

EXHIBIT E

APPROVED AS TO FORM AND LEGALITY

DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE ADOPTING THE WOOD STREET ZONING DISTRICT FOR 29.2 ACRES IN WEST OAKLAND BETWEEN 10TH STREET TO THE SOUTH, WEST GRAND AVENUE TO THE NORTH, WOOD STREET TO THE EAST, AND THE I-880 FRONTAGE ROAD TO THE WEST

WHEREAS, on December 2, 2003, in accordance with the California Environmental Quality Act ("CEQA"), City staff issued a initial Notice of Preparation ("NOP"), with a revised NOP issued on January 21, 2004, indicating an intent to prepare an Environmental Impact Report ("EIR") for the land use entitlements, including the requested General Plan Amendment, the Wood Street Zoning District Regulations, the Oakland Army Base Area Redevelopment Plan Amendment, and five Vesting Tentative Parcel Maps, for the proposed Wood Street Project; and

WHEREAS, as part of the proposed development, the Project applicant requested a rezoning of the Project Area to the proposed Wood Street Zoning District, to allow for a residential mixed-use development on the site; and

WHEREAS, the Wood Street Zoning District Regulations are described in the Draft Environmental Impact Report ("DEIR"), in Master Response 1 of the Final Environmental Impact Report ("FEIR"), in Exhibits A and D attached hereto, and in the staff reports presented to the City; and

WHEREAS, the Wood Street Zoning District Regulations are attached hereto as Exhibit E; and

WHEREAS, on September 21, 2004, the DEIR, SCH #2004012110, was released by the City for a 56-day public review and comment period and on October 18, 2004 and October 20, 2004, respectively, the Landmarks Preservation Advisory Board and the Planning Commission held public hearings to provide the public with additional opportunities to comment on the DEIR; and

WHEREAS, on January 26, 2005, the Planning Commission conducted another public hearing to discuss the major environmental and policy issues pertaining to the Project; and

WHEREAS, on February 7, 2005, the Final Environmental Impact Report (“FEIR”) on the Wood Street Project was released; and

WHEREAS, on March 16, 2005, the Planning Commission conducted another public hearing, took testimony and determined that the EIR (consisting of the DEIR and the FEIR) was adequate for decision-making on the requested land use entitlements for the Project and certification of the EIR; and

WHEREAS, on March 16, 2005, the Planning Commission certified the EIR, adopted CEQA Findings and a Statement of Overriding Considerations, adopted a Mitigation Monitoring and Reporting Program, adopted General Findings, recommended adoption of a General Plan Amendment, approved five Vesting Tentative Parcel Maps and adopted accompanying Conditions of Approval; and

WHEREAS, on March 16, 2005, the Planning Commission recommended that the Council adopt the proposed Wood Street Zoning District Regulations, attached hereto as Exhibit E; and

WHEREAS, the Planning Commission affirmed and adopted the General Findings attached hereto as Exhibit D; and

WHEREAS, the City Council affirms and adopts the Planning Commission’s findings and further finds, based on the General Findings attached hereto as Exhibit D and incorporated by this reference, that the adoption of the Wood Street Zoning District Regulations will promote the public health, safety and welfare; and

WHEREAS, the notice required by section 17.144.060 has been given; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The Wood Street Zoning District is hereby established.

SECTION 2. The Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District are hereby adopted and attached to this Ordinance as Exhibit E.

SECTION 3. The City of Oakland’s Zoning Code is hereby amended to include the Wood Street Zoning District established by Section 1 and Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District.

SECTION 4. This ordinance is based in part on the findings set forth above, the CEQA Findings and Statement of Overriding Considerations Related to Approval of the Wood Street Project, Mitigation Monitoring and Reporting Program, Conditions of Approval and General Findings Related to Approval of the Wood Street Project attached as Exhibits A-D and incorporated by this reference.

SECTION 5. Except as specifically set forth herein, this ordinance suspends and supersedes all conflicting resolutions, ordinances, plans, codes, laws and regulations.

SECTION 6. If any provisions of this ordinance or application thereof to any person of circumstances is held invalid, the remainder of this ordinance and the application of provisions to the other persons or circumstances shall not be affected thereby.

SECTION 7. This ordinance shall become effective 30 days after passage and within 15 days of passage shall be published once with the names of the City Council Members voting for and against it in the Oakland Tribune, a newspaper which is published in this City and in Alameda County.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES-	BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE
NOES-	_____
ABSENT-	_____
ABSTENTION-	_____

ATTEST: _____

LATONDA SIMMONS
Interim City Clerk and Clerk of the Council
of the City of Oakland, California

**AN ORDINANCE ADOPTING THE WOOD STREET
ZONING DISTRICT FOR 29.2 ACRES IN WEST
OAKLAND**

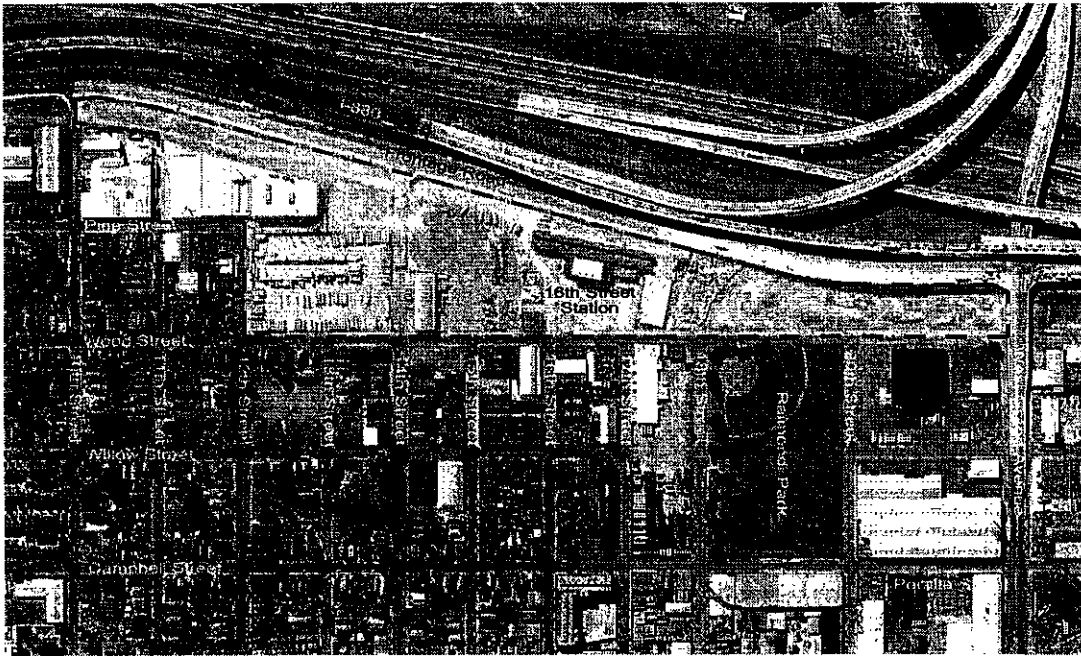
Attachment A

Wood Street Zoning District

*Zoning Regulations, Standards, and Guidelines for Development
and Use of Property within the Wood Street Zoning District*

Wood Street Zoning District

Oakland, California



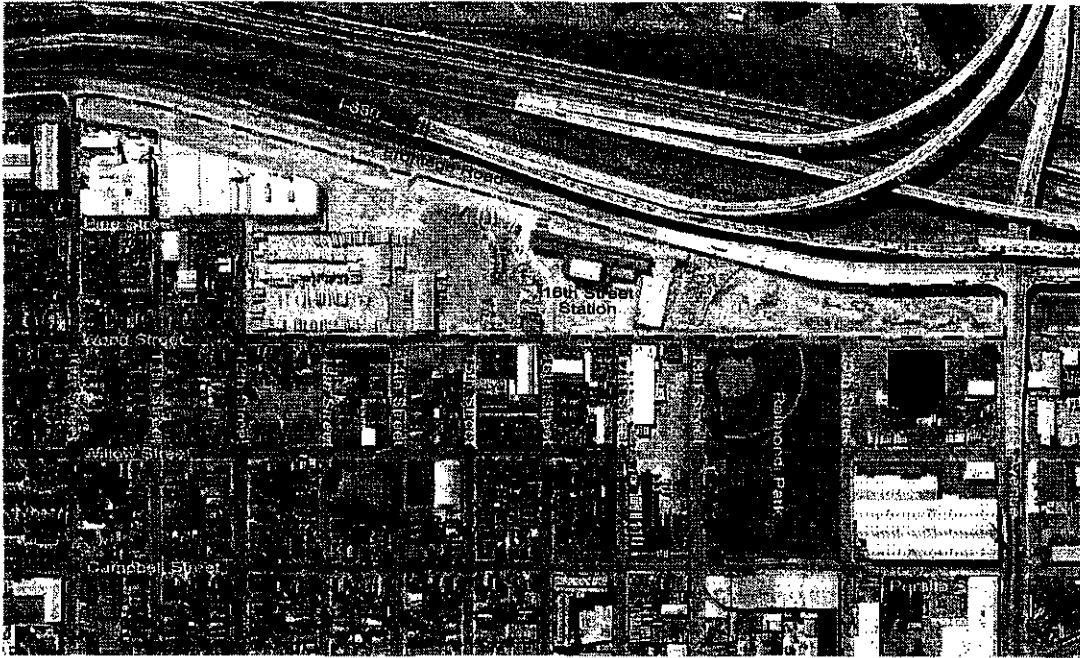
Zoning Regulations, Standards, and Guidelines for
Development and Use of Property within the Wood
Street Zoning District

D r a f t

16 March, 2005

Wood Street Zoning District

Oakland, California



Zoning Regulations, Standards, and Guidelines for
Development and Use of Property within the Wood
Street Zoning District

D r a f t

16 March, 2005
(Printed 8 March 2005)

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1.10 Overview of Wood Street Zoning District

The Wood Street Project is a proposed mixed-use redevelopment of the under-utilized industrial land around the vacant 16th Street Station in West Oakland. The goal of the Project is to create an active, pedestrian oriented urban community that addresses the demand for high quality residential units in the urban neighborhoods of downtown Oakland. The Project includes in aggregate up to 1,500 residential and live-work units, retail and office space, creation of publicly accessible open space, and rehabilitation and adaptive re-use of the historic 16th Street Train Station and Signal Tower.

The Wood Street Project consists of approximately 29.20 acres in total, and is generally bounded by 10th Street, Wood Street, West Grand Avenue and Frontage Road/I-880, as more particularly described in Figure 1.20-3. The various parcels of land that constitute the Wood Street project are collectively zoned as the Wood Street Zoning District.

The Wood Street Zoning District Regulations include Land Use Regulations, Development Standards and Design Guidelines. The purpose of these regulations is to ensure that the individual developments will be visually and functionally integrated, and that collectively the Project will be compatible with the existing neighborhood. For the purposes of appropriate regulation, the Wood Street Zoning District is divided into nine Development Areas, each subject to specific regulations. It is anticipated that each Development Area will be developed on an individual time line by the respective owner.

1.11 Application of Wood Street Zoning District

The zoning, standards, guidelines, regulations and other requirements for the development and use of property within the Wood Street Zoning District (Wood Street Zoning Regulations) shall be those set forth herein and where herein set forth shall supersede, without limitation, those set forth in Title 17 of the Oakland Municipal Code.

All applications for development and use of property within the Wood Street Zoning District, including, without limitation, Preliminary and Final Development Plans (as further described herein), shall be consistent with the provisions of Wood Street Zoning Regulations.

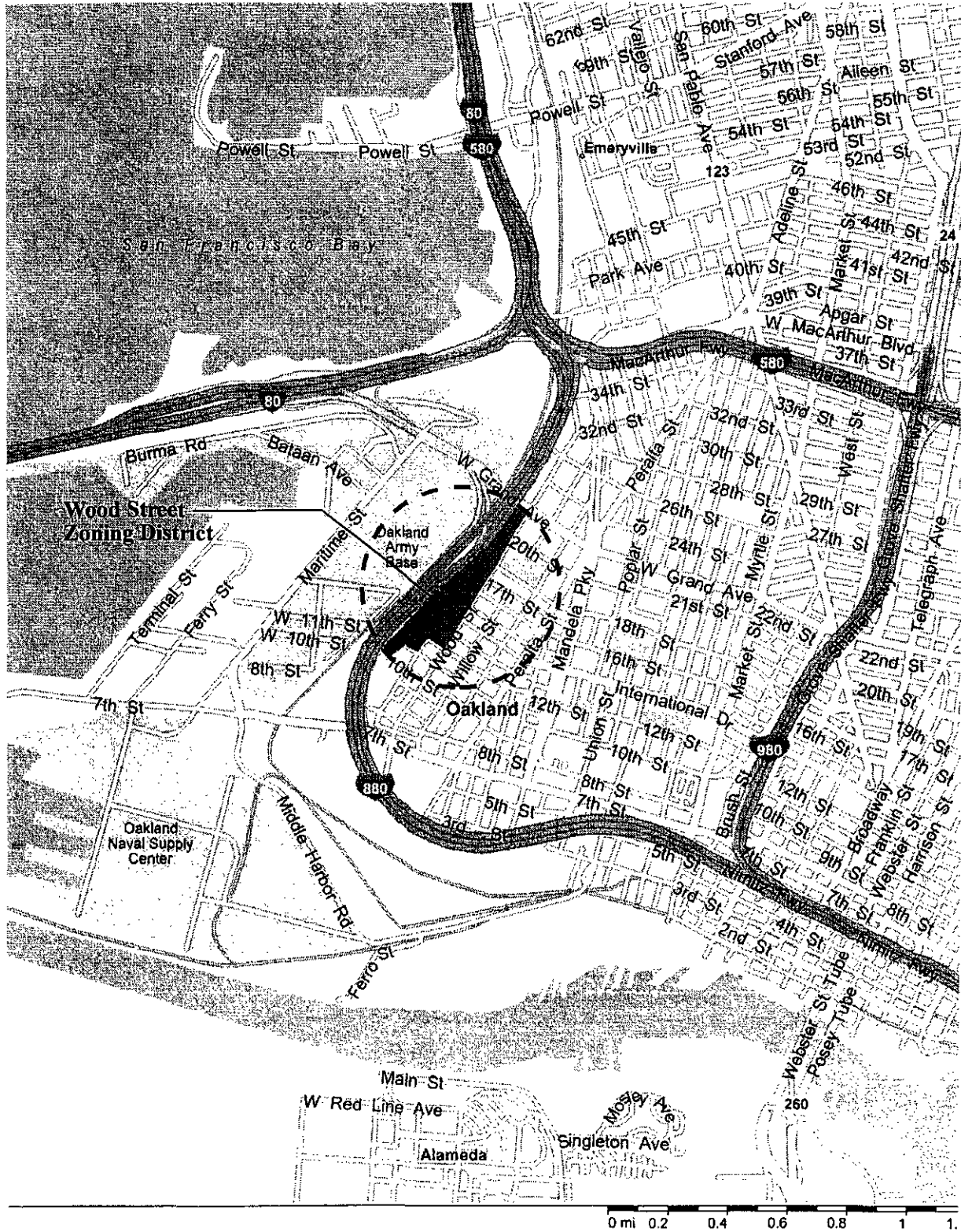
1.20 Components of Zoning Regulations

The primary components of the Wood Street Zoning Regulations are described below.

<i>Section No.</i>	<i>Title</i>
2.0	<i>Area Designations and Definition of Terms</i> Organization and Definitions describe the categorization of each area within the Wood Street Zoning District as either a Development Area, Public Access Area or Public Street and describe the elements of the Wood Street Zoning Regulations that govern each designated area.
3.0	<i>Development Plans and Design Review</i> This section describes the process for approval of applications for development and use of property within the Wood Street Zoning District.
4.0	<i>Land Use Regulations</i> The Land Use Regulations describe the allowable land uses and set forth land use regulations for each of the Development Areas within the Wood Street Zoning District.
5.0	<i>Development Standards</i> The Development Standards set forth mandatory requirements for all development and use of property within the Wood Street Zoning District.
6.0	<i>Design Guidelines</i> The Design Guidelines set forth design parameters for all development and use of property within the Wood Street Zoning District.

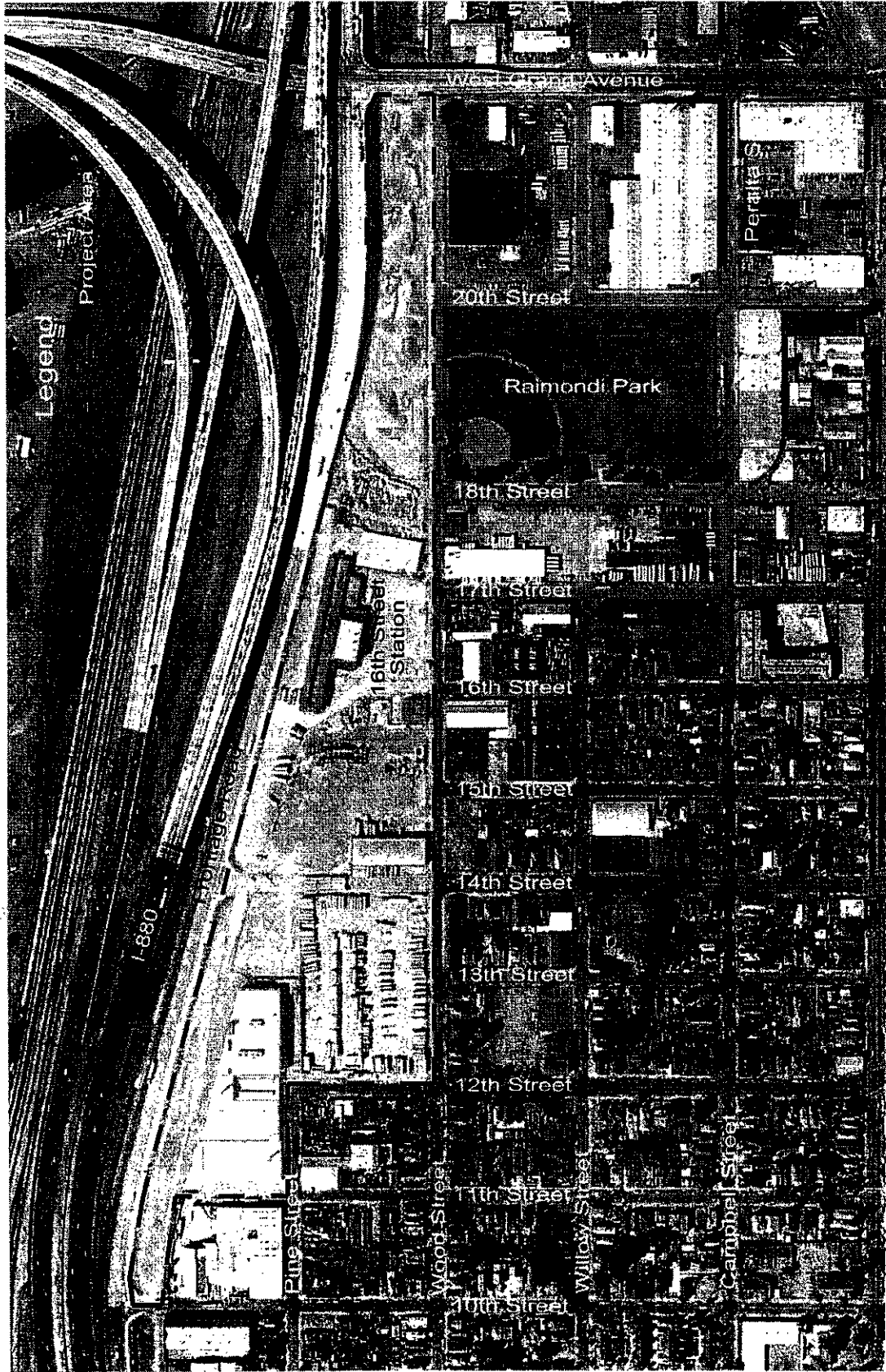
1.30 Conditions on Vesting Tentative Maps

Each of the conditions of approval on each of the vesting tentative maps approved for development in the Wood Street Zoning District is hereby incorporated as if set forth as a land use regulation, development standard, or design guideline, as the case may be.



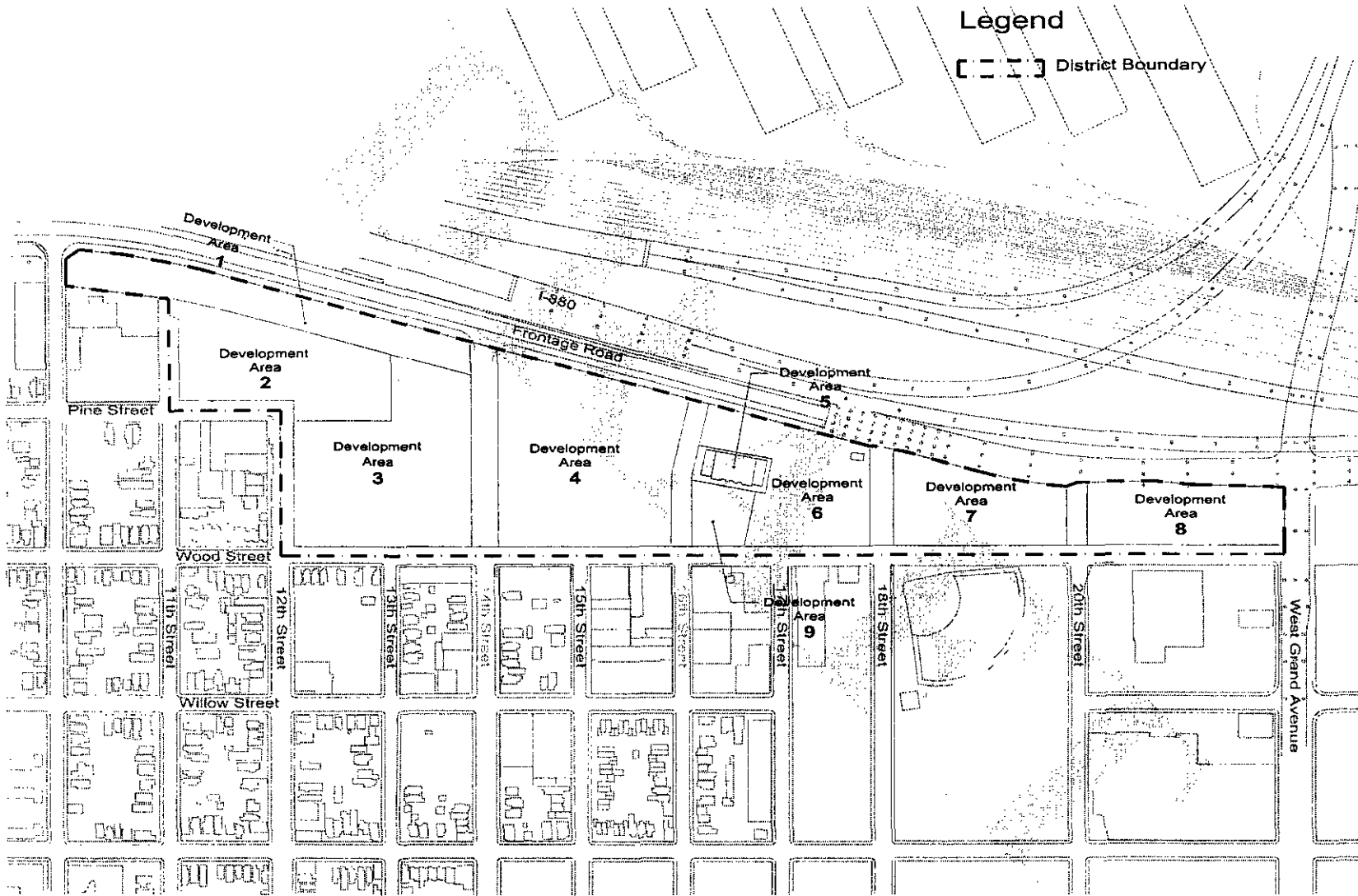
Vicinity Map

Figure 1.20-1



Zoning District - Aerial Photograph

Figure 1.20-2



Overview

District Boundary and Development Areas

Figure I.20-3

2.00

AREA DESIGNATIONS AND
DEFINITION OF TERMS



2.10 Area Designations

All land areas within the Wood Street Zoning District are designated as either Development Areas, Public Access Areas or Public Streets, as described below. *See Figure 2.10-1*

1. **Development Areas** are comprised of one or more privately owned lots that are intended for development. The Wood Street Zoning District includes nine Development Areas designated by the number one (1) through nine (9)
2. **Public Access Areas** are comprised of lots on which no permanent buildings are allowed. Public Access Areas include publicly accessible open space, parking areas, vehicular and pedestrian access areas, loading zones, and landscaped recreational spaces.

Public Access Areas include the extensions of 14th Street, 16th Street, 18th Street, and 20th Street. These areas provide pedestrian, bicycle, and emergency access only between Frontage Road and Wood Street. Vehicular through traffic from Wood Street to the Frontage Road is prohibited.

3. **Public Streets** are comprised of public rights-of-ways developed and maintained as public streets.

Refer to Chapter 17.09.040 for definition of "street".

2.20 Overlay Zones

Three Overlay Zones are established to provide for regulation of Development Areas in response to specific adjoining conditions, see Figure 2.10-1. Regulations applicable to Overlay Zones modify or replace the regulations otherwise applicable to the underlying Development Area as specified herein.

1. **Wood Street Overlay Zone** – The purpose of the Wood Street Overlay Zone is to establish a transition in scale between the Development Areas and the existing neighborhood, and to promote an active and pedestrian-scaled street frontage.

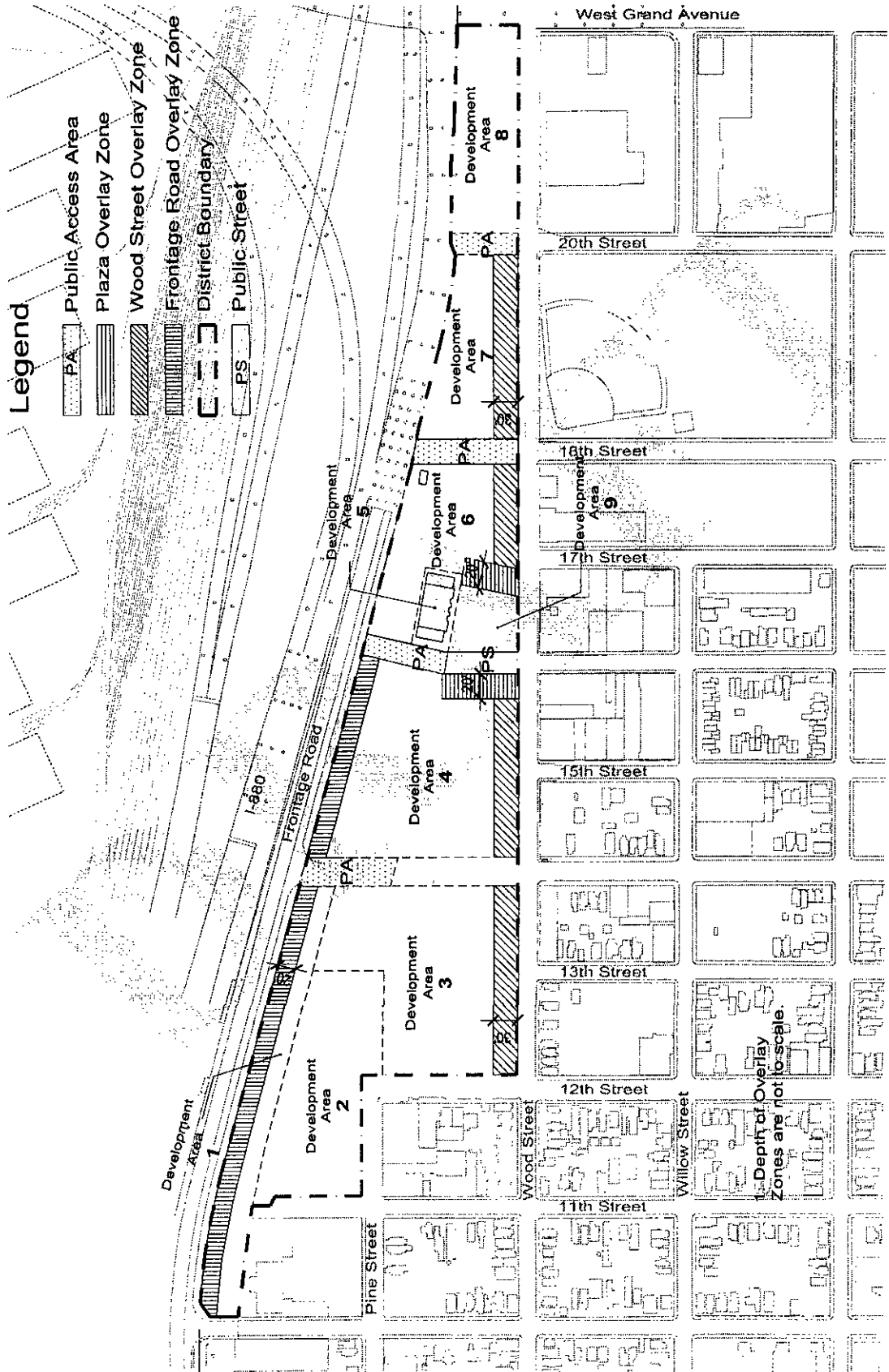
The Wood Street Overlay Zone is 30 feet in depth as measured from the street line at Wood Street, and parallels Wood Street between 12th Street and 20th Street.

