

FAIRVIEW SPECIFIC PLAN UPDATE

STEERING COMMITTEE

Planning Department Conference Room

224 W. Winton Av Room 111, Hayward

**AGENDA**

January 9, 2018

6:00 – 8:00 PM

1. Welcome and Introductions (5 minutes)
2. Discussion of Background Report (15 minutes)
3. Discussion of land use policy issues and development standards (1 hour)
4. Discussion of map and zoning issues (25 minutes)
5. General comments (public, etc.) (10 minutes)
6. Upcoming Meetings and Schedule (5 minutes)

# Memorandum

**Date:** January 4, 2018  
**To:** Fairview Specific Plan Steering Committee  
**From:** Barry Miller, Consultant  
**Re:** January 9, 2018 Committee Meeting

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**Happy New Year!** It's been about six months since our last meeting and I wanted to provide an update on the Specific Plan. This memo also provides a number of discussion points for our January 9 meeting, which will take place from 6 to 8 PM in the County Planning Department conference room. An agenda is attached to this email.

## Specific Plan Status and Attachments

In a separate email, I am transmitting an Administrative Draft of a "Background Report" for Planning and Environmental Review to members of the Steering Committee. This is a large (12 MB) file containing a 146-page document that summarizes data on demographics, land use, transportation, community services, visual and cultural resources, natural resources, and environmental hazards. Most of the work completed during the last six months is associated with production of this report. **Please let me know if you do not receive this second email.**

The intent of the "Background Report" is to provide a foundation for the environmental review document required for the Specific Plan, as well as the policies and standards in the Specific Plan itself. As discussed during our last few meetings, the updated Specific Plan will provide more contextual information and data about Fairview, including the community's history and character. A number of maps and figures are included in the Background Report. Three of these maps (existing land use, zoning, and community facilities) are attached to [this](#) email. The remainder are in the Background Report itself.

For each of the topic areas covered by the Background Report, the text identifies policies in the Eden General Plan and the Castro Valley General Plan that are potentially transferable to Fairview. We'd like to encourage the Committee to look this over before Tuesday and provide feedback on which policies might be adapted for the Fairview Specific Plan.

Please keep in mind that the Background Report is intended to be a Working Draft and is not a final document. If you have comments or edits, please let us know and we'll address them before the Specific Plan and environmental document are prepared. The first part of our Tuesday agenda will cover comments and feedback on the report.

The revised Specific Plan itself is now being drafted. Subject to input from the Committee, we'd like to schedule a meeting for February to discuss transportation and community services issues and then one or more meetings in March/April to review a draft of the new Plan document.

## **Development Standards: Discussion Points**

The bulk of the January 9 meeting will be spent resolving a number of issues relating to the zoning map, and Fairview’s land use and development standards. These are summarized in the discussion points below:

### **1. Minimum Lot Sizes and the “Prevailing Lot Size” Rule**

The current Specific Plan requires that new single-family parcels (e.g., parcels created through subdivision) must be consistent with the existing land use pattern. A “prevailing lot size” rule is laid out in the existing Plan indicating how consistency is defined. Per previous meetings of the Steering Committee, this rule will be clarified to note that it excludes non-conforming lots and lots in Planned Developments (PDs), which are typically smaller than other lots.

Representatives of the HHPOA have asked that the County also consider a 20,000 square foot minimum lot size standard for future subdivisions. At our meeting next Tuesday, we should discuss the implications of this suggestion, potential variations on this proposal, and the relationship between such a standard and the prevailing lot size rule.

### **2. Relationship between Specific Plan Density Limits and Zoning**

A map showing existing zoning in Fairview is attached to this email (it is the second map in the series, not be confused with the “Existing Land Use” Map which appears first). As the map illustrates, Fairview currently includes numerous zoning districts—including a few that are only mapped on one or two Fairview parcels. In some cases, the zoning map establishes the minimum building site area (MBSA) required for a new dwelling unit. The Draft Fairview Specific Plan uses a simpler set of land use categories based on lot size and gross density, namely:

