

7

DEFINITIONS AND RULES OF MEASUREMENT

DEFINITIONS

Abutting or Adjoining. Having a common boundary, except that parcels having no common boundary other than a common corner shall not be considered abutting.

Adjacent. Directly abutting, having a boundary or property line(s) in common or bordering directly, or contiguous to.

Bay-friendly Landscaping. Bay-friendly landscaping is a whole systems approach to the design, construction and maintenance of the landscape in order to support the integrity of one of California’s most magnificent ecosystems, the San Francisco Bay watershed. Bay-friendly landscapes act in harmony with the natural conditions of the San Francisco Bay watershed, reduce waste and recycling materials, nurture healthy soils while reducing fertilizer use, conserve water, energy and topsoil, use integrated pest management to minimize chemical use, reduce stormwater runoff and air pollution, and protect and enhance wildlife habitat and diversity.

Building Footprint. The horizontal area, as seen in plan view, of a building or structure, measured from the outside of exterior walls and supporting columns, and excluding eaves. See also “Determining Lot Coverage.”

Building Height. The vertical distance from any and all points on the ground below a structure to corresponding points vertically above. See also “Measuring Height.”

Building Site. “Building site” means the land area, consisting of one or more recorded lots which consti-

tute a unit, either under one ownership or for use as a condominium, which is to be considered as a site either occupied or to be occupied by a main building or buildings and accessory buildings or by a principal use and accessory uses together with the effective lot frontage on a street, and the yards, open spaces and parking and loading spaces required by these regulations.

Compatible. That which is harmonious with and will not adversely affect surrounding buildings and/or uses.

Facade. The exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Floor Area. The total gross horizontal area of all the floors below the roof and within the outer surface of the walls of a building or structure, including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building unless otherwise stipulated.

Footprint. The horizontal area, as seen in plan view, of a building or structure, measured from the outside of exterior walls and supporting columns, and excluding eaves. See also “Determining Lot Coverage.”

Frontage, Public Street. That portion of a lot or parcel of land that borders a public street. “Street frontage” shall be measured along the common lot line separating said lot or parcel of land from the public street, highway, or parkway.

Grade. The location of the ground surface.

- Existing Grade. The elevation of the ground at

any point on a lot as shown on the required survey submitted in conjunction with an application for a building permit or grading permit.

- Finished Grade. The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building.

Hillside. Building sites with an average slope exceeding 10 percent gradient. (Fairview Specific Plan.) See also “Determining Average Slope.”

Lot Coverage. The portion of a lot that is covered by structures, including principal and accessory buildings, garages, carports, and roofed porches, but not including unenclosed and unroofed decks, landings, or balconies. See also “Determining Lot Coverage.”

Low Impact Development (LID). One of LID’s primary goals is to reduce runoff volume by infiltrating rainfall water to groundwater, evaporating rainwater back to the atmosphere after a storm and finding beneficial uses for water rather than exporting it as a waste product down storm sewers. The result is a landscape functionally equivalent to predevelopment hydrologic conditions, which means less surface runoff and less pollution damage to lakes, streams, bay and coastal waters. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels

and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes.

Open Space Types.

Total Usable Open Space. Total usable open space is the combination of common usable open space and private usable open space.

Common Usable Open Space. Common usable open space is open space for use by all residents, which meets the minimum dimensions established by the development standards of the zoning district. Common usable open space may be on the ground, or in courtyards above parking.

Private Usable Open Space. Private usable open space is open space that is used exclusively by a single unit. Private usable open space may be on the ground, or in balconies and decks.

Prevailing. Over half of the five parcels on either side of the subject parcel, plus the parcels across the street.

Riparian Area. Any area for which a watercourse, intermittent or perennial; pond; lake; marsh; or any other wetland; or the vegetation of wildlife dependent on or associated with any of the above, forms the environmental focal point. The limits of a riparian area will normally be considered the demarcation line between the vegetation zones of wetland and upland.

Site Design Measures. Measures that reduce water quality impacts, will minimize impervious surfaces and

direct stormwater runoff from impervious surfaces to vegetated areas. Examples include, stormwater detention, retention, and infiltration of runoff, like concave medians, grass/vegetated swales, green roofs, rain gardens, flow-through planters, stormwater curb extensions, permeable pavements, and conservation of natural areas.

Site Landscaping. Site landscaping includes landscaped areas that are not paved or covered with buildings. Site Landscaping includes planted areas and all usable open space areas (which may include some paved walkway or recreation areas.) All building footprint areas and areas paved for auto access are excluded, except for grasscrete or comparable materials that allow plants to grow through paving blocks.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar, or unused underfloor space is more than six feet above grade as defined herein, or more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar, or unused underfloor space shall be considered a story.