2. **Plaza Overlay Zone** – The purpose of the Plaza Overlay Zone is to ensure that new development bordering the 16th Street Plaza creates a well-defined urban space with active ground floor uses facing the 16th Street Plaza, and to ensure that the scale of new buildings is complimentary to the scale of the 16th Street Train Station.

The Plaza Overlay Zone is twenty (20) feet in depth as measured from the Development Area Boundary. At Development Area 4 the Plaza Overlay Zone extends two hundred (200) feet from the street line at Wood Street. At Development Area 6 the Plaza Overlay Zone extends one hundred and fifty (150) feet from the street line at Wood Street, measured along the boundary of the Development Areas.

3. **Frontage Road Overlay Zone** – The purpose of the Frontage Road Overlay Zone is to allow greater flexibility for development fronting a major arterial street.

The Frontage Road Overlay Zone is twenty (20) feet in depth, as measured from the street line at Frontage Road, and extends from 10th Street north to the 16th Street.



Area Designations

Figure 2.10-1



2.40 Definition of Terms

For the purpose of the Wood Street Zoning District Regulations the following definitions apply. For terms not defined below, the definition shall be as set forth in Section 17.09 of the Oakland Planning Code.

<i>At-grade</i>	Facilities or activities located on the ground with no structure or occupied space located below.
<i>Above grade</i>	Facilities or activities located over a parking garage or occupied space.
<i>Awning (or Canopy)</i>	A device that projects from the exterior facade of a building and is intended to shelter an opening or window below.
<i>Balcony</i>	A usable outdoor space located above the ground floor and projecting from the face of the building with no enclosed space immediately below.
<i>Bay Window</i>	An occupied space cantilevered from the face of the building and located above the ground floor.
<i>Below Grade Parking Garage</i>	A parking garage located below grade such that the first finished floor or outdoor area above the parking level is not more than five (5) feet above grade.
<i>Building Frontage</i>	Buildings or portions of buildings containing occupied space and located parallel and immediately adjacent to a street line or street setback line.
<i>Development Project</i>	Any facility constructed on a private parcel within a Development Area.
<i>Development Area</i>	See Section 3.10 of this Zoning District.
<i>Elevated Roadway</i>	Any roadway or portions of Frontage Road or West Grand Avenue more than five (5) feet above the average adjacent grade measured at the adjoining lot line.
<i>Equipment</i>	Utility meters, transformers, back flow preventers, check valves, heating, Satellite Dishes, ventilation and cooling equipment, and other devices associated with utility services or building systems. Equipment does not include plumbing and appliance vents, serving individual residential units, louvers, lighting and other minor devices.
<i>Facade</i>	The exterior wall of a building.
<i>Ground Floor</i>	The first story of a building located not more than five (5) feet above and not more than three (3) feet below the average finished grade at the adjoining street line or lot line. A ground floor may be located above a below grade parking garage.
<i>Ground Floor Parking Garage</i>	A parking garage located at the ground floor, as defined above.
<i>Interior Lot Line</i>	A lot line that separates private lots, not including lot lines adjoining Public Access Areas.
<i>Landscape Area</i>	Any portion of a Development Area that is not occupied by a building, parking area, service area or vehicular circulation area.

<i>Mixed-Use Development-</i>	An integrated development containing both residential and non-residential uses.
<i>Occupied Space</i>	A space within a building that contains activities associated with human occupation, excluding parking garages, storage areas, utility or service spaces and waste handling areas.
<i>Overlay Zone</i>	See Section 3.10 of this Zoning District.
<i>Parking Garage</i>	Any structure or portion of a structure containing parking stalls.
<i>Private Parking Garage</i>	Any parking garage serving an individual dwelling unit.
<i>Parallel</i>	A line shall be considered parallel to another line if the least angle created by their intersection (if any) is not more than 30 degrees.
<i>Perpendicular</i>	A line shall be considered perpendicular to another line if the least angle created by their intersection is not less than 60 degrees.
<i>Planning Code</i>	The City of Oakland Planning Code Title 17 of the Oakland Municipal Code, the most recent revision date as of the adoption of the Wood Street Zoning District.
<i>Public Access Area</i>	See Section 2.10 of this Zoning District.
<i>Public Streets</i>	See Section 2.10 of this Zoning District.
<i>Setback</i>	The distance from a lot line or street line to the face of a building or structure.
<i>Street Line</i>	A lot line dividing a lot from a public street, or a Public Access Area
<i>Street Frontage</i>	Any portion of a development project adjoining a street line
<i>Street Setback</i>	The required setback at a street line
<i>Street Setback Line</i>	The line established by the required setback from the street line
<i>Surface Parking</i>	Parking located at grade and not enclosed in a structure. Surface parking may have an overhead shelter.
<i>Tuck-under Parking</i>	Partially enclosed parking located below or partially below occupied space
<i>Visible from the street</i>	Visible from any point five (5) feet above the surface of a public street or Public Access Area immediately adjoining a lot or Development Area.

3.00

DEVELOPMENT PLANS AND
DESIGN REVIEW



3.10 Preliminary Development Plan

The following provisions have been written to accommodate the unique challenges facing development within the Wood Street Zoning District, and comprise the exclusive regulations for Preliminary and Final Development Plans within that District.

Development of each Development Area within the Wood Street Zoning District requires submittal and approval of a Preliminary Development Plan and a Final Development Plan. More than one Development Area may be included in a Preliminary Development Plan. Both the Preliminary and Final Development Plans shall be prepared by a professional design team consisting of a registered civil engineer, or licensed architect, planner or licensed building designer, and other qualified professionals that the City may require. Other applications required for development and use of property within the Wood Street Zoning District (e.g., subdivision map) may be submitted before or concurrently with a Preliminary Development Plan.

The Preliminary Development Plan for one or more Development Areas shall include the following:

1. Streets, driveways, sidewalks, pedestrian and bike ways, and off-street parking and loading areas, including integration with surrounding uses;
2. Location and approximate dimensions of structures;
3. Utilization of property for residential and non-residential use;
4. Estimated population;
5. Reservations for public uses, including schools, parks, playgrounds, and other open spaces;
6. Major landscaping features, including trees protected by O.M.C. Chapter 12.36, as it may be amended;
7. Creeks protected by O.M.C. Chapter 13.16, as it may be amended; or as identified by the Site Context Map submitted pursuant to Section 17.XX.060B;
8. Historic resources pursuant to the City's Historic Preservation Element Policy 3.8 or as defined in Section 15064.5 of Title 22 of the California Code of Regulations; and
9. Plan and elevation drawings establishing the scale, character, and relationship of buildings, streets, and open spaces.
10. A tabulation of the land use area and gross floor area to be devoted to various uses and a calculation of the average residential density per net acre and per net residential acre.
11. Preliminary Phasing Plan generally depicting projected development time frames including quantitative data, such as population, housing units, land use acreage, and other data sufficient to illustrate the relationship between the phasing of development and the provision of public facilities and services.
12. Preliminary public services and facilities plan including proposed location, extent and intensity of essential public facilities and services such as public and private streets and transit facilities, pedestrian access, bikeways, sanitary sewer service, water service, storm drainage structures, solid waste disposal and other utilities; and a table comparing the description to the existing location, extent, and intensity of such essential public facilities and services.
13. A public facilities financing plan.

Each of the conditions to the vesting tentative map, and each of the mitigation measures, for the Development Area for which the Preliminary Development Plan is proposed, shall be made conditions of approval of the Preliminary Development Plan.

3.20 Review of Preliminary Development Plan

The Planning Director shall forward the Preliminary Development Plan to the City Engineer for review no later than 10 days after a determination that the submittal is complete. The Planning Commission shall hold a public hearing on the Preliminary Development Plan no later than seventy-five days after it is sent to the City Engineer or within thirty days of the Planning Commission receiving a report from the City Engineer, whichever is earlier. Notice of the hearing shall be given by the City Clerk or Planning Director, as set forth in O.M.C. Section 17.140.030. The Planning Commission shall approve the Preliminary Development Plan if it makes written findings that the Preliminary Development Plan is in substantial conformance with the Wood Street Zoning Regulations. The Planning Commission shall disapprove the Preliminary Development Plan if it makes written findings that the Preliminary Development Plan is not in substantial conformance with the Wood Street Zoning Regulations and that it is not possible to require changes or impose conditions of approval as are reasonably necessary to ensure conformity to the Wood Street Zoning Regulations. The decision of the Planning Commission on the Preliminary Development Plan shall become final ten calendar days after the adoption of the findings, unless the Planning Commission decision is appealed to the City Council in accordance with O.M.C. Section 17.140.070. In the event the last date to file an appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal.

If the Preliminary Development Plan for a Development Area satisfies the requirements for a Final Development Plan (as described in Section 3.30), the Preliminary Development Plan may also serve as a Final Development Plan, and the applicant shall not be required to file a separate Final Development Plan for that Development Area. In such case the development plan shall be entitled the Preliminary and Final Development Plan for the Development Area under consideration.

3.30 Final Development Plan

Unless an extension is granted pursuant to Section 2.40 below, a Final Development Plan for a Development Area or Public Access Area shall be submitted no later than one year after the final approval of the Preliminary Development Plan. The Final Development Plan shall include all information contained in the Preliminary Development Plan plus the following in sufficient detail to fully indicate the operation and appearance of all development shown on the Final Development Plan.

1. The location of all public infrastructure that provides water, sewage, and drainage facilities and other utility services;
2. The location of all private infrastructure that provides gas, electric, and other utility services;
3. Detailed building plans, elevations, sections, and a description of all exterior materials;
4. Landscape plans prepared by a landscape architect;
5. The character and location of signs;
6. Improvement plans for all public and private streets, driveways, sidewalks, pedestrian and bike ways, and off-street parking and loading areas;
7. Grading or other earth-moving plans; and
8. The public facilities financing plan approved as part of the Preliminary Development Plan modified as necessary to reflect changed conditions or new information.

If the Final Development Plan is not submitted within one year of the date of approval of the Preliminary Development Plan, the Preliminary Development Plan shall be void and of no further force and effect unless an extension is approved pursuant to Section 3.40 below.

An applicant shall submit all legal documents required for dedication or reservation of land and for all bonds or other forms of financial assurances acceptable to the City required for timely completion of public improvements necessitated by the project (including, without limitation, for guaranteeing 100% of the costs of completion and faithful performance of the work), with the Final Development Plan.

Construction pursuant to the Final Development Plan must commence no later than three years from the recordation of the final map for the Development Area to which the Final Development Plan applies.

3.40 Review of Final Development Plan

The Planning Director shall forward the Final Development Plan to the City Engineer for review no later than 10 days after a determination that the submittal is complete. The Planning Commission shall hold a public hearing on the Final Development Plan no later than seventy-five days after the Plan is sent to the City Engineer or within thirty days of the Planning Commission receiving a report from the City Engineer, whichever is earlier. Notice of the hearing shall be given by the City Clerk or Planning Director as set forth in O.M.C. Section 17.140.030

The Planning Commission shall approve the Final Development Plan if it makes written findings that the Final Development Plan is in substantial conformance with the Preliminary Development Plan and the Wood Street Zoning Regulations. The Planning Commission shall disapprove the Final Development Plan if it makes written findings that the Final Development Plan is not in substantial conformance with either the Preliminary Development Plan or the Wood Street Zoning Regulations and that it is not possible to require changes or impose conditions of approval as are reasonably necessary to ensure such conformity.

The decision of the Planning Commission on the Final Development Plan shall be final ten calendar days after the adoption of the findings unless the Planning Commission decision is appealed to the City Council in accordance with O.M.C. Section 17.140.070. In the event the last date to file an appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal.

Approval of a Final Development Plan shall expire and be of no further force and effect if: (1) three years after the approval of the Final Development Plan substantial construction pursuant to a building permit has not commenced; or (2) construction has not continued in conformance with the approved phasing plan, as determined by the Planning Director and set forth in writing and provided to the applicant. The decision of the Planning Director may be appealed in writing to the Planning Commission within ten days of the date of the decision. The decision of the Planning Commission shall be final and not appealable.

3.50 Design Review

Design Review shall be required as part of the approval process for a Final Development Plan. After design review approval, no further design review approvals of the Development Area shown on the Final Development Plan shall be required except to the extent that the application for Final Design Review did not provide adequate information regarding one or more uses within the Development Area or Public Access Area to allow for Final Design Review. The procedure for Design Review shall follow the schedule outlined in Section 17.136.060. Design Review shall be limited to a determination of whether or not the proposed design is in substantial compliance with the design guidelines specified in these Wood Street Zoning Regulations. Remodels and additions to the buildings and sites within a Development Area after issuance of a certificate of occupancy shall be conducted pursuant to O.M.C. Section 17.136.060.

3.60 Modifications and Extensions

Minor changes in an approved Preliminary or Final Development Plan may be approved by the Director of City Planning if such changes are consistent with the purposes and character of the development plan. Proposed extensions to the one-year time limit, upon application filed at any time before said period has expired, shall be referred to the City Planning Commission, and the Commission may approve, modify, or deny such proposals. The decision of the Commission is appealable to the City Council.



4.10 Land Use Regulations

Applicability

The provisions of this section apply to all Development Areas within the Wood Street Zoning District.

Land Use Regulations

The following table lists the permitted, conditionally permitted, and prohibited activities in the Wood Street Zoning District. The descriptions of these activities are contained in Chapter 17.10.

- “P”. Designates permitted activities in the corresponding development area.
- “C”. Designates activities that are permitted only upon the granting of a conditional use permit in the corresponding zone.
- “L”. Designates activities subject to certain limitations listed at the bottom of the table.
- “--”. Designates uses that are prohibited in the corresponding development area.

4.20 Activity Classifications

Activity classifications are as set forth in Section 17.10 of the Planning Code.

4.21 Accessory Activities

Accessory activities shall be allowed as set forth in the Planning Code, Section 17.10.040.

4.30 Joint Living and Working Quarters

1. General Definitions.
 - a. Joint Living and Working Quarters: An integrated working space and residential space, either in single unit or multi-unit structure, that has been designed or structurally modified to accommodate joint residential occupancy and work activity and which:
 1. Is regularly used for such purpose by one or more persons residing in the unit;
 2. Includes complete kitchen space and sanitary facilities in compliance with the Building Code;
 3. Allows employees with associated required amenities as consistent with the building code; and
 4. Includes working space reserved and regularly used by one or more occupants of the unit.
 - b. "Category I Live/Work Unit." A unit specifically created to accommodate both residential and nonresidential activities but that emphasizes accommodating the residential activity. Any percentage of floor area in a Category I Live/Work Unit can be devoted to residential activities. A Category I Live/Work Unit is considered a residential facility.
 - c. "Category II Work/Live Unit." A unit specifically created to be used for both nonresidential and residential activities but that emphasizes accommodating the nonresidential activity. This type of unit only contains incidental residential accommodations, has no less than two-thirds of floor area devoted to work activities, and contains an active business. A Category II Live/Work is considered a nonresidential facility.
 - d. "Conversion." The rehabilitation of an existing nonresidential structure, including commercial and civic buildings, to a Live/Work or Work/Live facility, consistent with all other regulations for Category I and II.
2. General Provisions. Joint living and working quarters are permitted according to the following:
 - a. Category I Live/Work Units, including New Construction and Converted facilities, are permitted in all Development Areas.
 - b. Category II Work/Live Units, including New Construction and Converted facilities, are permitted in all Development Areas upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and subject to the Conditional Use Permit Criteria listed in Section 17.102.190E.
 - c. Permitted and Conditionally Permitted Activities. The permitted and conditionally permitted nonresidential activities in joint living and working quarters are restricted to those listed in the underlying Development Area except that permitted activities also include those allowed as Home Occupations described in Sections 17.112.030 and 17.112.040 of the Home Occupation regulations.

3. Use Permit Criteria. A conditional use permit required under Section 2b may be issued only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following criteria:
 - a. Workers and residents will neither interfere with nor impair the purposes of the Wood Street Zoning District;
 - b. On site parking spaces for sites outside light industrial zones are screened from the street;
 - c. The site plan minimizes conflicts between pedestrians and vehicles;
 - d. The proposal will not impair the retention or creation of custom manufacturing or small scale light industrial facilities, where allowed in the Wood Street Zoning District;
 - e. The proposal is designed to minimize the impacts of nonresidential activities on residential activities in terms of noise, lights, glare, vibrations, dust, vapors, smoke, odors, electrical disturbance, or other factors;
 - f. The proposal incorporates sound attenuation and similar protective measures to protect residents from noise outside and within the development;
 - g. The location and design of the proposed development is adequately buffered, visually and spatially, from adjacent general industrial uses, if any, through appropriate on-site landscaping, screening and other buffering devices, and
 - h. Residents of the Project will not be exposed to toxic and/or hazardous materials that exceed local, state, and/or federal standards.

4. Development and Parking Standards for Joint Working Living Quarters
 - a. Development Standards for new construction will include all those listed in the underlying Development Area for Residential Activities and that apply to the Building Code occupancy type.
 - b. Off-street Parking for Parking standards for new construction Live/Work Category I facilities and Live/Work Category II facilities shall be 1.2 parking spaces per unit provided as set forth in Table 5.10-1.

TABLE 4.10-1

Land Use Classifications	Development Areas									Additional regulations
	1	2	3	4	5	6	7	8	9	
Residential Activities										
Permanent	P	P	P	P	--	P	P	P	--	
Residential Care occupying Single-Family Dwelling	C	C	C	C	--	C	C	C	--	17.102.212
Residential Care occupying Multi-Family Dwelling										17.102.212
Service-Enriched Permanent Housing	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	P(L1)	--	17.102.212
Transitional Housing	--	--	--	--	--	--	--	--	--	
Emergency Shelter	--	--	--	--	--	--	--	--	--	
Semi-Transient Residential	--	--	--	--	--	--	--	--	--	
Civic Activities										
Essential Services	--	P	--	P	P	P	--	P	--	
Limited Child-Care	--	P	--	P	P	P	--	P	--	
Community Assembly	--	P(L2)	--	P(L2)	C	P(L2)	--	P(L2)	--	
Community Education	C	C	C	C	C	C	C	C	C	
Non-Assembly Cultural	--	P	--	P	P	P	--	P	--	
Administrative	--	P(L3)	--	P(L3)	P	P(L3)	--	P	--	
Health Care	--	P(L3)	--	C	C	C	--	P	--	
Special health care	--	--	--	--	--	--	--	--	--	
Utility and Vehicular	--	P(L4)	--	P(L4)	P(L4)	P(L4)	--	P(L4)	--	
Extensive Impact	--	--	--	--	--	--	--	--	--	
Telecommunications	P	P	P	P	P	P	P	P	--	17.128
Commercial Activities										
General Food Sales	--	P(L5)	--	P(L5)	P(L5)	P(L5)	--	P(L5)	--	
Convenience Market	--	C(L6)	--	C(L6)	C(L6)	C(L6)	--	C(L6)	--	17.102.210
Fast-Food Restaurant	--	--	--	C	C	C	--	C	--	17.102.210
Alcoholic Beverage Sales	--	C(L7)	--	C(L7)	C(L7)	C(L7)	--	C(L7)	--	17.102.210
Convenience Sales and Service	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
Mechanical or Electronic Games	--	--	--	--	--	--	--	--	--	
Medical Service	--	P(L8)	--	P(L8)	P(L8)	P(L8)	--	P(L8)	--	
General Retail Sales	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
General Personal Service	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
Consultative and Financial Service	--	P(L3)	--	P(L3)	P(L3)	P(L3)	--	P	--	
Consumer Laundry and Repair Service	--	--	--	--	--	--	--	--	--	
Group Assembly	--	--	--	--	C	--	--	P	--	
Administrative	--	P(L3)	--	P(L3)	P	P(L3)	--	P	--	
Business and Communication Services	--	C	--	C	C	C	--	P	--	
Retail Business Supply	--	P(L9)	--	P(L9)	P(L9)	P(L9)	--	P	--	

TABLE 4.10-1

Land Use Classifications	Development Areas									Additional regulations
	1	2	3	4	5	6	7	8	9	
Research Service	--	--	--	--	--	--	--	P	--	
General Wholesale Sales	--	--	--	--	--	--	--	P	--	
Transient Habitation	--	--	--	--	--	--	--	P	--	
Construction Sales and Services	--	P(L10)	--	P(L10)	P(L10)	P(L10)	--	P(L10)	--	
Automotive Sales, Rental, and Delivery	--	--	--	--	--	--	--	--	--	
Automotive Servicing	--	--	--	--	--	--	--	--	--	
Automotive Repair and Cleaning	--	--	--	--	--	--	--	--	--	
Automotive Fee Parking	--	--	--	--	--	--	--	--	--	
Animal Care	--	--	--	--	--	--	--	--	--	
Undertaking Services	--	--	--	--	--	--	--	--	--	
Scrap Operation	--	--	--	--	--	--	--	--	--	
Manufacturing Activities										
Custom	--	P	--	C	C	C	--	P	--	
Light	--	C	--	--	--	--	--	C	--	
General	--	--	--	--	--	--	--	C	--	
Heavy	--	--	--	--	--	--	--	--	--	
Small Scale Transfer and Storage Hazardous Waste Management	--	--	--	--	--	--	--	--	--	
Industrial Transfer/Storage Hazardous Waste Management	--	--	--	--	--	--	--	--	--	
Residuals Repositories Hazardous Waste Management	--	--	--	--	--	--	--	--	--	
Agricultural and Extractive Activities	NO AGRICULTURAL AND EXTRACTIVE ACTIVITIES PERMITTED IN ANY ZONE									
Plant Nursery	--	--	--	--	--	--	--	--	--	
Crop and Animal Raising	--	--	--	--	--	--	--	--	--	
Mining and quarrying	--	--	--	--	--	--	--	--	--	
<i>Off-street parking for prohibited activities</i>										<i>17.102.100A</i>

Limitations:

- L1- Service Enriched Permanent Housing Residential activities for residents aged sixty (60) years or under requires the granting of a conditional use permit (see 17.134).
- L2- Only the following activities are permitted: 1) places of worship, churches, temples, mosques, and synagogues with a total floor area 3,000 square feet or less and 2) public, parochial, private non-profit clubs and lodges, meeting halls, recreation centers, gymnasiums 5,000 square feet or less
- L3- Activities with a total floor area greater than 3,000 square require the granting of a conditional use permit (see 17.134) and activities with a floor area over 5,000 square feet are prohibited.
- L4- Only police substations and neighborhood serving post offices that have a total floor area not exceeding 1,000 square feet are permitted. Other Utility and Vehicular Civic activities are prohibited.
- L5- Grocery markets shall 1) be limited to a maximum floor area of 3,000 square feet 2) only be open between 6:00 AM to 10:00 PM.
- L6- Convenience markets shall not be greater than 5,000 square feet.
- L7- Alcoholic Beverage Sales is limited to sale of beer and wine.
- L8- Floor area devoted to Medical Service Commercial activities limited to a maximum 2,500 square feet.
- L9- Retail Business supply stores are limited to office and art supply stores and shall be limited to a maximum 3,000 square feet.
- L10- Activities with a total floor area greater than 5,000 square require the granting of a conditional use permit (see 17.134) and activities with a floor area over 10,000 square feet are prohibited. This activity is limited to neighborhood serving construction product sales and services. (Note: Hardware Stores are a General Retail Commercial Activity, Refer to L3)



5.10 Introduction to Development Standards

Statement of intent

Each set of standards includes a statement of intent which sets forth the underlying purpose of that standard.

Applicability

The Development Standards are mandatory provisions that apply to all Development Areas in the Wood Street Zoning District, except as specified herein. Each section of the Development Standards includes a statement which indicates any limits of applicability within a particular Development Area and any conditions or locations that are exempt from the standards contained in that section.

Variations to Development Standards shall be considered in accordance with the provisions of Section 17.148 of the Planning Code, Variance Procedures.

General standards and standards applicable only to specific Development Areas

All sections include general standards that apply to all Development Areas. Certain sections also include standards only applicable to a specific Overlay Zone or Development Area. In the case of conflict, standards applicable to a specific Overlay Zone or Development Area shall take precedence over general standards.

Summary of Development Standards

Key Development Standards are summarized in Table 5-10-1 Summary of Development Standards. Refer to individual sections for full description of standards.

Table 5.10-1 Development Standards Summary									
Standard	Development Area 1	Development Area 2	Development Area 3	Development Area 4	Development Area [6]	Development Area 6	Development Area 7	Development Area 8	Development Area [7]
Maximum Residential Density [1]									
1-Min. land area per dwelling unit	1535.22 sf	848.85 sf	1217.50 sf	613.75 sf	NA	615.92 sf	679.02 sf	331.65 sf	NA
2-Max. dwelling units per acre	28.4 DU/A	51.5 DU/A	35.8 DU/A	71.1 DU/A	NA	70.7 DU/A	64.2 DU/A	131.3 DU/A	NA
3-Max. number of units	82	189	200	450	0	215	170	264	NA
Minimum Density for Residential Uses	1 unit per 2,000sf of site area (22 DU/A)	1 unit per 2,000sf of site area (22 DU/A)	1 unit per 2,000sf of site area (22 DU/A)	1 unit per 1,000sf of site area (44 DU/A)	NA	1 unit per 1,000sf of site area (44 DU/A)	1 unit per 1,000sf of site area (44 DU/A)	1 unit per 1,000sf of site area (44 DU/A)	NA
Maximum FAR (For non-residential uses)	NA	1.38 : 1	NA	2.02 : 1	0.640:1	2.02 : 1	NA	2.947 : 1	NA
Max. Area of Non-Residential Uses	0	220,779sf	0	40,000sf	14,487sf	6,000sf	0	258,000sf	NA
Maximum Height	65 ft [2]	65 ft [2]	50 ft [2][3]	65 ft [2]	[3]	65 ft [2]	90 ft [4]	90 ft [4]	NA
Minimum Street Setbacks [5]									
-Wood Street	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft	NA
-12th Street	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	NA
-Frontage Road	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	NA
-14th Street	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	NA
-Public Access Areas	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft	NA
Minimum Interior Setbacks	5 ft	5 ft	10 ft	5 ft	5 ft	5 ft	0 ft	0 ft	NA
Minimum Usable Open Space (per dwelling unit, DU)									
-Minimum area per unit	100 sq ft	75 sq ft	100 sq ft	75 sq ft	NA	75 sq ft	75 sq ft	50 sq ft	NA
Required Off-Street Parking for Residential Uses	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	1.1 space per D.U.	NA
Required Off-Street Parking for Joint Living & Working Quarters	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	1.2 space per L/W.U.	NA
Required Off-Street Parking for Non-Residential Uses	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1	See Table 5.50-1

- Density based on regular dwelling units.
- Reference Section 5.23 and Figure 5.23-1 for height restrictions in Overlay Areas.
- See Section 5.80 for restrictions on additions to 16th Street Train Station.
- Reference Section 5.23 for height restrictions on Wood Street Frontage.
- Reference Minimum Street Setbacks, Figure 5.24-1
- Reference Section 5.80 for Standards applicable to Development Area 5.
- Reference Section 5.90 for Standards applicable to Development Area 9.

Development Standards Summary

Table 5.10-1

5.20 Maximum Density

Statement of Intent

The intent of the maximum density standard is to establish a limit on the number of dwelling units allowed in a specific Development Area. Maximum density is regulated by means of a required minimum land area per regular dwelling unit.

Applicability

The following standards apply to all residential uses.

General Standards

1. The maximum allowable density for residential development in each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*.
2. For efficiency dwelling units, the minimum allowable lot area per unit shall be the same as for regular dwelling units.
3. One additional unit is allowed if after division of the total lot area by the minimum lot area the remainder is equal to 2/3 or greater of the minimum lot area.
4. Refer to the Planning Code for Definition of Regular Dwelling Unit and Efficiency Dwelling Unit.

5.21 Minimum Density

Statement of Intent

The intent of the minimum density standard is to ensure that residential development in the Wood Street Zoning District provides a number of dwelling units sufficient to create an active, mixed use, urban development. Minimum density is regulated by means of a maximum allowable lot area per regular dwelling unit.

Applicability

The following standards apply to all residential uses.

General Standard

1. The minimum allowable density for residential development in each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*.
2. For rooming units, there is no minimum density standard.

5.22 Floor Area Ratio

Statement of Intent

The intent of the floor area ratio standard is to establish a maximum allowable floor area for non-residential uses on a given lot.

Applicability

The following standard applies to all non-residential uses except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the standards set forth in this section:

1. Non-residential uses located in existing buildings

General Standard

1. The allowable FAR for each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*.
2. On lots containing both residential and non-residential uses, no portion of the lot area used to meet the minimum lot area per dwelling unit set forth in the density standard shall be used as a base for computing the allowable floor area for any non-residential facility on the same lot.