- 6 units per gross acre, or 5,000 SF
  - 5 units per gross acre, or 6,000 SF
  - 3 units per gross acre, or 10,000 SF
  - 1 to 5 units per gross acre
- 
- Issue: The relationship between the Specific Plan categories and zoning categories is unclear, and there are inconsistencies between the Zoning Map and the category definitions shown above. The references to “gross acreage” suggest a different standard than “minimum building site area”—which is effectively a “net acreage” standard. To avoid confusion, we might consider eliminating the gross acre references and relying on the square footage / “minimum building site area” standard.
  - Issue: There may be a need for another category in the bulleted list above corresponding to 20,000 SF lots. There are references to such a category in the Plan already (under setbacks, lot coverage, etc.), and there are parcels in Fairview zoned R-1-BE (20,000), but there is not a corresponding Specific Plan category.

- Issue: We may want to restore a “Medium Density” category to the Specific Plan rather than simply deleting the “Townhouse” category (as previously proposed). This would recognize existing land uses and avoid creating numerous non-conformities. Nearly one in five housing units in Fairview is a townhome or multi-family unit. The text can clarify that such densities will not be allowed in the future, but do currently exist and include about 600 housing units in Fairview.
- Issue: We should clarify the Committee’s position on planned developments (e.g., should future developers be encouraged to cluster the allowable number of housing units on a site on a small portion of the site and then preserve the remainder of the site as open space?)

### **3. Setbacks**

The existing setback standards could be onerous for owners of 5,000 and 6,000 square foot lots. A seven-foot side yard is required; this has implications for residents seeking to add on to their homes. The equivalent standard in most communities is five feet. Verify that a lesser setback is not desired.

### **4. Lot Coverage**

The existing lot coverage standards (e.g., the percentage of a lot that may be covered by structures) are as follows:

- Lots in the R1 (5,000 SF) and R1-BE (6,000 SF) Zoning Districts: 40%
- Lots in the R1-BE 10,000 SF and 20,000 SF Zoning Districts: 30%
- Lots in the R1-L-BE 1 acre and 5 acre Zoning Districts: 20%
- Issue: The Specific Plan should clarify if these percentages are based on net developable area or gross parcel area (it currently does not)
- Issue: Should a sliding scale based on lot area be considered, rather than absolute limits for lots that may vary greatly in size? (eg., the same standard currently applies to a 10,000 and 20,000 SF lot). Should R1-BE-10,000 and R1-BE 20,000 have different standards?

### **5. Open Space Requirements**

The existing Specific Plan requires that each parcel has at least 1,000 SF of useable open space located to the rear of the lot. Given that lot coverage standards already require that at least 60% of each parcel is uncovered by structures, we should discuss the value and intent of the open space standard (and then explain that in the text).

### **6. Floor Area Ratio Requirements**

The existing Specific Plan does not include Floor Area Ratio (FAR) requirements for Fairview properties. Per the feedback from the Steering Committee, we will be adding these to the Specific Plan. The Excel spreadsheet attached to this email includes the proposed standards. A property owner could exceed these standards through a Design Review process. The standards are loosely

