

ORDINANCE NO.: _____

AN ORDINANCE AMENDING SECTIONS OF TITLE 17 - ZONING OF THE ALAMEDA COUNTY GENERAL ORDINANCE CODE TO IMPLEMENT THE CASTRO VALLEY GENERAL PLAN AS MODIFIED IN THE 2012 GENERAL PLAN UPDATE.

The Board of Supervisors of the County of Alameda, State of California, does ordain as follows:

SECTION I

The Board of Supervisors makes the following findings in support of this Ordinance:

1. The Board of Supervisors adopted a major update of the Castro Valley General Plan in 2012 after a multi-year community effort to craft a vision for Castro Valley through the year 2025.
2. A General Plan is reflective of a community's values, goals and vision, guiding physical development through a series of policies and actions that are implemented through the local Zoning Ordinance.
3. The Zoning Ordinance for Alameda County is a one size fits all approach and applies to all of the unincorporated areas including urban, suburban and rural environments.
4. Changes to the Zoning Ordinance were identified in the 2012 Castro Valley General Plan as specific actions to implement the Plan and has resulted in this ordinance.
5. Changes to the Zoning Map were also anticipated in the 2012 Castro Valley General as major areas have been identified for rezoning to better reflect actual land use and to plan for future growth.
6. Specific changes to the Zoning Ordinance unique to Castro Valley are needed to respond to local concerns including basic land use, protecting neighborhoods from impactful development, and promoting economic development while enhancing commercial areas.
7. The proposed Zoning Ordinance district and map amendments are exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183. Section 15183 applies to actions that are consistent with an adopted general plan for which an environmental impact report (EIR) was prepared and certified and where there are no potential environment effects peculiar to the proposed action and/or any involved site. A project or action meeting the criteria of Section 15183 does not require additional environmental review.

8. The 2012 Castro Valley General Plan update included preparation of an EIR that was certified by the Board of Supervisors upon its adoption. Changes to the zoning code contained in this ordinance were anticipated to occur subsequent to the 2012 General Plan adoption and thus do not require additional environmental review.

SECTION II

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.04 – Definitions is hereby amended to add the following definitions:

“Artisan/maker space” means a work, studio, and/or retail space for artisans, craftsmen, and small-scale manufacturers to work in an individual or communal setting, where the activities produce little to no vibration, noise, fumes, or other nuisances more typical in industrial or manufacturing uses.

“Community facility” means any of the following buildings or uses:

1. Church or rectory or convent, when constructed of frame or more lasting materials;
2. School, attendance at which satisfies the requirements of the Compulsory Education Law of state;
3. Nursery school (except in Castro Valley (Castro Valley Urbanized Areas), where nursery school is not allowed. See instead “Day Care Center”).;
4. Library, college, university;
5. Outdoor recreation facility;
6. Public utility building or uses, excluding such uses as a business office, storage garage, repair shop or corporation yard;
7. Newspaper carrier distribution center, having an area not in excess of one-hundred (100) square feet.

“Day Care Center” means a commercial or non-profit child day-care facility designed and approved to typically accommodate twelve or more children. Includes infant centers, preschools, sick-child centers, and school-age day-care facilities. These may be operated in conjunction with other approved land uses, or as an independent land use.

SECTION III

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.08 R-1 Districts, section 17.08.030 is hereby amended as follows:

17.08.030 - Permitted uses.

The following principal uses are permitted in an R-1 district:

- A. One one-family dwelling;
- B. Field crop, orchard, garden.

C. In Castro Valley (areas within the Castro Valley Urbanized Area), Small family day cares and large family day cares.

SECTION IV

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.08 – R-1 Districts is hereby amended to add the following section:

17.08.110 – Floor Area Ratio.

A. In Castro Valley only (areas within the Castro Valley Urbanized Area) the maximum floor area ratio for a one-family dwelling shall be as follows:

Lot Size¹	Maximum FAR Formula²	Max. FAR (SF²)	Notes
At 5,000 SF	.5 FAR	2,500 SF	SDR required to exceed Max SF ²
5,001 – 9,999 SF	0.3 FAR for every SF of lot area above 5,000, plus 2,500 SF	3,500 SF	SDR required to exceed Max SF ²
10,000 – 20,000 SF	0.40 or 4,500 SF, whichever is less	4,500 SF	SDR required to exceed Max SF ²
20,000+ SF	0.10 FAR, plus 2,500 SF, or 10,000 SF whichever is less	10,000 SF	SDR required to exceed Max SF ²
<p>1. Portions of a lot included in private street easements shall be excluded from lot size calculation when determining floor area ratio.</p> <p>2. Floor Area Ratio (FAR) is the total square feet of floor area divided by the total square feet of lot area. Floor area excludes areas devoted to parking, garages and covered porches/patios, and areas located below finished grade, if the ceiling does not extend more than five feet above finished grade.</p>			

B. Site Development Review Required. New construction or additions which would exceed the maximum floor area ratio or maximum square footage as provided above, may be considered and are subject to Site Development Review.

SECTION V

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.14 R-3 Districts, section 17.14.020 – Permitted uses is hereby amended to add as follows:

E. In Castro Valley (areas within the Castro Valley Urbanized Area), Small family day cares and large family day cares.

SECTION VI

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.14 R-3 Districts, section 17.14.030 – Conditional uses - Board of zoning adjustments is hereby amended to add as follows:

- I. In Castro Valley (areas within the Castro Valley Urbanized Area), Day care centers:

SECTION VII

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.14 R-3 Districts, section 17.14.040 – Density limitations is hereby amended as follows:

17.14.040 - Density limitations.

The number of dwelling units on a lot or building site in an R-3 district shall not exceed one for each full two thousand (2,000) square feet of the area thereof, or be in any case more than four.

Exception- In Castro Valley (areas within the Castro Valley Urbanized Area), the four unit per lot maximum does not apply. The maximum units on a lot in Castro Valley is limited to one for each full two thousand (2,000) square feet.

SECTION VIII

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.18 - PD Districts, section 17.18.115 is hereby amended as follows:

17.18.115 - Land use and development plan—Required findings.