5.23 Maximum Height

Statement of Intent

The intent of the maximum height standard is to establish a maximum allowable height of buildings to ensure a compatible relationship with surrounding development.

Applicability

The following standards apply to all uses facilities.

General Standards

1. The maximum height allowed in each Development Area shall be as set forth in *Table 5.10-1 Development Standards Summary*, except as noted otherwise below. See height zones, *Figure 5.23-1* for graphic illustration of maximum height.
2. Projections above height limits are allowed as set forth in Section 17.108.30 of the Planning Code.

Standards for Development Area 3

3. A maximum height of sixty five (65) feet shall apply to any portion of a structure located within that portion of Development Area 3 indicated in *Figure 5.23-1*.

Standards for Development Area 6

4. A maximum height of thirty five (35) feet shall apply to any portion of a new structure located on that portion of Development Area 6 located between the 16th Street Station/ Development Area 5 and the Frontage Road.

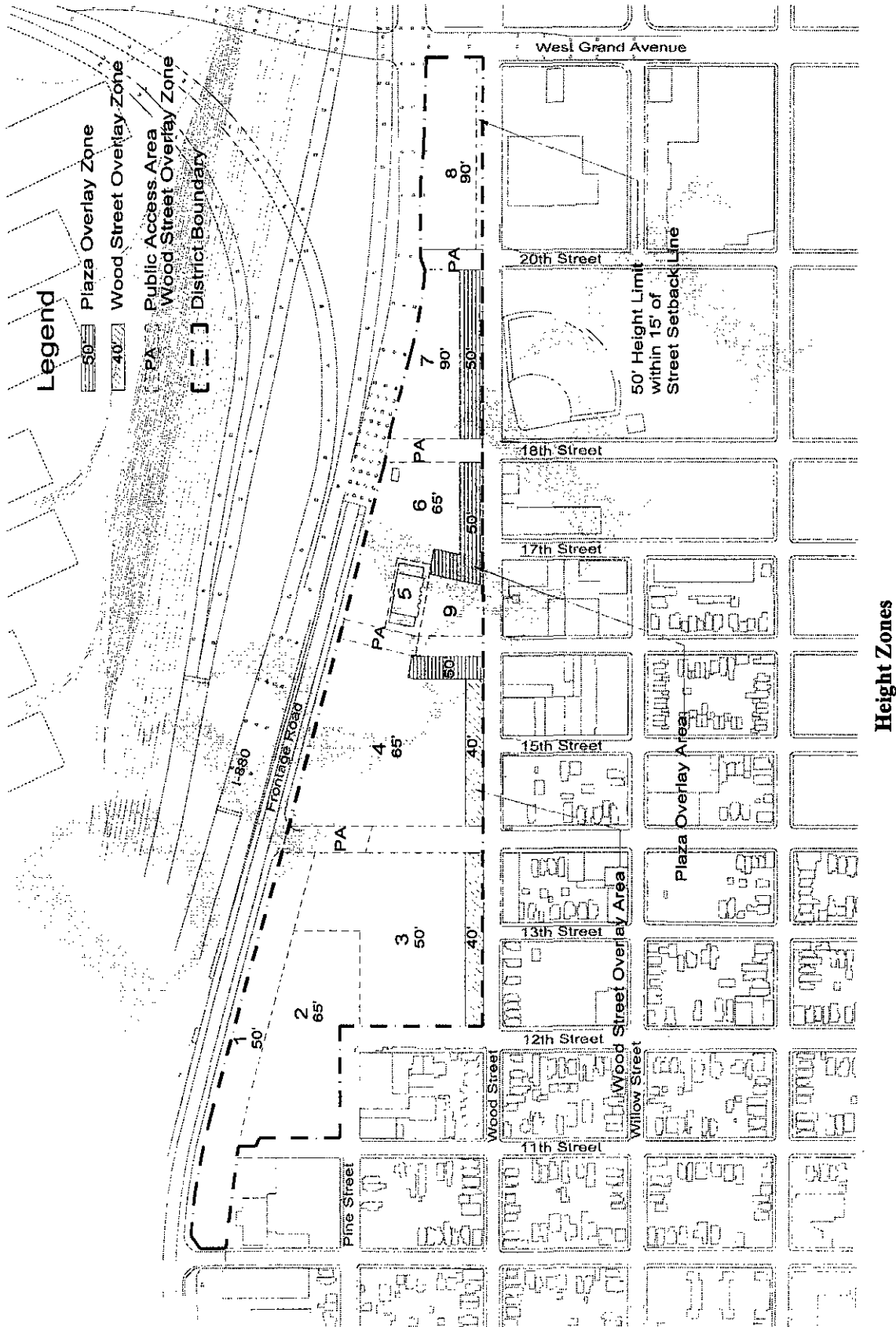


Figure 5.23-1

Standards for Development Area 8

5. A maximum height of fifty (50) feet shall apply to any portion of a structure located within fifteen (15) feet of the street setback line at Wood Street.

5.24 Minimum Setbacks

Statement of Intent

The intent of the minimum setbacks standard is to establish a minimum required distance between the building face and the property line.

Applicability

The following standards apply to all uses.

Exceptions

The locations or conditions indicated below are exempt from the standards set forth in this section:

1. Existing buildings

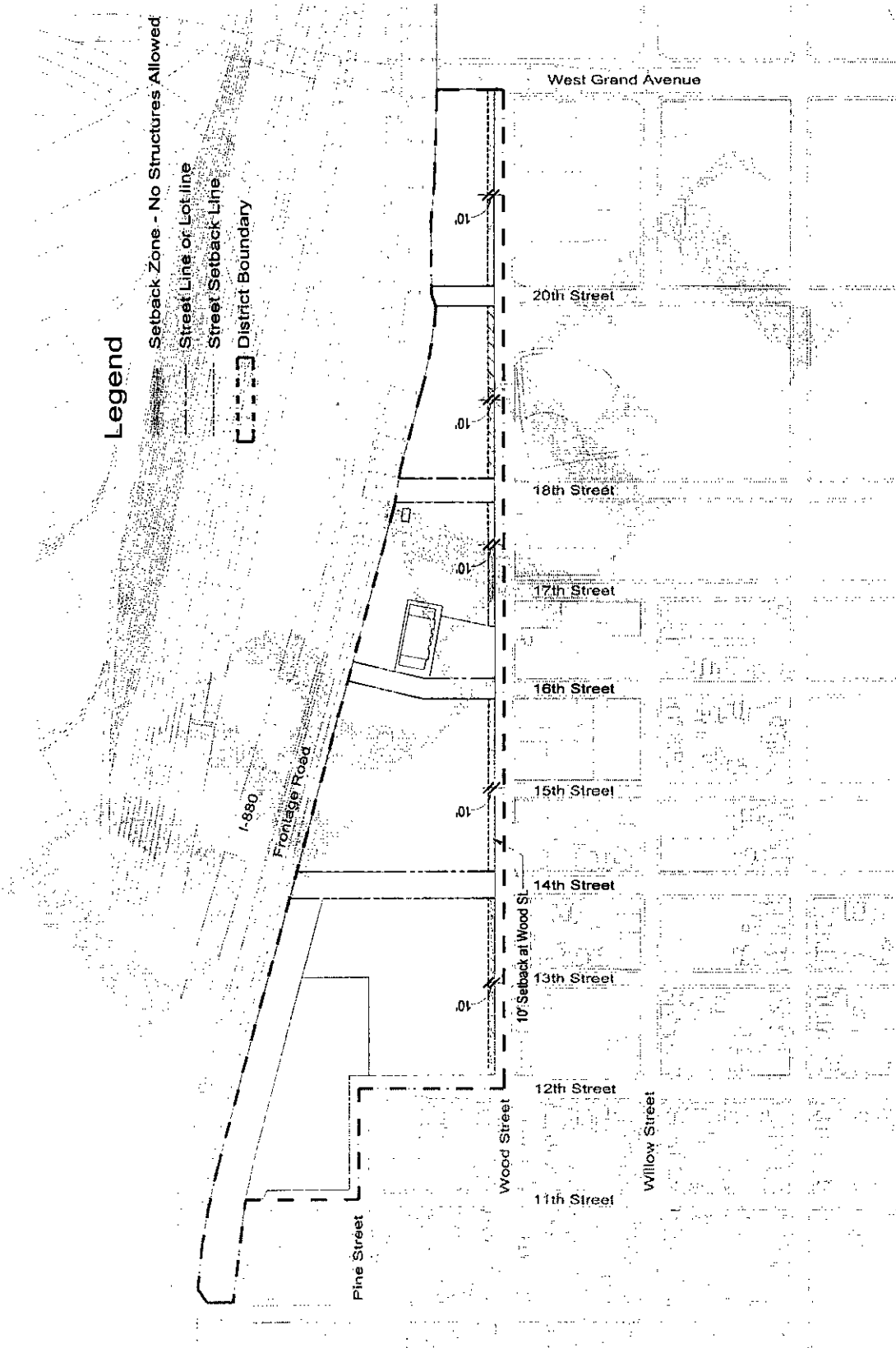
Setback Classifications

For the purposes of the Wood Street Zoning District Regulations, the typical classifications of front, side, and rear yards are replaced by the setback classifications described below.

1. **Street setbacks** refer to required setbacks from street lines adjoining Public Streets or Public Access Areas.
2. **Interior setbacks** refer to required setbacks at all lot lines separating privately owned lots within a Development Area.

General Standards

1. Minimum required setbacks shall be as set forth in *Table 5.10-1, Development Standards Summary*. See Figure 5.24-1 for graphic illustration of minimum street setbacks.
2. The required setback area shall be unobstructed except for facilities allowed by Section 17.108.130 of the Planning Code.



Minimum Street Setbacks

Figure 5.24-1

5.30 Building Frontage

Statement of Intent

The intent of building frontage standards is to ensure that building frontage containing occupied space is provided at the street line (or street setback line) to create an active, well defined street.

Applicability

The following standards apply to all uses except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the standards set forth in this section:

1. Existing buildings
2. Development located adjacent to elevated roadways
3. Development located in the Frontage Road Overlay Zone

General Standards

1. For each lot, a minimum percentage of each street line or street setback line shall be occupied by building frontage as indicated below. See *Figure 5.30-1*.

a. Wood Street Overlay Zone	75%
b. Plaza Overlay Zone	90%
c. All other locations	50%
2. The required building frontage, shall be located within five feet of the street line or street setback line.
3. Required building frontage shall be at least one story or fifteen (15) feet in height, at least twenty (20) feet in depth and shall contain occupied space at the ground floor.
4. Covered arcades, porches, gate houses and similar architectural elements that create sheltered outdoor space may be considered building frontage, provided these elements adjoin or provide access to occupied space.

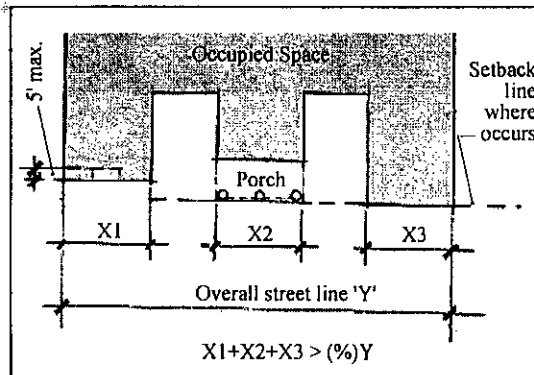


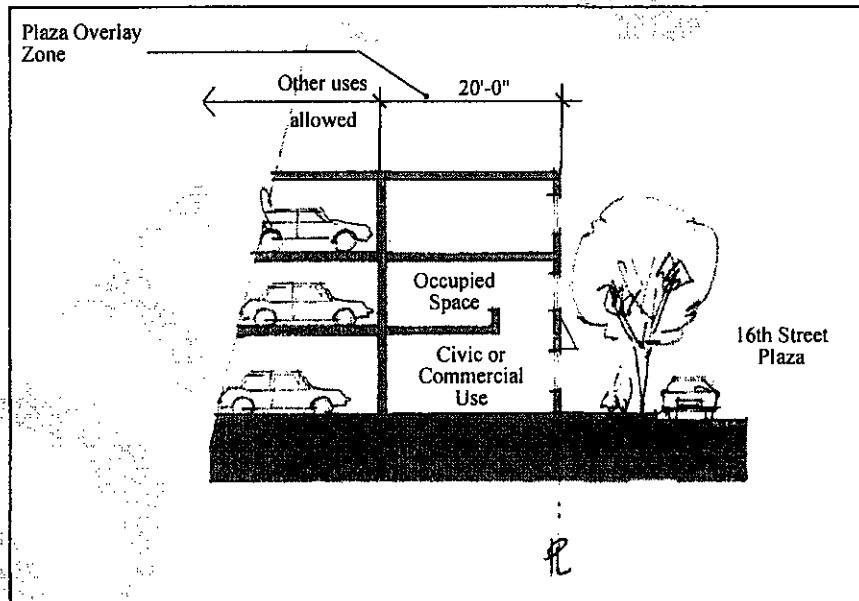
Figure 5.30-1

Standards for Development Area 8

1. A minimum of 50% of the required building frontage at Wood Street shall contain occupied space. The remainder of the required building frontage may contain parking or other non-occupied uses.

Standards for the Plaza Overlay Zone

1. At ground level, buildings within the Plaza Overlay Zone shall contain occupied space accommodating one of the following:
 - a. Civic or commercial uses accessible to the public during business hours.
 - b. Lobbies serving occupied space above
2. Upper floors within the Plaza Overlay Zone shall contain occupied space.
See *Figure 5.30-7*



Building frontage at Plaza Overlay Zone

Figure 5.30-3

5.31 Building Frontage at Corner Locations on Wood Street

Statement of Intent

The intent of the standards contained in this section is to ensure that occupied building frontage is provided at corner locations to define and activate the street frontage.

Applicability

The following standards apply to all uses located on Wood Street at intersections with public streets or with Public Access Areas:

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. The intersection of Wood Street and West Grand Avenue, (West Grand Avenue is elevated at this location)

General Standards

1. At corner locations on Wood Street a continuous building frontage shall be provided at the street setback line for a distance of thirty (30) feet minimum along Wood Street, and twenty (20) feet minimum along the intersecting street line. See Figure 5.31-1
2. Required building frontage at corner locations shall be at least one story or fifteen (15) feet in height, at least twenty (20) feet in depth and shall contain occupied space at the ground floor.
3. Recessed or beveled corner entries are acceptable at corner frontages.
4. A of one pedestrian entry into the building is required to be provided from either Wood Street or the intersecting streets (or Public Access Area). Required entry shall be within thirty (30) feet of the corner, as measured from the intersection of the street line at Wood Street and the street line or at the intersecting street.

Standards for Plaza Overlay Zone

5. Corner setbacks are allowed to provide outdoor seating areas for cafes, restaurants or similar General Food Sale activities.

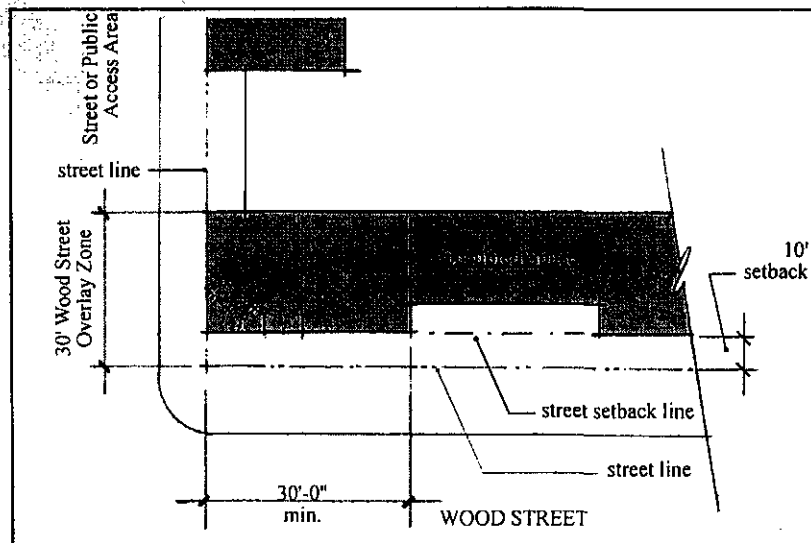


Figure 5.31-1

5.32 Street Front Entries

Statement of Intent

The intent of the street front entries standard is to ensure a consistent pattern of street oriented pedestrian entries.

Applicability

The following standards shall apply to all uses located within the Wood Street and Plaza Overlay Zones, and all uses adjacent to the street line at public Access Areas.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Building frontage located in Development Area 8
2. Building frontage located in the Frontage Road Overlay Zone
3. Building frontage adjacent to elevated roadways
4. Existing buildings

General Standards

1. For each lot, the average distance and the maximum distance between pedestrian entries at the street line or street setback line shall not exceed the distances set forth below. The distance between entries shall be measured from center line of entry to center line of entry.

	Maximum Distance Between Adjacent Entries
Wood Street Overlay	60'
Plaza Overlay Area	60'
All Other Street Frontages	100'

2. For the purpose of this standard, pedestrian entries include the following:
 - a. Entry to individual units or commercial spaces
 - b. Common entry to a building containing more than one unit
 - c. Outdoor entry leading to common outdoor space
3. The followings are not considered entries for the purpose of this standard:
 - a. Emergency exits
 - b. Access to service or utility enclosures

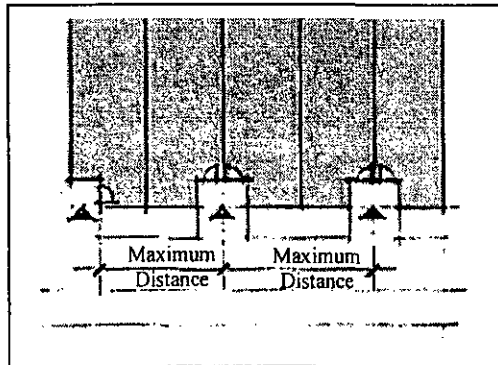


Figure 5.23-1

4. Required entries must be visible from and located within twenty (20) feet of the street line or street setback line.
5. Entry access shall be direct from the public right-of-way by means of walks, stairs, ramps, gates, or combination there of.
6. All required pedestrian entries shall be marked by either an overhang, awning, building articulation, and/or architectural feature
7. All entries shall incorporate exterior lighting at the point of entry

5.33 Street Front Openings

Statement of Intent

The intent of the street front openings standard is to encourage street oriented development.

Applicability

The following standards apply at all ground floor building frontage located within the Wood Street Overlay Zone.

General Standards

1. Ground level openings in the form of a door, window, or passage way shall be located no more than twenty-five (25) feet apart measured parallel to the street line. (See Figure 5.33-1)
2. A minimum of 25% of the ground floor wall area shall consist of transparent openings, pedestrian entries, or a combination of the two. See *Figure 5.33-1*
 - a. The ground floor wall area shall be measured from the first floor above grade to the floor level above, or to a point twelve (12) feet above the first floor, whichever is less.
 - b. Service area and utility doors, emergency exists, and ventilation grills are not considered openings for the purposes of this standard.
 - c. The vertical distance between the window sill of a required opening and the adjacent sidewalk shall not exceed 4'-6".
 - d. In the case where occupied space is located over a below grade garage, The vertical distance between the window sill of required opening and the first floor level shall not exceed 3'-0".

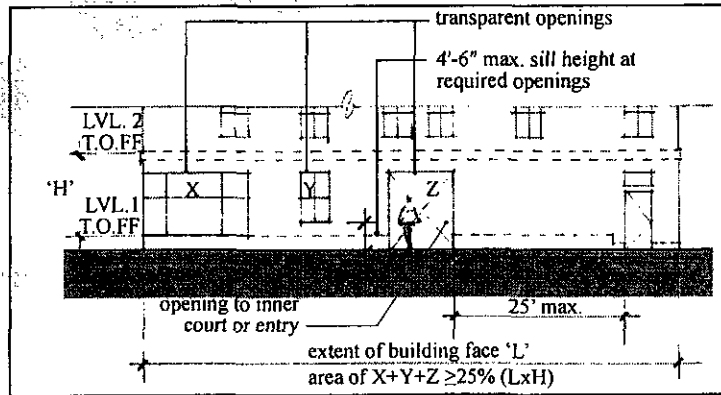


Figure 5.33-1

5.34 Projections over the Street Line or Street Setback Line

Statement of Intent

Bay windows at street frontages provide articulation to the building form and improve security by allowing residents to overlook the street. Bay windows are allowed to project over the street line subject to the standards set forth in this section.

Applicability

The following standards apply to all uses.

General Standards

1. Bay windows projecting over the street line or street setback line must meet the following criteria:
 - a. Bays must be self supporting and the bottom of the bay window must be no less than ten (10) feet above the height of the adjoining sidewalk
 - b. Overall width of a single bay shall not exceed fourteen (14) feet
 - c. The horizontal distance between bays shall be a minimum of three (3) feet
 - d. Bays greater than eighteen (18) inches in depth must have windows on at least two separate wall planes.
2. The maximum allowable horizontal projection over the street line or street setback line is three (3) feet.
3. Within any one-hundred foot length of street frontage, the overall width of bays projecting over the street line or street setback line shall not exceed sixty percent (60%) of the corresponding horizontal wall dimension.
4. These standards supersede the provisions of Section 17.108.120 of the Planning Code related to projections of bays into required front yards.

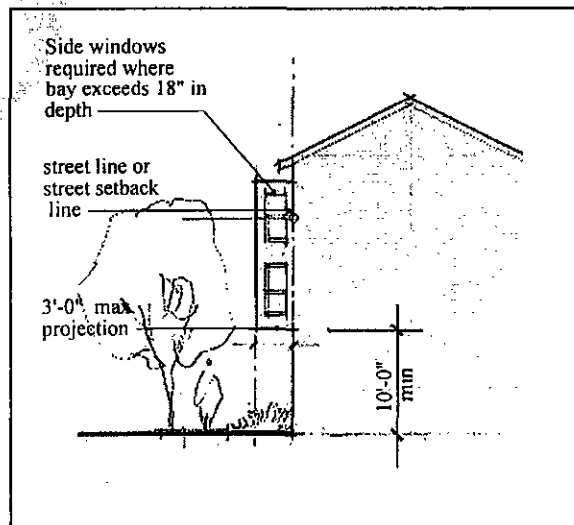


Figure 5.34-1

5.40 Usable Open Space for Residential Uses

Statement of Intent

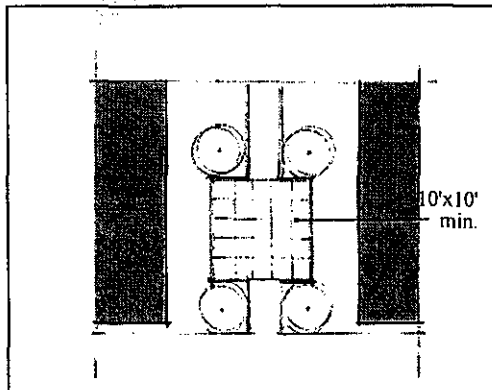
The intent of the standards set forth in this section is to ensure provision of open areas to serve the residents' need for outdoor leisure and recreation areas.

Applicability

The following standards apply to all residential uses.

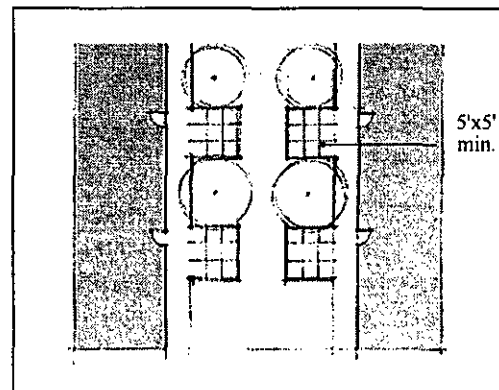
General Standards

1. On each lot containing Residential Facilities, usable open space shall be provided as set forth in *Table 5.10-1 Development Standards Summary*.
2. A minimum of 30% of the required usable open space shall be group open space. The remainder of required usable open space may consist of either group or private open space, or a combination of the two.
3. Location of group usable open space:
 - a. No more than fifty percent (50%) of the required group open space shall be located on the roof of a building.
4. Private usable open space shall be adjacent to and readily accessible from the living unit served.
5. Size and shape: An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than the dimensions shown in the following table:
 - a. Private usable open space: 5 Feet
 - b. Group usable open space: 10 Feet
6. Except as otherwise provided in the standards set forth in this section, the requirements for accessibility, openness usability, and enclosure shall be as set forth in Section 17.99.050 (s-17 zone) of the Planning Code.
7. The requirements for Landscaping at usable open space shall be as set forth in Section 17.99.060 (s-17 zone).



Group Open Space

Figure 5.40-1



Private Open Space

Figure 5.40-2

5.41 Minimum Separation Between Opposite Walls on the Same Lot

Statement of Intent

The intent of the standards set forth in this section is to ensure that all occupied spaces have reasonable access to light and air.

Applicability

The following standards apply to all uses.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Opposite walls of existing buildings

General Standards

1. The minimum separation between walls on the same lot containing windows of habitable rooms shall be equal to the average height of the two opposite walls containing those windows. See *Figure 5.41-1*
2. The minimum allowable separation is twelve (12) feet
3. The maximum required separation is thirty (30) feet, except as indicated in item 4.
4. Where any Opposite wall exceeds 50 feet in height, the maximum required separation is forty (40) feet.
5. Self-supporting bay windows located not less than ten (10) feet above the lowest point of either opposite wall are allowed to project a maximum of three (3) feet into the required separation provided that a minimum separation of twelve (12) feet is maintained from the face of bay and the opposite wall or opposite bay.
6. The total area of bays projecting into the minimum separation shall not exceed 50% of the wall area of either wall.
7. Except as otherwise provided in the standards set forth in this section, the requirements for projections into required separation shall be as set forth in Section 17.108.120 of the Planning Code.

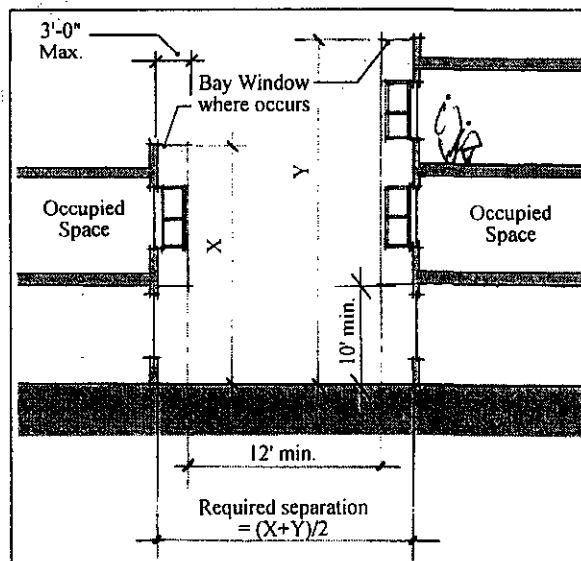


Figure 5.41-1

5.50 Required Off-Street Parking

Statement of Intent

The intent of the required off-street parking standard is to require adequate off-street parking for the intended activity.

Applicability

The following standards apply to all uses.

General Standards

1. Residential Uses: Off-street parking for Residential Uses shall be provided as set forth in Table 5.10-1.
2. Non-Residential Uses: Off-street Parking for Non-residential Uses shall be provided as set forth in Table 5.50-1, below:

Table 5.50-1

Civic Activity	Minimum Total Floor Area for Which Parking Required	Requirement
A. Essential Service. Limited Childcare.	No Minimum.	No Spaces required
B. Community Assembly: Temporarily nonprofit festivals. Private non-profit clubs and lodges. Churches and all other.	No Minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
C. Community Education: high schools.	No Minimum	One space for each three employees plus one space for each 10 students of planned capacity.
D. Nonassembly Cultural Administrative.	10,000 square Feet	One space for each 1,400 square feet of floor area.
E. Health Care: hospitals. Clinics.	3,000 Square Feet.	One space for each staff or regular visiting doctor.
All others.	3,000 Square Feet.	One space for each staff or regular visiting doctor.
F. Utility and Vehicular.	10,000 Square Feet.	One space for each vehicle used in connection with activities.
Commercial Activity	Minimum Total Floor Area for Which Parking Required	Requirement
A. General Food Sales, Convenience Market, Alcoholic Beverages Sales.	3,000 Square Feet	One space for each 450 square feet of floor area.
B. Convenience Sales and Service Mechanical or Electronic Games. Medical Service. General Retail Sales, except when sales are primarily of bulky merchandise such as furniture or large appliances. General Personal Service. Consumer Laundry and Repair Service, except when services consist primarily of repair or cleaning of large items such as furniture or carpets. General Wholesales, whenever 50 percent or more of all sales on the lot are at retail. Undertaking Service	3,000 Square Feet	One space for each 900 square feet of floor area.
C. Consultative and Financial Services. Administrative. Business Supply, whenever 50 percent or more of all sales on the lot are at retail. Research Service.	3,000 Square Feet	One space for each 900 square feet of floor area.
D. Retail Business Supply, whenever less than 50 percent of all sales on the lot are at retail. General Wholesale Sales, whenever less than 50 percent of all sales on the lot are at retail. Construction Sales and Services. Automotive Sales and Service.	3,000 Square Feet	One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.

