

DOWNTOWN OAKLAND SPECIFIC PLAN ZONING

Landmarks Preservation Advisory Board, August 29, 2022





DOSP UPDATE & ZONING OVERVIEW

UPDATED ZONING DISTRICTS

SPECIAL DISTRICTS

DEVELOPMENT STANDARDS & ZONING
INCENTIVE PROGRAM

GENERAL PLAN AMENDMENTS

NEXT STEPS & MORE INFORMATION



DOSP

DOSP UPDATE

Project Initiation

Existing Conditions Research & Profile Report
10-Day Public Design Charrette & Open Studio
Community Advisory Group (CAG) Launch
Plan Alternatives Report & Comment Memo
Stakeholder Meetings & Online Survey
Youth Summit

2015-2016

Plan Drafting & Iteration

Plan Options Report & Equity Assessment
Preliminary Draft Plan & Public Review
Public Review Draft Plan/EIR* & Public Hearings
Initial Zoning Incentive Program (ZIP) analysis

2018-2019

Racial Equity Re-Launch

Disparity Analysis
Expanded Outreach & CAG Membership
Social Equity Working Group Meetings
Creative Solutions Labs
Accessibility Survey

2017-2018

Final Plan, Zoning & Adoption

Final Draft Plan
Planning Code (Zoning) Amendments & Public Review
General Plan Amendments
Adoption Hearings

2020-2022



DOSP

DOSP & ZONING

DOSP Topics/Objectives

- Equity & Access
- Housing & Homelessness
- Economic Opportunity
- Mobility, Safety & Connectivity
- Culture Keeping
- Community Health & Sustainability
- Land Use & Urban Form



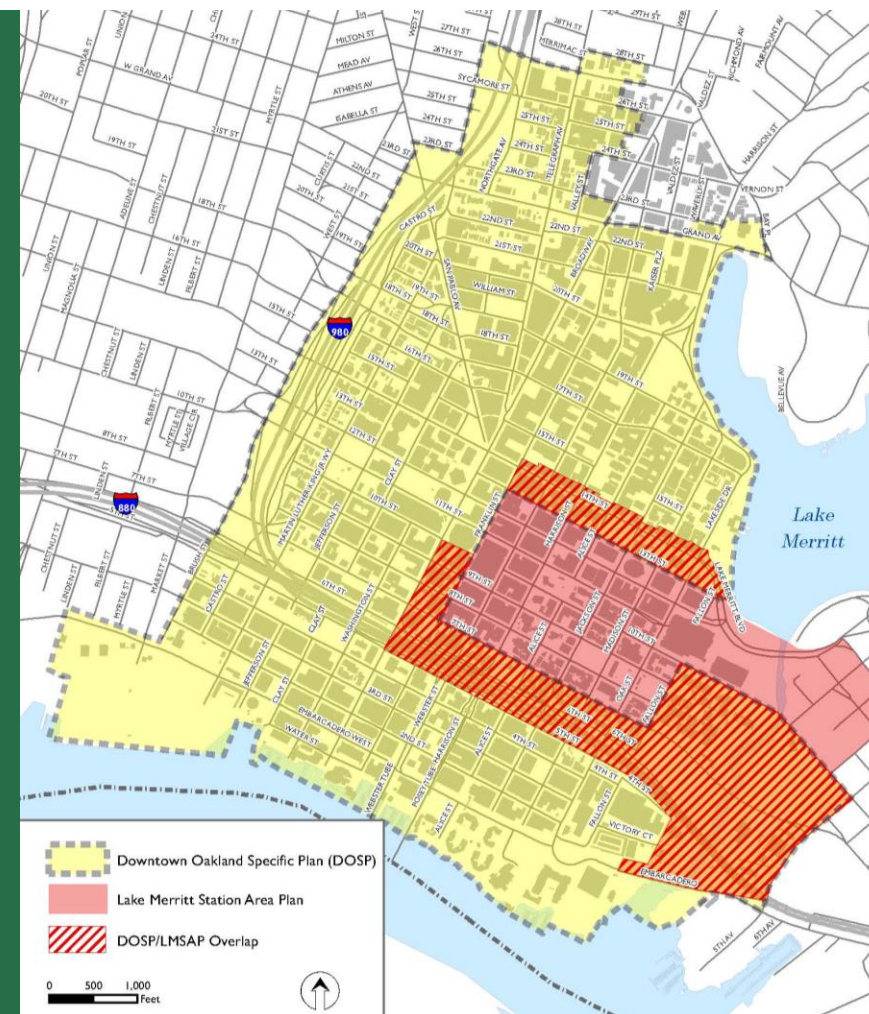


DOSP

DOSP & ZONING

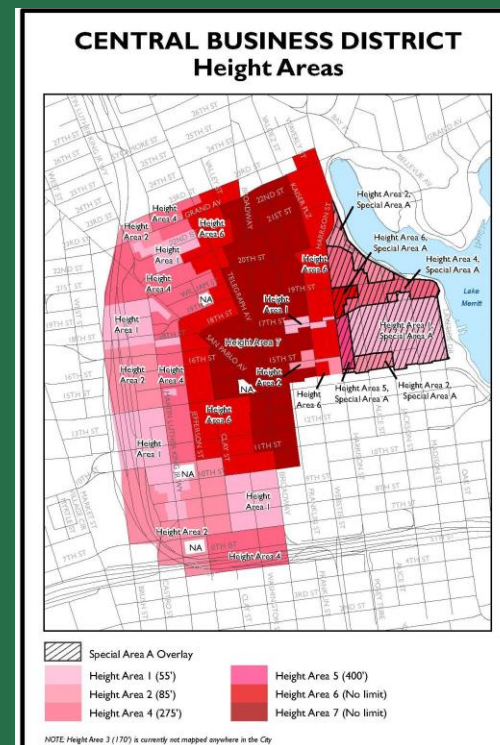
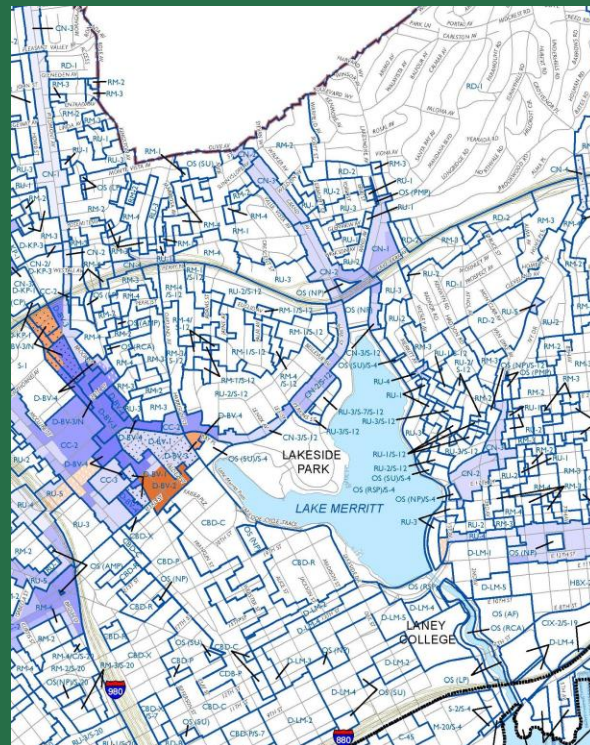
Implementing the DOSP

1. Targeted studies
2. Impact & development fee reassessment
3. City investment in housing, infrastructure, etc.
4. Initiatives and funding strategies
5. City staff allocations
6. Compliance with CEQA mitigation
7. Ongoing community monitoring and transparency
8. **Update zoning to reflect Plan objectives**



Issues with Existing Zoning in Downtown

- Does not implement the DOSP, including focus on culture keeping, community benefits or equity
- Zoning below 880 never updated and not consistent with the General Plan, Estuary Policy Plan, or the DOSP
- Downtown Zoning above I-880 not integrated with Zoning Below I-880
- Some areas need more flexible ground floor requirements after pandemic
- Development capacity based on 2009 expectations
- Some tower design standards have proven inflexible



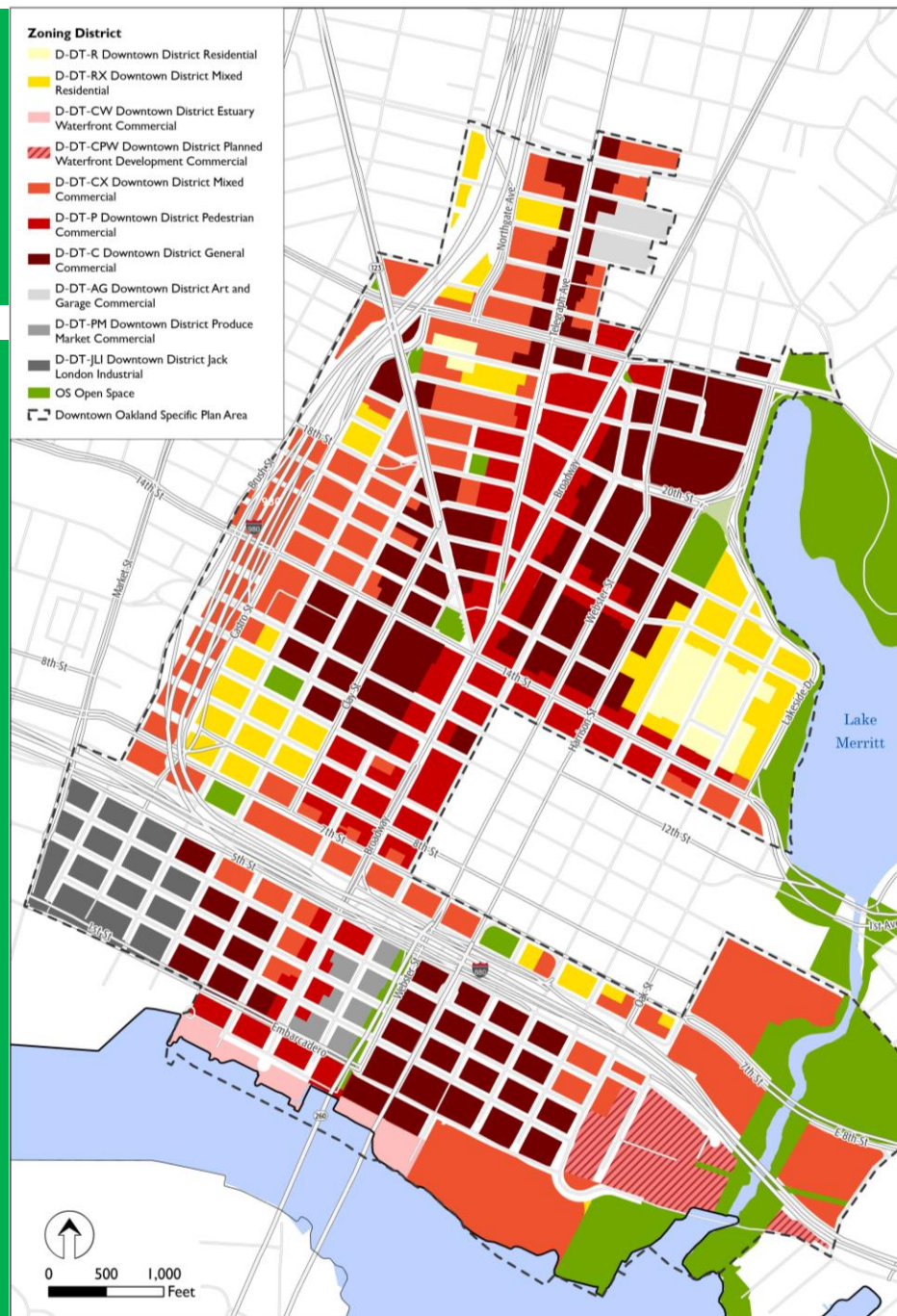


ZONING

LAND USE

■ 10 Base Zoning Districts, intended to:

- Permit housing in more areas, including work/live at appropriate locations
- Facilitate active, pedestrian-oriented uses at key nodes
- Preserve industrial activities near the Port
- Promote waterfront development activities
- Support new artisan and “maker” activities
- More flexible requirements for ground floor activities
- Protect the produce market, arts and garage, and other historic districts.