The planning commission and the Board of Supervisors shall not approve any reclassification of property to a planned development district unless they can make all the following findings in the affirmative:

- A. The resulting development implements the applicable policies, objectives, principles, and goals of the county General Plan, area plans, and applicable specific plans;
- B. The parcel size, shape, property lines, and terrain are suitable for the proposed development;
- C. The resulting development is integrated and harmonious with and/or beneficial to the character and infrastructure of the surrounding area in terms of physical development and use;
- D. The development results in a higher quality design or site plan than would otherwise result from development of the property if subject to the existing zoning development and use standards; and

- E. In Castro Valley, there is no increase in density over that permitted by existing zoning standards. In other areas, any increase in density over that permitted by existing zoning standards shall either:
1. Provide a positive relationship to adjacent land uses and densities;
 2. Provide affordable housing; or
 3. Provide a tangible public benefit, such as:
 - a. Substantial improvement to public infrastructure in the immediate area;
 - b. Public uses such as community centers, public parks, or open spaces; or
 - c. Additional impact fees (which may be achieved through development agreements) for which there might not otherwise be nexus on project impacts.
- F. In Castro Valley, there shall be no change to the Castro Valley General Plan land use designation as part of the Planned Development rezoning request.

In addition to the above findings, the planning commission and Board of Supervisors shall not approve any reclassification of property to a planned development district for residential developments greater than fifty (50) units unless they can make all the following additional findings in the affirmative:

- G. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and the density will not generate traffic in such amounts as to overload the street network outside the PD district;
- H. There will be no adverse fiscal impact to the county, specifically, but not limited to provision of services; and
- I. Each phase, if applicable, of the development, as well as the development as a whole, can exist as an independent unit capable of creating an environment of sustained desirability and stability.

SECTION IX

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.34 C-O Districts, sections 17.34.010, 17.34.020, and 17.34.030 are hereby amended as follows:

17.34.010 - Administrative office districts—Intent.

Administrative office districts, hereinafter designated as C-O districts, are established to provide for the location of offices for professional services and for business activities which are characterized by a low volume of direct consumer contact; and to encourage such development in a manner compatible with the uses in adjacent districts, with suitable open spaces, landscaping, and parking area. In Castro Valley (areas within the Castro Valley Urbanized Area), this also includes retail, service, and small scale production uses. C-O districts are typically situated in areas having convenient access from, but not directly on, main thoroughfares, and generally adjacent to a multiple residential development.

17.34.020 - Permitted uses.

The following principal uses are permitted in a C-O district when located within a building:

- A. Office or office building for the conduct of business, administrative or professional services, where these activities do not include the manufacture, storage, display except samples, or sale at retail of any merchandise on the premises; including but not limited to the following types of office occupancy: Accountant, advertising, architect, attorney, broker (stock and bond), business consultant, business management, chiropract, chiropractor, collecting agency, dentist, employment agency, engineer, finance, industrial management, insurance, landscape architect, loan agency, mortgage, optometrist, osteopath, philanthropic or charitable organization, physician, public utilities, real estate, sales representative, secretarial, social services, telephone answering, travel agent;
- B. Bank;
- C. Blue printing or other copying service;
- D. Medical laboratory, dental laboratory; and
- E. In Castro Valley (areas within the Castro Valley Urbanized Area), in addition to uses listed above, the following are also permitted:
 - 1. Personal service and retail uses permitted in the C-N Zone (see Subsections 17.36.020 A and B).
 - 2. Day Care Center subject to Section 17.52.1330 (Day Care Center in Castro Valley).
 - 3. Artisan/maker space.

17.34.030 - Conditional uses—Board of zoning adjustments.

In addition to the uses listed for Sections 17.52.480 and 17.52.580, the following are conditional uses in a C-O district and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. Pharmacy, limited to the sale of drugs and medical supplies, except in Castro Valley (areas within the Castro Valley Urbanized Area) where pharmacies are permitted (See Section 17.34.020.E., above);
- B. Restaurant or retail store which serves primarily the occupants of existing buildings in the same district, or their clients or patrons, except in Castro Valley (areas within the Castro Valley Urbanized Area) where restaurants and retail stores are permitted (See Section 17.34.020.E., above);
- C. Mobile outdoor business that directly serves the needs of the occupants of existing office commercial buildings or workers, patrons, or clients of businesses in the immediate vicinity;
- D. Research or development laboratory, except those engaged in manufacture of products for commercial sale or distribution and excluding any which produces or is found likely to produce any smoke, dust, odors, glare or vibrations observable outside the building or portion thereof in such use;

- E. Parking lot;
- F. Public utility substation, not including service yard, storage of materials or vehicles, or repair facilities.

SECTION X

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.36 C-N Districts, sections 17.36.020 and 17.36.030 are hereby amended as follows:

17.36.020 - Permitted uses.

The following principal uses are permitted in a C-N district.

- A. Bank, barber shop, beauty parlor, cleaning or laundry agency, restaurant, self-service laundry;
- B. Store for sale or retail of books, clothing, drugs, flowers, food, hardware, musical goods, photographic supplies, variety goods or household supplies, retail sales of auto parts, but not to include parts machining or any nonretail service;
- C. Office or office building;
- D. In Castro Valley (areas within the Castro Valley Urbanized Area), in addition to uses listed above, the following are also permitted:
 - 1. Community facilities subject to Section 17.52.1340 (Community Facilities in Castro Valley).
 - 2. Day Care Center subject to Section 17.52.1330 (Day Care Centers in Castro Valley).
 - 3. Artisan/maker space.

17.36.030 - Conditional uses.

In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in a C-N district and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. Public utility substation, not including service yard, storage of materials, or vehicles, or repair facilities;
- B. Parking lot; in Castro Valley (areas within the Castro Valley Urbanized Areas) parking lots are subject to the requirements of Section 17.52.1360);
- C. Service station, Type A;
- D. Drive-in business; in Castro Valley (areas within the Castro Valley Urbanized Areas) drive-in business are subject to the requirements of Section 17.52.1350);
- E. A facility retailing a variety of automotive parts and supplies which are installed and serviced on the site but does not include engine, transmission or differential rebuilding or body repair;
- F. Alcohol outlet;

G. Indoor recreation facility.

SECTION XI

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.40 C-2 Districts, section 17.40.020 is hereby amended as follows:

17.40.020 - Permitted uses.

