

By 

**AN ORDINANCE ADDING CHAPTER 17.17 TO TITLE 17 OF THE ORDINANCE
CODE OF THE COUNTY OF ALAMEDA ESTABLISHING A ZONING DISTRICT FOR
THE DOWNTOWN SUNOL AREA**

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Chapter 17.17 is added to Title 17 of the Ordinance Code of the County of Alameda to read as follows:

Chapter 17.17

SD DISTRICT

Sections:

- 17.17.010 **Suñol Downtown District-Intent**
- 17.17.020 **Site development review – When required**
- 17.17.030 **Permitted uses**
- 17.17.040 **Conditional Uses – Board of Zoning Adjustments**
- 17.17.050 **Number of Dwelling Units**
- 17.17.060 **Building Site**
- 17.17.070 **Yards**
- 17.17.080 **Height of buildings**
- 17.17.090 **Other regulations**

17.17.010 Suñol Downtown District-Intent

The intent of the Suñol Downtown District, hereinafter designated as SD District, is to implement the provisions of the East County Area Plan to regulate and control development of combined residential and commercial uses on a building site within the downtown area of the community of Suñol so as maintain the economic viability of such uses to the greatest extent possible consistent with provisions of the East County Area Plan. The District is established to recognize the existence of established residential and commercial uses that have coexisted in the same neighborhood for many years and form a cohesive neighborhood of buildings that have had a history of mixed residential and commercial retail or small manufacturing uses, and the existence of buildings that may be historically significant.

17.17.020 Site development review – When required

Any structure one thousand (1,000) square feet or more or any construction aggregating one thousand (1,000) square feet or more, including reconstruction of damaged or destroyed structures, 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 Planning Commission, and the Planning Commission shall be the decision making body for the Variance. All Site Development Reviews shall go before the Sunol Citizens Advisory Committee or its successor body, as an advisory

body to either the Planning Director or the Planning Commission, and approval shall be subject to making the findings outlined in Section 17.17.040 below.

17.17.030 Permitted uses

The following principal uses are permitted in any SD District:

- A. Any principal use permitted in the R-1-B-40 District, Section 17.08.030 and Chapter 17.22, subject to the provisions of that District, except as may be modified by the provisions of this Chapter;

17.17.040 Conditional Uses – Planning Commission

In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are Conditional Uses in an SD District and may be permitted or expanded if approved by the Planning Commission as provided in Section 17.54.135 and 17.19.010:

- A. Any other uses listed as conditional in the R-1 District, Sections 17.08.040, subject to the provisions of that District.
- B. Alcohol Outlet
- C. Animal hospital
- D. Bank or lending institution
- E. Barber shop/beauty parlor
- F. Bed and breakfast establishment as defined in §17.30.170.F.2.a
- G. Blue print/copying
- H. Church
- I. Dental laboratory
- J. Events center
- K. Hotel, motel
- L. Indoor recreation facility
- M. Library
- N. Medical clinic
- O. Nursery
- P. Office
- Q. Parking lot
- R. Pharmacy
- S. Private clubhouse
- T. Public utility substation
- U. Repair shop
- V. Restaurant
- W. Retail store
- X. Service station Type A
- Y. Tailor
- Z. Tavern
- AA. Theater
- BB. On any parcel that meets the minimum building site requirement for this district and has frontage on a County road, residential units, up to a maximum density of one unit per each 8,000 square feet of lot area of the residential portion of the building site, disregarding any fraction, subject to design review by the Planning Commission as part of its review of the Conditional Use Permit to ensure consistency with the historic, architectural, and visual context of the Downtown Suñol Plan area. For purposes of this section, the residential portion of the building site shall be that part

of the building site not occupied by commercial uses, including accessory uses such as storage or parking.