OVERVIEW

LAND USE

■ Place-Based Regulations

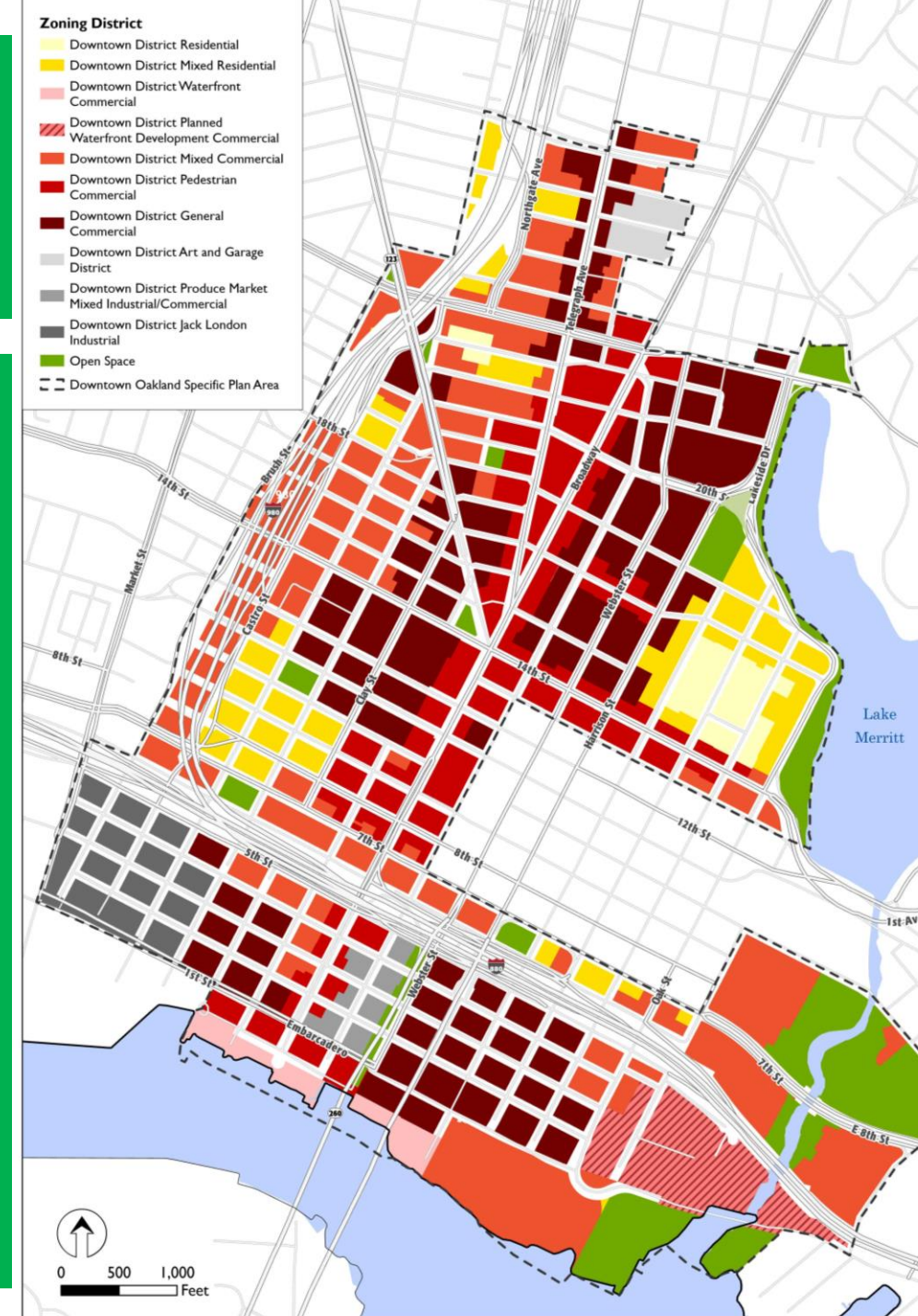
- Walkable corridors and nodes
- Jack London Subdistricts
- KONO/Arts + Garage District area





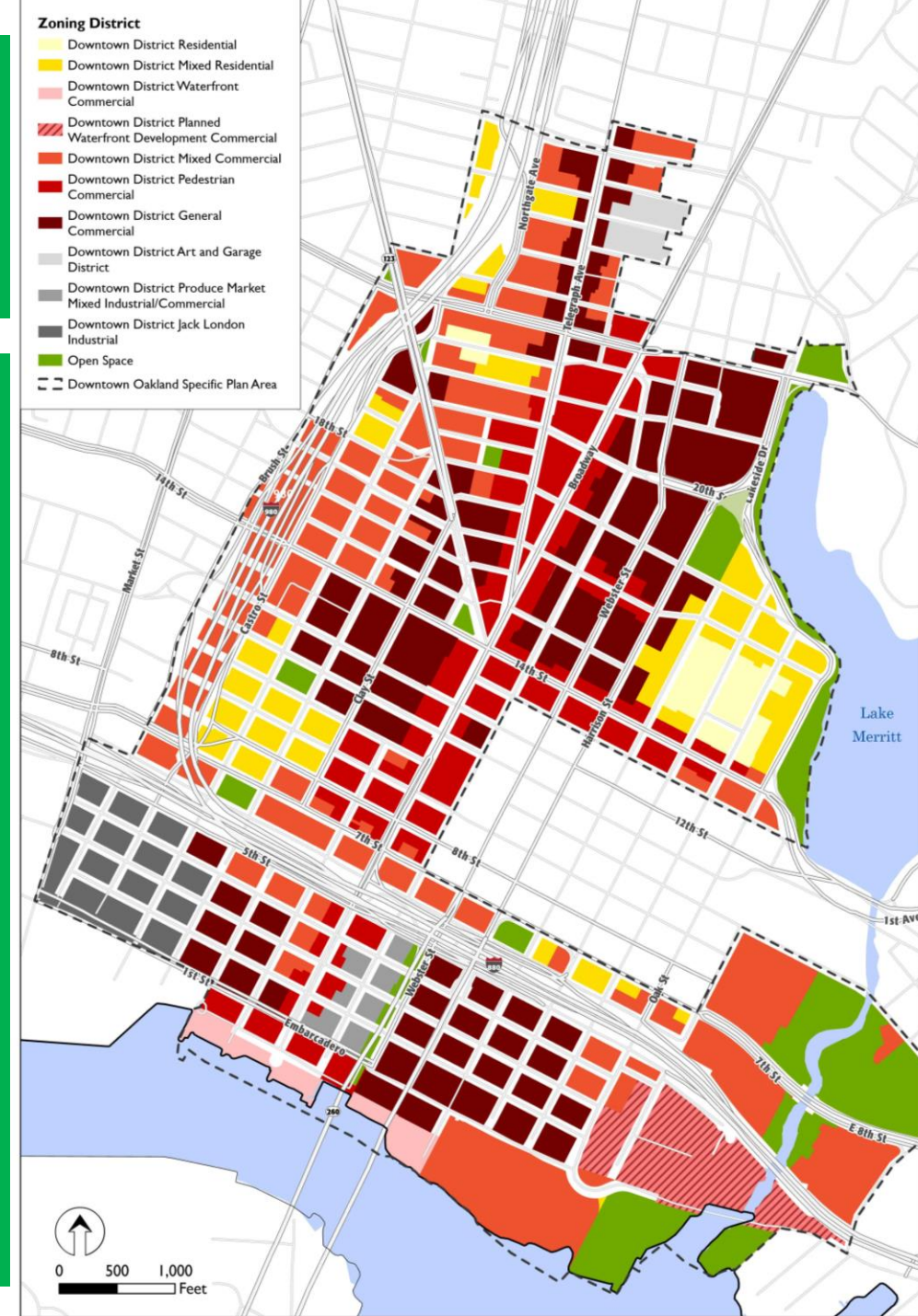
D-DT-JLI: Jack London Industrial Zone

- Transition between Jack London commercial area and the 3rd Street Industrial District in West Oakland.
- Enhanced design and site plan review to ensure it does not adversely impact adjoining zones