The following principal uses are permitted in a C-2 district:

- A. Any principal use permitted in a C-O district, pursuant to Section 17.34.020, or a C-1 district pursuant to Section 17.38.020;
- B. Wholesale business, storage of household goods, storage garage;
- C. Contractor's office for businesses that are characterized by the installation of materials or equipment on the property of the purchaser; including interior storage of equipment and materials;
- D. Retail service shops, including cabinet shop, furniture repair and refinishing; upholstering of furniture and automobiles; residential appliance repair; business machine repair; small mechanical equipment and component parts repair and service; bicycle, motorcycle, lawnmower and locksmith shops; auto repair garage and tire recapping;
- E. Ambulance service; automobile rental; clinic, catering, job printing; interior decorating, tailoring, laboratory.

F. In Castro Valley (areas within the Castro Valley Urbanized Area), in addition to uses listed above, the following are also permitted:

1. Artisan/maker space

SECTION XII

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.02 Introductory Provisions, section 17.02.060 – Districts enumerated is hereby amended to add as follows:

Name of District	Designated As:	Chapter or Section Number
Castro Valley	CV	Chapter 17.51

SECTION XIII

Alameda County Code of Ordinances, Title 17 – Zoning is hereby amended to add as follows:

Chapter 17.51 – CASTRO VALLEY

Sections:

17.51.010 – Hillside Overlay District

17.51.020 – Residential Small Lot District

17.51.030 – Residential Medium Density Family District

17.51.040 – Residential Mixed Density District

17.51.050 – Community Commercial District

17.51.060 – Public Facility District

17.51.070 – Open Space District-Natural

17.51.080 – Open Space District- Parks

17.51.090 – School District

17.51.010 – Hillside Overlay Districts.

- A. Intent. The Hillside Overlay districts, hereinafter designated as H-O, are established, per the Castro Valley General Plan, in areas with steep slopes or near high fire hazard, to implement the purpose and intent of the Hillside Residential land use classification.
- B. Applicability. Unless otherwise noted, the requirements of this Section apply to all property located within an H-O district.
- C. Design Standards and Guidelines. Property located within the H-O district shall be subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, as applicable to the base zoning district. On matters not provided for in the Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County, the respective regulations in this zoning ordinance shall apply. If there is a conflict between the Residential Design Guidelines and the requirements of this Section, or this Section is silent, the Residential Design Guidelines supersede this Section.
- D. Minimum Lot Size.
 1. Minimum lot size is based on the average slope of the parcel as follows:
 - a. Average slope of 10 percent or less: 5,000 square foot minimum lot size
 - b. Average slope more than 10 percent, but less than or equal to 20 percent: 6,500 square foot minimum lot size
 - c. Average slope more than 20 percent, but less than or equal to 30 percent: 7,500 square foot minimum lot size
 - d. Average slope greater than 30 percent: 10,000 square foot minimum lot size
 2. Minimum lot size calculations shall exclude:

- a. Any private streets, street parking spaces, access easements, stems, and driveways that serve more than one lot;
 - b. Riparian Areas as defined in the Residential Design Guidelines; and
 - c. Portions of the lot with slope over 30 percent slope. Exception, where entire lot has natural grade over 30%, development allowed subject to Site Development Review (SDR) in compliance with Section 17.54.210.
- E. Front Setback Adjustment for Parking. In order to reduce grading on lots where the average slope is more than 20 percent, required parking (including a private garage) may be located as close as five feet to the street property line, subject to Site Development Review in compliance with Subsection 17.54.210 (Site Development Review). Portions of the dwelling and accessory structures, other than the garage, shall comply with the setback requirements of the base zoning district.
- F. Entrances. Entrances must be proportionate to the scale of the façade and must be no taller than two-thirds of the building height.

17.51.020 – Residential Small Lot Districts.

- A. Intent. Residential Small Lot districts, hereinafter designated as RSL, are established 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. Design Standards and Guidelines. Residential projects within the RSL districts located within the planning areas of Castro Valley (areas within the Castro Valley Urbanized Area) are subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, 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", the respective regulations in this zoning ordinance apply. If there is a conflict between the Residential Design Guidelines and the requirements of this Section, or this Section is silent, the Residential Design Guidelines applicable to the proposed building type supersede this Section.
- C. Permitted uses. The following principal uses are permitted in an RSL district:
1. One (1) one-family dwelling, one (1) two-family dwelling, two (2) one family dwellings, multiple dwelling;
 2. Licensed transitional or supportive housing for up to six persons, medical or residential care facility for up to six persons;
 3. Field crop, orchard, garden, and
 4. Small family day cares and large family day cares.
- D. Conditional uses. In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in RSL districts, and are permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

1. Community facilities:
 2. Parking lot, when established to fulfill the residential parking requirements for a use on an abutting lot or lots;
 3. Indoor plant nursery or greenhouse used only for the cultivation and wholesale of plant materials;
 4. Medical or residential care facility for seven or more persons unit as regulated in Section 17.54.133 (Conditional uses—Residential, medical care, transitional and supportive housing facilities);
 5. Licensed transitional or supportive housing for seven or more persons per unit as regulated in Section 17.54.133 (Conditional uses—Residential, medical care, transitional and supportive housing facilities);
 6. Mobilehome parks subject to the provisions provided in Sections 17.52.1000 to 17.52.1065;
 7. Community clubhouse; and
 8. Unattended collection box(es) placed in conjunction with an approved community facility as defined in Section 17.04.010.
- E. Density Limitations. The density must not exceed seventeen (17) units per acre.
- F. Building site.
1. Every use in an RSL district must be on a building site with an area not less than two thousand five hundred (2,500) square feet and a median lot width not less than forty (40) feet.
 2. Lot Width Exceptions: If small-lot single family homes with attached double loaded garages in front of the primary façade of the main building comply with parking location and design requirements in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”, a lot width of thirty-five (35) feet is allowed. The lot width may be reduced to thirty (30) feet if garages are single-car wide, detached and/or accessed from an alley.
- G. Yards. The yard requirements in RSL districts are as follows, subject to the general provisions of Section 17.52.330:
1. Depth of front yard: Not less than fifteen (15) feet.
 2. Depth of rear yard: Not less than fifteen (15) feet.
 3. Width of side yard: Not less than four (4) feet.
- H. Height of buildings. Height must not exceed twenty-five (25) feet, except as provided by Section 17.52.090.
- I. Site development review. Site development review in compliance with Section 17.54.210 is required for residential projects with five (5) or more units possible.

