

City of Fremont

Development Policies

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Note:

This document is a compilation of uncodified development policies previously adopted by City Council Resolution. This document is updated periodically as development policies are adopted, deleted, or amended.

For more information, contact the Planning Division at:
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Users should verify designations, policies, regulations, and restrictions before making project commitments.

Adopted by RESOLUTION NO.5445 on July 6, 1982

Resolution of the Fremont City Council Amending the Development Policies concerning Multi-family Dwellings, Mobilehome Parks, and deleting the following Development Policies: R-G-X Districts, Motel-Apartment Conversion, Condominium Conversion, Commercial-Industrial and Industrial Parks Districts

SECTION(S)

The development policy and Resolution No. 2994, as amended, governing the development of R-G-X Districts are hereby rescinded.

The development policy and Resolution No. 1451 governing the development of motel-apartment conversions are hereby rescinded.

The development policy and Resolution No. 4359 governing the development of condominiums are hereby rescinded.

The development policy and Resolution No. 1283 governing the development of Commercial-Industrial Policy are hereby rescinded.

The development policy and Resolution No. 1311 governing the development of Industrial Park Districts are hereby rescinded

The development policy and Resolution No. 811 governing the development of multi-family dwellings are hereby amended to read as follows:

OBJECTIVES:

1. To provide a desirable living environment for people wanting or needing to live in multi family units.
2. To encourage heterogeneity in the physical, social and spatial patterns for residential communities and neighborhoods.
3. To provide for "life-cycle" neighborhoods.
4. To encourage maximum compatibility of multi family uses with adjacent uses.
5. To provide an adequate quantity of multi family zoned areas commensurate with present and anticipated demand, while allowing for variety of site choices.
6. To encourage variety in the residential development pattern of the City.
7. To encourage developers to build up high standards and provide amenities related to density in all districts.
8. To encourage developers to employ persons trained and experienced in land planning, landscape architecture and architecture so that the best possible design and environment may be developed.
9. To provide a variety of housing types in order to best meet the demand of all age
10. groups. Housing types for low income occupants are encouraged, provided reasonable architecture standards are maintained.
11. To discourage look-alike rows of apartment buildings.

PRINCIPALS:

Environmental:

1. Maximum possible privacy for each multi-family unit should be provided through design and use of proper building materials and landscaping. Visual privacy should be provided through the use of open space between buildings, landscaping treatment and structural screening. Auditory privacy shall be furnished through soundproofing, building separation and landscaping. Sound transmission through a wall or floor, from one unit to another, should be minimized for the comfort of occupants.
2. The architectural design of multi-family units should be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, line and pattern. Particular attention should be given to the shape, color and texture of roofs. The use of slate, tile, wood shakes, or 300-pound composition shingles of a color compatible with the landscape is encouraged. Flat roofs should not be located where visible from a higher level, except when fully improved as usable garden or recreational areas.
3. The landscaping should establish an optimum living environment between indoor and outdoor living.
4. Interior dwelling design and layout of all units should have good circulation; adequate light, heat and ventilation; and protection against excessive noise and accident hazards.
5. Multi-family units should incorporate adequate thermal insulation in the interest of comfort, fuel savings and resistance to deterioration, dependent upon materials available at the time of construction.
6. Trash and dumpster areas and utility meters should be screened from view by materials of a design and composition compatible with the architectural treatment of the project.
7. Recreational areas should be designed to suit the needs of anticipated occupants. Cabanas and other like structures may be included as part of the recreational areas.
8. A variety of choice should be provided within a single multi-family grouping, such as: Types and sizes of units, number of rooms, architectural design, landscaping, grouping of units, lot sizes, location on site and cost of rent or sale of units.
9. Visible TV and FM antennae are not to exceed one per principal structure.
10. Parking and open space necessary to serve each stage of development shall be provided within the area being developed so that each portion of the project is self-sufficient with respect to minimum parking and minimum open space.

Circulation and Parking:

1. On-site circulation should be designed to provide for adequate fire and police protection.
2. Large areas of parking pavement should be given relief by providing landscaped areas.
3. Required parking reductions of up to 25% may be approved if all of the following findings can be made:
 - a. The proposed project lies within the area designated as Residential, 50-70 dwelling units per acre, approximately within one-half mile of the BART station;
 - b. The proposed development would be linked directly to the BART station by pedestrian and bicycle trails;
 - c. Separate identifiable visitor parking areas are provided; and
 - d. Parking reductions would not result in excessive on-street parking by residents or guests of a project.

HISTORICAL NOTES:

1. Originally adopted by City Council Resolution No. 2163, September 24, 1968
2. Amended by City Council Resolution No. 2213, January 21, 1969.
3. Amended by City Council Resolution No. 2746, May 18, 1971.
4. Amended by City Council Resolution No. 5445, July 6, 1982.

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Adopted by RESOLUTION NO.5445 on July 6, 1982

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The development policy and Resolution No. 4359 governing the development of condominiums are hereby rescinded.

The development policy and Resolution No. 1283 governing the development of Commercial-Industrial Policy are hereby rescinded.

The development policy and Resolution No. 1311 governing the development of Industrial Park Districts are hereby rescinded

The development policy and Resolution No. 2746, as amended, governing the development of mobilehome parks are hereby amended to read as follows:

OBJECTIVES:

1. To recognize the mobilehome as a means of adding variety to the City's supply of housing;
2. To provide for a balance between mobilehomes and other types of housing;
3. To encourage the construction of well-designed mobilehome parks; and
4. To provide for as simple and expeditious a method of application and plan review for mobile home parks as is compatible with the public interest.

PRINCIPLES:

1. The site should possess the following characteristics:
 - a. Be generally located on the periphery of a residential area (as defined by physical features and/or changing land use patterns) to avoid interruption of local public street service and desirable land use development patterns;
 - b. Front on a thoroughfare street, or a collector street of sufficient capacity to carry anticipated traffic; and
 - c. Be accessible from a state highway by way of streets with no intervening portion having a grade in excess of seven percent.
2. Mobile home parks should be considered as having land use characteristics similar to both single dwellings and duplex type housing.
3. Convenience market and personal services within walking distance are considered desirable.

4. Mobilehome parks should be evaluated in terms of their impact upon adjacent areas in order to avoid land use and circulation problems and undesirable environments.
5. Individual mobilehome parks should not be severed by public streets unless there is no interruption of pedestrian circulation within the park as a result of such severing.

STANDARDS:

1. To provide a sound base for services and amenities, a mobile home park should contain at least twenty acres, but lesser amounts may be added to existing parks, in which case the Planning Commission may request the meeting of reasonable conditions based on the following standards:
2. Mobilehome parks should be generally distributed throughout selected areas of the City in proportion to the total supply of other dwelling units. The Development Organization shall certify that the construction plans conform to the planned unit, conditional use permit or planned district development site plans as approved by the City, and the State shall not issue a permit to construct the park until the City, in writing, certifies such conformances.
3. Mobilehome parks may be permitted within areas designated on the General Plan for densities of 5 to 7 or 6.5 to 10 dwelling units per acre. Project site area is defined as the area or single leasehold interest that is used or usable by residents of the park.
4. Open Space should be provided as follows:
 - a. Private Open Space: Each mobilehome site should be of sufficient size to accommodate two hundred square feet of patio area having a minimum dimension of twelve feet. In addition, each mobilehome site should be large enough to accommodate a mobilehome sixty feet in length, including required setback areas.
 - b. Total Open Space: Fifty percent minimum open space coverage, which may include plazas, pedestrian ways, landscaped greens, planting pockets, recreational facilities and private open space areas.
5. Parking should be provided as follows:
 - a. Each mobilehome site should have available to it at least two off-street parking spaces, one of which should be on the site and be covered.
 - b. Parking to serve the community center should be at a ratio of one space for each ten sites.
 - c. Off-street visitor parking should be at a ratio of one space for every five mobilehome sites, with no mobilehome site to be further than four hundred feet from visitor parking.
6. Storage should be provided as follows:
 - a. Boat, camper and trailer storage: All boats, campers, and trailers shall be stored in an area set aside for such storage on the site. The storage area shall be located to avoid conflict with adjoining residential properties and should be screened from view from inside and outside of the park by a fence, wall and landscaping a minimum of six feet in height. Such storage area should be provided at a ratio of one space for each five mobilehome sites and should be a minimum of ten feet by twenty feet in size.

- b. A private dead storage area should be provided for each site.
7. A car washing and minor auto repair area should be provided as part of the boat, camper and trailer storage area.
8. Setbacks should be provided as follows:
 - a. No mobilehome unit shall be located nearer to a public street than twenty five feet, and such setback shall be landscaped, and the perimeter wall shall be no closer to the public street than the twenty-five-foot setback line.
 - b. No mobilehome unit shall be located closer ten feet to a private vehicular access way.
 - c. The distance between mobilehome units shall not be less than an average of fifteen feet, with a minimum of ten feet required between any two mobilehomes.
 - d. No mobilehome unit's patio or carport roof shall be located less than eight feet from any other unit or any other unit's patio or carport roof.
 - e. No mobilehome unit's patio or carport roof shall be located closer than five feet to a private vehicular access way.
9. All mobilehome parks shall meet Private Vehicular Access Way standards.
10. Television reception should be by means of one or several common antennas rather than exposed individual antennas.
11. Lighting of streets should be from supports not in excess of ten feet in height.
12. A planted strip at least ten feet wide and devoid of other uses should separate the mobilehome sites from other residential areas. The planted strip may average ten feet in width when the adjacent land is in other than residential uses, such as railroads, utility transmission lines, etc. The planted strip shall not be required if the adjacent land is composed of a natural creek channel or similar natural barrier. Planting shall include trees at a ratio of one per twenty five lineal feet of the frontage of the area to be planted. An automatic irrigation system shall be included within the planted strip, and other assurances given prior to development of the mobilehome park that the planting and landscaping shall be adequately maintained.
13. Refuse disposal areas, individual or group, should be screened.
14. The mobilehome park should be enclosed by a masonry or combination masonry and heavy timber wall at least six feet in height.

PROCEDURE:

1. All mobilehome parks shall be subject to a conditional use permit, planned unit development or planned district approval process.

HISTORICAL NOTES:

1. Originally adopted by City Council Resolution No. 2163, September 24, 1968
2. Amended by City Council Resolution No. 2213, January 21, 1969.
3. Amended by City Council Resolution No. 2746, May 18, 1971.
4. Amended by City Council Resolution No. 5445, July 6, 1982.

Adopted by RESOLUTION NO. 5477 on August 3, 1982

Resolution of the Fremont City Council Adopting a Development Policy for Hill Area and Hillside Streets in the City of Fremont to reflect the Intent of the Hill Area Initiative (Measure A)

SECTION(S)

Resolution No. 1180 is hereby rescinded.

Resolution No. 1292 is hereby rescinded.

Development Standards for Hillside Streets governing the development of hillside streets within the City of Fremont hereby is adopted and declared for the general guidance of the Planning Commission, City Council and other officials of the City of Fremont.

OBJECTIVES:

1. Pedestrian traffic to and within the hillside areas and to provide for access of emergency vehicles necessary to serve the hillside areas.
2. To encourage developments which will result in preservation of the natural character of the hillside and the amenities provided by the hillside areas.
3. To reduce the scarring effects of hillside street construction while maintaining an acceptable level of safety against unstable slopes or slopes subject to erosion and deterioration.
4. To provide for the most economical construction of the necessary streets within the hillside areas consistent with the objectives enumerated above.

PRINCIPLES AND STANDARDS:

1. Curbs - Vertical curbs of Portland Cement concrete six inches in height shall be constructed on both sides of all public streets. Curbs which serve to carry storm runoff shall be constructed with an integral Portland Cement concrete gutter. Exceptions to this requirement may be permitted where the Planning Commission finds that adequate drainage and traffic control are provided and normal maintenance would not be impaired.
2. Parking Lanes - Parking lanes, eight .feet in width, shall be provided on at least one side of all public streets except where existing topography renders development adjacent to the street impractical; or where the street serves solely as an access road; or where an adequate number of off-street parking spaces are provided on each lot adjacent to the street. Roads without parking lanes shall be provided with emergency parking stalls adequate to contain two vehicles and spaced at an average distance of five hundred feet.
3. Horizontal and Vertical Curves - The design of all streets shall incorporate horizontal and vertical curves adequate to provide a maximum in vehicular safety. The minimum design speed shall be 25 mph, except where conditions would result in excessive cuts or fills and significant environmental impacts, the minimum design speed may be reduced. Collector streets and thoroughfares shall be designed to incorporate vertical and horizontal curves greater than the said minimum for residential streets in order to provide for increased traffic flow and vehicle speeds on such collector streets and thoroughfares. The paved width of one-way streets shall be increased as necessary to provide for safe movement of traffic at sharp curves.

4. Cut and Fill Slopes - All manufactured slopes adjacent to the roadway shall normally be a maximum of two horizontal to one vertical unless limited by existing topography or constructed in rock. Manufactured slopes steeper than two to one may be permitted where adequate slope control measures such as retaining walls or rip-rap embankment are utilized. The slope shall in no case exceed the natural angle of repose of the material. Cut and fill slopes shall be constructed to eliminate sharp angles of intersection with the existing terrain and shall be rounded and contoured as necessary to blend with the natural topography to the maximum possible extent.
5. Erosion Control - All graded areas, other than those constructed in rock, shall be planted or otherwise protected from the effects of storm runoff erosion and shall be benched or terraced as required to provide for adequate stability. Planting shall be designed to blend the slope with the surrounding terrain and development. Manufactured slopes in rock shall be provided with soil pockets to contain landscaping where appropriate. Irrigation facilities shall be required where necessary to provide for proper maintenance of the planted areas.
6. Storm Drainage - The design of storm drainage facilities shall insure the acceptance and disposal of storm runoff without damage to the street or to adjacent properties. The use of special structures to accept design storm runoff shall be incorporated into the street design where appropriate.
7. Walkways - Walkways of four feet minimum clear width shall be provided along or in the proximity of all public streets, and along private streets as determined by the Planning Commission to be necessary. Walkways shall typically be constructed of Portland concrete cement. However, other materials suitable for use in the particular area may be allowed. Materials utilized for walkway construction be not result in an abnormal maintenance expense to the taxpayers. Walkways shall be located as necessary to provide a maximum of pedestrian safety while maintaining the character of the hill area.
8. Construction Standards - All streets shall be constructed so as to carry the anticipated traffic load without deterioration over the design life of the roadway. Streets and driveways constructed on a gradient of 18% or less shall be paved with asphalt concrete placed over a suitable base course. Streets and driveways constructed on a gradient in excess of 18% shall consist of a Portland Cement concrete surfacing with a minimum thickness of six inches placed on a suitable base course and shall be provided with a roughened surface to minimize skidding or slipping of vehicles.
9. Street Lighting - All hillside public streets shall be provided with a level of street lighting designed to protect the health, safety and welfare of the public within the hillside areas. Streetlights shall be mounted on ornamental electroliers.
10. Thoroughfares - The design of thoroughfares of four lanes or more within the hill areas shall conform to the principles hereinbefore enumerated.
11. Public Streets (Minor) - The design of minor public streets within the hills shall conform to the principles and standards hereinbefore enumerated, of split-level roads shall be encouraged wherever the terrain warrants. grades shall normally be a maximum of fifteen percent, eighteen percent for allowed for limited distances.
12. Private Streets - The use of private streets or lanes within hill area developments shall be encouraged where such streets will create a more desirable living environment and result in a more desirable utilization of the amenities of hillside topography. Such streets shall have a minimum paved width of fifteen feet when serving less than three lots, a minimum paved width

of sixteen feet when serving three to five lots, and a minimum paved width of twenty-four feet when serving six or more lots.

13. Driveways - Driveways shall be designed to a grade and alignment that will provide the maximum of safety and convenience for vehicular and pedestrian use and in a manner which will not interfere with drainage or public use of the sidewalk and/or street area.
14. Modification to Standards Herein - The Planning Commission may approve modifications to the above design standards provided such modifications are in substantial conformance with the objectives stated in this resolution, provided further that any such modification which results in variance from any provisions of Chapter 1, Title VIII of the Municipal Code shall be processed pursuant to Article 8 thereof.

Hillside Street Geometrics								
Street Designation		(A) Feet	(B) Feet	(C) Feet	Walkway	Right-of- Way Width	Maximum Grade %	Minimum Curve Radii Ft.
Access Rd (No adjacent development possible or permitted)		2'	26'	3'	1'	46'	12'	250'
Collector street serving lots from 1/4 to 1/3 acre in area	With no additional off-street parking.	2' min	40'	7' min	one side	60' min	12'	250'
	Serving development on one side only or with provision for total of 6 off-street parking spaces per lot, 4 of which may be within the required front yard.	2' min	32' min	7' min	one side	52' min	12'	250'
One-way street		2' min	20'	3' min	one side	40' min	12'	250'
Split-level street		2' min	20' each level	3' min	one side	40' min	12*	250'
Minor residential streets	Same as collector street, except 'B' may be reduced by 4 feet.						15**	200'
Thoroughfare	Designed based on evaluation of specific case.						6'	600'
Note: Dimension 'C' can be reduced to 3' in all cases above where walkway is not located on road grade. Grade and curve radii limitations may be modified subject to approval of the City Engineer. Slope control easements should be granted to the City to provide for slope protection in areas of cut and fill.								
*Maximum grade shall dependent upon street designation.								
**Maximum grade shall be 18%, subject to Fire Department approval								

ADOPTED BY CITY COUNCIL RESOLUTION NO. 2537 on June 23, 1970

Development Policy for Railroad Grade Crossings & Separations for the general guidance of the Planning Commission, City Council, and other officials of the City of Fremont.

SECTION

Made part of the Street Improvement Ordinance (Chapter 3, Title VIII of the FMC), as “Development Policies and Design Criteria, Planning and Land Use, Transportation and Circulation, Street Improvement Ordinance”:

G. Transportation and Circulation

3. Street Improvement Ordinance (Chapter 3, Title VIII of the Fremont Municipal Code) as applied at railroad grade crossings and separations.
 - a. Objectives: Establish specific guidelines to staff as to application of Street Improvement Ordinance requirements for the issuance of building permits or the approval of a major or a minor subdivision involving an existing railroad crossing or a new crossing proposed to be constructed initially at grade. The provisions of the Street Improvement Ordinance shall prevail over any provision of this policy in conflict thereto.
 - b. Affected thoroughfare has a direct relationship to and is necessary for circulation and access to the involved parcel or development.
 1. Right-of-Way:
 - a. Dedication: Right-of-way dedication shall be in accordance with the Street Improvement Ordinance and shall be based on construction of the roadway at grade.
 - b. Slope easements necessary to support and/or protect the right-of-way required in “1” above shall be provided by the developers, without cost to the City.
 - c. Areas required for future slope easements (to accommodate the grade separation) shall be protected from encroachment by permanent buildings or required elements of the circulation and/or parking facilities. This protection is to be regulated by the development organization at the time of site review. The future slope area may be used for storage of materials and/or readily relocatable uses, the elimination of which will not have a major and detrimental effect upon the primary use.
 - d. Acquisition of the area required in above for these future slope easements shall be made by the City at the time of the grade separation construction.
 2. Access:
 - a. Interim access to the property shall be allowed to the property within the area of the grade separation. Provision shall be made at the time of minor

subdivision and/or site plan approval for elimination of this interim access, to take place at the time the grade separation construction is undertaken.

- b. Permanent access shall be provided to the property from the areas outside of the future grade separation in such a manner as to minimize future severance and disruption to the property and the operations thereon.

3. Improvements:

- a. Street improvements shall be provided in accordance with the Street Improvement Ordinance, based on construction of the railroad crossing at grade.
 - b. The abutting property owner on other than major thoroughfares shall pay a share of the cost of constructing the railroad crossing and any required protection thereto in the same quadrant ratio as his property relates to the total number of developable quadrants of the railroad crossing.
- c. Affected thoroughfare has no direct relationship and is not necessary for the circulation and access to the involved property, and the future railroad separation is to be constructed as an undercrossing. [NOTE. This situation differs from “B” above in that the roadway involved herein is in every instance a new roadway (thus does not provide current access to the property) and the property being developed will have no direct visibility (benefit) from traffic utilizing the grade separation by virtue of the roadway being an undercrossing. The term “undercrossing,” for these purposes, applies where the roadbed is sufficiently depressed that the vehicle would be “out of sight” from abutting property levels when crossing under the railroad.]
1. Right-of-Way:
 - a. No dedication of right-of-way will be required for the proposed railroad crossing or the thoroughfare approach thereto.
 - b. The area required for the future grade separation will be delineated by the staff, and the site planning for the parcel shall be made on the basis of this area being unavailable for development.
 - c. The City staff will determine the area required for this grade separation and will include provisions for the acquisition of same in the next ensuing fiscal year street construction budget unless sufficient unbudgeted gas tax funds should be available for its acquisition at the time of property

development and consideration shall be given to purchasing the area required for the grade separation, at the time of the development.

2. Access:
 - a. Acquisition of the right-of-way for the proposed thoroughfare shall include acquisition of the direct access rights from the property being developed to the new thoroughfare.
 - b. No minor subdivision of the property adjoining a proposed railroad crossing shall be approved which shall result in severance of access to abutting property by the application of this policy, unless alternate approved access is provided by and at the expense of the developer.
3. Improvements:
 - a. No street improvement requirements will be required from the developing property for this new thoroughfare facility.

HISTORICAL NOTES:

1. Adopted by City Council Resolution No. 2537, June 23, 1970 [amending Street Improvement Ordinance (Chapter 3, Title VIII of the Fremont Municipal Code) at railroad grade crossings and separations]

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ADOPTED BY CITY COUNCIL RESOLUTION NO. 6201 on November 20, 1984

**Resolution of the Fremont City Council amending Resolution No. 2599
(Development Policy for Driveways)**

SECTION

Resolution No. 2599 (Development Policy for Driveways), adopted September 29, 1970, is hereby amended to read as follows:

OBJECTIVE:

To establish a policy for the guidance of the Planning Commission, City Council, staff and property owners as to location, width and number of permitted driveway openings to provide adequate access to properties while preserving the traffic carrying capacity of the City street system.

DEFINITION:

The following words and phrases shall have the following meanings:

1. "Driveway opening width" shall mean the measurement across the throat either at the property line or back of the driveway opening return.
2. "Driveway opening approach width" shall mean the sum of the widths of all driveway openings serving the development on each frontage.
3. 4. "Flare type driveway opening" shall mean a type (A), type (B), type (C) or type (D) driveway opening approach, as outlined on drawings SD-2, SD-13, SD-14 and SD-15 of the City of Fremont Standard Details.
4. 5. "Street type driveway opening" shall be similar to a type (E) driveway approach, as outlined on drawing SD-35 of the Fremont Standard Details.
5. 6. "Driveway apron" shall mean that portion of the driveway opening that lies within the public right-of-way and gives access to the site.

STANDARDS:

1. Applicable to intersection locations outside the Central Business District:
 - a. The number of driveway openings permitted for a use located at an intersection shall be as follows:
 1. The street with the lesser traffic volume shall be permitted two driveway openings on the same street frontage, provided the driveway openings are in accordance with the provisions of Section 3 of this Policy. Two driveways may be allowed on the street of higher volume where that street frontage is greater than 200 feet.
 2. One driveway opening shall be permitted under all other street frontage conditions.
 - b. Driveway openings permitted for a use located at an intersection shall be located as follows:

No portion of a driveway opening shall be located closer than one hundred feet from the nearest point of intersection of public rights-of-way lines or such lines extended for a single driveway opening permitted under Standard a(2) above, and for the second driveway opening furthest from the intersection permitted under Standard a(1) above. Exhibit “A” presents typical locations.

- c. Additional driveway openings shall be located further from the intersection than those permitted in a and b above and shall be in accordance with the general provisions of Section 3.b.(3) of this policy.

2. Special Standards applicable to the Central Business District:

Driveway openings for uses in Central Business District shall conform to the Core Area Plan and the standards listed below:

- a. No portion of a driveway opening shall be closer than one hundred feet from the intersection of the projected public rights-of-way lines on four-lane street frontages or closer than one hundred fifty feet from the projected rights-of-way lines on six-lane street frontages.
- b. When a driveway is designed to exit into a deceleration lane or its taper, then the deceleration lane shall be included in the right-of-way dedication and improvement obligation. A minimum of eighty feet in length of deceleration lane, plus standard taper in advance of the driveway opening shall be provided.
- c. No left turn movement off a driveway shall be permitted within 60 feet of the face of curb on thoroughfares.

3. All driveway openings shall conform to the general provisions listed below:

- a. The width shall not be greater than 35 feet, except the width may be increased to 40 feet for joint-use driveways.
- b. Joint-use driveway openings between adjoining uses shall be encouraged.
- c. No driveway opening or transition shall be permitted within the corner radius or closer than five feet to the tangent of the curb return.
- d. All driveway openings shall have at least twenty-seven feet between driveway transitions in commercial and industrial areas.
- e. Major driveway openings on secondary and major thoroughfares may be “street-type” driveway openings.
- f. The collective width of commercial and industrial driveway openings on a particular street shall not exceed 35 feet plus eight percent of the property frontage, except as provided for in Section i(1) below.
- g. Any corner parcel shall be permitted to transfer up to eight feet of its allowable driveway opening width from one frontage to the other in order to provide a driveway opening width allocation for one-half of a joint-use driveway opening whose total width is planned to be 40 feet.

- h. To calculate the width of a driveway opening, the width of the joint-use driveway opening shall be directly proportional to the frontage of each parcel.
- i. The standards may be modified by the Public Works Director if evidence justifies such modification as being necessary to the development and if it will not adversely affect the street carrying capacity.
- j. This policy is not to be construed to permit driveway openings to be located within areas designated as limited access by an adopted Specific Plan Map or the Land Use Element of the Core Area Plan.
- k. Subdivision of a legally existing parcel shall not result in driveway openings for the original parcel greater than now allowable in Section f above.

HISTORICAL NOTE:

1. Originally adopted by City Council Resolution No. 2599, September 29, 1970.
2. Amended by City Council Resolution No. 6201, November 20, 1984

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ADOPTED BY CITY COUNCIL RESOLUTION NO. 6201 on November 20, 1984

**Resolution of the Fremont City Council amending Resolution No. 4033
(Development Policy for Median Dividers)**

SECTION(S)

Resolution No. 4033 (Development Policy for Median Dividers), as adopted by City Council on January 11, 1970 (amending the Development Policy for Median Dividers adopted August 11, 1964), is hereby amended to read as follows:

OBJECTIVE:

To establish a policy for the guidance of the Planning Commission, City Council, Staff and property owners for installation of medians and median openings.

DEFINITIONS:

1. A "major traffic generator" is a development of one parcel under single ownership or multiple ownership of integrated parcels providing a total of 200 or more off-street parking spaces.

STANDARDS:

1. Median dividers or intersection channelization on a major thoroughfare shall be installed when;
 - a. Peak hour traffic volumes are equal to or greater than eighty percent of the practical capacity of the undivided thoroughfare and width is available to obtain a higher practical capacity and a safer thoroughfare facility through the installation of median dividers; or
 - b. Five or more accidents of types which could have been prevented by median dividers have occurred in a twelve month period; or
 - c. Signalization and channelization of intersection is warranted and financed; or
 - d. Construction of major thoroughfares by means of a City improvement project is authorized by City Council; or
 - e. New major thoroughfares on planned alignments are undertaken.
2. A two-way opening in a median divider shall be installed when;
 - a. The property to be served by the median opening is a major traffic generator and no median opening exists or is planned within 600 feet of the proposed median opening.
 - b. The median opening will be located more than 600 feet from an intersection with a major collector street.
 - c. The median opening will be located more than 400 feet from an intersection with a local street.

- d. The median opening will be located more than 600 feet from any other existing or proposed mid block median opening.
- e. A left turn storage lane is provided at the median opening where traffic volume and/or safety dictates.

HISTORICAL NOTE:

1. Originally adopted by City Council Resolution No. 1282, August 11, 1964.
2. Amended by City Council Resolution No. 4033, January 11, 1970.
3. Amended by City Council Resolution No. 6201, November 20, 1984

ADOPTED BY CITY COUNCIL RESOLUTION NO. 6201 on November 20, 1984

**Resolution of the Fremont City Council amending Resolution No. 2599
(Development Policy for Private Streets)**

SECTION

The Development Policy of the City of Fremont for Private Streets, as adopted by City Council on November 16, 1981, is hereby amended to read as follows:

Land Use	Potential Units	Right-of-Way	Surfacing	Additional Provisions Which May Be Required By The Planning Commission
		Minimum Widths		
Residential	1	20'	15'	a, f, g, h
Residential	2	20'	15'	a, b, d, e, f, g, h
Residential	3-5	40'	16'	a, b, c, d, e, f, g, h
Residential	6 or more	40'	24'	a, b, c, d, e, f, g, h
Commercial		34'	24'	a, d, e, f, g, h
Industrial		34'	24'	a, d, e, f, g, h

- a. Pavement shall be designed on the basis of a traffic index using the number of dwelling units, predicted traffic generation, and a twenty year pavement design life. In no case will the traffic index be less than 4.5.
- b. Provide sixteen foot surfaced width in front of dwelling unit, exclusive of parking spaces, if total length is over two hundred feet long. A minimum of four off-street parking spaces shall be provided for each unit exclusive of any garage or carport.
- c. Surfaced width may be reduced to fifteen foot width with sixteen foot width in front of dwelling unit (exclusive of parking spaces) if total length of street, divided by the number of potential residential units, exceeds one hundred.
- d. No on-street parking to be permitted within the minimum specified surfaced street width.
- e. Individual owner to provide one-half of private street right-of-way and surfacing requirements where roadway will serve both sides, except that in no instance will less than twelve foot be surfaced.
- f. Owner to reserve right-of-way for one-half of future public street if deemed necessary by the Planning Commission. Future width and building set back to be determined by the Planning Commission. In such cases, owner to agree to participate in cost of constructing public street to City Subdivision standards to extent of his proportionate responsibility when his property, plus other properties similarly committed constitute sixty percent of total street construction responsibilities. Agreement to be as a covenant, meeting requirements of City Attorney.

- g. Street tree and landscaping requirements shall be met by the owner across the property frontage and from the property to the public street, as deemed necessary by the Planning Commission.
- h. Safety lighting is to be provided on the private street and on pedestrian way facilities connecting thereto. Lights shall utilize “vandal resistant” enclosures and shall have sufficient power and spacing to provide an average maintained foot candle level of 0.12.

HISTORICAL NOTE:

1. Originally adopted by City Council Resolution No. 2599, September 29, 1970.
2. Amended by City Council Resolution No. 6201, November 20, 1984

ADOPTED BY CITY COUNCIL RESOLUTION NO. 2013-65 on October 8, 2013

Development Policy for Private Vehicle Accessways (PVAW)

SECTION 1.

The Development Policy of the City of Fremont for Private Vehicle Accessways is hereby amended to read as follows:

OBJECTIVE:

To establish guidelines and standards for developments using Private Vehicle Accessways.

DEFINITION:

“Private Vehicle Accessway” shall mean a private right-of-way, under common ownership, which provides a means of pedestrian and vehicular access to condominium, stock cooperative, or townhouse style units. The private right-of-way shall either be a separate fee parcel or an easement.

PRINCIPLES AND STANDARDS:

1. A public utility easement and emergency vehicle access easement is to be established over the entire area of circulation not occupied by covered or uncovered parking spaces for privately owned lots.
2. Fire hydrants are to be located on the private streets at the entry to the private vehicle accessways or as recommended by the Fire Chief.
3. The maximum length of any dead-ended private vehicle accessway is to be 150 lineal feet, consistent with fire department access road requirements. Private vehicle accessways should be loops rather than cul-de-sacs wherever possible. Dead-ended accessways should not contain more than one turn.
4. Backfill of all utility trenches in private vehicle accessway areas is to meet the recommendation of a licensed civil engineer specializing in the field of soils engineering. In the absence of such a recommendation, City public street standards for trench backfill shall be utilized. The civil engineer shall provide full-time inspector services when trenches are being backfilled in accordance with his or her recommendations. All other work in the accessway is to be inspected by the recommending soils engineer and/or the City Public Works Department.
5. The homeowners association is to covenant and be responsible for the maintenance of the facilities in the private vehicle accessway which are not maintained by a public utility agency, except that all utility work resulting from backfill failure is to be the responsibility of the homeowners association.
6. All private vehicle accessways are to be designed to accommodate utility installation; utility separation requirements; parking backup; fire access road requirements, including clear area based upon proposed building height and design; and fire hydrant access. Private vehicle accessways shall have a minimum paved clear width at the vehicle level dependent on use of the road for circulation and access to parking. Accessways shall provide for a minimum clear width of 20 feet when no parking (excepting parallel spaces) is directly accessed from a roadway. Minimum clear width is 24 feet for uncovered parking space access. Covered parking spaces

require additional clear space for adequate vehicle backup and maneuvering to access standard carport and garage spaces and are dependent upon parking space width, parking space depth, and paved surface area beyond the structure. Carport walls and support posts shall be no closer than 16 feet from the center of a 24-foot clear width accessway. Enclosed garages with standard door widths require a minimum of 28 feet of clear width as measured from garage door to edge of curb opposite of the garage door.

7. Portland cement concrete curbs or concrete valley gutters shall be used where storm water runoff is involved. Curb and gutter design may include provisions for diverting runoff for storm water treatment purposes.
8. Minimum at edge of pavement radius is to be twenty feet, except reductions in edge of pavement radii may be permitted consistent with circulation standards of Fremont Municipal Code Chapter 18.183 (Parking, Loading Areas and Vehicle Storage), if the approving agency finds the reduction results in adequate access for passenger vehicles, service vehicles, and emergency vehicles..
9. An adequate turnaround is to be provided at the end of a dead-end private vehicle accessway unless the design incorporates a “T” or four-way intersection within one hundred fifty feet of the end of the accessway. Turnaround facilities are to be adequate to allow fire apparatus and other emergency and service vehicles to turnaround without backing into parking spaces.
10. The connection between the private vehicle accessway and the public street is to be by a City standard driveway.
11. The pavement in private vehicle accessways shall be designed on the basis of a traffic index using the number of dwelling units, predicted traffic generation and a thirty year pavement design life. In no case will the traffic index be less than 5.5. Alternate pavement design structures shall be subject to approval of the City Engineer.
12. Safety lighting is to be provided on private vehicle accessways and on pedestrian facilities connecting thereto. Lights shall utilize “vandal resistant” enclosures and shall have sufficient power and spacing to provide and average maintained feet candle level of 0.12.
13. A signpost, to which is attached a sign having an area of at least fifteen inches by twenty-one inches, is to be installed at or near the entrance of each intersection of the private vehicle accessway with a dedicated public street. The name of the accessway is to be placed on this sign in clearly legible four inch letters. The sign is also to have painted, in at least one inch letters, “Private Property. Not dedicated for public use.”
14. Private vehicle accessways shall provide for pedestrian circulation when no other pedestrian circulation system is incorporated into the development adjacent to the private vehicle accessway. In accordance with the Multi-family Design Guidelines for street hierarchy and pedestrian circulation, private vehicle accessways may require separated sidewalks from the vehicular circulation area. A walkway connection is to be provided from the private vehicle accessways to public sidewalks and to the main pedestrian pathway system and to common open spaces.
15. The curbs shall be painted red or “No Stopping Anytime” signs posted along the entire restricted width of all accessways. These signs shall be in accordance with Sections 22651, 22652 and 22658 of the California Vehicle Code and City standards.
16. Plans and specifications for all utilities and vehicle accessways shall be subject to approval by the Public Works Director and by the servicing utilities.

17. All public and private utilities (including meters, hydrants, etc.) shall be shown clearly on the improvement plans, as submitted to the agencies for their review. Utilities are defined as storm and sanitary sewer, water, gas, underground electrical and television.
18. All utilities in public utility easements shall be shown in cross-sections so as to indicate typical vertical and horizontal configuration. Vertical dimensions shall be shown from finished grade to the various utilities.
19. Lot outlines shall be shown on improvement plans with designations of building type indicated on each.
20. The developer's engineer shall be responsible to make all agencies whose signatures appear on the plans immediately aware of changes in any of the utility locations from approved plans as a result of changes in field conditions.
21. The approving authority may approve variations to the site development standards for private vehicle accessways as part of the design review for site plan and architectural approval and for zoning and design guidelines conformance as part of a tentative map approval.

SECTION 2.

The City Council finds, based on its own independent judgment, that the proposed PVAW Policy amendments are within the scope of the environmental impacts previously analyzed for the General Plan Update for which Environmental Impact Report (EIR) SCH# 2010082060 was previously certified, and that none of the conditions requiring a new subsequent or a supplemental environmental impact report stated in Section 21166 of the Public Resources Code or in Sections 15162 and 15163 of the CEQA Guidelines are present. A Notice of Determination will be filed with the County Clerk.

SECTION 3.

The effective date of this resolution shall be January 1, 2014.

HISTORICAL NOTE:

1. Originally adopted by the City Council on November 16, 1971.
2. Amended by City Council Resolution No. 6201, November 20, 1984.
3. Amended by City Council Resolution No. 2013-65, October 8, 2013

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List of Rescinded Policies

1. Resolution No. 5546, adopted November 9, 1982, [**rescinded November 20, 1984**] entitled “Development Policy for Pedestrian & Vehicular Circulation in the Central Area.”
2. Resolution No. 3432, adopted March 26, 1974, [**rescinded November 20, 1984**] entitled “Development Policy for Modified Public Streets Serving Residential Development Utilizing Private Vehicular Accessways.”
3. Resolution No. 2356, adopted November 12, 1969, [**rescinded November 20, 1984**] entitled “Development Policy for Traffic Signal Installation - Private Driveway at ‘T’ Intersections.”
4. Resolution No. 7705, adopted August 15, 1989, [**rescinded December 9, 2008**] entitled “Development Policy for Shelters for the Homeless”
5. Resolution No. 2709, adopted March 2, 1971, [**rescinded April 10, 2012**] entitled “Resolution of the City Council Approving Procedures for Development Policies, Regulations, & General Plan.”
6. Resolution No. 5362, adopted April 20, 1982, [**rescinded April 10, 2012**] entitled “Development Policy for Agricultural Preserves.”
7. Resolution No. 2601, adopted September 29, 1970, [**rescinded April 10, 2012**] entitled “Development Policy for Drive-In Enterprises.”
8. Resolution No. 2600, adopted September 29, 1970, [**rescinded April 10, 2012**] entitled “Development Policy for Service Stations.”
9. Resolution No. 7831, adopted March 27, 1990, [**rescinded April 10, 2012**] entitled “Development Policy for Hill Area.”
10. Resolution No. 6221, adopted December 11, 1984, [**rescinded April 10, 2012**] entitled “Development Policy for Exemption of Sidewalk Requirements in Industrial Areas.”
11. Resolution No. 2300, adopted July 15, 1969, [**rescinded April 10, 2012**] entitled “Development Policy for Quarries.”
12. Resolution No. 6221, adopted December 11, 1984, [**rescinded April 10, 2012**] entitled “Development Policy for Temporary Sidewalks in Industrial Area Subdivisions.”
13. Resolution No. 6770, adopted July 1, 1986, [**rescinded April 10, 2012**] entitled “Development Policy on Aesthetics.”
14. Resolution No. 7394, adopted August 16, 1988, [**rescinded April 10, 2012**] entitled “Development Policy for Planned Districts.”
15. Resolution No. 5514, adopted September 21, 1982, [**rescinded April 10, 2012**] entitled “Development Policy for Planned Unit Developments.”
16. Resolution No. 8288, adopted April 7, 1992, [**rescinded April 10, 2012**] entitled “Development Policy for Preservation of Primary Historic Resources.”

17. Resolution No. 7835, adopted March 27, 1990, [**rescinded April 10, 2012**] entitled “Development Policy for Specific Plans.”
18. Resolution No. 7866, adopted May 22, 1990, [**rescinded April 10, 2012**] entitled “Development Policy for Water Conservation for New Developments.”
19. Resolution No. 5659, adopted April 5, 1982, [**rescinded April 10, 2012**] entitled “Development Policy for Park Dedication and Payment of In-Lieu Fees.”
20. Resolution No. 5488, adopted August 17, 1983, [**rescinded April 10, 2012**] entitled “Development Policy for Quasi-Public Uses.”
21. Resolution No. 5658, adopted April 5, 1983, [**rescinded April 10, 2012**] entitled “Development Policy for Water System Planning and Design.”
22. Resolution No. 6627, adopted January 14, 1986, [**rescinded April 10, 2012**] entitled “Development Policy for Adaptable Housing for the Disabled in Condominium Projects.”
23. Resolution No. 6889, adopted July 6, 1982, [**rescinded April 10, 2012**] entitled “Development Policy for Multifamily Housing Bond Program.”
24. Resolution No. 4335, adopted April 11, 1978, [**rescinded April 10, 2012**] entitled “Urban Design Criteria for Subdivisions.”