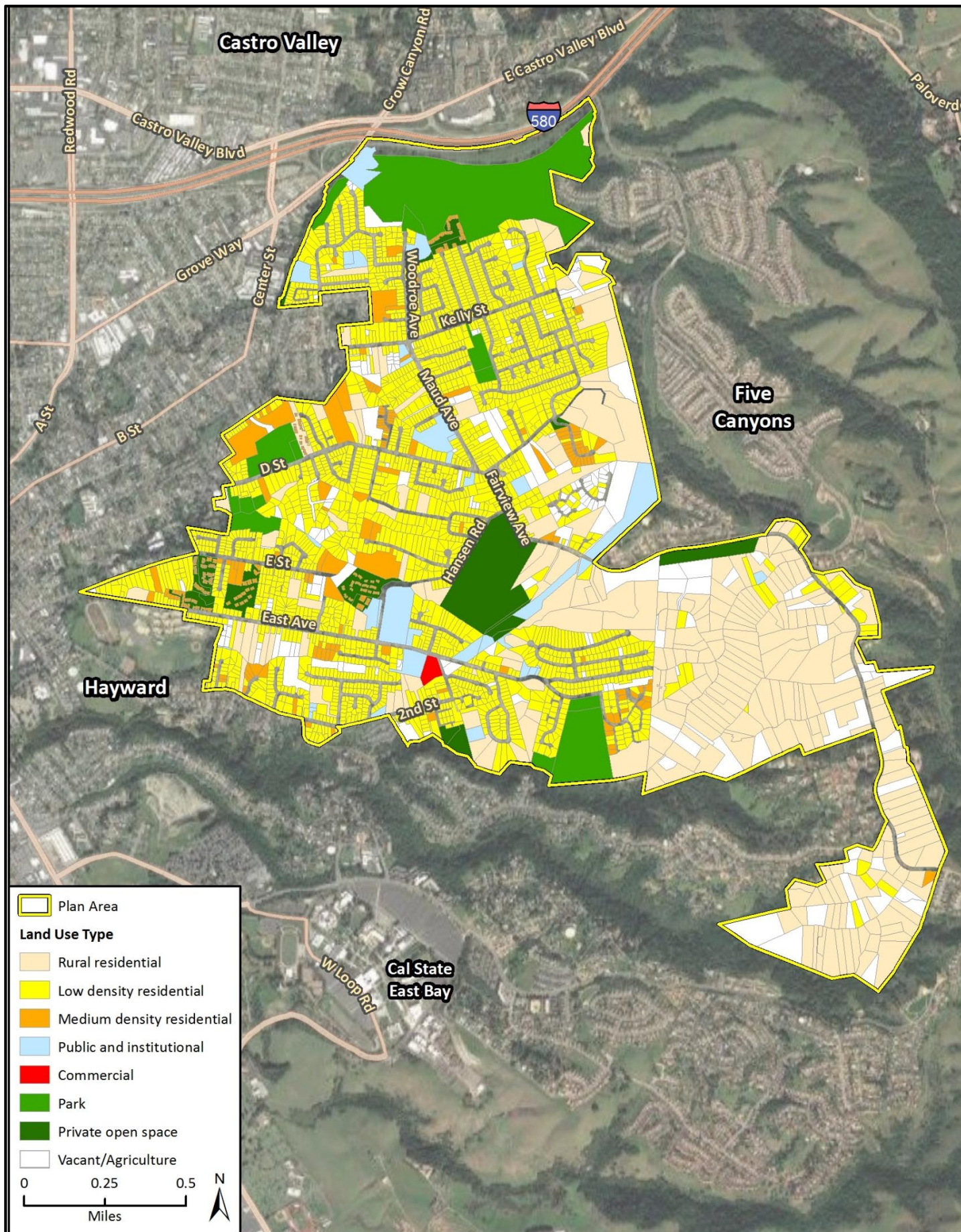
based on the standards adopted by several other communities in the Bay Area, although these have been uniquely tailored to Fairview. Steering Committee members will be asked to confirm that the standards are acceptable as proposed.

## **7. Accessory Dwelling Units**

The existing Specific Plan requires rezoning to “PD” (Planned Development) for accessory dwelling units (ADUs). This provision needs to be revised in light of new State laws and County regulations for ADUs. As of January 1, 2017, a local government’s ability to regulate ADUs that do not add habitable space to a property (e.g., units that are entirely in the footprint of the existing home) is now very limited. Regulation of ADUs that add floor space or result in new structures continues to be more discretionary, but requirements for parking, square footage, etc. may no longer be applied in some situations. Committee direction on this subject will be solicited at the meeting.