17.51.030 – Residential Medium Density Family District.

- A. Intent. Residential Medium Density Family Districts, hereinafter designated as RMF, are established to support medium density multi-family residential development in Castro Valley. The RMF district implements and is consistent

with the Residential Medium Density Multifamily land use classification of the Castro Valley General Plan.

B. **Design Standards and Guidelines.** Residential projects within the RMF districts located within the planning areas of Castro Valley (areas within the Castro Valley Urbanized Area) are subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, 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", the respective regulations in this zoning ordinance apply. If there is a conflict between the Residential Design Guidelines and the requirements of this Section, or this Section is silent, the Residential Design Guidelines applicable to the proposed building type supersedes this Section, unless otherwise noted below.

C. **Permitted uses.**

The following principal uses are permitted in an RMF district:

1. Two-family dwelling, multiple dwelling or dwelling group;
2. Field crop, orchard or garden;
3. Licensed transitional or supportive housing for up to six persons, medical or residential care facility for up to six persons; and
4. Small family day care and large family day care.

D. **Conditional uses—Planning commission.**

The following are conditional uses and **must be** permitted in an RMF district only if approved by the planning commission, sitting as a board of zoning adjustments, as provided in Sections 17.54.135 and 17.14.010:

1. Hospital; and
2. Medical laboratory, dental laboratory.

E. **Conditional uses—Board of zoning adjustments.**

In addition to the uses listed for Sections 17.52.480 and 17.52.580, the following are conditional uses in RMF districts, and are permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

1. Community facilities;
2. Day Care Centers;
3. Parking lot;
4. Medical or residential care facility for seven or more persons as regulated in Section 17.54.133 (Conditional uses—Residential, medical care, transitional and supportive housing facilities);
5. Community clubhouse;
6. Plant nursery, or greenhouse used only for the cultivation of plant materials;
7. Licensed transitional and supportive housing for seven or more persons per unit as regulated in Section 17.54.133 (Conditional uses—Residential, medical care, transitional and supportive housing facilities);
8. Mobilehome parks subject to the provisions provided in Sections 17.52.1000 to 17.52.1065; and

9. Unattended collection box(es) placed in conjunction with an approved community facility as defined in Section 17.04.010.
- F. Density Limitations. The density must not exceed twenty-nine (29) dwelling units per acre. This standard supersedes the requirements of the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County" for townhomes and multi-family residential building types.
- G. Building site. Every use in an RMF district must be on a building site with a lot width of not less than fifty (50) feet and an area not less than five thousand (5,000) square feet. A corner building site must have a median lot width of not less than thirty (60) feet.
- H. Yards. The yard requirements in RMF districts are as follows, subject to the general provisions of Section 17.52.330. The standards in this subsection supersede the requirements of the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County" for multi-family residential building types only. Other building types must follow requirements in the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County":
1. Depth of front yard: Not less than ten (10) feet.
 2. Depth of rear yard: Not less than fifteen (15) feet
 3. Width of side yard: Not less than five (5) feet or ten (10) feet on the street side of a corner lot, or less as required by Section 17.14.080. Townhomes shall have no side setback requirement where they share common walls.
- I. Height of buildings. Height must not exceed thirty-five (35) feet, except as otherwise provided in Section 17.52.090.
- J. Site Development Review. Site development review in compliance with Section 17.54.120 required for residential projects with five (5) or more units possible.

17.51.040 – Residential Mixed Density Districts.

- A. Intent. Residential Mixed Density districts, hereinafter designated as RMX, are established to support a mixture of single family and multi-family residential development in areas close to the commercial business district. The RMX district implements and is consistent with the Residential Mixed Density land use classification of the Castro Valley General Plan.
- B. Design Standards and guidelines. Residential projects within the RMX districts located within the planning areas of Castro Valley (areas within the Castro Valley Urbanized Area) is subject to the "Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County," as amended, 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," the respective regulations in this zoning ordinance apply. If there is a conflict between the Residential Design Guidelines and the

requirements of this Section, or this Section is silent, the Residential Design Guidelines applicable to the proposed building type supersedes this Section, unless otherwise noted below.

C. Permitted uses.

The following principal uses are permitted in an RMX district:

1. One (1) one-family dwelling, one (1) two-family dwelling, two (2) one-family dwellings, multiple dwelling or dwelling group;
2. Field crop, orchard or garden;
3. Licensed transitional or supportive housing for up to six persons, medical or residential care facility for up to six persons; and
4. Small family day care and large family day care.

D. Conditional uses—Planning commission.

The following are conditional uses and are permitted in an RMX district only if approved by the planning commission, sitting as a board of zoning adjustments, as provided in Sections 17.54.135 and 17.14.010:

1. Hospital; and
2. Medical laboratory, dental laboratory.

E. Conditional uses—Board of zoning adjustments.

In addition to the uses listed for Sections 17.52.480 and 17.52.580, the following are conditional uses in RMX districts, and are permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

1. Community facilities;
2. Day Care Centers;
3. Parking lot;
4. Medical or residential care facility for seven or more persons as regulated in Section 17.54.133 (Conditional uses—Residential, medical care, transitional and supportive housing facilities);
5. Single room occupancy facility subject to the provisions of Section 17.54.134 (Conditional uses—Single room occupancy (SRO) facilities);
6. Licensed transitional and supportive housing for seven or more persons per unit as regulated in Section 17.54.133 (Conditional uses—Residential, medical care, transitional and supportive housing facilities);
7. Mobilehome parks subject to the provisions as regulated by Sections 17.52.1000 to 17.52.1065;
8. Plan nursery, or greenhouse used only for the cultivation of plant materials;
9. Community clubhouse; and
10. Unattended collection box(es) placed in conjunction with an approved community facility as defined in Section 17.04.010.

