

Housing Policy Department
Received on:

MAR 26 2014



Department of Housing and Community Development ANNUAL HOUSING ELEMENT PROGRESS REPORT

City or County Name: County of Alameda

Mailing Address: 224 West Winton Avenue, Room 111, Hayward, CA 94544

Contact Person: Angela Robinson Piñon Title: Senior Planner

Phone: (510) 670-6504 FAX: (510) 785-8793 E-mail: angela.robinsonpinon@acgov.org

Reporting Period by Calendar Year: from January 1, 2013 to December 31, 2013

These forms and tables, (see sample – next page) must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1, of each year for the prior calendar year; submit separate reports directly to both HCD and OPR (Government Code Section 65400) at the addresses listed below:

Department of Housing and Community Development
Division of Housing Policy Development
P.O. Box 952053
Sacramento, CA 94252-2053

-and-

Governor's Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

MAR 26 2014

**REPORT TO THE
ALAMEDA COUNTY BOARD OF SUPERVISORS
2013 GENERAL PLAN ANNUAL PROGRESS REPORT**

PURPOSE OF REPORT

The intent of this report is to demonstrate the County's compliance with the requirements of Government Code Section 65400 which mandates the County to prepare an annual report on the status of the General Plan and progress in its implementation. This report will cover the County's development related activities in 2013. A copy of this report must be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD). Providing a copy to HCD fulfills a statutory requirement to report certain housing information, including the County's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing, as defined in Government Code Sections 65584 and 65583(c)(3).

GENERAL PLAN STATUS

The Alameda County Planning Department serves the unincorporated area of Alameda County, an area of roughly 443 square miles. The unincorporated area is a highly diverse and complex planning environment, necessitating a creative approach to planning. Consequently, the General Plan has several components to address the varied needs of county residents and to address the full range of urban, suburban and rural land use issues facing the County. One way the General Plan addresses complex countywide issues is to encourage infill development in existing urban areas near existing transportation infrastructure via the County's Density Bonus Ordinance and Density Variable Zoning District. By promoting infill development the County wishes to protect open space, by reducing the impacts of sprawl, and to reduce Greenhouse gas emissions by single occupant vehicles.

The Alameda County General Plan consists of several documents which together fulfill the requirements for the seven state-mandated general plan elements. Three area plans contain land use and circulation elements for their respective geographic areas, as well as area specific goals, policies and actions for circulation, open space, conservation, safety, and noise. The Eden Area comprises the communities of Ashland, Cherryland, Hayward Acres, San Lorenzo, and Fairview. The Castro Valley Area includes the Castro Valley urban area and the surrounding canyonlands. The remaining unincorporated area makes up the East County. In 2000, the voters of Alameda County approved Measure D, a ballot initiative that significantly revised the East County Area Plan and imposed an Urban Growth Boundary in Eastern Alameda County. The countywide Housing, Conservation, Open Space, Noise, Safety, and Scenic Route Elements contain goals, policies, and actions that apply to the entire unincorporated area.

Supplemented by background information, analysis and policy statements, the following Elements and Plans comprise the comprehensive General Plan for the County:

- Safety Element, adopted January 2013 and amendments pending February 2014
- Castro Valley Plan, adopted March 2012
- Alameda County Housing Element, adopted April 2011
- Eden Area General Plan, adopted March 2010
- East County Area Plan, adopted May 1994; modified by voters through Measure D, November, 2000, codified by Board of Supervisors May, 2002

- Open Space Element, adopted May 1973, and amended May 1994
- Conservation Element, adopted January 1976, and amended May 1994
- Noise Element, adopted January 1976, and amended May 1994
- Park and Recreation Element, adopted June 1956, and amended May 1994
- Scenic Route Element, adopted May 1966, and amended May 1994

The Planning Department is currently in the process of updating the Alameda County General Plan in compliance with Government Code Sections 65300.7, 65301 and 65302. This multi-year planning effort is intended to reflect changing demographics, growth, and infrastructure conditions in the County. It includes a review of critical policy areas, and preparation of associated environmental reports in compliance with California Environmental Quality Act (CEQA) requirements.

The following sections describe the County's progress on updating its General Plan:

Resource Conservation, Open Space, and Agriculture Elements (ROSA)

The County is in the process of revising its Resource Conservation and Open Space Elements; and is developing a new optional Agriculture Element to the General Plan. These combined countywide elements will be known collectively as ROSA and will supersede the existing Conservation, Open Space, Park and Recreation, and Scenic Route Elements. Adoption of ROSA is expected to take place in 2014.

Community Health and Wellness Element

The Alameda County Community Development Agency and Department of Public Health have partnered to develop the Community Health and Wellness Element which is a project of the Eden Area Livability Initiative (EALI). The Element will cover the Ashland and Cherryland communities of Alameda County and will address how policies can be revised to support public health, social equity, and environmental justice.

Phase I of the EALI process identified improving community health as a key goal. Through the Community Health and Wellness General Plan Element process, the Ashland and Cherryland community members will examine factors that affect their social and physical well-being, including physical activity, healthy food, bicycle and pedestrian safety, air quality, healthy housing, preventive health care, homelessness, public safety, and others.

Safety Element

In January 2013, the Board of Supervisors adopted a comprehensive revision to the countywide Safety Element. This Element includes descriptive information, analysis and policies pertaining to geologic, seismic, flood and fire hazards within the County. The focus of the Safety Element is to minimize human injury, loss of life, property damage, and economic and social dislocation due to natural and human-made hazards. The policies included in this Element set forth general and broad goals, policies and implementation actions that are intended to provide more specific direction to current and future actions undertaken by the public and private sectors.

In October 2007, Governor Schwarzenegger signed Assembly Bill (AB) 162, which strengthens flood protections in California by requiring jurisdictions to update, upon the next revision of the mandatory Housing Element, flood-related information in its General Plan, including but not limited to applicable sections of the Conservation Element, Housing Element, Safety Element, and the Land Use Element. Pursuant to Senate Bill (SB) 5 (2007), the California Department of Water Resources (DWR) and Central Valley Flood Protection Board (formerly State Reclamation Board) are required to prepare and adopt a

Central Valley Flood Protection Plan (CVFPP) by 2012. The CVFPP only applies to those areas within the Sacramento-San Joaquin Valley. Upon adoption of the CVFPP, Alameda County has 24 months to incorporate CVFPP measures into its General Plan. Those amendments shall be completed in February 2014.

Housing Element Update (2009-2014)

The Board of Supervisors adopted a comprehensive revision to the Housing Element in March of 2010. The adopted element was sent to the State Department of Housing and Community Development (State HCD) for review and certification; however, State HCD would not certify the document pending several revisions. On February 17, 2011, the County was notified that the proposed revisions to the Housing Element were sufficient to comply with housing element law. Based upon that notification, an amendment to the Housing Element was approved by the Board on April 12, 2011, and was transmitted to State HCD for certification. Certification from State HCD was received on April 29, 2011. In 2012, the County adopted several amendments to its Zoning Ordinance as part of the implementation of the Housing Element. Staff shall begin preparation of the next Housing Element in 2014.

Castro Valley Area General Plan

In March 2012, the Castro Valley General Plan was approved by the Board of Supervisors. All Plan documents can be viewed at <http://www.acgov.org/cda/planning/generalplans/index.htm>. Plan implementation is ongoing.

Eden Area General Plan

In March 2010, the Eden Area General Plan was adopted by the Board of Supervisors. All Plan documents can be viewed at <http://www.acgov.org/cda/planning/generalplans/index.htm>. Implementation of the Plan is ongoing. The Table in Attachment F lists each action for which implementation has been completed or is in progress.

Community Climate Action Plan

The Community Climate Action Plan (CAP) is a proposed amendment to the County's General Plan that addresses the County's goals to reduce greenhouse gas emissions and vehicle miles traveled in accordance with Assembly Bill 32 and Senate Bill 375. The Board of Supervisors voted to accept the final version of the plan in June of 2011. In 2013, staff prepared and circulated the Negative Declaration for the CAP, and the Board of Supervisors will be asked to adopt the Negative Declaration and amend the General Plan to incorporate the CAP in 2014.

East County Area Plan (ECAP)

In 2011, the County began the process of developing policies pertaining to their siting of utility-scale solar facilities to be incorporated into the ECAP. These policies are in response to interest expressed by several solar companies in locating large facilities in the rural East County. These policies are expected to be adopted in 2014.

HOUSING ELEMENT IMPLEMENTATION

The Housing Element contains a broad array of programs with specific time frames for implementation. Many programs are implemented by other agencies; therefore, the actual program work may vary from the original target completion dates. Attachment A summarizes the County's housing program implementation activities for 2013. Attachment D contains a list of all amendments to the County's General Plan and Zoning Ordinance in 2013, and Attachment E contains the text of Zoning Ordinance amendments related to the County's Housing Element.

Housing Element Reporting Requirements

Reporting Overview

The County is required to report certain housing information in accordance with State Housing Element Law (Government Code Sections 65583 and 65584) and the State HCD's housing element guidelines in reporting the County's progress toward meeting regional housing needs.

The Association of Bay Area Governments (ABAG) has determined that total housing construction need for the unincorporated area of Alameda County is 2,167 housing units for the current planning period of 2007-2014, an annual average of 310 units. This level of construction is deemed necessary by the State to meet both the housing needs of projected growth during the period, and to make up for current housing deficiencies of existing residents. This housing need is further segmented into four broad income categories: Very-low income (536 units), low income (340 units), moderate income (400 units), and above-moderate income (891 units).

Table 1 identifies the housing units for which permits were issued from January 1, 2013 through December 31, 2013, as compared to the unincorporated County's share of regional housing needs by income level for the Housing Element period. According to the table, the number of additional dwelling units needed during the remaining period January 1, 2013 – June 30, 2014 is 1,269, or roughly 59 percent of the Regional Housing Needs Assessment (RHNA) allocation.

From January 1, 2013 to December 31, 2013, the Department of Public Works (DPW), Building Inspections Division (BID) permitted 106 dwelling units. A summary of residential building permits issued during that time period is included as Attachment B. These units have the following income distribution: 85 very low income units, 2 low income units, 14 moderate income unit, and 7 above moderate income units.