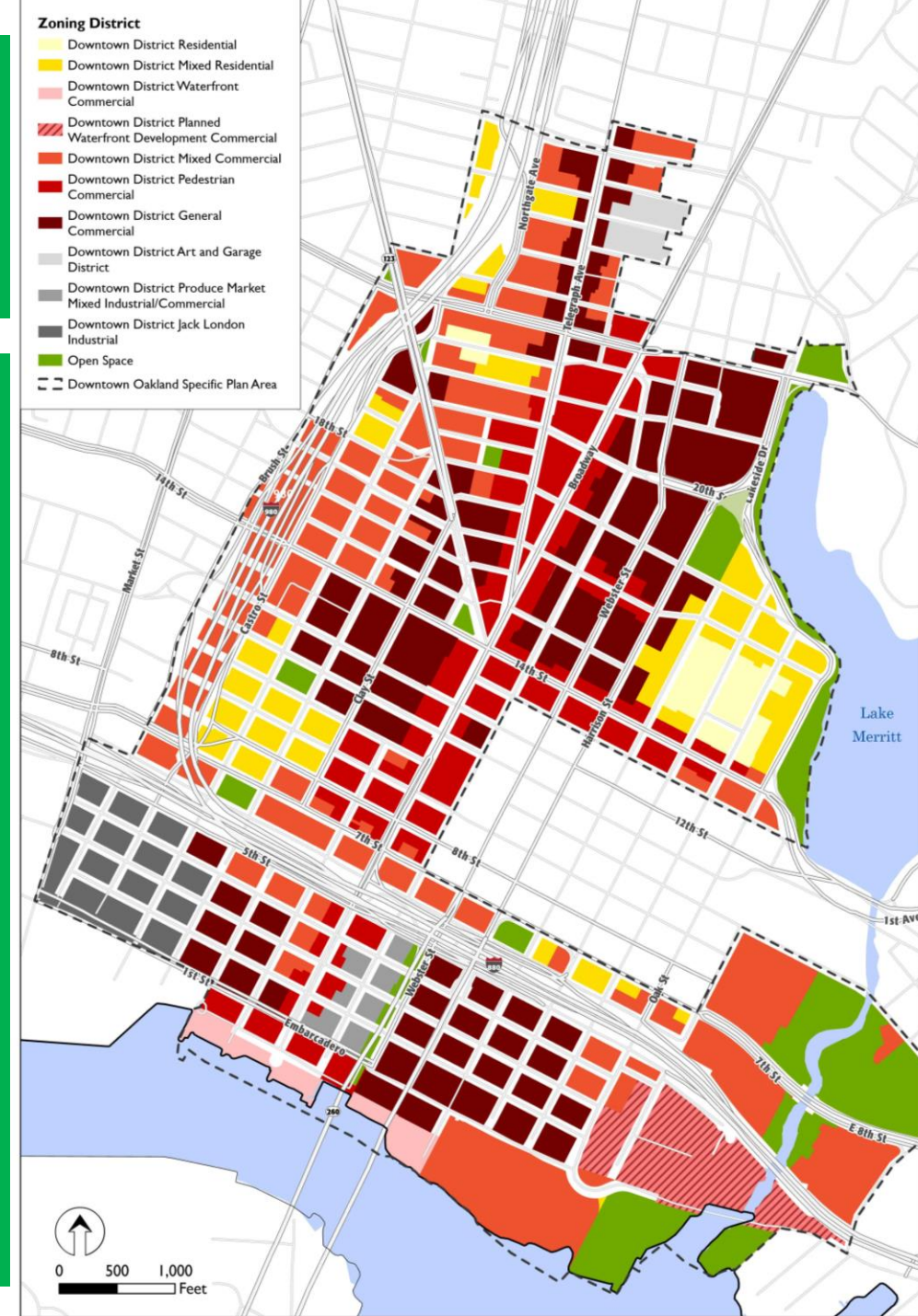


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- A large harbor filled with numerous sailboats and yachts. In the foreground, a red kayak is mounted on a metal rack. The water is calm, reflecting the boats and the sky. In the background, a modern building with a curved facade and white tents are visible under a clear blue sky.

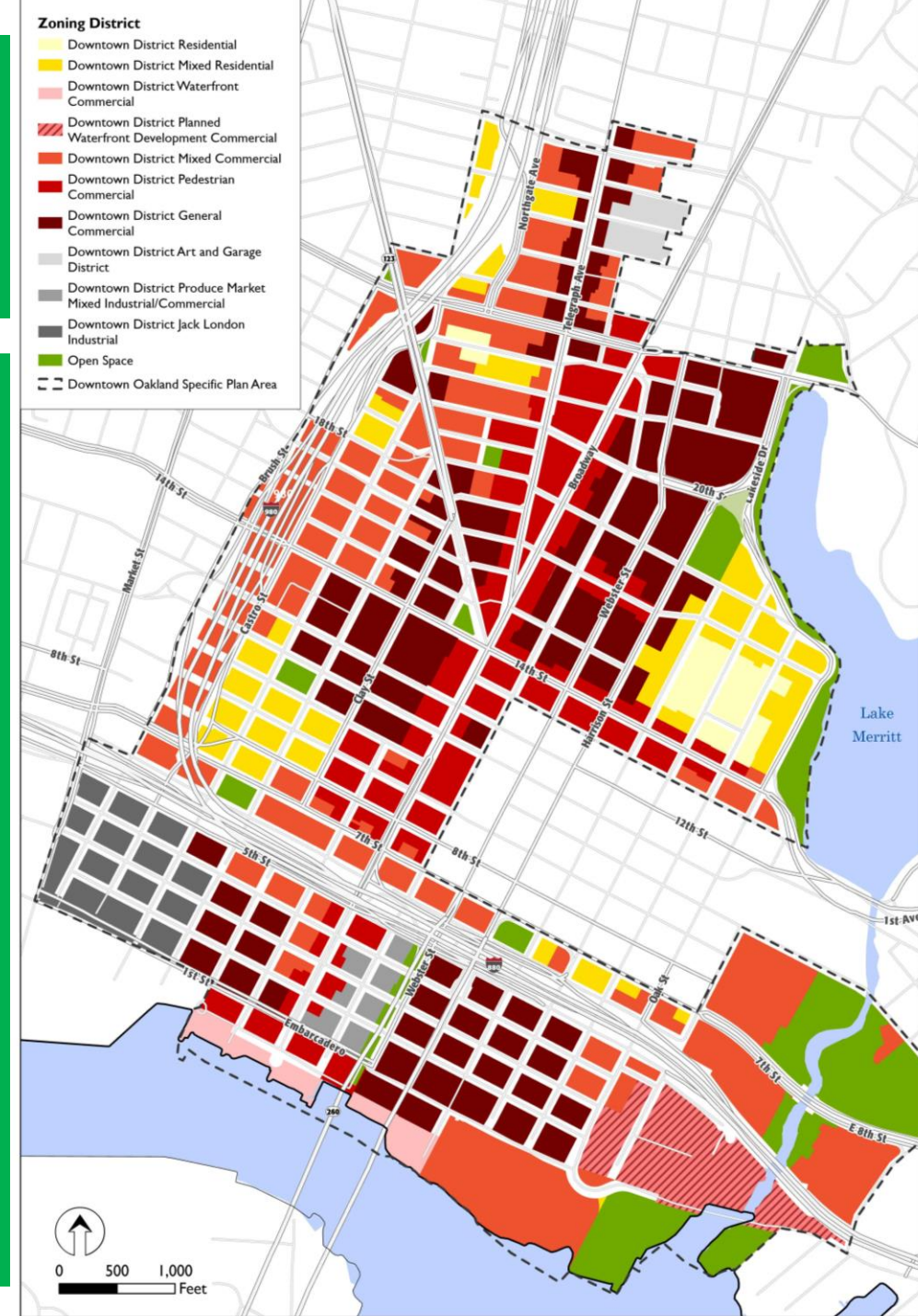
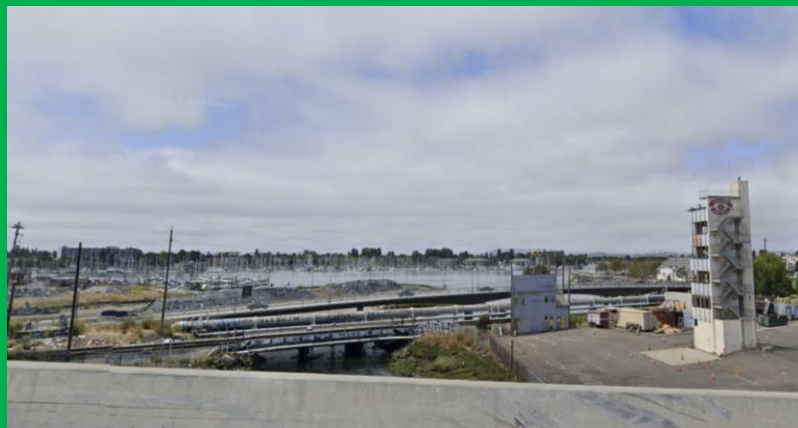




D-DT-PW: Planned Waterfront Commercial Zone

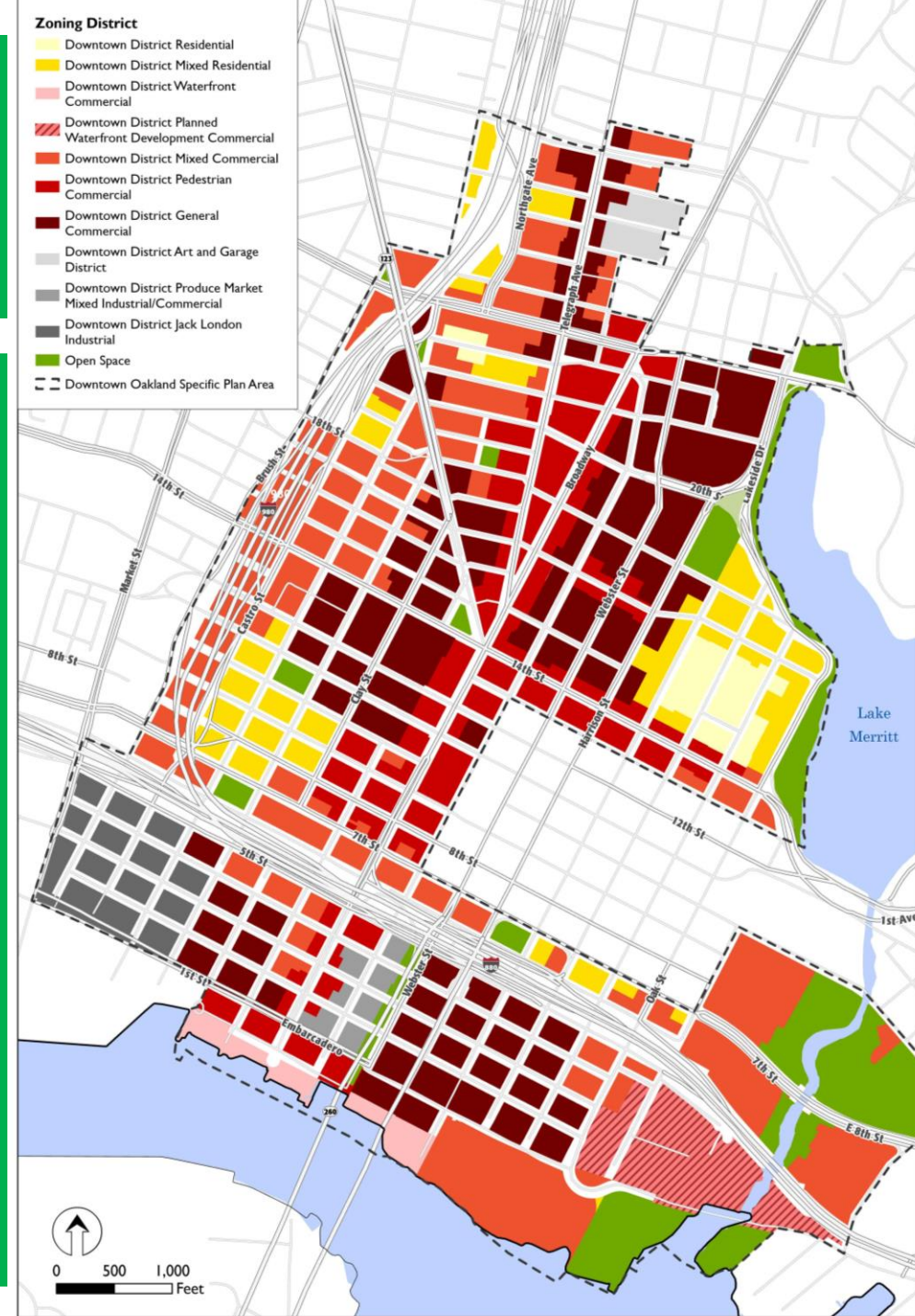


- Comprehensively planned public space, streets and residential and commercial developments
- Interacts with Estuary and Lake Merritt Channel waterfronts, connects to Brooklyn Basin, addresses Sea Level Rise (through overlay)