F. Density Limitations.

1. The density must not exceed twenty-nine (29) dwelling units per acre. The standards in this subsection supersede the requirements of the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County” for townhomes and multi-family residential building types only. Other building types must follow

requirements in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”

- G. Building site. Every use in an RMX district must be on a building site with a median lot width not less than fifty (50) feet and an area not less than five thousand (5,000) square feet. A corner building site must have a median lot width of not less than thirty (60) feet.
- H. Yards. The yard requirements in RMX districts are as follows, subject to the general provisions of Section 17.52.330. The standards in this subsection supersede the requirements of the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County” for multi-family residential building types only. Other building types must follow requirements in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County”:
 - 1. Depth of front yard: Not less than ten (10) feet.
 - 2. Depth of rear yard: Not less than ten (10) feet.
 - 3. Width of side yard: Not less than five (5) feet or ten (10) feet on the street side of a corner lot, or less as required by Section 17.14.080. Townhomes shall have no side setback requirement where they share common walls
- I. Height of buildings. Height must not exceed forty-five (45) feet, except as provided by Section 17.52.090. The standards in this subsection supersede the requirements of the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County” for multi-family residential building types only. Other building types must follow requirements in the “Residential Design Standards and Guidelines for the Unincorporated Communities of West Alameda County” if more restrictive.
- J. Site development review. Site development review in compliance with Section 17.54.210 required for residential projects with five (5) or more units possible.

17.51.050 – Community Commercial Districts.

- A. Intent. Community Commercial districts, hereinafter designated as CC, are established to provide a wide range of community-serving retail and commercial uses. The CC district implements and is consistent with the Community Commercial land use classification of the Castro Valley General Plan.
- B. Permitted uses.
 - The following principal uses are permitted in a CC district:
 - 1. Artisan/maker spaces;
 - 2. Auto parts, retail (not to include parts machining or auto repair);
 - 3. Business services; including but not limited to blue printing or other copying service, banks;
 - 4. Community facilities;
 - 5. Day Care Centers;
 - 6. Office or office building;

7. Personal service establishment, personal service shop; including but not limited to barber shop, beauty parlor, dry cleaning, pharmacy, self-service laundry
8. Repair shop (non-automotive) including cameras, shoes, watches, and household appliances;
9. Retail sales, including but not limited to books, clothing, flowers, hardware, household supplies, food sales, travel gifts, and products produced by permitted use on the premises;
10. Restaurants ; and
11. Schools.

C. Conditional uses.

The following are conditional uses and are permitted in a CC district only if approved by the planning commission, sitting as a board of zoning adjustments, as regulated by Sections 17.54.135 and 17.34.010:

1. Animal hospital, kennel;
2. Alcohol sales for on or off-site consumption, except at full-service restaurants;
3. Clubhouse, or rooms used by members of an organized club, lodge, union or society;
4. Commercial recreation facility;
5. Community care facility;
6. Drive in and drive through businesses;
7. Funeral homes and mortuaries;
8. Indoor plant nurseries;
9. Indoor recreation facility;
10. Parking lot;
11. Public utility substation, not including service yard, storage of materials, or vehicles, or repair facilities;
12. Service station, Type A: or a facility retailing automotive parts and supplies which are installed and serviced on the site but does not include, engine, transmission or differential rebuilding or body repair; and
13. Superstore (single business with area over one hundred thousand (100,000 square feet);
14. Theaters.

D. Floor Area Ratio . The floor area ratio shall not exceed one-and-a half (1.5).

E. Yards. The yard requirements in CC districts are as follows, subject to the general provisions of Section 17.52.330:

1. Depth of front yard: there is no front yard requirement, with the exception of where a CC district terminates at the boundary of an R district or any other C district except a C-1 or C-2 district in the same block, the depth of front yard in that block shall be not less than is required in abutting district.
2. Depth of rear yard: none, except that where the abutting lot at the side is in any R district, the depth of the rear yard must be not less than six (6) feet.

3. Width of side yard: none, except that where the abutting lot at the side is in any R district the side yard along that line shall be a width is greater than abutting R building site.
- F. Height of buildings. Height must not exceed forty-five (45) feet, except as otherwise provided in Section 17.52.090. If a building is situated within fifty (50) feet of the boundary line of an R district other than RMF or RMX, the height must be no more than thirty-five (35) feet.
- G. Public Open Space. On sites 1 acre or larger, minimum 5 percent of the site must be devoted to public open space subject to the following standards:
 1. Public open space includes courtyards, patios, plazas, public outdoor seating areas, natural open space, public access to roof top open space, artwork, planted areas, and plazas.
 2. Public open space must be designed as an integral part of the overall site plan and enhance the building design, public views, and transitions to adjacent uses.
 3. Parking lots, parking lot landscaping, buildings, exterior hallways, and stairways do not qualify as open space.
 4. All public open space areas shall be maintained by the property owner.
- H. Site development review. Any building greater or equal to one thousand (1,000) square feet or any construction aggregating greater or equal to one thousand (1,000) square feet placed since July 9, 1977, is subject to site development review in compliance with Section 17.54.210; unless zoning approval is granted upon the determination that the construction constitutes a minor project and that the building permit plans are in compliance with the intent and objectives of the site development review procedure in Section 17.38.070.
- I. Signs. Signs permitted subject to same requirements for signs in the C-1 Zone, in Section 17.38.100 through 17.38.150, in conformance with Section 17.52.520.

17.51.060 – Public Facility Districts.

- A. Intent. Public Facility districts, hereinafter designated as PF, are established to support existing and proposed public and institutional uses on publicly owned, leased or operated property, including publicly owned land with uses managed and/or operated by a non-profit entity. The PF district implements and is consistent with the Public Facilities land use classification of the Castro Valley General Plan.
- B. Permitted uses.

