

CITY OF ALAMEDA RESOLUTION NO. 12041

SUBMITTING TO THE ELECTORATE OF THE CITY OF ALAMEDA AT THE GENERAL ELECTION TO BE HELD ON MARCH 5, 1991, AN AMENDMENT TO THE CITY OF ALAMEDA CHARTER AND GENERAL PLAN PERTAINING TO ESTABLISHING THE MAXIMUM PERMITTED DENSITY FOR RESIDENTIAL DEVELOPMENT; PROVIDING FOR NOTICE THEREOF; AND PROPOSING SAID BALLOT MEASURE.

WHEREAS, the City Council has called for a general municipal election to be held on March 5, 1991 to elect officials and to vote on qualified ballot measures and propositions,

WHEREAS, the City Council desires to submit to the qualified electors of the City of Alameda a proposed amendment to the City Charter as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alameda as follows:

Section 1. The Council of the City of Alameda hereby proposes on its own motion to amend the City of Alameda Charter and General Plan as follows:

AMENDMENT TO CHARTER AND GENERAL PLAN OF THE CITY OF ALAMEDA

Section 1. It is the intent of the voters by enacting this Ballot Measure to amend the City of Alameda Charter and General Plan to limit residential densities within the City of Alameda to prevent overcrowding, minimize traffic congestion and parking problems, and preserve the character of residential neighborhoods. In addition, the voters wish to correct any existing internal inconsistency between the Housing Element and Combined Land Use Plan of the City of Alameda General Plan by clarifying the maximum permitted density for residential development projects within the City.

Section 2: A new Section 26-3 is added to Article XXVI of the Alameda City Charter to read as follows:

Section 26-3. The maximum density for any residential development within the City of Alameda shall be one housing unit per 2,000 square feet of land. This limitation shall not apply to the repair or replacement of existing residential units, whether single-family or multiple-unit, which are damaged or destroyed by fire or other disaster; provided that the total number of residential units on any lot may not be increased. This limitation also shall not apply to replacement units under Section 26-2.

Approved as to Form
CITY ATTORNEY

Section 3: A new provision is added to the Housing Element and Combined Land Use Plan of the City of Alameda General Plan to read as follows:

The maximum density for any residential development within the City of Alameda shall be one housing unit per 2,000 square feet of land. This limitation shall not apply to the repair or replacement of existing residential units, whether single-family or multiple-unit, which are damaged or destroyed by fire or other disaster; provided that the total number of residential units on any lot may not be increased. This limitation also shall not apply to replacement units under Section 26-2 of Article XXVI of the City of Alameda Charter.

Section 4. Following the effective date of this Ballot Measure, all land use approvals-including general plan amendments, specific plans, subdivision and parcel maps, conditional use permits, variances, and building permits--shall be consistent with the provisions of this Ballot Measure. Within 180 days after the effective date of this Ballot Measure, the City Council shall adopt such further amendments to the text and maps of the City of Alameda General Plan as are necessary to ensure that all elements of the General Plan are legally adequate in all respects and consistent with the provisions of this Ballot Measure.

Section 5. The City Council shall amend the City of Alameda Zoning Ordinance to bring it into consistency with this Ballot Measure within 180 days after its effective date.

Section 6. All provisions of this Ballot Measure are independent and severable. If any portion of this Ballot Measure is invalidated by a court of law, the remaining portions shall remain in full force and effect.

Section 2. The Council of the City of Alameda hereby proposes to and does hereby on its own motion submit to the qualified electors of the City at the March 5, 1991 election the proposal to amend the City of Alameda Charter in the manner hereinabove specifically set forth as follows:

