Land Use

Chapter 2

City of Fremont General Plan

Adopted December 2011

CITY OF Fremont

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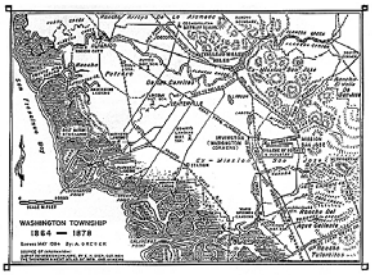
Introduction



Fremont circa 1875

Fremont from above

The purpose of the Land Use Element is to provide goals, policies, actions diagrams and standards to guide future land use decisions in Fremont. While all elements of the General Plan have equal weight under California law, in some respects this Element is the most far-reaching. It informs all other elements of the Plan, shaping the future transportation network and the location of future housing sites, and influencing public facility requirements and park and recreation needs. It defines the City's future open space system, and responds to natural resource conservation issues and safety hazards. It establishes the basic pattern of development in the City for the next 20-25 years, including land uses and densities, and presents the policies and actions to ensure that future development will enhance the quality of life for all Fremont residents.

The Land Use Element is a particularly important tool for achieving Fremont's sustainability goals. Its policies will guide the City toward a land use pattern that consumes less energy, is less dependent on automobiles, supports local businesses, and is inclusive of persons of all ages and physical capabilities. The Element has also been carefully integrated with the Mobility Element to promote a future land use pattern that reflects the opportunities and constraints of the transportation system. Together, the Land Use and Mobility Elements are the key to making the City a national role model for suburban transformation.

The Element is divided into three sections. The first section provides an overview of existing land uses and land use projections at the citywide level. The second presents the General Plan Land Use Map and Land Use Designations. It uses color coded categories, which are defined in detail in this Element, to show the land use intent over the 20 to 25-year time horizon assumed by the General Plan. The final section of the Land Use Element presents goals, policies, and implementing actions. The policies guide day-to-day City decisions on topics such as land use compatibility, hillside protection, industrial land conversion, and the review of new development.

Historic Niles and Irvington - Fremont of Yesterday

Fremont Today

Citywide Land Use Profile

Existing Land Uses

Fremont's land use pattern is defined by the City's topography, its agricultural past, its early settlement patterns, its transportation network, and its central location within the nation's fourth largest major metropolitan area. When the City incorporated in 1956, its boundaries included five established small towns (Centerville, Irvington, Mission San Jose, Niles and Warm Springs) and thousands of acres of farmland, open hills, salt ponds, and marshes. In the past 50 years, much of the city envisioned by Fremont's founders has been built. The five original towns have grown and been joined together by new neighborhoods and business districts.

As of 2010, Fremont is the fourth most populous city in the nine-county Bay Area, the fifteenth most populous in California and the 95th largest city in the United States, with a population of approximately 215,000 people. Geographically, the City is the second largest city in the Bay Area after San Jose. Encompassing almost 90 square miles, Fremont covers a larger land area than San Francisco, Boston, St. Louis, or Washington DC.

The City is largely defined by its open space frame, including the Fremont hills to the east, the Baylands to the west and the Coyote Hills, Alameda Creek and Quarry Lakes to the north and northwest (see Diagram 2-1). Its position within the Bay Area is defined by adjacent communities; Union City to the north, Milpitas to the south, and Newark to the west. The City has further evolved into subareas centered around the original towns and newer areas that have been developed during the last five decades. Some of the subareas are defined by physical features, such as creeks or freeways, while others are defined by the predominance of a particular land use such as industry or open space.

Industrial uses are located in North Fremont, but mostly they are concentrated in the south and southwestern portions of the city. Commercial uses are clustered in the five original towns, in shopping centers along arterial streets, around freeway interchanges, and in the City Center. Residential uses occur throughout the City, with low-density single family neighborhoods and garden apartment complexes predominating. Public facilities and parks are located in all parts of the City, serving surrounding neighborhoods in some cases and the city as a whole in others.

Hill Area Open Space

According to the Alameda County Assessor and as indicated in Table 2-1, the City of Fremont covers approximately 57,000 acres (90 square miles). This area includes 7,400 acres of water and salt ponds located in San Francisco Bay and 49,600 acres of land. About 45 percent of the land area is permanent open space, including hillside and wetland preserves, grazing land, cemeteries, regional parks and trails, and city parks. About 26 percent is dedicated to streets, railroads, freeways, public facilities, and public rights of way. The remaining 29 percent consists of land designated for residential, commercial, and industrial uses, with residential uses representing a majority of the acreage. Table 2-2 presents residential units and commercial and industrial square footage.

Table 2-1
Existing Land Use, 2009

Land Use Category	Existing Acreage	Percent of Total
Residential - Rural	206	0.36%
Residential - Single-Family	7,746	13.62%
Residential - Mixed - Type	418	0.72%
Residential - Multi-Family	892	1.56%
Residential Subtotal	**9,262**	**16.27%**
Office	211	0.41%
General Commercial	865	1.50%
Mixed Use	15	0.03%
Commercial Subtotal	**1,091**	**1.94%**
Light Industrial	2,970	5.20%
Heavy Industrial	424	0.74%
Industrial Subtotal	**3,394**	**5.95%**
Institutional	412	0.63%
Public/Utility/ROW	14,736	25.77%
Public/Institutional Subtotal	**15,148**	**26.40%**
Open Space – Conservation	18,588	32.72%
Open Space - Active Recreation	790	1.39%
Open Space Agriculture	5,438	9.54%
Open Space – Private	860	1.49%
Open Space Subtotal	**25,676**	**45.13%**
Vacant Land Subtotal	**2,449**	**4.31%**
Total	57,020	100%

Source: Alameda County Tax Assessor, 2009

Table 2-2
Residential Units and Non-Residential Square Footage

Use Category	Developed, 2009
Single Family Residential	42,677 units
Multi-Family Residential	29,713 units
Retail/Commercial	5.9 million sq. ft.
Industrial	40.5 million sq. ft.

Sources: City of Fremont Retail Study, 2008. City of Fremont Industrial Study, 2008. Department of Finance, 2009

Diagram 2-1 Open Space Frame

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Residential Uses

In 2009, Fremont had approximately 9,300 acres of residential development. This acreage accommodates 72,390 housing units, for an average citywide residential density of 7.8 units per net acre.

Some 7,746 acres, or approximately 85 percent of the residential total, was developed with single family homes. The average density in these areas is 5.4 units per net acre. This relatively low density reflects the City's early evolution as an auto-oriented suburban community. Approximately 10 percent of Fremont's residential land area is developed with multi-family housing, including apartments and condominiums. Densities in these areas are substantially higher, averaging over 24 units per net acre. The remaining 5 percent includes a mix of medium density uses such as townhomes, mobile homes, duplexes, triplexes, and four-plexes.

Single-family uses are spread throughout the City, except in the Baylands, Hill Area and the industrial areas along I-880 in the southern part of the City. Most of the City's medium and high density uses are located in Central Fremont and in the Centerville and Irvington Districts. The prevailing development form in these areas consists of two to three story garden apartment complexes in landscaped settings. Some of these complexes consist of multiple buildings surrounding shared amenities such as lawns, playgrounds and swimming pools. Mid-rise buildings of four to seven stories are rare, although a few exist.

The City has been experiencing more multi-family development as the supply of vacant land has diminished and the focus has shifted to infill sites. Since the early 1990s, numerous residential projects have been developed at densities in the 15 to 30 unit per acre range, and a few have been developed at densities exceeding 30 units per acre. The highest density housing is generally located in or near the City Center, including the area around the Fremont BART station.

Single Family House

Multi-Family Housing

Archstone Apartments in the City Center

Fremont Restaurant

City Center Commercial Uses

Pacific Commons

City Center Mixed Use

Commercial Uses

Fremont contains approximately 1,091 acres of commercial development. This includes 15 acres of mixed uses, 211 acres of office use and 865 acres of general commercial which includes retail, services, hotels, restaurants, entertainment, and shopping centers. Fremont's commercial areas provide community-wide services while also helping to provide identity and focal points for subareas of the City. In 2008, the City's commercial areas contained nearly six million square feet of improved floor space.

The largest commercial area in the City extends from Mowry to Stevenson on the east and west and Argonaut Way to the BART station on the north and south. When Fremont was founded, this area was slated to become its "City Center" and its land use patterns reflect that intent. The area comprises over 400 acres and includes office buildings, health care uses, shopping centers, free-standing commercial uses, and larger shopping centers such as the Fremont Hub. Smaller nodes of commercial development exist in the historic town centers of Niles, Irvington, Centerville, Mission San Jose and Warm Springs. With the exception of Warm Springs, which is auto-oriented in form, these areas are reminiscent of small town shopping districts with local stores, services, and restaurants set along walkable local streets. Numerous neighborhood serving shopping areas are also located throughout the City, typically in suburban-style centers with large parking lots.

Over the last 20 years, more regionally-oriented shopping areas have emerged. One of these areas is Pacific Commons, located on the west side of Interstate 880 south of Auto Mall Parkway. This center includes big-box retailers and smaller retail and restaurant uses. It is adjoined by car dealerships and other large format commercial activities serving customers from Fremont and beyond. Additional regional commercial uses exist on Auto Mall Parkway and around other freeway interchanges. Some of these areas have historically been zoned for industry, but have been allowed to develop as retail centers due to their capacity to generate revenue and accommodate services that are difficult to locate in smaller neighborhood shopping center sites.

Another subcategory of commercial land use in the City consists of mixed use development. The predominant mixed use building form consists of ground floor storefronts and services with residential units located above.

Only 15 acres in the City are currently developed in this manner. In some cases, this pattern reflects historic building forms that pre-date Fremont's

incorporation. In other cases, the pattern reflects more contemporary transit-oriented projects near BART. Mixed use development is allowed in most commercial districts.

Industrial Uses

Fremont has approximately 3,394 acres of industrial land. Of this acreage, 2,970 acres are considered light industrial and 424 acres are considered heavy industrial. Total industrial floor space in 2008 was 40.5 million square feet. Most of Fremont's industrial land is located in the southern and southwestern parts of the City along the Interstate 880 corridor, particularly on the west side of I-880 and in the corridor between I-880 and I-680 in southern Fremont. There is also a large technology park located in the northwestern part of the city.

Fremont has one of the most diversified economic bases of any city in the Bay Area. The City's location in northeastern Silicon Valley has attracted a growing base of high technology firms and corporate headquarters. Some of these firms occupy industrial office (also referred to as "office-flex") space, a popular development form that accommodates both office uses and research and development activities. Fremont's locational characteristics, proximity to major transportation corridors and land supply also have attracted distribution and warehousing industries serving much of the Bay Area. Since 1962, the City has also been home to the largest automobile manufacturing facility in the Bay Area. Although the New United Motors (NUMMI) facility was closed in April 2010, the building remains one of the largest manufacturing facilities on the west coast. Tesla Motors has occupied a portion of the facility for manufacturing electric vehicles.

Public/Utility/Right-of-Way

Existing activities in this category include a variety of public uses, transportation facilities, utility infrastructure, and community facilities. There are 14,736 acres in this use. A majority consists of the public rights-of-way containing streets and sidewalks. Other uses include city buildings and facilities, schools and land/facilities owned by utility agencies. Some of the major public facilities in the City include public schools, libraries, fire stations, Ohlone College, the California School for the Deaf and Blind, the Police Station, and Alameda County Water District facilities.

Institutional

Institutional uses include churches, hospitals, private schools and nursing homes. These uses represent about 412 acres of the City's area. Institu-

Baylands Open Space

Irvington High School Football Field

tional uses are located throughout the City. Most of the health care uses and hospitals are located in central Fremont near the BART station.

Open Space

Open Space is the single largest land use in Fremont, encompassing over 25,000 acres. Open space is classified with several categories by the Alameda County Tax Assessor. Areas assessed as "Conservation" represent the largest category, comprising over 18,558 acres. This includes most of the Fremont Hills, the Baylands, and parks managed by the East Bay Regional Park District. The hills are primarily rangeland, as the steep terrain and poor access limit the potential for development. Most of this land is privately owned. The baylands primarily consist of wetlands and marshlands. Much of this area is part of the San Francisco Bay (Don Edwards) National Wildlife Refuge.

The second largest open space category is "Agriculture," with 5,438 acres. This category includes salt ponds along the Bay, grazing areas in the hills, and remnant farms in the City and along the base of the foothills. The area used for field crops and orchards was once substantial but today is very small. "Private" open space includes about 860 acres. It includes dedicated open space within multi-family developments and planned communities, and cemeteries. Much of the acreage in this category was created within hillside developments where homes were clustered, and the steeper terrain was set aside as common open space. The "Active Recreation" category includes about 790 acres. Community parks, neighborhood parks and mini-parks are included in this category. The largest city park, Central Park, is about 430 acres.

Vacant

Almost 2,500 acres of land in Fremont is classified by the Tax Assessor as "vacant." Vacant sites generally consist of unimproved private properties that are planned and zoned for development. However, some of these properties may be difficult to develop due to environmental and/or access constraints. When constrained or unavailable properties are subtracted out, only about 884 acres of vacant land remain. Most of this land is zoned industrial and is located in the south and west parts of the City. About 172 acres of vacant land are zoned residential and about 45 acres are zoned commercial as shown in Table i-2 (page i-27).

Projected Land Demand

Fremont is projected to add 14,880 households and 46,000 jobs in the period from 2010 to 2035. As job growth exceeds household growth, the City will move closer towards its vision of being a full-service community with a balanced mix of jobs and housing. By 2035, it is projected that Fremont will have 1.63 jobs per household, compared to 1.55 today. The Bay Area average in 2035 is projected to be 1.5 jobs per household.

The higher rate of projected employment growth has implications for the demand for commercial and industrial land, which in turn informs the City's General Plan Land Use Map. The Map does not show large areas of vacant land designated for new low density residential neighborhoods, as it once did. It continues to show large areas where future employment growth may be accommodated and areas where mixed use development combining residential and commercial uses are possible. Because the land supply is more limited today, future development will need to occur at higher densities and intensities than it has in the past, often on sites that are "underutilized" rather than vacant or agricultural.

Assuming a 5 percent vacancy rate, the 14,880 new households projected for 2010-2035 will translate into about 15,624 new housing units, or about 625 new units a year. If these units were to develop at the same average density that now prevails in Fremont, more than 3,000 acres of land per year would be required.

The City does not have 3,000 acres of land available for housing development and could not accommodate this growth without building on hillsides or in wetlands. Neither of these options is viable or desirable. Growth will need to occur more densely than it has in the past, with a growing share of future growth taking place on former commercial sites. Mixed use projects will become more important as the City seeks to accommodate new retail, housing, and office demand on the same sites in order to use land more efficiently and reduce the necessity of driving.

The demand for land to support employment growth is more difficult to calculate. As of 2010, there is a large inventory of vacant industrial building space due to poor economic conditions. In fact, the City experienced a net loss of jobs between 2000 and 2010, and will spend some of the next decade recovering jobs before net gains occur. Since the NUMMI facility closure in 2010, the projected 25-year net gain of 46,000 jobs may not begin for several years.

JOBS/HOUSING BALANCE

When the number of local jobs "matches" the amount of local housing, a community is said to have achieved a "jobs/housing balance." Such a balance has many benefits, including reduced driving and traffic congestion, fewer air pollutant emissions and higher quality of life.

The average ratio in the Bay Area is about 1.5 jobs per household.

SENATE BILL 375

In 2008, the Governor of California signed into law Senate Bill (SB) 375, legislation aimed at creating a stronger link between land use and transportation planning to reduce greenhouse gases (GHG). The Bill encourages growth close to existing mass transit systems and infrastructure and discourages suburban sprawl. The General Plan embraces this concept and is consistent with the goals of SB 375

Even with the large inventory of vacant space, future employment growth will need to occur more densely than it has in the past. The same principle that applies to residential uses applies to employment-generating uses; Fremont will need to grow "up" rather than "out." Higher development intensity can also help create a more sustainable city, and provide the pedestrian-oriented, urban workplaces and shopping experiences that are missing in the City today. Strategically locating future employment around BART and along urban corridors can create vibrant new centers while revitalizing historic districts. Such development would reinforce the City's climate change and mobility goals and could transform the local business environment.

Further away from transit, the remaining vacant sites in the City's industrial areas will be reserved for the large footprint industrial uses that have been essential to the City's economy since the 1960s. Preserving land for these uses is key to retaining a balanced mix of job opportunities and providing the supplies, products, and services needed to keep the City and the region economically healthy.

Community Plan Areas

The City of Fremont covers about 90 square miles. Different parts of the City face different land use challenges and hold different opportunities for the future. While the General Plan maintains a citywide perspective, it must also consider the unique needs of particular subareas and the way that citywide policies affect localized land use decisions. The City has identified 11 distinct "Community Plan Areas" for this purpose. During the past 20 years, a few of these areas have been the subject of neighborhood plans, specific plans, and area plans. The Community Plan Element of the General Plan provides a profile of each area and captures the key recommendations of these plans.