Table 1- Units Completed/Permitted by Affordability Level 2007-2013

Building/Project Type	Total Units	Units by Income Level			
		Very Low	Low	Moderate	Above Moderate
Single Family Residences	21			14	7
Two – Four Unit Buildings					
Affordable Housing	85	85			
Multifamily (5 or more units)					
Second Units/Mobilehomes	2		2		
Substantial Rehabilitation					
RHNA Credits, 2013	108	85	2	14	7
RHNA Credits, 2007-2012	792	221	260	146	165
Total RHNA Credits, 2007-2013	900	306	262	160	172
RHNA	2,167	536	340	400	891
Remaining RHNA	1,267	230	78	240	719

Source: ABAG, *Regional Housing Needs Assessment, 2007*; Alameda County Department of Public Works, Building Inspections Division for the number of dwelling units assumed to be constructed during the period January 1, 2013-December 31, 2013. Income categories based on a household of four members and the area median income, which is annually revised by the U.S. Dept. of Housing and Urban Development.

Moderate Income Determination

Sales data from the Alameda County Assessor's office for the period of January 1, 2013 through December 31, 2013 indicates that the median price of a new residential dwelling in the urban unincorporated areas¹ is \$413,000. A home with a \$413,000 price may be affordable to moderate income household (up to 120% of the area median income) of four earning \$107,050.² A housing expense is generally considered affordable when less than 30 percent of a household's gross income is used for housing.³ Contained within Attachment C are the income limits calculated annually by the Department of Housing and Urban Development (HUD). These income limits are also used by the County to determine housing affordability. The mortgage for a \$413,000 home financed over 30 years at 4.115⁴ percent interest with a down payment of 10% would cost \$1,799.28 per month.⁵ On average property taxes, private mortgage insurance, homeowner's insurance, and maintenance adds approximately one-fourth of the mortgage expense, which in this case would add \$449.82 to the total housing expense. So the total housing cost could be estimated at \$2,249.10. For a household of four earning \$107,050 a year, 30 percent of their gross monthly income would be \$2,676.25; thus a median priced home would be affordable to a moderate income household.

The median sale price appears to have been affected by the number of foreclosures of existing and newly constructed homes. Nearly half of the new homes sold for \$413,000 or less than a price that could be considered affordable to a moderate income household. The previous annual report for 2012 stated that the median sales price in the urban unincorporated areas was \$397,000. When compared to the median price of a new home in 2012, a new home would be expected to sell for 4.03% (or \$16,000) more. The County has chosen to use this analysis as the basis for its estimates of the affordability of dwelling units within the unincorporated area. Based upon this analysis and information obtained from the Building Inspection Division, staff has concluded that thirteen of the recently permitted market rate dwellings/units would be considered affordable to a moderate income household.

Affordable Housing Developments

The Alameda County Housing and Community Development Department and the Redevelopment Successor Agency both provide financial support to affordable housing developments within the unincorporated areas. In 2012, two new commitments of funding for new large multi-family apartment projects were made. The first of these projects is the Ashland Family Apartments, a proposed 85 unit multi-family dwelling. The second of these is for the Senior Housing in the San Lorenzo Community. In 2012, over \$28,000,000 was allocated to these projects. In 2013, entitlements were granted to the Ashland Family Apartments, and the application is pending for the development in San Lorenzo.

Second Unit/ Mobilehome Construction

One mobilehome and one secondary unit were permitted or constructed during this time period. Due to their costs to develop, and small size relative to other types of projects, staff has determined that these projects may be affordable to lower income households. Although it is not required that these units be rented, these secondary units are similar in size to studio or one bedroom apartments. Current market rent for studio and one bedroom apartments in the area range from \$850.00 - \$1,500.00.⁶ In addition, mobilehomes have long served as a source of affordable housing particularly for those in the agricultural community. These units are also likely to be affordable to low income households. A two person household earning 80% of the area median income, or \$51,550 would qualify as low income. At that

1 Any dwelling unit whose effective year of construction was 2009-2013.

2 Income data is from HUD for the Oakland-Fremont Metropolitan Area (2013).

3 This definition of affordable housing was provided in the California Department of Housing and Community Development publication, Building Blocks for Effective Housing Elements: Housing Needs-Overpayments and Overcrowding.

4 The median interest rate in 2013.

5 Staff used a mortgage calculator available at Bankrate.com

6 craigslist.org, January 21, 2014

level, a rent of \$1,288.75, or 30 percent of their gross monthly income would be considered affordable. Therefore, the average rents charged in the area for a one bedroom or studio apartment would be considered affordable to a low income household.

Substantial Rehabilitation, Conversion, and Preservation of Affordable Housing Stock

The Alameda County Housing and Community Development Department (County HCD) and the Redevelopment Successor Agency both provide financial support to affordable housing developments within the unincorporated areas. In 2013, no new commitments of funding for large preservation or rehabilitation projects were made. However, there may be projects in 2014. Through the Neighborhood Stabilization Program administered by County HCD, fourteen single family homes have been purchased, rehabilitated and sold to households at 120% of AMI. These homes were blighted and foreclosed upon, and have been returned to the market. In addition, the County's Neighborhood Preservation and Sustainability Department oversaw the Single Family Rehabilitation Loan; Curb Appeal; Accessibility Improvement; and the Emergency Minor Home Repair programs.

SUMMARY

The annual report provides information on the status of the County's General Plan and progress toward its implementation. This report also complies with the requirements of State law regarding the preparation and submission of General Plan annual reports. The Planning Department will keep you informed in the upcoming months of the County's progress in implementing the major programs discussed in this report. Attachments:

- A. 2013 Housing Programs Progress Report
- B. 2013 Building Data
- C. 2013 HUD Income Limits
- D. Zoning Ordinance and General Plan Amendments Approved in 2013
- E. Text of Approved Zoning Ordinance Amendments Pertaining to the County's Housing Element
- F. Eden Area Plan Implementation Matrix

ATTACHMENT A- 2013 HOUSING PROGRAMS PROGRESS REPORT

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element. (Government Code Section 65583.)

Program	Key Objectives	Timeframe	Responsible Agency	Program Status
<i>Provide Adequate Sites</i>				
Residential Sites Inventory	<ul style="list-style-type: none"> Continue to provide adequate sites to accommodate the County's RHNA of 2,167 units. 	2009-2014	CDA-Planning	Revised as a part of the Housing Element Update. Please refer to Appendix A of the Adopted Housing Element.
Web Based Zoning and Planning Information	<ul style="list-style-type: none"> Provide a centralized, accessible, web based zoning and planning data 	2010	CDA-Planning	In process. Staff must verify the accuracy of the data before it can be made public.
Annual Progress Report	<ul style="list-style-type: none"> Prepare an annual report for submission to State HCD 	2009-2014	CDA-Planning	This document satisfies the requirement.
<i>Assist in the Development of Affordable Housing</i>				
Inclusionary Zoning Ordinance	<ul style="list-style-type: none"> Investigate the feasibility of an Inclusionary Zoning Ordinance. Recommend parameters of an inclusionary Zoning Ordinance 	2011	CDA-Planning	In June 2008, The Alameda County Community Development Agency executed a contract with Vernazza Wolfe and Associates to develop an inclusionary zoning study. This project was halted due to the Recession and resulting reduction in housing production. Several court decisions (such as <i>Palmer/Sixth Street Properties v. City of Los Angeles</i>) have brought into question the legality of Inclusionary Zoning ordinances in California. As a result, the County believes that such an Ordinance is infeasible barring action at the State level. No further action will be taken with respect to this item.

ATTACHMENT A- 2013 HOUSING PROGRAMS PROGRESS REPORT

Program	Key Objectives	Timeframe	Responsible Agency	Program Status
Density Bonus Program	<ul style="list-style-type: none"> Revise Chapter 17.56 of the Municipal Code Create brochures and other materials necessary to promote the County's Density Bonus Program to developers. 	2010	CDA-Planning	In 2012, the County revised in Density Bonus Ordinance to fully comply with State law.
Secondary Units	<ul style="list-style-type: none"> Promote the Secondary Unit Program to increase public awareness 	Ongoing	CDA-Planning	Staff continues to provide technical assistance to the public. The County will review the Zoning Ordinance to ensure consistency with State law in 2013.
EveryOne Home	<ul style="list-style-type: none"> Prevent homelessness and other housing crises. Increase housing opportunities for the plan's target populations. 	Through 2020	BHCS; CDA-HCD; PHD-OAA; SSA; and the CoC	Participating agencies meet regularly to coordinate efforts.
HIV/AIDS Housing and Services	<ul style="list-style-type: none"> Address the housing and needs of low income people with HIV/AIDS and their families. 	Ongoing	CDA-HCD and the PHD-OAA	Efforts to provide assistance to low-income persons with HIV/AIDS are ongoing. Funded services include: Affordable housing development, tenant-based rental assistance, short-term housing and housing placement.
First Time Homebuyer Resources	<ul style="list-style-type: none"> Provide resources for first time homebuyers 	Ongoing	CDA-HCD	CDA-HCD continues to provide resources to first time homebuyers.
Mortgage Credit Certificate	<ul style="list-style-type: none"> Assist 40 county-wide (5-7 in the unincorporated County) low and moderate income first time homebuyers in the unincorporated areas. 	Ongoing	CDA-HCD	CDA-HCD continues to administer Alameda County's Mortgage Credit Certificate Program.