The following principal uses are permitted in a PF district:

 1. Clinic;
 2. Indoor recreation facility;
 3. Office;
 4. Orchard, garden;
 5. Public or private riding or hiking trails;
 6. Parking lot;

7. Public agency facilities;¹
8. Public education facilities;¹
9. Public school district facilities;¹
10. Public transit stations;
11. Public utility and substation;
12. Radio and television transmission facilities;
13. Railroad or trucking terminal facility; and
14. Utility use.

C. Conditional uses.

In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in PF districts, and are permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

1. Unattended collection box(es) placed in conjunction with an approved community facility as defined in Section 17.04.010.

D. Floor Area Ratio. The floor area ratio shall not exceed one-and-a-half (1.5).

E. Yards The yard requirements in PF districts are as follows, subject to the general provisions of Section 17.52.330:

1. Depth of front yard: Not less than twenty (20) feet.
2. Depth of rear yard: Not less than twenty (20) feet.
3. Width of side yard: Not less than five (5) feet.

F. Height of buildings. Height must not exceed forty-five (45) feet except as otherwise provided in Section 17.52.090.

G. Site development review. Site development review in compliance with Section 17.54.210 required for any project over 1,000 square feet.

17.51.070 – Open Space Districts - Natural.

A. Intent. Open Space-Natural districts, hereinafter designated as OS-N, are established to provide for natural open spaces that have been identified for permanent conservation, typically established as part of PUDs as permanent easements. The OS-N district implements and is consistent with the Open-Space-Natural land use classification of the Castro Valley General Plan.

B. Permitted uses.

The following principal uses are permitted in an OS-N district:

1. Trails, wildlife preserves, and open space uses that maintain the site in its natural state.

C. No Net Loss. Concurrent with or prior to a rezoning of property from Open Space-Natural Zone to another zone, an area at least equivalent in size and providing greater habitat value than the subject Open Space-Natural Zone area shall be rezoned from another zone to the Open Space-Natural Zone.

¹ Service yards, storage of commercial vehicles, or maintenance of large trucks or equipment—exceeding 14,000 pounds Gross Vehicle Weight (GVW) are not permitted. Public safety equipment and —vehicles are exempt. [\(put footnote into body of ordinance\)](#)

17.51.080 – Open Space Districts - Parks.

- A. Intent. Open Space-Parks districts, hereinafter designed as OS-P, are established to provide for current and expected future locations for public parks of all sizes and types in the community. The OS-P district implements and is consistent with the Open-Space-Parks land use classification of the Castro Valley General Plan.
- B. Permitted uses.
The following principal uses are permitted in an OS-P district:
1. Administrative support and service facilities of a public regional recreation district;
 2. Orchard, garden;
 3. Outdoor recreation facility; and
 4. Public or private riding or hiking trails.
- C. Conditional uses.
The following are conditional uses and are permitted in an OS-P district only if approved by the planning commission, sitting as a board of zoning adjustments, as provided in Sections 17.54.135 and 17.34.010
1. Community facility; and
 2. Temporary uses.
- D. Height of buildings. Height must not exceed thirty (30) feet, except as otherwise provided in Section 17.52.090.

17.51.090 – School Districts.

- A. Intent. School districts, hereinafter designed as SCV, are established to provide for publicly-owned or operated educational facilities of all sizes serving all age groups, and for sites owned or used by school districts for school related purposes, including operation by a private education facility. The SCV district implements and is consistent with the Schools land use classification of the Castro Valley General Plan.
- B. Permitted uses.
The following principal uses are permitted in a SCV district:
1. Public educational facilities
 2. Schools, attendance at which satisfies the requirements of the Compulsory Education Law of state; and
 3. Community facilities
- C. Conditional use.
The following are conditional uses and are permitted in an SCV district only if approved by the planning commission, sitting as a board of zoning adjustments, as provided in Sections 17.54.135 and 17.34.010:
- D. Unattended collection box(es) placed in conjunction with an approved community facility. Accessory uses.
1. Outdoor and Indoor recreation facility is an accessory use to a principal school use.

- E. Yards. The yard requirements in SCV districts are the same as those of adjacent zones, subject to the general provisions of Section 17.52.330.
- F. Height of buildings. The height must be the same as those of adjacent zones except as otherwise provided in Section 17.52.090.
- G. Property no longer needed for school purposes. Property in the SCV district determined to no longer be needed for educational purposes may be developed as residential uses pursuant to approval of a Planned Development District (Chapter 17.18, PD Districts) or adoption of a Specific Plan:
 - 1. Density shall be equal to or lower than the surrounding residential units
 - 2. 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.
 - a) 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.
 - b) 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

SECTION XIV

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.52 - General Requirements is hereby amended to add as follows:

17.52.1310 - Auto repair uses in Castro Valley.

- A. Applicability. The regulations set forth in this Section apply to auto repair uses, as well as any other use, such as auto dealerships or service stations, that perform auto servicing and repair as an accessory activity, within Castro Valley (areas within the Castro Valley Urbanized Area) and located directly adjacent to, or across the street from, a residential zone district.
- B. Discretionary Review.
 - 1. An existing auto repair use may be expanded with approval by the Planning Director if total alterations result in no more than twenty (20) percent increase in the existing floor area of all buildings on a lot or lots.
 - 2. If total alterations to an existing auto repair use are greater than a twenty (20) percent increase in the existing floor area the application is subject to a Conditional Use Permit.
- C. Operating requirements.
 - 1. Repair of automobiles must be performed within enclosed buildings only.

2. Storage or display of a product, trash, parts, all goods for sale, other than those required for the operation and maintenance of automobiles must be in an enclosed building.

3. Operation within the use must not be detrimental to adjoining properties through the creation of excessive dust, noise, or odor.

D. Lighting. Exterior lighting must be hooded or shielded so that the light source is not directly visible to an adjacent residential zone district.

E. Landscaping.

1. Area. A landscape area, a minimum width of five (5) feet, is required:

a. Along all street frontages of the lot or lots;

b. Within any yard adjacent to a residential zone district; and

c. On the perimeters of all parking areas that abut a residential zone district.

2. Area Exception. The portion of the lot line where an access driveway is required by the County, as determined by the Planning Director, is exempt from the landscape area requirement.