The Community Plan Area boundaries are shown in the Community Plan Element and Diagram 4-2 in the Community Character Element.

Future Land Use Map and Designations

Map Overview

The General Plan Land Use Map uses color-coded designations to express the intended use of land across the Fremont area over the approximate twenty-year time horizon of this General Plan. See Diagram 2-2 for future land use. Preparation of the Land Use Map is explicitly required by the California Government Code. The Map is part of the adopted General Plan and carries the same legal weight as the Plan document itself.

In most cases, the designation on the Land Use Map matches the existing use of land as of 2010. In other cases, the designation may be different from what is on the ground today, indicating that the City expects the current use to change as Fremont adds population and jobs. For example, a parcel that is vacant today but designated for residential use on the map would be expected to be developed with housing during the next twenty years. Similarly, a parcel that is in industrial use today but designated as "mixed use" on the map would be expected to redevelop with a mix of commercial and residential uses.

The Land Use Map is largely implemented through the City's zoning regulations. Each color-coded category on the map has a corresponding set of compatible zoning districts. Many of the Land Use Map categories have more than one corresponding zoning district, permitting a more fine-grained interpretation of the map based on existing uses and local conditions. Whereas the Map categories are intentionally broad, the zoning designations are more prescriptive and address qualities such as building heights, setbacks, permitted and conditional uses, allowable lot coverage, and parking requirements. Parking is also addressed through policies in the Mobility Element.

While the Land Use Map guides zoning, it is not the same as the Zoning Map. By definition, the Land Use Map is intended to be general and does not necessarily follow parcel boundaries. Moreover, the designation of an area with a particular Map category does not mean that the most intense zoning district consistent with that category is "automatically" permitted. This is particularly true in the residential areas, where a range of zoning densities applies within each category.

In most cases, developing a property with a use that is not consistent with what is shown on the Land Use Map would require an amendment to the General Plan. The definitions below are intended to guide the determination of consistency. Policies in this Element provide additional guidance for evaluating consistency, and for evaluating proposed Plan amendments. Requests to amend the Plan are subject to a public process involving the Planning Commission and City Council and are subject to evaluation under the California Environmental Quality Act.

There are a total of 20 land use categories shown on the Land Use Map, including five residential categories, five commercial and mixed use categories, three industrial categories, six open space categories, and one public category. There is also an overlay category (shown on the map with an outline rather than a color) that corresponds to transit-oriented development areas, and a second overlay that corresponds to Study Areas. Streets and public rights-of-way are generally color coded based on the land use they adjoin. However, freeways and railroad rights of way remain uncolored on the Map.

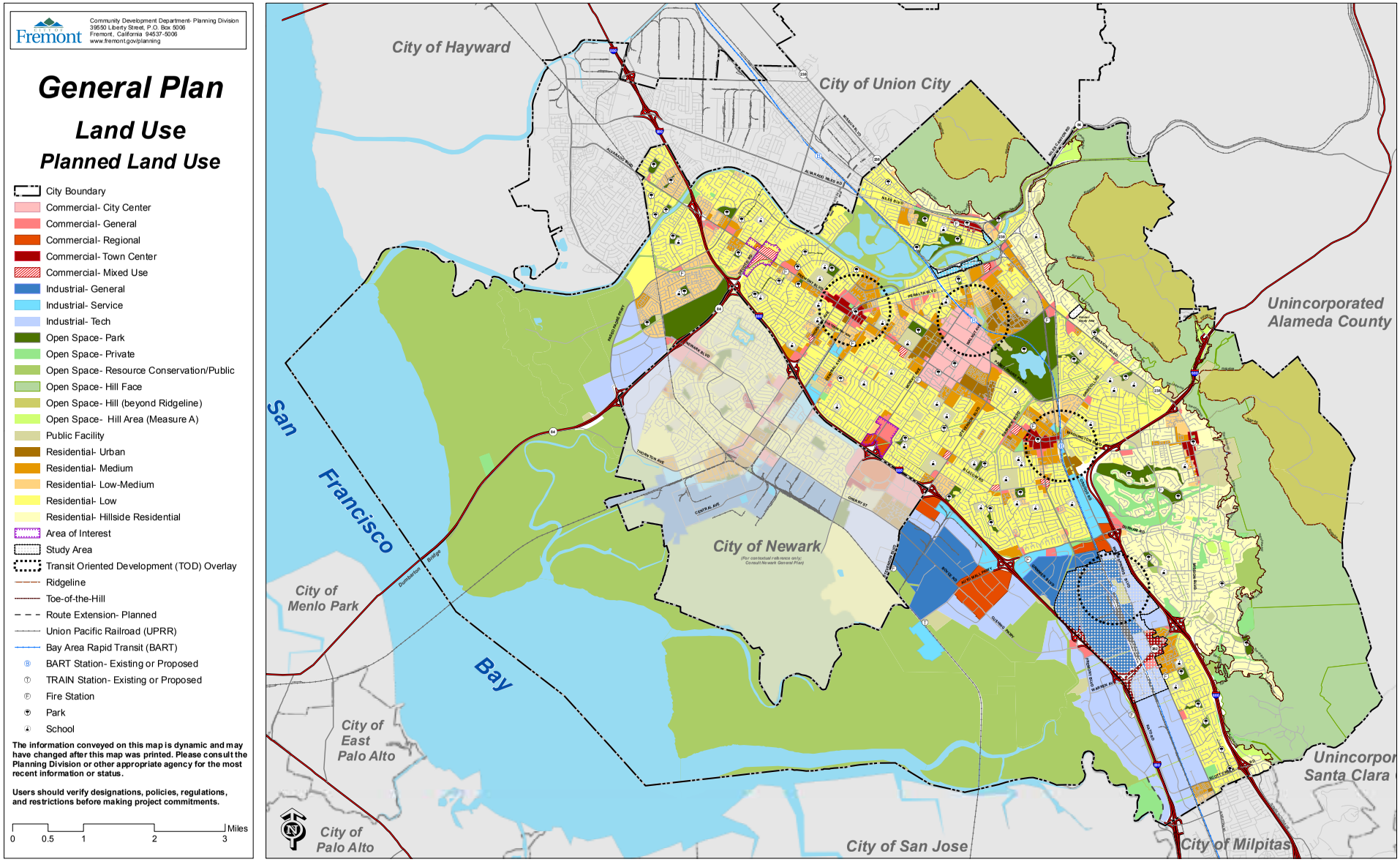

Diagram 2-2 Planned Land Use

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MEASURING INTENSITY AND DENSITY

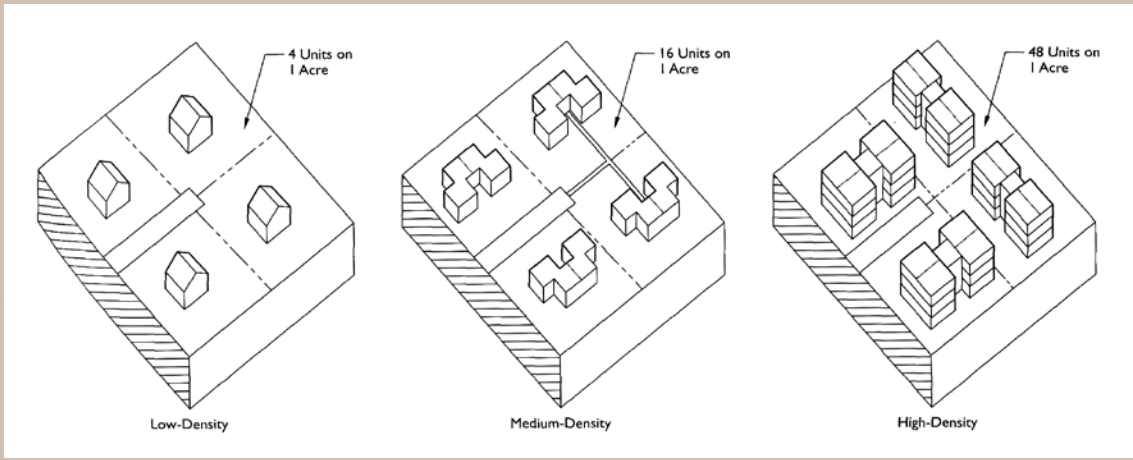
Each land use designation (except some open space and public designations) includes a measurement of development intensity, expressed as density or FAR. The measurement indicates the level of development that is permitted on each parcel within a given designation.

For residential categories, this is expressed as density; the number of units allowed per net acre. A "net" acre excludes streets, easements and other right-of-way not available for development. For example, a 20,000 square foot parcel with a net allowable density of 1 unit per 5,000 square feet would have a capacity of 4 units.

For commercial and industrial categories, intensity is expressed as Floor Area Ratio, or FAR. This is defined as the ratio between lot area and building floor area. For example, a 20,000 square foot parcel with a maximum allowable FAR of 2.0 would be permitted to have a 40,000 square foot building.

In most cases, the land use definitions only specify the maximum density or FAR that is permitted in an area. However, in a few cases, the definitions also specify the minimum density that may be required. This is particularly important for land around transit stations and in areas planned for urban density housing. Because the city has a limited supply of such properties, it is important to use them efficiently.

For example, it would be inconsistent to develop a property across the street from a BART station with single family homes when such sites offer the best opportunities in the city to reduce motor vehicle dependence, encourage transit ridership, and provide higher density housing and pedestrian-oriented workplaces.



Density Diagram
Source: APA Planning and Urban Design Standards, John Wiley & Sons, 2006

Hillside Residential

Residential Designations

Five residential designations appear on the Map. These designations are defined as follows:

Hillside Residential (Less than 8.7 units per net acre where previously subdivided; less than 2.3 units per net acre elsewhere)

The Hillside Residential designation generally corresponds to existing neighborhoods within the boundaries set by Measure A, Fremont's 1981 Hillside Initiative and further defined by the Hillside Combining Zoning District. Hillside Residential areas may include single-family lots, hobby farms, estates, and open space. These areas often have steep terrain, environmental constraints, and other natural features that preclude higher densities. Hillside Residential areas also include existing single-family subdivisions, clustered housing with common open space, and other planned developments. The intent of the Hillside Residential designation is to preserve the character of existing hillside neighborhoods and achieve compatible resource conservation and safety objectives. Outside of existing subdivisions and planned developments, new lots less than 20,000 square feet are prohibited. Within existing subdivisions and planned developments, lots less than 20,000 square feet currently exist; further increases in density (through subdivision and lot splits) are not permitted. Correlating zoning includes the R-1-40 and R-1-20 districts. R-1-10, R-1-8, and Planned District zoning are also present in established subdivisions.

Low-Density Residential

Low Density Residential (2.3 to 8.7 units per net acre)

The Low Density designation corresponds to most of Fremont's single-family residential neighborhoods. These areas are characterized by subdivisions of detached homes, usually on lots of 5,000 to 10,000 square feet. Low Density areas may also include larger-lot subdivisions in the 10,000 to 20,000 square foot range. Multiple zoning districts apply within Low Density Residential areas to distinguish areas with different minimum lot sizes. The high end of the density range, which would result in lots less than 6,000 square feet, is only permitted where specific conditions are met as established by the General Plan and Planned District zoning. Other compatible uses, such as schools, child care centers, parks, and religious facilities, may also locate in areas with this designation. Correlating zoning includes R-1-10, R-1-8, R-1-6 and R-2 districts.

Low-Medium Density Residential (8.8 to 14.5 units per net acre)

The Low-Medium Density designation is intended for patio home (zero lot line) development, mobile home parks, and older parts of the City characterized by a mix of single-family homes and small multi-unit buildings. Net density in these areas generally ranges from 8.8 to 14.5 units per acre, corresponding to site area allowances of 3,000 to 5,000 square feet per unit. While a mix of housing types is present, these areas retain the basic character of single-family neighborhoods, such as front and rear yards, driveways, and garages. Other compatible uses, such as schools, child care centers, parks, and religious facilities, may also locate in areas with this designation. Correlating zoning includes small lot Planned Developments, R-2, R-G and some of the lower density R-3 districts.

Low-Medium Density Residential

Medium Density Residential (14.6 to 29.9 units per net acre)

The Medium Density designation applies to garden apartments, condominiums, flats, townhouses, and low-rise multi-family complexes. Net densities in these areas generally range between 14.6 and 29.9 units per net acre, corresponding to site area allowances of 1,450 square feet per unit to 3,000 square feet per unit. These areas are multi-family in character, but retain some of the characteristics of suburban neighborhoods such as landscaped yards, off-street parking, common open space, and low building heights. Structures in these areas are generally less than four stories tall and have surface parking. Other compatible uses, such as schools, child care centers, parks, and religious facilities, may also locate in areas with this designation. Correlating zoning includes the R-3 district zones and the R-G zone.

Medium Density Residential

Urban Residential (30 to 70 units per net acre)

The Urban Residential designation applies to apartment buildings and condominiums that are generally four stories or more. Densities exceed 30 units per net acre and may be as high as 70 units per net acre, corresponding to site area allowances of 625 to 1,450 square feet per unit. On larger parcels with this designation, common open space and other shared amenities are typically provided. Structured parking is also usually included. Other compatible uses, such as schools, child care centers, parks, and religious facilities, may also locate in areas with this designation. While this designation is principally intended for residential development, some mixed use development (i.e., apartments above retail shops/services/offices) may be allowed under certain conditions. Densities above 70 units per net acre may also be permitted under certain conditions. Correlating zoning in Urban Residential areas includes the higher density R-3 zones and the R-4 zone.

Urban Residential

Urban Residential

City Center Urban Corridor

City Center Pedestrian Amenities

City Center Rendering

Commercial and Mixed Use Designations

Four commercial designations and one mixed use designation appear on the map. These designations are defined below. For mixed use projects, allowable residential densities are expressed in units per net acre to achieve Housing Element objectives for these areas. In some instances minimum densities may apply. Consistent with the Fremont Municipal Code, the City Council may allow development that exceeds the FAR limits specified below if they find a project would provide substantial community benefits and is consistent with the goals and policies of this General Plan. Implementation 2-2.7.B indicates the conditions under which maximum FAR's may be exceeded.

The Community Character Element of the General Plan should be consulted for additional guidance on the design of commercial and mixed use areas. In general, the City envisions an emphasis on pedestrian access in all commercial districts with buildings oriented toward streets and sidewalks, especially in the City Center and Town Centers. The Community Plan Element should be consulted for specific goals and policies for City Center and each of the Town Center areas.

City Center

The City Center designation applies to the 460+ acre area in the heart of Fremont. The area was envisioned as Fremont's downtown more than 50 years ago and today includes a mix of mostly auto-oriented commercial, office, civic, health care, and limited residential uses. Looking forward, City Center will become more urban in character, with more intense infill development and redevelopment, particularly within ½ mile of BART. Trees, sidewalks, benches, plazas, public art and other amenities that make the streets pedestrian-friendly. While the City Center includes local-serving uses, it is envisioned primarily as a regional commercial center, employment center, and entertainment and cultural center. The designation also accommodates mid to high-rise residential projects and mixed use projects incorporating housing above non-residential uses. The spatial distribution of uses is further guided by policies in this Element, other elements of the General Plan, the Zoning Ordinance, and the Downtown Community Plan. In particular, the Downtown Community Plan should be referenced for development standards and design guidelines for projects in the Downtown area.

Non-residential projects in the City Center are subject to a minimum FAR of 0.80 and maximum FAR of 1.5. Mixed Use projects with ground floor commercial and residential uses above are subject to a minimum FAR of 1.25 and maximum FAR of 2.5. FAR increases of up to 3.0 are permitted within the TOD overlay. Mixed use projects located within the TOD Overlay are subject to minimum residential density of 50 units per acre. Such sites or projects may be zoned for residential uses even though they fall within the City Center General Plan designation.

Floor Area Ratio (FAR) = 2.5

Floor Area Ratio (FAR) = 1.5

Floor Area Ratio (FAR) = 0.8

Downtown District of the City Center

The Downtown district of the City Center is the 110 acre core area bound by Mowry Avenue, Paseo Padre Parkway, Walnut Avenue and Fremont Boulevard. The Downtown district has its own Community Plan to guide land use and development decisions. The Downtown district is intended to be a mixed-use, sustainable, pedestrian oriented destination for Fremont and the region. The Community Plan specifies the allowable density in the entire Downtown to be in the overall range of 0.80 to 1.5 FAR, or a potential of 2,860,700 to 5,363,800 gross square feet of development. Although, FAR and height limits do not apply to individual parcels. The denser, compact development pattern will create a more walkable and dynamic environment for Downtown.

Bay Street, Irvington Town Center

Niles Town Center

Centerville Town Center

Floor Area Ratio (FAR) = 1.25

Town Center

The Town Centers on the General Plan Land Use Map correspond to the original business districts of Niles, Irvington, Centerville, and Mission San Jose, and a cluster of established neighborhood shopping centers in the Warm Springs District. Each area includes an aggregation of different businesses and services that meets the needs of the surrounding community. While the character of each Town Center varies, all are intended to be pedestrian-oriented with an attractive and distinct identity, along with amenities such as small parks, public art, and plazas that creates a Main Street ambiance. In some centers, such as Niles and Mission San Jose, identity is already well established through the building fabric and streetscape. In others, such as Warm Springs, identity will need to be shaped by future planning decisions. Typical uses in Town Centers include local services, retail, eating and drinking establishments, civic facilities, housing, and mixed-use development.

Non-residential projects in the Town Centers are subject to a maximum FAR of 0.5. Mixed-use projects with ground floor commercial and residential uses above are subject to a maximum FAR of 1.25. FAR increases up to 2.5 are permitted where a TOD overlay has been applied. Minimum FARs of 0.5 and minimum residential densities of 30 units/acre also apply when the site is located within the TOD overlay (e.g., Irvington, Centerville).

General Commercial

The General Commercial designation applies to low-scale commercial, service, and office uses located along the City's arterials and collector streets. Some of these areas were developed as auto-oriented "strip" shopping centers while others are freestanding offices, commercial uses, or clusters of businesses meeting the day-to-day needs of Fremont residents. Multiple zoning designations apply within this category to distinguish their different physical characteristics and uses. The zoning designations generally correspond to neighborhood retail uses, office uses, and service commercial uses. Typical retail commercial uses might include supermarkets, drug stores, restaurants, and miscellaneous small local-serving stores and services. Typical office commercial uses might include banks, finance, real estate, medical and dental offices, and professional services. Typical service commercial uses might include hotels, gas stations, fast food restaurants, used car sales, and minor auto repair businesses.

Mixed-use projects with ground floor commercial and residential uses above are permitted in the retail and office oriented zoning districts, but not in the service commercial districts. The allowable FAR in General Commercial areas ranges from a maximum of 0.30 for non-residential projects up to a maximum of 0.80 for mixed-use projects.

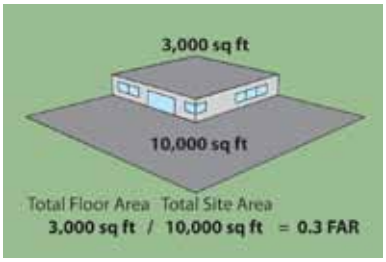
Regional Commercial

Regional Commercial areas include large-scale commercial uses serving a citywide or regional market, typically on large sites along freeways or major arterials. Retail uses within this category usually have large floor areas and high sales volumes and may be considered shopping "destinations" by consumers from Fremont and other cities across the Bay Area. Uses such as furniture and electronic stores, auto dealerships, home improvement stores, department stores, and "big box" retailers are included. Smaller and more local-serving retail stores and personal services are generally not appropriate but could be allowed if complementary to a regional use. The permitted FAR in these areas is 0.30, with higher FARs permitted for hotels on a case by case basis. Residential uses are not permitted.

General Commercial: Office Use

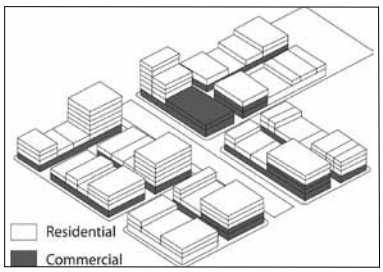
General Commercial: Office/Service Use

Regional Commercial: Pacific Commons

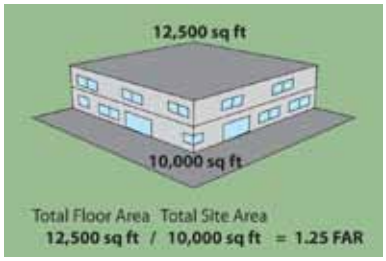


Floor Area Ratio (FAR) = 0.3

Bay Area Mixed Use



Mixed Use typically consists of ground floor commercial with residential above



Floor Area Ratio (FAR) = 1.25

Service Industrial Use

Mixed Use

The Mixed Use designation applies to specific areas of the City that may be appropriate for mixed commercial and residential projects, but are not within a TOD overlay. This designation has been applied to areas of the City that are beyond the half-mile radius of the BART and ACE stations, but still would be attractive locations for projects that combine commercial and higher-density residential uses. A range of commercial uses, such as retail, restaurants, personal services and offices are permitted within the Mixed Use designation. Housing is permitted but not required; however, a substantially higher FAR is applied to incentivize mixed use development on these properties.

The allowable FAR in areas designated Mixed Use ranges from a maximum of 0.50 for non-residential projects to a maximum of 1.25 for mixed-use projects that include residential.. All uses and development shall be evaluated for land use compatibility with adjacent uses. Residential projects without commercial uses are not permitted in these areas.

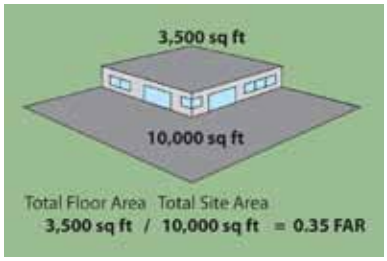
Industrial Designations

Three industrial designations appear on the map. Each designation is oriented toward the production, distribution, and repair of consumer goods, although the character of development varies in each case. Uses range from low-rise office buildings to heavy manufacturing. Residential uses are prohibited in all three of the industrial designations. Retail uses are strictly limited, consistent with policies in the General Plan and standards in the zoning regulations. The permitted FAR identified for each industrial district may be increased subject to General Plan policies and the Finding procedure for FAR increases.

Service Industrial

This designation accommodates a variety of industrial uses which are generally oriented toward local businesses and residents. These include auto repair and servicing, machine shops, woodworking and carpentry shops, equipment rental and storage, small warehouse and delivery operations, self-storage facilities, printers, small wholesalers, and other small-scale industrial operations. A limited number of office, commercial recreation, and group assembly uses also occur within these areas. Service Industrial areas are often located on the perimeter of the City's larger industrial districts and in various locations in other parts of the City. Multiple zoning districts may apply depending on the location of uses Given their prox-

imity to more sensitive uses, activities such as the handling of hazardous materials are strictly limited and buffering from adjacent uses may be required. A permitted FAR of 0.35 applies.



Floor Area Ratio (FAR) = 0.35

Tech Industrial

This designation primarily applies to areas used for research and development, "clean and green" tech, and semi-conductor, computer hardware, software and related technological, administrative, sales, and engineering facilities. These areas play an essential role in the Silicon Valley economy and provide a high volume of business-to-business sales tax for Fremont. Manufacturing is permitted, provided that characteristics such as noise, vibration, and odor do not generate significant impacts. Warehousing, wholesaling, and distribution facilities also may locate within these areas. A moderate level of hazardous materials handling and storage may occur.

Technology Industrial Use

Some of the Tech Industrial areas, such as Bayside and Ardenwood technology Parks, are characterized by a campus-like environment of one and two story buildings on large parcels. Architectural and landscape standards have been applied in these areas to maintain high standards of visual quality. Other areas with this designation have a more varied mix of parcels and uses. A permitted FAR of 0.35 applies, although FARs up to 0.45 are permitted for manufacturing and warehouse uses.

General Industrial Use

General Industrial

This is the broadest of the three industrial designations, accommodating such uses as heavy manufacturing, warehousing, recycling facilities, and corporation yards. These areas have been mapped to recognize the greater potential of these uses to generate off-site impacts, including noise, odors, vibration, and truck traffic. General industrial uses may also handle and store larger quantities of hazardous materials, and may require extensive areas for outdoor storage. Buffering and screening may be required to enhance public rights-of-way and ensure land use compatibility. General Industrial areas support a wide range of quality jobs, generate a significant amount of revenue, and provide essential services that underpin the local and regional economies. Thus, it is important to protect these areas from encroachment by potentially incompatible uses such as retail, office, group assembly and other incompatible uses. A permitted FAR of 0.35 applies.

Table 2-3
Commercial-Industrial Development Intensity

General Plan Measurement of Development Intensity		
Commercial Designations	**Floor Area Ratio FAR (Min/Max)***	**Residential Density (Min)**
City Center		
Commercial Project	*0.80-1.5**	
Mixed Use Project	*1.25-2.5**	*50 units/acre*
City Center-TOD Overlay	*Max 3.0*	*50 units/acre*
Town Center		
Commercial Project	*Max 0.5*	*n/a*
Mixed Use Project	*Max 1.25*	*n/a*
Town Center-TOD Overlay	*0.5-2.5**	*30 units/acre*
General Commercial		
Commercial Project	*Max 0.3*	
Mixed Use Project	*Max 0.8*	*Residential allowed subject to FAR maximums*
General Commercial-TOD Overlay	*Max 1.25*	*Residential allowed subject to FAR maximums*
Regional Commercial		
Commercial Projects	*Max 0.3*	*n/a*
Mixed Use		
Commercial Project	*Max 0.5*	*n/a*
Mixed Use Project	*Max 1.25*	*n/a*
Industrial Designations	**Floor Area Ratio FAR (Min/Max)***	
Service Industrial	*0.35*	*n/a*
Tech Industrial	*0.35*	*n/a*
Manufacturing and Warehousing Uses	*0.45*	*n/a*
General Industrial	*0.35*	*n/a*

* Refer to zoning districts for more specific information on implementation

Open Space and Public Designations

Six open space designations and one public facility designation appear on the map. These designations are defined as follows:

City Parks

This category includes parks that are owned and operated by the City of Fremont, including active and passive recreation areas. Typical uses include athletic fields, playgrounds, trails, tennis courts, and recreation centers. The appropriate uses in any given park are based on the park's classification and standards and are further defined in the City's Parks Master Plan and the Parks and Recreation Element. City Parks are generally subject to a height limit of 35 feet, with some exceptions, and an impervious surface coverage limit of 15 percent.

Warm Springs Community Park

Resource Conservation and Public Open Space

The Resource Conservation and Public Open Space category includes open spaces that are located below the Toe of the Hill (TOH) and owned by public or quasi-public agencies other than the City of Fremont. Open spaces with this designation include regional parks such as Coyote Hills, and land owned by the San Francisco Public Utilities Commission (Hetch Hetchy Aqueduct), the Ohlone Community College District, and the US Fish and Wildlife Service (Don Edwards Wildlife Refuge). This designation also includes PG&E transmission line rights of way and Alameda County Flood Control and Water Conservation District easements and rights of way. Resource Conservation and Public Open Space lands will remain as permanent open space through the horizon year of this plan. A limited number of recreational and regional park improvements, such as trails or interpretive nature centers, may be appropriate. However, the focus in most areas is on the preservation of natural open space and restoration and enhancement of native habitat. Consistent with the 1981 and 2002 voter initiatives, public land in the hill areas is excluded from this category and is mapped separately under "Hill Area Open Space".

Quarry Lakes

Private Open Space

The Private Open Space designation applies to private land set aside as open space within planned communities. It also applies to private uses with an open space character (such as golf courses and cemeteries). Some agricultural uses, such as livestock grazing, orchards, and small scale cultivation of crops, may be acceptable within these areas. With the exception

Niles Hill Area

of ancillary structures related to the open space use, development is not permitted in areas with this designation.

Hill Area Open Space

The Hill Area Open Space designation applies to most of the open lands defined by voter-approved Measure A (Hillside Initiative of 1981) and Measure T (Hill Area Initiative of 2002). This designation includes two sub-areas, and a total of three designations, each depicted differently on the General Plan Land Use Map.

Lands above the Toe of the Hill (TOH)-Measure T

Measure T applies to Fremont's eastern Hill Area and includes all land above the TOH, extending south and east to Alameda Creek and Calaveras Creek. The TOH is the line along the base of the hills where the natural grade first becomes 20 % or more. The area defined by Measure T is further identified as the Hill Face Open Space and the Hill Open Space. Each of these is shown in a different shade of green on the Land Use Map.

• **Hill Face Open Space** is identified as all land between the TOH and the Ridgeline. The Ridgeline is a visual feature along the high point of the Hills established from a point of origin 1.5 miles away. Very low density uses may be allowed at a density of one unit per 20 acres for existing parcels. Outdoor recreation and limited public and quasi-public uses are allowed. Grazing and other agricultural activities are also allowed.

• **Hill Open Space** is identified as land within the Hill Area beyond the Ridgeline and outside of the Hill Face. This land is primarily located east of the Ridgeline. Very low density residential uses may be allowed at a density of one unit per 20 acres for existing parcels and one unit per 100 acres for any future annexed parcels. Limited outdoor recreation and other agricultural activities are also allowed.

Lands generally lying east of Mission Boulevard and I-680 and below TOH-Measure A

• **Hillside Open Space (Measure A)** applies to rural parcels generally lying east of Mission Boulevard and/or Interstate 680, up to the TOH. Compatible uses include passive outdoor recreation, agriculture, and rural residential development. Future residential development in this area may not exceed one unit per acre for unconstrained land and one unit per four acres for constrained lands. However, even lower densities shall be maintained where severe environmental constraints are present. For the purpose of calculating allowable density, environmentally constrained portions of property (such as slopes over 20 percent) shall be excluded.

OPEN SPACE AND PUBLIC DESIGNATIONS

The State requires all general plans to contain an open space element to guide the comprehensive and long-range preservation and conservation of open space lands. Because this topic overlaps many other topics covered by the plan, local governments often combine open space with other elements. Fremont's General Plan meets the requirements for an open space element through the Land Use, Community Character, Conservation, Safety, and Parks and Recreation Elements.

The government code specifically requires open space elements to address four topics. These topics, and the places they are addressed in the Fremont General Plan, are listed below:

- **Open Space for the Preservation of Natural Resources** (Government Code 65560(b)(1))
  The Land Use Element uses different "open space" map designations to identify areas that should be preserved for the preservation of plant and animal resources, including wetlands and hillsides. The Conservation Element includes policies that further address the protection of these areas.
- **Open Space for the Managed Production of Resources** (Government Code 65560(b)(2))
  The Conservation Element includes policies for the management of open space lands (including grazing land), areas required for groundwater recharge, areas containing mineral deposits, and important water features such as creeks, lakes, ponds, wetlands and estuaries.
- **Open Space for Outdoor Recreation** (Government Code 65560(b)(3))
  The Parks and Recreation Element identifies areas used for outdoor recreation, and areas suited for future recreational activities, including trails. It also addresses the potential for linear parks and open spaces along utility corridors. The Community Character Element identifies open space areas with scenic, historic, and cultural importance.
- **Open Space for Public Health and Safety** (Government Code 65560(b)(4))
  The Safety Element addresses areas that must remain open space in the future because of naturally occurring hazards. It also identifies high fire hazard areas, and historical natural hazard boundaries such as inundation areas, landslide paths, and earthquake faults.

FLOOD HAZARD AREAS

- The Resource Conservation and Public Open Space designation applies to the City's Baylands which is the most susceptible area in the City to flood hazards and the 100-year flood. The FEMA Flood Hazard Diagram in the Safety Element identifies these areas. This Diagram also identifies other areas in the City that may be subject to the 500-year flood. These areas are typically near open creeks and flood control channels, and in the areas around Lake Elizabeth. The City will annually update these areas based on the most recent flood hazard data from FEMA. The Resource Conservation and Public Open Space designation also applies to Alameda Creek and Quarry Lakes, which are resources used for groundwater recharge and stormwater management. This information is provided to comply with California Government Code Section 65302(a).

Fremont Main Library

Additional development standards for the hill areas are specified in General Plan policies (especially in the Community Plan Element), zoning, and the Fremont Municipal Code and should be consulted further.

Public Facility

The Public Facility designation generally applies to non-open space parcels owned by public agencies or utilities. The designation includes City facilities, public schools, water and sanitary district facilities, transit agency facilities, utilities, and other federal, state, county, and local government facilities. Not all public facilities appear under this designation—for map legibility purposes, facilities less than one acre in size that are similar in character to adjacent uses may be shown with the adjacent use designation. For example, individual fire stations and branch libraries may not appear on the map. Conversely, sites designated as Public Facility are not precluded from future private use through joint public-private development, provided such development is consistent with the policies of the General Plan. Allowable development intensity on Public Facility properties is determined on a case-by-case basis and a 45-foot height limit generally applies. Public Facility also applies to unmapped portions related to freeway and railroad right-of-way.