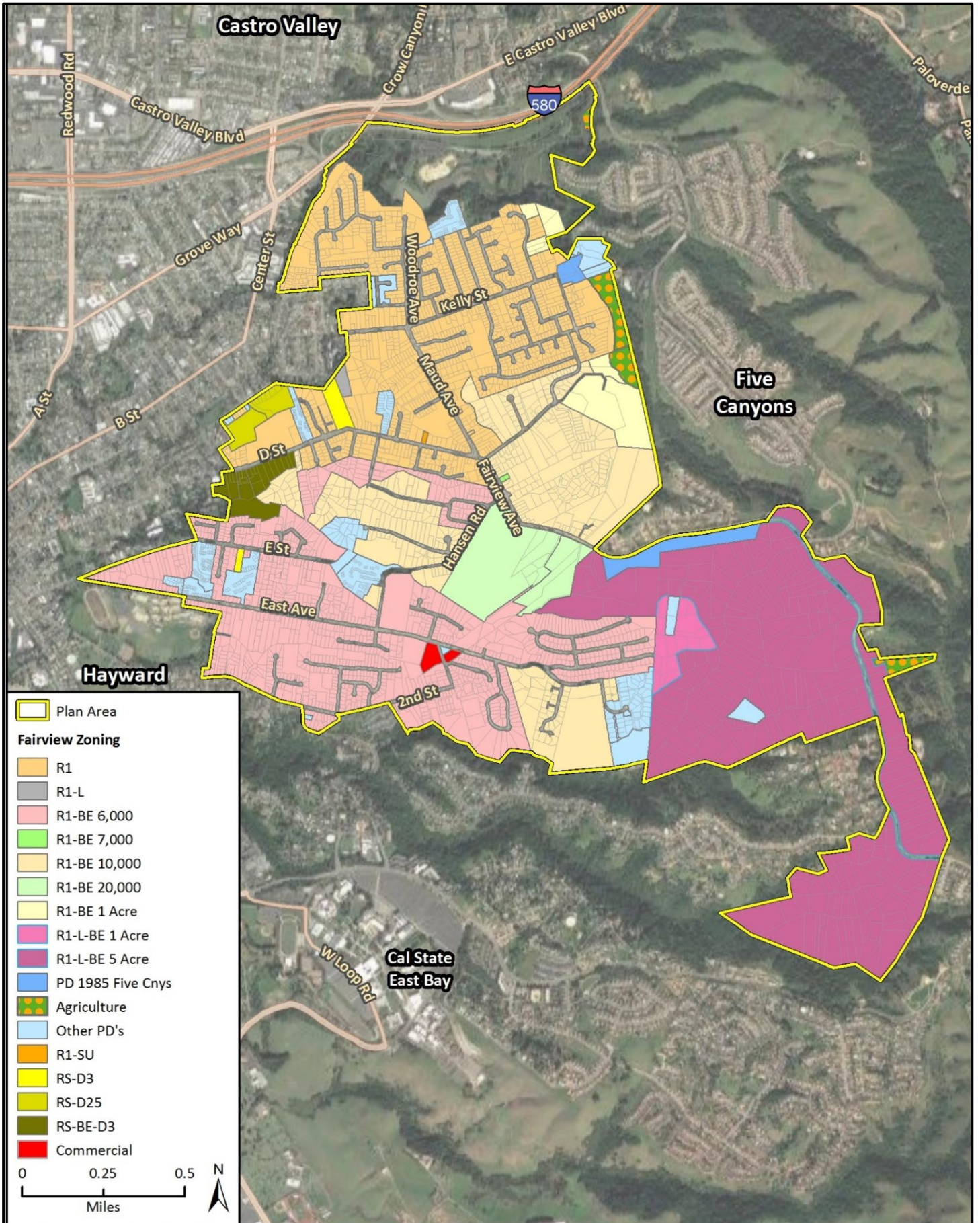
## **Zoning Map**

As noted in the meeting agenda (attached to this email), we will spend some time at the January 9 meeting discussing the existing Zoning Map for Fairview, and any changes that should be considered through the Specific Plan Update.



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 Additional data provided by USGS, 2017; Alameda County, 2017.

Figure 3-1: Existing Land Use



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 Additional data provided by USGS, 2017; Alameda County, 2017.

Figure 3-4: Existing Zoning



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Figure 6-1: Parks and Community Facilities



## Proposed Maximum Floor Area Ratio (FAR) on Fairview parcels (\*)

Lot Size	Maximum FAR
Smaller than 5,000 SF	0.55
5,000-9,999 SF	15% of lot area, plus 2000 SF
10,000 SF or larger	10% of lot area, plus 2500 SF

*Note: the FAR limits may be exceeded through a Design Review Process*

*Impacts of the FAR limits on lots of various sizes:*

### **Lot Area Maximum Habitable Floor Area (sq ft)**

3500	1925
4000	2200
5000	2750
6000	2900
7000	3050
8000	3200
9000	3350
10000	3500
11000	3600
12000	3700
13000	3800
14000	3900
15000	4000
16000	4100
17000	4200
18000	4300
19000	4400
20000	4500