RULES OF MEASUREMENT

Determining Developable Site Area

Developable Site Area includes:

1. Areas of less than 30% slope;
2. Areas outside of any private streets, street parking spaces, access easements, stems, driveways that serve more than one lot, and any other unservable or unbuildable portion of the lot; and
3. Areas outside of riparian areas (See Riparian Areas).

Determining Area per Dwelling Unit

The area per dwelling unit of a project is calculated using the following formula:

Area = Developable Site Area/Number of Dwelling Units

Measuring Height

Measuring Building Height. Building height is measured vertically from the structure perimeter at existing or finished grade, whichever is lower. The allowed structure height shall be at or below that imaginary plane located vertically above the points measured from the structure perimeter at existing or finished grade, whichever is lower. Hillside Areas as provided in Table 2.2-2.

Measuring Height of Fences on Retaining Walls. The height of fences on retaining walls shall be measured from the midpoint of the retaining wall to the top of

the fence.

Determining Average Slope

The average slope of a parcel is calculated using the following formula: $S = 100(I)(L)/A$, where:

S = Average slope (in percent)

I = Contour interval (in feet)

L = Total length of all contour lines on the parcel (in feet)

A = Area of subject parcel (in square feet)

Determining Lot Coverage

In calculating the percentage of lot coverage, the area at ground level of all roofed buildings on the premises shall be included as coverage, excluding

- Cornices, canopies, eaves, sills, buttresses or similar architectural features, chimneys and fireplaces not exceeding eight feet in width, and planting boxes that project a maximum distance of two feet into any required yard; and
- Cantilevered bay windows not exceeding 10 feet in width, or a landing place, porch, and stairway leading to a dwelling unit entrance not greater

than six feet above the ground level.

Determining Lot Frontage

- Lots with Public Street Frontage. The front of a lot is that which abuts the public street.
- Lots without Public Street Frontage. If a lot does not abut a public street, the front of a lot is that which abuts the access driveway or private street.

– Exceptions:

Single-Family Subdivisions. If a project site is less than 100 feet in width, the front of the lot is that which faces the public street.

Small-Lot Single Family Homes. If a project site is less than 80 feet in width, the front of the lot is that which faces the public street.

Determining Setbacks

The following special regulations for determining setbacks apply when a lot, with no public street frontage, abuts a sidewalk on a private street.

Garages. For garages, the required setback shall be measured from the back of the sidewalk.

Living Space. For living space, the required setback shall be measured from the edge of vehicle lane.

POLICIES

Stormwater Policy:

Design Requirements for Post-Construction Measures

All projects shall incorporate appropriate site design measures and low impact development principles to minimize impacts to water quality. These may include, but are not limited to, the following: (a) minimizing impervious surfaces, especially directly connected impervious surfaces, (b) clustering buildings, (c) preservation of quality open space, (d) maintaining and/or restoring riparian areas and wetlands and establishing vegetated buffer areas to minimize pollutants in stormwater runoff or minimize peak runoff.

All applicable projects shall be required under the Alameda County Cleanwater Program to incorporate appropriate site design measures to minimize impacts to water quality. These may include, but are not limited to, the following:

1. Minimize land disturbance;
2. Minimize impervious surfaces (e.g., roadway width, driveway area, and parking lot area), especially directly connected impervious areas;
3. Minimum-impact street design standards for new development and redevelopment, including typical specifications (e.g., neo-traditional street design standards and/or street standards recently revised in other cities, including Portland, Oregon, and Vancouver, British Columbia);
4. Minimum-impact parking lot design standards, including parking space maximization within a given area, use of landscaping as a stormwater drainage fea-

ture, use of pervious pavements, and parking maxima;

5. Clustering of structures and pavement;
6. Typical specifications or acceptable design guidelines for lot-level design measures, including:
 - Disconnected roof downspouts to splash blocks or .bubble-ups;
 - Alternate driveway standards (e.g., wheel-ways, unit pavers, or other pervious pavements); and,
 - Micro-detention, including landscape detention and use of cisterns (may also be considered treatment measures);
 - Preservation of high-quality open space;
7. Maintenance and/or restoration of riparian areas and wetlands as project amenities, including establishing vegetated buffer zones to reduce runoff into waterways, allow for stream channel change as a streams contributing watershed urbanizes, and otherwise mitigate the effects of urban runoff on waters and beneficial uses of waters (may also be considered treatment measures); and,
8. Incorporation of supplemental controls to minimize changes in the volume, flow rate, timing, and duration of runoff, for a given precipitation event or events. These changes include cumulative hydromodification caused by site development. Measures may include landscape-based measures or other features to reduce the velocity of, detain, and/or infiltrate stormwater runoff (may also be considered treatment measures).