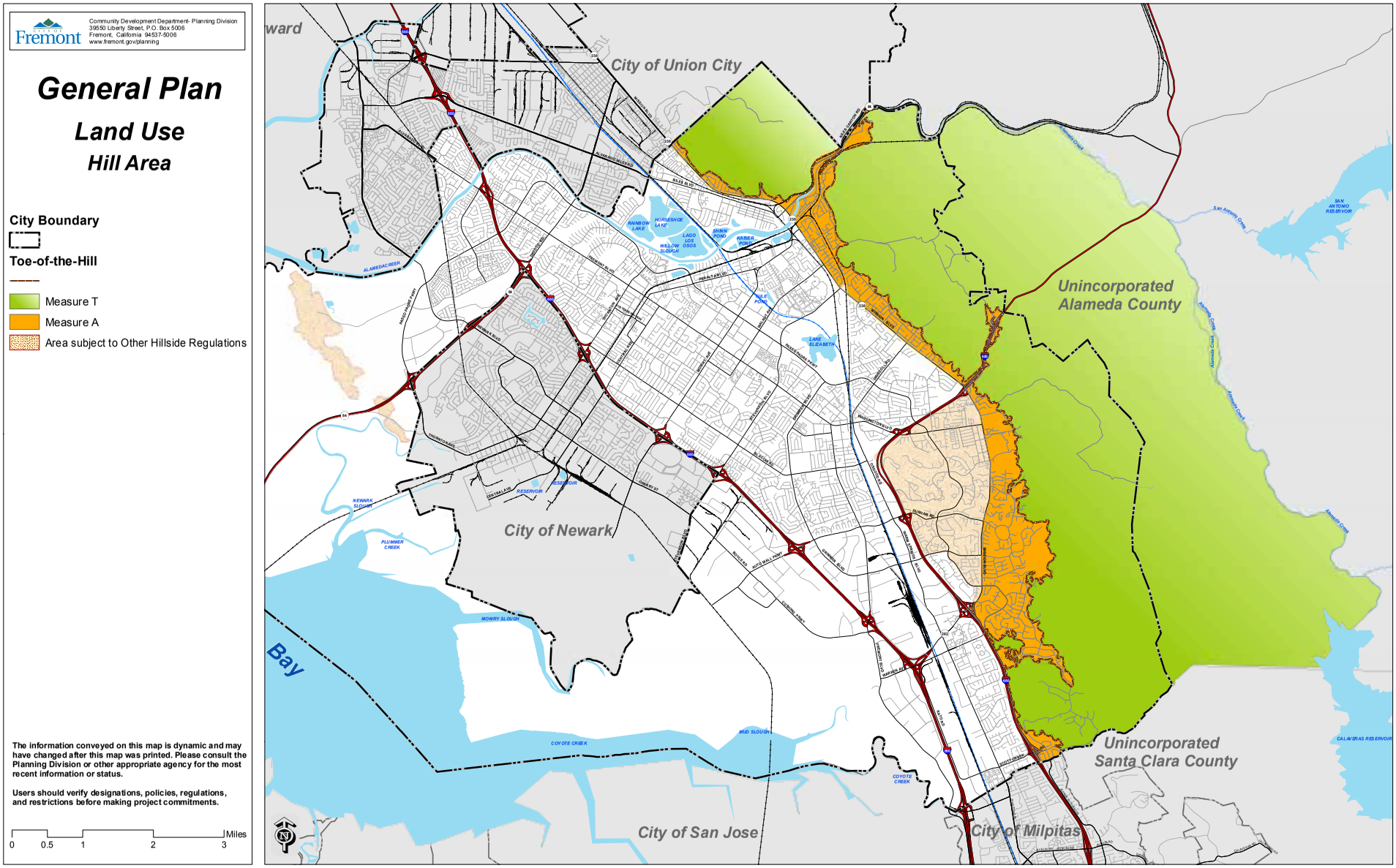


Diagram 2-3 Hill Area

This is a reduced image. Please see the most current color full-size maps available at the Fremont Planning Division or online at www.fremont.gov/planning
The information on this diagram is dynamic and may have changed since this page was last printed.

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Overlay Designations

Transit Oriented Development

Two overlay designations appear on the Map. One indicates transit-oriented development areas, and the other indicates Study Areas.

Transit Oriented Development (TOD) Overlay

Transit Oriented Development (TOD) is an overlay designation applied to areas generally within a ½ mile radius of the Fremont BART Station, the future BART Stations in Irvington and Warm Springs, and the ACE/Amtrak Station in Centerville. The Overlay only applies to property with an underlying designation in one of the seven commercial and industrial categories, or the Urban Residential category. Each TOD area is unique. However, they share a common goal of maximizing transit use through density, land use mix, building form, and design. Each TOD is intended to be a vibrant pedestrian-oriented district. The particular mix of uses around a given station will vary depending on surrounding land use, access, infrastructure, and other factors. TOD areas will generally have more intense development than immediately surrounding areas in order to support transit ridership and promote a sense of place. Low-intensity auto-oriented uses that do not take advantage of the proximity to transit will be discouraged.

Parking requirements, setbacks, and other development standards are aimed at encouraging transit use and walkability, although public and on-street parking should be sufficient to anticipate and accommodate vehicle trips from Fremont neighborhoods to each respective station. FARs may range from 1.0 to 3.0 depending on location, with higher FARs typically permitted in mixed use projects that incorporate housing over ground floor commercial uses or high rise office buildings. Minimum FARs would typically apply and will be specified through zoning, but in no case would the minimum FAR be less than 0.5. If additional major investments in public transit (additional rail stations or light rail systems) are made in the future, this designation could be applicable in other locations.

Study Area

The study area designation is used to identify areas or properties where changes to the current General Plan designations are likely to be proposed in the future. It would be premature to change the designation of these lands at this time due to the need for future study and impact assessment. As appropriate, the City may undertake or authorize studies of these areas to respond to General Plan Amendment proposals or changing circumstances in the City. All Study Areas have an underlying General Plan

designation that will remain in effect until a General Plan amendment is formally approved. General Plan text has been provided for each Study Area and should be consulted for further guidance (see the Community Plan Element for details).

Areas of Interest

The area of interest designation is used to identify areas of the City where no land use change is envisioned but may include vacant or underutilized land that has the potential for new development or redevelopment over the long term. These areas may include other design-based policies related to form, scale, function, landscaping. They may also identify gateways areas where other special design treatment is warranted.

Summary

Table 2-4 provides a citywide summary of the 20 land use designations. It indicates the total acreage in each designation on the General Plan Land Use Map. It provides a means of quantifying the differences between land uses and offers insight into the expected character of each area upon the horizon year of this Plan (2035).

Table 2-4
General Plan Land Use Map Summary – Citywide

Land Use Classification	Mapped Acreage - Net	Percent of Total
Residential- Hillside Residential	2,198.54	5%
Residential- Low-Medium	941.31	2%
Residential- Low	5,301.76	12%
Residential- Medium	1,087.90	2%
Residential- Urban	227.75	0.5%
Residential Subtotal	**9,757.25**	**21.5%**
Commercial- City Center	366.30	1%
Commercial- General	326.97	1%
Commercial- Mixed Use	75.86	0.25%
Commercial- Regional	313.40	1%
Commercial- Town Center	177.52	0.5%
Commercial Subtotal	**1,260.05**	**3.75%**
Industrial- General	1,434.86	3%
Industrial- Service	406.66	1%
Industrial- Tech	2,295.25	5%
Industrial Subtotal	**4,136.77**	**9%**
Open Space- Hillside (Measure A)	158.13	0.5%
Open Space- Hill Face (Measure T)	6,675.98	15%
Open Space- Hill (Measure T)	3,937.61	8%
Open Space- City Park	1,126.11	2%
Open Space- Private	584.65	1%
Open Space- Resource Conserv/Public	15,867.33	35%
Open Space Subtotal	**28,349.81**	**62.5%**
Public Facility	**1099.21**	**2%**
Right of Way (parcel)**	**30.71**	**0.25%**
Railroad Corridor**	**455.96**	**1%**
Total	**45,089.78**	**100%**

* Total Gross Acreage of the City of Fremont = 57,020 acres
** Considered Public Facility for Land Use Planning Purposes
Source: City of Fremont, 2010

Goals, Policies, and Implementing Actions

This section of the Land Use Element presents goals, policies, and implementation actions. The text is organized into six major topic areas:

- City Form and Structure
- Directing Change
- Complete Neighborhoods
- Centers and Corridors
- Employment Districts
- Open Space

Collectively the policies in this Element provide the guidance needed to achieve Fremont's land use vision. They provide the foundation to protect and strengthen Fremont's neighborhoods, create vibrant new shopping districts and work places, and conserve the open spaces and natural areas valued so highly by residents. Because these policies were prepared in tandem with those addressing mobility, they ensure that the City will remain accessible and connected as it grows. Likewise, the policies in this chapter are closely linked to the Community Character Element. This ensures that future land use decisions will create places of value that respect Fremont's past while creating a stronger sense of identity in the future.

The goals, policies and actions include supplemental text where needed to elaborate on how the policy is interpreted or why it is important. As in other elements of the General Plan, policies and actions related to the overarching theme of sustainability are identified by the sustainability icon.

Goal 2-1: City Form and Structure

A city transformed from an auto-oriented suburb into a distinctive community known for its walkable neighborhoods, dynamic city center, transit-oriented development at focused locations, attractive shopping and entertainment areas, thriving work places, and harmonious blending of the natural and built environments.

This goal expresses the City's intent to grow more sustainably and emerge as a more prominent city in the Bay Area and national landscape in the coming years. In most of Fremont, the land use pattern is well established. The policies below will strengthen the fabric of established areas while accommodating new infill development. In other parts of Fremont, the potential exists for transformative change. The policies below guide this change and ensure that it benefits the City as a whole.

As noted earlier in the General Plan, Fremont's vision is to become "strategically urban." This means that new development will be focused in the City Center, along major corridors (especially Fremont Boulevard) and around existing and future rail transit stations. "Strategically urbanizing" these areas will require different strategies in each location. The City Center provides an opportunity to create a true urban space, with lively shopping streets, office buildings, residences, and public facilities. Development in the Town Cen-

ters may be smaller in scale, building off the established pattern of low-rise historic buildings, homes, and storefronts. On the other hand, South Fremont and Warm Springs offer opportunities to create entirely new centers, with a character unlike any place else in Fremont today.

An important part of strengthening the City's form is protecting the hills, baylands, and creeks that frame Fremont. The policies below express a continued commitment to open space preservation and conservation of natural resources. The undeveloped hills and baylands will remain a defining element of Fremont's sense of place as the City evolves.

• Policy 2-1.1: Fremont's Regional Identity

Create a positive regional identity for Fremont as a major San Francisco Bay Area city known for its outstanding neighborhoods, shopping areas, public facilities, parks, and employment districts. As the Bay Area's fourth largest city in population and its second largest in land area, Fremont should continue to evolve into a major regional destination with a distinct cultural and civic identity and a reputation for reinventing the suburban development model.

> Implementation 2-1.1.A: Fremont as a Regional Leader

Play a prominent role in regional forums and discussions that address issues affecting the Bay Area and California, including such issues as climate change, sea level rise, reducing auto dependency, air quality improvements, energy and water conservation, and transit oriented development.

> Implementation 2-1.1.B: Fremont as a Regional Center

Support land use and transportation improvements which elevate Fremont's status as a major Bay Area city and which improve connectivity between Fremont, San Francisco, Oakland, San Jose, and the rest of California.

• Policy 2-1.2: A Complete City

Plan and develop Fremont's available land supply in a way that achieves a balance between jobs and housing, matches future jobs to the capabilities of the local workforce, and provides an array of shopping choices, recreational choices, and entertainment and cultural facilities, thereby reducing the need for residents to travel outside the City.

• Policy 2-1.3: Maintain Fremont's Open Space "Frame"

Conserve the unique ecological characteristics of the Fremont Hills and San Francisco Bay shoreline and wetlands and recognize the contribution of these features to Fremont's identity and livability. Future land use decisions should ensure the long-term protection of these areas as open space.

> Implementation 2-1.3.A: Urban Growth Boundary

Maintain an Urban Growth Boundary (UGB) as shown on Diagram 2-1 that defines the ultimate extent of urban development in Fremont. The UGB should be consistent with and reinforce the Hill Area Initiatives as well as the City's policies for long-term protection of the Baylands. The UGB includes all of Fremont's Community Plan Areas with the exception of the Hill Area and Baylands. Urban development beyond the UGB shall be prohibited, understanding that some limited uses are allowed.

See Goal 6 and related policies for additional discussion of open space.

• Policy 2-1.4: Neighborhoods

Sustain and enhance Fremont's neighborhoods as the basic "building blocks" of the community. Fremont's neighborhoods should accommodate a high quality of life by providing diverse housing choices, safe and walkable streets, and convenient access to services, schools, and parks. While the basic pattern of land uses in most neighborhoods is set, over time the City's residential areas will adapt and evolve to reflect Fremont's vision for a more sustainable future.

See Goal 3 and related policies for additional discussion of neighborhoods.

• Policy 2-1.5: Fremont City Center

Plan for the transformation of Fremont's Central Business District into a pedestrian-oriented urban district known as "City Center." City Center should contain a mix of office, retail, health care, government, high-density residential, cultural, and entertainment land uses, designed to create an active, lively street environment and strong sense of place. By 2035, Fremont City Center should be the major economic activity center of southern Alameda County.

> Implementation 2-1.5.A: CBD Concept Plan and Downtown Plan

Utilize the Central Area Community Plan, *Central Business District Concept Plan* and the *Downtown Community Plan and Design Guidelines* as the guiding documents for land use and urban design decisions in City Center. Update these plans as necessary to reflect development trends, land use changes, and emerging City priorities.

> Implementation 2-1.5.B: City Center as a Priority Development Area

Recognize City Center as Fremont's highest priority for multi-family development and pedestrian-oriented shopping, cultural, civic, and entertainment land uses. Future land use decisions throughout Fremont should support the vision of City Center as the heart of the City, and should take care not to siphon off demand for these uses to other parts of the city.

> Implementation 2-1.5.C: Downtown

Identify the Downtown district of the City Center for very high intensity development. Projects in this area should be phased and designed so as not to preclude the long-term achievement of an urban environment. Allow a range of flexible uses in the Downtown while maintaining and enhancing retail opportunities. Minimum Floor Area Ratios shall be used to help achieve the vision for this area.

See the Community Plan Element for additional policies and actions on City Center.

• Policy 2-1.6: Town Centers

Recognize Fremont's five original towns—Centerville, Irvington, Mission San Jose, Niles, and Warm Springs—as important and unique places that contribute to Fremont's identity. Plans for these districts should address the preservation of historic resources; appropriate areas for new commercial, residential, and mixed-use infill development; parking and transportation strategies which foster a pedestrian-oriented

shopping environment; and provisions to ensure that future development helps enhance and define each area's character.

In Centerville, Irvington, Mission San Jose, and Niles, development should build on the strengths of the existing historic towns, retaining their basic form and encouraging infill. In Warm Springs, where the historic town no longer exists, the challenge is to re-create it—building a more pedestrian-friendly center that serves as a focal point for the southern part of Fremont.

> Implementation 2-1.6.A: Town Center Plan Updates

Implement and periodically update plans and/or design guidelines for Centerville, Irvington, Mission San Jose, and Niles to better achieve or facilitate the goals of the General Plan.

> Implementation 2-1.6.B: Warm Springs Town Center

Create a more defined "town center" in the Warm Springs area. Promote the long-term development of a walkable mixed-use center which serves as a gathering place and shopping area for the southern part of Fremont.

See the Community Plan Element for additional policies and actions on the Town Centers.

• Policy 2-1.7: Becoming a More Transit-Oriented City

Plan for Fremont's transition to a community that includes a mix of established lower-density neighborhoods and new higher-density mixed-use neighborhoods with access to high-quality transit. Transit-oriented development (TOD)—or the placement of higher density uses around transit facilities—should be recognized as the key strategy for accommodating Fremont's growth in the next 20-25 years.

TOD can achieve multiple objectives, including reduced dependence on single passenger autos, environmental sustainability, reduced greenhouse gas emissions and energy use, enhanced public health (by encouraging walking and improving air quality), a stronger sense of place, mixed income neighborhoods, higher transit ridership, and more fiscally efficient and responsible use of land. Based on the analysis performed as part of the General Plan, approximately two-thirds of Fremont's household growth and one-third of its employment growth between 2010 and 2035 will occur within one-half mile of an existing or future BART station, or the ACE train station.

> Implementation 2-1.7.A: TOD Overlay

Focus the application of TOD development principles on the Fremont, Irvington, and Warm Springs BART Stations, the Centerville train station, and City Center, but consider other opportunities, particularly along the Fremont Boulevard corridor. Apply the TOD Overlay within a one-half mile radius from each transit station.

