Family Residence, 10,000 square feet minimum building site area) District and the R-1-B-E (Single Family Residence, 20,000 square feet minimum building site area) District.
- c. The building lot coverage shall be a maximum of 20% in the R-1-B-E (Single Family Residence, 1 acre minimum building site area) District and the R-1-B-E (Single Family Residence, 5 acre minimum building site area) District.

#### **6-5. Open Space**

A minimum of 1000 square feet of private, useable open area<sup>3</sup> should shall be provided on each lot.

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<sup>3</sup> Private, useable open areas means:

(1) Areas not visible from the fronting street;

## **7. 6. Building Height**

Discuss applicability of design guidelines—insert excerpt from Design Guidelines or cross-reference them.

No dwelling shall have a height of more than two stories, except as provided by Section ~~8.60.11~~ 17.52.090 (c) of the Zoning Ordinance nor shall any building or structure have a height in excess of 25 feet, except as provided for herein and by Sections ~~8.60.9 and 8.60.10~~ 17.52.090 (a) and 17.52.090 (b) of the Zoning Ordinance. Provided the parcel has a median lot depth of 100 feet, a median lot width of 70 feet and effective lot frontage of 50 feet, the height of a dwelling may be increased by 2 feet for each full ten feet that the median lot width exceeds 70 feet up to a maximum height of 30 feet. Tall downhill facades ~~should~~ shall be avoided by stepping structures with the natural terrain or cut into the hillside to reduce the effective visual bulk. Graduated heights and/or varied setbacks, as well as architectural elements shall be encouraged to reduce the scale of the buildings.

Add section on view protection, using Kensington model for SDR if FAR over a certain percentage.

## **~~8.7.~~ Secondary Units Need to Discuss**

In order to provide for maximum site and design review, secondary units may be developed only through rezoning to a PD (Planned Development) District. The following guidelines shall be utilized to evaluate rezoning petitions to allow secondary units:

- a. Zoning Ordinance provisions relating to size, type (attached or detached), minimum setback from property line and other structures, area, height and required off-street parking spaces which apply to secondary units (Section 17.30.110 of the County Zoning Ordinance) shall be utilized as standards for allowing the secondary unit and against which secondary unit rezoning applications will be judged.
- b. Secondary units shall not be permitted on lots where access will create a traffic hazard or burden to existing streets.

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*(2) Areas with a ground slope less than 20% gradient;*

*(3) Areas not ~~covered by~~ used for off street parking or any access thereto;*

*(4) Any open area with a minimum 15 feet in its least dimension; and*

*(5) Roof-top areas designed for outdoor residential use or outside deck spaces more than 8 feet in least dimension.*

*(6) Pools and patios*



- c. Secondary units shall only be permitted on properties in areas where there is sufficient existing infrastructure such as street improvements, on-street parking, public utilities, and other residential support systems.
- d. ~~Secondary units shall only be permitted on properties that are well maintained and where property owners have demonstrated the ability to maintain the primary structure in accordance with the Neighborhood Preservation Ordinance.~~ The secondary units shall be designed to be aesthetically pleasing yet maintain consistency with the architectural style of the existing dwelling. ~~units in the area.~~

#### ~~9~~8. Community Care Facilities -

Community Care Facilities, as defined by the Zoning Ordinance, shall not be concentrated in any one area. All new Community Care facilities shall be in conformance with the policies and standards adopted by the Board of Supervisors.