

**APPENDIX I**  
**IMPLEMENTATION OF THE PREVIOUS ELEMENT**

## ORDINANCE NO.

### AN ORDINANCE AMENDING THE CASTRO VALLEY CENTRAL BUSINESS DISTRICT SPECIFIC PLAN, THE EDEN AREA (PORTION) PLAN, THE CASTRO VALLEY PLAN, THE GENERAL PLAN FOR THE CENTRAL METROPOLITAN, EDEN, AND WASHINGTON PLANNING UNITS, THE HOUSING ELEMENT OF THE ALAMEDA COUNTY GENERAL PLAN, AND TITLE 17 OF THE ALAMEDA COUNTY ORDINANCE CODE TO AMEND THE TEXT OF THE ORDINANCE AND REZONE SPECIFIC PARCELS UNDER THE 2218TH ZONING UNIT, IN ORDER TO IMPLEMENT POLICIES OF THE HOUSING ELEMENT OF THE ALAMEDA COUNTY GENERAL PLAN

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

#### SECTION 1

The Castro Valley Central Business District Specific Plan is amended as follows:

#### IV. LAND USE; B. POLICIES, PROGRAMS, AND PROJECTS; 2. SPECIFIC PLAN SUBAREAS AND LAND USE POLICIES;

##### Subarea 8:

Allowed Uses . . . Land Use Group E (High Density Residential) uses are allowed. *[page 61]*

##### Subarea 9:

Allowed Uses: Land Use Group A (Intensive Retail) and Land Use Group C (Offices) (all types) uses are allowed in the subarea. The latter is specifically encouraged, particularly on larger or consolidated parcels. Land Use Group E (High Density Residential) uses are allowed in the Subarea west of Redwood Road and adjacent to Subarea 8. Public facilities are... *[page 63]*

##### Subarea 10:

Allowed Uses: . . . Land Use Group E (High Density Residential) uses are allowed to the rear of this or above commercial development located along the frontage... *[page 66]*

#### IV. LAND USE; B. POLICIES, PROGRAMS, AND PROJECTS; 2. LAND USE GROUP DEFINITIONS;

Land Use Group D: Medium Density Residential: This classification includes medium density residential, generally in the twenty for forty units per acre range. *[page 76]*

Land Use Group E: High Density Residential: This classification includes high density residential, generally in the forty to sixty units per acre range. It applies to all of Subarea 8, that portion of Subarea 9 west of Redwood Road and adjacent to Subarea 8, and all of Subarea 10. Residential uses at ground level fronting along Redwood Road and Castro Valley Boulevard are

discouraged. Building sites for this density range must be at least 20,000 square feet and have an average lot width of 60 feet. Heights and setbacks may be modified by site development review but only to the extent that these do not preclude specified densities. [page 78]

## SECTION 2

The Eden Area (portion) Plan - Amended June 1, 1995 is amended as follows:

The following parcels in the Ashland area located in the Bayfair BART station parking lot, southwest of the BART and Union Pacific (former Western Pacific) Railroad tracks and north of Colby Street, at the eastern boundary of the Eden Area (Portion) Plan are redesignated from "Low Density Residential" to "Medium and High Density Residential":

080D-0563-017-00  
080D-0565-029-00  
080D-0565-030-00

080D-0568-030-00  
080D-0568-031-00

## SECTION 3

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

Five parcels containing approximately 7.21 acres, located in the Bayfair BART station parking lot, southwest of the BART and Union Pacific (former Western Pacific) Railroad tracks and north of Colby Street, unincorporated Ashland area of Alameda County, bearing County Assessor's designations: 080D-0563-017-00, 080D-0565-029-00, 080D-0565-030-00, 080D-0568-030-00, and 080D-0568-031-00, are hereby reclassified from the R-1 (Single Family Residence) District to the R-S-D-15 (Suburban Residence, 1,500 square feet m.b.s.a. per unit) District.

A map of the Unit follows:



ZU-2218  
PARCEL MAP  
Alameda County CDA - Planning Department



## SECTION 4

The Castro Valley Plan - Adopted April 4, 1983 is amended as follows:

The following parcel located on the County Fairmont property northwest of Fairmont Drive and northeast of Foothill Boulevard is redesignated from "Public" to "Medium and High Density Residential":

080A-0153-012-00

## SECTION 5

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

One parcel containing approximately 4.70 acres, located on the County Fairmont property, northwest of Fairmont Drive and northeast of Foothill Boulevard, unincorporated Castro Valley area of Alameda County, bearing County Assessor's designations: 080A-0153-012-00, is hereby reclassified from the A (Agricultural) District to the R-S-D-15 (Suburban Residence, 1,500 square feet m.b.s.a. per unit) District.