Table 5.50-1		
Commercial Activity	Minimum Total Floor Area for Which Parking Required	Requirement
Automotive Sales, Rental and Delivery.		
E. Group Assembly.	Total of 75 Seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space with fixed seats, plus one space for each 80 square feet of floor area in indoor places of assembly with out fixed seats, plus a number pf spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.
F. Transient Habitation.	No Minimum.	One space for each unit in a motel and one space for each two units in a hotel.
G. General Retail Sales, whenever sales are primarily of bulky merchandise such as furniture appliances, Consumer Laundry and Repair Service, whenever services consist primarily of repair or cleaning of large items such as furniture or carpets. Animal care.	3,000 Square Feet	One space for each 1,000 square feet of floor area.
H. Fast-Food Restaurant.	2,000 Square Feet	One space for each 300 square feet of floor area.

5.51 Dimensional Requirements for Off-Street Parking

Statement of Intent

The intent of the standards set forth in this section is to ensure that the dimensions of stalls and maneuvering areas are adequate to serve the needs of the users.

Applicability

The following standards apply to required off-street parking spaces serving all uses.

General Standards for Parking Serving Residential Uses

1. The following subsections of Section 17.94 (S-12 Residential Parking combining zone regulations) of the Planning Code shall apply to the Wood Street Zoning District.
 - a. Section 17.94.060 Parking Spaces (Items A,B & C), with additional standards indicated below.
 - b. Section 17.94.070 Maneuvering aisles (all)
 - c. Section 17.94.090 Other Dimensional Requirements (all)

Additional Standards For Parking Serving Residential Uses

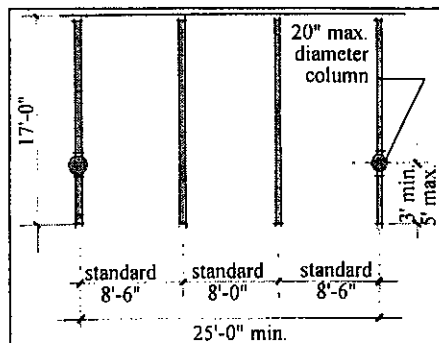
2. A standard parking stall size of 8'x17' may be provided for all required spaces serving residential uses.
3. In parking garages where the layout of stalls conforms to a regular grid of structural columns, the dimensions indicated in *Figure 5.51-1* shall be considered to provide the minimum allowable clearance related to the obstruction created by the structural columns.

Standards For Parking Serving Uses Other Than Residential Uses

4. Required dimensions for parking serving activities other than residential shall be as set forth in Section 17.116 of the Planning Code.

Standards For Other Parking Arrangements

5. Mechanical Parking Systems:
 - a. Mechanical parking systems including vertical stacking systems are allowed subject to approval by the Building Official. The Parking Stall Dimension for such systems shall be as required for safe operation of the systems.
6. Tandem Parking:
 - a. Tandem parking is allowed provided at least one independent parking space is provided for each dwelling unit.



Residential Parking Parking Garage, minimum dimensions *Figure 5.51-1*

5.52 Joint Use Parking

Statement of Intent

The intent of the joint use parking standard is to provide for efficient and effective joint use parking.

Applicability

The following standards apply to all uses.

General Standards

1. Residential uses shall be allowed to utilize off-street parking serving other uses, provided the following conditions are met.
 - a. Joint use parking shall be located on the same lot or within three hundred (300) feet of the uses served.
 - b. Joint use parking spaces are guaranteed to be available for residential use between the hours of 6:00 PM and 8:00 AM.
 - c. Joint use parking shall be arranged to provide security and access at least equal to other required off-street parking.
 - d. Joint use parking arrangements shall be included as Conditions of Approval for the development project.
2. Joint use parking shall not account for more than thirty percent (30%) of the required off-street residential parking.

5.53 Curb Cuts

Statement of Intent

The intent of the curb cuts standards is to ensure that the width and spacing of curb cuts provides for efficient on-street parking and is consistent with a pedestrian-oriented development project.

Applicability

The following standards apply to all curb cuts at street lines except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Existing curb cuts serving existing buildings

General Standards

1. The maximum total allowable width of an individual curb cut is twenty-four (24) feet.
2. The distance between curb cuts on public streets shall not be less than twenty-four (24) feet.

Standards for Wood Street Overlay Zone

3. In the Wood Street Overlay Zone, the aggregate width of curb cuts shall not exceed 20% of the lot frontage.
4. The distance between curb cuts shall not be less than forty-four (44) feet.

5.54 Off-Street Loading Requirements

Applicability

The following standards apply to uses except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Existing loading areas serving existing buildings

Statement of Intent

The intent of the off-street loading standards is ensure that all development projects have adequate access to loading areas.

General Standards

1. Designated loading zones shall be provided at Public Access Areas subject to approval by the Planning Official.
2. There is no requirement for off-street loading areas other than those provided at Public Access Areas.

5.60 Location and Screening of Surface Parking

Applicability

The following standards apply to all surface parking areas except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Facilities located adjacent to elevated roadways

Statement of Intent

The intent of these standards is to ensure that surface parking shall be screened from view from the public rights-of-way or Public Access Areas.

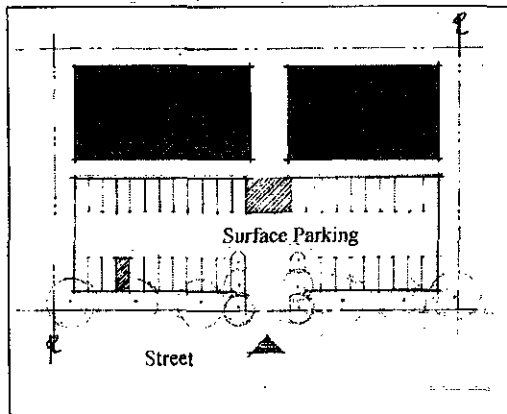


Figure 5.60-1

Not Allowed

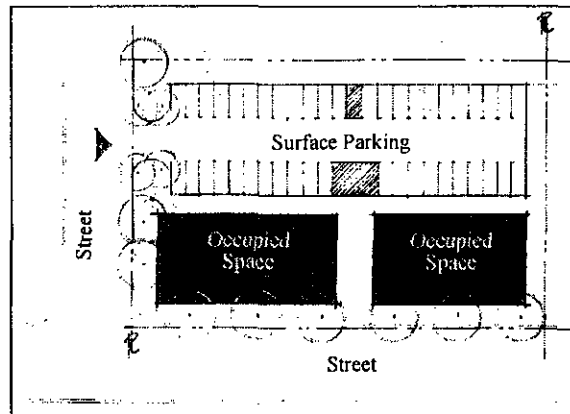


Figure 5.60-2

Allowed

General Standards

1. Surface parking areas containing more than four stalls are not allowed less than twenty (20) feet from a street line or street setback line unless each of the following conditions is met. See *Figure 5.60-1*.
 - a. The width of the surface parking does not exceed sixty five (65) feet, measured from curb to curb
 - b. The surface parking is screened from view from the Public Rights-of-way or Public Access Areas by one of the following means.
 1. A solid fence or wall with a minimum height of four (4) feet located between the street line and the parking area with maximum transparent area of thirty percent (30%).
 2. An open fence with a minimum height of four (4) feet with adjoining planting that will create an opaque screen at least equal in height to the fence within three years of planting.
2. Individual surface parking areas less than twenty (20) feet from the street line or street setback line must be separated by a minimum of sixty (60) feet. The intervening space shall contain occupied building frontage, usable open areas, or a combination of the two.

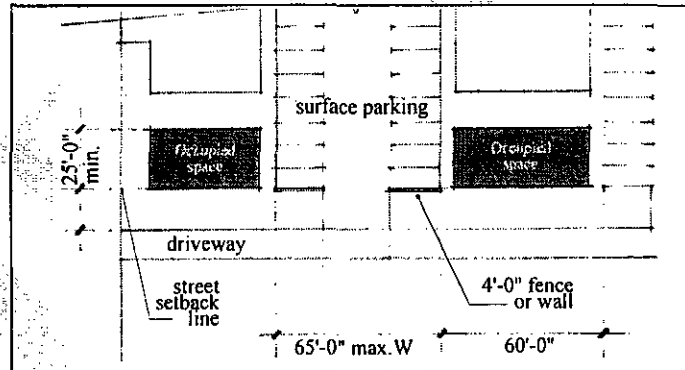


Figure 5.60-1

Standards for Wood Street Overlay Zone

3. No surface parking is permitted within the Wood Street Overlay Zone.

Standards for Frontage Road Overlay Zone

4. Surface parking is allowed in the Frontage Road Overlay Zone subject to the following limitations:
 - a. The width of surface parking in the Frontage Road Overlay Zone shall not exceed two hundred (200) feet or an aggregate maximum of fifty percent (50%) of the street frontage of any lot, whichever is less.
 - b. Surface parking in the Frontage Road Overlay Zone shall be screened as indicated in item 1b above.

5.61 Shade Trees Surface Parking Areas

Statement of Intent

The intent of these standards is to ensure the provision of shade trees at surface parking areas.

Applicability

The following standards apply at all off-street surface parking areas containing 10 or more stalls.

General Standards

1. For every eight (8) parking spaces, a minimum of one tree shall be provided.
2. All required trees shall be 15 gal. minimum size at time of planting and shall be provided with an automatic irrigation system.
3. Tree wells shall be a minimum of 9 square feet in an area, measured to the inside face of curb or paving.
4. Required trees shall be located within the parking area and shall be distributed evenly. See *Figure 5.61-1*
5. All required trees shall be protected from vehicular traffic by a curb, bollard or metal tree guard.
6. Trees may be omitted where a covered structure is provided at parking stalls.

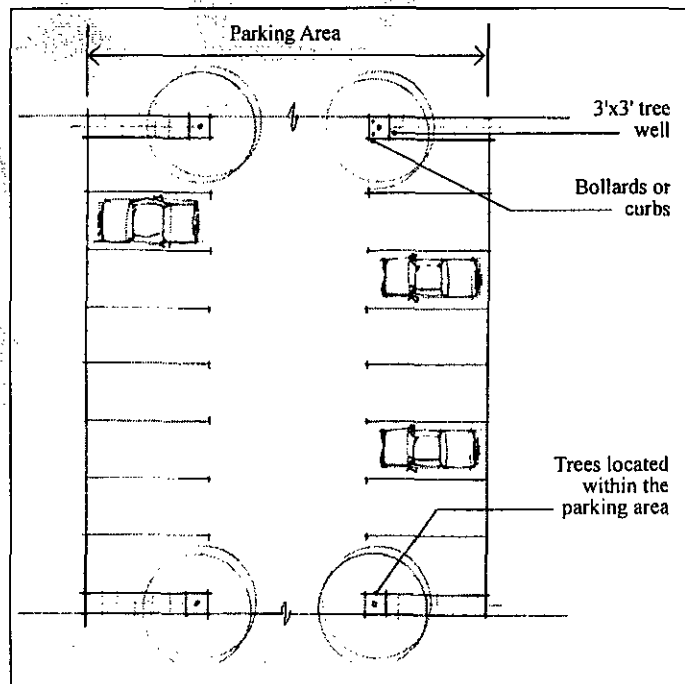


Figure 5.61-1

5.62 Location and Screening of Tuck-under Parking

Statement of Intent

The intent of these standards is to limit the impact of tuck-under parking on the street frontage.

Applicability

The following standards apply to all Residential Uses except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Existing Buildings
2. Adjacent to elevated roadways

General Standards

1. Tuck-under parking is not allowed less than twenty (20) feet from the street line or street setback line unless the following conditions are met.
 - a. The width of the tuck-under parking does not exceed sixty-five (65) feet, measured from end of stall to end of stall, or curb to curb. See *Figure 5.62-1*
 - b. The tuck-under parking area is screened by a wall or fence with a minimum height of six (6) feet. Openings in the wall or fence shall not exceed 40% of the area of the wall or fence.
2. Individual tuck-under parking areas located less than twenty (20) feet from the street line or street setback line must be separated by a minimum of sixty (60) feet. The intervening space shall contain occupied building frontage, usable open areas, or a combination thereof.

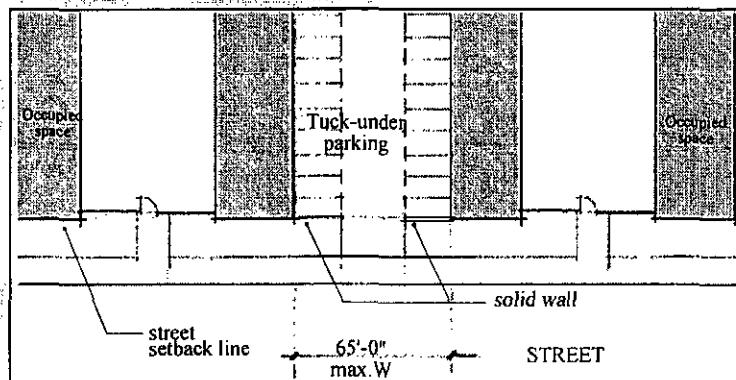


Figure 5.62-1

Standards for Wood Street Overlay Zone.

3. No tuck-under parking is permitted within the Wood Street Overlay Zone.

Standards for Frontage Road Overlay Zone

4. Tuck-under parking is allowed in the Frontage Road Overlay Zone subject to the following requirements.
 - a. Tuck-under parking shall be screened from view from the public right-of-way by a wall or fence with a minimum height of six (6) feet. Openings in the wall shall not exceed forty percent (40%) of the area of the wall or fence.
 - b. Occupied space or usable open space shall be located above the tuck-under parking.

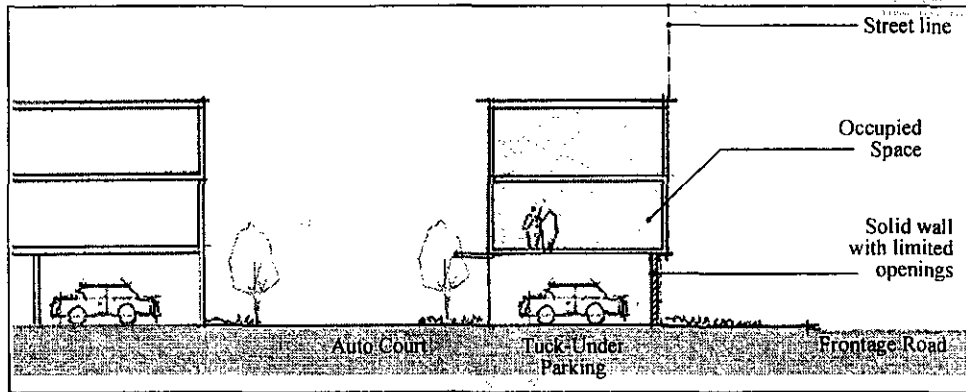


Figure 5.62-2

5.63 Location & Screening of Parking Garages

Statement of Intent

The intent of standards related to the location and screening of parking garages is to ensure that parking garages are screened from the street frontage. Three acceptable strategies for screening structured parking adjacent to the street line or street setback line are set forth below.

Option I - Below-grade parking with occupied space at the ground floor, See *Figure 5.63-1*

Option II - Occupied space at the ground floor, with parking above. See *Figure 5.63-2*

Option III - Parking garage screened by a "liner" of occupied space with minimum depth of twenty (20) feet. See *Figure 5.63-3*

Applicability

The following standards apply to parking garages containing three or more parking stalls except as specified below.

Exceptions

The locations and conditions indicated below are exempt from the standards set forth in this section:

1. Parking garages developed within the shell of existing buildings
2. Parking garages adjacent to elevated roadways

Reference Section 6.25 for guidelines for parking garage facades.

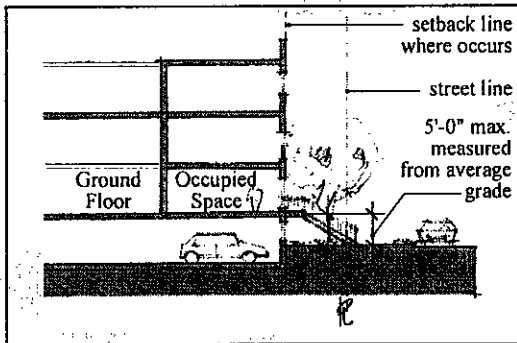


Figure 5.63-1

Option I
Below grade parking

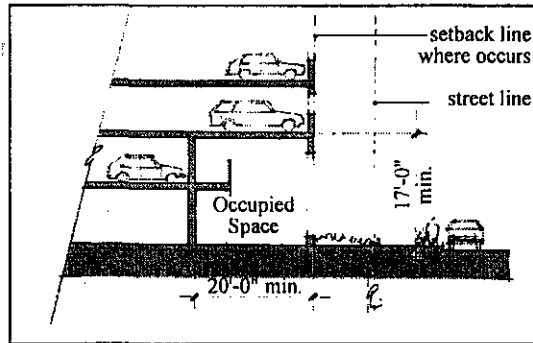


Figure 5.63-2

Option II
Parking structure on setback line with occupied space at ground level.

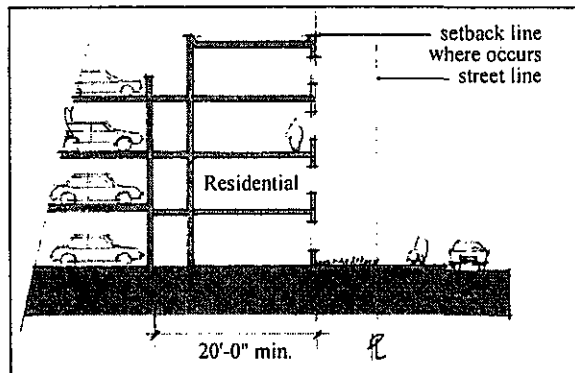


Figure 5.63-3

Option III
Residential liner between parking structure public right-of-way (R.O.W.)

General Standards

1. Ground floor parking garages are not permitted within twenty (20) feet of the street line, except as specifically allowed by other standards set forth in this section.
2. Parking garage frontage may be located at the ground floor and less than twenty (20) feet from the street line or street setback line, provided the width of the garage frontage does not exceed sixty-five (65) feet. See *Figure 5.63-4*.
3. Above grade parking garages are allowed to extend to the street line or street setback line where occupied space is provided at the ground floor with a minimum depth of twenty (20) feet and a minimum height of seventeen (17) feet, measured to top of finish floor above. See *Figure 5.63-2*.
4. Below grade parking garages are allowed less than twenty (20) feet from the street line or the street setback line provided occupied space at least one story in height occurs immediately above. See *Figure 5.63-1*.

Standards for Wood Street Overlay Zone

5. No ground floor parking garages are permitted within the Wood Street Overlay Zone.
6. Vehicular entries to parking garages shall not exceed twenty-four (24) feet in width.
7. No more than two (2) vehicular entries to parking garages may occur from Wood Street within any two-hundred (200) foot distance measured at the street line.

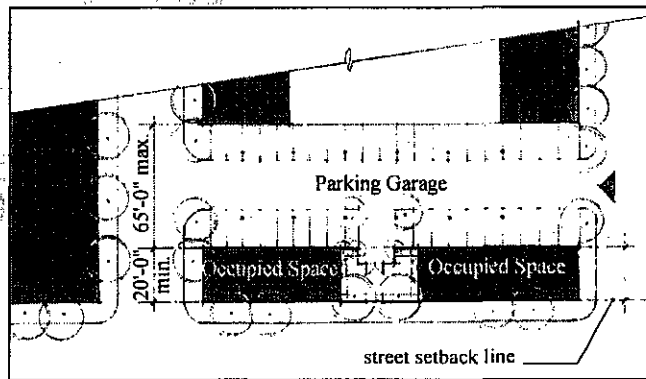
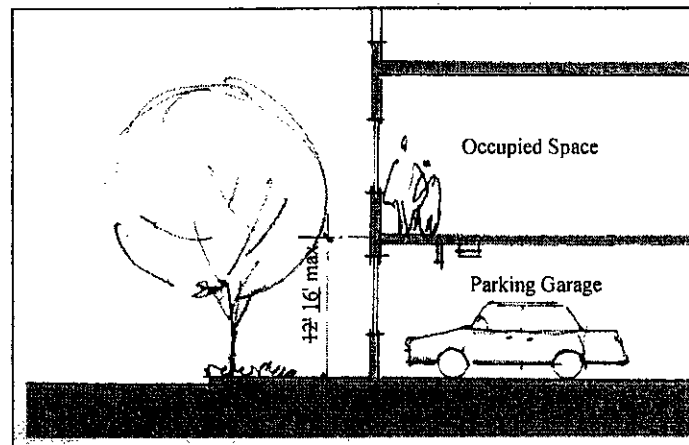


Figure 5.63-4

Standards for Frontage Road Overlay Zone

8. A ground floor parking garage not exceeding one (1) story or sixteen (16) feet in height measured from average exterior grade to the floor above may be located less than twenty (20) feet from the street line, provided occupied space or usable open space is located immediately above.
9. A parking garage or garages not exceeding two (2) stories or twenty-four (24) feet in height may be located less than twenty (20) feet from the street line, provided the aggregate length of the parking garage does not exceed two hundred (200) feet or fifty percent (50%) of the street line of any individual lot, and provided occupied space or usable open space is located immediately above.



Allowable garage frontage
at Frontage Road Overlay Zone

Figure 5.63-5

5.70 Limitations on Signs

Statement of Intent

The intent of these standards is to ensure that the display area of signs is compatible with the proposed development.

Applicability

The following standards apply at all private signs visible from a Public Street or Public Access Area except as specified below.

General Standards

1. All signage shall be subject to the standards set forth in Planning Code Section 17.104.010 *General Limitations On Signs in Residential and Open Space Zones* except as otherwise provided in the following standards.
2. The display area and number of signs shall conform to the limitations set forth in Table 5.70-1, Summary of Signs Standards.
3. For activities with frontage exceeding seventy-five (75) feet on two or more public streets or Public Access Areas, the allowable aggregate display area and allowable number of signs may be doubled.
4. Billboards and other free standing commercial signs are not allowed.

Use Activity	Sign Type	Aggregate Display Surface (square feet)	Allowable Number of Individual Signs
Residential	Home Occupation Signs	1	No signs allowed
Residential Facilities of three or more units		6	1 sign per project
Commercial	Business Sign	15	1 sign for each commercial establishment
Commercial Activities greater than 10,000 SF in floor area	Business Sign	35	2 signs for each commercial establishment
All Uses	Development Sign	75	1 sign for each separate development project
	Realty Sign	6	1 sign per project
Civic Activities	Civic Sign	1	1 sign per civic use
Civic Activities greater than 10,000 SF in Floor Area	Civic Sign	30	2 signs for each civic establishment

5.80 16th Street Station and 16th Street Signal Tower

Statement of Intent

The intent of these standards is to ensure that renovation of the Station and the scale and location of adjacent development is consistent with the Station's status as a City of Oakland Landmark.

Applicability

The following standards apply to the existing 16th Street Station located in Development Area 5 or new buildings or additions to the Train Station located within Development Area 5. These standards also apply to the existing 16th Street Signal Tower located in Development Area 6, as specified below.

General Standards

1. Any renovation, modification or addition to the Station shall conform with the standards set forth in Section 17.102.030 of the Planning Code "Special regulations for designated landmarks" and to the Secretary of the Interior's Standards for Rehabilitation of Historic Structures.
2. Any renovation, modification or addition to the station will be subject to review by the Landmarks Preservation Advisory Board, as set forth in Section 17.136.040 of the Planning Code.
3. Any re-use of the 16th Street Train Station shall include stabilization and repair of existing exterior materials to improve the exterior appearance and to ensure a weather tight building envelope.
4. For the purposes of these standards, the 16th Street primary portion of the Station shall be defined as the Main Hall and the (including symmetrical flanking wings to the north and south).

Standards for Additions to 16th Street Train Station

1. Additions to the Station shall not exceed a maximum height of thirty-five (35) feet as set forth in Table 5.10-1, Development Standards Summary.
2. No addition shall be made to the primary portion of the 16th Street Station on the facade facing the 16th Street Plaza or on the southern facade facing the 16th + 14th Street Public Access Area.

Standards for New Buildings adjacent to the 16th Street Signal Tower

1. Additions to the Signal Tower are not permitted.
2. New structures shall be set back from the existing Signal Tower a minimum distance of fifteen (15) feet.

5.90 16th Street Plaza

Statement of Intent

The intent of these standards is to ensure that the 16th Street Station Plaza (Development Area 9) is developed as a publicly accessible outdoor space that provides an appropriate foreground setting for the 16th Street Train Station.

Applicability

The following standards apply to Development Area 9, also known as the 16th Street Plaza.

General Standards

1. No enclosed structures of any kind are allowed. (This would mean no restrooms, storage spaces, etc.)
2. Site Development shall not adversely affect the special character, interest or value of the 16th Street Train Station and its site. (From Section 17.102.030)
3. Site lines shall be maintained across the Plaza between Wood Street and the façade of the main hall at the 16th Street Train Station.
4. The Development Area shall be landscaped with an appropriate dust free surface that may include a combination of paving and planting that is suitable for walking, sitting and similar activities.
5. Site development shall accommodate and promote the following specific activities.
Passive recreation
Occasional activities such as farmers-markets and craft-fairs
Vehicular drop at main entry to 16th Street Train Station
Occasional use of open space to accommodate overflow parking serving activities at the 16th Street Station
6. Site development shall not accommodate or promote the following specific activities
Active recreation
Overnight camping
7. The total area exclusively dedicated to vehicular circulation and parking shall not exceed 25% of the Development Area.
8. There shall be no obstructions above the plaza except for statues, awnings, trellises or similar devices to enhance its usability.
9. Site lighting shall be provided in accordance with City of Oakland Standards for Public Rights-of-way.
10. An average of one shade tree shall be provided for every 3,000 SF of Development Area. Trees shall be not be less than 15 gallon at time of planting.
11. All planting shall be provided with an automatic irrigation system.
12. All planting and irrigation shall be permanently maintained in good condition and, whenever necessary, replaced with new materials.



6.10 Introduction to Design Guidelines

Introduction

The Design Guidelines establish the design parameters for the Wood Street Zoning District and address aspects of building and site design not otherwise regulated by the Development Standards. Each development project within a Development Area shall be evaluated in terms of how the design satisfies the design intent set forth in the Design Guidelines, in accordance with Section 3.30 above (Final Development Plan/Final Design Review). Subject to determination by the Planning Director, design solutions may be approved on the basis of conformance with the intent of the Design Guidelines without conforming to the specific recommendations set forth in those guidelines.

Applicability and Exceptions

The Design Guidelines are generally applicable to all Development Areas. Each set of guidelines includes a statement which identifies any limits of applicability within a Development Area as well as any locations or conditions that are exempt from the guidelines contained in that section.

Guidelines - Encouraged, Discouraged and Not Allowed

As a means of illustrating intent, certain guidelines provide examples under the categories of "encouraged," "discouraged" or "not allowed." These examples are representative and are not an exhaustive list of all possible examples in each category. Elements that are indicated as discouraged may be allowed subject to the determination by the Planning Director that a certain design solution in a particular application is consistent with the intent of that Guideline.

Optional Prescriptive Guidelines

For certain guidelines, a set of optional prescriptive guidelines is provided. Design solutions which adhere to the prescriptive guidelines shall be deemed to have met the intent of the Design Guidelines. Design solutions which do not adhere to the prescriptive guidelines must be consistent with the intent of the Design Guidelines, subject to determination by the Planning Director.

Guidelines for specific locations

Guidelines applicable to specific Overlay Zones or Development Areas are included in some sections. In case of conflict, guidelines applicable to a specific Overlay Zone or Development Area shall take precedence over general guidelines.

6.20 Architectural Character

Applicability

The following guidelines apply to all Development Areas.

General Guidelines

1. Each development project shall by use of massing, articulation, materials and detail establish a coherent, integrated architectural character that is consistent within each development project. All built aspects of the development project shall be considered as contributing to the architectural character of the development project, including but not limited to; site structures and furnishings, exterior lighting, paving and signage.
2. Buildings are not restricted to any specific architectural style. Within the overall scope of the Wood Street Zoning District, a variety of architectural styles are encouraged as a means of enhancing the mixed-use, urban character of the development project.

6.21 Pedestrian Connections

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing buildings
2. Development Area 8
3. Frontage Road Overlay Zone
4. Plaza Overlay Zone
5. Adjacent to elevated roadways

General Guidelines

1. Provide multiple street facing openings and pedestrian entries into the site. Particular emphasis should be placed on visual and pedestrian connections at Wood Street. See Figure 6.21-1.

Encouraged

- a. Multiple pedestrian connections with Public Streets or Public Access Areas
- b. Ground level views into the site from the public streets or Public Access Areas
- c. Ground level pedestrian lanes or auto/pedestrian lanes that subdivide larger Development Areas.

Discouraged

- a. Building frontage at street lines or street set back lines exceeding 200 feet in length without provision of ground level pedestrian access and views into the interior portion of the development site.
2. Security gates and fences at pedestrian entries should have an average transparency of 50% or greater.