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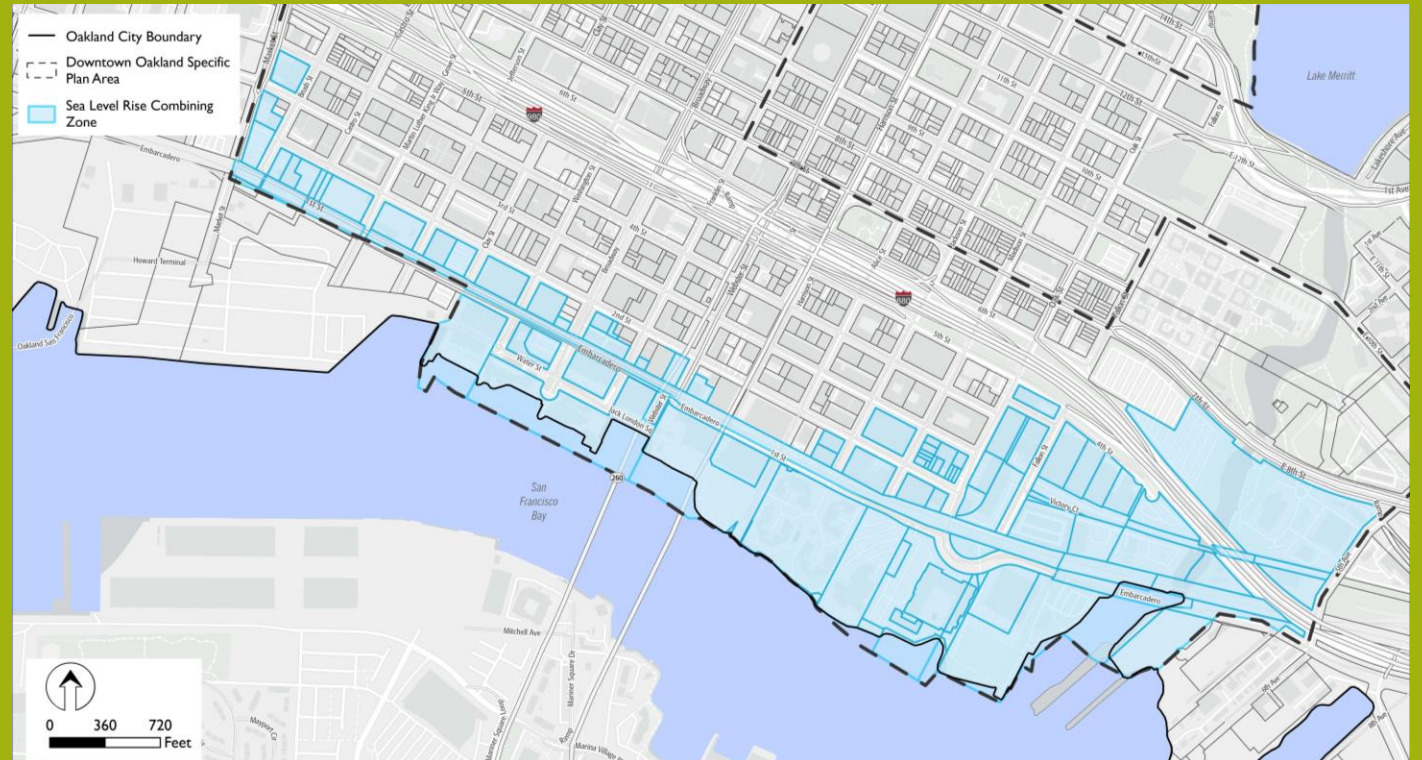




SPECIAL DISTRICTS: SEA LEVEL RISE

Sea Level Rise Combining Zone/Victory Court PUD Requirement

- Intent
 - Ensure that new construction in vulnerable areas adapt to sea level rise
- Zoning Tools
 - Require Adaptation Plan for new construction
- Additional Work Anticipated
 - Citywide and regional policy to address Sea Level Rise

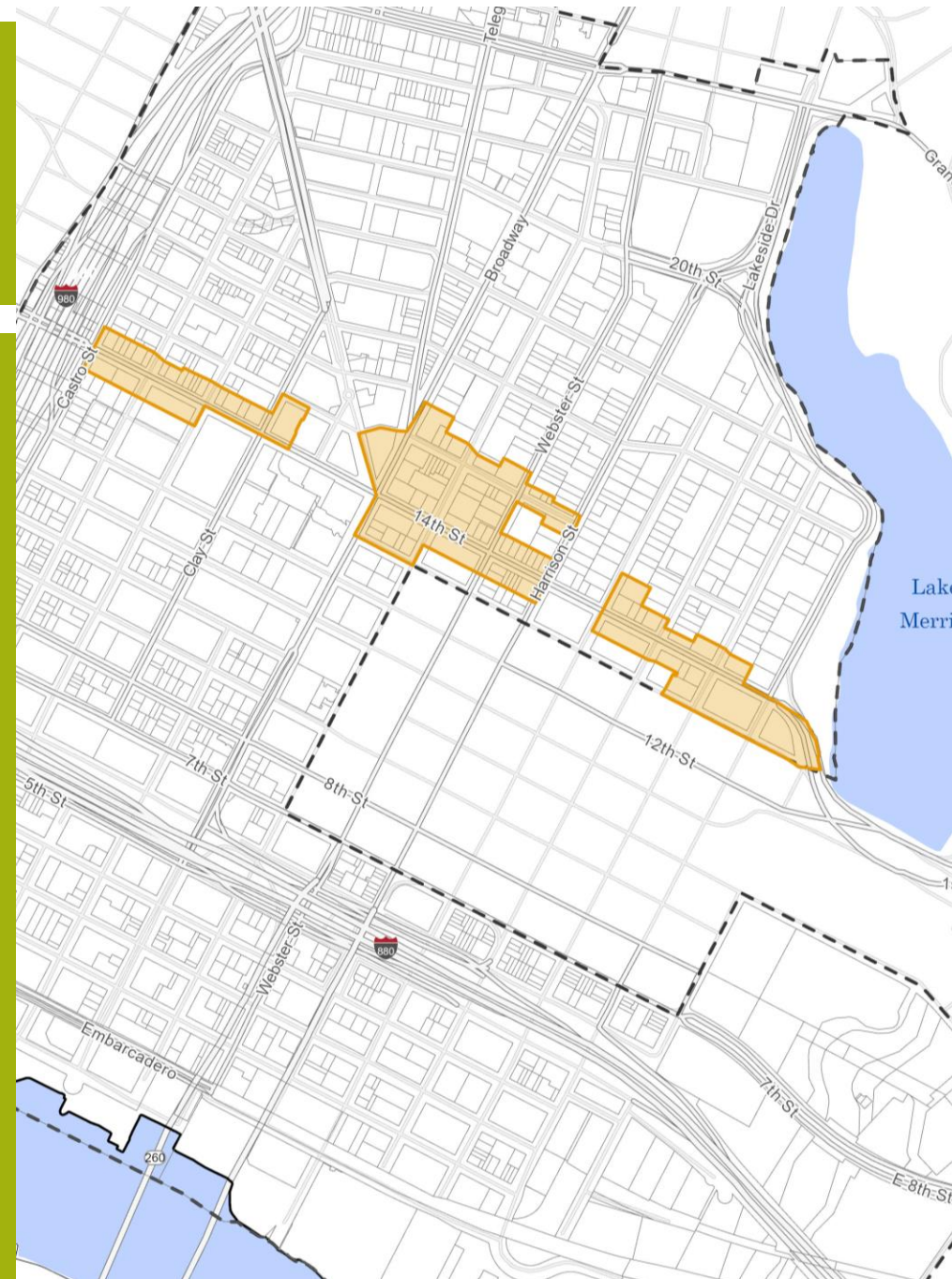




SPECIAL DISTRICTS: BAMBD ARTS & CULTURE

BAMBD Arts & Culture Combining Zone

- **Intent**
 - Foster arts and cultural activities in the Black Arts Movement and Business District (BAMBD)
 - Protect businesses and institutions in the BAMBD from displacement
 - Reduce the cost of commercial space for arts, culture and related community uses
- **Zoning Tools**
 - Non-arts & culture uses on ground floor of key nodes require CUP
 - Development to dedicate at least 50% of ground floor to Arts & Culture
 - New Artisan Production Commercial zoning activity and Arts & Culture activity
 - Zoning Incentive Program to provide below-market rate (BMR) commercial space
- **Additional Work Anticipated**
 - Marketing, banners and other cultural markers; AAMLO and Malonga Center improvements
 - Development of a leasing/tenanting program to fill BMR commercial space
 - Application of combining zone to other parts of the city in the future