A map of the Unit follows:



**ZU-2218**

**PARCEL MAP**

Alameda County CDA - Planning Department



## SECTION 6

The General Plan for the Central Metropolitan, Eden and Washington Planning Units, January, 13, 1981, is amended as follows:

The following parcels in the San Lorenzo area located at 724 through and including 790 Bockman Road, south side, approximately 150 feet west of Via Arriba, are redesignated from "Low Density" to "Existing Commercial areas where Medium and High Density Residential would be permitted in conjunction with the principal Commercial uses":

412-0085-061-00	415-0085-065-00
412-0085-062-00	415-0085-066-00
412-0085-063-00	415-0085-067-00
415-0085-064-00	

## SECTION 7

Chapter 17.13 is added to Title 17 of the Alameda County Ordinance Code (Zoning Ordinance) as follows:

### Chapter 17.13

### M-U DISTRICT

#### Sections:

<u>17.13.010</u>	<u>Mixed-Use Residential/Commercial District-Intent</u>
<u>17.13.020</u>	<u>Site development review – When required</u>
<u>17.13.030</u>	<u>Permitted uses</u>
<u>17.13.040</u>	<u>Conditional Uses – Board of Zoning Adjustments</u>
<u>17.13.050</u>	<u>Number of Dwelling Units</u>
<u>17.13.060</u>	<u>Building Site</u>
<u>17.13.070</u>	<u>Yards</u>
<u>17.13.080</u>	<u>Height of buildings</u>
<u>17.13.090</u>	<u>Other regulations</u>

#### 17.13.010      Mixed-Use Residential/Commercial District-Intent

The intent of the Mixed-Use Residence/Commercial Districts, hereinafter designated as M-U, is to regulate and control development of combined residential and commercial uses within a building site so as maintain the economic viability of such uses and to harmonize with surrounding non-commercial uses to the greatest extent possible. The district is established to recognize the existence of established mixed residential and commercial uses which have coexisted on the same property over several decades and which form a cohesive neighborhood of contiguous or nearly contiguous parcels sharing two or more of the following characteristics: a distinct lot pattern that is generally larger and distinct from that of the surrounding neighborhood; on-site buildings that have had a history of mixed residential and commercial retail or small manufacturing uses; location on an arterial street or corner; the existence of

buildings that may be historically significant; and either the area of one or more lots comprise at least an acre or the lots have at least 200 feet of street frontage. Adherence to a specified site development review plan is required for the disposition of buildings, the relationship between residential and commercial uses, and the provision of parking and circulation in order to assure optimum utilization of the building site.

**17.13.020**      **Site development review – When required**

Expansion of an existing building or construction of a new building in the M-U district exceeding 1000 square feet shall be subject to site development review pursuant to Section 17.54.220. Where a conditional use permit or variance is also required, the decision making body for said site development review shall be the Board of Zoning Adjustments

**17.13.030**      **Permitted uses**

The following principal uses are permitted in any M-U district:

- A. Any residential uses created legally prior to August 6, 2005.
- B. Any uses listed as permitted in the C-N district, Section 17.36.020.
- C. Any uses listed as permitted in the C-O district, Section 17.34.020.

**17.13.040**      **Conditional Uses – Board of Zoning Adjustments**

Except as otherwise noted in the case of a combining district, in addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in an M-U district and may be permitted or expanded if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. After August 6, 2005, all residential uses conforming to the standards of the RS-D-35 zoning district.
- B. Any other uses conditional in the RS district, Sections 17.12.035 and 17.12.040.
- C. Any uses conditional in the C-O district, Sections 17.34.025 and 17.34.30.
- D. Any uses conditional in the C-N district, Section 17.36.030.

**17.13.050**      **Number of Dwelling Units**

The number of dwelling units permitted on a building site in an M-U district shall not exceed the number obtained by dividing the area in square feet of the residential portion of the building site by 3,500, disregarding any fraction, except that where such calculation results in an allowance of more than seven units, a fraction greater than three-fourths shall be adjusted to the next higher number.

**17.13.060**      **Building Site**

Except as otherwise specified in the case of a combining district, and except for mobile home parks as regulated by Chapter 17.52 of this title, every use in an M-U district shall be on a building site having 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 shall have a median lot width of not less than sixty (60) feet.