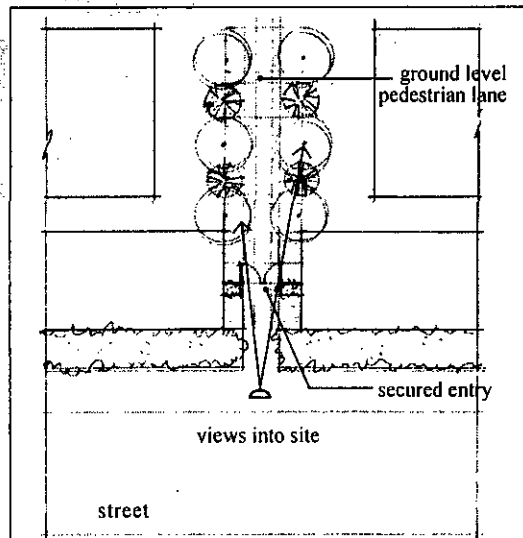


Figure 6.21-1, (Illustrative Only)

6.23 Building Massing

Applicability

The following guidelines apply to portions of buildings located within sixty (60) feet of the street line or street setback line and greater than two (2) stories or twenty five (25) feet in height except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Building frontage on 10th Street
2. Building frontage on the 20th Street Public Access Area
3. Building frontage adjacent to elevated roadways
4. Existing buildings
5. Commercial uses at Development Area 8

General Guidelines

1. Massing should reduce the visual scale of large development projects and to respond to specific adjoining conditions.

Encouraged

- a. Articulation of separate building volumes.
- b. Building massing that emphasizes corner locations
- c. Building massing that emphasizes major entry points into the site
- d. Creation of a varied building silhouette by incorporating significant changes in massing at the roof lines

Guidelines for Wood Street Overlay Zone

1. Significant changes in building massing are strongly encouraged to reduce the perceived scale of buildings fronting Wood Street. See *Figure 6.23-1*.
 - a. A significant change in massing is defined as a building offset having a width and depth of not less than eight (8) feet and a height of not less than one story.

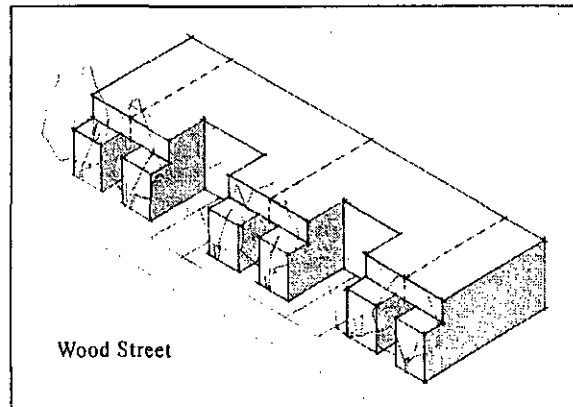


Figure 6.23-1, (Illustrative Only)

6.24 Building Articulation

Applicability

The following guidelines apply to all building facades located parallel to and less than twenty (20) feet from a street line or street setback line except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Building frontage on 10th Street
2. Building frontage on the 20th Street Public Access Area
3. Building frontage adjacent to elevated roadways
4. Existing buildings
5. Commercial uses at Development Area 8

General Guidelines

1. Building facades shall be articulated by means of recesses, changes in plane, bays, projecting elements, variations in exterior finishes or a combination thereof. Articulation strategies may include emphasizing groupings of dwelling units or occupied spaces, establishing vertical and horizontal rhythms, creating a varied building silhouette, adding visual accents and similar architectural strategies.

Prescriptive Guidelines (Optional)

1. Any building plane greater than sixty (60) feet in width and more than one story in height shall be articulated by a recess or projection extending at least two stories in height with a minimum width of four (4) feet and a minimum depth of two (2) feet. See *Figure 6.24-1*
2. The maximum length for a single building plane may be increased to one hundred (100) feet when building articulation is provided in the form of a recess or projection extending at least two stories in height with a minimum width of two (2) feet, a minimum depth of one and one half (1 1/2) feet, and occurring a minimum of three times within any one hundred (100) foot length of building facade. See *Figure 6.24-2*
3. The allowable length of a single uninterrupted plane may be doubled at the first story.

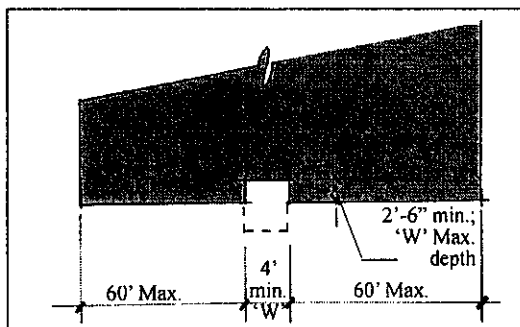


Figure 6.24-1, (Illustrative Only)

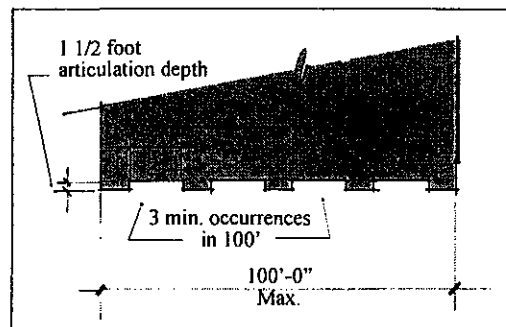


Figure 6.24-2, (Illustrative Only)

6.25 Parking Garages Facades

Applicability

The following guidelines apply to all parking garage facades visible from and located within sixty (60) feet of a street line or street setback line except as specified below except as specified below.

Exceptions

The locations indicated below are exempt from the guidelines contained in this section:

1. Building frontage on 10th Street
2. Building frontage on 20th Street
3. Building frontage located adjacent to and below elevated roadways.
4. Facades of garages that will be concealed by subsequent phased construction.

Coordination with Development Standards

Refer to *Section 5.64 of the Development Standards* for limitation on the location of parking garages.

General Guidelines

1. The architectural character of the parking garage facade shall be integrated with the facade of the occupied space served by the garage. See *Figure 6.25-1*
 - a. Patterns of openings at garage facades should be similar in rhythm and scale to openings at the occupied spaces served by the garage.
 - b. Garage facades should incorporate awnings, canopies, sunscreens planters, ornamental railings and other elements to provide a visual richness comparable to that of facades at the occupied space served by the garage.
2. Transparent openings at garage facades, including unglazed openings or openings with clear glazing shall not exceed 50% of the wall area visible from the exterior at any story of a parking garage.
 - a. There is no limitation on the area of permanent translucent materials at garage facades, such as glass block or etched glazing.
3. Lighting at parking garages shall be located or screened to prevent direct view of light source from streets or public access areas, to the greatest degree practical.

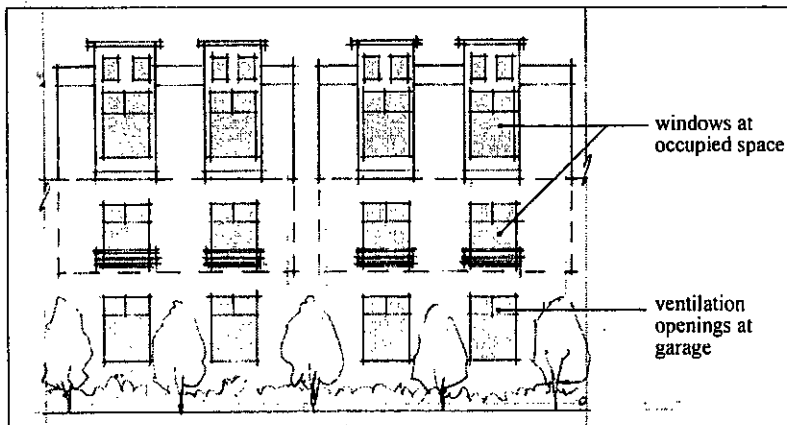


Figure 6.25-1

6.26 Balconies

Applicability

The following guideline applies to balconies at all buildings.

General Guidelines

1. Where provided, balconies shall be visually integrated with the architectural character of the project and shall not be the predominant element on any facade facing the street line. See *Figure 6.26-1*

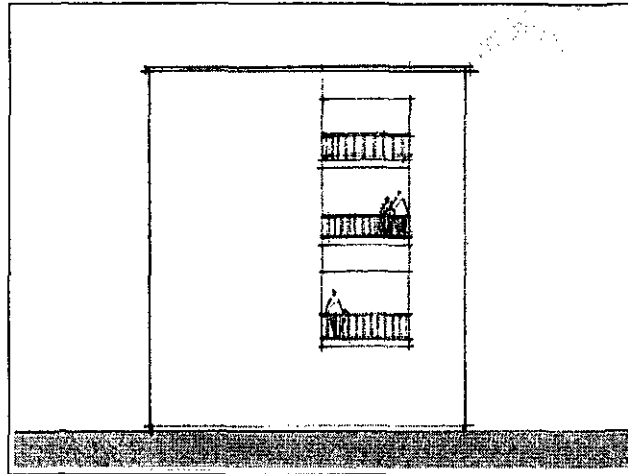


Figure 6.26-1, (Illustrative Only)

6.27 Awnings & Canopies

Applicability

The following guidelines apply to all buildings or portions of buildings parallel to and located less than twenty (20) feet from a street line or street setback line except as specified below.

Coordination with Development Standards

Refer to Section 5.32 of the Development Standards for requirements related to building entries at building frontage.

General Guidelines

1. Storefront awnings and/or canopies are encouraged at ground level commercial locations to provide articulation to the building facade, sun and rain protection to pedestrians, and shield large window areas from glare.
2. Awnings and canopies shall be divided into sections that relate to and emphasize vertical elements of the building facade
3. Awnings and canopies shall align with horizontal datum lines at the building facade
4. Awnings and canopies shall be constructed of durable materials. Fabrics designed for exterior use are acceptable.

Guidelines for Plaza Overlay Zone

5. At building facades within the Plaza Overlay Zone, a consistent pattern of awnings or canopies shall be provided at the ground floor of each facade fronting the plaza.
 - a. These awning or canopy treatments are not required to be consistent with those at other buildings fronting the plaza.
 - b. This requirement does not apply where an arcade, porch or other sheltering architectural element is provided at the ground floor.

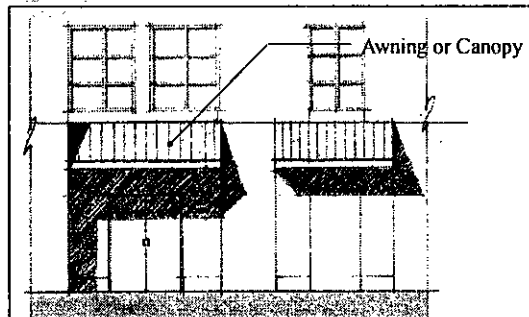


Figure 6.27-1, (Illustrative Only)

6.30 Windows

Applicability

The following guidelines apply to all buildings or portions of buildings visible from and within sixty (60) feet of the public rights-of-way except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing Buildings

General Guidelines

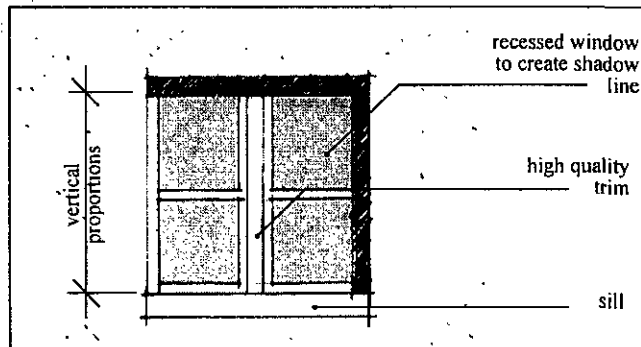
1. The proportion and subdivision of typical windows should reflect the overall proportion and character of the building. Exceptions for special windows are allowed.
2. Window materials, trim (if any), and detailing should be of good quality and consistent with the architectural character of the building and compatible with the other exterior materials.
3. Windows set flush with cement plaster (stucco) finish without provision of trim, projecting sills, or other perimeter detailing are discouraged
4. Glazing shall be transparent to the greatest degree practical

Encouraged: clear glazing, Low-E glazing where needed for sun control

Discouraged: tinted glazing except at special locations, or at commercial occupancies located above the ground floor

Not Allowed: reflective glazing, except at spandrels or other special conditions consistent with overall architectural design

5. Window grills or security screens are discouraged, particularly at locations less than twenty (20) feet from a street line or street setback line.
 - a. Where necessary due to specific security concerns, window grills or security screens shall be fabricated of high quality materials and be designed as an integral part of the architectural character of the development project



Example of window articulation

Figure 6.30-1, (Illustrative Only)

6.31 Garage Doors

Applicability

The following guidelines apply to all garage doors visible from and located less than sixty (60) feet from a street line or street setback line, and serving parking garages containing three or more parking spaces except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

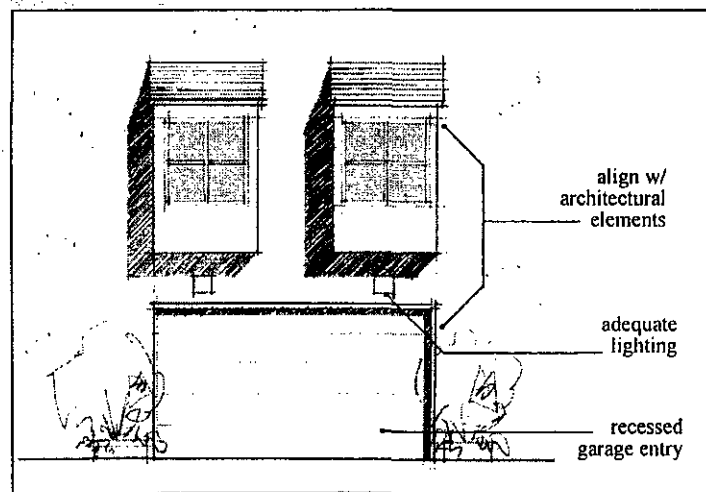
1. Existing Buildings

Coordination with Development Standards

Refer to *Section 5.63 of the Development Standards* for limitations on the location of garage doors within in the Wood Street Overlay Zone.

General Guidelines

1. Automatic, motor operated garage doors shall be provided at all vehicular entries to parking garages
2. Garage door openings shall be aligned with windows, bays or other architectural elements to create an integrated composition consistent with the overall architectural character of a development project. See *Figure 6.31-1*.
3. Garage doors shall be recessed a minimum of one (1) foot from the face of the adjoining building facade.
4. Garage doors shall be constructed of high quality durable materials:
Encouraged: Single panel sliding-type garage doors
Sectional overhead doors
Discouraged: Residential grade garage doors
Single panel overhead doors



Example of garage door articulation

Figure 6.31-1, (Illustrative Only)

6.32 Service Access

Applicability

The following guidelines apply to all ground level service doors or gates visible from and located less than twenty (20) feet from a street line or street setback line, and which provide access to waste handling areas, electrical or mechanical equipment, gas or electric meters, or other non-occupied service spaces except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Building frontage adjacent to elevated roadways
2. Existing service access doors at existing buildings.

General Guidelines

1. All service doors and gates shall be designed as integral elements of the building design.
2. The aggregate width of service doors shall not exceed fifteen (15) feet within any 60 feet of street frontage
3. Doors exceeding thirty (30) square feet in area (such as doors to waste handling areas or electric transformers) shall be recessed a minimum of 9 inches from the primary building plane
4. Service doors or gates shall not allow any view into space served. Louvers required for venting or ventilation purposes are acceptable provided they do not allow visibility into service areas.

Guidelines for Wood Street & Plaza Overlay Zones

1. Service openings facing Wood Street are discouraged, where service openings are necessary they shall be subject to the following limitations.
 - a. The maximum combined width of the service access openings shall not exceed eight (8) feet in any 60 feet of street frontage
 - b. No individual service access opening shall exceed eight (8) feet in width

6.33 Underground Utility Connections

Applicability

The following guidelines apply to all Development Areas, except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing buildings

General Guidelines

All utility lines serving lots within the Wood Street Zoning District shall be underground to point of entry at building, including electrical, telephone, data and cable services.

6.34 Screening of Equipment

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Adjacent to elevated roadways

General Guidelines

1. All equipment located within twenty (20) feet of a street line or adjoining setback line shall be screened by one of the following means. (Refer to 3.40 *Definition of Terms* for definition of equipment).
 - a. By enclosure entirely within the structure of the building with access provided by opaque service access door. (A portion of Electric meters may be exposed to allow reading of meter without opening door.)
 - b. By enclosure in a below grade vault or structure.
 - c. By provision of a fence or wall with a maximum average transparency of 50 percent. The top of the fence or wall shall be at least equal in height to the equipment screened, but shall not exceed eight (8) feet maximum in height. See *Figure 6.34-1*,
 - d. By combination of an open fence and adjoining planting that will reach a height sufficient to screen the equipment within three years

Exceptions

The following equipment is not required to be screened.

- a. Residential gas meters serving individual dwelling units in groups not exceeding four meters.
 - b. Individual commercial gas meters.
 - d. Back flow preventers for irrigation systems not exceeding 2" nominal size.
2. Equipment located more than twenty (20) feet from a street setback line or street setback line shall be integrated into the overall building and site design.
 3. All equipment located on the roof of a building shall be screened by one of the following means.
 - a. By location such that no portion of the equipment is visible from the street.
 - b. By provision of a screening device consistent with the architectural character of the development project and with an open area not exceeding forty (40) percent that screens equipment visible from the street.

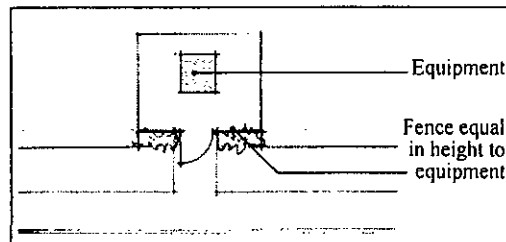


Figure 6.34-1, (Illustrative Only)

6.35 Mechanical Penetrations at Facades and Roofs

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing Buildings

General Guidelines

1. The following guidelines apply to roof penetrations at buildings located less than sixty (60) feet from a street line or street setback line.
 - a. Appliance vents, exhaust fans, and similar roof penetrations shall be located so as to not be visible from the street, to the greatest degree practical.
 - b. Where visible from street, roof penetrations shall be aligned to present an organized appearance.
 - c. All exposed metal penetrations and roof accessories shall be finished to match or blend with the roof color.
2. Mechanical penetrations at building facades, including kitchen and dryer vents, bath exhausts and other penetrations shall be aligned horizontally and vertically with other penetrations, window openings and/or other architectural features to present an organized appearance consistent with the architectural character of the building. See *Figure 6.35-1*

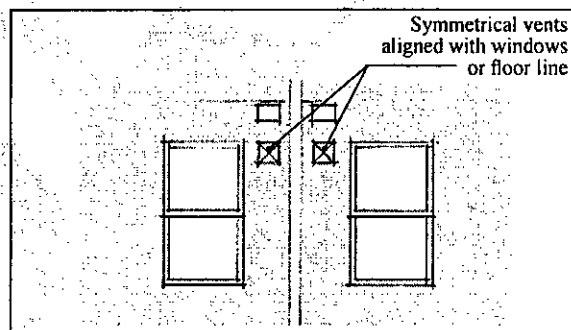


Figure 6.35-1, (Illustrative Only)

6.36 Waste Handling Areas

Applicability

The following guidelines apply at all Development Areas.

General Guidelines

1. All waste handling areas shall either be enclosed in the structure of the building or screened by a wall or fence consistent with architectural character of the building and adequate to prevent view of trash or recycling containers from the street, public access areas, common circulation areas or group open space areas.
2. At dwelling units to be served by individual waste bins, provide a dedicated location for bins, screened as indicated in item 1. above.
3. Adequate lighting shall be provided at the path leading to the waste handling enclosure as well as within the enclosure.
4. Space allocated for recycling shall be consistent with the requirements of Section 17.118 of the Planning Code.

Guidelines for Wood Street Overlay Zones

5. Waste Handling areas are not allowed in the Wood Street or Plaza Overlay Zones unless they conform to the following requirements:
 - a. The waste handling area shall be enclosed entirely within the structure of the building, with access provided by opaque service door.
 - b. The service doors accessing the waste handling shall not face Wood Street or the 16th Street Plaza.

6.40 Exterior Materials

Applicability

The following guidelines apply to all Development Areas except as specified below.

Exceptions

The locations or conditions indicated below are exempt from the guidelines contained in this section:

1. Existing exterior materials on existing buildings

Guidelines.

1. All exterior materials and building components shall be durable and of a high-quality.
2. Exterior Wall Materials
 - Encouraged:* cement plaster (stucco), cement board (panels or planks); wood panels, planks; metal – corrugated panels, flat panels; stone; brick & split face block.
 - Discouraged:* EIFS (Exterior Insulation and Finish Systems), unfinished concrete block, hardboard or plywood siding
 - Not Allowed:* vinyl or aluminum siding
3. Roofing Materials at Sloped Roofs where visible from the street (*roofs of 2:12 slope or greater*)
 - Encouraged:* concrete or clay tile, (s-barrel or flat); high-quality composition shingles; fire-treated wood shakes or shingles; standing seam metal roofing
 - Discouraged:* sheet or roll roofing; synthetic shakes or shingles; high-glaze tiles or glossy painted concrete tiles
4. Roofing Materials at flat roofs (*roofs less than 2:12 slope*)
 - No limitations*

6.41 Exterior Color

Applicability

The following guidelines apply to all Development Areas.

General Guidelines.

1. Each project shall create a cohesive color palette that takes into consideration the finish of all exterior elements.
2. Projects are encouraged to employ more than one body color to articulate the form, rhythm and scale of the building.
3. Accent colors are encouraged where they enhance the architectural character of the development project.

6.42 Exterior Lighting

Applicability

The following guidelines apply to all Development Areas.

Guidelines

1. A minimum average lighting level of one foot candle shall be provided along all designated paths of travel between dwelling units, buildings and site entrances, public streets, and open spaces.
2. Exterior lighting shall be provided immediately adjacent to all entries to the site, buildings, dwelling units and commercial spaces.
3. All exterior light fixtures shall be designed and situated to avoid glare at occupied space.
4. Exterior light fixtures shall be compatible in location, design and finish with the architectural character of the development project.
5. The location and design of exterior lighting adjacent to a street or public access area shall be coordinated with lighting at the adjoining streetscape design.
6. High-pressure and low-pressure sodium lamps are not allowed due to poor color rendition.

6.50 Signage & Graphics

Applicability

The following guidelines apply to all Development Areas.

Coordination with Development Standards

Refer to Section 5.70 of the Development Standards for limitations on the display area and number of signs.

General Guidelines

1. Signs shall respect the architectural elements of the buildings they identify and shall be designed as architectural elements in their own right.
2. Signs shall not obscure architectural elements such as transoms or columns.
3. All exterior signage shall be professionally designed and fabricated of high-quality durable materials.
4. The size of signs and sign letters shall be in scale and proportion to the space in which they are located.
5. The design and alignment of adjacent signs shall be coordinated in order to achieve an organized appearance.
6. The following sign types are not allowed
 - a. Internally lit 'cabinet' signs
 - b. Moving signs
 - c. Blinking or flashing signs
7. Sign lighting shall utilize spotlighting or exposed neon and shall not create glare for pedestrians or motorists.

Guidelines for Projecting Signs

1. Location of projecting signs shall be coordinated to avoid obscuring other signage.

Guidelines for Freestanding Project Signs Serving Residential Uses

1. Free standing signs shall be designed to avoid blocking vehicular or pedestrian sight lines.
2. Free standing signs shall not exceed five (5) feet in height.

6.60 Planting Areas

Applicability

The following guidelines apply to all Development Areas.

Coordination with Development Standards

Refer to Section 5.61 of the Development Standards for standards related to provision of trees at surface parking areas

General Guidelines

1. Planting areas should be designed to be attractive year round through provision of a variety of textures and seasonal color.
2. Planting shall be utilized for the following purposes:
 - a. to emphasize and enhance pedestrian and vehicular entries.
 - b. to screen service areas
 - c. to provide buffering between non-compatible site uses.
 - d. to provide buffering between private and group usable outdoor space
 - e. to improve appearance and usability of outdoor space.
3. Planting shall take into consideration public safety, and shall not interfere with the site lines or movement for motorists, pedestrians, or bicyclists.

Guidelines for Planting at Street Frontage

1. Setback areas between the back of sidewalk and the building line shall be designed to provide the maximum amount of planted area. A minimum of 75% of the required setback areas shall be planted.
2. Planting in required street setbacks shall be designed to not exceed 36" in height to maintain sight lines for pedestrian and residents. Higher planting are acceptable adjacent to buildings to provide privacy at street facing windows.
3. Trees shall be limbed to provide visibility through and below the canopy.
4. Where no street setback is required, planting areas are encouraged between the building face and the back of sidewalk to soften and enhance the street frontage.

Pot Sizes

1. Soil depth in pots should not be less than 18 inches.

Selection of Plant Materials

1. Trees, shrubs and ground covers should be selected primarily from drought tolerant native or Mediterranean species.
2. Selection of plant materials should take into account solar orientation, building shadow and soil characteristics to ensure sustained growth.
3. Trees should be a mix of deciduous and evergreen, and should be selected on the basis of hardiness and ease of maintenance.
4. Plant sizes should meet the following minimum sizes at the time of planting
 - a. Deciduous Shade Trees: 2 inch caliper
 - b. Ornamental trees: 1.5 inch caliper
 - c. Evergreen trees: 2 inch caliper
 - d. Multi-stem ornamental trees: 6-8 feet in height
 - e. Shrubs: 5 gallon container
 - f. Vines: 1 gallon container
 - g. Ground cover and perennials: 2-1/4 inch pots

Irrigation

1. All planting areas should be provided with an automatic irrigation system that meets the following criteria
 - a. Utilization of bubblers, drip systems, and other water efficient strategies
 - b. Provision of sufficient coverage to all landscape areas
 - c. Minimum overspray on non-planted areas.
 - d. Easily maintained.

Maintenance of Planted Areas

1. All landscape areas shall be maintained in conformance with standards set forth in Section 17.124.020 of the Planning Code.

**AN ORDINANCE ADOPTING THE WOOD STREET
ZONING DISTRICT FOR 29.2 ACRES IN WEST
OAKLAND BETWEEN 10TH STREET TO THE SOUTH,
WEST GRAND AVENUE TO THE NORTH, WOOD
STREET TO THE EAST, AND THE I-880 FRONTAGE
ROAD TO THE WEST**

NOTICE AND DIGEST

This Ordinance established the Wood Street Zoning District. The Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District are hereby adopted and attached to this Ordinance as Exhibit E. The City of Oakland's Zoning Code is hereby amended to include the Wood Street Zoning District and Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District.

EXHIBIT F

APPROVED AS TO FORM AND LEGALITY

DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE OF THE CITY OF OAKLAND REZONING PROPERTY INTO THE WOOD STREET ZONING DISTRICT LOCATED IN WEST OAKLAND BETWEEN 10TH STREET TO THE SOUTH, WEST GRAND AVENUE TO THE NORTH, WOOD STREET TO THE EAST, AND THE I-880 FRONTAGE ROAD TO THE WEST

WHEREAS, on December 2, 2003, in accordance with the California Environmental Quality Act ("CEQA"), City staff issued a *initial Notice of Preparation ("NOP")*, with a revised NOP issued on January 21, 2004, indicating an intent to prepare an Environmental Impact Report ("EIR") for the land use entitlements, including the requested General Plan Amendment, the Wood Street Zoning District Regulations, the Oakland Army Base Area Redevelopment Plan Amendment, and five Vesting Tentative Parcel Maps, for the proposed Wood Street Project; and

WHEREAS, as part of the proposed development, the Project applicant requested a rezoning of the Project Area to the proposed Wood Street Zoning District, to allow for a residential mixed-use development on the site; and

WHEREAS, on September 21, 2004, the DEIR, SCH #2004012110, was released by the City for a 56-day public review and comment period and on October 18, 2004 and October 20, 2004, respectively, the Landmarks Preservation Advisory Board and the Planning Commission held public hearings to provide the public with additional opportunities to comment on the DEIR; and

WHEREAS, on January 26, 2005, the Planning Commission conducted another public hearing to discuss the major environmental and policy issues pertaining to the Project; and

WHEREAS, on February 7, 2005, the Final Environmental Impact Report ("FEIR") on the Wood Street Project was released; and

WHEREAS, on March 16, 2005, the Planning Commission conducted another public hearing, took testimony and determined that the EIR (consisting of the DEIR and the FEIR) was adequate for decision-making on the requested land use entitlements for the Project and certification of the EIR; and

WHEREAS, on March 16, 2005, the Planning Commission certified the EIR, adopted CEQA Findings and a Statement of Overriding Considerations, adopted a *Mitigation Monitoring and Reporting Program*, adopted General Findings, recommended adoption of a General Plan Amendment, approved five Vesting Tentative Parcel Maps and adopted accompanying Conditions of Approval; and

WHEREAS, on March 16, 2005, the Planning Commission recommended that the Council establish the proposed Wood Street Zoning District and adopt the proposed Zoning Regulations, Standards, and Guidelines for Development and Use of Property within the Wood Street Zoning District, attached hereto as Exhibit E; and

WHEREAS, the notice required by section 17.144.060 has been given; now, therefore,

SECTION 1. The City of Oakland’s Zoning Map is hereby amended by rezoning the land in the area shown on the map attached as Exhibit F and incorporated here by this reference as follows:

FROM CURRENT ZONING: Light Industrial
TO: Wood Street Zoning District

and

FROM CURRENT ZONING: General Industrial
TO: Wood Street Zoning District

and

FROM CURRENT ZONING: Industrial-Residential Transition Combining Zone
TO: Wood Street Zoning District

SECTION 2. The Planning Director is directed to change the Zoning Map pursuant to Chapter 17.144 of the Oakland Municipal Code to conform to the rezoning referenced in Section 1.