3. Water Efficiency. Landscaping must be consistent with Chapter 17.64 (Water Efficient Landscape Ordinance).

4. Maintenance. All landscaping, vegetation, and plantings must be maintained in a healthful and thriving condition at all times.

a. Any damaged, dead, or decaying vegetation must be replaced by the equivalent vegetation of a size, form, and character which will be comparable at full growth.

b. All landscaping must be adequately and efficiently irrigated. Irrigation systems and their components must be maintained in a fully functional manner.

F. Site Maintenance. All areas of the site must be maintained free of debris, litter, graffiti or any inappropriate materials at all times. All asphalt, paving, and striping must be maintained in good repair to the satisfaction of the Planning Director.

G. Parking and Screening.

1. Parking area and auto storage space must be screened from view of abutting residential property in compliance with Sections 17.52.410 through 17.52.460.

2. Long-Term Overnight Parking. Any vehicle, recreational vehicle, towing vehicle, and other similar vehicle associated with auto use must not be parked or stored on-site in the front of the lot overnight for a period of longer than two days in any seven day period, unless enclosed within a structure, subject to active repair and

maintenance by the business, or part of a display approved by the Planning Director.

3. On-street parking may not be used to park or store vehicles associated with the use, including but not limited to: towing vehicles, recreational vehicles, vehicles that are under repair or waiting for pick up by the customer, or other similar vehicles.

H. Automobile Sales Prohibited. Parking or storage of vehicles on-site for sales purposes is prohibited.

17.52.1320 – Check Cashing Uses in Castro Valley.

A. Applicability. The regulations set forth in this Section apply to check cashing uses in Castro Valley (areas within the Castro Valley Urbanized Area).

1. Check cashing uses are uses, other than State or Federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offer deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. A "check cashier" includes, but is not limited to, deferred deposit transaction (payday loan) business that makes loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer short-term loan secured by the title to motor vehicles. "Check cashier" or "check cashing activity" shall not include non-profit financial institutions or retail sellers engaged primarily in the business of selling consumer goods to retail buyers, that cash checks or issue money orders as a service to its customers that is incidental to its main purpose or business.

B. Location. Check cashing uses must not be located within a radius of 1,500 feet of another check cashing use.

C. Operating requirements.

1. The business shall have at least one certified uniformed security guard on duty at all times the business is open. The security guard shall patrol the interior and all exterior portions of the property under control of the owner or lessee including, but not limited to, parking lots and any open public spaces such as lobbies.

2. Hours of Operation.

- a. Operation hours must be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.

b. Patrons must be discouraged from loitering prior to, during and/or after hours. A minimum of one (1) no loitering sign must be installed and maintained where it will be most visible to pedestrians on each side of the building in which the activity is located including, but not limited to, street frontages and parking lots.

D. Visibility. Storefronts must have glass or transparent glazing in the windows and doors. No more than ten (10) percent of any window or door may be covered by signs, banners, or opaque coverings of any kind. Law enforcement personnel must have a clear view of the entire public area in the premises from the public sidewalk. The business or property operator must replace or repair any windows or doors damaged by etching or graffiti.

E. Lighting.

1. A lighting plan shall be reviewed and approved by the Planning Director prior to issuing building permits and installed prior to establishing the activity.

2. Exterior lighting is required on all street frontages. Such lighting shall be designed to illuminate persons standing outside such that they can be identified fifty (50) feet away.

3. Exterior lighting must be designed and maintained in a manner to prevent glare or direct illumination from intruding into any adjacent residential property.

17.52.1330 – Day Care Centers in Castro Valley.

A. Applicability. This section establishes regulations for Day Care Centers in Castro Valley (areas within the Castro Valley Urbanized Area).

B. Operating requirements

1. Noise. Facility must limit noise levels from exceeding a LdN level of 55 db at the lot lines.

2. Hours of Operation must be limited to the hours of 6:30 a.m. to 6:00 p.m.

3. Outdoor play time must be limited to the hours of 7:00 a.m. to 6:00 p.m.

4. Playground apparatus (swings, jungle gym, etc.) must be located in the rear or side yards only.

C. Lighting. On-site exterior lighting is allowed for safety purposes only, must consist of low wattage fixtures, and must be directed downward and shielded.

D. Parking and Screening.

1. Day care centers must include one parking space per each two (2) employees, one space per company vehicle, and one space for every ten children at the facility.
2. Parking, drop-off area. At least two (2) off-street parking spaces must be provided exclusively for dropping off and picking up children. Alternative parking and drop-off arrangements may be required by the Planning Director based on traffic and pedestrian safety considerations.
 - a. If the driveway is the designated parking area for the day care center, the driveway must remain clear and available for customers during hours of operation.
 - b. A center located on a street with a speed limit of thirty (30) miles per hour or greater must provide a drop-off/pick-up area designed to prevent vehicles from backing onto the street (e.g. circular driveway).
3. All outdoor play area must be screened from view of street and any adjacent property owners through fencing and hedges in compliance with Sections 17.52.410 through 17.52.460.

17.52.1340 Community Facilities in Castro Valley.

- A. Applicability. The regulations set forth in this Section apply to community facilities in Castro Valley (areas within the Castro Valley Urbanized Area).
- B. Additional Requirements when located in the C-N districts adjacent to a residential zone district:
 1. Operating requirements.
 - a. Community facility uses must incorporate screening, buffers, and other features to minimize adverse visual or noise impacts of the use on adjacent properties.
 - b. Noise. The noise level of activities within community facility uses must not exceed a LdN level of 60 db when measured at the property line that is across the street from or abutting a parcel zoned residential.
 2. Parking and Screening.
 - a. Parking in the required front yard is prohibited.
 - b. Parking and loading areas must be screened from view of street and adjacent property owners with landscaping or other screening in compliance with Sections 17.52.410 through 17.52.460.
 - c. Outside Recreational Areas. All outdoor recreational areas must be screened from view of any adjacent residential uses through fencing and hedges in compliance with Sections 17.52.410 through 17.52.460.

C. Accessory Uses. In Castro Valley (areas within the Castro Valley Urbanized Area), Day Care Centers are permitted as an accessory use within an existing community facility use, subject to the requirements of Section 17.52.1330 (Day Care Centers in Castro Valley).