> Implementation 2-1.7.B: Reducing the Predominance of Parking

Encourage future development in the vicinity of transit stations to utilize vertical development formats (i.e., buildings of four or more stories) rather than the suburban model of one- or two-story buildings surrounded by surface parking. This should be accomplished through such tools as parking "maximums" (i.e., limits on the number of spaces that may be provided to serve a new development) in the zoning ordinance, the development of parking structures, unbundling parking for mixed use and "shared" parking areas serving multiple parcels.

> Implementation 2-1.7.C: Prohibition of New Low Employee Intensity Uses in TOD Areas

Ensure that zoning for transit oriented development areas discourages or prohibits new low employee intensity uses such as mini-storage warehouses, gas stations, or buildings surrounded by large surface parking lots. Land uses with low-value structural improvements (such as parking lots) or auto sales may be considered as acceptable interim uses, provided the sites can be easily redeveloped as market conditions change.

New projects within approximately one-half mile of the Centerville Train Station, the Fremont BART Station, the planned BART Stations, and anywhere in the entire City Center should be designed so as to not preclude the long-term vision of these areas as higher intensity transit oriented development areas. As noted in the land use definitions, minimum densities and intensities in these areas will apply in these areas to ensure that land is efficiently used. In addition, FARs that exceed the range specified by the General Plan may be permitted by the City Council for projects that provide extraordinary benefits to the city, have unique circumstances that would reduce impacts in comparison to other projects, or include the transfer of development rights. Transportation demand management measures may be used to offset the traffic impacts of more intense development.

See the Community Character Element for additional policies on TOD design.

See the Mobility Element for additional policies on encouraging transit-oriented development and parking.

• Policy 2-1.8: Mixed-Use Emphasis

Encourage mixed-use development combining residential and commercial uses in transit-oriented development areas and also in selected commercial areas as indicated on the General Plan Land Use Map. Mixed-use is encouraged in these areas to increase vitality and activity, provide housing opportunities, and advance sustainable development principles.

In the context of the General Plan, "mixed use" refers to housing with commercial uses, rather than office/retail, industrial/office, or other combinations of uses. There are two principal forms of mixed use. "Vertical" mixed-use refers to multi-story projects where residential uses are located above ground floor commercial space. "Horizontal" mixed-use usually refers to projects where commercial and residential uses occupy the same site, but in different buildings.

> Implementation 2-1.8.A: Mixed Use Ordinance

Revise provisions for mixed-use development in the Zoning Ordinance to reflect the policy recommendations of the General Plan.

• Policy 2-1.9: Thoroughfares as Multi-use Corridors

Enhance the role of Fremont's major thoroughfares as multi-use corridors that connect the city and enhance civic identity. Fremont's corridors should contribute to a more compact pattern of development, be designed to encourage transit use and reduce vehicle miles traveled, provide comfortable walking and bicycling environments, and project a positive image of the city.

Corridors can help Fremont achieve a more compact development pattern because they are often the best locations for higher-density mixed use development. Many corridors contain underutilized commercial

sites and are well served by the local bus system. Accommodating development here reduces the pressure on built-out residential areas, while at the same time bringing new life and creating a stronger identity along the city's thoroughfares.

See the Mobility and Community Character Elements for a map and discussion of corridors.

> Implementation 2-1.9.A: Planning for Streetcars

Continue to study the feasibility of a streetcar, or other fixed transit, along Fremont Boulevard, with connections to the BART stations and other destinations in City Center. Land use planning and development decisions along the proposed route should achieve the densities necessary to support streetcar use.

> Implementation 2-1.9.B: Corridors and Transit

Ensure that development along major transit corridors is sited and designed to facilitate transit use. This should include strategic siting of bus stops and crosswalks, building entries and crosswalks close to transit stops, and comfortable waiting areas for buses or other transit vehicles.

See the Community Character Element for additional goals and policies related to corridors and design considerations to facilitate transit.

• Policy 2-1.10: Pedestrian Scale

Create a more pedestrian-oriented environment in Fremont's City Center, its five Town Centers, and the other Transit-Oriented Development areas shown on the General Plan Land Use Map. These areas should be characterized by:

- Convenient and continuous sidewalks, crosswalks, and walkways;
- Easy access to transit;
- Comfortable outdoor spaces for pedestrian use; and
- Parking that is located in structures or in shared lots to the rear of buildings rather than between buildings and the streets they face.

> Implementation 2-1.10.A: Pedestrian-Oriented Zoning Standards

Develop zoning standards and incentives to achieve pedestrian-oriented development.

> Implementation 2-1.10.B: Parking Reductions and Alternative Mode Improvements

Ensure that reductions to parking standards and other changes that incentivize density are paired with improvements that provide viable alternatives to driving, including more frequent and convenient transit service, and new bicycle and pedestrian facilities.

While the city supports reductions to parking requirements to conserve land and promote alternative modes of travel, it must be recognized that this will only succeed if these other modes of travel are actually available. In particular, it will be important to maintain or increase transit service and improve bicycle facilities in tandem with reductions to the parking requirements.

• Policy 2-1.11: Infill Emphasis

Focus new development on under-developed or "skipped over" sites that are already served by infrastructure and public streets. Strongly discourage, and where appropriate prohibit, the conversion of open space or underdeveloped land on the fringes of Fremont to urban uses.

All of the growth projected for Fremont over the next 20-25 years is anticipated take place within the existing urbanized area. By growing more compactly, the City can preserve its hills and Baylands as open space.

> Implementation 2-1.11.A: Zoning and CIP to Support Infill

Ensure that zoning and capital improvement decisions are made in a way that supports reinvestment in the existing urbanized area and discourages development of vacant or agricultural land on the edges of the city.

> Implementation 2-1.11.B: Underutilized Land

Where appropriate, use available resources to achieve the more efficient and productive use of underutilized infill properties. Public investment and partnerships with the private sector should be used to incentivize infill development, particularly in the City Center, Town Centers and around transit stations.

Goal 2-2: Directing Change

Growth and development that is orderly and efficient, leverages public investment, ensures the continued availability of infrastructure and public services, reduces adverse impacts on adjacent properties, and protects the natural environment.

The corollary to Goal 2-1 is that growth and conservation must be carefully managed to maintain and enhance Fremont's high quality of life. Policies under Goal 2-2 provide the day to day guidance needed to ensure that new development makes a positive contribution to the city and protects the elements of community life that Fremont residents value. Along with the implementing actions, the policies provide a framework for the City's planning, zoning, and environmental review processes. They provide further direction on directing development into the Priority Development Areas (PDAs) and indicate the ongoing activities necessary to manage change.

Fremont's zoning ordinance is particularly important to this discussion. Zoning interprets the General Plan at the parcel level and establishes detailed standards and parameters for the use of property. State law requires zoning to be consistent with the General Plan; the policies below provide guidance on how the consistency requirement may be interpreted. This goal also addresses the subdivision of land, the improvement of infrastructure and public facilities to keep pace with growth, and the ways Fremont will carry out its commitment to sustainable development.

• Policy 2-2.1: Opportunity Areas for Growth and Change

Guide new growth and development to specific areas as prescribed by Diagram 2-2 in the General Plan, and as further directed by more detailed planning studies. As prescribed by the text below, growth areas may include "primary" areas where land use changes are anticipated and encouraged and "secondary" growth areas where land use changes may be longer-term.

The primary growth areas include City Center, the areas around the proposed Irvington and South Fremont/Warm Springs BART station areas, the area around the Centerville ACE station, and within 1,000 feet of the Fremont Boulevard corridor and other Urban Corridors identified in the Community Character Element. The areas surrounding transit stations have been formally recognized as "Priority Development Areas" (PDAs) by ABAG and may be eligible for incentives such as transportation funds and other programs that facilitate growth. The secondary growth areas include other commercially and industrially zoned lands in the city with the potential to create job and housing opportunities while contributing to the city's evolution into a more sustainable and pedestrian-oriented city. This includes, but is not limited to, the Mowry East shopping district (at Mowry and I-880), the Shinn Terminus (at the end of Shinn Street), the Fremont Boulevard/Decoto gateway, the Warm Springs commercial area at the Mission and Warm Springs Boulevard intersection, and the remainder of Pacific Commons.

Opportunities for growth and change also exist within established neighborhoods, but are more limited in scope. Change in established neighborhoods will be more incremental, with a gradual shift toward mixed land uses and less rigid separation of commercial, public, and residential activities.

> Implementation 2-2.1.A: South Fremont/Warm Springs Specific Plan

Prepare a Specific Plan for the South Fremont/Warm Springs area, including the proposed BART station, the Warm Springs commercial district, the former NUMMI properties, and intervening properties with the potential for change in the next 20 years.

> Implementation 2-2.1.B: Designation of Special Study Areas

Utilize "Special Study Area" (SSA) designations on the General Plan Land Use Map to identify areas where additional analysis is required prior to allowing changes to the land use. The Land Use Map designation for SSAs reflects the current allowable use, but as dictated by the General Plan text it is acknowledged that these areas may transition to new uses in the long-term. The types of studies to be conducted will vary from site to site, but may include analysis of traffic impacts, impacts of the proposed uses on adjacent property owners, and site-specific constraints (such as past use of toxic materials) which may influence future uses. Studies may be initiated by the City, property owners, or developers.

Special Study Areas have been designated on the following sites:

- South Fremont/Warm Springs, the area identified in 2-2.1.A above
- Tri-City Landfill, located at the west end of Auto Mall Parkway
- Shinn Terminus, including the approximately 100 acres at the end of Shinn Street
- Henkel Property, located near the eastern end of Niles Boulevard

In addition to the areas listed above, any area shown on the General Plan as "Service Industrial" that is less than 5 acres in size (or where the sum of all contiguous parcels with the designation is less than 10 acres) may be considered a candidate for a future General Plan Amendment. Such areas typically contain activities such as auto repair, building suppliers, older manufacturing enterprises, but are surrounded by higher-value residential or commercial uses. Such isolated pockets of industrial use may not be compatible with the long-term vision for their surrounding areas, or may not represent the most economically productive use of the land. Land use changes on such sites would still be subject to a General Plan Amendment process that would include appropriate environmental analyses and site planning studies.

> Implementation 2-2.1.C: Designation of Areas of Interest

Utilize Area of Interest as defined on the General Plan Land Use Map to identify areas where new development or redevelopment is expected. The Land Use Map designation for these areas reflects the current allowable use, but as dictated by the General Plan text it is acknowledged that these areas may include specific design policies to achieve the vision for those areas as identified in the Community Plan section of the General Plan. Areas of Interest have been designated on the following sites:

- Downtown district of the City Center
- Mowry Gateway generally located at the Mowry Avenue and Farwell Drive intersection
- Decoto Road at Fremont Boulevard

• Policy 2-2.2: Integrating Land Use and Transportation Choices

Ensure that land use decisions consider the characteristics of the transportation network, including road capacity, the quality of the streetscape, and the availability of public transportation and other modes of travel.

> Implementation 2-2.2.A: Development Review

Continue to use the development review process to evaluate and mitigate potential project-level impacts on traffic, parking, transportation safety, ingress and egress, and transit needs. Mitigation measures should be consistent with the City's urban design and community character objectives, and should support local pedestrian and bicycle plans.

> Implementation 2-2.2.B: Interagency Station Area Planning

Coordinate land use planning activities around transit stations with BART, local bus providers, Caltrans, and other agencies responsible for transportation services in the Bay Area.

See the Mobility Element for additional policies and actions on the integration of land use and transportation

• Policy 2-2.3: Sustainable Development and Building

Incorporate sustainability into land use planning decisions and procedures to the greatest extent feasible.

> Implementation 2-2.3.A: Sustainable Communities Strategy

Implement provisions of the Sustainable Communities Strategy through development plan review.

See the Sustainability Element for additional discussion of sustainable planning and development.

• Policy 2-2.4: Use of the General Plan Land Use Map

Ensure that future land use decisions are fully consistent with the General Plan Land Use Map. Each General Plan land use category shall have at least one corresponding zoning district. More than one zoning district per General Plan category may be established for categories which accommodate a wide range of densities or development types. Residential zoning districts should generally be differentiated by the number of units allowed per net acre (or square feet of lot area per dwelling unit).

> Implementation 2-2.4.A:
Conditions for Achieving General Plan Maximum Densities and Intensities

Amend municipal ordinances as needed to establish that the designation of an area with a particular General Plan designation is not an automatic entitlement to the highest General Plan density in the range associated with that designation. Increases in allowable density or intensity should not be permitted if the result would be a reduction of common open space within planned development, or if the integrity of an existing development would be compromised through the addition of new structures or stories.

This implementation measure is particularly applicable to the residential General Plan categories. Whereas the 1991 Fremont General Plan used 15 different density ranges to show residential areas, this Plan uses just five categories and relies on zoning to address the finer-grain distinctions within areas that have the same General Plan designation. For example, areas designated for Low Density Residential uses on the Plan map may include parcels zoned R-1-6 (6,000 square foot lots) and parcels zoned R-1-10 (10,000 square foot lots). The Low Density designation does not mean all properties with this designation are entitled to the denser zoning.

> Implementation 2-2.4.B: Parks and Public Facilities in the General Plan

Allow parks and public facilities in any General Plan land use category, provided that the use is consistent with other policies in the General Plan. A General Plan amendment shall not be required to locate a park or public facility in an area designated for other uses on the General Plan Land Use Map. The Land Use Map should be periodically updated to reflect parkland acquisition and the development of new city parks and public facilities.

> Implementation 2-2.4.C: Designation of Public Facilities on the Land Use Map

Use the "Public Facilities" designation on the General Plan Land Use Map to identify local, county, state, and federal government facilities as well as special district public facilities such as public schools and community colleges. The "Public Facilities" designation is intended to highlight these facilities as vital parts of the neighborhoods and communities they adjoin and acknowledge their presence as part of the city fabric. Unmapped locations related to freeway or railroad right-of-way are also considered "Public Facility".

• Policy 2-2.5: Zoning and Subdivision Regulations

Use zoning and subdivision regulations to direct the city's growth, ensure sufficient opportunities for new development, improve Fremont's quality of life, create complete neighborhoods, reduce nuisances, achieve compatibility between adjacent properties and uses, address land use conflicts, and protect the health and safety of residents, visitors, and workers.

> Implementation 2-2.5.A: Zoning Update

Update Fremont's zoning regulations, including the zoning map, to achieve consistency with the General Plan vision and Land Use Plan and shift toward a form-based approach to regulating development in City Center and the Town Centers.

The update should reflect best practices in zoning, including the use of form-based codes, and should explore innovative and creative ways to achieve a more pedestrian-friendly and sustainable land use pattern. At the same time, the update should also address zoning "fundamentals" such as definitions, allowable densities and floor area ratios, height and bulk controls, and the use of overlays to achieve place-specific objectives.

> Implementation 2-2.5.B: Density Calculations

Develop new zoning definitions of net density which exclude undevelopable portions of the property in the calculation.

Undevelopable areas include public right-of-way, portions of a site to be used for street dedication and easements contained on the property

> Implementation 2-2.5.C: Transfer of Development Rights

Develop provisions for transfer of development rights (TDR) in the revised zoning code. Such provisions would establish the procedures and conditions for transferring the allowable density on a constrained or historically significant property to a "receiver" parcel where development would have a lesser impact.

> Implementation 2-2.5.D: Conditional Use and Zoning Administrator Permits

Use the conditional use and zoning administrator permit process to establish appropriate limitations on activities which could potentially create adverse effects and to provide an opportunity for public input into land use decisions.

> Implementation 2-2.5.E: Subdivision Regulations

Review and revise Fremont's subdivision regulations as needed to be consistent with the General Plan and zoning.

> Implementation 2-2.5.F: Planned (P) District

Use Planned Development (P) zoning to provide flexibility in application of the zoning code, encourage more desirable site planning outcomes, or achieve particular mixes of land uses or unit types. Within mixed use areas, P District zoning may be used to indicate sites or portions thereof on which housing or commercial is a required land use.

> Implementation 2-2.5.G: Overlay Zoning Districts

Use zoning overlay districts as needed to supplement zoning standards with additional regulations that reflect public policy objectives for a particular place or resource. This should include, but not be limited to:

- Historic Overlay Districts for areas that incorporate existing historic buildings and adjacent areas deemed important to the character of the district.
- Neighborhood Conservation Overlay Districts for areas which may not meet Secretary of the Interior Standards for historic districts but which have distinct architectural styles or vernacular characteristics which could be threatened by incompatible development.

• Policy 2-2.6: Residential Density Ranges

Apply the density ranges in the Land Use Element definitions for Hillside, Low, Low-Medium, Medium, and Urban Density Residential when determining the appropriate zoning for residential areas. As noted in Policy 2-2.4, there should generally be more than one zoning designation for each residential General Plan designation to recognize existing land use patterns.