In Council, Oakland, California, _____, 2005

Passed By The Following Vote:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES- _____

ABSENT- _____

ABSTENTION- _____

ATTEST:

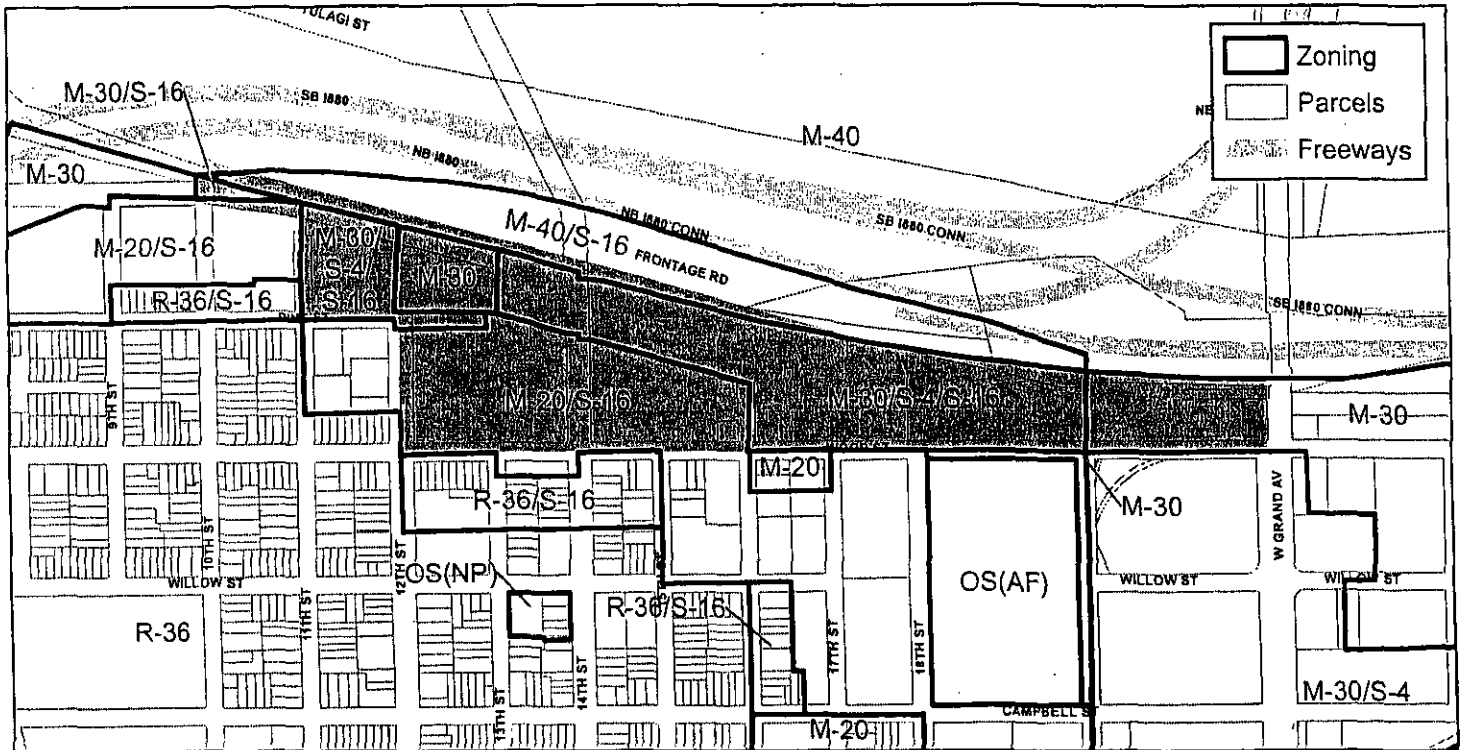
LATONDA SIMMONS
Interim City Clerk and Clerk of the Council
of the City of Oakland, California

**AN ORDINANCE REZONING PROPERTY INTO THE
WOOD STREET ZONING DISTRICT**

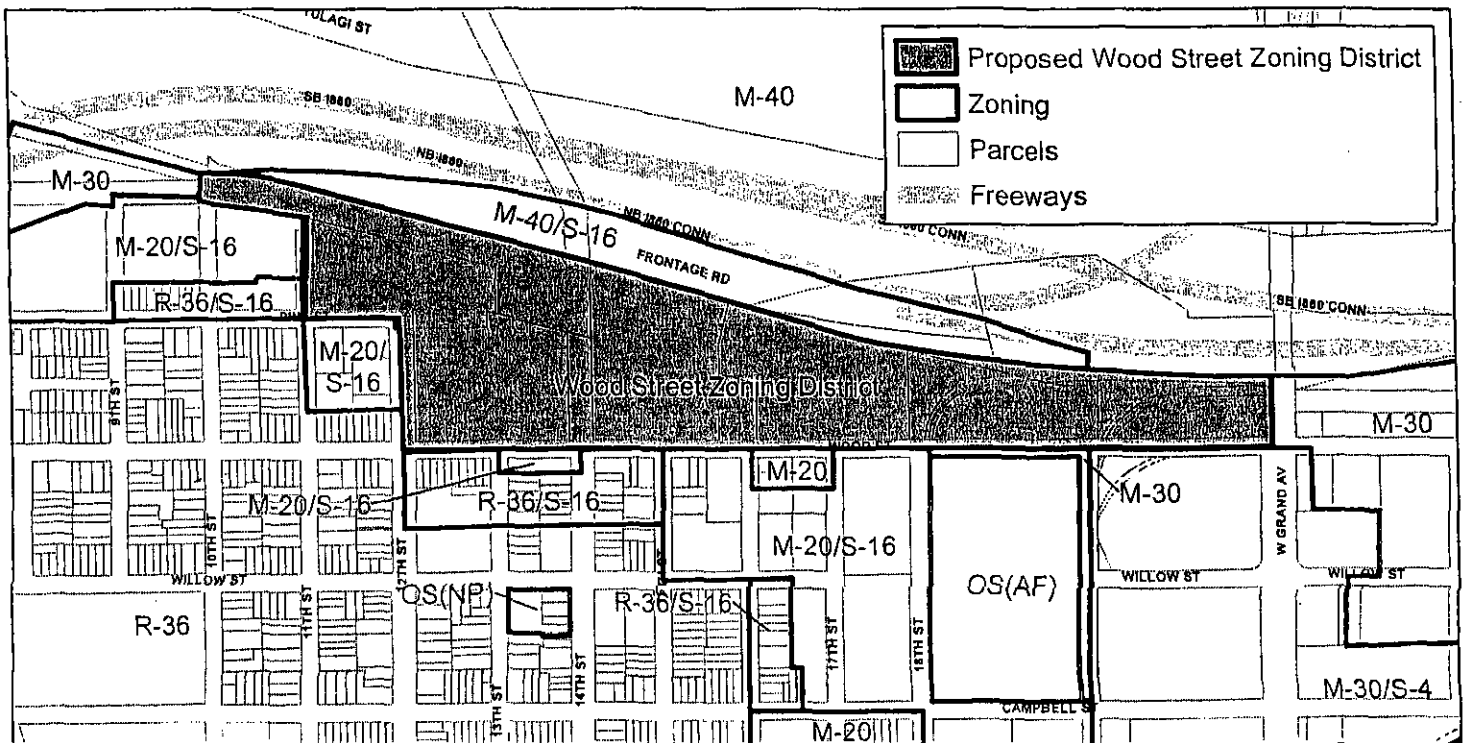
Attachment A

Rezoning Map

Wood Street Development Project



Existing Zoning



Proposed Zoning

**AN ORDINANCE OF THE CITY OF OAKLAND
REZONING PROPERTY INTO THE WOOD STREET
ZONING DISTRICT LOCATED IN WEST OAKLAND
BETWEEN 10TH STREET TO THE SOUTH, WEST
GRAND AVENUE TO THE NORTH, WOOD STREET TO
THE EAST, AND THE I-880 FRONTAGE ROAD TO THE
WEST**

NOTICE AND DIGEST

This Ordinance rezones 29.2 acres of land in West Oakland from Light Industrial, General Industrial, and Industrial-Residential Transition Combining Zone to the Wood Street Zoning District.

EXHIBIT G

APPROVED AS TO FORM AND LEGALITY

AGENCY COUNSEL

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING THE GENERAL PLAN LAND USE DESIGNATION OF THE 29.2 ACRE WOOD STREET PROJECT AREA, BOUNDED BY 10TH STREET TO THE SOUTH, WEST GRAND AVENUE TO THE NORTH, WOOD STREET TO THE EAST, AND THE I-880 FRONTAGE ROAD TO THE WEST, FROM BUSINESS MIX TO URBAN RESIDENTIAL

WHEREAS, the Wood Street Project Area is currently designated "Business Mix" on the General Plan Land Use Map in the Land Use and Transportation Element ("LUTE") of the Oakland General Plan; and

WHEREAS, the intent of this land use category is to create, protect and enhance areas of the City that are appropriate for a wide variety of business and related commercial and industrial establishments; and

WHEREAS, according to the City of Oakland's Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations ("Guidelines") the Business Mix designation does not allow for residential development; and

WHEREAS, the Wood Street Project proposes 1,557 residential units, including 186 live-work units in some converted warehouses, along with 13,000 square feet of neighborhood-serving commercial uses, along with space for civic or community uses; and

WHEREAS, according to the Guidelines, the "Urban Residential" designation would allow the mix of activities, including residential, that are proposed for the Wood Street Project; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA"), the City issued a Notice of Preparation ("NOP"), indicating an intent to prepare an Environmental Impact Report ("EIR") on the Wood Street Project, including a General Plan Amendment, a Zoning Code Amendment and rezoning, a Redevelopment Plan Amendment, and five Vesting Tentative Parcel Maps; and

WHEREAS, a Draft Environmental Impact Report (“DEIR”) on the Wood Street Project, SCH #2004012110, was released by the City and circulated for public review and comment from September 21, 2004 to November 15, 2004; and

WHEREAS, the Landmarks Preservation Advisory Board and the Planning Commission held public hearings on the DEIR on October 18, 2004 and October 20, 2004, respectively; and

WHEREAS, on January 26, 2005, the Planning Commission conducted another public hearing to discuss the major environmental and policy issues pertaining to the Project; and

WHEREAS, the Final Environmental Impact Report (FEIR) was published on February 7, 2005; and

WHEREAS, the Planning Commission conducted a public hearing on March 2, 2005 to provide the public with the opportunity to comment on the Wood Street Project FEIR and the Project approvals, including the proposed General Plan Amendment; and

WHEREAS, on March 16, 2005, the Planning Commission certified the EIR, adopted CEQA Findings and a Statement of Overriding Considerations, adopted a Mitigation Monitoring and Reporting Program, adopted General Findings, recommended adoption of the General Plan Amendment, approved five Vesting Tentative Parcel Maps and adopted accompanying Conditions of Approval; and

WHEREAS, the Planning Commission found that the Wood Street Project is consistent with the General Plan and that the proposed General Plan Amendment will not cause the General Plan to become internally inconsistent; and

WHEREAS, the Planning Commission affirmed and adopted the General Findings attached hereto as Exhibit D; now, therefore, be it

RESOLVED, that the City Council affirms and adopts the Planning Commission’s findings and the General Findings attached hereto as Exhibit D and incorporated by this reference; and be it

FURTHER RESOLVED, that the City Council amends the General Plan land use designation of the 29.2 acre Wood Street Project, bounded by 10th Street to the south, West Grand Avenue to the north, Wood Street to the east, and the I-800 frontage road to the west, from Business Mix to Urban Residential.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND
 CHAIRPERSON DE LA FUENTE

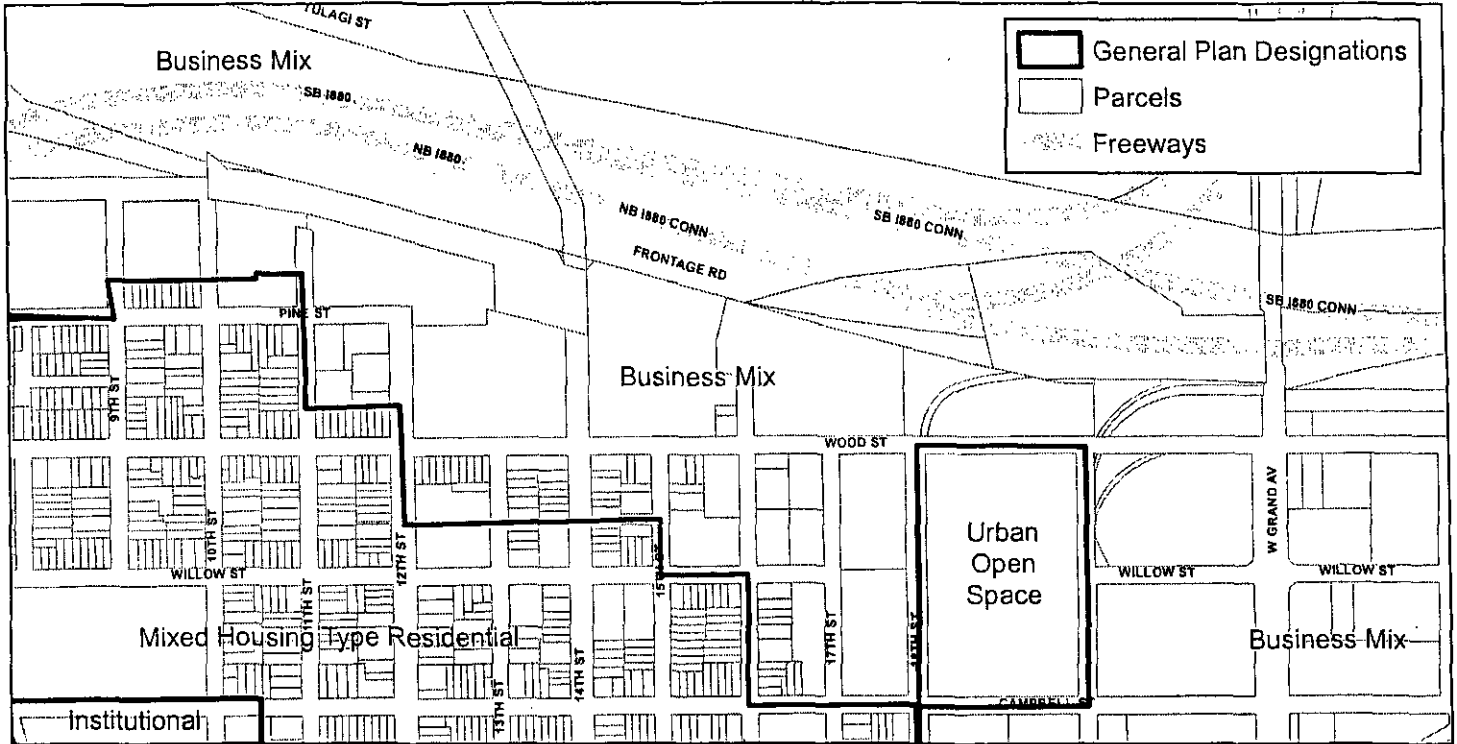
NOES-

ABSENT-

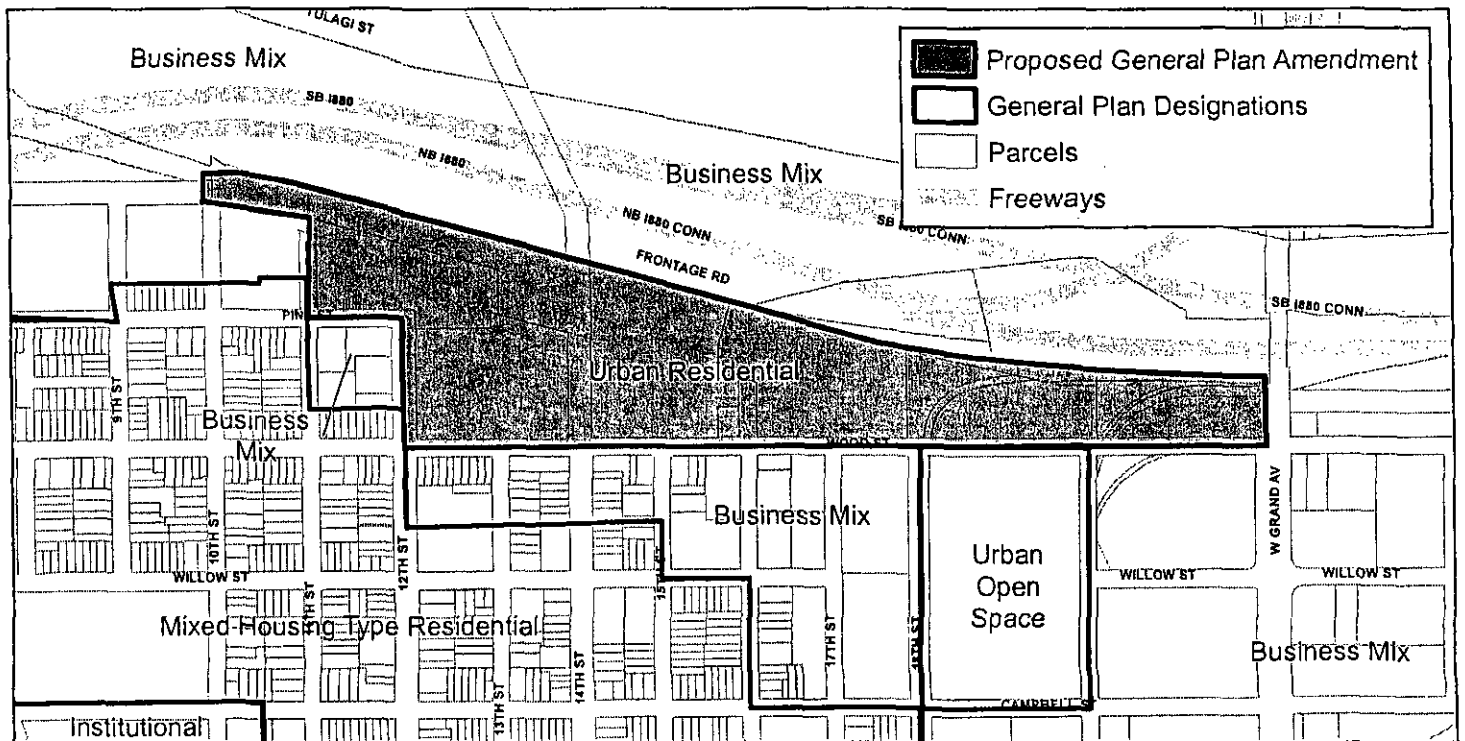
ABSTENTION-

ATTEST: _____
 LATONDA SIMMONS
 Interim Secretary of the Redevelopment Agency
 of the City of Oakland

Wood Street Development Project



Existing General Plan Designations



Proposed General Plan Designations

EXHIBIT H-1

APPROVED AS TO FORM AND LEGALITY

AGENCY COUNSEL

**REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

RESOLUTION NO. _____ C.M.S.

**A RESOLUTION APPROVING AND RECOMMENDING ADOPTION OF THE
SECOND AMENDMENT TO THE OAKLAND ARMY BASE
REDEVELOPMENT PLAN TO REVISE LAND USE DESIGNATIONS FOR
THE 16TH AND WOOD STREET SUBAREA AND TO MAKE VARIOUS TEXT
CHANGES**

WHEREAS, the City Council of the City of Oakland (the "City Council") adopted the Redevelopment Plan for the Oakland Army Base Redevelopment Project (the "Redevelopment Plan") on July 11, 2000, as a redevelopment plan for the Oakland Army Base Project Area (the "Project Area") pursuant to the California Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.); and

WHEREAS, the City Council adopted the First Amendment to the Redevelopment Plan") on December 21, 2004; and

WHEREAS, the Redevelopment Plan includes a Redevelopment Land Use Map attached to the Plan as Attachment No. 3C, which sets forth land use designations for the 16th and Wood Subarea of the Project Area; and

WHEREAS, it is necessary and desirable that this Land Use Map be revised for the reasons set forth in the staff report accompanying this Resolution; and

WHEREAS, the land use designations for the 16th and Wood Subarea in the Oakland General Plan have been or will be revised, and the Agency desires that the Redevelopment Land Use Maps in the Redevelopment Plan be consistent with the Oakland General Plan; and

WHEREAS, the Agency wishes to make textual changes to the Redevelopment Plan to conform the Redevelopment Plan to the City's General Plan and zoning policies and procedures; and

WHEREAS, the Agency has submitted to the Council a proposed Second Amendment to the Oakland Army Base Redevelopment Plan (the "Second Amendment" or the "Amendment"); and

WHEREAS, Health and Safety Code Section 33450, et seq., authorizes a legislative body to amend a redevelopment plan after holding a public hearing; and

WHEREAS, this proposed amendment does not propose any additional property for inclusion in the Project Area, nor does it increase or reduce the Project Area or affect the Redevelopment Agency's authority to claim tax increment revenues; and

WHEREAS, the Planning Commission has submitted to the City Council its report and recommendations for approval of this proposed amendment; and

WHEREAS, the City has provided the published and mailed notice of the hearing and this amendment as required by Health and Safety Code Section 33452; and

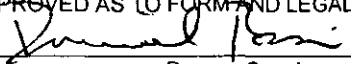
WHEREAS, the Redevelopment Agency and the City Council held a joint public hearing on the proposed amendment, as permitted under Health and Safety Code Section 33458; and

WHEREAS, the Agency finds that the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the Environmental Review Regulations of the City of Oakland have been satisfied as to this action for the following reasons, each providing a separate and independent basis: (1) the environmental effects associated with the revisions to the Redevelopment Land Use Map for the 16th and Wood Subarea has been adequately analyzed in the Environmental Impact Report for the Wood Street Development Project certified by the City Council on or prior to the date of this Resolution, and that EIR along with the environmental findings are hereby incorporated by reference; and/or (2) it can be seen with certainty that the other amendments to the Redevelopment Plan will have no environmental effect, pursuant to CEQA Guidelines § 15063(b)(3), since they merely conform the Redevelopment Plan to existing City land use standards and procedures; now, therefore, be it

RESOLVED: That the Agency hereby approves and recommends adoption of the Second Amendment to the Oakland Army Base Redevelopment Plan; and be it further

EXHIBIT H-2

APPROVED AS TO FORM AND LEGALITY


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE ADOPTING THE SECOND AMENDMENT TO THE OAKLAND ARMY BASE REDEVELOPMENT PLAN TO REVISE LAND USE DESIGNATIONS FOR THE 16TH AND WOOD STREET SUBAREA AND TO MAKE VARIOUS TEXT CHANGES

WHEREAS, the City Council adopted the Redevelopment Plan for the Oakland Army Base Redevelopment Project (the "Redevelopment Plan") on July 11, 2000, as a redevelopment plan for the Oakland Army Base Project Area (the "Project Area") pursuant to the California Community Redevelopment Law (Health and Safety Code Sections 33000, et seq.); and

WHEREAS, the City Council adopted the First Amendment to the Redevelopment Plan") on December 21, 2004; and

WHEREAS, the Redevelopment Plan includes a Redevelopment Land Use Map attached to the Plan as Attachment No. 3C, which sets forth land use designations for the 16th and Wood Subarea of the Project Area; and

WHEREAS, it is necessary and desirable that this Land Use Map be revised for the reasons set forth in the staff report accompanying this Ordinance; and

WHEREAS, the land use designations for the 16th and Wood Subarea in the Oakland General Plan have been or will be revised, and the City desires that the Redevelopment Land Use Maps in the Redevelopment Plan be consistent with the Oakland General Plan; and

WHEREAS, the City wishes to make textual changes to the Redevelopment Plan to conform the Redevelopment Plan to the City's General Plan and zoning policies and procedures; and

WHEREAS, Health and Safety Code Section 33450, et seq., authorizes a legislative body to amend a redevelopment plan after holding a public hearing; and

WHEREAS, this proposed amendment does not propose any additional property for inclusion in the Project Area, nor does it increase or reduce the Project Area or affect the Redevelopment Agency's authority to claim tax increment revenues; and

WHEREAS, the Planning Commission has submitted to the Council its report and recommendations for approval of this proposed amendment; and

WHEREAS, the City has provided the published and mailed notice of the hearing and this amendment as required by Health and Safety Code Section 33452; and

WHEREAS, the Redevelopment Agency and the City Council held a joint public hearing on the proposed amendment, as permitted under Health and Safety Code Section 33458; and

WHEREAS, the City finds that the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the Environmental Review Regulations of the City of Oakland have been satisfied as to this action for the following reasons, each providing a separate and independent basis: (1) the environmental effects associated with the revisions to the Redevelopment Land Use Map for the 16th and Wood Subarea have been adequately analyzed in the Environmental Impact Report for the Wood Street Development Project certified by the City Council on or prior to the date of this Ordinance, and that EIR along with the environmental findings are hereby incorporated by reference; and/or (2) it can be seen with certainty that the other amendments to the Redevelopment Plan will have no environmental effect, pursuant to CEQA Guidelines § 15063(b)(3), since they merely conform the Redevelopment Plan to existing City land use standards and procedures; now, therefore

The Council of the City of Oakland does ordain as follows:

SECTION 1. The Second Amendment to the Redevelopment Plan for the Oakland Army Base Project attached to this Ordinance as Attachment A is hereby approved and adopted as an amendment to the Redevelopment Plan for the Oakland Army Base Project.

SECTION 2. The City Council finds that it is necessary and desirable to amend the Redevelopment Plan for the reasons set forth above and in the staff report accompanying this Ordinance.

SECTION 3. The City Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Determination for this action.

SECTION 4. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and this Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

SECTION 5. This Ordinance shall be in full force and effect immediately upon its passage as provided by Section 216 of the City Charter, if adopted by at least six members of Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES-	BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE
NOES-	_____
ABSENT-	_____
ABSTENTION-	_____

ATTEST: _____
LATONDA SIMMONS
Interim City Clerk and Clerk of the Council
of the City of Oakland, California

**ORDINANCE ADOPTING SECOND AMENDMENT TO
THE OAKLAND ARMY BASE REDEVELOPMENT PLAN**

Attachment A

Second Amendment to the Oakland Army Base Redevelopment Plan

Attached is the amended and restated Redevelopment Plan for the Oakland Army Base Redevelopment Project, as modified by this Second Amendment. Text additions to the Redevelopment Plan are indicated with double underlining, and text deletions to the Plan are indicated by strikeout text. The maps attached to the original Redevelopment Plan are replaced with the maps attached to this amended and restated Plan.

**AN ORDINANCE ADOPTING THE SECOND AMENDMENT TO
THE OAKLAND ARMY BASE REDEVELOPMENT PLAN TO
REVISE LAND USE DESIGNATIONS FOR THE 16TH AND WOOD
STREET SUBAREA AND TO MAKE VARIOUS TEXT CHANGES**

NOTICE AND DIGEST

This ordinance amends the Oakland Army Base Redevelopment Plan to revise the Redevelopment Land Use Map for the 16th and Wood Subarea, and to make various text changes to conform the Plan to the City's General Plan and zoning policies and procedures.

REDEVELOPMENT PLAN
FOR THE
OAKLAND ARMY BASE REDEVELOPMENT PROJECT

Prepared by

**THE REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

Adopted on June 11, 2000

Amended on December 21, 2004 (Ordinance No. 12644 C.M.S.)

Amended and restated on _____, 2005 (Ordinance No. _____ C.M.S.)

**REDEVELOPMENT PLAN
FOR THE
OAKLAND ARMY BASE REDEVELOPMENT PROJECT**

I. [§100] INTRODUCTION

This is the Redevelopment Plan (the "Plan") for the Oakland Army Base Redevelopment Project (the "Project") in the City of Oakland (the "City"), County of Alameda, State of California. It consists of the text, the Legal Description of the Project Area Boundaries (Attachment No. 1), the Project Area Map (Attachment No. 2), the Redevelopment Land Use Map (Attachment No. 3), and the list of Public Improvements (Attachment No. 4). This Plan was prepared by the Redevelopment Agency of the City of Oakland (the "Agency") pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000, et seq.), Chapter 4.5 of the Community Redevelopment Law (Health and Safety Code Section 33492, et seq.), the California Constitution, and all applicable local laws and ordinances.