Policy Statement for Lot Size Consistency of Single Family Subdivision in Castro Valley

(The Policy Statement is currently up for review as part of the Castro Valley new General Plan, expected in 2010)

New single-family parcels must be consistent with the existing land use pattern of the surrounding neighborhood. Even though subdivision proposals may meet the minimum zoning requirement for lot size or median width, they may not create lots substantially smaller or narrower than the prevailing lots in the neighborhood.

Background: The purpose of this policy statement is to clarify, enhance, and reaffirm the existing General Plan policies listed below. This policy statement applies community-wide to neighborhoods with R-1 (Single Family Residential) zoning with any attached combining district (e.g. R-1-B-10), and also any area zoned PD based on a R-1 District, where proposed subdivision would be incompatible with established single family development patterns.

The Castro Valley Plan (1985) includes the following principles regarding suburban and low density residential land-uses:

Page 57 Within predominantly single-family residential areas, the density of new suburban and low density residential development should be approximately the same as that of surrounding residential uses.

Page 58 Suburban and low density residential projects may include attached and/or detached residential units, provided that the development is other wise compatible, in scale, bulk, and siting with surrounding residential uses....

Most of the new residential development in Castro Valley has been provided through infill development. Infill allows more intensive land uses in existing urbanized and suburbanized areas where public services such as water, sewer, and fire protection are readily available. However, in certain cases, infill development can result in changes overall aesthetic appearance of a neighborhood through on-street parking, alteration of natural topography, and removal of mature vegetation. Other factors, such as increased traffic, the placement of easements and demands to public utilities can also change neighborhood character as a result of infill. This policy statement gives guidance to decision makers while deciding when and where infill development should take place. It is not intended to preclude infill development which meets County policies.

Infill development in Castro Valley is primarily regulated by the County General Plan, the Zoning Ordinance, and the Subdivision Ordinance. It should be noted that the Zoning Ordinance sets a minimum lot size, and does not guarantee a right to that size. Under state law, subdivisions are required to be consistent not only with the Zoning Ordinance, but also with all the policies in the General Plan. Other factors or policies, such as the guidelines discussed below, may influence the ultimate size of a newly created lot.

Definitions: The “surrounding neighborhood” to be used in determining the prevailing lot size, both area and width should be determined by the following three methods.

- A discrete tract which was developed at one time and which functions as a cohesive neighborhood.
- An area defined by physical features both natural and human-made including creeks, ridges, and

roads. These features function as barriers and define an integral area.

- A discrete unit of similarly sized lots which are contiguous and have an established pattern of large single family lots larger than the minimum zoning requirement.

The existing “prevailing lot” on which is based the appropriate lot size both area and width, for a new subdivision should be determined by one of the following two methods:

- Predominant lot size (the lot size that occurs with the greatest frequency within a neighborhood); or
- Average area of lots within a surrounding neighborhood.

In addition, during the project review process, the decision-making body shall evaluate neighborhood character and external influences which affect that character prior to approval of infill development applications. Drastic changes to the neighborhood character based on this evaluation shall be grounds for denial of projects. This evaluation should address the following issues:

- Traffic conditions, street width, and parking
- Public services and utilities
- Building height
- Natural features such as mature vegetation and creeks
- Slopes and excessive grading

Fairview Specific Plan: Lot Size Consistency

New single family parcels must be consistent with the existing land use pattern of the surrounding neighborhood. Even though subdivision proposals may meet the minimum requirements for lot size or median lot width, they may not create lots substantially smaller or narrower than the prevailing lots in the neighborhood. The “surrounding” neighborhood to be used in determining the prevailing lot size; both area and width, should be determined by one of the following three methods:

- A discrete tract that was developed at one time and which functions as a cohesive neighborhood.
- An area defined by physical features, both natural and human-made, including creeks, ridges, and roads. These features function as area boundaries that define an integral area.
- A discrete unit of contiguous, similarly sized lots that have an established pattern of single family lots larger than the minimum requirement.

The existing “prevailing lot” on which is based “the appropriate lot size, both area and width, for any new subdivision should be determined by the larger of the following two methods by the approval authority:

- Predominant lot area and width (that which occurs with the greatest frequency within the neighborhood); or
- Median area and width of lots within a surrounding neighborhood.

In addition, during the review process, which includes community input, the decision making body will evaluate neighborhood character and external influences which affect that character prior to approval of

infill development applications. Significant changes to the neighborhood character that cannot be mitigated or which can be mitigated but which significantly adversely impact the neighborhood may be grounds for denial of a project. This evaluation shall address the following issues: traffic conditions, street width, parking, public services and utilities, building height, natural features such as mature vegetation and creeks, slopes and grading, and retention of existing areas of contiguous open space.

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