**17.13.070**      **Yards**

The yard requirements in M-U districts shall be as follows, subject to the general provisions of Section 17.52.330:

- A. Depth of front yard: none except when the abutting lot is in an R district, there shall be a front yard having a depth not less than 20 feet.
- B. Depth of rear yard: none except when the abutting lot is in an R district, there shall be a rear yard having a depth not less than 20 feet, and the building profile shall fit within a 45-degree angle measured at grade from the common property line.
- C. Width of side yard: none, except that where the abutting lot at the side is in any R district, there shall be side yard having a width not less than the minimum required in such R district and the side yard on the street side of a corner lot shall be not less than ten feet.

**17.13.080**

**Height of buildings**

No structure shall have a height in excess of thirty-five (35) feet except as provided by Section 17.52.090.

**17.13.090**

**Other regulations**

The following regulations shall also apply in M-U districts:

- A. The width of access driveways shall be not less than that required by Section 17.52.790; provided however, that the Board of Zoning Adjustments or Planning Director may require a driveway of greater width or provision for a street where found necessary to assure adequate circulation in the vicinity;
- B. The minimum setback from the access driveway shall be four feet along walls having openings or two feet for solid walls;
- C. There shall be effective structural or landscape screening of private open space and utility areas, and a system of walkways, independent of the driveways to give safe pedestrian access from the street to every dwelling unit and to all commonly utilized open spaces; and
- D. The area of useable open space provided on the site shall be not less than two hundred (200) square feet for each dwelling unit thereon.

**SECTION 8**

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

Seven parcels containing approximately 2.87 acres, located at 728 through and including 790 Bockman Road, south side, approximately 150 feet west of Via Arriba, unincorporated San Lorenzo area of Alameda County, bearing County Assessor's designations: 412-0085-061-00, 412-0085-062-00, 412-0085-063-00, 415-0085-064-00, 415-0085-065-00, 415-0085-066-00, and 415-0085-067-00, are hereby reclassified from the C-1 (Retail Business) and the PD (Planned Development) Districts to the M-U (Mixed Use Residential-Commercial) District.

A map of the Unit follows:





**ZU-2218**

**PARCEL MAP**

*Alameda County CDA - Planning Department*



## SECTION 9

Chapter 17.25 is added to Title 17 of the Alameda County Ordinance Code (Zoning Ordinance) as follows:

### Chapter 17.25

### -DV DISTRICT

<u>17.25.010</u>	<u>Combining DV districts</u>
<u>17.25.020</u>	<u>Map designation</u>
<u>17.25.030</u>	<u>Regulations</u>
<u>17.25.040</u>	<u>Number of dwelling units</u>

17.25.010      **Combining DV districts**  
The districts hereinafter designated as combining DV districts are established to be combined with the R-S districts in order to provide for variations in the intensity of development to act as incentive to combine narrow parcels into larger, more regular parcels associated with better site development. The intent is to create patterns of residential development in conformance with adopted plans concerning the ratio of dwelling units to land area while promoting superior development standards.

17.25.020      **Map designation**  
Every parcel designated on the zoning map as being in a combining district identified by the symbol DV (Density Variable) shall become and thereafter be



subject to these regulations for the combining DV district and shall be so shown on any revised zoning map or part thereof.

**17.25.030**

**Regulations**

In a combining DV district, all regulations shall be the same as in an R-S district except as to matters specified in Section 17.25.040.

**17.25.040**

**Number of Dwelling Units**

For lots having an area not less than 20,000 square feet and an average lot width not less than 100 feet, the density shall be one dwelling unit per 2,000 square feet. For all other lots, the density shall be one dwelling per 3,500 square feet. In making this calculation, fractions shall be disregarded, except that where such calculation results in an allowance of more than seven units, a fraction greater than three-fourths shall be adjusted to the next higher number. Dwelling units created by valid building permits prior to August 6, 2005, shall be considered conforming in regards to density.

**SECTION 10**

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

Eight hundred thirty-nine parcels containing approximately 182.17 acres, located throughout the Hayward Acres area excepting those parcels fronting on Hesperian Boulevard and West A Street; in the Cherryland area generally located on the north side of Bartlett Avenue, east of Hesperian Boulevard; in the Cherryland area generally south of Sunset Avenue including those parcels fronting on Sunset Avenue; and in the Cherryland area generally located along Birch Street, Locust Street, Foothill Boulevard, and Oak Avenue, all unincorporated Alameda County, bearing County Assessor's designations as noted on the document titled 'Sites to be Rezoned to the R-S-DV District, July 7, 2005' on file at the Alameda County Planning Department, 224 West Winton Avenue, Room 111, Hayward, California, are hereby reclassified from the R-1 (Single-Family Residence), R-2 (Two-Family Residence), R-2-B-E (Two-Family Residence, minimum building site as specified), R-4 (Multiple Residence), R-S-D-20 (Suburban Residence, 2,000 square feet m.b.s.a. per unit), R-S-D-25 (Suburban Residence, 2,500 square feet m.b.s.a. per unit), R-S-D-35 (Suburban Residence, 3,500 square feet m.b.s.a. per unit), R-S-D-3 (Suburban Residence, m.b.s.a. per unit as specified), R-S (Suburban Residence), R-S-SU (Suburban Residence, Secondary Unit), PD (Planned Development), C-O (Administrative Office), C-1 (Retail Business), and M-1 (Light Industrial) Districts to the R-S-DV (Suburban Residence, Density Variable) and the PD (Planned Development, Suburban Residence, Density Variable) District.