SPECIAL DISTRICTS: EMPLOYMENT PRIORITY

Employment Priority Combining Zone

■ Intent

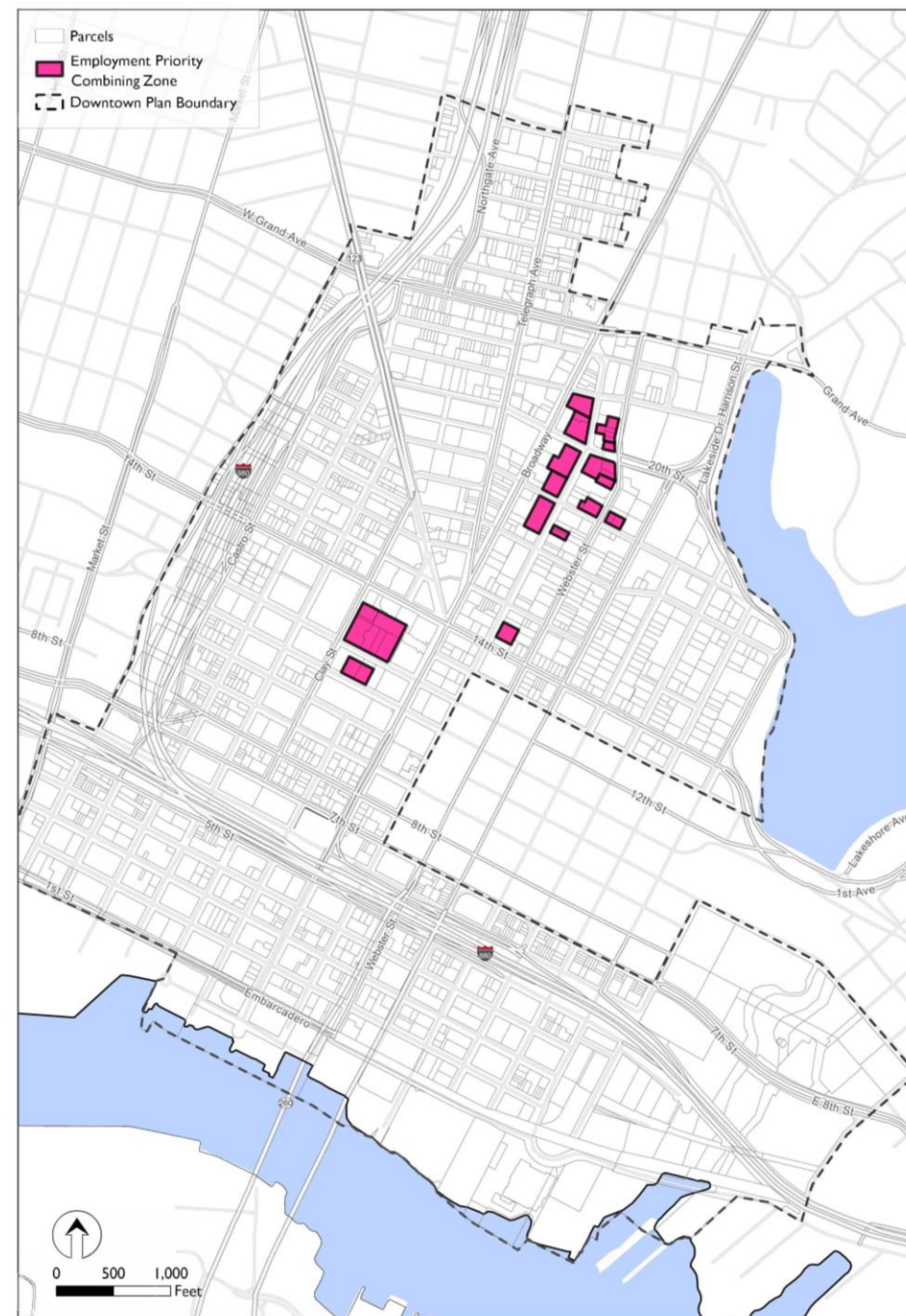
- Preserve key locations near transit for dense employment
- Leverage reverse commute capacity on BART

■ Zoning Tools

- At large opportunity sites, only allow residential development in new construction if at least 60% of maximum nonresidential floor area is office space

■ Additional Work Anticipated

- Job training and other workforce development to encourage equitable access to the jobs created on these sites





SPECIAL DISTRICTS: GREEN LOOP

Green Loop/Estuary Frontage Regulations

- **Intent**

- Connect Lake Merritt, the Channel and the Estuary waterfront with safe, enjoyable transportation and recreational routes and businesses that thrive on foot traffic
- Connect West Oakland to Downtown and support the West Oakland Walk

- **Zoning Tools**

- Combining and Open Space zones
- Frontage requirements
- Landscaping requirements

- **Additional Work Anticipated**

- Improvements to bicycle and pedestrian network
- Improvements to green spaces along the Green Loop





SPECIAL DISTRICTS: GREEN LOOP/LAKE MERRITT CHANNEL

Lake Merritt Channel Frontage Regulations

- Intent
 - Protect the Channel's natural resources from encroachment
 - Improve the pedestrian environment along the Channel
 - Integrate new development with the natural environment of the Channel
- Zoning Tools
 - Minimum 60' landscaped setback from channel for new construction
 - Landscaping for new development to integrate with the natural vegetation of the Lake Merritt Channel
 - Provide visual interest on facades facing the Channel
- Additional Work Anticipated
 - Improvements to the Channel
 - Development of bridge connection between Victory Court and Estuary Park (Measure DD)

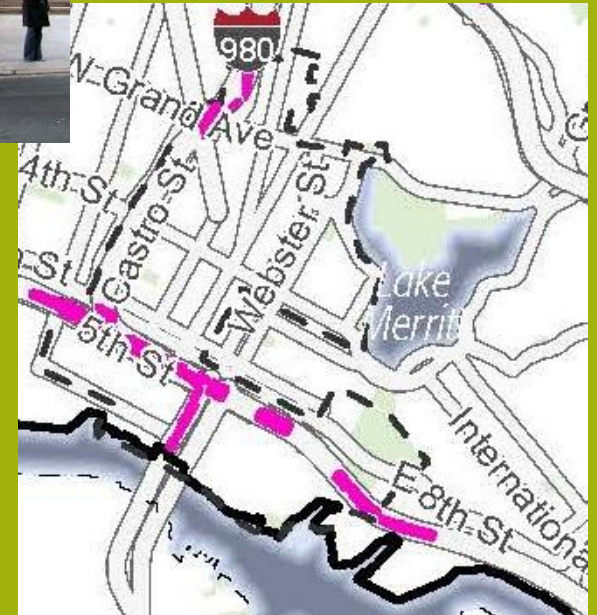




SPECIAL DISTRICTS: UNDER-FREEWAY REQUIREMENTS

Interstate Commercial Zones

- Intent
 - Maximize safety, appearance and community potential of areas beneath I-880 & I-980
 - Decrease blight, including with lighting and art
- Zoning Tools
 - Allow landscaped parking and dispatch services, “pop-up” stores, recreation and other uses in Caltrans' Freeway Lease Areas
 - Curb and gutter improvements required for parking facilities
 - Storage prohibited due to blight concerns
- Additional Work Anticipated
 - DOT and Caltrans coordination on use approval process
 - DOT Underpass Improvement Toolkit & funding





DEVELOPMENT STANDARDS

Building Design Standards

- Include requirements for fenestration, materials, ground floor, height, active space, and parking and loading location
- Require tall building bases between 45-85' with a tower setback from the base (exceptions for office towers, small lots, transitions to historic buildings, context)
- Prevent expanses of blank walls on elevations visible from the street
- Discourage the heavy use of tinted windows
- Require breaking up the volume of buildings and creating a building terminus
- Decrease maximum parking allowed in residential development from 1.25 to 1 space per unit



DEVELOPMENT STANDARDS

Transfer of Development Rights (TDR) Program

- Allows transfer of FAR and density from historic sites in the DOSP area to non-historic ZIP sites in the DOSP area
- FAR and density may not exceed the ZIP maximum
- Only half the development capacity allowed under the ZIP may be achieved through the TDR program (to encourage participation in ZIP)
- Transfers are arranged privately, with agreement approved by City Attorney and filed with the Alameda County Recorder
- Requires a CUP with a finding that the height and bulk of the proposal for the receiving site is consistent with the desired character of the block and area.



ZONING INCENTIVE PROGRAM

Zoning Incentive Program (ZIP) provides community benefits (on-site or in-lieu fee) in return for increased development intensity:

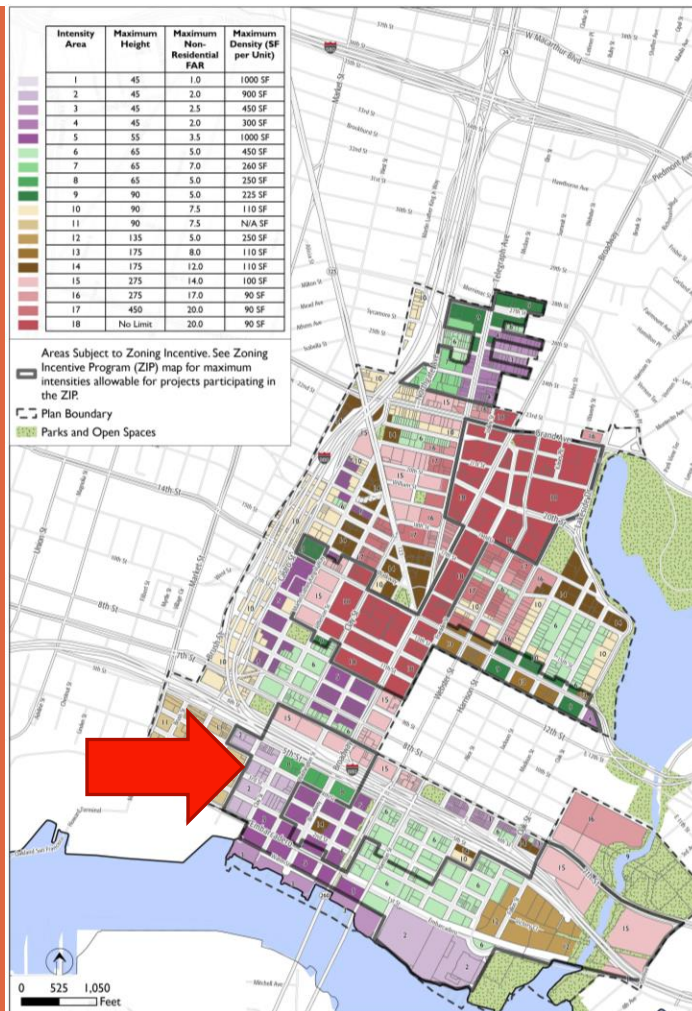
- Affordable housing (amount dependent on affordability level)
- Below market-rate (50%), ground floor commercial space
- Streetscape, open space and other culturally-relevant neighborhood improvements
- Public restrooms in building lobby
- Job training/employment (would contribute to the City's existing employment programs via in-lieu fees)

ZONING INCENTIVE PROGRAM

Maximum Height and Intensity without Zoning Incentive Program (ZIP) Participation

Example (Base):