In 1998, the Oakland Base Reuse Authority ("OBRA"), a Joint Powers Agency between the City, the Agency, and the County of Alameda, completed and adopted the Draft Final Reuse Plan for the Oakland Army Base, and in 2002, OBRA completed and adopted the Final Reuse Plan for the Oakland Army Base (the "Reuse Plan"). The proposed redevelopment of the area within the boundaries of the Project as described in this Plan that is within the former Oakland Army Base boundary conforms to the Reuse Plan.

This Plan is based upon a Preliminary Redevelopment Plan formulated and adopted by the Planning Commission of the City of Oakland (the "Planning Commission") on September 22, 1999, and accepted by the Agency on November 16, 1999 (Resolution No. 99-51 C.M.S.).

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in the Reuse Plan, the General Plan for the City of Oakland, adopted by the City Council of the City of Oakland on March 24, 1998, as amended (the "General Plan"), and this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project as described in this Plan (the "Project Area"). If there is any conflict between the General Plan and the Reuse Plan in the implementation of this Redevelopment Plan, the terms of the General Plan shall control. Because of the long-term nature of this Plan and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment,

rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established, and specific solutions will be proposed and by which tools are provided to the Agency to fashion, develop, and proceed with such specific plans, projects, and solutions.

The purposes of the Community Redevelopment Law will be attained through, and the major goals of this Plan are:

- A. The mitigation of the economic and social degradation that is faced by the City of Oakland due to the closure of the Oakland Army Base by the federal Base Closure Commission, in accordance with the legislative intent expressed in Section 33492 of the Health and Safety Code.
- B. Implementation of the adopted Reuse Plan, as such Plan may be amended or modified from time to time.
- C. The elimination of physical and economic blighting influences in the Project Area.
- D. The subdivision of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.
- E. The replanning, redesign, and development of portions of the Project Area which are improperly utilized.
- F. The strengthening of the economic base of the community by the construction and installation of infrastructure and other needed site improvements to stimulate new development, employment, and social and economic growth.
- G. The expansion, improvement, and preservation of the City's supply of housing available to low- and moderate-income persons and families.
- H. Other goals and purposes of redevelopment as set forth in the Community Redevelopment Law.

II. [§200] DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area are described in the "Legal Description of the Project Area Boundaries," attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the "Project Area Map," attached hereto as Attachment No. 2 and incorporated herein by reference. Along with the former Oakland Army Base,

the Project Area includes two non-Base areas: (1) the Port of Oakland maritime area west and south of the Oakland Army Base, including the existing marine terminal facilities and related infrastructure along the Outer Harbor and Inner Harbor channels, as well as the former U.S. Fleet Industrial Supply Center Oakland (“FISCO”) land located between and adjacent to the Port’s Outer Harbor and Middle Harbor terminal facilities; and (2) an area along the Oakland Army Base’s eastern boundary roughly between the realigned I-880 freeway and Wood Street, including the former Oakland Amtrak 16th Street Station. Three non-Base areas that were included in the boundaries of the Survey Area and the Project Area proposed in the Preliminary Plan are not included as part of the final Project Area adopted as part of this Plan. These areas are: (1) the former Clawson School site; (2) the Port area northeast of the Oakland Army Base formerly occupied by the Oakland Terminal Railway; and (3) an approximately five block area in the southern portion of the Survey Area’s southern portion bordered by Brush Street, the Embarcadero, Third Street, and Adeline Street, which was found to be part of the Oak Center Redevelopment Project Area.

III. [§300] PROPOSED REDEVELOPMENT ACTIONS

A. [§301] General

The Agency proposes to eliminate and prevent the spread of blight and deterioration in the Project Area by:

1. The acquisition and subdivision of real property to provide adequate sites for the mixed use development and construction of commercial, industrial, residential, recreational, and public benefit facilities;
2. The demolition or removal of certain buildings and improvements;
3. The management of any property acquired by and under the ownership and control of the Agency;
4. The installation, construction, or reconstruction of streets, utilities, and other public improvements;
5. The disposition of property for uses in accordance with this Plan;
6. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan; and
7. The rehabilitation by future owners, their successors, and the Agency of structures and improvements previously owned by the federal government.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

B. [\\$302] Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Project Area

1. [\\$303] Opportunities for Owners and Business Tenants

In accordance with this Plan and the rules for participation adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are or become owners of real property in the Project Area shall be given a reasonable opportunity to participate in the redevelopment of the Project Area consistent with the objectives of this Plan.

The Agency shall extend reasonable preferences to persons who are or become engaged in business in the Project Area to participate in the redevelopment of the Project Area or to reenter into business within the redeveloped Project Area if they otherwise meet the requirements prescribed in this Plan and the rules for participation adopted by the Agency.

2. [\\$304] Rules for Participation Opportunities, Priorities, and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Project Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency shall promulgate rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Project Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and business tenants. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of occupancy in the area; accommodation of as many participants as possible; similarity of land use; the necessity to assemble sites for integrated, modern development; conformity of a participant's proposal with the intent and objectives of this Plan; and service to the community of a participant's proposal.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms, or institutions to join together in partnerships, corporations, or other joint entities.

Participation opportunities shall necessarily be subject to and limited by such factors as: (1) the elimination and changing of land uses; (2) the construction, widening, or realignment of streets; (3) the ability of participants to finance acquisition and development or rehabilitation in accordance with this Plan and development criteria adopted by the Agency in implementation of this Plan; (4) the reduction in the total

number of individual parcels in the Project Area; and (5) the construction or expansion of public facilities.

3. [§305] Participation Agreements

The Agency may require that, as a condition to participation in redevelopment, each participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, and use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop, and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

4. [§306] Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional property within the Project Area.

C. [§307] Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing

to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall be subject to Agency approval.

The Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. To the extent now or hereafter permitted by law, the Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements (within or without the Project Area), which land, buildings, facilities, structures, or other improvements are or would be of benefit to the Project.

D. [§308] Property Acquisition

1. [§309] Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law, including eminent domain.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the County Auditor certifies pursuant to Section 33492.9 of the Community Redevelopment Law.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless: (a) such building requires structural alteration, improvement, modernization, or rehabilitation; (b) the site, or lot on which the building is situated, requires modification in size, shape, or use; or (c) it is necessary to impose upon such property any of the controls, limitations, restrictions, and requirements of this Plan and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed, unless the Agency and the private owner enter into a

participation agreement and the owner completes his responsibilities under the participation agreement.

2. [§310] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain.

E. [§311] Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

F. [§312] Payments to Taxing Agencies to Alleviate Financial Burden

Pursuant to Sections 33492.15 and 33607.5 of the Community Redevelopment Law, the Agency is required to and shall make payments to affected taxing entities to alleviate the financial burden and detriment that the affected taxing entities may incur as a result of the adoption of this Plan. The payments made by the Agency shall be calculated and paid in accordance with the requirements of Sections 33492.15 and 33607.5.

G. [§313] Relocation of Persons, Business Concerns, and Others Displaced by the Project

1. [§314] Assistance in Finding Other Locations

The Agency shall assist all persons, business concerns, and others displaced by the Agency in implementation of the Project as are eligible for such assistance under applicable law, in finding other locations and facilities. In order to carry out the Project with a minimum of hardship to persons, business concerns, and others, if any, displaced by the Agency in implementation of the Project and eligible under applicable law for such assistance, the Agency shall assist such persons, business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs. The Agency may also provide housing inside or outside the Project Area for displaced persons.

2. [§315] Relocation Payments

The Agency shall make relocation payments to such persons, business concerns, and others displaced by the Agency in implementation of the Project as are

eligible for such payments under applicable law, for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.) and Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.

H. [§316] Demolition, Clearance, and Building and Site Preparation

1. [§317] Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

2. [§318] Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, playgrounds, and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, industrial, public, and other uses provided for in this Plan.

Prior consent of the City Council is required for the Agency to develop sites for commercial or industrial use by providing streets, sidewalks, utilities, or other improvements which an owner or operator of the site would otherwise be obliged to provide.

I. [§319] Property Disposition and Development

1. [§320] Real Property Disposition and Development

a. [§321] General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding. Property acquired by the Agency for rehabilitation and resale shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Project Area, without charge to any public body. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

The Agency may obligate purchasers or lessees of property acquired from the Agency to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

b. [§322] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out in a timely manner pursuant to this Plan.

Leases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Alameda County.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, national origin, ancestry, creed, religion, sex, marital status, sexual preference, AIDS or AIDS-related complex, or disability in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

c. [§323] Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, construct, or rehabilitate any publicly-owned building, facility, structure, or other improvement either within or without the Project Area, for itself or for any public body or entity, which buildings, facilities, structures, or other improvements

are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, construct, or rehabilitate the buildings, facilities, structures, and other improvements identified in Attachment No. 4, attached hereto and incorporated herein by reference, and may acquire or pay for the property required therefor.

The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant to this Section 323, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan or out of any other available funds.

d. [§324] Development Plans

~~[DELETED] All development plans (whether public or private) in the Project Area shall be submitted to the Agency for approval and architectural review. All development in the Project Area must conform to the Reuse Plan (as such Plan may be amended from time to time) and City design review standards.~~

2. [§325] Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

J. [§326] Rehabilitation, Conservation, and Moving of Structures

1. [§327] Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

2. [§328] Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

K. [§329] Low- and Moderate-Income Housing

1. [§330] Replacement Housing

In accordance with Section 33334.5 of the Community Redevelopment Law, following conveyance of the property within the Project Area by the federal government to other public or private entities or individuals, whenever dwelling units subsequently housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs within the Project Area or within the City of Oakland in accordance with all of the provisions of Sections 33413 and 33413.5 of said Community Redevelopment Law. The Agency shall require that replacement dwelling units rehabilitated, developed, or constructed pursuant to this section remain available at affordable housing cost to person and families of low income, moderate income, and very low income households, respectively, for the longest feasible time as determined by the Agency, but for not less than the term of this Plan, except to the extent a longer period of time is required by law.

2. [§331] Inclusionary Housing

At least 30 percent of all new or rehabilitated dwelling units developed by the Agency in the Project Area shall be available at affordable housing cost to persons and families of low or moderate income, with not less than 50 percent of these units made available at affordable housing cost to very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. At least 15 percent of all new or rehabilitated dwelling units developed by public or private entities or persons other than the Agency in the Project Area shall be available at affordable housing cost to persons and families of low or moderate income, with not less than 40 percent of these units made available at affordable housing cost to very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. The requirements of this section shall apply in the aggregate, and not to each individual case of rehabilitation, development, or construction of dwelling units; however, the Agency in its discretion may impose inclusionary housing requirements on particular housing projects developed by public or private entities or persons other than the Agency in the Project Area, as needed in order for the Agency to comply with Section 33413 of the Community Redevelopment Law, this Plan, and the implementation plan adopted for the Project pursuant to Section 33490 of the Community Redevelopment Law.

3. [§332] Low and Moderate Income Housing Set Aside

Pursuant to Section 33334.2 of the Community Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to

Section 33670 of the Community Redevelopment Law and Section 502 of this Plan shall be used by the Agency for the purposes of increasing, improving, and preserving the City's supply of housing for persons and families of very low, low, or moderate income. In carrying out this purpose, the Agency may exercise any or all of its powers.

The Agency may use these funds to meet, in whole or in part, the replacement housing provisions in Section 330, above, or the inclusionary housing provisions in Section 331, above. These funds may be used inside or outside the Project Area provided, however, that funds may be used outside the Project Area only if findings of benefit to the Project are made as required by said Section 33334.2 of the Community Redevelopment Law.

The funds for this purpose shall be held in a separate Low and Moderate Income Housing Fund until used; provided the Agency may defer the allocation of such funds for a period of up to five years after the date of adoption of this Plan if certain findings are made by the legislative body pursuant to Section 33492.16 of the Community Redevelopment Law. The amount of any such deferral shall be considered an indebtedness of the Project and shall be repaid to the Low and Moderate Income Housing Fund in accordance with Section 33492.16. Any interest earned by such Low and Moderate Income Housing Fund shall accrue to the Fund.

IV. [§400] USES PERMITTED IN THE PROJECT AREA

A. [§401] Redevelopment Land Use Map

The "Redevelopment Land Use Map," attached hereto as Attachment No. 3 and incorporated herein by reference, illustrates the location of the Project Area boundaries, major streets within the Project Area, and the proposed land uses to be permitted in the Project for all land, public, semi-public and private.

B. [§402] Designated Land Uses

1. [§403] Residential Uses

Subject to Section 407 of this Plan, the areas shown on the Redevelopment Land Use Map (Attachment No. 3) for residential uses shall be used for residential uses consistent with the Reuse Plan and the General Plan, as the Reuse Plan or General Plan may be amended from time to time, and any zoning regulations adopted or amended from time to time by the City implementing the Reuse Plan or the General Plan.

2. [§404] Commercial Uses

Subject to Section 407 of this Plan, the areas shown on the Redevelopment Land Use Map (Attachment No. 3) for commercial uses shall be used for commercial uses consistent with the Reuse Plan and the General Plan, as the Reuse Plan or General

Plan may be amended from time to time, and any zoning regulations adopted or amended by the City from time to time implementing the Reuse Plan or the General Plan.

3. [§405] Recreational Uses

Subject to Section 407 of this Plan, the areas shown on the Redevelopment Land Use Map (Attachment No. 3) for recreational uses shall be used for recreational uses consistent with the Reuse Plan and the General Plan, as the Reuse Plan or General Plan may be amended from time to time, and any zoning regulations adopted or amended from time to time by the City implementing the Reuse Plan or the General Plan.

4. [§406] Other Uses

Subject to Section 407 of this Plan, other uses shall be permitted consistent with the Reuse Plan and the General Plan, as the Reuse Plan or General Plan may be amended from time to time, and any zoning regulations adopted or amended from time to time by the City implementing the Reuse Plan or the General Plan.

5. [§407] Conformance With Applicable Zoning

All uses permitted under this Plan shall be subject to existing and any additional zoning regulations as may be adopted and amended from time to time by the City implementing the Reuse Plan or the General Plan.

C. [§408] Related Land Uses

1. [§409] Public Rights-of-Way

The major public streets within the Project Area are identified on the Redevelopment Land Use Map (Attachment No. 3).

Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development. Existing streets, alleys, and easements may be abandoned, closed, or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layouts shall be in accordance with the Reuse Plan and the General Plan, as the Reuse Plan or General Plan may be amended from time to time, the objectives of this Plan, and the City's design standards, shall be effectuated in the manner prescribed by state and local law, and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the

rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;

- b. The requirements imposed by such factors as topography, traffic safety and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

2. [§410] Other Public, Semi-Public, Institutional, and Nonprofit Uses

Subject to Section 407 of this Plan, in any area shown on the Redevelopment Land Use Map (Attachment No. 3), the Agency is authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved and as permitted under the Reuse Plan or the General Plan. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

3. [§411] Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan, as long as such uses conform to the Reuse Plan, the General Plan, and the City's zoning standards.

4. [§412] Nonconforming Uses

The Agency may permit an existing use to remain in an existing building in good condition which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development

D. [§413] General Controls and Limitations

All real property in the Project Area is made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

1. [§414] Construction

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area.

2. [§415] Rehabilitation and Retention of Properties

Any existing structure within the Project Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

3. [§416] Limitation on the Number of Buildings

The number of buildings in the Project Area shall not exceed the number of buildings permitted under existing and any additional zoning regulations that may be adopted or amended from time to time by the City implementing the Reuse Plan or the General Plan.

4. [§417] Number of Dwelling Units

The number of dwelling units permitted in the Project Area shall not exceed the number of dwelling units permitted under existing and any additional zoning regulations that may be adopted or amended from time to time by the City implementing the Reuse Plan or the General Plan.

5. [§418] Limitation on Type, Size, and Height of Buildings

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, state, and local statutes, ordinances,

and regulations, including existing and any additional zoning regulations that may be adopted or amended from time to time by the City implementing the Reuse Plan or the General Plan.

6. [§419] Open Spaces, Landscaping, Light, Air, and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air, and privacy.

7. [§420] Signs

All signs shall conform to City sign ordinances and other requirements as they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to ~~the Agency and/or the City~~ prior to installation for review and approval pursuant to ~~the procedures of this Plan~~ if required by the City.

8. [§421] Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

9. [§422] Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors, ~~as determined by the Agency~~, would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

10. [§423] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, national origin, ancestry, creed, religion, sex, marital status, sexual preference, AIDS or AIDS-Related Complex, or disability permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

11. [§424] Subdivision of Parcels

The Agency may require that no parcel in the Project Area, including any parcel retained by a participant, be subdivided without the approval of the Agency.

12. [§425] Minor Variations

~~Under exceptional circumstances, the Agency is authorized to permit a~~
~~V~~variations from the limits, restrictions, and controls established by this Plan will be permitted if and to the extent a variation is allowed or permitted by the City pursuant to the Reuse Plan, the General Plan or the City's zoning regulations, codes, or other ordinances. Any application for such variations shall be made to and processed by the City in accordance with City requirements. In order to permit such variation, the Agency must determine that:

- ~~a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;~~
- ~~b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;~~
- ~~c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and~~
- ~~d. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plan.~~

~~No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under applicable City codes and ordinances.~~

E. [§426] Design for Development

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan and any such controls and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property, in the discretion of the Agency, in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. One of the objectives of

this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

F. [§427] Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been ~~approved by the Agency as consistent with this Plan~~made and processed in a manner consistent with all City requirements. ~~An application shall be deemed consistent with this Plan if it is consistent with the General Plan, applicable zoning ordinances and any adopted design for development.~~

The Agency is authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for same has been granted all approvals required by the City and the Agency at the time of application.

V. **[§500] METHODS OF FINANCING THE PROJECT**

A. [§501] General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the City, the State of California, the federal government, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, or any other available source, public or private. The Agency is further authorized to finance this Project utilizing tax increment funds provided for under Section 502 of this Plan, ~~provided that the Agency shall not expend any tax increment funds allocated to it from the Project Area for expenses related to carrying out the Project unless and until the City has amended its General Plan, as referenced in Section 100, and the findings set forth in Health and Safety Code Section 33492.20(a)(2) have been adopted.~~

The Agency is also authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for nominal administration of this Project may be provided by the City until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the City. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project. As available, gas tax funds from the state and county may be used for street improvements and public transit facilities.

B. [§502] Tax Increment Funds

All taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State of California, the County of Alameda, the City, any district, or any other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of Alameda, last equalized on the effective date of said ordinance, shall be used in determining the assessed valuation of the taxable property in the Project on said effective date).
2. Except as provided in subdivision 3, below, that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in subdivision 1 hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.
3. That portion of the taxes in excess of the amount identified in subdivision 1, above, which are attributable to a tax rate levied by a taxing agency which was approved by the voters of the taxing agency on or after January 1, 1989, for the purpose of producing revenues in an amount sufficient to

make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency.

The portion of taxes mentioned in subdivision 2, above, are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project, in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

The portion of taxes divided and allocated to the Agency pursuant to subdivision 2 of this Section 502 shall not exceed a cumulative total of FIVE HUNDRED SIX MILLION, FOUR HUNDRED THOUSAND DOLLARS (\$506,400,000).

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City or the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the date the County Auditor certifies pursuant to Section 33492.9 of the Community Redevelopment Law (the date of the final day of the first fiscal year in which \$100,000 or more of tax increment funds from the Project Area are paid to the Agency pursuant to subdivision (d) of Section 33675 of the Community Redevelopment Law). Loans, advances, or indebtedness may be repaid over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth immediately below in this Section 502.

The Agency shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 502

beyond forty-six (46) years from the date the County Auditor certifies pursuant to Section 33492.9 of the Community Redevelopment Law.

C. [§503] Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State of California, or any other public or private source will be utilized if available.

VI. [§600] ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to, the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City shall include the requirement of abandonment, removal, and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal, and relocation to be borne by others than those legally required to bear such cost.
- B. Provision of advances, loans, or grants to the Agency or the expenditure of funds for projects implementing this Plan as deemed appropriate by the City and to the extent funds are available therefor.
- C. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
- D. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- E. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- F. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real

property, both public and private, within the Project Area throughout the duration of this Plan.

- G. Preservation of historical sites.
- H. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- I. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the City do not involve or constitute any commitment for financial outlays by the City unless specifically agreed to and authorized by the City.

VII. [§700] ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

VIII. [§800] DURATION OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty-one (31) years from the date certified by the County Auditor pursuant to Section 33492.9 of the Community Redevelopment Law (i.e., the date of the final day of the first fiscal year in which \$100,000 or more of tax increment funds from the Project Area are paid to the Agency pursuant to subdivision (d) of Section 33675 of the Community Redevelopment Law); provided, however, that subject to the limitations set forth in Section 502 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations.

After the termination of this Plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.

IX. [§900] PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Section 33354.6 and/or 33450 through 33458 of the Community Redevelopment Law or by any other procedure hereafter established by law.

ATTACHMENTS

- | | |
|--------------------------|---|
| Attachment No. 1 | Legal Description of the Project Area Boundaries |
| Attachment No. 2 | Project Area Map |
| Attachment No. 3 | Redevelopment Land Use Maps |
| <u>Attachment No. 3A</u> | <u>OARB Subarea Land Use Map</u> |
| <u>Attachment No. 3B</u> | <u>Port Subarea Land Use Map</u> |
| <u>Attachment No. 3C</u> | <u>Sixteenth and Wood Street Subarea Land Use Map</u> |
| Attachment No. 4 | Public Improvements |

ATTACHMENT NO. 1

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARIES

The boundaries of the Oakland Army Base Redevelopment Project are described as set forth in the attached legal description.

OAKLAND ARMY BASE REDEVELOPMENT PLAN

ATTACHMENT NO. 1

ROBERT BEIN, WILLIAM FROST & ASSOCIATES

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November 11, 1999

Revised January 11, 2000

ROBERT BEIN, WILLIAM FROST & ASSOCIATES

1981 N. Broadway, Suite 235

Walnut Creek, California 94596

LEGAL DESCRIPTION

Real property in the City of Oakland, County of Alameda, State of California, more particularly described as follows:

BEGINNING at the intersection of the centerline of 2nd Street with the centerline of Martin Luther King Boulevard thence along the following 210 lines and 24 curves;

- L1) Thence from said **POINT OF BEGINNING**, along said centerline of Martin Luther King Boulevard, South $26^{\circ}58'59''$ West 285.33 feet;
- L2) Thence South $27^{\circ}46'40''$ West 395.01 feet;
- L3) Thence leaving said centerline, South $83^{\circ}59'37''$ East 369.61 feet;
- L4) Thence South $80^{\circ}29'55''$ East 175.72 feet;
- L5) Thence South $09^{\circ}15'35''$ West 110.21 feet;
- L6) Thence North $81^{\circ}04'24''$ West 114.24 feet;
- L7) Thence South $36^{\circ}21'46''$ West 46.38 feet to the face of dock of Howard Terminal, said point also being the beginning of various courses along the waterfront, either docks or land;
- L8) Thence South $48^{\circ}20'16''$ West 560.01 feet;
- L9) Thence North $85^{\circ}42'43''$ West 1640.83 feet;
- L10) Thence South $00^{\circ}44'06''$ West 18.25 feet;
- L11) Thence North $88^{\circ}17'38''$ West 79.74 feet;
- L12) Thence North $02^{\circ}36'14''$ East 15.13 feet;
- L13) Thence South $88^{\circ}11'26''$ East 79.52 feet;
- L14) Thence North $11^{\circ}00'07''$ East 246.06 feet;
- L15) Thence North $67^{\circ}21'00''$ West 153.39 feet;
- L16) Thence South $16^{\circ}28'34''$ West 196.26 feet;
- L17) Thence North $74^{\circ}03'42''$ West 45.02 feet;
- L18) Thence North $15^{\circ}53'28''$ East 258.73 feet;
- L19) Thence North $59^{\circ}16'34''$ West 87.95 feet;
- L20) Thence North $86^{\circ}32'00''$ West 67.56 feet;
- L21) Thence South $39^{\circ}26'41''$ West 521.05 feet;
- L22) Thence South $81^{\circ}31'58''$ West 194.20 feet;

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- L23) Thence South 68°11'24" West 175.92 feet;
- L24) Thence North 77°04'47" West 91.42 feet;
- L25) Thence North 17°43'14" West 30.00 feet;
- L26) Thence North 79°13'53" West 18.96 feet;
- L27) Thence South 15°45'15" West 345.36 feet;
- L28) Thence South 76°31'23" West 359.32 feet;
- L29) Thence North 16°57'09" West 12.06 feet;
- L30) Thence South 75°07'51" West 145.08 feet;
- L31) Thence North 10°00'45" West 12.60 feet;
- L32) Thence North 75°20'12" East 144.19 feet;
- L33) Thence North 15°57'09" West 26.57 feet;
- L34) Thence North 74°52'51" East 126.02 feet;
- L35) Thence North 03°04'44" East 43.13 feet;
- L36) Thence North 14°40'54" West 111.67 feet;
- L37) Thence South 74°16'30" West 53.87 feet;
- L38) Thence North 74°56'17" West 58.99 feet;
- L39) Thence North 57°19'53" West 45.98 feet;
- L40) Thence North 04°07'46" East 71.00 feet;
- L41) Thence North 74°32'08" West 84.87 feet;
- L42) Thence South 16°58'06" West 260.26 feet;
- L43) Thence South 71°45'18" West 401.78 feet;
- L44) Thence South 38°06'06" West 40.37 feet;
- L45) Thence North 88°38'32" West 217.41 feet;
- L46) Thence South 05°39'03" West 78.52 feet;
- L47) Thence North 86°16'40" West 2749.60 feet;
- L48) Thence North 69°35'56" West 147.82 feet;
- L49) Thence North 03°48'57" East 24.21 feet;
- L50) Thence North 81°12'48" West 158.13 feet;
- L51) Thence North 78°31'53" West 451.15 feet;
- L52) Thence North 73°37'37" West 5933.21 feet;
- L53) Thence North 65°23'24" West 765.74 feet;
- L54) Thence North 02°46'50" East 168.33 feet;
- L55) Thence North 83°20'55" East 98.65 feet;
- L56) Thence North 09°05'40" East 41.33 feet;
- L57) Thence North 26°34'32" West 40.15 feet;
- L58) Thence North 36°28'55" West 46.69 feet;
- L59) Thence North 57°16'37" West 27.18 feet;

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- L60) Thence North 27°07'55" East 75.20 feet;
- L61) Thence South 75°23'08" East 38.82 feet;
- L62) Thence South 86°59'19" East 124.29 feet;
- L63) Thence South 82°52'42" East 13.17 feet;
- L64) Thence North 39°18'09" East 23.20 feet;
- L65) Thence North 39°21'13" West 128.77 feet;
- L66) Thence North 30°04'48" East 35.84 feet;
- L67) Thence South 65°01'44" East 158.53 feet;
- L68) Thence South 85°59'39" East 257.03 feet;
- L69) Thence South 51°21'11" East 104.55 feet;
- L70) Thence South 58°57'43" East 186.79 feet;
- L71) Thence North 84°24'12" East 83.69 feet;
- L72) Thence North 30°39'44" East 51.24 feet;
- L73) Thence North 88°18'58" East 55.55 feet;
- L74) Thence North 36°28'55" East 46.69 feet;
- L75) Thence North 82°52'42" East 13.17 feet;
- L76) Thence North 16°07'14" East 76.46 feet;
- L77) Thence South 73°29'42" East 1199.84 feet;
- L78) Thence North 15°56'49" East 294.12 feet;
- L79) Thence North 73°37'41" West 1197.03 feet;
- L80) Thence North 16°22'30" East 256.59 feet;
- L81) Thence South 73°36'30" East 1195.69 feet;
- L82) Thence North 16°29'03" East 382.41 feet;
- L83) Thence North 73°40'16" West 1197.14 feet;
- L84) Thence North 16°22'30" East 256.59 feet;
- L85) Thence South 73°53'31" East 1197.55 feet;
- L86) Thence North 16°10'38" East 482.19 feet;
- L87) Thence North 73°25'30" West 1554.60 feet;
- C1) Thence along a curve to the right whose center bears North 03°09'14" east, having a radius of 49.82 feet and a central angle of 150°06'02", with a length of 130.53 feet;
- L88) Thence North 46°13'26" East 602.04 feet;
- L89) Thence North 70°29'40" West 23.71 feet;
- L90) Thence North 41°30'35" West 28.56 feet;
- L91) Thence North 73°29'37" West 364.84 feet;
- L92) Thence South 72°37'31" West 99.18 feet;
- L93) Thence North 45°00'48" West 34.91 feet;