ATTACHMENT A- 2013 HOUSING PROGRAMS PROGRESS REPORT

Program	Key Objectives	Timeframe	Responsible Agency	Program Status
Section 8 Housing Programs	<ul style="list-style-type: none"> • Provide rental assistance to 600 extremely low and very low income households in the unincorporated areas during the planning period. 	Ongoing	HACA	Assistance to qualified applicants is ongoing.
Family Self Sufficiency Program (FSS)	<ul style="list-style-type: none"> • Assist 20 Section 8 recipients in the unincorporated areas to achieve self-sufficiency during the planning period. 	Ongoing	HACA	Assistance to qualified applicants is ongoing.
Affordable Housing Development	<ul style="list-style-type: none"> • Identify and complete between four to six new affordable housing projects during the planning period 	Ongoing	CDA-HCD and the RDA	The Alameda County Housing and Community Development Department and the Successor to the Redevelopment Agency both provide financial support to affordable housing developments within the unincorporated areas. Currently there are two projects planned within the unincorporated areas: Ashland Family Apartments and San Lorenzo Senior Housing.
<i>Address Governmental Constraints</i>				
Ordinance Review Committee	<ul style="list-style-type: none"> • Periodically review proposed changes to the Alameda County Zoning Ordinance to ensure consistency with the Housing Element law and State and Federal fair housing laws. • Ensure that County regulations do not unnecessarily constrain housing development 	Ongoing	CDA-Planning	The Ordinance Review Advisory Committee (ORAC) did met in 2012 to review several amendments to the County's Zoning Ordinance necessary to implement the Housing Element.
Design Guidelines	<ul style="list-style-type: none"> • Establish design review guidelines for new construction and redevelopment projects in the County. 	2010	CDA-Planning	The Design Guidelines project was initiated in 2008. The project is ongoing and final recommendations are expected in 2014.

ATTACHMENT A- 2013 HOUSING PROGRAMS PROGRESS REPORT

Program	Key Objectives	Timeframe	Responsible Agency	Program Status
<i>Conserve and Improve Existing Affordable Housing Stock</i>				
Minor Home Repair	<ul style="list-style-type: none"> Assist 290 lower income households over the planning period. 	Ongoing	CDA- Construction, HCD and RDA	This program continues to serve Alameda County residents. It is currently overseen by the Neighborhood Preservation and Sustainability Department.
Accessibility Grants	<ul style="list-style-type: none"> Assist 17 households over the planning period. 	Ongoing	CDA- Construction, HCD and RDA	This program continues to serve Alameda County residents. It is currently overseen by the Neighborhood Preservation and Sustainability Department.
Curb Appeal/Paint Grants	<ul style="list-style-type: none"> Assist 116 lower income households over the planning period. 	Ongoing	CDA- Construction, HCD and RDA	This program continues to serve Alameda County residents. It is currently overseen by the Neighborhood Preservation and Sustainability Department.
Rehabilitation Loans	<ul style="list-style-type: none"> Assist 56 homeowners during the planning period 	Ongoing	CDA- Construction, HCD and RDA	This program continues to serve Alameda County residents. It is currently overseen by the Neighborhood Preservation and Sustainability Department.
Foreclosure Prevention	<ul style="list-style-type: none"> Provide up to date information about avoiding and dealing with foreclosure. 	Ongoing	CDA-HCD	HCD continues to provide links on their website to foreclosure prevention resources.
Graffiti Abatement	<ul style="list-style-type: none"> Provide removal of graffiti from commercial, residential, and public properties. 	Ongoing	RDA	In 2012, the Successor to the Redevelopment Agency currently partners with the Public Works Agency to provide a graffiti abatement program to assist in elimination of graffiti. This program was carried over from the former Redevelopment Agency; however, it has yet to be determined if and at what level this program will be funded in the future.

ATTACHMENT A- 2013 HOUSING PROGRAMS PROGRESS REPORT

Program	Key Objectives	Timeframe	Responsible Agency	Program Status
Neighborhood Stabilization Program (NSP)	<ul style="list-style-type: none"> • Purchase and rehabilitate 25 foreclosed properties during the planning period. 	2009-2014	CDA-HCD	Through the Neighborhood Stabilization Program, 14 single family homes have been purchased, rehabilitated and sold to households at 120% of AMI. These homes were blighted and foreclosed upon, and have been returned to the market.
Lead Based Paint Program	<ul style="list-style-type: none"> • Prevent childhood lead poisoning and other health-related environmental problems 	Ongoing	ACLPPP (now Healthy Homes)	ACLPPP continues to provide assistance to property owners, tenants, and contractors on lead poisoning prevention.
Code Enforcement	<ul style="list-style-type: none"> • Continue to enforce applicable sections of the Alameda County Ordinance and related land use regulations 	Ongoing	CDA-Planning, Code Enforcement Division	The Code Enforcement Division continues to investigate complaints relating to the Neighborhood Preservation, Junk Vehicle and Zoning Ordinances.
<i>Preserve Affordable Housing at Risk of Conversion</i>				
Preservation of At Risk Housing	<ul style="list-style-type: none"> • Maintain a database of subsidized housing units in order to monitor the status of units at risk of conversion • Pursue funding from private, State and Federal programs to assist in preserving at risk housing 	Ongoing	CDA-HCD and RDA	Staff continues to maintain the database of at risk units, and continues to pursue funding to support affordable housing preservation.
Condominium Conversion	<ul style="list-style-type: none"> • Continue to enforce the Condominium Conversion Guidelines 	Ongoing	CDA-Planning, PWA-Development Services	There were no Condominium Conversions approved in 2013.

ATTACHMENT A- 2013 HOUSING PROGRAMS PROGRESS REPORT

Program	Key Objectives	Timeframe	Responsible Agency	Program Status
<i>Promote Equal Housing Opportunities</i>				
Fair Housing Services	<ul style="list-style-type: none"> Reduce housing discrimination through the provision of fair housing and landlord/tenant services 	Ongoing	CDA-HCD	HCD continues to provide funding to support fair housing counseling and mediation services.
<i>Environmental Sustainability</i>				
Green Building Ordinance	<ul style="list-style-type: none"> Adopt and enact a Green Building Ordinance 	2009	CDA-Planning	The Ordinance was adopted by the Board of Supervisors in 2009.
Climate Action Team/Action Plan	<ul style="list-style-type: none"> Develop a climate action plan in 2010 Convene countywide events to discuss and disseminate information about the causes of climate change and strategies to reverse its affects 	Ongoing	Alameda County Services Agency (GSA), Public Works Agency (PWA), and Stopwaste.org	The County adopted the Community Climate Action Plan in 2011. However, additional work s needed before it can be integrated into the County's General Plan. This process shall be completed in 2014.
StopWaste.org	<ul style="list-style-type: none"> Provide strategic planning, research, education and technical assistance to the public, businesses and local governments on waste reduction 	Ongoing	StopWaste.org	Stopwaste.org is active in efforts to reduce waste throughout the County.
Mixed Use and Transit Oriented Developments	<ul style="list-style-type: none"> Develop programs to promote mixed use and transit oriented developments Investigate incentives to support mixed use and transit oriented developments 	Adopt Plans in 2009; program development 2010	CDA-Planning	In process. The Eden Area Plan was approved in March 2010 and he Castro Valley Plan was adopted in March 2012. Staff is now focused on implementing these two plans. In addition, the County will be revising its Ashland Cherryland Business District Specific Plan. The plan area contains a significant number of parcels zoned for mixed uses and with access to public transit.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202.)

Jurisdiction County of Alameda
Reporting Period 1/1/2013 - 12/31/2013

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

1	2	3	4			5	5a	6		7	8
			Very Low-Income	Moderate-Income	Above Moderate-Income			Assistance Programs for Each Development	Deed Restrictions		
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes			Total Units per Project	Est. # Infill Units*	See Instructions	See Instructions	Deed Restricted Units	Notes below the number of units determined to be affordable without financial or deed restrictions, and attach an explanation how the jurisdiction determined the units were affordable. Refer to Instructions.
BLD2012-01438	MH	O		1		1					See narrative.
BLD2012-00277	SU	O		1		1					See narrative.
(9) Total of Moderate and Above Moderate from Table A3			▶	▶	▶	▶	▶				
(10) Total by income Table A/A3			▶	▶	▶	▶	▶				
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction County of Alameda
 Reporting Period 1/1/2013 - 12/31/2013

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes			TOTAL UNITS	(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Externally Low-Income*	Very Low-Income	Low-Income		
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

No. of Units Permitted for Moderate	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of Infill units*
	14						14
No. of Units Permitted for Above Moderate	7					7	7

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction County of Alameda
Reporting Period 1/1/2013 - 12/31/2013

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level	Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	Year 8	Year 9	Total Units to Date (all years)	Total Remaining RHNA by Income Level
	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed	199	22						85			306	230
	Restricted Non-deed restricted	536											
Low	Deed	151	85									236	78
	Restricted Non-deed restricted	340	3	3	4	3	3	2				26	
Moderate	Deed												240
	Restricted Non-deed restricted	400	64	15	20	1	45	1	14			160	
Above Moderate		98	36	14	7	2	2	8	7			172	719
Total RHNA by COG. Enter allocation number:		520	161	37	12	50	12	12	108			900	1,267
Total Units													
Remaining Need for RHNA Period													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

C

C

C

1
2

FY 2013 Income Limit Area	Median Income	FY 2013 Income Limit Category	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Oakland- Fremont, CA HUD Metro FMR Area	\$89,200	Extremely Low (30% AMI)	\$18,750	\$21,400	\$24,100	\$26,750	\$28,900	\$31,050	\$33,200	\$35,350
		Very Low (50% AMI)	\$31,250	\$35,700	\$40,150	\$44,600	\$48,200	\$51,750	\$55,350	\$58,900
		Low (80% AMI)	\$45,100	\$51,550	58,000	\$64,400	\$69,600	\$74,750	\$79,900	\$85,050
		Median (100% AMI)	\$62,500	\$71,400	\$80,300	\$89,200	\$96,400	\$103,500	\$110,700	\$117,800
		Moderate (120% AMI)	\$75,000	\$85,680	\$96,360	\$107,040	\$115,680	\$124,200	\$132,840	\$141,360

Source: HUD User Data



ZONING ORDINANCE AND GENERAL PLAN AMENDMENTS APPROVED IN 2013

Safety Element of the Alameda County General Plan

The focus of the Safety Element is to minimize human injury, loss of life, property damage, and economic and social dislocation due to natural and human-made hazards. The Safety Element includes descriptive information, analysis and policies pertaining to geologic, seismic, flood and fire hazards within the County. The Board adopted the amendment on January 8, 2013.

Scenic Corridor Combining District

On July 16, 2013, the Board of Supervisors adopted amendments to the Alameda County Zoning Ordinance (Title 17). These amendments accomplish the following: (1) creates a Scenic Corridor Combining District (SC); (2) establishes a discretionary review process for development within areas having the SC designation; and (3) requires stricter development standards for parcels having the SC Designation.