In addition to the findings required under §17.54.135, the Planning Commission shall not approve a Conditional Use in the SD District unless it finds that the use (A) will have no growth inducing impacts on the community; (B) is consistent with the septic tank standards and policies of the Alameda County Environmental Health Department and Alameda County Flood Control and Water Conservation District Zone 7; (C) will have no impacts on the existing road system; (D) is consistent with the policies of the East County Area Plan as amended; (E) the design of the project is consistent with the historic, architectural, and visual context of the Downtown Sunol Plan area; and (F) has been reviewed by the Suñol Citizens Advisory Committee or its successor body. For commercial uses the Planning Commission shall make the additional finding that: (G) the number of parcels with commercial uses on them is no greater than fifty percent (50%) of the total parcels in the Downtown Suñol District. For additional residential units under BB. above, the Planning Commission shall make the following additional findings: (G) the Alameda County Environmental Health Department has provided a letter stating that the proposed total number of bedrooms in the project can be supported by an on-site septic system.

17.17.050 Number of Dwelling Units

Except for units allowed under Section 17.17.040.BB above, the number of dwelling units permitted on a building site in an SD District shall not exceed the number obtained by dividing the area in square feet of the residential portion of the building site by 40,000 square feet, disregarding any fraction. For purposes of this section, the residential portion of the building site shall be that part of the building site not occupied by commercial uses, including accessory uses such as storage or parking.

17.17.060 Building Site

Except for uses on lots legally created prior to [effective date of the ordinance], every use in an SD District shall be on a building site having a median lot width not less than fifty (50) feet, an area not less than forty thousand (40,000) square feet, and frontage on a County road. A corner building site shall have a median lot width of not less than sixty (60) feet

17.17.070 Yards – Commercial Development

The yard requirements for commercial development in SD Districts shall be as follows, subject to the general provisions of Section 17.52.330:

- A. Depth of front yard: none except when the frontage of the abutting lot is in residential use, there shall be a front yard having a depth not less than 10 feet.
- B. Depth of rear yard: none except when the rear of the abutting lot is in residential use, there shall be a rear yard having a depth not less than 10 feet.
- C. Width of side yard: none, except that where the abutting lot at the side is in residential use, there shall be side yard having a width not less than 5 feet.

17.17.080

Height of buildings

- A. No dwelling shall have a height of more than two stories, except as provided by Sections 17.52.090 and 17.08.100, nor shall any building or dwelling have a height in excess of twenty-five (25) feet except as provided by Section 17.52.090.
- B. No commercial structure shall have a height in excess of thirty-five (35) feet except as provided by Section 17.52.090.

17.17.090

Other regulations

Both residential and commercial uses are permitted on the same building site. Where this occurs, the residential uses must meet the standards set out in this chapter for residential uses and the commercial uses must meet the standards set out in this chapter for commercial uses. Unless otherwise specified in this Chapter, commercial uses shall conform to the development standards of Chapter 17.38 C-1 Districts or as the Planning Commission may modify them to be more restrictive.

SECTION II

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 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 July ~~22~~, 2008 by the following called vote:

AYES: 5
NOES:
EXCUSED:

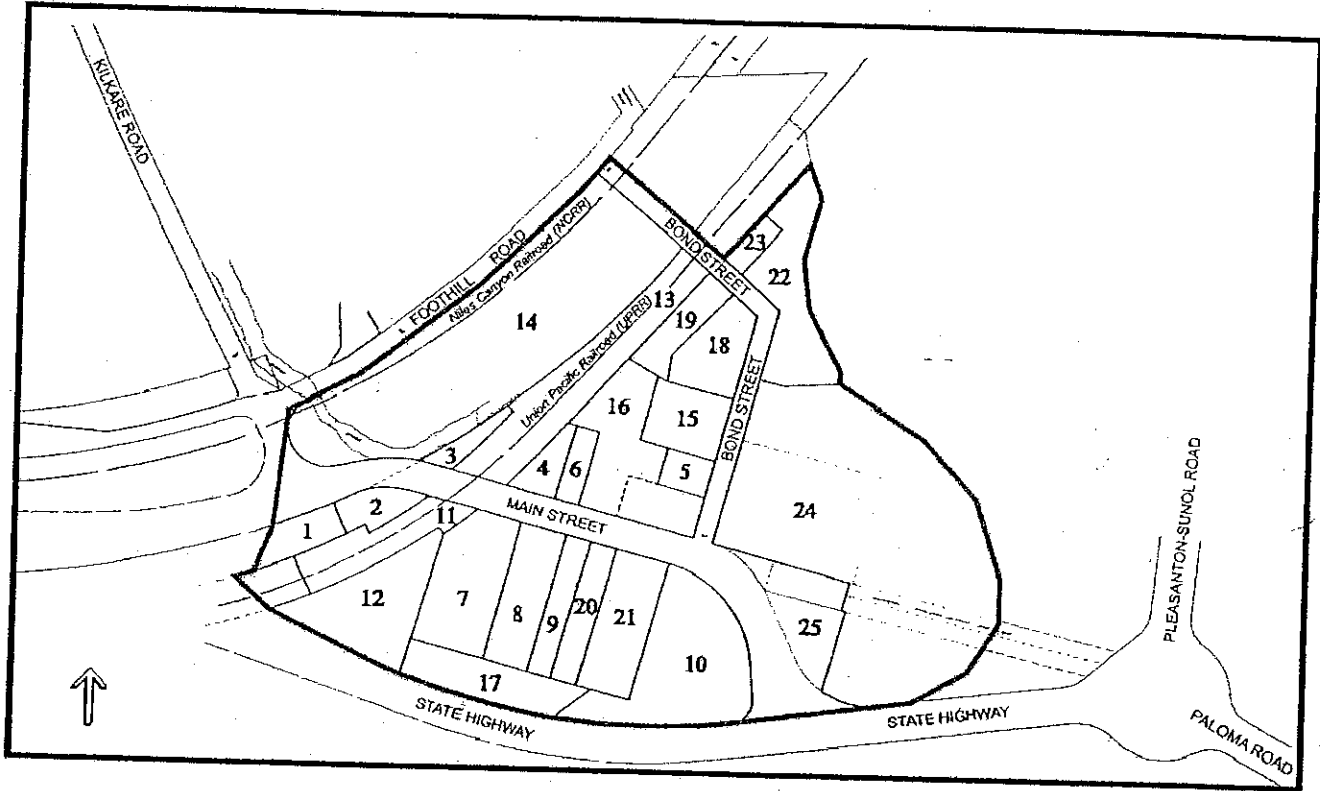


SCOTT HAGGERTY
President of the Board of Supervisors
County of Alameda, State of California

ATTEST: CRYSTAL K. HISHIDA, Clerk
of the Board of Supervisors, County of Alameda

By Karonda D. [Signature], Deputy

ATTACHMENT A PROJECT AREA



ASSESSOR'S PARCEL NUMBERS

1	96-0140-002-01	10	96-0140-015-00	19	96-0140-023-00
2	96-0140-003-03	11	96-0140-016-01	20	96-0140-024-00
3	96-0140-004-00	12	96-0140-016-03	21	96-0140-025-00
4	96-0140-007-02	13	96-0140-017-00	22	96-0155-001-00
5	96-0140-008-00	14	96-0140-018-00	23	96-0155-003-02
6	96-0140-010-00	15	96-0140-019-00	24	96-0155-004-01
7	96-0140-011-00	16	96-0140-020-00	25	96-0155-005-00
8	96-0140-012-00	17	96-0140-021-02		
9	96-0140-013-00	18	96-0140-022-00		

ATTACHMENT 2
PROPOSED GENERAL PLAN LANGUAGE

Sunol Downtown: allows Low Density Residential (single-family residential would be allowed by right) development as defined in this Plan; Medium Density Residential as defined in this Plan except that the maximum density shall be 5.5 units to the acre; as well as a variety of offices; and neighborhood and retail commercial uses (as defined in the SD District of the Ordinance) through the Conditional Use Permit process. Uses may be combined on one parcel, and current land uses may be changed within the parameters of this designation. *This designation allows a maximum building intensity of .1 FAR (including both commercial and residential buildings) on parcels on which commercial uses are located. Existing residential buildings may be converted to commercial uses on parcels where existing development exceeds .1 FAR if all other requirements for commercial development can be met.*