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- L94) Thence North $10^{\circ}18'34''$ East 27.59 feet;
- L95) Thence North $53^{\circ}54'52''$ West 48.89 feet;
- L96) Thence South $48^{\circ}54'04''$ West 60.07 feet;
- L97) Thence North $61^{\circ}05'05''$ West 107.19 feet;
- L98) Thence North $79^{\circ}47'26''$ West 92.83 feet;
- L99) Thence North $69^{\circ}20'04''$ West 46.62 feet;
- L100) Thence South $89^{\circ}07'08''$ West 53.51 feet;
- L101) Thence North $86^{\circ}32'08''$ West 56.46 feet;
- L102) Thence North $82^{\circ}06'43''$ West 83.92 feet;
- L103) Thence South $80^{\circ}55'57''$ West 99.19 feet;
- L104) Thence South $77^{\circ}20'42''$ West 116.41 feet;
- L105) Thence South $83^{\circ}41'40''$ West 164.79 feet;
- L106) Thence South $88^{\circ}12'44''$ West 51.51 feet;
- L107) Thence South $67^{\circ}50'35''$ West 47.99 feet;
- L108) Thence South $75^{\circ}24'30''$ West 329.99 feet;
- L109) Thence South $61^{\circ}35'21''$ West 858.90 feet;
- L110) Thence South $71^{\circ}38'48''$ West 1825.06 feet;
- L111) Thence South $77^{\circ}45'21''$ West 260.60 feet;
- L112) Thence South $77^{\circ}25'28''$ West 70.34 feet;
- L113) Thence South $82^{\circ}49'21''$ West 37.72 feet;
- L114) Thence North $82^{\circ}59'12''$ West 19.30 feet;
- L115) Thence South $64^{\circ}40'45''$ West 89.13 feet;
- L116) Thence North $25^{\circ}19'22''$ West 862.51 feet;
- L117) Thence North $55^{\circ}57'14''$ East 3318.58 feet;
- L118) Thence South $82^{\circ}04'08''$ East 1732.34 feet;
- L119) Thence South $07^{\circ}51'25''$ West 19.41 feet;
- L120) Thence North $81^{\circ}43'37''$ West 146.32 feet;
- L121) Thence South $07^{\circ}07'42''$ West 68.75 feet;
- L122) Thence South $81^{\circ}17'48''$ East 239.51 feet;
- L123) Thence North $06^{\circ}50'45''$ East 107.36 feet;
- L124) Thence South $81^{\circ}37'53''$ East 1087.82 feet;
- C2) Thence along a curve to the left whose center bears North $08^{\circ}22'07''$ East, having a radius of 152.45 feet and a central angle of $57^{\circ}25'46''$, with a length of 152.81 feet;
- L125) Thence North $40^{\circ}56'21''$ East 4246.80 feet;

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- C3) Thence along a curve to the right whose center bears South 49°03'39" East, having a radius of 50.00 feet and a central angle of 57°02'27", with a length of 49.78 feet;
- L126) Thence South 82°01'12" East 1323.30 feet;
- L127) Thence North 07°40'49" East 830.45 feet;
- L128) Thence North 68°46'28" West 1153.30 feet;
- L129) Thence North 84°16'29" West 145.90 feet;
- L130) Thence South 81°39'54" West 752.85 feet;
- C4) Thence along a curve to the left whose center bears South 11°31'08" East, having a radius of 380.51 feet and a central angle of 38°00'23", with a length of 252.41 feet;
- L131) Thence South 41°17'50" West 1320.46 feet;
- L132) Thence North 49°28'26" West 274.08 feet;
- L133) Thence North 42°26'58" East 129.97 feet;
- L134) Thence North 48°49'38" West 233.07 feet;
- L135) Thence South 88°03'04" West 48.69 feet;
- L136) Thence North 48°25'40" West 349.65 feet;
- L137) Thence North 13°37'59" East 79.98 feet;
- L138) Thence North 32°41'48" West 118.45 feet;
- L139) Thence North 80°32'31" West 71.67 feet;
- L140) Thence South 83°11'39" West 238.52 feet;
- L141) Thence North 74°45'06" West 120.91 feet;
- L142) Thence South 81°28'23" West 47.66 feet;
- L143) Thence North 81°18'30" West 101.32 feet;
- L144) Thence North 64°55'36" West 61.14 feet;
- L145) Thence South 89°38'55" West 192.06 feet;
- L146) Thence South 84°41'42" West 77.91 feet;
- L147) Thence South 66°15'37" West 32.18 feet;
- L148) Thence North 82°11'18" West 60.66 feet;
- L149) Thence South 77°16'53" West 149.78 feet;
- L150) Thence South 14°28'36" West 37.71 feet;
- L151) Thence South 69°52'20" West 37.65 feet;
- L152) Thence North 58°43'07" West 70.31 feet;
- L153) Thence North 78°51'01" West 85.27 feet;
- L154) Thence South 88°05'30" West 70.74 feet;
- L155) Thence South 66°37'28" West 47.49 feet;
- L156) Thence North 79°41'59" West 39.52 feet;

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- L157) Thence South 75°23'08" West 56.01 feet;
- L158) Thence South 64°48'33" West 66.41 feet;
- L159) Thence North 90° West 36.53 feet;
- L160) Thence South 78°18'57" West 34.89 feet;
- L161) Thence South 58°34'56" West 49.71 feet;
- L162) Thence North 90° West 34.17 feet;
- L163) Thence South 62°45'20" West 43.74 feet;
- L164) Thence South 79°41'59" West 79.04 feet;
- L165) Thence North 79°32'08" West 110.24 feet;
- L166) Thence North 88°10'44" West 71.50 feet;
- L167) Thence South 80°36'54" West 151.67 feet;
- L168) Thence South 78°45'28" West 211.43 feet;
- L169) Thence North 84°17'31" West 47.37 feet;
- L170) Thence South 79°37'44" West 170.09 feet;
- L171) Thence Leaving said Waterfront Courses, North 14°02'33" West 87.41 feet;
- L172) Thence North 72°57'45" East 552.08 feet;
- L173) Thence North 30°52'43" East 81.31 feet to the centerline of a Frontage Road Adjacent to and Southerly of the San Francisco Bay Bride Approach ;
- L174) Thence continuing along last said centerline, North 79°48'31" East 1589.33 feet;
- C5) Thence along a curve to the right whose center bears South 08°37'10" East, having a radius of 11050.53 feet and a central angle of 3°49'36", with a length of 738.04 feet;
- L175) Thence North 83°19'53" East 226.91 feet;
- L176) Thence North 80°56'46" East 197.20 feet;
- C6) Thence along a curve to the left whose center bears North 09°03'14" West, having a radius of 152.45 feet and a central angle of 14°56'16", with a length of 39.75 feet;
- L177) Thence North 66°00'31" East 114.98 feet;
- C7) Thence along a curve to the right whose center bears South 23°59'29" East, having a radius of 213.43 feet and a central angle of 13°51'27", with a length of 51.62 feet;
- L178) Thence North 79°51'58" East 1089.44 feet;

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- C8) Thence along a curve to the right whose center bears South 13°38'54" East, having a radius of 203.99 feet and a central angle of 16°17'10", with a length of 57.98 feet;
- L179) Thence South 86°30'29" East 155.32 feet;
- L180) Thence Leaving said centerline, South 28°08'25" West 89.43 feet;
- L181) Thence South 07°38'38" East 162.00 feet;
- L182) Thence North 80°59'58" East 362.95 feet;
- L183) Thence North 17°42'14" East 288.76 feet to the centerline of said Frontage Road;
- L184) Thence continuing along said centerline, North 75°43'42" East 811.80 feet;
- C9) Thence along a curve to the right whose center bears South 15°14'21" East, having a radius of 1310.86 feet and a central angle of 09°19'37", with a length of 213.39 feet;
- L185) Thence North 85°30'28" East 148.72 feet;
- C10) Thence along a curve to the left whose center bears North 05°13'01" East, having a radius of 965.24 feet and a central angle of 04°12'11", with a length of 70.81 feet;
- L186) Thence North 79°16'15" East 239.14 feet;
- L187) Thence North 79°20'36" East 1103.79 feet;
- C11) Thence along a curve concave to the East whose center bears South 68°53'21" East, having a radius of 306.52 feet and a central angle of 59°27'29", with a length of 318.09 feet;
- C12) Thence along a curve concave to the South whose center bears South 09°04'08" East, having a radius of 2535.43 feet and a central angle of 16°29'17", with a length of 729.62 feet;
- C13) Thence along a Compound curve to the right whose center bears South 06°22'29" West, having a radius of 2864.44 feet and a central angle of 13°17'09", with a length of 664.21 feet;
- L188) Thence South 70°02'48" East 1357.86 feet;
- C14) Thence along a curve to the left whose center bears North 21°18'08" East, having a radius of 694.54 feet and a central angle of 27°07'10", with a length of 328.74 feet;
- L189) Thence South 56°16'40" East 668.08 feet to the centerline of Wood Street;
- L190) Thence along said centerline, South 33°20'18" West 4236.17 feet to the centerline of 12th Street;

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- L191) Thence along said centerline of 12th Street, North 56°09'46" West 445.52 feet to the centerline of Pine Street;
- L192) Thence along said centerline of Pine Street, South 32°58'50" West 662.33 feet to the centerline of 10th Street;
- L193) Thence along said centerline of 10th Street, North 56°33'56" West 125.94 feet;
- L194) Thence Leaving last said centerline, South 32°42'09" West 322.83 feet to the centerline of 9th Street;
- L195) Thence along said centerline of 9th Street, South 57°07'04" East 120.73 feet to the centerline of Pine Street;
- L196) Thence along last said centerline, South 33°26'35" West 663.47 feet to the centerline of Shorey Street;
- L197) Thence along last said centerline, North 71°20' West 427.86 feet to the centerline of Cedar Street;
- L198) Thence along said centerline of Cedar Street, South 15°46'39" West 550.05 feet to the centerline of 7th Street;
- L199) Thence along last said centerline, North 73°10'05" West 1509.24 feet;
- C15) Thence along a curve to the left whose center bears South 21°39'39" West, having a radius of 547.42 feet and a central angle of 41°14'22", with a length of 394.01 feet;
- L200) Thence South 73°25'54" West 163.84 feet to the centerline of Maritime Street;
- C16) Thence along said centerline of Maritime Street, along a curve concave to the West whose center bears South 84°35'32" West, having a radius of 1065.08 feet and a central angle of 19°08'16", with a length of 355.76 feet;
- L201) Thence South 15°17'24" West 247.64 feet;
- C17) Thence along a curve to the left whose center bears South 70°35'02" East, having a radius of 394.33 feet and a central angle of 77°22'41", with a length of 532.54 feet;
- L202) Thence South 57°51'18" East 612.72 feet;
- C18) Thence along a curve to the right whose center bears South 34°33'10" West, having a radius of 716.85 feet and a central angle of 29°35'27", with a length of 370.22 feet;
- L203) Thence South 26°30'14" East 2538.17 feet;

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- C19) Thence along a curve to the left whose center bears North $62^{\circ}49'29''$ East, having a radius of 746.37 feet and a central angle of $23^{\circ}48'25''$, with a length of 310.12 feet;
- C20) Thence along a Compound curve to the left whose center bears North $42^{\circ}01'40''$ East, having a radius of 474.26 feet and a central angle of $50^{\circ}52'16''$, with a length of 421.08 feet;
- L204) Thence North $79^{\circ}13'09''$ East 1398.80 feet;
- L205) Thence North $74^{\circ}35'19''$ East 1126.12 feet;
- C21) Thence along a curve to the right whose center bears South $16^{\circ}43'46''$ East, having a radius of 2006.53 feet and a central angle of $07^{\circ}06'59''$, with a length of 249.22 feet;
- L206) Thence North $79^{\circ}13'08''$ East 813.79 feet;
- C22) Thence along a curve to the left whose center bears North $06^{\circ}52'54''$ West, having a radius of 435.86 feet and a central angle of $29^{\circ}37'17''$, with a length of 225.34 feet to the south line of 1st Street;
- L207) Thence along last said south line South $72^{\circ}55'55''$ East 1523.12 feet;
- L208) Thence, South $68^{\circ}53'23''$ West 396.54 feet to the intersection with the east line of Brush Street;
- L209) Thence along last said east line, North $27^{\circ}40'48''$ East 345.24 feet to the centerline of 2nd Street;
- L210) Thence along said centerline of 2nd Street, South $62^{\circ}18'37''$ East 709.09 feet to the centerline of Martin Luther King Boulevard and the **POINT OF BEGINNING**.

Containing 1,731 Acres more or less.

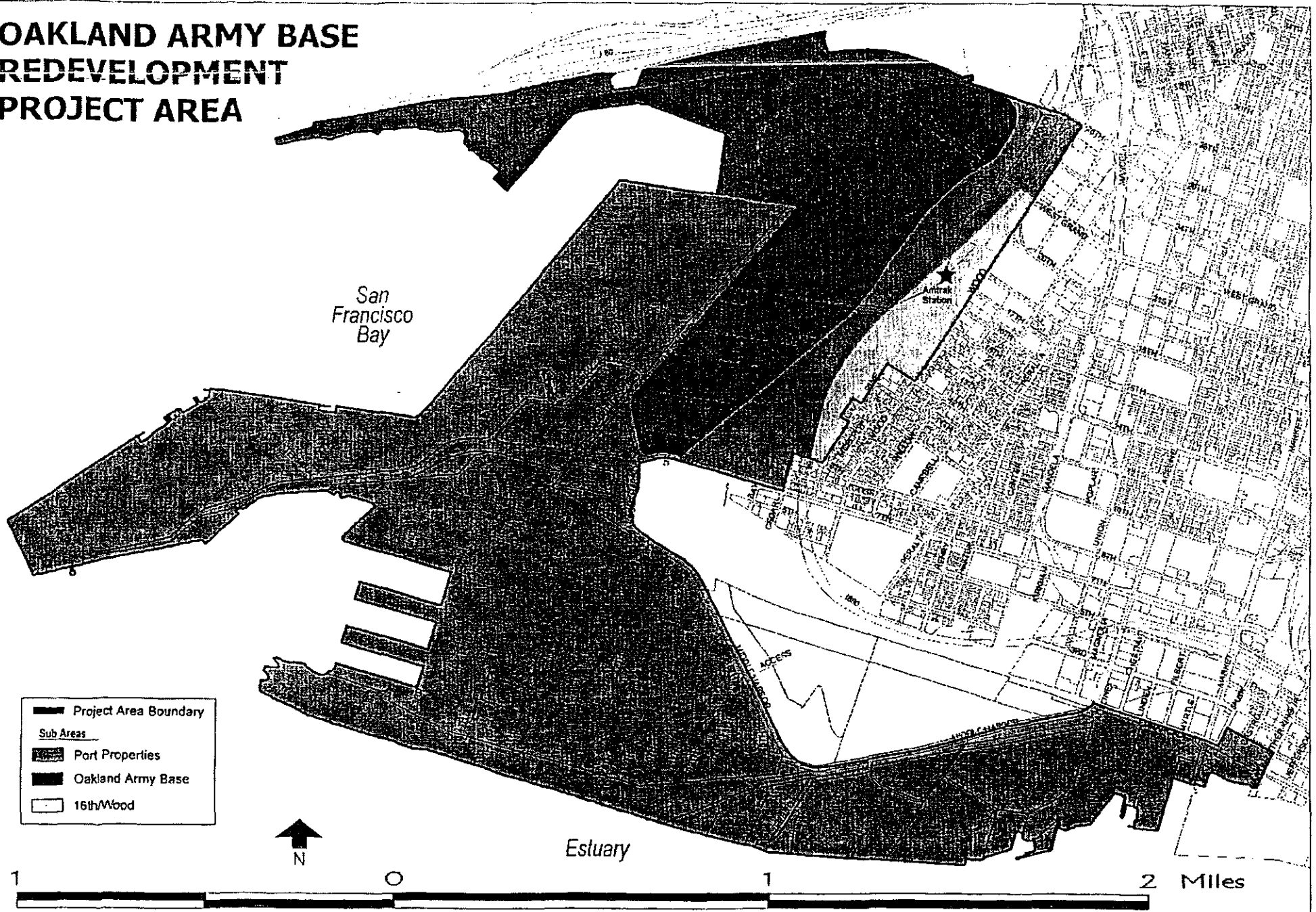
Exhibit Attached and by this reference made a part hereof.

Patrick J. Tami, L.S. 5816

ATTACHMENT NO. 2

PROJECT AREA MAP

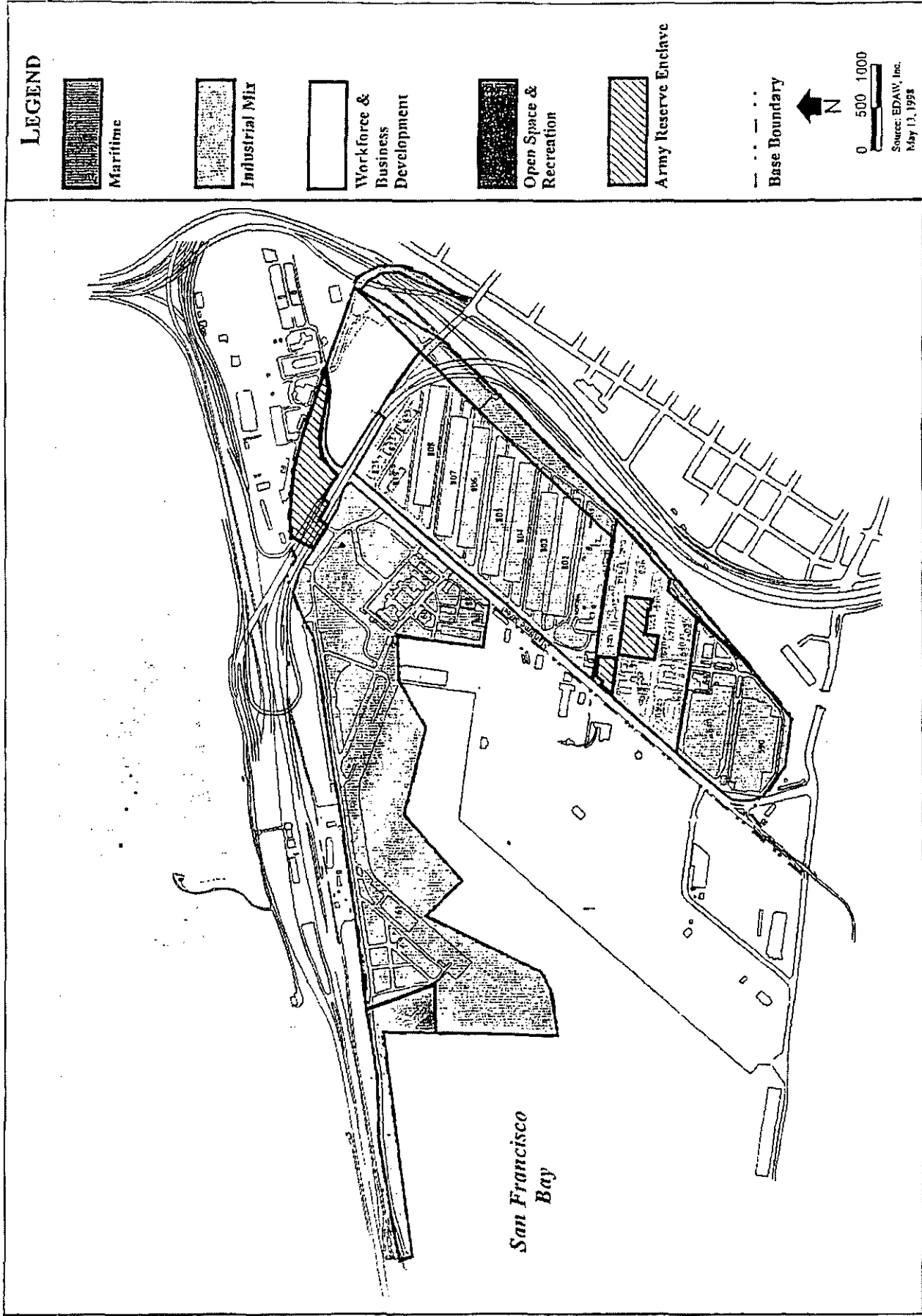
OAKLAND ARMY BASE REDEVELOPMENT PROJECT AREA



City of Oakland Community and Economic Development Agency

ATTACHMENT NO. 3

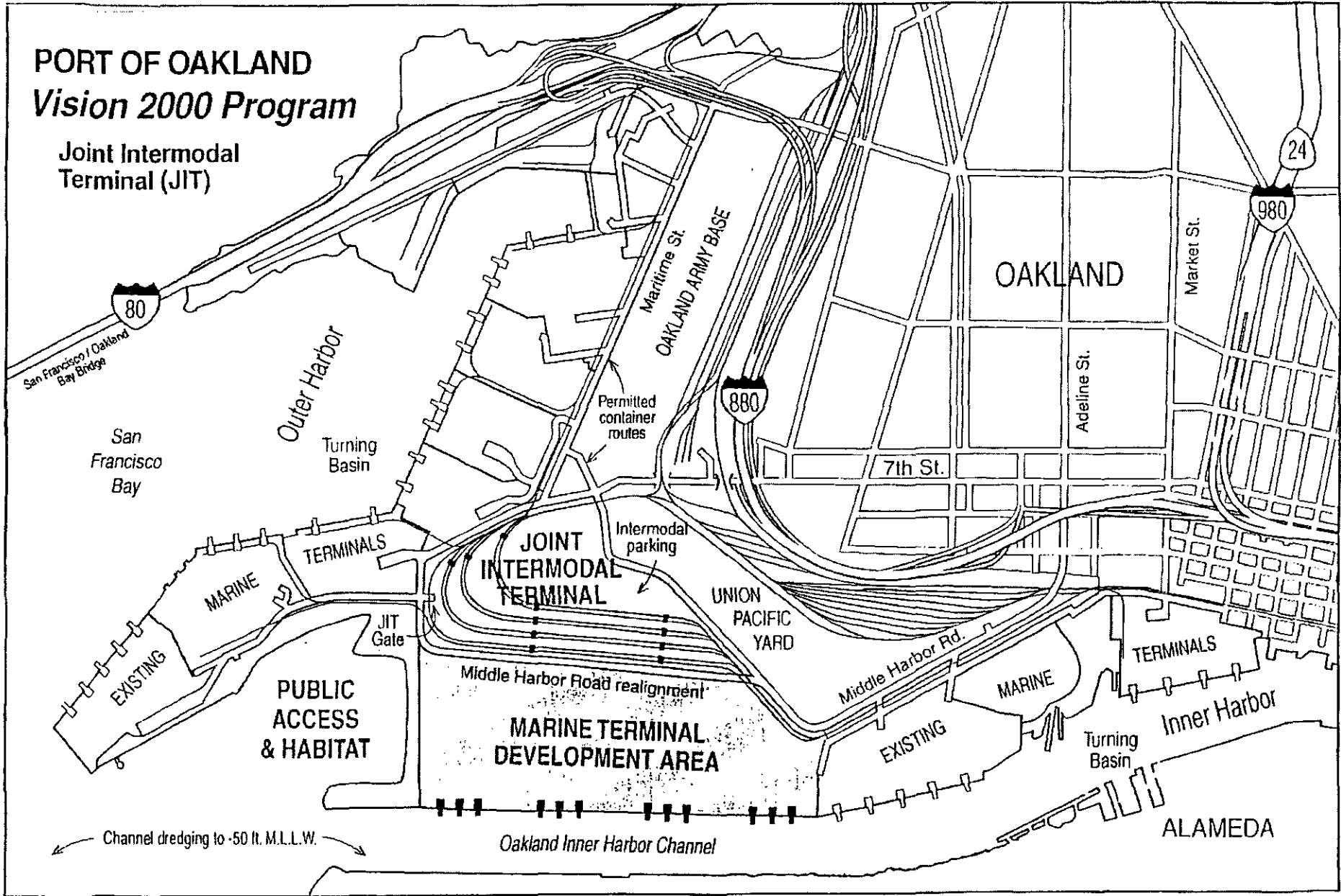
REDEVELOPMENT LAND USE MAPS



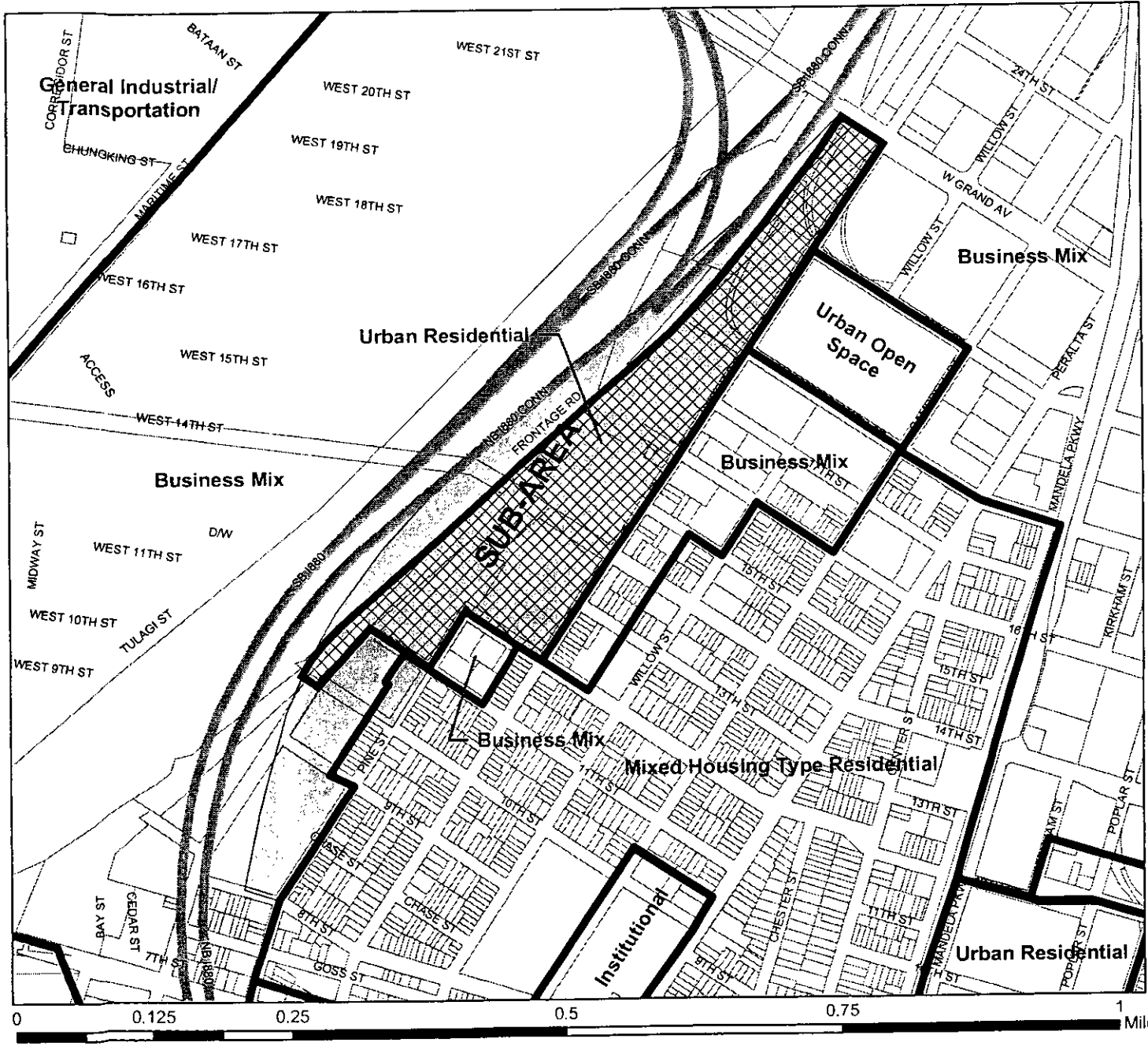
PORT OF OAKLAND Vision 2000 Program

Joint Intermodal Terminal (JIT)

OAKLAND ARMY BASE REDEVELOPMENT PLAN



Oakland Army Base Redevelopment, Sixteenth and Wood Street Sub-Area



Land Use Map

Legend

- Sixteenth & Wood Sub-Area
- Wood Street Development Project
- Freeways
- Parcels
- General Plan Landuse


March 2005

ATTACHMENT NO. 4

PUBLIC IMPROVEMENTS

The Agency may acquire property and/or pay for, install, develop, construct, or rehabilitate the publicly-owned buildings, facilities, structures, or other improvements set forth in the attached list in connection with the Project:

- Streets and roadways
 - Roadway widening
 - Intersection improvements
 - Traffic signalization
 - Roadway resurfacing
 - Installation of overpasses and underpasses
 - Street signage

- Streetscape
 - Sidewalks
 - Curbs and gutters
 - Street medians
 - Street lighting
 - Street furniture
 - Landscaping
 - Street beautification

- Public transit and bicycle facilities

- Water, natural gas and electricity distribution systems

- Rail system facilities and improvements

- Maritime facilities and improvements
 - Terminal improvements
 - Berth improvements
 - Dredging

- Sanitary sewer systems
 - Wastewater treatment plant improvements
 - Upgrading and replacing deteriorated sewer pipes

- Storm drainage systems
 - Reconstruction of damaged catch basins and broken storm drain lines
 - Construction of concrete cross drains

- Telecommunications systems, including installation of fiber optic and other cabling
- Undergrounding of overhead utility lines
- Parking facilities and improvements
- Parks, plazas, landscaped areas, pedestrian paths, playgrounds, recreational facilities, and open space
- Police, fire, emergency response, and other public safety facilities
- Public schools, colleges and universities, training centers, libraries, community centers, public health facilities, and human services facilities
- Public housing and shelters