ORDINANCE 2012-_____

AN ORDINANCE AMENDING TITLE 17 OF THE GENERAL ORDINANCE CODE OF THE COUNTY OF ALAMEDA ADDRESSING AGRICULTURAL EMPLOYEE HOUSING, MOBILEHOME PARKS, DENSITY BONUSES, TRANSITIONAL AND SUPPORTIVE HOUSING, RESIDENTIAL AND MEDICAL CARE FACILITIES, EMERGENCY SHELTERS AND SINGLE ROOM OCCUPANCY FACILITIES IN ORDER TO IMPLEMENT THE ALAMEDA COUNTY HOUSING ELEMENT (2009-2014) AND TO CONFORM WITH STATE LAW

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

SECTION I

Section 17.04.010 of Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new definitions:

17.04.010 – Definitions.

"Agricultural employee" means a person engaged in agriculture, including: farming in all its branches, and, among other things, includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in Section 1141j(g) of Title 12 of the United States Code), the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market.

"Agricultural employee housing" means any living quarters or accommodations of any type, including mobilehomes, which comply with the building standards in the State Building Standards Code or an adopted local ordinance with equivalent minimum standards for building(s) used for human habitation, and buildings accessory thereto, where accommodations are provided by any person for individuals employed in farming or other agricultural activities, including such individuals' families. The agricultural employee housing is not required to be located on the same property where the agricultural employee is employed.

"Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.

"SRO (single room occupancy) facility" means a building containing six or more SRO units or guestrooms, designed for occupancy of no more than two persons, and which is intended, designed, or is used as a primary residence by guests.

"SRO (single room occupancy) unit" means a room that is used, intended or designed to be used by no more than two persons as a primary residence, but which lacks either or both a self-contained kitchen or bathroom.

"Supportive housing" means housing with no limit on length of stay, that is occupied by the "target population", and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

"Target population" means persons with Low Income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (California Welfare and Institutions Code, section 4500 et seq.) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

"Transitional housing" and "transitional housing development" mean buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

SECTION II

Section 17.04.010 of Title 17 of the General Ordinance Code of the County of Alameda is amended by deleting the definitions of "Family Emergency Homeless Shelter" and "General Emergency Homeless Shelter."

SECTION III

Section 17.04.010 of Title 17 of the General Ordinance Code of the County of Alameda is amended by revising the definition of "Medical or residential care facility" to read as follows:

17.04.010 – Definitions.

"Medical or residential care facility" means a residential care home as licensed by State Department of Social Services, Community Care Licensing Division. This term also includes group living quarters housing persons placed by an authorized agency for rehabilitation purposes and is funded by or licensed by or is operated under the auspices of an appropriate federal, state or county governmental agency.

SECTION IV

Section 17.06.030 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.06.030 - Permitted uses.

The following principal uses are permitted in an A district:

- A. On a building site, one one-family dwelling or one-family mobilehome either constructed after September 15, 1971, and issued an insignia of approval by the California Department of Housing and Community Development and permanently located on a permanent foundation system, or constructed after July 15, 1976, and issued an insignia of approval by the U.S. Department of Housing and Urban Development and permanently located on a foundation system;
- B. Crop, vine or tree farm, truck garden, plant nursery, greenhouse, apiary, aviary, hatchery, horticulture;
- C. Raising or keeping of poultry, fowl, rabbits, sheep or goats or similar animals;
- D. Grazing, breeding or training of horses or cattle;

- E. Winery or olive oil mill;
- F. Fish hatcheries and rearing ponds;
- G. Public or private riding or hiking trails;
- H. One secondary dwelling unit per building site on parcels twenty-five (25) acres in size or larger that are zoned for not more than one dwelling and have one but no more than one dwelling unit on the parcel subject to the following requirements:
 - 1. The secondary dwelling unit shall be on the same building envelope as the primary unit;
 - 2. On parcels less than one hundred (100) acres, the secondary dwelling unit shall be no larger than two thousand (2,000) square feet in area; on parcels one hundred (100) acres or larger the secondary dwelling unit shall be no larger than two thousand five hundred (2,500) square feet in area;
 - 3. The secondary dwelling unit shall be subject to site development review pursuant to Section 17.54.210 et seq.; and
 - 4. The secondary dwelling unit shall be subject to and consistent with the provisions of the county policy on secondary dwelling units in agricultural and rural residential areas. Notwithstanding the requirements of Section 17.54.220.A, for secondary units on parcels that are less than one hundred (100) acres in size, the planning commission shall decide applications for site development review under this section, and a public hearing is required.
 - I. Occupancy of agricultural caretaker dwelling(s) subject to a site development review as provided in Section 17.06.090, when found by the planning director to be necessary to provide housing for the agricultural caretaker and his/her family.
- J. Boarding stables and riding academies subject to the following requirements:
 - 1. The boarding stable shall be subject to site development review pursuant to Sections 17.06.090 and 17.54.210 et seq., except as follows:
 - a. The appropriate board of zoning adjustments shall decide applications for site development review under this section, and a public hearing is required.
 - b. Where the holder of an existing conditional use permit is found to be in compliance with all conditions of the existing conditional use permit, the planning director shall recommend approval of a site development review for the facility Alameda County Ordinance Code, Title 17, Zoning Ordinance with no new conditions except as allowed by the county policy for equine facilities in the A (agricultural) district, to the appropriate board of zoning adjustments.
 - c. The planning director may modify the requirements of Section 17.54.230 consistent with the provisions of the county policy of equine facilities in the A (agricultural) district; and specifically may waive the requirement that the site plan be prepared by licensed civil engineer, land surveyor, architect, landscape architect, or a registered building designer.
 - 2. The boarding stable shall be subject to and consistent with the provisions of the county policy for equine facilities in the A (agricultural) district.
 - 3. Site development reviews under this section shall not have an expiration date. However, they shall be subject to a periodic review for compliance with conditions of approval of the site development review and with relevant county ordinances, including all water quality rules and regulations. Such reviews shall occur every five years at minimum, or as needed to ensure compliance.
 - 4. Any changes in the scope of the boarding stable operation shall require a modification to the site development review.
 - 5. Site development review approval under this section shall not be construed to confer upon a boarding stable any exemption from any health, nuisance, or public safety ordinances or their subsequent enforcement or confer any other unique privileges upon a stable.
- K. Agricultural employee housing consisting of not more than thirty-six (36) beds in a group quarters or twelve (12) units or spaces designed for use by a single family or household subject

to a site development review as provided in Section 17.06.090 (Agricultural Districts--Site Development Review—When Required), 17.06.100 (Agricultural Districts—Agricultural Employee Housing), and 17.54.210 (Site Development Review).

SECTION V

Section 17.06.040 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.06.040 - Conditional uses—Board of zoning adjustments.

In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses and shall be permitted in an A district only if approved by the board of zoning adjustments, as provided in Sections 17.54.130 and 17.06.010:

- A. Outdoor recreation facility;
- B. Animal hospital, kennel;
- C. Killing and dressing of livestock, except when accessory as specified in Section 17.06.050;
- D. Public or private hunting of wildlife or fishing, and public or private hunting clubs and accessory structures;
- E. Packing house for fruit or vegetables, but not including a cannery, or a plant for food processing or freezing;
- F. Flight strip when accessory or incidental to a permitted or conditional use;
- G. Hog ranch;
- H. Drilling for and removal of oil, gas or other hydrocarbon substances;
- I. Radio and television transmission facilities;
- J. Public utility building or uses, excluding such uses as a business office, storage garage, repair shop or corporation yard;
- K. Administrative offices accessory to the principal use on the premises including activities by the same occupancy which are not related to the principal use providing such activities not so related are accessory to the administrative office activity;
- L. Administrative support and service facilities of a public regional recreation district;
- M. Privately owned wind-electric generators;
- N. Remote testing facility;
- O. Winery or olive oil mill related uses; and
- P. Agricultural employee housing for 37 or more beds in group quarters or 13 units or spaces designed for use by a single family or household.

SECTION VI

Section 17.06.090 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.06.090 - Site development review—When required.

Site development review pursuant to Section 17.54.210 shall be required for:

- A. Every new dwelling or addition to existing dwelling exceeding five hundred (500) square feet or thirty (30) feet in height hereafter placed on a parcel in the A district;
- B. Agricultural caretakers dwelling(s), when found by the planning director to be necessary to provide housing for the agricultural caretaker and his/her/their family(ies); subject to the following provisions:

1. Initial site development review shall include submittal of required applications and materials and completion of an agricultural caretaker dwelling report, signed by the property owner.

2. The agricultural caretaker dwelling report submitted under Paragraph 1 above shall include a description of the agricultural use on the site, a description of the commercial/economic viability of the agricultural use, a discussion of the personnel necessary to implement or oversee the agricultural use, and a description of the proposed agricultural dwelling and/or housing. If the agricultural use is intended primarily for private interest rather than commercial viability, or if the dwelling unit is intended for a use not otherwise related directly to commercially viable agriculture on the site, such as onsite security, the report shall provide this information.

3. Site development review approval shall normally be issued for a period of five years, except in instances where it is found by the planning director that a demonstrable need for more stringent controls (e.g., history of non-compliance with county codes, public health/safety issues, community concerns) is necessary.

4. The planning director may extend initial site development review for additional five-year periods of time at the end of each preceding five-year period, subject to review and approval, of an updated agricultural caretaker dwelling report, signed by the property owner.

5. During the effective period of the site development review, any changes relating to the information contained in the agricultural caretaker dwelling report (including changes to the dwelling unit itself, changes in maximum occupancy requirements, and/or changes in the size/nature/ scope of the agricultural use being served by the presence of the caretaker onsite) shall be reported to the planning department, and shall be subject to the same procedures and regulations as those applicable to the initial application.

6. The planning director shall have the discretion to disapprove the initial and/or subsequent site development review and agricultural caretaker dwelling report if found that compliance with the requirements and intent set forth in this title is exercised unlawfully or contrary to any condition or limitation of its issuance.