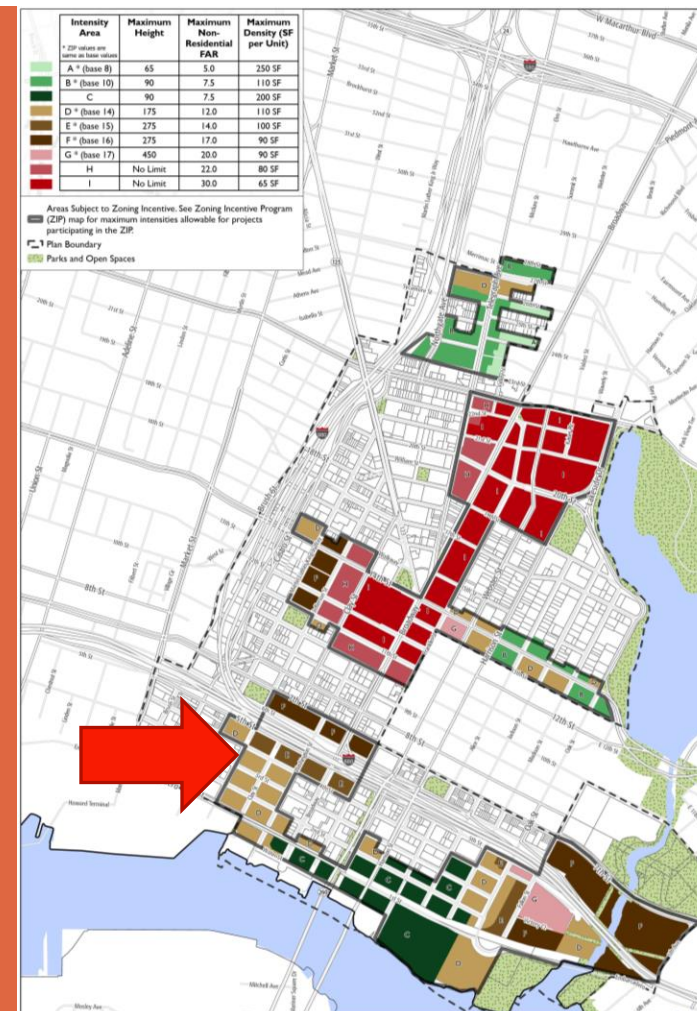
- Height: 45'
- Non-res FAR: 2.0
- Density: 900 SF



Maximum Height and Intensity if participating in the ZIP

Example (ZIP):

- Height: 175'
- Non-res FAR: 12.0
- Density: 110 SF





ZONING INCENTIVE PROGRAM

Benefits and Bonuses

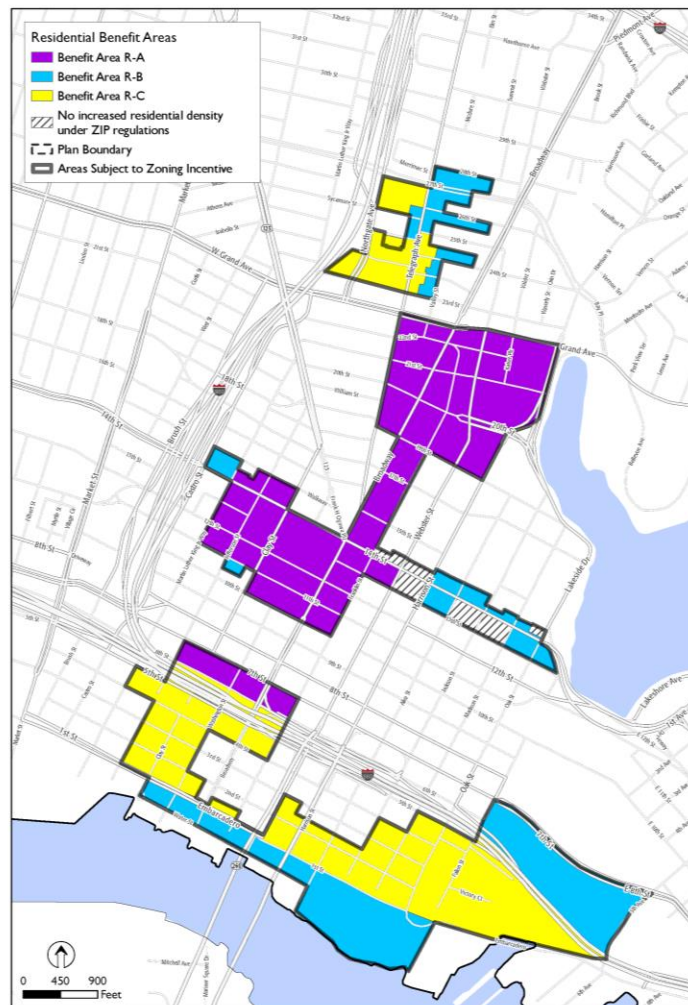
- Developers can earn either additional residential units or commercial square footage/floor area
- On-site benefits are encouraged with a 10% discount over in-lieu fees



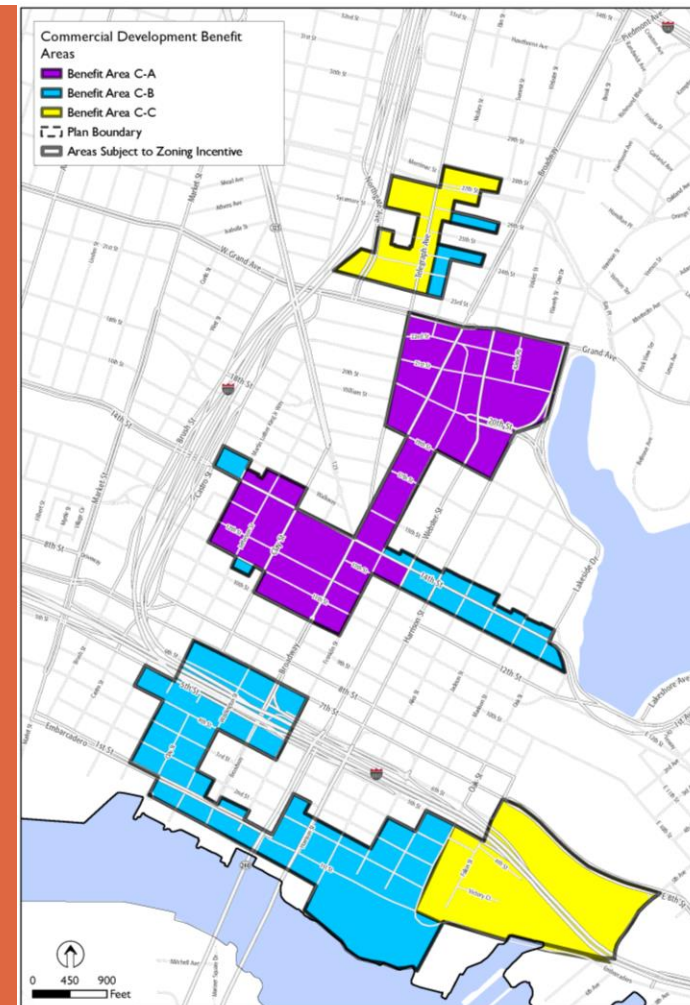
ZONING INCENTIVE PROGRAM

Amount of benefit/in-lieu fee expected depends on the Benefit Area (based on market conditions) where the project is located

Residential Benefit Areas
(to be allowed additional housing units)



Commercial Benefit Areas (to be allowed additional commercial floor area/square footage)





ZONING INCENTIVE PROGRAM

Table 17.101K.14 Zoning Incentive Program In-Lieu Fees for Residential Development

	ZIP Residential Benefit Areas		
	R-A	R-B	R-C
In lieu fee per additional market-rate residential unit	\$22,000	\$15,000	\$12,000

Table 17.101K.15 Zoning Incentive Program In-Lieu Fees for Commercial Development

	ZIP Commercial Fee Areas		
	C-A	C-B	C-C
In-lieu fee per additional square foot of nonresidential floor area	\$20	\$15	\$10

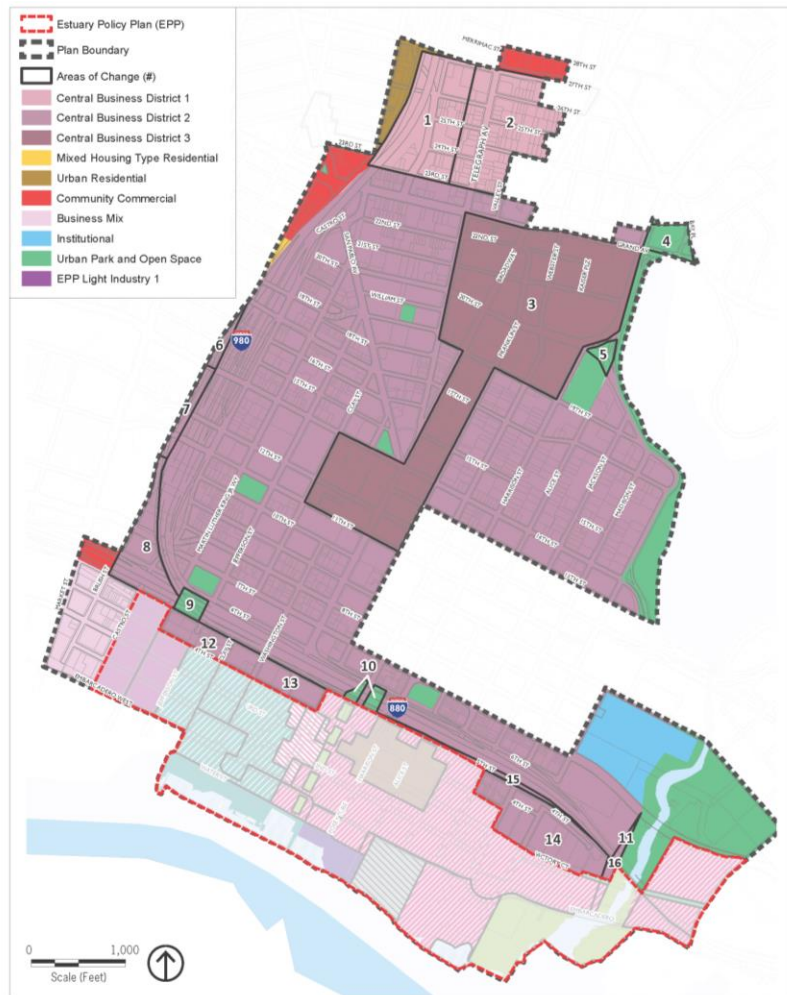


INTENSITY MAP CHANGES

- Lowering heights at the western edge of Old Oakland (from Clay to Jefferson) from 85' to 65'
- Lowering heights from 2nd to 4th Streets on both sides of Broadway from 85' to 55'
- Developing an industrial transition to the West Oakland Industrial Area on the western side of the Jack London District
- Increasing heights along 3rd Street from Brush to Jefferson from 45/55' to 85'
- Decreasing heights from 175' to 85' adjacent to Howard Terminal and restricting development to light industrial uses



