

# Shape Our Fremont

## Residents Want to Know

A new year has produced some new questions about housing developments in Fremont. Here are answers to the latest who, what, why, and how's.

### **Q. I've noticed that some single-family housing developments have very small lots. What's the minimum lot size?**

A. If the General Plan land use designation for a property is Low Density Residential or Low-Medium Density Residential and the Zoning is R-1 Single-Family, then the minimum lot size is 6,000 square feet unless the developer proposes to build a Small Lot Planned District. In that case, the minimum lot size is 4,000 square feet.

Small lot developments are expected to follow a set of detailed guidelines regarding house heights, floor areas, garage locations, and other points. Although the guidelines are only recommendations, and not requirements, the Planning Commission and City Council are allowed to evaluate how well a proposed development complies with the guidelines as part of the approval consideration.

### **Q. What is an ADU?**

A. In general, an accessory dwelling unit, or ADU, is a small residence located on the same lot as a single-family house. It may be attached to the main house, or it may be detached and located next to the main house. ADUs are intended to provide areas for living, eating, cooking, sleeping, and personal sanitation. They may be occupied by long-term renters if the owner of the property occupies the main house.

Construction of an ADU requires a building permit, and there are numerous restrictions on the height, floor area, number of bedrooms, location on the lot, and other factors.

### **Q. Why do some areas have a Historic Overlay? And what does the overlay mean?**

A. Some areas in Fremont have many older buildings that have significant historic value. These buildings are often clustered near the centers of the original towns that merged to form the City of Fremont in 1956, and some are more than a hundred years old.

In order to protect the old buildings as a group, rather than individually, a Historic Overlay may be defined on a map to ensure that any new construction or modifications within the defined area conform to the look and feel of the older buildings. Restrictions may be placed on architecture, building materials, heights, colors, and other factors.

### **Q. Building all these new houses is hurting our local schools. Why doesn't the city do something?**

A. The short answer is that they cannot block housing just for schools. The City of Fremont and the Fremont Unified School District are separate government entities. California's Senate Bill 50 prohibits cities from considering the impact on schools when reviewing residential development applications.

It also prohibits the city from imposing fees other than what the school district levies as impact fees. Sometimes developers voluntarily offer to pay the school district an additional amount as a benefit to

the community in hopes of gaining favorable consideration from the city for a particular project proposal.

**Q. It seems like the City Council approves every housing development proposal that comes along. Have they ever turned down a proposal?**

A. Yes, a few. Recently the council turned down a request to consider making a General Plan Amendment to convert the land use of a vacant lot in the Mission San Jose Historic District from commercial to residential in order to let a developer submit a proposal for some multi-story, multi-family houses.

Several other housing proposals have been approved only after the developer agreed to make certain changes. Reductions in height and number of units are the most common changes. Other changes have involved relocating buildings on the site or preserving trees.

In some cases, the development proposals were rejected or changed because residents wrote letters and emails or spoke at the Planning Commission and City Council meetings.

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To learn more about all proposed housing developments and related issues in Fremont, go to **[www.ShapeOurFremont.com](http://www.ShapeOurFremont.com)**