> Implementation 2-2.6.A: Minimum Densities

Apply minimum densities in Medium Density Residential and Urban Residential areas. The density of new development shall be no less than 14.6 units per net acre in Medium Density areas, and no less than 30

units per acre in Urban Residential areas. Higher minimum density standards may apply within designated Transit-Oriented Development overlay areas. Lower minimum densities may be considered where environmental protection, hazard reduction, and historic preservation goals would be compromised.

Prior to 2011, the City of Fremont required the density of new residential development to be equal to or greater than the midpoint of the density range associated with the property's General Plan designation. Implementation Measure 2-2.6.A replaces that requirement with a minimum density requirement for all land designated Medium Density or Urban Residential. This is especially true in the City's PDAs where dense infill development is preferred over land use compatibility. This ensures the efficient use of land and will help the City meet its housing goals.

> Implementation 2-2.6.B: Density Bonuses

Allow densities which exceed the ranges defined in the Land Use Element for projects using State density bonus provisions (including senior housing and affordable housing), and for projects within designated Transit-Oriented Development overlay areas, as shown on the Land Use Map.

> Implementation 2-2.6.C: Second Units and Density

Exclude second units from density calculations for General Plan purposes.

> Implementation 2-2.6.D: Varying Density Levels Within a Single Project

Encourage the use of planned developments as a way to achieve design excellence, encourage site planning and architectural creativity, and preserve natural features on large or constrained sites. Within a given Planned District, there may be areas where the density exceeds the General Plan maximum, provided that the overall project-wide density falls within the General Plan range.

• Policy 2-2.7: Building Height and Intensity

Apply Floor Area Ratio (FAR) and building height standards in commercial, industrial, and mixed use areas which limit the intensity of development. As appropriate, zoning regulations may stipulate minimum FARs and building heights as well as maximums.

Consistent with the General Plan land use category definitions, minimum FARs would generally apply within the City Center, within one-half mile of the existing and future BART stations, and within one-half mile of the Centerville ACE station.

> Implementation 2-2.7.A: FAR and Height Standards

Revise the FAR and height standards in the Fremont Zoning Ordinance to reflect the intent and implement the goals and policies of the General Plan, including provisions for increased density around transit stations and along major transit corridors.

> Implementation 2-2.7.B: Exceeding Allowable FAR and Height Standards

Permit FARs and heights which exceed the adopted maximums for projects which provide extraordinary benefits to the City, projects with unique circumstances which would reduce impacts relative to other projects (e.g., less than normal traffic generation), unique building requirements of a particular land use, or transfer of development potential between parcels in the project vicinity.

See also Implementation 2-1.7.C prohibiting low intensity uses near transit stations.

• Policy 2-2.8: Constrained Land

Recognize certain areas as having natural constraints which preclude their safe or environmentally sound development. These constraints are discussed in the Safety and Conservation Elements of the General Plan. The allowable density or intensity of development shall be set to recognize such constraints.

The designations on the General Plan Land Use Map reflect this policy. Hillsides and wetlands are generally designated as Open Space on the Map to recognize ecological, safety, access, and aesthetic concerns. This principle would be carried forward through zoning, and through other City ordinances regulating development near earthquake faults, in flood plains, and in other hazard-prone locations. The Safety and Conservation Elements should be consulted for further guidance on what constitutes "constrained" land.

• Policy 2-2.9: Adequacy of Infrastructure

Allow new development to occur only when the public facilities needed to serve that development are available or will be provided by the development through the payment of impact fees.

> Implementation 2-2.9.A: Paying for Growth

Utilize impact fees, special assessments, developer-funded improvements, and other methods to ensure that new development pays its fair share of the cost of the capital improvement and service cost needs it generates.

See the Public Facilities Element for additional policies on infrastructure improvements.

• Policy 2-2.10: Growth Management

Provide incentives, zoning regulations, capital investments, and other measures which focus development between 2010 and 2035 in the Priority Development Areas, and/or the City Center, Town Center, and existing and future BART station areas. Although the General Plan Land Use Map provides development capacity in other parts of Fremont and can accommodate growth beyond 2035, steps should be taken to retain some of this capacity for the post-2035 period and guide development to the areas listed above.

This policy builds on Policy 2-2.1. The General Plan strives to balance a longer-term (40 or 50 year) view of Fremont's future with the 25-year horizon used for the General Plan.

• Policy 2-2.11: Problem Parcels

Avoid the creation of "problem" parcels that are not practical to develop or provide with services. Work to eliminate or merge such parcels where they already exist. A problem parcel is defined as:

- Any parcel whose existence is not necessary to achieve an important public purpose and whose merger with an adjacent parcel could be compelled under state law or state law in conjunction with the General Plan; or
- Any parcel which, regardless of the minimum area or dimension requirements set forth in the Zoning Ordinance, is not practically developable because of its unusual dimensions, shape, or location relative to other parcels; or
- Any parcel which has other land use constraints, such as proximity to an active earthquake fault; or

- Any parcel with no street access or insufficient street frontage to provide access.

> **Implementation 2-2.11.A: Lot Mergers**

To the extent lawful and feasible, compel the merger of adjacent parcels under common ownership pursuant to state law or state law in conjunction with the General Plan.

> **Implementation 2-2.11.B: Merger of Problem Parcels**

To the extent lawful and feasible, require or encourage the acquisition and merger of problem parcels that adjoin non-problem parcels when discretionary approvals (including subdivisions) are requested for non-problem parcels.

> **Implementation 2-2.11.C: Land Assembly**

Encourage the assembly of small or awkwardly shaped contiguous parcels in order to create more viable development sites and promote the more productive and efficient use of land.

> **Implementation 2-2.11.D: Flag Lots**

Consider changes to the City's development regulations for flag lots (new lots carved out of the rear portion of existing lots, connected to a public street by a narrow "flagpole" driveway) to address concerns regarding aesthetics, emergency access, infrastructure, and land use compatibility. Particular attention should be given to driveway design standards to ensure adequate screening and landscaping, minimize impervious surface coverage and related increases in stormwater runoff, and ensure adequate fire protection.

• Policy 2-2.12: Land Banking

Consistent with state law, encourage the acquisition of vacant or underutilized land by the City for the long-term development of public facilities, parks, or other land uses that provide a public benefit. This practice—known as land banking—should be recognized as an important part of investing in the City's future and reducing future expenses for land acquisition.

• Policy 2-2.13: Public-Private Partnerships

Encourage partnerships between the City and the private sector to undertake joint public-private development.

> **Implementation 2-2.13.A: Public Benefit Uses in Large-Scale Development**

Recognize the opportunity to incorporate activities that provide a public benefit (such as child care centers and libraries) within private development through public-private partnerships.

• Policy 2-2.14: Maintaining and Improving Development Continuity

Integrate new large-scale development projects into the fabric of the existing community rather than allowing such projects to be self-contained, walled off or physically divided from surrounding uses. New development should be viewed as an opportunity to improve connectivity between neighborhoods. To the extent feasible, circulation systems and open spaces in such developments should tie into existing streets and open spaces on the perimeter. In addition, existing development should be retrofitted over time to reduce unnecessary walls and barriers and improve pedestrian connections between neighborhoods.

See the Mobility Element for additional policies on neighborhood connectivity.

• Policy 2-2.15: Land Use and Technology

Encourage the use of technology to achieve more efficient land use patterns and more sustainable development. For example, this would include the use of stacked (mechanized) parking to reduce the land area required for surface parking or garages, access to wireless technology to facilitate home occupations and reduced commuting, and the development of gray water recycling systems to reduce water consumption.

Goal 2-3: Complete Neighborhoods

Compact, walkable, and diverse neighborhoods, each with an array of housing types and shopping choices, with parks, schools, and amenities that can be conveniently accessed by all residents.

More than any other physical feature, Fremont's neighborhoods define the city and shape its sense of community. Over the years, the City's neighborhoods have become increasingly diverse. Their form has evolved from the small towns of pre-incorporation to the suburban tracts of the 1960s and 1970s, to the planned communities and mixed density developments of more recent decades. The identity of the City's neighborhoods has also been shaped by demographic change. Although suburban in form, many neighborhoods have taken on an international flavor that today defines Fremont as a global city.

The City's neighborhoods will continue to evolve in the decades ahead. In areas where the basic development pattern is set, continued reinvestment will be encouraged, with an emphasis on sustainable design. In areas where the development pattern is still evolving, new neighborhoods will be safe, healthy, attractive, and diverse. The objective across the city is to make each Fremont neighborhood a "complete" neighborhood—with a variety of housing choices, community services, and an identifiable center that serves as a gathering place for its residents.

• Policy 2-3.1: Neighborhood Diversity

Sustain a diverse array of neighborhoods in Fremont, ranging from semi-rural hillside neighborhoods to dense urban neighborhoods that are oriented around transit stations. The positive elements that define each neighborhood should be protected and enhanced in the future.

> Implementation 2-3.1.A: Zoning to Maintain Single Family Neighborhoods

Maintain a range of single family residential zones corresponding to the prevailing lot sizes, densities, and context of Fremont neighborhoods.

• Policy 2-3.2: Neighborhood Reinvestment

Encourage continued reinvestment in Fremont neighborhoods by the public and private sectors. While the basic land use pattern in many neighborhoods is already set and will be maintained, their improvement and evolution should be viewed an important part of the City's sustainability initiatives.

• Policy 2-3.3: Neighborhood Centers

Enhance or create identifiable "centers" in each neighborhood which serve as local gathering places. Neighborhood centers may take a variety of forms. They may be civic uses such as parks, community centers, or schools; local shopping areas; or any other common ground where residents can congregate.

See Goal 4 for additional policies on neighborhood centers.

• Policy 2-3.4: Infill Development

Support infill development on vacant and underutilized land in Fremont's neighborhoods, particularly where there are vacant lots or parcels that create "gaps" in the urban fabric and disrupt the continuity of a neighborhood. Such development should respect the scale and form of surrounding properties.

• Policy 2-3.5: Balance of Services, Amenities, and Uses

Promote design and land use decisions which improve the walkability of neighborhoods, enhance the ability to travel by bicycle or public transportation, and minimize the distance a resident must travel to reach basic services, shopping, parks, and schools. Except where precluded by steep terrain, each neighborhood should include a mix of compatible uses, including housing, parks, civic facilities, and local shopping and services.

• Policy 2-3.6: Connectivity

Improve the ability to travel through neighborhoods and between neighborhoods on foot, bicycle, or automobile. Street layouts should facilitate pedestrian travel and connect homes with nearby services to the greatest extent feasible. Cul-de-sacs and dead-ends should be avoided if they require circuitous routes for pedestrians. Incomplete links in the City's street system should be eliminated to improve circulation and reduce trip lengths.

> Implementation 2-3.6.A: Neighborhood Connectivity

Undertake improvements which make Fremont's neighborhood streets safer and more convenient for walking and bicycling. This is both a sustainability objective and a public health objective. The pedestrian and bicycle networks in Fremont's neighborhoods should reflect universal design principles that make the City more accessible for seniors and others with mobility limitations.

> Implementation 2-3.6.B: Traffic Calming

Implement measures to slow down or "calm" traffic on local streets, thereby improving traffic safety and enhancing the quality of life in Fremont neighborhoods.

A reliable, sustainable source of funding for traffic calming projects should be identified to carry out this action. Creative approaches to obtaining funding should be encouraged and pursued. Traffic calming measures could be combined with new sidewalks and pathways, street trees and landscaping, crosswalks, and other design changes which make it safer and more comfortable to travel without a car.

See the Mobility Element for additional policies on traffic calming.

• Policy 2-3.7: Green Neighborhoods

Integrate open space, parks, street trees, landscaping, and natural features into Fremont's neighborhoods to enhance their visual quality and improve access to nature and recreation. The maintenance and improvement of Fremont's parks, greenbelts, medians, flood control channels, urban forest, and other "green" features should be seen as an important part of the City's efforts to address climate change by utilizing trees to sequester carbon from the atmosphere.

The City strongly encourages tree planting on private property. Trees are recognized as contributing to the attractiveness and livability of the City. They are an effective buffering tool for adjoining land uses and will be an important part of Fremont's climate strategy.

> Implementation 2-3.7.A: Multi-Family Community Gardens

Encourage multi-family development projects to designate space for community gardening for residents. This applies both to new projects and to existing development projects which may have space available for gardening projects.

• Policy 2-3.8: Location of Higher Density Housing

Generally locate new higher density housing in Priority Development Areas and the TOD Overlay where there is good access to transit, proximity to local-serving commercial uses, and proximity to collector or arterial streets. Conversely, the City should discourage the use of developable sites with these attributes for new low employee intensity or low value land uses.

See the Housing Element for policies allowing secondary units (in-law apartments), manufactured homes, and other housing types.

See Implementation 2-1.7.D prohibiting low density development near mass transit stations.

• Policy 2-3.9: Home Occupations

Allow home occupations in Fremont residences provided that impacts are controlled and do not alter residential character.

The City permits home-based businesses in residential areas, subject to an annual business tax and licensing process to ensure that the uses will not have an adverse effect on adjacent properties. The business must receive a permit from the Zoning Administrator and is limited to one room or an attached garage, with access from the interior of the home. Other performance standards and criteria apply.

> Implementation 2-3.9.A: Regulation of Home Occupations

Revisit the City's requirements for home occupations to keep pace with best practices, respond to changes in technology and workplace organization, and address emerging neighborhood issues and concerns.

• Policy 2-3.10: Non-Residential and Civic Uses in Residential Areas

Allow schools, day care centers, senior centers, group homes, public and semi-public facilities (e.g., churches), and nursing care facilities in residential areas, subject to conditions which limit the impacts of these uses on nearby properties. To the extent permitted by state and federal law, conditions of approval may be placed

on such uses to ensure that they are operated in a manner that is sensitive to neighborhood concerns, and that maintains the quality of life. In addition, such uses should be sited in a way that minimizes the exposure of future occupants to noise, localized air pollution sources, and other environmental hazards.

> Implementation 2-3.10.A: Group Homes

Include zoning provisions for group homes which are fully compliant with state and federal law, and which recognize the importance of group homes to providing a positive, healthy living environment for persons with special needs. At the same time, zoning regulations should ensure that the potential for adverse land use impacts are mitigated to the extent feasible through performance standards, design requirements, and other requirements which protect the fundamental qualities of Fremont's neighborhoods.

• Policy 2-3.11: Gated Developments

Strongly discourage the creation of gated developments, or the gating of existing residential neighborhoods. This policy is intended to avoid adverse impacts on traffic and emergency vehicle access, and to maintain a broader sense of community and civic openness.

• Policy 2-3.12: Community Preservation

Maintain community preservation and code enforcement programs which protect health and safety and keep Fremont neighborhoods free of nuisances and visual blight. These programs should also abate excessive noise, illegal dumping, illegal signage, graffiti, littering, and other activities that disrupt neighborhood quality of life.

Fremont's Community Development Department has a Community Preservation Division that responds to citizen complaints and proactively identify violations of the Fremont Municipal Code. In most jurisdictions, this operation is known as code enforcement. It addresses businesses operating without permits, illegal or unpermitted land uses, structures built without permits, unsafe or unsanitary housing, illegal fences, vehicle hazards and similar issues. Addressing these issues promptly is important to reducing blight and maintaining the quality of life in the city.

• Policy 2-3.13: Environmental Justice

Ensure that no single neighborhood or population group is disproportionately impacted by environmental burdens and hazards.

Goal 2-4: Centers and Corridors

Distinctive, vibrant centers and corridors that accommodate housing, commerce, shopping, services, civic activities, entertainment, and culture.

Centers are the places in Fremont where residents shop, socialize, conduct business, and meet friends and neighbors. They are the gathering places of the community, and they come in many shapes and sizes. Some may be regional shopping centers that draw residents from across the Bay Area. Some may be small neighborhood centers with a grocery store and restaurant. Some may extend for many city blocks and others may consist of just a building or two. Their common bond is that they provide focal points for the City's districts

and neighborhoods, and for the City itself. See the Community Character Element for more information regarding the design of Centers in the City.

Corridors have traditionally been associated with their transportation function—carrying vehicles from freeways to homes and businesses in the city. Over the years, this function has influenced land use, to the point that many corridors have become centers themselves. Some Fremont corridors are lined with shopping, services, offices, and community institutions. The pattern largely favors automobiles over pedestrians and other modes, and is part of Fremont's legacy as an auto-centric city. Looking to the future, some of the City's corridors will be reshaped to reflect contemporary planning and development practices. Activity will be focused around nodes rather than continuing the current linear commercial pattern, creating denser, pedestrian-oriented places at key intersections. This is especially true along Fremont Boulevard, but it may also apply along other corridors.

The City's commitment to sustainable development will be especially apparent in Fremont's centers and along its corridors. Much of the City's growth potential lies within these areas. Mixed use development, combining upper floor residences over ground floor shops and services, will become more prevalent. Most parking will be provided in structures rather than in surface lots. Walking and bicycling will be more convenient and public transportation will become a more attractive travel choice. Close attention will be paid to architectural design and the quality of the streetscape to ensure an attractive environment. See the Community Character Element for more information regarding the design of Corridors in the City.