17.52.1350 – Drive-in businesses in Castro Valley.

A. Applicability. The regulations set forth in this Section apply to drive-in businesses in the C-N districts in Castro Valley (areas within the Castro Valley Urbanized Area).

B. Operating requirements.

1. Noise. Any drive-up or drive-through speaker system shall emit no more than sixty-five (65) decibels and at no time shall any speaker system be audible above daytime ambient noise levels beyond the property lines of the site. The system shall be designed to compensate for ambient noise levels in the immediate area.

2. Deliveries. All deliveries made to drive-in businesses located on sites adjacent to residential zones must be scheduled during non-commute hours and periods of low activity at the restaurant between 8:00 a.m. and 11 :00 a.m. and from 2:00 p.m. to 5 :00 p.m.

C. Drive-in lanes.

1. Drive-in lanes that are located less than 50 feet from residential uses must be separated from existing residential uses by buildings, and/or extensively landscaped areas or decorative block walls approved by the Planning director.

2. Drive-in lanes must be constructed with the necessary vehicle stacking capacity so that vehicles using the drive-in lane do not overflow into the on-site parking aisles, public street right-of-way or public streets.

3. Drive-in lanes must be shielded in a manner approved by the Planning director to eliminate vehicle headlight glare into adjoining land and on-coming traffic approaching the drive-in site property.

D. Accessways.

1. Each developed site must not have more than two accessways to any one street except that the Planning Director shall have the right to prescribe additional requirements if it is deemed necessary that a change in the location and number of accessways will reduce the possibilities of traffic hazards.

2. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous four (4' 0") foot-wide sidewalk or delineated

walkway. Pedestrian walkways should not intersect the drive-through drive aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving.

- E. Lighting. All lighting or illuminated displays must be designed and maintained in a manner to prevent glare or direct illumination from intruding into any adjacent residential property.
- F. Restroom locations. All restrooms (if required) must be located in and accessed from the interior of the structure.
- G. Parking and Screening In addition to the requirements applicable to the zone district in which such use is located must also comply with the following:
 - 1. On-site parking must be provided for each employee on duty. The peak employment period must be used to determine the number of employee parking spaces.
 - 2. Drive-in restaurants must provide a minimum of two parking spaces for each 100 square feet of floor area.
 - 3. All trash areas must be fully enclosed and constructed of a material which shall be in harmony with the architecture of the building. Provisions for adequate vehicular access to and from such areas for the collection of trash and garbage must be provided.

17.52.1360 – Parking lots in Castro Valley.

- A. Applicability. The regulations set forth in this Section apply to commercial parking lots in the C-N districts in Castro Valley (areas within the Castro Valley Urbanized Area).
- B. Lighting. Lighting of outdoor parking areas must be designed and maintained in a manner to prevent glare or direct illumination from intruding into any adjacent residential property. A minimum of one foot candle of illumination shall be provided throughout the parking area.
- C. Site Maintenance. The area must be kept free of debris and trash.
- D. Where pedestrian circulation crosses vehicular routes, a crosswalk, speed bumps, or signage must be provided to emphasize the conflict point and improve its visibility and safety.
- E. Parking and Screening.
 - a. Parking lots must incorporate screening, buffers, and other features to minimize adverse visual or noise impacts of the use on adjacent properties.
 - b. Parking facilities for six (6) or more vehicles must be screened from view by a wall or hedge minimum three (3) feet and maximum five (5) feet tall, except if located adjacent to a residential property district must the wall, or hedge must

be a minimum six (6) feet and maximum eight (8) feet tall. The screening must be designed in such a manner to screen the parking from view and must not be closer than five (5) feet to the street lot line.

c. All new parking lots must be constructed with a landscaped buffer perimeter of no less than two (2) feet.

d. Overnight parking prohibited.

SECTION XV

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.54 – Procedures is hereby amended to add as follows:

17.54.295 – Design Review in Castro Valley.

A. The procedures set forth in this Section establishes the design review procedure for non-residential projects in Castro Valley (areas within the Castro Valley Urbanized Area).

B. Design review is required for all non-residential projects in Castro Valley (areas within the Castro Valley Urbanized Area) except projects exempt from Site Development Review.

C. The design review application shall be submitted as a part of the application for the site development permit, conditional use permit, or variance.

D. Design review advisory recommendation.

1. Advisory Recommendation. The Planning Director will present applications to the Castro Valley Municipal Advisory Council for its review and advisory recommendation.

2. If the Planning Director is not the final review authority for the subject property, the Planning Director shall forward the Castro Valley Municipal Advisory Council's recommendation to the final review authority.

E. In granting design review approval, the review authority shall first make all of the following findings:

1. The proposed project would be harmonious and compatible with existing development and with the overall character of the area;

2. The location, size, design, and operating characteristics of the proposed project would promote the orderly growth of Castro Valley and would not be detrimental to the public interest, health, safety, convenience, or welfare of neighboring properties or to that of the overall community;

3. Site and architectural design and functional plan of the structure(s) and related improvements, including landscaping, are of reasonable aesthetic quality and implement the objectives of the Castro Valley General Plan;

4. Structure(s) and related improvements, including access and parking, are suitable for the proposed use of the property, consistent with the intent of the applicable zoning district, promote orderly development in the vicinity of the subject site, and provide adequate consideration of the existing and contemplated uses of land; and

5. The design and layout of the proposed project are consistent with the Castro Valley General Plan, the development standards of this Code, and any approved design guidelines.

SECTION XVI

Alameda County Code of Ordinances, Title 17 - Zoning, Chapter 17.02 Introductory Provisions, section 17.02.090 – Zoning Map is hereby amended as depicted on the attached Exhibit entitled Zoning Map for Castro Valley:

See Exhibit # 1 – Zoning Map for Castro Valley

SECTION XVII

This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the ____ day of _____, 2020, by the following called vote:

- AYES:
- NOES:
- EXCUSED:
- ABSTAINED:

Richard Valle, President of the Board

Anika Campbell-Belton, Clerk of the Board

Approved as to Form:

Donna R. Ziegler, County Counsel

By: _____