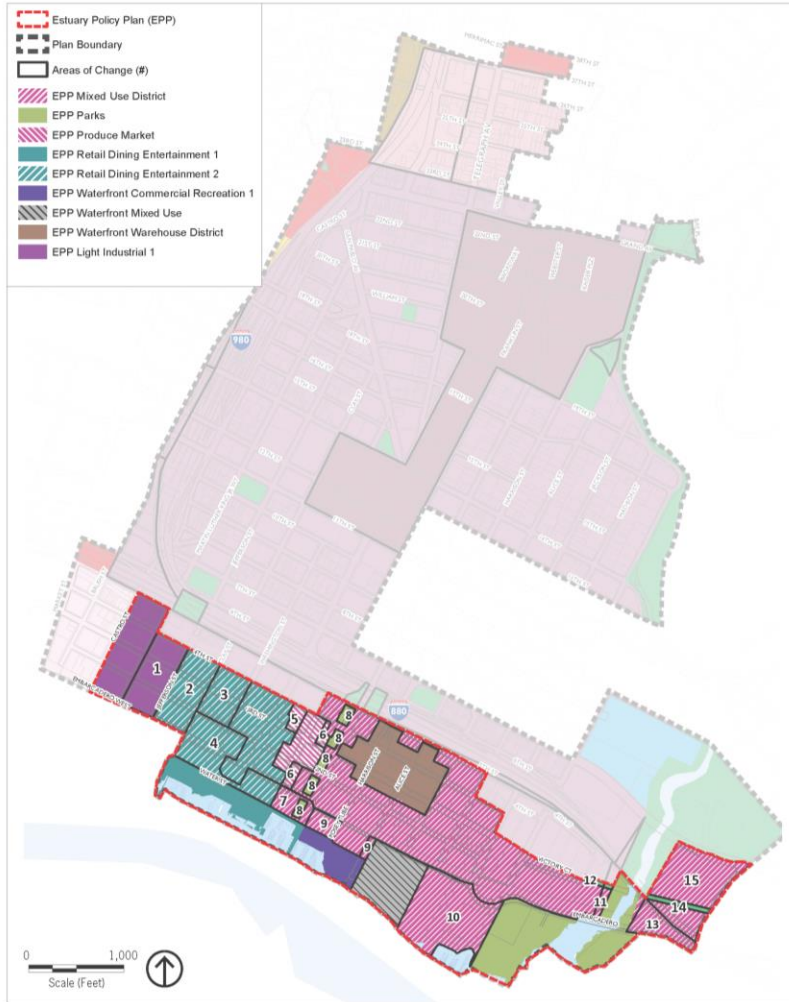
GENERAL PLAN AMENDMENTS: LAND USE AND TRANSPORTATION ELEMENT (LUTE)



ID	Existing Designation	Proposed Designation
1	Urban Residential	Central Business District 1
2	Community Commercial	Central Business District 1
3	Central Business District (CBD)	Central Business District 3
4	Urban Residential	Urban Park and Open Space
5	Central Business District (CBD)	Urban Park and Open Space
6	Mixed Housing Type Residential	Central Business District 2
7	Urban Residential	Central Business District 2
8	Community Commercial	Central Business District 2
9	Central Business District (CBD)	Urban Park and Open Space
10	Central Business District (CBD)	Urban Park and Open Space
11	Urban Park and Open Space	Central Business District 2
12	EPP Off-Price Retail	Central Business District 2
13	EPP Retail Dining Entertainment District 2	Central Business District 2
14	Mixed-Use District	Central Business District 2
15	Unclassified	Central Business District 2
16	EPP Parks	Central Business District 2



GENERAL PLAN AMENDMENTS: ESTUARY POLICY PLAN (EPP)



ID	Existing Designation	Proposed Designation
1	EPP Off-Price Retail District	EPP Light Industry 1
2	EPP Off-Price Retail District	EPP Retail Dining Entertainment 2
3	EPP Off-Price Retail District	EPP Retail Dining Entertainment 2
4	EPP Retail Dining Entertainment 1	EPP Retail Dining Entertainment 2
5	EPP Retail Dining Entertainment 2	EPP Produce Market
6	EPP Mixed Use District	EPP Produce Market
7	EPP Retail Dining Entertainment 1	EPP Mixed Use District
8	EPP Mixed Use District	EPP Parks
9	EPP Waterfront Commercial Recreation 1	EPP Mixed Use District
10	EPP Waterfront Warehouse Mixed Use	EPP Mixed Use District
11	EPP Parks	EPP Mixed Use District
12	EPP Mixed Use District	EPP Parks
13	EPP Planned Waterfront Development 1	EPP Mixed Use District
14	Community Commercial	Urban Park and Open Space
15	Community Commercial	EPP Mixed Use District



ZONING AMENDMENTS ENGAGEMENT PLAN

Materials

- Video series
- Summary of Key Changes
- Interactive online document (Konveio)

Meetings & Outreach

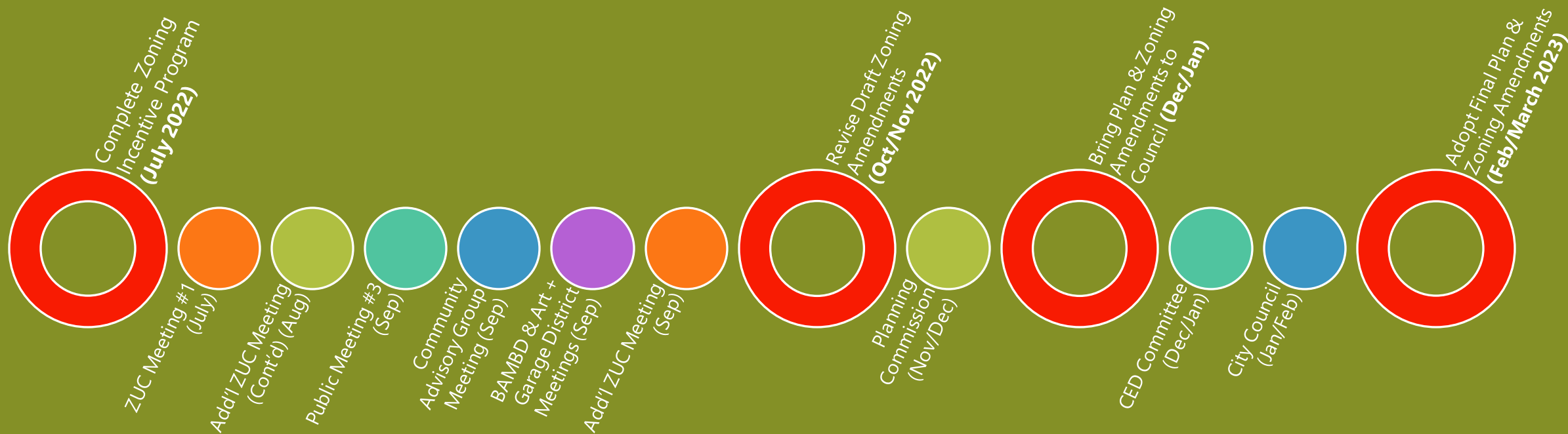
- 3 Topical Meetings
- Stakeholder Outreach
 - BAMBD
 - Chinatown Coalition & BID
 - Art + Garage District
 - Chambers of Commerce
- Community Advisory Group
- ZUC & LPAB Hearings

Surveys

- Online (to be distributed via stakeholders, social media, email list, chalkboards & flyers)
- Flyers at Town Nights & other events w/QR Code link to survey
- Chalkboard surveys (Lincoln Square Park, Franklin Plaza)



ANTICIPATED SCHEDULE





NEXT STEPS

MORE INFORMATION & FEEDBACK

- Meeting #3: Zoning Incentive Program & Development Standards
 - September 13, 6-7:30pm ([RSVP here](#))
- More information:
 - Website: bit.ly/OakDOSP
 - Review a [summary of changes](#), [maps](#) & [text of amendments](#)
 - Watch [videos](#) about the DOSP and zoning
- Public Feedback Options
 - Comment on interactive draft ([Konveio](#))
 - Survey (to be sent to mailing list – sign up [here](#))
 - Email PlanDowntownOakland@oaklandca.gov
 - Attend upcoming meetings

DOWNTOWN OAKLAND SPECIFIC PLAN ZONING

Landmarks Preservation Advisory Board, August 29, 2022



City of Oakland





ZONING

ZONING OVERVIEW

DOSP Objective	Zoning Approach
Economic Opportunity	Flexibility in ground floor uses Arts & Culture overlay in BAMBD Employment priority combining zone Zoning Incentive Program – below market-rate commercial space Artisan production commercial activity Preservation of industrial land
Housing & Homelessness	Increased residential density with community benefits, including affordable housing Allowing high-density residential in Victory Court (East Jack London Area) Permitting high-density efficiency units Zoning Incentive Program – affordable housing units





ZONING

ZONING OVERVIEW

DOSP Objective	Zoning Approach
Mobility, Safety & Connectivity	Green Loop Freeway zones to improve pedestrian experience Infrastructure improvements primarily implemented by DOT Extension of streets into Victory Court
Culture Keeping	Arts & Culture overlay in BAMBD Arts & Garage District zoning to protect artists & small-scale manufacturers Relaxed rules to permit entertainment and performance venues Permitting by right of artisan production commercial activities
Community Health & Sustainability	Sea Level Rise overlay zone Green Loop to encourage walking, biking, and use of green/recreational space Standards to protect Lake Merritt Channel for nature and recreation
Land Use & Urban Form	Revised design standards for towers, storefronts, Green Loop and other key frontages Industrial transition in Jack London area