• Policy 2-4.1: Centers

Create inviting, pedestrian-oriented centers throughout Fremont. A center may be any place that provides a gathering place for residents and a focal point for the neighborhood around it, such as shopping centers, civic centers, community facilities, and neighborhood services.

> Implementation 2-4.1A: Business Improvement Districts

Consider creating Business Improvement Districts (BID) to facilitate Center revitalization.

• Policy 2-4.2: Retail Hierarchy

Reinforce a hierarchy of retail centers in the City, characterized by:

- A City Center which accommodates pedestrian-oriented retail uses, including uses with a regional market area, uses that serve City Center residents and employees, and specialty and "niche" activities such as entertainment and outdoor dining.
- Town Centers, corresponding to Fremont's original five towns and including uses serving several neighborhoods, such as local serving offices, restaurants, specialty retail stores, and other commercial uses.
- Neighborhood Centers, corresponding to smaller shopping centers and local-serving retail and service uses along major thoroughfares. Neighborhood Centers typically include a grocery or drug store, or other moderately sized anchor. New large-footprint retail uses are inappropriate in such areas.

- Regional Centers, which include general merchandise retailers and services in full depth and variety. Its main attractions are its anchors which include traditional, mass merchant department or fashion specialty stores.

> Implementation 2-4.2A: Retail Recruitment

Focus retail recruitment efforts on market niches and segments that are currently missing in Fremont.

> Implementation 2-4.2.B: City Center Land Use Enhancements

Strengthen City Center as the heart of Fremont by providing more complete and attractive retail shopping experiences. Downtown—generally defined as the area around Capitol Avenue and Liberty Street—should be enhanced as City Center's showcase district.

Downtown should provide an urban shopping experience with pedestrian-oriented storefronts, sidewalks, attractive streetscapes, outdoor dining, structured (and on-street) parking, and shopping, dining, and entertainment choices that draw residents from across the City and region. Elsewhere in City Center, other forms of retail, including services for the area's growing residential population and workforce, will be supported and encouraged.

See the Community Plan Element for additional discussion on the City Center land use mix. See also Economic Development Policy 2.5.

> Implementation 2-4.2.C: Retail Niche for Original Towns

Foster creation of retail niches for each of Fremont's original towns. While businesses in these areas should primarily serve the surrounding communities, building designs and activities which "brand" the towns and reinforce their unique identities or specialties should encouraged in order to draw patrons from a larger market area.

See the Community Plan Element for specific land use policies that apply to each of the original towns.

• Policy 2-4.3: Corridors

Recognize the importance of Fremont's corridors in shaping the image and identity of the city. Encourage their development as "complete streets" that accommodate multiple modes of transportation while supporting a variety of land uses and utility infrastructure, including activities without an active street presence and uses which cannot be easily accommodated in centers.

This policy is particularly applicable to Fremont Boulevard, but it applies to other thoroughfares as well. In general, corridors should be recognized as having distinct segments, punctuated by activity nodes around key intersections. Streetscape improvements, design guidelines, public art, land use and zoning standards, signage, undergrounding utilities, and road design changes can be used to create a stronger sense of identity.

> Implementation 2-4.3.A: Zoning of Corridors

Revise zoning regulations as needed to achieve General Plan land use goals for corridors. This should include development standards which prohibit commercial "strip" development.

> Implementation 2-4.3.B: Auto-Oriented Commercial Uses

Maintain development regulations which direct auto repair, auto sales, wholesale uses, and other auto-dependent activities to auto-oriented "service commercial" districts along corridors or freeways, rather than into neighborhood centers.

> Implementation 2-4.3.C: Auto-Related Services

Allow new gas stations and other auto-oriented services (such as car washes, drive-throughs, auto repair, equipment leasing and rental) only in locations where there would not be a negative impact on visual character and pedestrian orientation. New gas stations should generally be discouraged in areas zoned for "Retail Commercial" use (or the equivalent zone following the zoning update).

• Policy 2-4.4: Scale of Commercial Development

Relate the intensity of commercial development to transportation capacity. More intense commercial uses and correspondingly higher FARs should generally be located within convenient walking distance of transit stations, particularly the Fremont BART station and proposed stations at Warm Springs and Irvington.

> Implementation 2-4.4.A: Scale Transitions

As projects are approved, require appropriate transitions in height, bulk, and density between commercial centers and surrounding lower scale residential areas to avoid impacts associated with abutting commercial uses and single family residential neighborhoods. Standards for buffering, noise reduction, and building step-downs should be included in the Zoning Ordinance to ensure land use compatibility.

• Policy 2-4.5: Meeting a Range of Needs

Maintain a mix of uses and activities in commercial centers that meet a range of neighborhood and citywide needs. Some centers may be characterized by predominantly retail uses, while others may contain a more varied mix of activities including civic, education, local-serving offices, and group assembly uses.

• Policy 2-4.6: Conversion of Older Shopping Centers and Commercial Uses

Support the adaptive reuse, renovation, or redevelopment of older shopping centers or commercial uses that are no longer viable due to changing market conditions, demographics, or retail trends. Such reuse or redevelopment should be planned to help sustain other retail centers in the City, provide opportunities for higher-density housing and civic or group assembly uses while ensuring that residents continue to have convenient access to goods and services.

Policies 2-4.5 and 2-4.6 recognize that some "pruning back" of existing retail space may be needed in Fremont. Some of the City's older shopping centers and commercial properties may be economically obsolete and may have difficulty competing with more contemporary centers. Yet these centers still serve as community focal points, providing affordable floor space, and goods and services to residents in nearby neighborhoods. Some centers could benefit from the introduction of new non-retail uses, such as public facilities, offices, services such as child care, and even housing to keep them viable. The City will support zoning regulations and other tools to facilitate economically productive use of all centers.

> Implementation 2-4.6.A: Service-Oriented Neighborhood Centers

Promote improvements to under performing commercial centers that would accommodate neighborhood services and assembly type uses such as martial arts schools, tutoring centers, banquet halls, and similar non-retail activities.

> Implementation 2-4.6.B: Evaluation of Under Performing Centers

Conduct a comprehensive evaluation of under performing retail centers, including outreach to the owners and operators of these centers. As appropriate, and with property owner consent, the City should support the rezoning of such centers for other uses.

• Policy 2-4.7: Collocation of Public Services in Centers

Encourage the collocation of public services such as education, health care, libraries, child care, senior centers and job training in shared facilities located within neighborhood and community centers. Such facilities and services may be incorporated within new large-scale private development as a way to provide community benefits and meet the service needs generated by that development.

See the Housing Element for additional policies on supportive services and housing

• Policy 2-4.8: Connectivity and Centers

Strengthen the connections between Fremont's commercial centers and the neighborhoods around them—and between the different commercial centers themselves—through physical improvements, public transit, and coordinated land use and transportation planning.

• Policy 2-4.9: Making Shopping Centers More Pedestrian Friendly

Support the transformation of auto-oriented shopping centers—currently characterized by retail strips surrounded by large surface parking lots—into more pedestrian-oriented centers.

The City aspires to create more contemporary "Main Street" shopping environments, with wide sidewalks, pedestrian crosswalks, transparent storefronts for window shopping, varied facades, awnings, attractive street furniture, public art, landscaping and street trees, decorative street lighting, and pedestrian-scaled signage. Where feasible, the rehabilitation of older shopping centers should include the relocation of parking to the rear of the center, and the development of new structures with these features closer to the street.

> Implementation 2-4.9.A: Centers to be Transformed

Achieve increased pedestrian orientation and access in commercial centers such as Warm Springs and Mowry East. This is a long-term objective to be accomplished over time by redesigning the interior circulation system in shopping areas, accommodating infill development, and incorporating building designs, facades, setbacks, landscaping, and sidewalks that facilitates pedestrian movement.

• Policy 2-4.10: Activating Commercial Centers

Encourage uses and activities in commercial centers which generate foot traffic, create a stronger sense of place, and bring life to outdoor spaces.

> Implementation 2-4.10.A: Outdoor Dining

Review development regulations to identify, and where feasible remove, constraints to outdoor dining and sidewalk cafes, especially in the City Center and Town Center areas.

• Policy 2-4.11: Access and Parking

Encourage the use of shared parking in commercial districts, rather than independent parking lots on each commercial property. This can reduce the total land area dedicated to parking, result in more efficient land uses, and create a more pedestrian-friendly environment.

> Implementation 2-4.11.A: Non-Residential Parking Standards

Review the parking standards for commercial uses and seek revisions that ensure the adequacy of parking while minimizing the surface area used for this activity. Promote permeable parking lots, and the designation of preferred spaces for car-share vehicles. Consider the adoption of parking maximums in centers as a way to limit parking lot size and promote shared parking.

> Implementation 2-4.11.B: Location of Parking and Service Driveways

Require that parking and service uses be accessed from side streets or alleys, rather than along collector and arterial streets. In general, site plans should avoid curb cuts along major street frontages and promote access from other points along the property.

> Implementation 2-4.11.C: City Center Parking Strategy

Develop a comprehensive parking strategy for the City Center area.

See the Mobility Element for additional policies on parking.

• Policy 2-4.12: Mixed Use and Multi-family Housing as a Component of Centers

Support the development of housing as a component of Fremont's retail centers, preferably in vertical mixed use formats where housing is located on the upper floors of buildings with ground floor retail. The intensity of housing in mixed use development should be determined by designations on the General Plan Land Use Map and other General Plan policies supporting higher densities near transit. The following additional guidelines should be used for siting housing within commercially designated areas:

- Mixed use projects incorporating housing above commercial uses are permitted within the City Center and Town Center designation, and in some General Commercial areas. Mixed use projects incorporating housing above commercial uses should not be permitted in Regional Commercial areas.
- Projects that are entirely residential (e.g., no ground floor retail use) may be appropriate in commercial areas in limited circumstances, as specified by zoning, specific plans, area plans, or General Plan policies and actions.

In the latter instance, the "P" (Planned Development) district can be an effective way to indicate where housing is a permitted or required use on commercially zoned properties.

> Implementation 2-4.12.A: Mixed Use Priorities

Concentrate mixed use (retail/housing) development in the City's Priority Development Areas. City Center should be the highest priority for mixed use development. This should be reflected in the commitment of resources to infrastructure, parking, and streetscape improvements.

> Implementation 2-4.12.B: Housing in City and Town Centers

Use zoning to identify areas in the City Center where development that is entirely residential is acceptable, subject to a minimum density requirement of 50 units per net acre. Also use zoning to identify areas in the Town Centers where development that is entirely residential is acceptable, subject to a minimum density of 30 units per net acre.

• Policy 2-4.13: Hotels

Allow hotels within Fremont's commercial districts and along freeways subject to siting and design criteria. To the extent feasible, hotels should maintain frontages on adjacent commercial streets, and should be integrated with adjacent uses. Hotels are most appropriate in the City Center, Regional Centers and along regionally accessible corridors.

• Policy 2-4.14: Use of Older and Historic Residences for Commercial Activities

Allow the conversion of older single family homes to commercial uses in the Town Center commercial districts and along commercially zoned corridors where residential use is no longer desirable.

This policy supports the concept of adaptive reuse as an alternative to demolition. Some of the City's major corridors were once rural farm roads or small town streets and are still lined by homes dating from the City's early settlement. There may be high volumes of traffic passing by, excessive noise levels, large adjacent commercial uses, and other factors which create a setting unsuitable for low density residential living. Too often, these homes face demolition and replacement with commercial uses. Encouraging the use of these structures for a limited range of compatible commercial uses can help achieve their preservation.

> Implementation 2-4.14.A: Reuse Regulations

Revise zoning as necessary to encourage the conversion of historic homes to alternative uses such as bed and breakfasts, offices and live-work studios.

> Implementation 2-4.14.B: State Historic Building Code

Utilize the State Historic Building Code to facilitate reuse the conversion of historic homes to alternative uses.

See the Community Character Element for additional policies on historic resources.

• Policy 2-4.15: Commercial Uses and Public Health

Manage commercial land uses and development in a way that contributes to the health and well-being of Fremont residents.

> Implementation 2-4.15.A: Fast Food Restaurants

Limit the proliferation of drive-through "fast food" restaurants. Where fast food restaurants are proposed in the City Center, Town Center, or TOD areas, they should be pedestrian-oriented.

This measure is specifically aimed at "drive-through" restaurants. The City discourages such businesses in locations where pedestrian orientation is desired. It also supports the trend toward healthier dining options at fast food businesses, and increased information to consumers about the nutritional value of their meals.

> Implementation 2-4.15.B: Farmers Markets

Support the development of farmers markets and other venues where locally grown produce and fresh foods can be sold.

Goal 2-5: Employment Districts

Strengthen Fremont as a major regional job center, a health care and professional office hub, a preferred location for technology, research, and development, and home to a diverse mix of businesses and industries.

Commercial and industrial land uses comprise approximately 4,500 acres in Fremont and accommodate almost 100,000 jobs. Most of the City's employment-generating land is developed with low-rise industrial and technology parks, reflecting the City's suburban character and proximity to I-880 and I-680. However, Fremont's employment base is diverse. The City includes major medical centers and hospitals, warehouse and distribution centers, corporate offices and banks, manufacturing facilities, light assembly and repair businesses, colleges, government facilities, hotels, restaurants, and a vast array of retail and service jobs. Just as neighborhoods and centers shape Fremont's identity and quality of life, so do these workplaces.

The City's commercial and industrial real estate markets continue to evolve. Although the City has a relatively large inventory of industrial land, this supply is finite. Fremont is a different place today than it was in 1970 or even 1990, when thousands of acres were available for development. The remaining land supply may not be sufficient to accommodate projected demand over the next 20 years if development continues to occur at low intensities. As vacant land becomes scarcer, a shift toward multi-story buildings and more efficient use of property will be needed. Some of the City's older industrial properties may be redeveloped with more intense development. This is especially true near transit stations, but may also be true in the industrial districts with freeway access.

The limited industrial land supply means that the practice of converting industrially zoned land to other uses—such as shopping centers or housing—should be discouraged. Policies in this chapter seek to preserve the remaining industrial inventory and establish specific criteria for converting this land to non-industrial uses. The City is committed to the long-term viability of its industrial sector and promoting employment generating uses. Fremont's location at the gateway to Silicon Valley will continue to make it an ideal location for technology enterprises, and its proximity to Bay Area airports, freeways, railroads, and ports make it a logical focus for warehousing, distribution, and wholesaling. Intrusion of uses that are incompatible with local industry should be avoided.

The new economy has created challenges for Fremont, but it also has created—and will continue to create— opportunity. With two new BART stations on the way and an existing station that has yet to realize its full potential, the City has a chance to create a new model for the 21st century workplace. The policies below seek to keep Fremont an economically vibrant city, with a balance between traditional and emerging industries, and a shift toward more urban, transit-oriented workplaces. The City has the capacity to create dynamic new job centers in City Center and around the BART stations, defining a new image and identity for Fremont in the decades ahead.

• Policy 2-5.1: Land Supply and Job Growth

Maintain an industrial land supply that is adequate and suitable for the continued growth of the City's core industries, including computer and communications manufacturing, biotechnology, green technology, logistics/distribution, and emerging technologies. The City should capitalize on its proximity to Silicon Valley, regional transportation facilities, and educated and skilled work force to create opportunities for job growth.

See also Economic Development Policy 6-3.1

• Policy 2-5.2: Range of Employment Districts

Plan for a range of workplace environments outside the City Center, accommodating many different kinds of businesses. Zoning should be used to differentiate areas which are reserved exclusively for industry and areas where other compatible uses may be permitted or conditionally permitted.

The City uses a variety of zoning districts to classify its industrial land based on use and locational aspects. This basic hierarchy is expected to remain, with development standards and use restrictions tailored to accommodate the particular needs of different industry types. Additional zoning districts will continue to be used to provide for offices, retail areas, and the various types of commercial development in the city.

> Implementation 2-5.2.A: Tech Industrial Areas

Accommodate a range of development settings in the "Tech Industrial" designation, including planned industrial parks with abundant landscaping and high design and aesthetic standards similar to Ardenwood and Bayside Technology Parks, and more conventional industrial businesses with outdoor storage and use of hazardous materials.

> Implementation 2-5.2.B: General Industrial Zoning

Retain an amount of land zoned "General Industrial" that is sufficient to meet long-term needs for heavy industrial uses, manufacturing, warehousing, distribution, and other uses that require outdoor yard space and are incompatible with more sensitive uses such as housing and retail development. The impacts of general industrial uses on the environment and nearby neighborhoods should continue to be regulated to maintain the quality of life, reduce potential hazards, and avoid nuisances.