7. The planning director may, at his/her discretion, hold a public hearing regarding an initial or subsequent site development review application.

8. The approval of a site development review for an agricultural caretaker dwelling of any kind on any parcel, regardless of the existing legal building site status of the parcel, shall not be construed to establish upon that same, or any adjacent or commonly-owned parcel, building site status.

9. The agricultural caretaker dwelling is intended to remain only as long as necessary to support either onsite security or the primary agriculture use on the site, and when the need for this support terminates the dwelling must be completely removed or converted to another legal use.

10. Violations of this section shall be subject to enforcement, penalties and abatement under Chapters 17.58 and 17.59 of this title.

C. Boarding stables and riding academies subject to the provisions of Section 17.06.030J of this chapter; and

D. Agricultural employee housing subject to the provisions of Section 17.06.100 of this chapter.

SECTION VII

Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new Section 17.06.100:

17.06.100 – Agricultural Districts—Agricultural employee housing.

Agricultural employee housing is subject to site development review pursuant to Sections 17.06.060 (Agricultural Districts--Site Development Review—When Required) and 17.54.210 (Site Development Review) et seq. and to the following provisions:

A. The site development review shall include submittal of required applications and materials

including an agricultural employee housing report, signed by the property owner.

B. The agricultural employee housing report submitted under Paragraph 1 above shall include the following information:

1. Entity responsible for housing maintenance and up-keep;
2. Description of whether the housing will be used on a permanent, temporary, and/or seasonal basis;
3. Total number of people to be housed on-site at any one time;
4. Description of the housing, including whether the structures will be permanent and/or temporary, intended as units for families, one person, or several persons, and cost of the units and utilities to the agricultural employees;
5. Location(s) where the agricultural employees will work;
6. There must be adequate water and sewer available to service the development, as determined by the Department of Environmental Health;
7. The housing must be located off prime and productive agricultural land, or on the parcel where no other alternatives exist on site, on the least viable portion of the parcel;
8. The development shall incorporate proper erosion and drainage controls; and
9. Parking shall be provided in accordance with Section 17.52.910 (Parking spaces required—Residential buildings).

C. Site development review approval shall normally be issued for a period of five years, except in instances where it is found by the planning director that a demonstrable need for more stringent controls (e.g., history of non-compliance with county codes, public health/safety issues, community concerns) is necessary.

D. The planning director may extend the initial site development review for additional five-year periods of time at the end of each preceding five-year period, subject to review and approval, of an updated agricultural employee housing report, signed by the property owner.

E. During the effective period of the site development review, any changes relating to the information contained in the agricultural employee housing report (including changes to the dwelling unit itself, and changes in maximum occupancy requirements) shall be reported to the planning department, and shall be subject to the same procedures and regulations as those applicable to the initial application.

F. The planning director shall have the discretion to disapprove the initial and/or subsequent site development review and agricultural employee housing report if found that compliance with the requirements and intent set forth in this title is exercised unlawfully or contrary to any condition or limitation of its issuance.

G. The planning director may, at his/her discretion, hold a public hearing regarding an initial or subsequent site development review application.

H. The approval of a site development review for an agricultural employee housing of any kind on any parcel, regardless of the existing legal building site status of the parcel, shall not be construed to establish upon that same, or any adjacent or commonly-owned parcel, building site status.

I. Violations of this section shall be subject to enforcement, penalties and abatement under Chapters 17.58 and 17.59 of this title.

SECTION VIII

Section 17.08.030 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read 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. Medical or residential care facility for up to six (6) persons per unit; and
- D. Licensed transitional or supportive housing for up to six (6) persons per unit.

SECTION IX

Section 17.08.040 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.08.040 - Conditional uses.

In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in an R-1 district, and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. Community facility;
- B. Community clubhouse;
- C. Parking lot, only when established to fulfill the residential parking requirements of this title for a use on an abutting lot or lots;
- D. Plant nursery or greenhouse used only for the cultivation and wholesale of plant materials;
- E. Medical or residential care facility for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities);
- F. Licensed transitional or supportive housing for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities);and
- G. Mobilehome parks subject to the provisions provided in sections 17.52.1000 to 17.52.1065.

SECTION X

Section 17.10.020 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.10.020 - Permitted uses.

The following principal uses are permitted in an R-2 district:

- A. One or two one-family dwellings, or one two-family dwelling;
- B. Field crop, orchard, or garden;
- C. Medical or residential care facility for up to six (6) persons per unit; and
- D. Licensed transitional or supportive housing for up to six (6) persons per unit.

SECTION XI

Section 17.10.030 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.10.030 - Conditional uses.

In addition to the uses listed in Sections 17.52.480 and 17.52.580, the following are conditional uses in R-2 districts, and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. Community facility;
- B. Community clubhouse;
- C. Parking lot, subject to the same limitations as in Section 17.08.040C;
- D. Plant nursery, or greenhouse used only for the cultivation of plant materials;

- E. Medical or residential care facility for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities);
- F. One dwelling or a dwelling group containing altogether not more than three dwelling units, where the lot has an area not less than seven thousand five hundred (7,500) square feet.;
- G. Licensed transitional or supportive housing for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities); and
- H. Mobilehome parks subject to the provisions provided in sections 17.52.1000 to 17.52.1065.

SECTION XII

Section 17.12.030 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.12.030 - Permitted uses.

The following principal uses are permitted in any R-S district:

- A. One-family dwelling, two-family dwelling, multiple dwelling or dwelling group;
- B. Field crop, orchard, garden;
- C. Medical or residential care facility for up to six (6) persons per unit; and
- D. Licensed transitional or supportive housing for up to six (6) persons per unit.

SECTION XIII

Section 17.12.040 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.12.040 - Conditional uses—Board of zoning adjustments.

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

- A. Community facility;
- B. Community clubhouse;
- C. Parking lot, as regulated in Section 17.08.040C;
- D. Plant nursery or greenhouse used only for the cultivation of plant materials;
- E. Medical or residential care facility for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities);
- F. Mobilehome parks, as regulated by Chapter 17.52, Sections 1000-1065, of this title; and
- G. Licensed transitional and supportive housing for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities).

SECTION XIV

Section 17.14.020 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.14.020 - Permitted uses.

The following principal uses are permitted in an R-3 district:

- A. One-family dwelling, two-family dwelling, multiple dwelling, or dwelling group, up to a total not to exceed four dwelling units;
- B. Field crop, orchard, garden;
- C. Medical or residential care facility for up to six (6) persons per unit; and
- D. Licensed transitional or supportive housing for up to six (6) persons per unit.

SECTION XV

Section 17.14.030 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.14.030 - 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 R-3 districts, and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. Community facility;
- B. Community clubhouse;
- C. Medical or residential care facility for seven (7) or more persons as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities);
- D. Plant nursery, or greenhouse used only for the cultivation of plant materials;
- E. Parking lot, as regulated in Section 17.08.040C;
- F. Licensed transitional and supportive housing for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities); and
- G. Mobilehome parks subject to the provisions provided in sections 17.52.1000 to 17.52.1065.

SECTION XVI

Section 17.16.020 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.16.020 - Permitted uses.

The following principal uses are permitted in an R-4 district:

- A. All uses permitted in R-3 districts, pursuant to Section 17.14.020;
- B. Multiple dwelling or dwelling group, provided that on any building site with an area which equals or exceeds five times the area for one dwelling unit, every dwelling unit placed on such building site shall be subject to site development review pursuant to Section 17.54.210; and
- C. Emergency shelter provided in accordance with Section 17.52.1165 (Emergency Shelter-Regulations)

SECTION XVII

Section 17.16.030 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.16.030 - 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 an R-4 district, and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- A. Community facility;

- B. Parking lot, as regulated in Section 17.08.040C;
- C. Clubhouse;
- D. Medical or residential care facility for seven (7) or more persons as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities);
- E. Boarding house;
- F. Fraternity or sorority house, accredited by an institution of higher learning;
- G. Single room occupancy facility subject to the provisions of 17.54.134 (Conditional Uses- Single Room Occupancy (SRO) Facilities);
- H. Licensed transitional and supportive housing for seven (7) or more persons per unit as regulated in Section 17.54.133 (Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities); and
- I. Mobilehome parks subject to the provisions provided in sections 17.52.1000 to 17.52.1065.

SECTION XVIII

Table 17.52.910 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

Table 17.52.910 Parking Spaces Required for Residential Buildings	
Use	Number of Spaces Required
Dwelling, including single, two-family and multiple residences, group dwellings, apartment houses, apartment hotels, and all other similar structures devoted to habitation	2 for each dwelling unit, plus 1 for each bedroom available for accommodating a paying guest
Hotel, motel, boarding house, clubhouse, fraternity or sorority, and single room occupancy facilities	2 plus 1 for each bedroom available for sorority; accommodating guests a paying guest
Medical or residential care facility, and transitional and supportive housing developments	2 plus 1 for each 6 beds for persons not related to the resident family or manager
Hospital	2 plus 1 for each 4 patient beds, (except that those patient beds designated as "long term care beds" by the State Department of Public Health may be computed 1 per 6 patient beds) plus 1 for each staff doctor; plus 1 for each 1,000 square feet of gross floor area in the main building or buildings
Mobilehome park	2 for each mobilehome site; other provisions of this title notwithstanding, the access to one of these spaces may be within the access to the second space; plus 1 for each 10 mobilehome sites
Recreational vehicle park	1 for each recreational vehicle site located on each recreational vehicle site, plus 1 for each 15 recreational vehicle sites

Emergency shelter	3 plus 1 per each 10 individual beds.
Agricultural employee housing	1 space per unit, or 1 for each 4 beds

SECTION XIX

Section 17.52.1020 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.52.1020 - Mobilehome parks—Density.

Except as otherwise provided in a combining district or specific plan, the number of dwelling units permitted on a building site in a mobilehome park shall not exceed the number obtained by dividing the area in square feet of the building site by five thousand (5,000), disregarding any fraction.

SECTION XX

Section 17.52.1065 of Title 17 of the General Ordinance Code of the County of Alameda is amended to read as follows:

17.52.1065 - Mobilehome parks—Parking.

Pursuant to Section 17.52.910 (Parking spaces required—Residential buildings), every mobilehome site shall have two parking spaces. A mobilehome park shall also provide 1 parking space for every 10 mobilehome sites.

SECTION XXI

Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new Section 17.52.1160:

17.52.1160 – Standards for Emergency Shelters —Purpose.

The purpose of this Section is to establish the development standards for Emergency Shelters

SECTION XXII

Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new Section 17.52.1165:

17.52.1165 – Emergency Shelter —Regulations.

Emergency Shelters shall be subject to the following regulations and development standards:

- A. An Emergency Shelter shall obtain and maintain in good standing all required licenses, permits, and approvals from County and State agencies or departments. An Emergency Shelter shall comply with all County and State health and safety requirements for food, medical, and other supportive services provided on-site;
- B. No Emergency Shelter facility shall have more than sixty (60) beds;
- C. Each resident shall be provided a minimum of fifty (50) gross square feet of personal living space, not including space for common areas;
- D. Bathing facilities shall be provided in quantity and location as required in the California Plumbing Code (Title 24 Part 5), as amended, and shall comply with the accessibility requirements of the California Building Code (Title 24 Part 2), as amended;

- E. No individual or family shall reside in an Emergency Shelter for more than 180 consecutive days;
- F. The operation of buses or vans to transport residents to or from off-site activities shall not generate vehicular traffic substantially greater than that normally generated by residential activities in the surrounding area, to the satisfaction of the Planning Director;
- G. The on-street parking demand generated by the facility due to visitors shall not be substantially greater than that normally generated by the surrounding residential activities, to the satisfaction of the Planning Director;
- H. Arrangements for delivery of goods shall be made within the hours that are compatible with and will not adversely affect the livability of the surrounding properties;
- I. The facility's program shall not generate noise at levels that will adversely affect the livability of the surrounding properties, and shall at all times maintain compliance with the County Noise Ordinance;
- J. Onsite management shall be provided twenty-four (24) hours a day, seven (7) days per week. All facilities must provide a management plan to the satisfaction of the Planning Director that shall contain policies, maintenance plans, intake procedures, tenant rules, and security procedures;
- K. The facility is no closer than three hundred (300) feet from other emergency shelters unless findings can be made that such an additional facility would not have a negative impact upon residential activities in the surrounding area;
- L. On-site parking shall be provided in accordance with Section 17.52.910;
- M. The facilities shall provide exterior lighting in the parking lot, on building exteriors, and pedestrian accesses. All exterior lighting shall be down-cast and shall not illuminate above the horizontal. No light source shall be exposed above the horizontal, nor visible from neighboring residential use properties.
- N. Required yards shall conform with the R-4 zoning district yard requirements; and
- O. A waiting and client intake area of not less than one hundred (100) square feet shall be provided inside the main building.
- P. Violations of this section shall be subject to enforcement, penalties and abatement under Chapters 17.58 and 17.59 of this title.

SECTION XXIII

Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new Section 17.54.133:

17.54.133 – Conditional Uses- Residential, Medical Care, Transitional and Supportive Housing Facilities.

In addition to the findings required of the Board of Zoning Adjustments under Sections 17.54.130 (Conditional Uses) and 17.54.140 (Conditional Uses--Action), a conditional use permit for any conditionally permitted residential or medical care facility, transitional housing facility, or supportive housing facility may only be granted upon determination that the proposal conforms to all of the following additional use permit criteria:

- A. Staffing of the facility shall at all times remain in compliance with any State Licensing Agency requirements;
- B. The operation of buses or vans to transport residents to or from off-site activities shall not generate vehicular traffic substantially greater than that normally generated by residential activities in the surrounding area;
- C. The on-street parking demand generated by the facility due to visitors shall not be substantially greater than that normally generated by the surrounding residential activities;

- D. Arrangements for delivery of goods shall be made within the hours that are compatible with and will not adversely affect the livability of the surrounding properties;
- E. That the facility's program shall not generate noise at levels that will adversely affect the livability of the surrounding properties, and shall at all times maintain compliance with the County Noise Ordinance;
- F. Onsite management shall be provided twenty-four (24) hours a day, seven days per week. Prior to operation, all facilities must provide to the Planning Director a management plan that shall contain policies, maintenance plans, rental procedures, tenant rules, and security procedures;
- G. In accordance with sections 1267.9 and 1520.5 of the California Health and Safety Code, no facility shall be closer than three hundred (300) feet from other similar activities or facilities unless findings can be made that such an additional facility would not have a negative impact upon residential activities in the surrounding area;
- H. Parking shall be provided in accordance with Section 17.52.910 (Parking Spaces required—Residential buildings);
- I. The facilities shall provide exterior lighting in the parking lot, on building exteriors, and pedestrian accesses. All exterior lighting shall be down-cast and shall not illuminate above the horizontal. No light source shall be exposed above the horizontal, nor visible from neighboring residential use properties; and
- J. Yards shall conform to the zoning requirements established for the district in which it is located.

SECTION XXIV

Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new 17.54.134:

17.54.134 – Conditional Uses- Single Room Occupancy (SRO) Facilities.

Single Room Occupancy Facilities shall be subject to the following regulations and development standards:

- A. Excluding the bathroom area and closet(s), the Single Room Occupancy unit must be a minimum of one hundred and fifty (150) square feet in floor area and the maximum size shall be not more than four hundred (400) square feet. Each unit shall be designed to accommodate a maximum of two people.
- B. Each Single Room Occupancy Unit must include a closet and may contain either kitchen facilities or bath facilities but not both.
- C. Complete common cooking facilities/kitchens must be provided if any unit within the SRO Facility does not have a kitchen. One complete cooking facility/kitchen shall be provided within the SRO Facility for every twenty (20) SRO units or portion thereof that do not have kitchens, or have one kitchen on any floor where SRO Units without kitchens are located.
- D. Common bathrooms must be located on any floor with any unit that does not have a full bathroom. Common bathrooms shall be either single occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. Common bathrooms shall have shower or bathtub facilities at a ratio of one for every seven (7) units or fraction thereof. Each shared shower or bathtub facility shall be provided with an interior lockable door.
- E. Each SRO Facility shall have at least ten (10) square feet of common usable area per unit; however no SRO facility shall provide less than two hundred (200) square feet of common outdoor area and two hundred (200) square feet of common indoor area. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than eight (8) feet wide shall not be included as outdoor common space.

- F. A SRO Facility with twelve (12) or more units shall provide twenty-four (24) hour on-site management, and include a dwelling unit designated for the manager. All SRO Facilities must have a management plan approved prior to occupation by the Alameda County Department of Housing and Community Development. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.
- G. Single Room Occupancy Facilities shall include laundry facilities.
- H. A cleaning supply storeroom and/or utility closet with at least one (1) laundry tub with hot and cold running water must be provided on each floor of the SRO Facility.
- I. Parking shall be provided in accordance with Section 17.52.910.

SECTION XXV

Title 17 of the General Ordinance Code of the County of Alameda is amended by deleting Chapter 17.56 (Density Bonus) in its entirety.

SECTION XXVI

Title 17 of the General Ordinance Code of the County of Alameda is amended by adding the following new Chapter 17.106 (Density Bonus):

Chapter 17.106- DENSITY BONUS

17.106.010- Title.

This chapter shall be called the density bonus ordinance of the county of Alameda.

17.106.020 – Purpose.

This chapter establishes policies which facilitate the development of affordable housing for very low and lower income households and senior households within the unincorporated area of Alameda County, through the provision of a density bonus, and additional financial incentives if necessary for affordability, to applicants who agree to meet the requirements established by this chapter.

17.106.030 – Definitions.

For the purposes of this chapter, certain words and phrases shall be interpreted as set forth in this section unless it is apparent from the context that a different meaning is intended.

Affordable Housing Agreement: means the agreement made between the applicant and the county governing the regulation and monitoring of the affordable units.

Amenities: means interior amenities including, but not limited to, fireplaces, garbage disposals, dishwashers, cabinets and storage space and bathrooms in excess of one.

Applicant: means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities which seeks a density bonus or incentives or both under this chapter.

Base Units: means the number of units that would be allowed under the General Plan land use designation and zoning ordinance for the subject site before calculation of the Density Bonus.

Child Care Facility: means a facility, other than a day care home, licensed by the State of California to provide non-medical care to children under 18 years of age in need of personal services, supervision or assistance on less than a 24-hour basis.

Density Bonus: means an increase in density over the otherwise maximum allowable residential density under the applicable zoning ordinance and General Plan land use designation.

Density Bonus Unit: means a residential dwelling unit authorized as a result of the granting of a density bonus.

Household: means one person living alone or two or more persons sharing a residential dwelling.

Housing Development: means a project providing residential units including, without limitation, a subdivision, a planned unit development, multifamily dwellings, or condominium project. Housing developments consist of development of residential units or creation of unimproved residential lots and also include either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, where the result of the rehabilitation would be a net increase in available residential units.

Incentive: An "Incentive" may include any of the following:

1. Approval of a mixed-use development if commercial, office, industrial, or other land uses will help to offset the costs of the housing development. A mixed-use development will be approved only if the commercial, office, industrial, or other land uses are compatible with the surrounding land uses, the county general plan, and applicable specific plans;
2. Government-assisted financing, including, but not limited to, mortgage revenue bonds issued by the county;
3. A reduction in site development standards, but only if the overall quality of the development is not lessened. All developments must also meet any design guidelines codified by the county at a future date;
4. Other incentives proposed by the developer or the county which result in identifiable cost reductions, including but not limited to:
 - a. Waiver or reduction of certain county fees applicable to restricted units in a housing development,
 - b. Reduction of interior amenities,
 - c. Priority processing of a housing development which provides restricted units. Upon certification that the application is complete and eligible for priority processing, the housing development will be reviewed by the planning director in advance of all nonpriority items. The housing development review will be completed and a recommendation will be made by the planning director whether to approve the housing development within one hundred twenty (120) days of receipt of the completed application. The planning director may give written approval to extend the one hundred twenty (120) day period.

Lower Income Household: means a household whose gross income is eighty (80) percent or less of the Alameda County median income adjusted for household size, computed pursuant to California Health and Safety Code Section 50079.5; if the Health and Safety Code definition is amended, this definition shall be deemed to be amended to the same effect.