ZONING

ZONING OVERVIEW

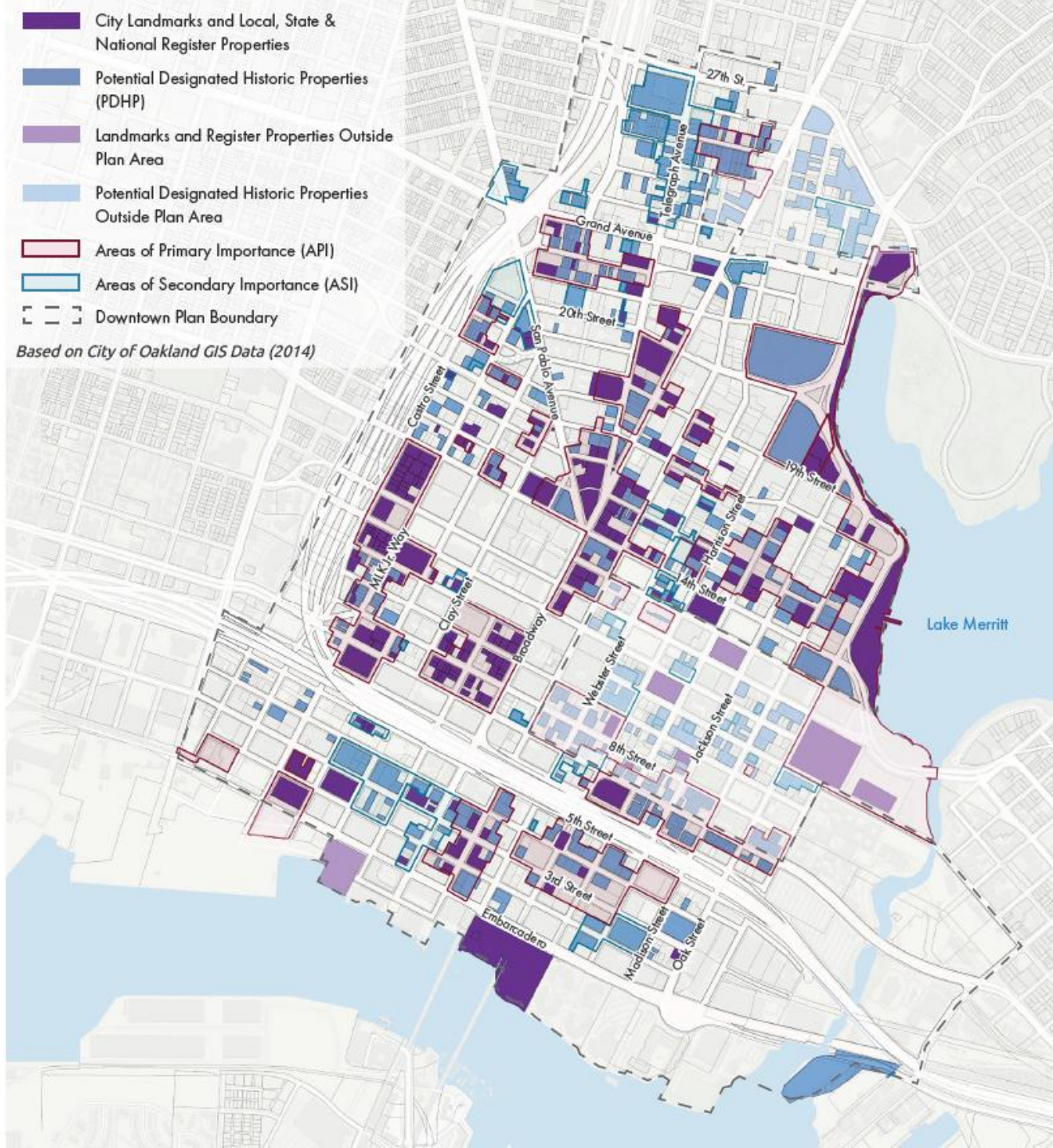
Elements of the Zoning Amendments

- Zoning Map
- Planning Code
 1. Land Use Activities
 2. Special Districts - *new*
 3. Transfer of Development Rights program - *new*
 4. Development Standards
 5. Height and Intensity map
 6. Zoning Incentive Program - *new*



HISTORIC

- Historic Resources – landmarks, Register properties, PDHPs, Areas of Primary Importance and Areas of Secondary Importance

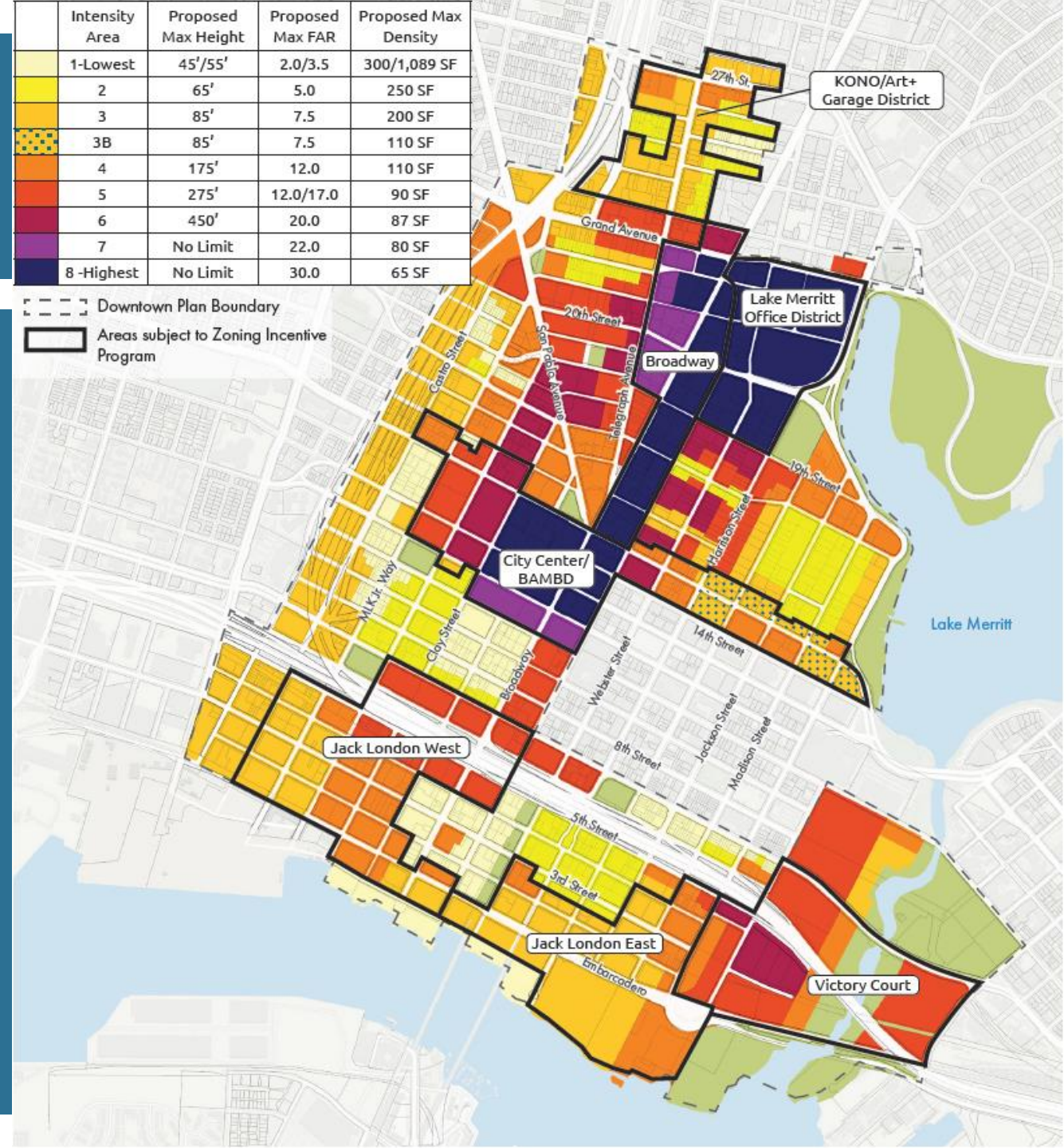




INTENSITY MAP CHANGES

Intensity Area	Proposed Max Height	Proposed Max FAR	Proposed Max Density
1-Lowest	45'/55'	2.0/3.5	300/1,089 SF
2	65'	5.0	250 SF
3	85'	7.5	200 SF
3B	85'	7.5	110 SF
4	175'	12.0	110 SF
5	275'	12.0/17.0	90 SF
6	450'	20.0	87 SF
7	No Limit	22.0	80 SF
8 -Highest	No Limit	30.0	65 SF

--- Downtown Plan Boundary
 Areas subject to Zoning Incentive Program



- Lowering heights at the western edge of Old Oakland (from Clay to Jefferson) from 85' to 65'
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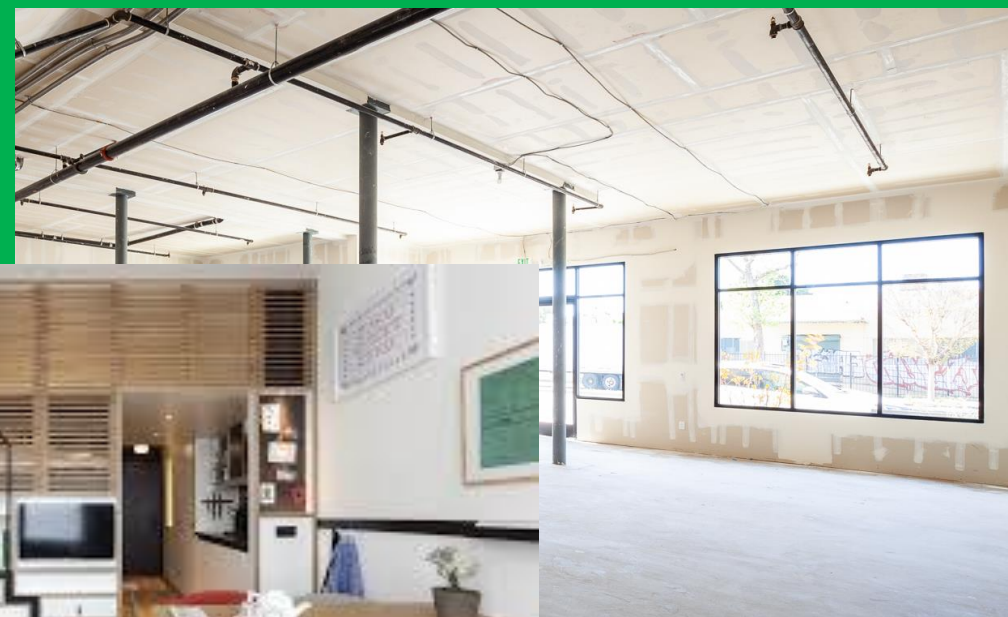


RESIDENTIAL

RESIDENTIAL ACTIVITIES

Housing Production

- By-right housing expanded in Victory Court
- Greater housing density (and affordable units) encouraged through Zoning Incentive Program
- Work/Live allowed with stricter regulations to ensure they are used principally for non-residential purposes, with a residential component





COMMERCIAL

COMMERCIAL ACTIVITIES

- Arts & Culture
 - New “Artisan Production” activity permitted by right in all zones, new “Arts & Culture” activity encouraged/supported in BAMBD
 - Group Assembly (e.g. entertainment, performance, large assemblies) requirements relaxed
 - Housing development limited in Art + Garage District to protect artists and custom manufacturers from development displacement
- Economic Opportunity & Filling Vacancies
 - Ground floor flexibility to help fill vacant storefronts (would allow medical services, offices, etc. in 25% of block face) in pedestrian zones





INDUSTRIAL

INDUSTRIAL ACTIVITIES

- D-DT-LI Jack London Industrial District
 - Transitions from West Oakland 3rd Street Industrial District
 - Non-hazardous, low-impact, indoor uses conditionally permitted
 - No salvage or freight activities allowed
 - Residential uses not allowed
- Industrial activities in select commercial districts
 - Custom Manufacturing
 - Light manufacturing
 - Research and Development
 - General Warehousing