> Implementation 2-5.2.C: Service Industrial Areas

Use one or more "Service Industrial" zoning districts to provide a buffer between general industrial areas and more sensitive land uses, and to accommodate local-serving businesses that are not appropriate for the City's retail centers due to their visual character, operational requirements and off-site impacts.

• Policy 2-5.3: Conversion of Industrial Land to Other Uses

Prohibit the conversion of industrially zoned land to non-industrial uses unless one of the following four conditions is met:

- The industrial use is isolated and is surrounded by incompatible uses.
- The industrial use is within one-quarter mile of a BART or ACE transit station, as measured from the center of the platform.
- Subsequent analysis and public input is provided through a Specific Plan process.
- It can be clearly demonstrated that an extraordinary benefit would be provided to the City.

This policy provides important criteria to be applied when evaluating General Plan Amendments and Conditional Use Permit applications. It recognizes that industry may not be viable in all locations in the city in the long-term and gives the City the flexibility to respond to new economic opportunities. However, it establishes a rigorous test to ensure that those locations that are viable for industry are conserved for that purpose.

• Policy 2-5.4: Regulation of Employment-Generating Land Uses

Maintain land development regulations which support economic growth and foster achievement of the City's economic development objectives.

> Implementation 2-5.4.A: Higher Allowances for Manufacturing and Warehouses

Maintain higher floor area ratio and building height allowances in certain industrial areas for manufacturing and warehouses than for other building types, due to their unique function and space requirements.

Because of the higher permitted FARs, standards shall be established to ensure that such buildings are maintained as warehouses and not converted to uses generating higher trip volumes. Until such standards are adopted, warehouses shall be defined as buildings in which 90 percent of the floor area is devoted to storage and warehouse purposes.

> Implementation 2-5.4.B: Limits on Warehouses

Consider zoning standards which limit the extent of warehouses in the City's higher value industrial districts and in close proximity to existing or planned residential uses. These standards could include requirements to set aside a minimum percentage of office space in all warehouse buildings in certain zones, and standards which require use permits for warehouses over 10,000 square feet in service or tech industrial areas. Warehouse uses should be located on sites with direct access to truck routes and where they will not impact residential uses.

• Policy 2-5.5: Offices

Accommodate a variety of office environments in Fremont, including:

- Region-serving offices and corporate headquarters. The most employee-intensive uses should be located in the City Center and areas within one-quarter mile of the BART stations.

- Local-serving offices in Town Center and General Commercial areas Local-serving offices include activities related to real estate, accounting firms, insurance offices, medical and dental offices, consulting firms, and small businesses.
- Medical office complexes, clinics, and surgery centers, particularly in the City Center Health Care district around Washington and Kaiser Hospitals
- Corporate offices and office-flex space associated with laboratories, manufacturing facilities, and other research and development uses, generally accommodated in Tech Industrial Areas

Zoning can be used to ensure that the types of offices described in this policy can all be accommodated. In addition to the City Center, the City also has an office oriented zoning district intended for professional offices, general commercial offices and limited personal services. Retail uses are strictly limited in this district and residential uses are not ordinarily permitted. In addition, offices are accommodated in some of the other commercial and industrial districts in the City, providing a variety of potential settings and meeting the needs of many types of office users.

> Implementation 2-5.5.A: Office as a Buffer Use

Where appropriate, use local-serving office uses as a buffer or transitional use between residential development and more intensive uses such as manufacturing and auto repair. New office development shall be designed to be compatible with nearby development.

> Implementation 2-5.5.B: Local Serving Offices

Allow small local-serving offices such as dentists, insurance firms, realtors, title companies, and banks in neighborhood commercial centers.

• Policy 2-5.6: Employment Growth and the Transportation System

Locate the City's highest-intensity employment uses, such as office buildings and high employment uses, near BART stations and along major transit corridors, where vehicle trips can be reduced. New low intensity employee uses should not be permitted within one-half mile of existing and planned BART stations (as measured from the center of the platform) and would be considered inconsistent with the emphasis of this plan on Transit-Oriented Development.

> Implementation 2-5.6.A:
Relating Employment Densities to Transportation and Infrastructure

When conducting transportation and infrastructure planning, recognize that each of the City's industrial districts has different employment densities. Proposed projects which exceed the presumed employment densities may require additional environmental impact assessment to determine whether roads and infrastructure can accommodate the additional employment.

This implementation measure recognizes that the environmental analysis conducted as part of the 2010 General Plan Update was based on certain assumptions about the intensity of future development. In the industrial areas, the presumed floor area ratios were fairly low (consistent with the Land Use category definitions) and a relatively large ratio of building square feet per employee was assumed. In the event that more intense uses (such as office space) are approved on a particular property, the impacts could exceed those presumed for that parcel. Supplemental traffic studies, utility and infrastructure studies, and other analyses would then be required to consider the cumulative impacts of the additional growth.

• Policy 2-5.7: Access to Commercial Transportation

Ensure that parcels with access to rail or frontage on major truck routes are preserved for industrial land uses and other activities requiring these features.

> Implementation 2-5.7.A: Rail Access and Industrial Land

Where possible and consistent with other General Plan policies, maintain parcels with access to active rail lines and rail spurs for industrial use.

• Policy 2-5.8: Industrial Land Use Compatibility

Achieve compatibility between industrial uses and adjacent land uses through the regulation of industrial activities, limits on operations, and standards for buffering. This is particularly important in Service Industrial areas, since they may be adjacent to commercial and residential uses.

This policy is largely implemented through zoning and the development review process, including site plan review and environmental review. The zoning ordinance includes performance standards (for example, vehicle storage standards, landscaping and screening standards, exterior lighting requirements, etc.) that reduce the potential for land use conflicts. The ordinance also includes use permit requirements and findings to mitigate the potential impacts of certain activities of adjacent uses.

> Implementation 2-5.8.A: Discretionary Review in Service Industrial Areas

Use the zoning code to require discretionary review (use permits or Zoning Administrator's permit) for uses in areas designated Service Industrial that could potentially impact nearby non-industrial uses.

> Implementation 2-5.8.B: Industrial Land Use and Hazardous Materials

Locate industrial uses that use, store, generate, or transport significant quantities of hazardous materials in areas where the risk of upset to sensitive uses such as schools, housing, or shopping areas is minimized. Require hazardous materials management plans and other measures to limit the risk of accidents and contamination.

See the Safety Element for additional discussion of hazardous materials management.

> Implementation 2-5.8.C: Appearance of Industrial Uses

Improve the visual quality and sustainability of industrial areas through requirements such as screening of storage areas, landscaping, prompt elimination of trash and roadside debris, and ongoing maintenance of buildings and properties.

• Policy 2-5.9: Optimizing the Use of Industrial Land

Encourage more efficient and productive use of underutilized industrial land. Industrial land should be recognized as a limited resource that must be carefully managed to accommodate projected job growth and market needs.

• Policy 2-5.10: Encroachment of Incompatible Uses

Protect industrial areas from encroachment by activities that would impair operations or create future land use conflicts.

> Implementation 2-5.10.A: Retail in Industrial Areas

Amend the zoning ordinance to limit large-scale, regional retail uses and shopping centers in industrially zoned areas. This will include a series of zoning map changes, and elimination of the Commercial-Industrial Overlay zone.

> Implementation 2-5.10.B: Zoning Ordinance Amendments

Amend the Zoning Ordinance to ensure that uses that are potentially incompatible with industry are not permitted (or are conditionally permitted, as appropriate) in the City's general industrial zones.

Consideration should also be given to a temporary use permit process, or similar tool that would allow interim uses of property in cases where there may be high vacancy rates, or where demand for the desired type of development may take several years to materialize.

> Implementation 2-5.10.C: Group Assembly Uses

Limit the encroachment of group assembly uses in industrial areas. Use zoning to maintain a distinction between group assembly uses for sensitive populations (such as children) and non-sensitive populations (adult schools, etc.)

• Policy 2-5.11: Employee-Serving Uses

Permit a limited range of commercial or accessory uses that provide necessary services for industrial uses and workers in industrially designated areas. Appropriate non-industrial uses include copying services, branch banks, eating and drinking establishments, convenience shopping, gas stations and similar uses serving the local workforce. Such uses should be clustered in centers within industrial areas rather than dispersed in numerous industrial buildings.

> Implementation 2-5.11.A: Discretionary Review for Non-Industrial Uses

Require a use permit or Zoning Administrator Permit for all commercial uses in industrially designated areas to ensure conformance with the above policy.

> Implementation 2-5.11.B: Use Permit Findings for Non-Industrial Uses

Consider amending the findings for use permits for small retail uses in industrial areas to encourage commercial uses to cluster together rather than disperse throughout industrial areas.

> Implementation 2-5.11.C: Sale of Goods Processed on Site

In industrial areas, allow wholesale and retail sales of goods that are manufactured or assembled on-site. Retail sale of large heavy equipment and industrial machinery may be allowed in industrial areas, subject to a use permit or Zoning Administrator's permit.

• Policy 2-5.12: Transportation Demand Management

Develop and maintain ridesharing, carpooling, flextime, shuttle bus, and other programs in major employment areas to reduce vehicle miles traveled, cut greenhouse gas emissions, and ease congestion on regional roadways.

See also Mobility Element policies on TDM.

• Policy 2-5.13: Amenities in Employment Districts

Encourage the provision of employee-serving amenities in the City's workplaces, such as parks and plazas, outdoor seating areas, fitness facilities, bicycle storage areas and showers.

This policy is particularly applicable to the transit-oriented development (TOD) areas and higher intensity development areas. Providing these types of amenities within or close to workplaces can reduce vehicle trips, encourage walking and bicycling, and support air quality, public health, and sustainability goals.

Goal 2-6: Open Space

An open space "frame" around Fremont, complemented by local parks and natural areas, which together protect the City's natural resources, provide opportunities for recreation, enhance visual beauty, and shape the City's character.

Open space is a defining element of Fremont's form. It is the single largest land use in the city limits, encompassing over 25,000 acres. It provides structure to the City, space for recreation, and a means of protecting important natural resources. The General Plan Land Use Map depicts several different categories of open space, recognizing these varied functions and underscoring the importance of appropriate management strategies for each category.

As noted earlier in this chapter, the basic elements of the open space system are the hills and the Baylands. In between these two features is a network of city and regional parks, private open spaces, and institutional open spaces. Both the open space "frame" around the urbanized area and the open space "mosaic" within the urbanized area serve essential functions. Land use policies in the hills are largely guided by the 1981 and 2002 voter initiatives, while policies for the Baylands are guided by regional, state and federal resource protection agency laws and programs. Policies for parks, private open space, and other open spaces in Fremont reflect the City's commitment to enhancing the City's character, meeting the recreational needs of its residents, and protecting the natural environment. These policies are supplemented by those in the General Plan Conservation Element and the Parks and Recreation Element.

• Policy 2-6.1: Open Space Land Use Categories

Maintain development regulations which distinguish between different types of open space, in conformance with voter-approved initiatives and in recognition of the different types of activities that take place on undeveloped land.

These categories are defined in the Land Use Categories section of this General Plan Element.

• Policy 2-6.2: Hill Area Initiatives

Adhere to the Fremont provisions of the 1981 voter-approved Measure A Initiative and the 2002 voter-approved Measure T Initiative, both of which are officially part of the Fremont Municipal Code, when making land use decisions for the Fremont hill area. These provisions impose more restrictive requirements on hill area development than would otherwise apply in designated open space areas.

Measure A, approved by Fremont voters in 1981, formally amended the text of the General Plan to add definitions of the "Hill Area," "Ridgeline," "Toe of the Hill," and "Hill Face." The General Plan Map was likewise amended to depict these features and reduce allowable hillside densities. The intent of the ordinance was to protect the agricultural, recreational, and low density character of the Hill Area and provide special protection to visually sensitive features such as the western hill face and ridgeline. The Measure generally applied to land east and north of Mission Boulevard and I-680.

Measure T, approved by voters in 2002, established additional limits on hillside development and incorporated further language into the General Plan. The changes included new minimum parcel sizes for the Hill Area and the City's sphere of influence. Additional use restrictions were established and further safeguards were placed on areas of special environmental concern. The Measure included provisions for clustering of allowable density, restrictions on lot line adjustments and maximum floor area, and requirements for conservation easements. The area covered by the Ordinance was slightly different than the area covered by Measure T, focusing more specifically on lands above the Toe of the Hill.

See the Hill Area Community Plan for the full adopted text of Measures A and T.

• Policy 2-6.3: Baylands

Manage Fremont's Baylands as permanent open space. The habitat and ecological value of these areas should be conserved and restored to the greatest extent possible. This may include specific land management prescriptions not only for the baylands but for adjoining upland properties that may impact wetland or bay habitat value. Planning for the baylands should consider the effects of climate change and sea level rise.

Much of the Baylands acreage is in public ownership and is subject to regulation by agencies such as the US Department of Fish and Wildlife, California Department of Fish and Game, and Army Corps of Engineers. The acreage also includes ponds used for commercial salt production. These areas are generally designated for Resource Conservation on the Land Use Map.

• Policy 2-6.4: Parks

Maintain and enhance a network of civic, neighborhood, community, and linear parks. Parks should be recognized as fundamental to Fremont's quality of life, and should be carefully managed to create a balance between passive and active open space.

See the Parks and Recreation Element for additional policies on parks

• Policy 2-6.5: Linear Open Space Connections

Utilize open space, including parks, flood control channels, greenbelts, easements, and other open areas to connect the City, provide car-free corridors for pedestrians and bicyclists, and tie together Fremont's neighborhoods, centers, and employment districts.

> Implementation 2-6.5.A: Linear Park Network

Utilize the Bicycle Master Plan and Pedestrian Master Plan and work with utility companies and other agencies to complete linear open space connections and trail parks throughout the City.

• Policy 2-6.6: Agriculture

Allow most agricultural uses in the City's open space districts, and allow community gardening and "urban" agriculture in a wide range of settings. As defined by zoning, more intense agricultural uses in the hills may require a conditional use permit, consistent with the Hill Area Initiative of 2002.

The 2002 Hill Area Initiative permits agriculture in the Hill Area, including grazing, horticulture, floriculture, and arboriculture. However, it explicitly excludes commercial vineyards, Christmas tree farms, poultry ranches, and most feedlots and pig farms. These rules are carried forward in the City's Zoning Ordinance, where additional provisions for uses in the Open Space Zoning districts apply.

> Implementation 2-6.6.A: Regulations for Vineyards and Orchards

Adopt and maintain regulations for private vineyards and orchards which require consideration of the environmental impacts associated with these activities, along with measures to mitigate potential adverse effects.

• Policy 2-6.7: Environmentally Sensitive Use of Open Space

Regulate recreational and public facility development on lands designated as open space to conserve the overall character of such sites and minimize impacts on recreational activities, mature landscaping, and environmentally sensitive areas.

> Implementation 2-6.7.A: Infrastructure in Open Space

Establish zoning standards which recognize the presence of infrastructure facilities such as radio and television towers within designated open space areas. Periodically update zoning standards for these areas in response to changing infrastructure needs, changes in energy and communication, and emerging technologies.

There are some public facilities and utilities that cannot feasibly be located in urbanized areas, but that serve an essential public need. There are also infrastructure facilities where City regulations may be preempted by state and federal law. This implementation measure does not apply to wastewater treatment facilities, landfills, and commercial power plants, which are prohibited uses in open space areas.

• Policy 2-6.8: Private Open Space

Generally require that areas more than one acre in size dedicated as "open space" as part of a development project be formally designated as Open Space on the General Plan Land Use Map. Binding agreements with the City such as open space easements or deed restrictions should be used to permanently protect such areas. Vegetation in such areas should be managed consistently with the City's water conservation, fire protection, aesthetic, and sustainability goals.

• Policy 2-6.9: Protection of Planned Development Open Space

Strongly discourage the encroachment of development onto common open space areas within planned developments or other residential projects. Where feasible, shared open space areas in residential subdivisions shall be permanently restricted to open space uses through deed restrictions or other appropriate means.

> Implementation 2-6.9.A: Protection of Common Open Space Areas

Utilize the *Multi-Family Design Guidelines* to prohibit the conversion of common open space in planned developments and residential subdivisions into developable lots.

• Policy 2-6.10: Sphere of Influence

Advocate for open space conservation and resource protection in the unincorporated areas east of the Fremont city limits but within the City's sphere of influence. These areas should remain in agricultural and open space uses for the lifetime of this General Plan.

> Implementation 2-6.10-A: Sphere and Community Plan Area Boundaries

Continue to work with the Alameda County Local Agency Formation Commission (LAFCO) and other appropriate agencies and districts to clarify the boundary of the Fremont sphere of influence.

See the Community Plan Element (Hill Area section) for General Plan policies on hillside protection adopted by voter initiative.

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