Maximum Allowable Residential Density: means the density allowed under the General Plan, or if a range of density is permitted, means the maximum allowable density for the specific zoning range applicable to the project. Maximum allowable residential density takes into account limitations to density pursuant to General Plan policies and Zoning Ordinance regulations.

Median Income: means the median income for Alameda County, published by the United States Department of Housing and Urban Development.

Moderate Income Household: means a household, with an annual income which does not exceed the United States Department of Housing and Urban Development annual determination for moderate income households with incomes of one hundred twenty (120) percent of the Median Income, adjusted for household size.

Qualifying Unit: means a dwelling or dwellings designated for occupancy by very low, low, or moderate income households, within a housing development, which make the housing development eligible for a Density Bonus.

Resale controls: means a resale restriction placed on restricted units by which the price of such units and/or the age or income of the purchaser will be restricted to ensure affordability and occupancy by very low or lower income households or senior households.

Restricted Unit: means a residential dwelling unit to be sold or rented at a price or rent affordable to a very low, lower, or moderate income household, or sold or rented to a senior household.

Senior Citizen Housing Development: means a housing community governed by a common set of rules, regulations or restrictions, consisting of at least thirty-five (35) dwelling units reserved for Senior Citizen Households as further described in California Civil Code Sections 51.3 and 51.12.

Senior Household: means as established by California Civil Code Section 51.3, a household in which at least one member is at least sixty-two (62) years of age.

Term of Affordability: means the time during which restricted units in a housing development must remain as restricted units.

Unit Type: means a dwelling unit with a defined floor area and a designated number of bedrooms.

Very Low Income Household: means a household whose gross income is fifty (50) percent or less of the Alameda County median income adjusted for household size, computed pursuant to California Health and Safety Code Section 50079.5.

17. 106.040 - Density bonus qualifications.

In order to qualify for a density bonus and one or more incentives under this chapter, a housing development must consist of five or more dwelling units and meet one or more of the following criteria:

- A. Agrees to construct and maintain at least five (5) percent of the base units for very low income households;
- B. Agrees to construct and maintain at least ten (10) percent of the base units for lower income households;
- C. Agrees to construct and maintain at least ten (10) percent of the base units in a condominium project or planned development project dedicated to moderate income households, provided that all units in the development are offered to the public for purchase;
- D. Agrees to construct and maintain a senior citizen housing development;

E. Converts an existing apartment or multifamily dwelling to a condominium development as described in Section 17.106.050.I (Density Bonus—Density Bonus Calculations).

17.106.050 - Density bonus calculations.

A. In accordance with state law, the granting of a Density Bonus or an incentive(s) shall not be interpreted, in and of itself, to require a General Plan amendment, specific plan amendment, rezone, or other discretionary approval.

B. An applicant must choose a Density Bonus from only one applicable affordability category of this Chapter and may not combine categories, with the exception of a Child Care Facility or land donation. The Child Care Facility or land donation may be combined with an affordable housing development for an additional Density Bonus up to a combined maximum of thirty five (35) percent.

C. Any Density Bonus and/or Concession/Incentive awarded shall apply only to the Housing Development for which it was granted.

D. In determining the number of density bonus units to be granted pursuant to 17.106.040 Section 17.106.040 (Density Bonus Qualifications), the maximum residential density for the site shall be multiplied by 0.20 for subsections A, B, and D of that section and 0.05 for subsection C of that section, unless a lesser number is selected by the developer.

1. For each one percent increase above ten percent in the percentage of units affordable to lower income households, the density bonus shall be increased by 1.5 percent up to a maximum of 35 percent.

2. For each one percent increase above five percent in the percentage of units affordable to very low income households, the density bonus shall be increased by 2.5 percent up to a maximum of 35 percent.

3. For each one percent increase above ten percent of the percentage of units affordable to moderate income households, the density bonus shall be increased by one (1) percent up to a maximum of 35 percent.

4. For a senior housing development that provides one hundred (100) percent of its units available to senior households, the density bonus shall be twenty (20) percent.

E. When calculating the number of permitted density bonus units, any calculations resulting in fractional units shall be rounded to the next larger integer.

F. The density bonus units shall not be included when determining the number of qualifying units required for a density bonus. When calculating the required number of qualifying units, any calculations resulting in fractional units shall be rounded to the next larger integer.

G. The developer may request a lesser density bonus than the project is entitled to, but no reduction will be permitted in the number of required qualifying units pursuant to Section 17.106.040 (Density bonus qualifications) above. Regardless of the number of qualifying units, no housing development may be entitled to a density bonus of more than thirty-five percent.

H. The following table summarizes this information:

Density Bonus Summary Table

Income Group	Minimum % Qualifying Units	Bonus Granted	Additional Bonus for Each 1% Increase in Qualifying Units	% Qualifying Units Required for Maximum 35% Bonus
Very Low Income	5%	20%	2.5%	11%
Low Income	10%	20%	1.5%	20%
Moderate Income (Condo or PD)	10%	5%	1%	40%

only)				
Senior Citizen Housing Development	100%	20%	—	—

I. An applicant for an apartment conversion to a condominium project that provides at least thirty-three (33) percent of the total units of the proposed condominium project to persons and families of Low or Moderate Income, or fifteen (15) percent of the total units of the project to Lower Income households, and agrees to pay for the reasonable necessary administrative costs incurred by the County, qualify for a twenty-five (25) percent Density Bonus or other incentives of equivalent financial value. An applicant shall be ineligible for a Density Bonus or other incentives if the apartments proposed for conversion constitute a housing development for which a Density Bonus or other Incentives were previously granted under the provisions of this chapter.

17.106.060 – Density Bonus--Eligibility and application requirements for incentives.

A. A housing development qualifying for a density bonus is entitled to at least one incentive in addition to the density bonus. Incentives are available for qualifying housing developments as follows:

1. One incentive or concession for projects that include at least ten (10) percent of the total units for lower income households, at least five (5) percent for very low income households, or at least ten (10) percent for persons and families of moderate income in a condominium or planned development.
2. Two incentives or concessions for projects that include at least twenty (20) percent of the total units for lower income households, at least ten (10) percent for very low income households, or at least twenty (20) percent for persons and families of moderate income in a condominium or planned development.
3. Three incentives or concessions for projects that include at least thirty (30) percent of the total units for lower income households, at least fifteen (15) percent for very low income households, or at least thirty (30) percent for persons and families of moderate income in a condominium or planned development.

B. The appropriate authority for the housing development shall grant the incentive unless the appropriate authority makes a written finding, based upon substantial evidence, of any of the following:

1. That the incentive is not necessary in order to provide for affordable housing costs; or
2. The concession or incentive would have a specific adverse impact, as defined in California Health & Safety Code Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, lower and moderate income households.

C. In accordance with Government Code Section 65915 (p), an applicant qualifying for a density bonus may request, inclusive of handicapped and guest parking, the following parking ratios:

1. Zero to one bedrooms: One onsite parking space
2. Two to three bedrooms: Two onsite parking spaces
3. Four or more bedrooms: Two and one-half parking spaces

These standards may be applied in addition to any other incentives for which the housing development qualifies as specified in this section. If the total number of parking spaces for the development is other than a whole number, the number shall be rounded up to the next whole number. Off-street parking spaces provided pursuant to this paragraph may be arranged in

tandem and may be uncovered.

17. 106.070 - Qualifications for restricted units.

- A. The applicant shall execute an affordable housing agreement with Alameda County, which shall be recorded and shall run with the land.
- B. The affordable housing agreement shall describe household types, number, location, size and construction scheduling of restricted units and any other information required by the county to determine the applicant's compliance with the conditions.
- C. Restricted units shall be constructed concurrently with or prior to the construction of nonrestricted units, shall be dispersed throughout the housing development, and shall include all unit types represented in the housing development and shall be in the same proportions as nonrestricted unit types.

17. 106.080 - Term of affordability.

The applicant shall agree to, and the County shall ensure, the continued availability of the Qualifying Units and other Incentives for a period of at least 30 (thirty) years, or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

17. 106.090 - Requirements for rental housing developments.

- A. All restricted units shall be occupied by the household type specified in the affordable housing agreement.
- B. The applicant shall be responsible for obtaining and verifying information with respect to the qualifications of prospective and current tenants, including, but not limited to, information relating to tenants' incomes, and eligibility, in a form satisfactory to the planning director. The applicant shall maintain a list of qualified applicants for the duration of the program and shall allow the planning director to inspect such information upon reasonable notice. The applicant may contract with another entity to perform these functions subject to the approval of the planning director.
- C. The applicant shall submit reports annually certifying that the restricted units are occupied by the household types specified in the affordable housing agreement. The annual reports shall include the number of persons and income for each household in the restricted units.
- D. If the affordable housing agreement is violated, the applicant shall pay to the county as liquidated damages the maximum sum of five thousand dollars (\$5,000.00) for each restricted unit that is in violation of the affordable housing agreement. This amount may be required for each month of violation. Any unpaid liquidated damages may be recorded as a notice of violation of the affordable housing agreement against the title of the property. In addition to the liquidated damages, if a very low income, moderate income or lower income household in a restricted unit is charged a rent that exceeds the rent specified in the affordable housing agreement, the applicant must pay to the tenant the difference in the rent charged and the allowable rent for the months that the tenant was overcharged. If a restricted unit is rented to a household with an income exceeding that specified in the affordable housing agreement, in lieu of the liquidated damages mentioned above, the first vacant nonrestricted unit must be made a restricted unit and rented to a household that qualifies under the affordable housing agreement.

17. 106.100 - Requirements for owner-occupied housing.

- A. The home buyer shall verify on a form provided by the planning director that the restricted unit being purchased is for use as the buyer's principal residence and that the buyer is either a moderate income household, lower income household, very low income household or a senior household. If the restricted unit ceases to function as the owner's principal residence, it shall be sold according to the requirements of the resale controls. If evidence is presented to the

planning director that the owner is unable to continuously occupy the restricted unit because of illness or incapacity, the planning director may approve rental of the restricted unit to a senior, very low income, lower income, or moderate income household.

B. The resale controls will place limits on the resale price of a restricted unit and on the income of the new buyer. The resale price of a restricted unit will be limited to the original price of the restricted unit, plus a factor of appreciation equal to the annual increase in the median income, plus the appraised value, at time of sale, of any documented capital improvements. In addition, when an owner sells a restricted unit, the sale must be to a moderate income household, very low income household, lower income household, or senior household.

C. Resale controls shall be recorded as part of the declaration of covenants, conditions, and restrictions on the restricted unit. The resale controls will remain in effect for the term of affordability.

D. The following transfers of title or any interest therein are not subject to the provisions of this section, provided, however, that the resale controls shall continue to run with the land following such transfers: transfers by gift, devise, or intestate succession to the owner's spouse or children, and transfers of title to a spouse as part of a dissolution of marriage proceeding or in conjunction with marriage.

17. 106.110 - Application procedure.

A. An applicant may submit to the planning director a preliminary proposal for a housing development pursuant to this chapter prior to the submittal of any formal housing development application. The planning director shall, within ninety (90) days of receiving a preliminary proposal, provide the applicant a written preliminary evaluation of the housing development.

B. In addition to the county's usual development requirements, formal application for a housing development under this chapter shall include the following information:

1. A written statement specifying the desired density increase, incentive requested, and the number, type, location, size and construction schedule of all dwelling units;

2. If necessary for the planning director to evaluate the financial need for additional incentives, the applicant shall submit a report that contains housing development costs and revenues, including but not limited to land, construction, and financing costs, and revenues from restricted units, unrestricted units, and density bonus units. Such other information as the planning director needs to evaluate the housing development may be requested by the planning director. The planning director may retain a consultant to review the financial report. The cost of the consultant shall be borne by the applicant; and

3. Any other information requested by the planning director to implement this chapter.

C. Housing developments that meet the requirements set forth in Section 17.106.040 (Density bonus qualifications) above shall qualify for a density bonus and at least one incentive, unless the planning director adopts a written finding that the incentive is not required to achieve the economic feasibility of the restricted units. The planning director may also provide an incentive in place of a density bonus that is of equivalent value to the density bonus. Such incentive shall be calculated in a manner determined by the planning director.

17.106.120 – Density Bonus--Child Care Facilities.

A. When an applicant proposes a housing development that is eligible for a density bonus under this chapter and includes a child care facility on the premises or adjacent to the housing development, the applicant shall receive an additional density bonus that is in an amount of square feet of residential space that is equal to the square footage of the child care facility; or the applicant may receive another incentive that contributes significantly to the economic feasibility of the construction of the child care facility, provided that, in both cases, the following conditions are incorporated in the conditions of approval for the housing development:

1. The child care facility shall remain in operation for a period of time that is as long as or

longer than the period of time during which the restricted units are required to remain affordable pursuant to the terms of the affordable housing agreement executed between the County and the developer.

2. Attendance of children at the child care facility shall have an equal or greater percentage of children from very low, low, and moderate income households than the percentage of affordable units in the housing development.

B. The County may deny the request for a density bonus or incentive for a child care facility if the county finds, based upon substantial evidence, that the community has adequate child care facilities without the facilities being considered as part of the subject housing development.

17.106.130 - Density Bonus--Donation of land.

A. When an applicant for a tentative subdivision map, parcel map or other residential development donates land to the County, the applicant shall be entitled to a density bonus above the maximum allowable residential density, up to a maximum of thirty five (35) percent depending on the amount of land donated. The amount of density bonus shall be based upon the number of permittable units consistent with Section 17.106.050(H). This increase shall be in addition to any increase in density permitted by this chapter up to a maximum combined density increase of 35 percent. A density bonus for donation of land shall only be considered if all of the following conditions are met:

1. The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

2. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in the amount not less than ten percent (10%) of the residential units in the proposed development.

3. The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 (forty) units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is, or will be, served by adequate public facilities and infrastructure (such as waste water treatment facilities and public transit). The transferred land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the Very Low Income units on the transferred land, except that the County may subject the proposed development to subsequent design review if the design is not reviewed by the County prior to the time of transfer.

4. The transferred land and the units constructed on said land shall be subject to a deed restriction ensuring continued affordability of the units for a period of at least thirty (30) years and subject to restrictions consistent with California Government Code Section 65915 (c)(1) and (2), as may be periodically amended.

5. The land is transferred to the County or to a housing developer approved by the County.

6. The transferred land shall be within the boundary of the proposed development or, if the County determines appropriate, be located within the same General Plan area as the proposed development.

17. 106.140 - Administration and fees.

A. At the discretion of the planning director, the county may contract with another entity to administer the rental and sales provisions of this chapter.

B. The planning director shall establish the amount of fees to be charged to applicants for administration of this chapter at the cost of staff time attributable to such administration. These fees may be waived or reduced as specified in Section 17.106.030 (Definitions) under

subsection (4)(a) of the definition of "incentive" .

C. The planning director shall be responsible for monitoring the resale of restricted units.

D. The planning director shall adopt regulations and forms necessary to implement and interpret the provisions of this chapter.

SECTION XXVII

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,
_____, 2012 by the following called vote:

AYES:

NOES:

EXCUSED:

NATE MILEY

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

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

By _____

Approved as to Form:
DONNA ZIEGLER, County Counsel

By _____

BRIAN WASHINGTON
Chief Assistant County Counsel

ATTACHMENT F

EDEN AREA GENERAL PLAN ACTIONS COMPLETED OR IN PROGRESS	STATUS	DATE OF COMPLETION
LU-1, A1. Amend the Zoning Ordinance Map for overall consistency with this General Plan.	In progress	December 2014
LU-4, A1. Develop and implement design guidelines to maintain the desirable qualities and character of existing neighborhoods.	In progress	March 2014
LU-5, A1. Develop design guidelines for infill development in Neighborhoods. Guidelines should provide principles for addressing existing buildings and the street, and designing attractive and appropriate building facades.	In progress	March 2014
LU-6, A1. Develop specific guidelines for the development of narrow, deep lots that address intensity, access, relationship to adjacent uses, and minimum size of parcels that can be subdivided.	In progress	March 2014
LU-7, A5. Upon adoption of the General Plan, review and update the <i>Ashland-Cherryland Business District Specific Plan</i> to reflect urban design qualities and land use designations identified in this General Plan.	In progress	2015
LU-7, A6. Implement existing streetscape plans for East 14 th Street/Mission Boulevard, Lewelling Boulevard, and Hesperian Boulevard.	Plans completed	Awaiting funding to implement
LU-12, A1. Develop incentive programs for property owners who voluntarily terminate general advertising leases and agree to phase out existing billboards. This program should be administered through the Redevelopment Agency or the Community Development Agency.	Program adopted.	Econ. & Civic Devel. Dept. implementing now.
LU-16, A1. Conduct an historic resources inventory for the Eden Area to identify important historic and cultural resources.	Implemented through HPO ordinance	Ongoing
LU-16, A3. Develop a range of economic incentives to encourage property owners to conserve existing historic and cultural resources.	Implemented through HPO ordinance	Ongoing
LU-16, A6. Develop design and construction guidelines for the rehabilitation and renovation of historic buildings. Conforming to these guidelines shall be required prior to the issuance of a building permit.	Implemented through HPO ordinance	Ongoing
CIRC-1, A5. Review and revise capital improvement programs to prioritize multi-modal projects over roadway improvements.	PWA included in Complete Streets Program	2013
CIRC-3, A2. Update the Capital Improvement Program to include one of the following two improvement options at the following intersections: " Option A: Realign the Grant/Washington/Via Alamos intersection to allow east/west movements (on Grant Avenue) without split-phase operations. (Currently, eastbound and westbound movements have separate signal phases.) The intersection would operate acceptably at LOS D with this improvement. Improving the intersection alignment would also be desirable to enhance pedestrian circulation. The public prefers Option A.	PWA is looking at other alternatives to signalization and street reconfiguration for Option A.	Ongoing

ATTACHMENT F

EDEN AREA GENERAL PLAN ACTIONS COMPLETED OR IN PROGRESS	STATUS	DATE OF COMPLETION
Option B: Add a second southbound (heading towards Via Alamos) right-turn lane on Washington Avenue, approaching the Grant/Washington/Via Alamos intersection. The intersection would operate at LOS E with this mitigation, which would be an acceptable LOS for intersections located near schools based upon LOS criteria that would be adopted as part of the proposed General Plan. However, provision of a second southbound right-turn lane could result in undesirable crossing conditions for pedestrians.		
CIRC-3, A3. Update the Capital Improvement Program to plan for signalization of the Mission/Blossom intersection. Following signalization, this intersection would operate acceptably at LOS D during the PM peak hour.	Part of Phase III of the Mission Streetscape Project.	Awaiting funding
CIRC-6, A2. Complete and adopt the <i>Pedestrian Master Plan</i> for the Eden Area.	PWA completed	2012
CIRC-6, A3. Update the County's street standards to reflect the pedestrian policies listed above and to be consistent with the <i>Alameda County Pedestrian Master Plan for Unincorporated Areas</i> .	PWA completed	2012
CIRC-7, A1. Update the <i>Bicycle Master Plan for the Western Unincorporated Areas</i> upon adoption of the Eden Area General Plan.	PWA completed	2012
PF-8, A1. Adopt and implement an ordinance establishing minimum construction and demolition waste diversion rates for certain private construction projects.	PWA completed	2009
PF-9, A3. Implement water conservation guidelines for landscaping in Program 3.2.2 of the Resource Conservation Element of ROSA through site development review process.	Water Efficient Landscape Ord. adopted	2013
PF-11, A4. Develop standards to encourage new development to minimize the amount of newly constructed impervious surfaces, maximize the construction of on-site infiltration of runoff and increase on-site retention of run-off.	Included in stormwater regulations.	2013
GH-3, A5. Train permit-review and planning staff in green building techniques and encourage them to integrate that information throughout their work.	Completed	2013 & Ongoing.
GH-3, A6. Develop a program targeted at low-income homeowners to improve the energy-efficiency of existing buildings.	Existing Neighborhood Preservation & Sustainability program.	Ongoing