Maps of the Unit follow:



**ZU-2218**

**PARCEL MAP**

Alameda County CDA - Planning Department



**ZU-2218**

**PARCEL MAP**

Alameda County CDA - Planning Department

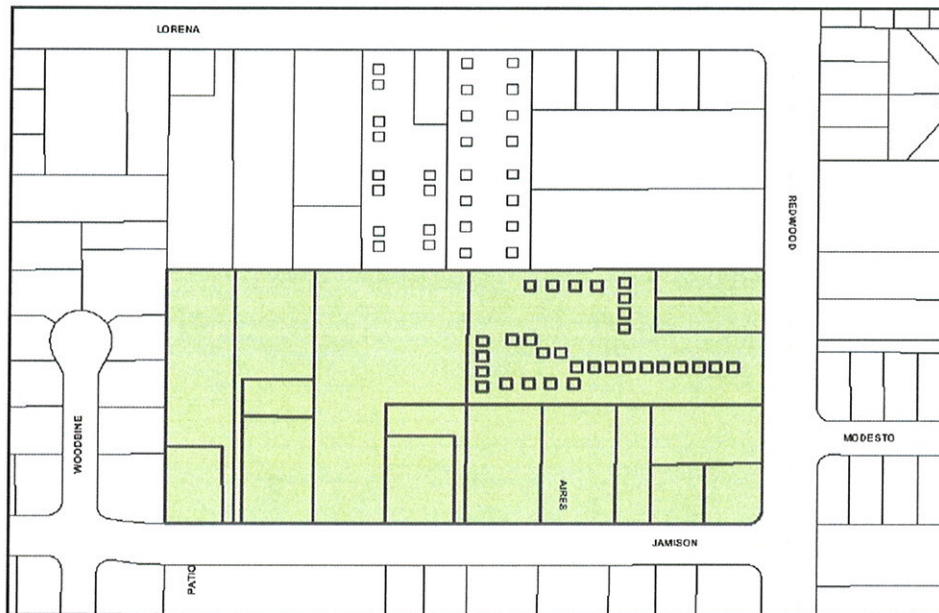


## SECTION 11

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

Forty seven parcels containing approximately 7.69 acres, located along Redwood Road, west side, north of Jamison Way, and along Jamison Way, north side, west of Redwood Road, unincorporated Castro Valley area of Alameda County, bearing County Assessor's designations as noted on the document titled 'Jamison Avenue Sites to be Rezoned to the R-S-D-15 District, July 7, 2005' on file at the Alameda County Planning Department, 224 West Winton Avenue, Room 111, Hayward, California, are hereby reclassified from the R-1-CSU-RV (Single Family Residence, Conditional Secondary Unit, Recreational Vehicle Parking), the R-S-D-20 (Suburban Residence, 2,000 square feet m.b.s.a. per unit) and the R-S-D-25 (Suburban Residence, 2,500 square feet m.b.s.a. per unit) Districts to the R-S-D-15 (Suburban Residence, 1,500 square feet m.b.s.a. per unit) District.

A map of the Unit follows:



**ZU-2218**

**PARCEL MAP**

*Alameda County CDA - Planning Department*



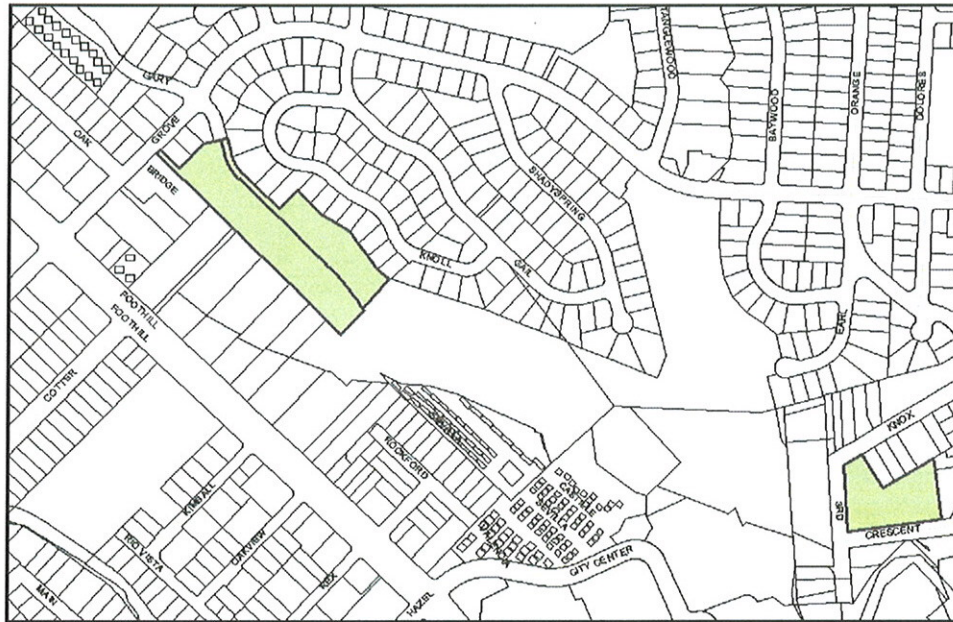
## SECTION 12

Title 17 of the Alameda County General Ordinance is hereby amended in the following manner:

Three parcels containing approximately 6.19 acres, located at 1452 Crescent Avenue, north side, at the northeast corner of the intersection with Knox Avenue, and southeast of Grove Way, opposite the intersection with Gary Drive, unincorporated Ashland area of Alameda County, bearing County Assessor's designations: 415-0210-050-01, 415-0180-068-01, and 415-0180-069-



A map of the Unit follows:



**ZU-2218**  
**PARCEL MAP**  
*Alameda County CDA - Planning Department*



The Alameda County Housing Element, Adopted October 2, 2003 is amended as follows:

1.3.1 Revise the Zoning Ordinance to permit emergency homeless shelters as a conditional use in areas zoned for high density residential use (R-4 districts). *[Page 143]*

Section 17.04.010, Definitions, of Title 17 of the Alameda County Ordinance Code (Zoning Ordinance), is amended as follows:

“General Emergency Homeless Shelter” means a short-term residential facility adequately staffed during operating hours with minimal supportive services providing lodging and meals for up to six months to homeless persons, not including families with minor children, pending attempts to find more permanent housing and referred to the shelter by partner social service agencies or

similar organizations the offices of which are not located on the premises of the shelter, and where no meals or other services are provided to non-residents of the shelter. Such shelters shall be located within ¼ mile of transit lines and no closer than 1000 feet, measured from property line to property line, of the following uses:

- Schools
- Day care facilities
- Parks
- Alcohol outlets
- Medical marijuana dispensaries
- Other Emergency Homeless Shelters

“Family Emergency Homeless Shelter” means a short-term residential facility adequately staffed during operating hours with minimal supportive services providing lodging and meals for up to six months to homeless families with minor children, pending attempts to find more permanent housing and referred to the shelter by partner social service agencies or similar organizations the offices of which are not located on premises of the shelter, and where no meals or other services are provided to non-residents of the shelter. Such shelters shall be located within ¼ mile of transit lines and no closer than 500 feet, measured from property line to property line, from schools, parks and day care facilities, nor closer than 1000 feet from :

- Alcohol outlets
- Medical marijuana dispensaries
- Other Emergency Homeless Shelters

## SECTION 15

Section 17.15.030, Conditional uses – R-4 District, of Title 17 of the Alameda County Ordinance Code (Zoning Ordinance), is amended as follows:

17.15.030 Conditional uses – R-4 Districts

...

G. General Emergency Homeless Shelter

H. Family Emergency Homeless Shelter

## SECTION 16

Table 17.52.910, Parking Spaces Required for Residential Buildings, of Title 17 of the Alameda County Ordinance Code (Zoning Ordinance), is amended as follows:

<u>Medical, residential care facility, general emergency homeless shelter, or family emergency homeless shelter.</u>	2 plus 1 for each 6 beds for persons not related to the resident family or manager
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## SECTION 17

### EFFECTIVE DATE

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 seventh day of July, 2005, by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

KEITH CARSON, President  
Board of Supervisors  
County of Alameda,  
State of California

ATTEST:

CRYSTAL HISHIDA  
Clerk of the Board of  
Supervisors  
County of Alameda,  
State of California

By:

Deputy

File:

Agenda No.:

Document No.: