



Guidelines for Determining Project Conformity With the General Plan and Zoning Regulations

Adopted by the
City of Oakland
City Planning Commission

May 6, 1998

ATTACHMENT D

Amended November 3, 1999 (100-31)
Amended August 8, 2001
Amended December 5, 2001
Amended July 15, 2003
(typographical changes May 28, 2004)

CHARTS, TABLES AND CHECKLISTS

TABLE 2: LAND USE	GENERAL PLAN LAND USE CLASSIFICATIONS														
ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix	Gen. Industrial	Institutional	Central Business District	Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
Residential Activities:															
Permanent	✓	✓	✓	✓	✓	✓	✓	X	X	✓	✓		✗		
Semi-Transient	X	X	X				X	X	X					X	X
Civic Activities:															
Essential Service															
Limited Child-Care								X	X						
Nursing Home								X	X	✓				X	X
Community Assembly	✓	✓	✓	✓	✓	✓	✓	X	X	✓	✓		✗		
Community Education	✓	✓	✓	✓	✓	✓		X	X	✓	✓		✗		
Non-Assembly Cult.	✓	✓	✓	✓	✓	✓	✓		X	✓	✓		✗		
Administrative					✓	✓	✓			✓	✓		✗		
Residential Care								X	X	✓				X	X
Health Care						✓		X	X	✓				X	X
Utility and Vehicular															
Extensive Impact															
Commercial Activities:															
General Food Sales	✓	✓	✓	✓	✓	✓	✓				✓		✗		
Convenience Market						✓			X					X	X
Fast-Food Restaurant	X	X	X											X	X
Alcohol Bev. Sales															
Convenience Sale/Sv.				✓	✓	✓			X		✓			X	X
Mech. or Elect. Games														X	X
Medical Service						✓		✓	X	✓				X	X
General Retail Sales	✓	✓	✓	✓	✓	✓	✓		X		✓			X	X
General Personal Svc.					✓	✓	✓		X					X	X
Consult. Finan Svc.	X	X				✓	✓		X		✓			X	X
Consmr Laundry/Rep.	X	X				✓	✓	✓						X	X
Group Assembly	X	X				✓	✓				✓			X	X
Administrative	X	X			✓	✓	✓		X		✓		✗	X	X
Business/Communic.	X	X			✓	✓	✓	✓	✓					X	X
Retail Business Sup.	X	X				✓	✓	✓	✓					X	X
Research Service	X	X						✓	✓					X	X

TABLE 2: LAND USE	GENERAL PLAN LAND USE CLASSIFICATIONS														
ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix	Gen. Industrial	Institutional	Central Business District	Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
Gen. Wholesale Sales	X	X	X	X	X			✓	✓					X	X
Trans Habitation/B&B							✓		X		✓			X	X
Construct Sale/Serv.	X	X	X	X	X					X				X	X
Auto Sale/Rent/Deliv.	X	X	X	X		✓	✓	✓					X	X	X
Automotive Servicing	X	X	X			✓	✓							X	X
Auto Repair/Cleaning	X	X	X	X	X	✓			✓		X		X	X	X
Auto Fee Parking	X	X	X								✓		X	X	X
Transport/Warehouse	X	X	X	X	X			✓	✓		X			X	X
Animal Care															
Undertaking Service	X	X	X											X	X
Scrap Operation	X	X	X	X	X	X	X	✓	✓	X	X			X	X
Manufacturing Activ.:															
Custom	X	X	X	X	X			✓	✓	X			✓	X	X
Light	X	X	X	X	X			✓	✓	X			✓	X	X
General	X	X	X	X	X	X	X	✓	✓	X	X		X	X	X
Heavy	X	X	X	X	X	X	X		✓	X	X		X	X	X
Agricultural/Extract.:															
Plant Nursery														X	X
Crop/Animal Raising															
Mining and Quarrying														X	X
Residential Facilities:															
One-Family Dwelling	✓	✓	✓					X	X				✓		
One-Fam. /Secondary	✓	✓	✓					X	X					X	X
One-Fam. w/ Second	✓	✓	✓					X	X					X	X
Two-Family Dwelling	X	X	✓					X	X				✓	X	X
Multi-Family Dwelling	X	X	✓	✓	✓	✓	✓	X	X	✓	✓		✓	X	X
Rooming House								X	X					X	X
Mobile Home								X	X					X	X
Downtown Live Work *	X	X	X	✓	✓	✓	X	X	X	✓	✓		X	X	X
Nonresidential Facil.:															
Enclosed				✓	✓										
Open															
Drive-In	X	X	X											X	X

TABLE 2: LAND USE ZONING ACTIVITY AND FACILITY TYPES ✓ Conforms w/ General Plan GP Silent or Unclear X Clearly Does not Conform	GENERAL PLAN LAND USE CLASSIFICATIONS														
	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix	Gen. Industrial	Institutional	Central Business District	Mixed-Use Water f (See Table 5A)	Housing Bus. Mix***	Open Space:RCA	Open Space (Other)
Sidewalk Cafe				✓	✓	✓	✓				✓			X	X
Shopping Center**	X	X	X	X		✓	✓							X	X
Drive-Through	X	X	X		X	✓	✓							X	X
Signs:															
Residential														X	X
Special															
Development														X	X
Realty														X	X
Civic															
Business															
Advertising														X	X
Telecommunications															
Micro															
Mini															
Macro															
Monopole															
Tower														X	X
Accessory Activ./Facil.															
Live/work			✓							X	✓*		✓	X	X

* Downtown building conversions to Live/Work are governed by a June 1999 ordinance which regulates and designates a specific downtown area for this type of conversion, regardless of General Plan Land Use Classification. See "Residentially-Oriented Live Work" regulations.

** "Shopping Center" is defined as a Non-residential facility type, but is not listed as permitted or conditionally permitted in any zone. This definition is used in conjunction with 1000' foot rule for Fast-Food Restaurants (Section 17.102.210(E)(1)).

***The permitted, conditionally permitted, and prohibited activities of a site in the Housing and Business Mix General Plan designation rely on its zoning designation.

The Mixed Use Waterfront Classification is superseded by the Estuary Policy Plan Land Use Classifications. See Table 2A.

TABLE 2A: ESTUARY POLICY PLAN LAND USE CLASSIFICATIONS

TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES ✓ = Clearly conforms = is silent or not clear X = Clearly does not conform	Jack London District								O-9	San Antonio/Fruitvale									
	Light Indust.1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3
RESIDENTIAL USE																			
Permanent		✓	X	✓	✓	X	✓	✓	✓	✓	X	✓	✓	X	X	X	X	X	X
Semi-Transient		✓	X	✓	✓	X	✓	✓	✓	✓	X	✓	✓	X	X	X	X	X	X
All Residential Care categories		✓	X	✓	✓	X	✓	✓	✓	✓	X	✓	✓	X	X	X	X	X	X
CIVIC USE																			
Essential Service																			
Limited Child Care											X	X	X	X	X	X	X	X	X
Community Assembly						✓				✓		X	X	X	X	X	X	X	X
Community Education			X	X	X					✓	X	X	X	X	X	X	X	X	X
Non-Assembly Cultural			✓	✓	✓	✓				✓									
Administrative																			
Health Care	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Utility and Vehicular			X	X	X	X		X	X	X	X		✓	X	✓		✓		✓
Extensive Impact																			
Telecommunications																			
COMMERCIAL USE																			
General Food Sales		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓		✓	
Convenience Market													✓	✓					
Fast-Food Restaurant			*	*															
Alcoholic Beverage Sales																			
Convenience Sales and Service																			
Mechanical or Electronic Games																			
Medical Service													X	X	X	X	X	X	X
Gen. Retail Sales		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓		✓		✓		
Gen. Personal Service		✓	✓	✓	✓	✓	✓	✓	✓	✓					✓		✓		
Consult./Financial Service				✓		✓									✓	✓	✓		
Consumer Laundry/Repair Svc.													✓						✓
Group Assembly			✓	✓		✓				✓					✓		✓		
Administrative			✓	✓	✓	✓		✓		✓					✓	✓	✓		

* See Estuary Policy Plan: Policy JL 1.2 for a description of allowable uses.

TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES ✓ = Clearly conforms = is silent or not clear X = Clearly does not conform	Light Indust. 1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3
	Business/Communications Svc.												✓			✓	✓	✓	✓
Retail Bus. Supply												✓				✓	✓	✓	✓
Research Service																	✓		✓
Gen. Wholesale Sales		✓	X	X	✓	X	✓	X	✓			✓	✓	X	✓	✓	✓	✓	✓
Transient Habitation/B&B		✓	✓		✓					✓	✓		X		X	✓			
Construction Sales/Service			X	X		X		X					✓		✓	✓	✓	✓	✓
Auto (Boat) Sales/Rental/Delivery				X		X		X		✓			✓	X		✓		✓	✓
Auto (Boat) Servicing				X		X		X				✓	✓	X	✓	✓		✓	✓
Auto (Boat) Repair/Cleaning						X	X	X	X			✓	✓	X	✓	✓	X	✓	✓
Auto (Boat) Parking – Fee						X		X					✓	X		✓		✓	✓
Transport/Warehousing	✓		X	X	✓	X		X				✓	✓	✓	✓	✓	✓	✓	✓
Animal Care																			
Undertaking Service																			
Scrap Operation	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X
MANUFACTURING																			
Custom Manufacturing	✓				✓		✓		✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Light Manufacturing	✓		X	X	✓	X	✓	X	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
General Manufacturing		X	X	X	X	X	X	X	X		X		✓	X	✓				
Heavy Manufacturing	X	X	X	X	X	X	X	X	X	X	X	X	✓	X	✓	X	X	X	X
AGRICULTURAL/EXTRACTIVE																			
Plant Nursery																			
Crop and Animal Raising	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Mining/Quarrying	X	X	X	X	X	X	X	X	X	X	X	X		X		X	X	X	X

Table continues on next page.

TABLE 2A: ESTUARY LAND USE ZONING REGULATIONS ACTIVITY AND FACILITY TYPES ✓ = Clearly conforms = is silent or not clear X = Clearly does not conform	Light Indust.1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U.	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3	
	RESIDENTIAL FACILITIES																			
One Family Dwelling	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	✓	X	X	X	X	X	X
One Family Dwelling/Secondary	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	✓	X	X	X	X	X	X
One Family Dwelling/Second	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	✓	X	X	X	X	X	X
Two Family Dwelling	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	✓	X	X	X	X	X	X
Multi-Family Dwelling	✓	✓	X	✓	✓	✓	✓	✓	✓		X	✓	X	✓	X	X	X	X	X	X
Rooming House											X		X		X	X	X	X	X	X
Downtown Live/Work*	✓	✓	X	✓	✓	X	✓	X	✓	X	X	X	X	X	X	X	X	X	X	X
Mobile Home	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
NON-RESIDENTIAL FACILITIES																				
Enclosed																				
Open			✓	✓		✓				✓										
Drive-in					X		X		X											
Sidewalk Café		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		X		X					
Shopping Center/Fast Food					X		X													
Drive Through					X		X		X											
SIGNS																				
Residential			X			X					X				X	X	X	X	X	X
Special																				
Development																				
Realty																				
Civic																				
Business																				
Advertising																				
TELECOMMUNICATIONS FAC.																				
Micro																				
Mini																				
Macro																				
Monopole																				
Tower																				
ACCESSORY ACTIVITY/FACILITY																				
Live/Work		✓	X	✓	✓	X	✓		✓	✓	X	✓			X	X	X	X	X	X

TABLE 3

GENERAL PLAN LAND USE CLASSIFICATIONS	MAXIMUM INTENSITY ALLOWED				
	Nonresidential	Residential*			
	Maximum Floor Area Ratio	Maximum Density in Principal Units per Gross Acre	Assumed Net- to-Gross Ratio*	Maximum Density in Principal Units per Net Acre	Minimum Square Feet of Site Area per Principal Unit
Hillside Residential	N/A	5	75%	6.67	6,530
Detached Unit Residential	N/A	11	75%	14.67	2,969
Mixed Housing Type Residential**	N/A	30**	75%	40.0**	1,089**
Urban Residential	N/A	125	75%	166.67	261
Neighborhood Center Mixed Use	4.0	125	75%	166.67	261
Community Commercial	5.0	125	75%	166.67	261
Regional Commercial	4.0	125	75%	166.67	261
Business Mix	4.0	N/A	N/A	N/A	N/A
General Industrial & Transportation	2.0	N/A	N/A	N/A	N/A
Institutional	8.0	125	75%	166.67	261
Central Business District	20.0	300	60%	500.0	87
Mixed Use Waterfront District	See Table 3A	See Table 3A	See Table 3A	See Table 3A	See Table 3A
Housing & Business Mix	The maximum FAR and density of a site are determined by its zoning designation.				
Resource Conservation	N/A	N/A	N/A	N/A	N/A
Urban Park & Open Space	N/A	N/A	N/A	N/A	N/A

* If it appears in any given situation that the net-to-gross ratio is significantly different than given here, an individual calculation should be made for the site in question, following the procedure explained in the Density/Intensity Section (C2) of this report.

** In the Mixed Housing Type Residential classification, no project can have a higher density than allowed by its current zoning without a major variance or a rezoning. Under no situation can a project exceed the maximum density permitted under the General Plan, even if the density allowed by the current zoning is greater than the General Plan.

NA = Not Applicable

TABLE 3A: DENSITY/INTENSITY	MAXIMUM INTENSITY ALLOWED				
	Nonresidential	Residential*			
ESTUARY POLICY PLAN LAND USE CLASSIFICATIONS	Maximum Floor Area Ratio	Maximum Density in Principal Units per Gross Acre	Assumed Net-to-Gross Ratio*	Maximum Density in Principal Units per Net Acre	Minimum Square Feet of Site Area per Principal Unit
Light Industrial – 1	2.0	30	75%	40.0	1,089
Off Price Retail – 1	2.0	30	75%	40.0	1,089
Retail, Dining Entertainment (Phase 1)	Avg. 3.5 over area	NA	NA	NA	NA
Retail, Dining, Entertainment (Phase 2)	7.0 per parcel	125	75%	166.67	261
Produce Market	1.0 per parcel	30	75%	40.0	1,089
Waterfront Commercial Recreation – 1	Avg. 3.0 over area	NA	NA	NA	NA
Mixed Use District	5.0 per parcel	125	75%	166.67	261
Waterfront Mixed Use	2.0 per parcel	40	75%	53.33	817
Waterfront Warehouse District	5.0 per parcel	100	75%	133.33	327
Planned Waterfront Development – 1	1.0 per private parcel, Avg. 1.0 on remaining	30 per private, Avg. 30 on other	75%	40.0	1,089
W. Commercial Rec. 2	Avg. 1.0	NA	NA	NA	NA
Light Industrial – 2	2.0 per parcel	30	75%	40.0	1,089
Plan. Water Devel. – 2	2.0 per parcel	40	75%	53.33	817
Resid. Mixed Use – 1	1.0 per parcel	40	75%	53.33	817
<u>Resid. Mixed Use – 1</u>	The maximum FAR and density of a site are determined by its zoning designation.				
Heavy Industrial – 1	0.75 per parcel	NA	NA	NA	NA
Gen. Commercial – 1	1.0 per parcel	NA	NA	NA	NA
Plan Water District 3	0.5 per parcel	NA	NA	NA	NA
General Commercial – 2	1.0 per parcel	NA	NA	NA	NA
Light Industrial – 3	0.5 per parcel	NA	NA	NA	NA

* If it appears in any given situation that the net-to-gross ratio is significantly different than given here an individual calculation should be made for the site in question, following the procedure explained in the Density/Intensity Section (C2) of this report.

NA = Not Applicable

TABLE 5: BEST FIT ZONES FOR THE GENERAL PLAN LAND USE CLASSIFICATIONS

ZONES THAT CORRESPOND TO GENERAL PLAN LAND USE CLASSIFICATIONS ● = "Best Fit" Zones ○ = Other Possible Zones	Hillside Residential	Detached Unit Residential	Mixed Housing Type Residential	Urban Residential	Neighb. Center Mixed Use	Community Commercial	Regional Commercial	Business Mix	General Industrial	Institutional	Central Business District	Mix-use Waterf.: See TABLE 5A	Housing/ Bus. Mix*	Open Space: RCA	Open Space : Other
OS (RCA) OS (Rsrce Cons)														●	
OS (*) Open Space (All)															●
R-10 Estate	●	○	○	○									○		
R-20 Low Density	●	○	○	○									○		
R-30 One-Family		●	○	○	○								○		
R-35 Special One Family			●	○	○								○		
R-36 Small Lot			●	○	○								○		
R-40 Garden Apartment			●	○	○								○		
R-50 Medium Density			●	○	○								○		
R-60 Medium High density				●	○	○									
R-70 High Density				●	○	○									
R-80 High-Rise Apartment				●	○	○									
R-90 Downtown Apartment											●				
C-5 Neighborhood			●	○	●								○		
C-10 Local Retail			●	○	●								○		
C-20 Shopping Center					○	○							○		
C-25 Office				●	○	○									
C-27 Village				○	●										
C-28 Commercial Shopping				○	●										
C-30 District Thoroughfare						○									
C-31 Special Retail				○	●										
C-35 District Shopping															
C-36 Boulevard Service						●	●						○		
C-40 Community Thorough						●	●						○		
C-45 Community Shopping						●	●						○		
C-51 Central Business													●		
C-52 Old Oakland													●		
C-55 Central Core													●		
C-60 City Service								●	○						
M-10 Special Industry								●					○		
M-20 Light								●					○		
M-30 General								○	●						
M-40 Heavy								○	●						
S-1 Medical Center						○				●					
S-2 Civic Center										●	○				
S-3 Research center								●							
S-4 Design Review															
S-13 Mixed Use													●		
S-15 Transit Oriented Devel.					●	○	○								

*The development standards of a site in the Housing and Business Mix designation is determined by its zoning designation.

TABLE 5A: BEST FIT ZONES FOR THE ESTUARY PLAN LAND USE CLASSIFICATIONS

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Adopted May 6, 1998

Oakland City Planning Commission

Revised November 3, 1999, August 8, 2001, December 5, 2001, July 15, 2003 (typographical changes May 28, 2004)

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	Light Indust.1	Off Price Retail 1	Ret. Dine, Entert 1	Ret. Dine, Entert 2	Produce Market	W. Commrc. Rec. 1	Mixed Use Dist.	W. Mixed U. Dist.	W. Warehouse Dist.	Plan. W. Devel. -1	W. Commrc. Rec. 2	Light Indust 2	Plan. W. Devel. 2	Resid. Mixed U. **	Heavy Ind.	Gen. Commerce. 1	Plan. W. Dist. 3	Gen. Commerce. 2	Light Indust. 3
OS (RCA) OS (Rsrce Cons Area)																			
OS (*) Open Space (All other)	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○
R-10 Estate																			
R-20 Low Density																			
R-30 One-Family																			
R-35 Special One Family																			
R-36 Small Lot																			
R-40 Garden Apartment													●						
R-50 Medium Density													●						
R-60 Medium High density																			
R-70 High Density																			
R-80 High-Rise Apartment																			
R-90 Downtown Apartment																			
C-5 Neighborhood																			
C-10 Local Retail																			
C-20 Shopping Center													○						
C-25 Office																			
C-27 Village					●			●	●										
C-28 Commercial Shopping Dist.		●							●										
C-30 District Thoroughfare																			
C-31 Special Retail		●			●			●											
C-35 District Shopping		●				●			○							○			
C-36 Boulevard Service																○			
C-40 Community Thoroughfare		○								●					●		●		
C-45 Community Shopping			●	●	○	●	●	●	●	●					○		○		
C-51 Central Business Service																			
C-52 Old Oakland																			
C-55 Central Core																			
C-60 City Service										●						●		●	
M-10 Special Industry	●	●			○		●	●	●		●	○	○			●		○	
M-20 Light	●	●							●	○	●	○	○	○		●		●	
M-30 General	○										●	●	○	●		●		●	
M-40 Heavy												●		●		○			
S-1 Medical Center																			
S-2 Civic Center																			
S-3 Research center																	●		
S-4 Design Review			●	●	●	●	●	●	●										
S-13 Mixed Use	●	●			○		●	●	●		●	●	○						
S-15 Transit Oriented Devel.																			
(S-16 Industrial/Residential Transition)													●						

*All water's edge properties have an Open Space Designation. See Estuary Policy Plan Figures II--3 and II--4 and policies.
 ***The development standards of a site in the Residential Mixed Use designation is determined by its zoning designation.

**TABLE S-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitig
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
B. <u>Transportation</u>		
B.1: Development pursuant to the updated Land Use and Transportation Element would result in the degradation of the level of service on several roadway segments.	B.1: Implement roadway improvements and transit improvements to reduce congestion on arterial roadways.	SU
D. <u>Public Services</u>		
D.6-2: Development consistent with the proposed Land Use and Transportation Element would result in higher levels of population in areas where fire fighting and evacuation constraints presently exist. These constraints include narrow street widths, insufficient turning radii, steep slopes, distant fire stations, and an emergency water supply that is vulnerable to disruption in the event of an earthquake or power failure.	D.6-2: Proceed with construction of a fire station in the North Oakland Hills to reduce the identified service deficiency in this area, to reduce response times, and to minimize the risk of catastrophic wildfire.	SU
E. <u>Air Quality</u>		
E.1: Implementation of the proposed Land Use and Transportation Element would not be consistent with population and VMT assumptions used in air quality planning, and would result in increased regional emissions of criteria air pollutants.	E.1: To the extent permitted by law, large new development within the City shall be required to implement Transportation Control Measures (TCMs) as recommended by the Bay Area Air Quality Management District (listed under Mitigation Measure E.6).	SU

SU = Significant and Unavoidable

ATTACHMENT E

**TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
E.6: Cumulative development of projects in the Downtown Showcase District would result in long-term traffic increases and associated air pollutant emissions, which would adversely affect regional air quality.	E.6: The the extent permitted by law, downtown projects should be required to implement Transportation Control Measures (TCMs) to reduce mobile source emissions. Many of these measures already would be part of the downtown projects due to the proximity of these projects to existing local and regional transit facilities and existing limitations on parking availability.	SU
E.10: Cumulative development of projects in the Coliseum Showcase District would result in traffic increases and associated air pollutant emissions, which would adversely affect regional air quality.	E.10: Implement Mitigation Measure E.6.	SU
L. Noise		
L.8: Development of the downtown projects would generate short-term increases in noise and vibration due to construction.	L.8: The City shall require the project sponsors to implement noise control techniques to minimize disturbance to adjacent or nearby sensitive noise receptors during project construction.	SU
L.11: Construction of projects in the Coliseum Showcase District would generate short-term increases in noise and vibration, and potential noise increases would be the same as described under Impact L.8 above for the Downtown Showcase District.	L.11: The City shall require the project sponsors to implement noise control techniques to minimize disturbance to adjacent or nearby sensitive noise receptors during project construction.	SU

SU = Significant and Unavoidable

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
N. <u>Wind</u>		
N.1: Adoption of the Element could result in development that would change wind speeds at locations in the Downtown Showcase District.	N.1: The City shall require the project sponsors to incorporate specific design elements in the final siting and designs for the high rises that could reduce ground-level winds within the Downtown Showcase District.	SU
O. <u>Consistency with Adopted Plans and Policies</u>		
O.3: The proposed Land Use and Transportation Element would be consistent with regional policies and programs except for the Clean Air Plan.	O.3: Implement Mitigation Measures E.1 and E.6.	SU

SU = Significant and Unavoidable

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
A. Land Use		
<p>A.1: Implementation of the proposed Land Use and Transportation Element would alter the Oakland General Plan land use classifications, changing the densities that are allowed in various residential designations and restructuring the commercial and industrial designations to reflect a broader range of industry and business than anticipated in the 1980 Plan. Development consistent with the new definitions could result in a broader range of commercial and industrial uses in some areas.</p>	<p>A.1a: Establish performance based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.</p> <p>A.1b: Develop “performance” zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby land uses.</p> <p>A.1c: Develop strategies to mitigate conflicts associated with live/ work and home occupation uses.</p> <p>A.1d: During the revision of the zoning ordinance and map, develop zoning district definitions and map boundaries to protect enclaves of lower density residential development that may be designated for more inclusive density categories on the Land Use and Transportation Diagram. Use the General Plan Strategy Diagram as a means of making these determinations.</p> <p>A.1e: During the revision of the zoning ordinance, develop a one acre minimum lot size zoning district. Consistent with the recommendations of the OSCAR Element, apply this district to appropriate areas of the Oakland Hills as a means of maintaining and enhancing neighborhood character.</p>	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>A.2: Land Use Diagram changes could facilitate the redevelopment of large parts of the City, including military bases, transit corridors, the Coliseum area, the Estuary shoreline, and Downtown. Implementation of the proposed Land Use and Transportation Element would change the allowable land uses in a number of locations within the City. Subsequent zoning changes could result in designations that are inconsistent with the existing uses. Zoning changes consistent with the proposed Element could render some uses non-conforming.</p>	<p>A.2a: Establish design requirements for large-scale commercial development that requires adequate buffers from residential uses. Use of open space, recreation space, or transit installations as buffers should be encouraged.</p> <p>A.2b: Develop distinct definitions for home occupation, live/work and work/live operations; define appropriate locations for these activities and performance criteria for their establishment; and create permitting procedures and fees that facilitate the establishment of those activities which meet the performance criteria.</p> <p>A.2c: Ensure that structures and sites are designed in an attractive manner which harmonizes with or enhances the visual appearance of the surrounding environment by preparing and adopting industrial and commercial development guidelines.</p> <p>A.2d: Establish performance-based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.</p> <p>A.2e: Develop performance zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby uses.</p>	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
	A.2f: Develop an incentive program to encourage the relocation of non-conforming industrial/ commercial businesses or residential uses to more appropriate locations in the City.	
B. <u>Transportation and Circulation</u>		
B.3: Development of Downtown Showcase District projects would result in degradation of intersection levels of service.	B.3: The impacts at the intersection of 12 th Street and Brush Street can be mitigated by increasing the cycle length to 120 seconds.	LS
B.4: Development of the Coliseum Showcase District projects would result in degradation of intersection levels of services.	B.4a: Install a traffic signal at the intersection of 66th Avenue and I-880 southbound ramps and restripe the lanes of the southbound off-ramp. This intersection meets the Caltrans peak hour signal warrants under PM peak hour conditions.	LS
	B.4b: Install a traffic signal at the intersection of 66th Avenue and I-880 northbound ramps. This intersection meets the Caltrans peak hour signal warrants under PM peak hour conditions.	
	B.4c: Install a traffic signal at the intersection of 66th Avenue and Oakport Street and widen Oakport Street to provide a through and turn lane in each direction. This intersection meets the Caltrans peak hour signal warrants under PM peak hour conditions.	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
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B. SIGNIFICANT BUT MITIGABLE IMPACTS

B.4d: Widen the northbound approach at the High Street and Coliseum Way intersection to provide an additional left-turn lane or restripe the eastbound approach to provide double left-turn lanes and a shared through/right-turn lane. This intersection may be subject to changes in traffic patterns as a result of the current studies being conducted to reconfigure the High Street and 42 Street intersection. The identified mitigation measure should be implemented only after the reconfiguration of the High Street and 42nd Street intersection is approved.

C. Population, Housing, and Employment

C.1: The Land Use and Transportation Element would alter the amount of land available for new employment uses, increasing the acreage in some categories and decreasing it in others. A net increase in employment development potential would be created through policies and land use designations, including the promotion of redevelopment on over 1,100 acres at three military bases (OKNH, FISCO, and OAB) and 6,500 acres in the Coliseum Area. While the land supply for commercial development would not change significantly, the policy emphasis on Downtown and corridor redevelopment, coupled with airport and harbor expansion and a number of specific developments "in the pipeline," would result in substantially higher employment in the retail, service, and government sectors. Projected employment will be significantly higher than the quantity anticipated by ABAG, creating a demand for new housing and increasing Oakland's jobs:housing ratio.

C.2: The City should maintain a data base of vacant and underutilized parcels in a form that is accessible to all departments. The City should assist developers of affordable and market rate housing in locating appropriate sites for their developments and identifying potential neighborhood concerns.

LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
D. <u>Public Services</u>		
D.1-2: Increased water demand would require localized improvements to the water delivery system and could require the addition of new infrastructure such as pumps and storage facilities in areas where major redevelopment or new development is proposed. These areas include the military bases, Downtown, the waterfront, transit station areas and transit corridors.	D.1-2: Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.	LS
D.2-2: Increased sanitary sewer flows would require localized improvements to the sewage collection system and could require the addition of new laterals and collection mains and upgraded pumps, lift stations, and other wastewater infrastructure. This impact would be most pronounced in areas where major redevelopment or new development is proposed, including the military bases, Downtown, along the waterfront, around transit stations and along transit corridors.	D.2-2: Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.	LS
D.3-2: The proposed Land Use and Transportation Element would allow continued buildout of hill area subdivisions and additional development of vacant land in the Oakland Hills, an area with acknowledged drainage problems.	D.3-2a: Review major new development proposals to determine projected water, wastewater, and storm drainage loads compared with available water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.4-1: New development consistent with the proposed Land Use and Transportation Element would increase the demand for solid waste services. Because of the higher population and employment forecasts contained in the Element, demand would increase at a faster rate than it would under the current General Plan.</p>	<p>D.3-2b: Require major new developments to include a combination of on-site and off-site drainage improvements to ensure that such projects do not create downstream erosion or flood hazards, or adversely impact the City's ability to manage stormwater runoff.</p> <p>D.3-2c: Address hill area drainage needs and develop additional drainage policies in the updated Safety Element.</p> <p>D.3-2d: Prepare a comprehensive study of hill area drainage needs and identify policies, programs, and capital improvements to address these needs in the future.</p> <p>D.4-1a: Continue to implement programs that reduce the amount of solid waste generated in the City by encouraging recycling, composting, and other activities consistent with the City's Source Reduction and Recycling Element.</p> <p>D.4-1b: Support solid waste collection, recycling, and disposal rates that are sufficient to cover the cost of adequate, efficient service delivery.</p> <p>D.4-1c: Establish guidelines and incentives for the recycling of construction and demolition debris and the use of recycled concrete and other recycled products in the construction of new buildings, roads, and infrastructure.</p>	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.5-1: Development consistent with the proposed Land Use and Transportation Element would result in higher levels of population and employment, thereby increasing the demand for police services. The need for staff, facilities, and equipment would increase in the Downtown, waterfront, military base, and transit corridor neighborhoods.</p>	<p>D.5-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.</p> <p>D.5-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.</p> <p>D.5-1c: Increase police foot patrols and cruisers in high visibility downtown areas and locate funding sources to support them.</p> <p>D.5-1d: Analyze the distribution of services provided by the public and privately operated civic and institutional uses, identify underserved areas of the City and increase services in those areas.</p> <p>D.5-1e: Solicit comments from the Oakland Police and Fire Departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>D.6-1: Development consistent with the proposed Land Use and Transportation Element would result in higher levels of population and employment, thereby increasing the demand for fire protection and emergency medical services. The need for staff, facilities, and equipment would increase in the Downtown, waterfront, military base, transit corridor and other residential neighborhoods as redevelopment occurred.</p>	<p>D.6-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.</p> <p>D.6-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.</p> <p>D.6-1c: Retain the existing Fire Stations at all three military bases to facilitate the provision of adequate public services to users of these sites as well as to surrounding properties.</p> <p>D.6-1d: Solicit comments from the Oakland Police and Fire departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated during project planning and design.</p>	<p>LS</p>
<p>D.7-1: Development consistent with the proposed Land Use and Transportation Element could increase the number of students served by the Oakland Unified School District (OUSD). The greatest impacts would be Downtown and in the Waterfront area.</p>	<p>D.7-1a: Mitigation measures available to the School District to reduce overcrowding include:</p> <ol style="list-style-type: none"> 1) reassigning students among district schools to account for changing population and new development; 2) continuation and expansion of year-round school; 	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS	<ol style="list-style-type: none"> 3) more efficient use of underutilized and/or abandoned school facilities; 4) addition of portable classrooms; and 5) the busing of students to less crowded schools. <p>If these measures do not reduce overcrowding, OUSD may have to expand existing schools or construct new schools. All of these measures would require varying amounts of funding.</p> <p>If current sources of funding including the City of Oakland school mitigation fees, increases in property taxes and sales tax revenues, and increases in state funding are insufficient to pay for the cost of these mitigating overcrowding, the OUSD should formulate and implement specific measures to raise additional funds. Funding sources which may be considered by OUSD include:</p> <ol style="list-style-type: none"> 1) adjustments of school mitigation fees on commercial and residential development; 2) the creation of special assessment or Mello Roos districts or annexation to a Community Facilities District; 3) sale of surplus OUSD property; and 	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
	<p>4) any other funding mechanisms available to the OUSD by state law or local ordinances, including those measures identified in the OUSD's 1996 Developer Fee Justification Study.</p> <p>D.7-1b: In reviewing major land use or policy decisions, the City will consider the availability of police and fire protection services, park and recreational services, schools, and library services <i>in the affected areas</i> and the impact of the project on the current service levels.</p> <p>D.7-1c: Support the School District's efforts to use local bond issues and voter approved assessment districts as a means of providing adequate school facilities.</p> <p>D.7-1d: Where feasible and appropriate, encourage the <i>inclusion of child care centers in major residential and commercial developments near transit centers, community centers, and schools.</i></p> <p>D.7-1e: Continue to assist the Oakland Unified School District in securing all of the fees, grants, and other financial resources possible.</p> <p>D.7-1f: <i>Work with the School District to coordinate land use and school facility planning and continue efforts by the City to collect impact fees and monitor the school capacity impacts of new development.</i></p>	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

<i>Significant Impact</i>	<i>Mitigation Measures</i>	<i>Significance After Mitigation</i>
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
	<p>D.7-1g: The Office of Parks and Recreation, Real Estate Division of the Office of Public Works, and the Oakland Unified School District should assess the use of City and school-owned parcels for use as civic, institutional, or recreational facilities.</p> <p>D.7-1h: Support state and federal legislation to promote affordable, safe, high-quality child care, including children with special needs.</p>	
<p>D.8-1: Development consistent with the proposed Land Use and Transportation Element could result in an increased number of patrons at the Main and branch libraries. The greatest impacts would be in the South Hills, where there are presently no library facilities; along the waterfront, where there are no library facilities; and along the transit corridors, where libraries generally exist but are too small to meet projected patronage requirements.</p>	<p>D.8-1: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.</p>	LS
E. Air Quality		
<p>E.4: Proposed General Plan map changes to allow a mix of commercial and residential uses (Urban Residential, Neighborhood Center Commercial, and Community Commercial designations) could result in odor nuisance problems at residential receptors.</p>	<p>E.4: Where residential development would be located above commercial uses, parking garages, or any other uses with a potential to generate odors, the odor-generating use should be properly vented (e.g., located on rooftops) and designed (e.g., equipped with afterburners) so as to minimize the potential for nuisance odor problems.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>E.5: Construction activities associated with downtown projects in the Downtown Showcase District would generate dust (including the respirable fraction known as PM₁₀) and combustion emissions.</p>	<p>E.5a: The following Basic Control Measures shall be implemented at all construction sites:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose debris <i>or</i> require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. <p>E.5b: The following enhanced control measures shall be implemented at all construction sites when more than four acres are under construction at any one time:</p> <ul style="list-style-type: none"> • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.) • Limit traffic speeds on unpaved roads to 15 mph. 	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

<i>Significant Impact</i>	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
	<ul style="list-style-type: none"> • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replant vegetation in disturbed areas as quickly as possible. <p>E.5c: BAAQMD dust control measures would be implemented by contractors of future development projects as outlined in BAAQMD <i>CEQA Guidelines</i> (1996) or any subsequent applicable BAAQMD updates. They are as follows:</p> <ul style="list-style-type: none"> • Any stationary motor sources (such as generators and compressors) to be located within 100 feet of any residence or school (sensitive receptors) would be equipped with a supplementary pollution control system on its exhaust as required by Bay Area Air Quality Management District (BAAQMD) and California Air Resources Board (CARB). • To minimize construction equipment emissions, low- NOx tune-ups should be performed on all construction equipment. Contractors should be required to utilize equipment with recent (within 30 days) low- NOx tune-ups to minimize NOx emissions. This would apply to all diesel-powered equipment greater than 50 horsepower and periodic tune-ups (every 90 days) would be required for equipment used continuously for construction of a specific development. 	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
E.9: E.9: Construction activities associated with projects in the Coliseum Showcase District would generate dust (including the respirable fraction known as PM ₁₀) and combustion emissions.	E.9: Implement Mitigation Measures E.5a, E.5b, and E.5c.	LS
F. <u>Visual and Aesthetic Conditions</u>		
F.2: The Land Use and Transportation Element encourages high-rise development in Downtown Oakland. Such development could potentially block views, cast shadows, appear visually incongruous with adjacent low-rise development, and block views of the City skyline from surrounding neighborhoods.	<p>F.2a: Develop guidelines or a “step back” ordinance for height and bulk for new development projects in the downtown area. Projects should be encouraged to be designed at pedestrian-scale on the street-side, with high towers or strong vertical elements stepping back from the street.</p> <p>F.2b: Analyze the desired height of downtown office development and develop zoning regulations that support the preferred skyline design.</p> <p>F.2c: Define view corridors and, based upon these views, designate appropriate height limits and other requirements. Views of Lake Merritt, the Estuary, and architecturally or historically significant buildings should be considered.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

<i>Significant Impact</i>	<i>Mitigation Measures</i>	<i>Significance After Mitigation</i>
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>F.3: The Land Use and Transportation Element would set in place policies and land use designations that encourage mid-rise, pedestrian-scale mixed use development along approximately 20 miles of transit-oriented corridors within the City. Although existing General Plan designations and zoning already permit this scale and mix of development in most instances, the policy emphasis on these areas could create additional momentum for development. Development of the scale proposed by the Plan would generally have positive visual impacts but could interrupt views and create the potential for architecturally incompatible development.</p>	<p>F.3a: Develop standard design guidelines for all Neighborhood Commercial areas that require continuous or nearly continuous storefronts located along the front yard setback, promote small scale commercial activities rather than large scale establishments at the ground level, restrict front yard parking lots and driveways, require small scale pedestrian-oriented signage, have a relatively low height limit, and promote the development of pedestrian friendly amenities at the street level. The standard design guidelines may be expanded to capture the unique or desired character of certain areas.</p> <p>F.3b: Ensure that structures and sites are designed in an attractive manner which harmonizes with or enhances the visual appearance of the surrounding environment by preparing and adopting industrial and commercial design guidelines.</p> <p>F.3c: Develop design guidelines for parking facilities of all types.</p>	<p>LS</p>
G. Cultural and Historic Resources		
<p>G.2: Excavation of development sites consistent with the Land Use and Transportation Element could unearth archaeological resources. Some of these remains could have scientific or cultural importance.</p>	<p>G.2: Establish criteria and interdepartmental referral procedures for determining when discretionary City approval of ground-disturbing activities should be subject to special conditions to safeguard potential archaeological resources.</p>	<p>LS</p>

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
<p>G.3: Many of the City’s historic resources are located Downtown and along transit corridors. Higher density uses are proposed in these areas and redevelopment is encouraged. This could have direct impacts by increasing the pressure to remove or demolish older buildings, including some historic structures.</p>	<p>G.3a: Amend the Zoning Regulations text to incorporate the new preservation regulations and incentives.</p> <p>G.3b: Develop and adopt design guidelines for Landmarks and Preservation Districts.</p>	LS
L. Noise		
<p>L.3: Proposed General Plan map changes to allow a mix of commercial and residential uses (Urban Residential, Neighborhood Center Commercial, and Community Commercial designations) could pose noise compatibility problems between residential and commercial uses.</p>	<p>L.3a: Establish design requirements for large-scale commercial development that requires adequate buffers from residential uses. Use of open space, recreation space, or transit installations as buffers should be encouraged.</p> <p>L.3b: Mixed residential/ non-residential neighborhoods should be rezoned after determining which should be used for residential, mixed, or non-residential uses. Some of the factors that should be considered when rezoning mixed use areas include the future intentions of the existing residents or businesses, natural features, or health hazards.</p>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
L.4: Proposed General Plan map changes to allow higher residential densities could pose noise compatibility problems between future residential development and existing, lower density residential uses within the same land use category.	L.4: Where high density residential development would be located adjacent to existing lower density residential development, new development shall be designed to minimize noise impacts on any existing residential uses due to increased traffic on local roadways and increased parking activities.	LS
L.5: Proposed General Plan map changes to allow live-work and other forms of housing in transitional industrial areas could pose future noise compatibility problems.	L.5a: The City should develop distinct definitions for home occupation, live/work and work/live operations; define appropriate locations for these activities and performance criteria for their establishment; and create permitting procedures and fees that facilitate the establishment of those activities which meet the performance criteria.	LS
	L.5b: Avoid proliferation of existing incompatible uses by eliminating, through appropriate rezoning actions, pockets of residential zoning within predominantly industrial areas.	
	L.5c: Establish performance-based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.	
	L.5d: Develop performance zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby uses.	

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
L.7: Implementation of the proposed Land Use and Transportation Element could result in future transportation improvements that could create or aggravate noise compatibility problems with sensitive receptors.	L.7: Future transit improvements shall be designed sufficiently so that future noise levels along these streets can be adequately estimated and considered in the design of future residential or other noise-sensitive developments.	LS
M. <u>Hazardous Materials</u>		
M.5: Remediation efforts at an identified hazardous waste site could expose workers and the public to hazardous substances.	M.5: Hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of site-specific health and safety plans, as recommended by the Occupational Safety and Health Administration.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
A.3: Implementation of the Land Use and Transportation Element would place a greater emphasis on mixed use development and would require development of mixed use zoning designations. The emphasis on mixed use development could create a greater likelihood for conflicting uses within projects or between projects and adjacent sites.	None required.	LS
A.4: Implementation of the proposed Land Use and Transportation Element could result in future transportation improvements that could have land use impacts.	None required.	LS
B. <u>Transportation and Circulation</u>		
B.2: Development that would occur under the Land Use and Transportation Element would increase transit demand.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
C. <u>Population, Housing, and Employment</u>		
<p>C.1: The Land Use and Transportation Element would increase housing capacity in Oakland by providing greater allowances for higher density housing in commercial areas than those that already exist and by reclassifying several transit corridors for urban-density housing. Additionally, the Plan reflects emerging plans and development proposals for housing Downtown, at Oak Knoll Naval Hospital, along the Oakland Estuary, and at several BART Stations. The increase in land supply, coupled with specific development projects, are projected to result in a higher number of households in Oakland by the Plan's horizon year of 2015.</p>	None required.	LS
<p>C.3: The Land Use and Transportation Element would redesignate approximately 45 acres on the Land Use Diagram from residential use to "Housing-Business Mix." Although the intent of this designation is to acknowledge the existing pattern and create areas where residential and industrial uses can co-exist harmoniously, rezoning consistent with the General Plan could lead to further encroachment of industrial uses in these areas. This could lead to a loss of housing stock in some locations.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
D. <u>Public Services</u>		
D.1-1: Development consistent with the proposed Land Use and Transportation Element would result in an increase in water demand.	None required.	LS
D.2-1: Development consistent with the proposed Land Use and Transportation Element would result in an increase in flows to the regional wastewater treatment plant.	None required.	LS
D.3-1: Implementation of the proposed Land Use and Transportation Element would result in increased development activity Downtown, along transit corridors and around transit stations, along the waterfront, near the Coliseum, and on former military bases. Since these areas are already developed, the increased amount of impervious surface would be marginal and the amount and rate of runoff would not change significantly. The quality of runoff could be impacted by construction, soil disruption, and by the change in land uses in redevelopment areas. However, the shift would generally be away from manufacturing to more service-oriented industry and commerce.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
D.9-1: Development consistent with the proposed Land Use and Transportation Element would increase the demand for park services, particularly in areas targeted for reuse and intensification. All of these areas, including Downtown, the waterfront, the transit stations and corridors, and the military bases, are located in areas that are already deficient in local-serving parkland. Further development would place even greater demands on the limited park acreage in these neighborhoods, unless additional park area was provided.	None required.	LS
E. Air Quality		
E.2: The proposed Land Use and Transportation Element would be consistent with <i>Clean Air Plan</i> Transportation Control Measures (TCMs).	None required.	LS
E.3: Implementation of the proposed Land Use and Transportation Element would result in traffic increases along roadways in the City which could result in localized air quality impacts.	None required.	LS
E.7: Cumulative development of projects in the Downtown Showcase District would result in traffic increases that could result in long-term, localized air quality impacts.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

<i>Significant Impact</i>	<i>Mitigation Measures</i>	<i>Significance After Mitigation</i>
B. LESS THAN SIGNIFICANT IMPACTS		
E.8: Cumulative development of downtown projects would result in increased stationary source emissions associated with heating and electricity consumption.	<i>None required.</i>	LS
E.11: Cumulative development of projects in the Coliseum Showcase District would result in traffic increases that could result in localized air quality impacts.	<i>None required.</i>	LS
E.12: Cumulative development of Coliseum projects would result in increased stationary source emissions associated with heating and electricity consumption or other uses.	<i>None required.</i>	LS
F. <u>Visual and Aesthetic Conditions</u>		
F.1: Development consistent with the Future Land Use Diagram could degrade or destroy existing scenic resources in the City, including hillsides, ridges, canyons, trees and riparian areas. However, adoption of the Element alone would not increase the potential for impacts. Existing policies in the OSCAR Element provide general mitigation of visual impacts.	<i>None required.</i>	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
G. Cultural and Historic Resources		
<p>G.1: Excavation of development sites consistent with the Land Use and Transportation Element could unearth paleontologic remains. <i>Some of these remains could have scientific importance.</i> However, adoption of the proposed Element would not significantly affect these resources.</p>	None required.	LS
<p>G.4: Increased development and more intense development in areas with high concentrations of older structures could have indirect impacts on these structures by changing their context and setting. Even if left intact, the integrity of older buildings could be compromised as larger, modern buildings are erected on adjoining properties.</p>	None required.	LS
<p>G.5: The Element’s emphasis on adaptive re-use and live-work development could result in alteration of older buildings and <i>historic structures in a manner that is architecturally incompatible with the structure.</i></p>	None required.	LS
H. Vegetation and Wildlife		
<p>H.1: Development consistent with the Land Use and Transportation Element could damage or remove potential habitat for special status species on undeveloped parcels within the City, particularly at the military bases, along the Estuary, and at Leona Quarry.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
<p>H.2: Development consistent with the Land Use and Transportation Element could trigger impacts on adjacent lands designated for Resource Conservation. Greater levels of noise, traffic, lighting, urban runoff, and human activity on lands adjacent to waterfront parks could reduce the value of these areas as wildlife habitat.</p>	None required.	LS
<p>H.3: Development consistent with the Land Use and Transportation Element could affect the habitat of certain special status plants and result in the loss of special status plant species, and could result in the loss of mature trees on new development sites.</p>	None required.	LS
I. Hydrology and Water Quality		
<p>I.1: Implementation of the proposed Land Use and Transportation Element would result in increased development activity at various locations throughout the City, including locations adjacent to creeks and waterways, which could result in water quality impacts during construction.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
<p>I.2: Implementation of the proposed Land Use and Transportation Element would result in increased development activity that could alter drainage patterns, could increase impermeable surfaces leading to increased volume of runoff, and could potentially affect quality of stormwater runoff. However, since the areas proposed for the greatest change are already developed with similar uses, the changes in runoff patterns, volume and quality would be negligible.</p>	None required.	LS
J. Energy		
<p>J.1: Development consistent with the Land Use and Transportation Element would result in a marginal increase in energy consumption.</p>	None required.	LS
K. Geology and Seismicity		
<p>K.1: Adoption of the Plan could result in development on existing soil conditions at various locations throughout the City that could cause structural damage to new and existing buildings unless properly constructed.</p>	None required.	LS
<p>K.2: Adoption of the Plan could result in development of many areas that are subject to geologic hazards including steep slopes, high erosion potential, and landsliding and mudsliding.</p>	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
K.3: Adoption of the Plan would result in development that requires grading and earthmoving activities. Grading during construction of individual projects in hillside areas could increase the potential for erosion. This could cause clogging of local culverts, decrease downstream channel capacity, and degrade water quality.	None required.	LS
K.4: In the event of an earthquake, damage from surface fault rupture could affect structures, foundations, and underground utilities that could be developed as a result of Plan adoption.	None required.	LS
K.5: In the event of an earthquake, damage from strong ground shaking or ground failure (liquefaction, densification, or landsliding) could affect structures, foundations, and underground utilities that could be developed as a result of Plan adoption. Human injury and life also could be risked.	None required.	LS
L. Noise		
L.1: Implementation of the proposed Land Use and Transportation Element would increase noise levels along streets throughout the City.	None required.	LS
L.2: Proposed General Plan map changes would redesignate some segments of major transportation corridors from commercial to urban density residential uses, which could pose noise compatibility problems for residential uses.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
L.6: Proposed General Plan map changes could allow development of light manufacturing, wholesale, business, commercial or mixed uses in areas designated for "Housing Business Mix," posing potential future noise compatibility problems.	None required.	LS
L.10: Future cumulative noise levels along downtown streets could increase to levels that are considered conditionally acceptable for retail commercial, office, and residential uses.	None required.	LS
L.12: Development of projects in the Coliseum Showcase District would result in noise increases along local roadways serving the proposed project.	None required.	LS
L.13: Depending on proximity of future development to I-880 and selected roadways in the Coliseum area, noise levels could be conditionally acceptable for retail commercial or office uses.	None required.	LS
M. <u>Hazardous Materials</u>		
M.1: Proposed land use changes for the Central Business District, Military Bases, Coliseum Area, and BART Transit Villages include a change to mixed uses that may allow housing as well as commercial operations that may use of hazardous materials. In addition, land use changes within the transit corridors would allow commercial land uses transitioning to urban residential uses.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
M.2: Adoption of the proposed Land Use and Transportation Element could encourage new business and expansion of existing businesses within the areas designated for change, with associated potential increases in the quantities of hazardous substances used, stored and transported, increasing the potential for accidents or spills and increasing the potential for exposure to workers, the public and the environment.	None required.	LS
M.3: Adoption of the proposed Land Use and Transportation Element would increase the potential for demolition and renovation activities within the areas designated for change. Many of these buildings could contain hazardous building materials and demolition or renovation could result in exposure to hazardous building materials, such as asbestos, lead, mercury or PCBs, with associated public health concerns.	None required.	LS
M.4: Adoption of the proposed Land Use and Transportation Element would increase the potential for construction activities within the areas designated for change, which could increase the likelihood of encountering contaminated soil or groundwater and potentially expose workers and the community to hazardous substances.	None required.	LS
<u>O. Consistency with Adopted Plans and Policies</u>		
O.1: The proposed Land Use and Transportation Element would be consistent with federal policies and programs.	None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Miti
B. LESS THAN SIGNIFICANT IMPACTS		
O.2: The proposed Land Use and Transportation Element would be consistent with state policies and programs.	None required.	LS
O.4: The proposed Land Use and Transportation Element would be consistent with the policies and programs of adjacent jurisdictions.	None required.	LS

LS = Less than Significant

SUMMARY

A. PROJECT DESCRIPTION

The project is the adoption of the Oakland Estuary Plan, which establishes the location and intensity of land uses along the waterfront and provides policies and guidelines related to the intended form, pattern, and character of future development. The Estuary Plan also provides policies that establish the location and configuration of open space and public access facilities and the policies and recommendations for the improvement of transportation facilities.

B. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Potential environmental impacts of the project are summarized in Table S-1 at the end of this chapter. This table lists impacts and mitigation measures in three major categories: significant impacts that would remain significant even with mitigation; significant impacts that can be mitigated to a level of less-than-significant; and impacts that would not be significant. For each significant impact, the table includes a summary of mitigation measure(s), followed by a column that indicates whether the impact would be mitigated to a less-than-significant level. Please refer to Chapter III for a complete discussion of each impact and associated mitigation.

As stated in Table S-1 and in Chapter III, the Estuary Plan would result in significant, unavoidable impacts in regard to transportation, air quality, cultural and historical resources, and consistency with adopted plans and policies.

C. ALTERNATIVES

Chapter IV of this EIR analyzes two separate alternatives to the Estuary Plan: the “No Project” alternative, which would leave the existing Land Use and Transportation Element of the General Plan in place; and the “Environmentally Superior” alternative, which identifies lower levels of development in those areas with environmental constraints, and requires mitigation of the adverse impacts identified in this EIR to the point where they would be less than significant.

TABLE S-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
B. <u>Transportation</u>		
B.1: Development pursuant to Estuary Plan would result in the degradation of the level of service along key arterial roadway segments in the Estuary Planning Area vicinity.	B.1: The proposed Estuary Plan would include a number of transportation improvements that would be expected to reduce congestion and improve roadway operations are included in the proposed Estuary Plan, including, among other proposals, construction of new, improved or extended streets, pedestrian and bicycle improvements, increases in alternative modes of transit such as ferries, water taxis, and shuttles, transit improvements, and parking management. No additional measures beyond those identified are feasible.	SU
E. <u>Air Quality</u>		
E.1: Implementation of the Estuary Plan would not be consistent with population and VMT assumptions used in air quality planning, and would result in increased regional emissions of criteria air pollutants.	E.1: No additional measures beyond those already included in the OSCAR Element and the Land Use and Transportation Element are feasible.	SU
G. <u>Cultural and Historical Resources</u>		
G.6: Implementation of the Estuary Plan would result in the creation of an eleven acre "Crescent Park" at the site of the Ninth Avenue Terminal and demolition of the Terminal building. The Ninth Avenue Terminal building is rated "B+" by the Oakland Cultural Heritage survey and has been determined eligible for the National Register of Historic Places.	G.6: No additional measures beyond those already identified are feasible.	SU

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
A. SIGNIFICANT UNAVOIDABLE IMPACTS		
N. <u>Consistency with Adopted Plans and Policies</u>		
N.3: The proposed Estuary Plan would be consistent with regional policies and programs except for the Clean Air Plan and the Priority Use Areas of the Bay Plan.	N.3: No additional measures beyond those already included in the OSCAR Element and the Land Use and Transportation Element are feasible.	SU

SU = Significant and Unavoidable

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
A. Land Use		
<p>A.3: The designation of various geographic areas along the shoreline for specific new uses and redevelopment activities could render some existing development non-conforming and result in the eventual displacement of established industrial, residential, or commercial uses. As higher-value residential, live-work, and commercial development occurs in previously industrial areas, certain types of industrial and heavy commercial activities could become more difficult to carry out. As parks and open spaces are developed along the shoreline, enhanced visibility and aesthetic concerns could place more pressure on the area's industries to improve the appearance of open storage areas, facades, and streetscapes.</p>	<p>A.3: When the Oakland zoning ordinance is updated, ensure that the new zoning map designations for parcels in the Estuary Plan area reflect the development standards presented on Pages 181-197 of the Draft Estuary Plan.</p>	LS
<p>A.6: Implementation of the Estuary Plan would ultimately reconfigure freeway interchanges along I-880 and construct a new "Tidewater Parkway" between 42nd and 66th Avenues. These changes could have direct land use impacts by displacing existing development located at the sites of proposed on- and off-ramps. Proposed road improvements also could have indirect land use impacts by creating potential new development sites around the relocated interchanges, providing access to areas that currently lack road frontage, and eliminating direct freeway access from parcels located adjacent to on- and off-ramps to be closed or relocated.</p>	<p>A.6: Require CEQA review and appropriate environmental documentation prior to undertaking the specific transportation improvements identified in the Estuary Plan, including reconfigured I-880 interchanges, Tidewater Parkway, and BART and light rail improvements.</p>	LS

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. SIGNIFICANT BUT MITIGABLE IMPACTS		
H. <u>Vegetation and Wildlife</u>		
H.4: The development of a pier into the Estuary adjacent to the Lake Merritt Channel could result in an increase in suspended sediments.	H.4: Due to the Pacific herring's particular vulnerability during its spawning season, construction scheduling for the pier would be coordinated with wildlife agencies; construction may be halted during spawning season if determined necessary by wildlife agencies.	LS
M. <u>Hazardous Materials</u>		
M.5: Remediation efforts at an identified hazardous waste site could expose workers and the public to hazardous substances.	M.5: Hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of site-specific health and safety plans, as recommended by the Occupational Safety and Health Administration.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
A. Land Use		
A.1: Adoption of the Estuary Plan would supplement the new "Waterfront Mixed Use" General Plan designation with more specific and prescriptive designations for discrete geographic areas along the Oakland shoreline. Development consistent with these designations would be in keeping with the overall Citywide structure and "vision" described in the recently adopted Land Use and Transportation Element, as well as the objectives and policies in the 1996 OSCAR Element.	A.1: None required.	LS
A.2: The Estuary Plan envisions extensive redevelopment along the Oakland Estuary, with substantial changes from the current land use mix. Implementation of the Plan could change the Citywide land use pattern and create a series of new waterfront "neighborhoods" along the Oakland shoreline.	A.2: None required.	LS
A.4: The Estuary Plan would permit mixed-use development in areas that are presently designated for one predominant use. Mixed-use projects could contain potentially incompatible uses, such as housing and night clubs within a single structure, or projects that combine residential and industrial uses in a live-work setting.	A.4: None required.	LS
A.5: Redevelopment of land consistent with the Estuary Plan could intensify the level of activity along the Oakland shoreline, thereby affecting land uses on the opposite shores in Alameda and on Coast Guard Island.	A.5: None required.	LS

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
B. <u>Transportation</u>		
B.2: Development that would occur under the Estuary Plan would increase transit demand.	B.2: None required.	LS
C. <u>Population, Housing, and Employment</u>		
C.1: The Estuary Plan would increase the number of housing units in the Estuary Planning Area.	C.1: None required.	LS
C.2: The Estuary Plan would result in a net increase in employment development potential within the Estuary Planning Area.	C.2: None required.	LS
D. <u>Public Services</u>		
D.1-1: Development consistent with the proposed Estuary Plan would result in an increase in water demand.	D.1-1: None required.	LS
D.1-2: Increased water demand would require localized improvements to the water delivery system and could require the addition of new infrastructure such as pumps and storage facilities. The impact is less than significant, since it is mitigated by policies in the recently adopted Land Use and Transportation Element.	D.1-2: None required.	LS
D.2-1: Development consistent with the proposed Estuary Plan would result in an increase in flows to the regional wastewater treatment plant.	D.2-1: None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
D.2-2: Increased sanitary sewer flows would require localized improvements to the sewage collection system and could require the addition of new laterals and collection mains and upgraded pumps, lift stations, and other wastewater infrastructure.	D.2-2: None required.	LS
D.2-3: Development consistent with Estuary Plan could cause the relocation of the San Antonio Creek Wet Weather Treatment Plant and limit EBMUD's ability to expand its pipe storage center at 5601 Oakport Street.	D.2-3: None required.	LS
D.3-1: Implementation of the proposed Estuary Plan would result in a slight increase in the amount of impervious surfaces within the Estuary Planning Area. Any increase would be marginal and the amount and rate of runoff would not change significantly.	D.3-1: None required.	LS
D.4-1: New development consistent with the proposed Estuary Plan would increase the demand for solid waste services.	D.4-1: None required.	LS
D.5-1: Development consistent with the proposed Estuary Plan would result in higher levels of population and employment, thereby increasing the demand for police services. The need for staff, facilities, and equipment would increase.	D.5-1: None required.	LS
D.6-1: Development consistent with the proposed Estuary Plan would result in higher levels of population and employment, thereby increasing the demand for fire protection and emergency medical services. The need for staff, facilities, and equipment would increase.	D.6-1: None required.	LS

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
D.7-1: Development consistent with the proposed Estuary Plan could increase the number of students served by the Oakland Unified School District (OUSD).	D.7-1: None required.	LS
D.8-1: Development consistent with the proposed Estuary Plan could result in an increased number of patrons at the Main and branch libraries.	D.8-1: None required.	LS
D.9-1: Development consistent with the proposed Estuary Plan would increase the demand for park services.	D.9-1: None required.	LS
D.9-2: Development of an Embarcadero Parkway consistent with the proposed Estuary Plan could result in impacts on adjacent park areas and result in additional maintenance and operational costs to the City, Port, or the Park District.	D.9-2: None required.	LS
E. Air Quality		
E.2: The proposed Estuary Plan would be consistent with <i>Clean Air Plan</i> Transportation Control Measures (TCMs) since the proposed plan is part of the General Plan and the General Plan was determined to be consistent with <i>Clean Air Plan</i> TCMs.	E.2: None required.	LS
E.3: Implementation of the proposed Estuary Plan would not significantly change future traffic levels and associated CO emissions along roadways within the planning area.	E.3: None required.	LS
E.4: Proposed Estuary Plan map changes would encourage a mix of uses that could result in odor nuisance problems at residential receptors.	E.4: None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
F. <u>Visual and Aesthetic Conditions</u>		
F.1: Development consistent with the Oakland Estuary Plan could degrade or destroy existing scenic views from and of the Estuary Planning Area.	F.1: None required.	LS
G. <u>Cultural and Historic Resources</u>		
G.1: Excavation of development sites consistent with the Estuary Plan could unearth paleontologic remains.	G.1: None required.	LS
G.2: Excavation of development sites consistent with the Estuary Plan could unearth archaeological resources.	G.2: None required.	LS
G.3: Some of the City's historic resources are located within the Estuary Planning Area. Higher density uses are proposed in these areas and redevelopment is encouraged. This could have direct impacts by increasing the pressure to remove or demolish older buildings, including some historic structures.	G.3: None required.	LS
G.4: Increased development and more intense development in areas with high concentrations of older structures such as along the lower Broadway spine could have indirect impacts on these structures by changing their context and setting. Even if left intact, the integrity of older buildings could be compromised as larger, modern buildings are erected on adjoining properties.	G.4: None required.	LS
G.5: The emphasis in the Estuary Plan on adaptive re-use and live-work development could result in alteration of older buildings and historic structures in a manner that is architecturally incompatible with the structure.	G.5: None required.	LS

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
H. <u>Vegetation and Wildlife</u>		
H.1: Development consistent with the Oakland Estuary Plan could damage or remove potential habitat for special status species on undeveloped parcels.	H.1: None required.	LS
H.2: Development consistent with the Oakland Estuary Plan could trigger impacts on adjacent lands designated for Resource Conservation. Greater levels of noise, traffic, lighting, urban runoff, and human activity could reduce the value of these areas as wildlife habitat.	H.2: None required.	LS
H.3: Development consistent with the Oakland Estuary Plan could affect the habitat of certain special status plants and animals and result in the loss of special status plant and animal species.	H.3: None required.	LS
I. <u>Hydrology and Water Quality</u>		
I.1: Implementation of the proposed Estuary Plan would result in increased construction activities along the waterfront associated with development and redevelopment of various uses, which in turn could result in water quality impacts to the Estuary and Bay.	I.1: None required.	LS
I.2: Implementation of the proposed Estuary Plan would result in a long-term increase in waterfront and water-oriented uses, which in turn could result in water quality impacts to the Estuary and Bay.	I.2: None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
I.3: Implementation of the proposed Estuary Plan would result in increased open space areas, including parks, trails, habitat areas and enhanced tidal marshes. These uses would alter existing drainage patterns, generally reducing impervious surfaces and decreasing volume of stormwater runoff.	I.3: None required.	LS
J. Energy		
J.1: Development consistent with the Estuary Plan would result in a marginal increase in energy consumption.	J.1: None required.	LS
K. Geology and Seismicity		
K.1: Adoption of the Plan could result in development at various locations throughout the Estuary Planning Area that could cause structural damage due to soil conditions to new and existing buildings unless properly constructed.	K.1: None required.	LS
K.2: In the event of an earthquake, damage from strong ground shaking or ground failure (liquefaction, densification, or landsliding) could affect structures, foundations, and underground utilities that could be developed as a result of Plan adoption. Human injury and life also could be risked.	K.2: None required.	LS
L. Noise		
L.1: Implementation of the proposed Estuary Plan would result in future noise levels that are both higher and lower than future noise levels that would occur under future conditions as projected by the recently adopted General Plan and ABAG.	L.1: None required.	LS

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After Mitigation
B. LESS THAN SIGNIFICANT IMPACTS		
L.2: The proposed Estuary Plan encourages residential uses through several mixed-use land use designations (Mixed Use District, Transitional Mixed Use, and Residential Mixed Use), and noise compatibility problems could result due to the proximity of residential, commercial, light industrial, and employment uses.	L.2: None required.	LS
L.3: The proposed Estuary Plan would expand the waterfront area designated for parks and open space, and noise compatibility problems could be posed by the proximity of such uses to major noise sources.	L.3: None required.	LS
L.4: Implementation of the proposed Estuary Plan could result in future transportation improvements that could create or aggravate noise compatibility problems with sensitive receptors.	L.4: None required.	LS
M. <u>Hazardous Waste</u>		
M.1: Proposed land use changes for the Estuary Planning Area include a change to mixed uses that may allow housing as well as commercial operations that may use hazardous materials.	M.1: None required.	LS
M.2: Adoption of the proposed Estuary Plan could encourage new business and expansion of existing businesses within the areas designated for change, with associated potential increases in the quantities of hazardous substances used, stored and transported, increasing the potential for accidents or spills and increasing the potential for exposure to workers, the public and the environment.	M.2: None required.	LS

LS = Less than Significant

TABLE S-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Significant Impact	Mitigation Measures	Significance After M
B. LESS THAN SIGNIFICANT IMPACTS		
M.3: Adoption of the proposed Estuary Plan would increase the potential for demolition and renovation activities within the Estuary Planning Area. Many of these buildings could contain hazardous building materials and demolition or renovation could result in exposure to hazardous building materials, such as asbestos, lead, mercury or PCBs, with associated public health concerns.	M.3: None required.	LS
M.4: Adoption of the proposed Estuary Plan would increase the potential for construction activities, and could increase the likelihood of encountering contaminated soil or groundwater and potentially expose workers and the community to hazardous substances.	M.4: None required.	LS
<u>N. Consistency with Adopted Plans and Policies</u>		
N.1: The proposed Estuary Plan would be consistent with federal policies and programs.	N.1: None required.	LS
N.2: The proposed Estuary Plan would be consistent with state policies and programs.	N.2: None required.	LS
N.4: The proposed Estuary Plan would be consistent with the policies and programs of adjacent jurisdictions.	N.4: None required.	LS

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE	MONITORING RESPONSIBILITY	MONIT TIMEF
Project-Specific Impacts and Mitigation Measures:			
Land Use			
No potentially significant impacts identified.	None needed.	<i>No impact</i>	
Transportation			
No Potentially Significant Impacts Identified	None needed	<i>Less than Significant</i>	
Air Quality			
Potential Impact 6.4.5: Construction Emissions. Construction associated with the Redevelopment Plan's implementation projects, programs and other activities within the Project Area would generate dust (including the respirable fraction known as PM10) and combustion emissions.	Mitigation Measure 6.4.5A: Construction Emission Controls. Contractors for future development projects pursuant to implementation of the Redevelopment Plan shall implement BAAQMD dust control measures as outlined in BAAQMD <i>CEQA Guidelines</i> (1999) or any subsequent applicable BAAQMD updates. More details regarding this measure are included in Chapter 6 of the EIR.	<i>Less than Significant</i>	Contractors for future development projects pursuant to implementation of the Redevelopment Plan shall implement dust control measures. City of Oakland Building Inspector responsible for rmonitoring.
Potential Impact 6.4.6: Compatibility of Population Growth and Air Quality. Projected population growth in the Project Area would increase at a higher rate than projected citywide growth. This	Mitigation Measure 6.4.6A: BAAQMD TCMs. Major new development projects pursuant to or in furtherance of the Redevelopment Plan shall fund on a fair share basis (as appropriate) some or all of the following BAAQMD-recommended feasible Transportation Control Measures (TCMs) for	<i>Significant and Unavoidable</i>	City of Oakland Building Services and Planning Division Prior to issuance of a building permit

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
<p>disproportionate increase could result in more residents being located in proximity to pollutant emission and odor sources, which could increase land use compatibility problems.</p>	<p>reducing vehicle emissions from commercial, institutional, and industrial operations. Alternatively, at the Redevelopment Agency's sole discretion, redevelopment funds could potentially be used to subsidize these fair-share funding contributions or to implements these measures.</p> <p>More details regarding this measure are included in Chapter 6 of the EIR.</p> <p>Mitigation Measure 6.4.6B: CAP TCMs. Major new development projects pursuant to or in furtherance of the Redevelopment Plan shall fund on a fair share basis (as appropriate) some or all of the following <i>Clean Air Plan's</i> transportation control measures. These measures have been identified by the BAAQMD as appropriate for local implementation. Alternatively, at the Redevelopment Agency's sole discretion, redevelopment funds could potentially be used to subsidize these fair-share funding contributions or to implements these measures.</p> <p>More details regarding this measure are included in Chapter 6 of the EIR.</p> <p>Mitigation Measure 6.4.6C: Upgraded Ventilation Systems. Future residential development within the Project Area shall be developed with upgraded ventilation systems to minimize exposure of future residents to odors and pollutant emissions. In addition, future development should limit outdoor use areas where these uses are located in proximity to emission sources.</p>		<p>City of Oakland Building Services and Planning Division</p> <p>City of Oakland Building Services and Planning Division</p>	<p>Prior to issuance of a building permit</p> <p>Prior to issuance of a building permit</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE	MONITORING RESPONSIBILITY	MONITORING TIMEFRAME	
Noise				
<p>Potential Impact 7.4.1: Construction Noise. Implementation of the Redevelopment Plan's projects, programs and other activities could generate short-term increases in noise and vibration due to construction. This would be a short-term adverse impact.</p>	<p>Mitigation Measure 7.4.1: Construction Noise Reduction. Compliance with the City Noise Level Standards for Temporary Construction or Demolition Activities would mitigate construction noise impacts associated with future development projects pursuant to implementation of the Redevelopment Plan to a less-than-significant level.</p> <p>More details regarding this measure are included in Chapter 7 of the EIR.</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Building Services and Planning Division, and Police Department.</p>	<p>Measures incorporated into the construction phasing and management plan. Monitored for compliance during construction.</p>
<p>Potential Impact 7.4.3: Exposure to High Ambient Noise. Depending on the precise location of new residential uses that may be constructed pursuant to or in furtherance of the Redevelopment Plan, future noise levels within some portions of the Project Area could be incompatible with such residential use.</p>	<p>Mitigation Measure 7.4.3A: Noise Reduction Requirements. The City of Oakland Land Use Compatibility Guidelines for Community Noise sets limits on the level of noise that new land uses may be subjected to, and requires analysis and mitigation should these noise levels be exceeded. In accordance with these guidelines, the following specific mitigation measures would apply to new development projects that may be in furtherance of implementation of the Redevelopment Plan.</p> <ul style="list-style-type: none"> • Future residential development that may be proposed within approximately 2,000 feet of the I-580 freeway corridor and 1,400 feet of the I-880 freeway corridor (sections not protected by sound walls), along major arterials identified in the LUTE, adjacent to industrial or business uses that generate noise, or in the vicinity of BART facilities where noise levels exceed 60 dBA CNEL (if a direct line-of-sight is available) shall be required to complete a detailed analysis of noise reduction requirements. • A detailed analysis of noise reduction 	<p><i>Less than Significant</i></p>	<p>City of Oakland Building Services and Planning Division.</p>	<p>Prior to construction.</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	<p>requirements shall also be required if any future business commercial uses are proposed within approximately 700 feet of the I-580 freeway corridor and 450 feet of the I-880 freeway corridor (sections not protected by sound walls), along major arterials identified in the LUTE, or in the vicinity of BART facilities where noise levels could exceed 67 dBA CNEL (if a direct line-of-sight is available).</p> <ul style="list-style-type: none"> Recommended noise insulation features shall be included in the designs of such future development. <p>Mitigation Measure 7.4.3B: Freeway Sound Walls. The City of Oakland should coordinate with Caltrans to investigate the potential for constructing new sound walls along those portions of I-880 where no sound walls are currently provided to protect the adjacent neighborhoods. Redevelopment funding could potentially be used to supplement the costs for such walls.</p> <p>Mitigation Measure 7.4.3C: BART Train Noise Reduction. The City of Oakland should coordinate with BART to investigate potential techniques for reducing the noise generated by BART trains, especially near the West Oakland BART station. Redevelopment funding could potentially be used to supplement the costs associated with the investigation of such techniques and potentially to supplement the costs for implementation.</p>		<p>City of Oakland Building Services and Planning Division., and Redevelopment Agency</p> <p>City of Oakland Building Services and Planning Division., and Redevelopment Agency</p>	<p>Following adoption of Redevelopment Plan, prior to redevelopment assistance for projects in the vicinity of I880 corridor.</p> <p>Following adoption of Redevelopment Plan, prior to redevelopment assistance for projects in the vicinity of the West Oakland BART station</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE	MONITORING RESPONSIBILITY	MONITORING TIMEFRAME	
Hazards and Hazardous Materials				
<p>Potential Impact 8.4.1: Long-term Exposure. Currently, businesses within the Project Area handle hazardous materials as part of their operations. Implementation of the Redevelopment Plan's projects, programs and other activities could result in the introduction of new businesses that handle hazardous materials. These existing and potential new businesses could cause a substantial hazard to the public or the environment as a result of an accidental release of hazardous materials or wastes.</p>	<p>Mitigation Measure 8.4.1: Technical Assistance - Hazardous Materials Business Plans and Risk Management and Prevention Plans. Implementation programs pursuant to the Redevelopment Plan should include redevelopment assistance for existing and potential new businesses within the Project Area that handle hazardous or acutely hazardous materials. Such assistance may be in the form of loans, grants and/or technical assistance from the OES toward the preparation of required Hazardous Materials Business Plans and/or Risk Management and Prevention Plans.</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Building Services and Planning Division., Oakland Fire Services Agency, Office of Emergency Services, and Redevelopment Agency</p>	<p>Upon application for new businesses subject to such plans</p>
<p>Potential Impact 8.4.2: Transport of Hazardous Materials. Currently, businesses within the Project Area include those which involve transport of hazardous materials as part of their operations. Implementation of the Plan's projects, programs and other activities could result in the introduction of new businesses that involve transport of hazardous materials. These existing and potential new businesses could cause a substantial hazard as a result of an accidental release of hazardous materials or wastes during normal transport operations.</p>	<p>Mitigation Measure 8.4.2A: Enforcement of Truck Prohibitions. Implementation programs pursuant to the Redevelopment Plan should include projects, programs or other activities intended to increase or enhance the enforcement of prohibitions that limit truck travel to designated truck routes.</p> <p>Mitigation Measure 8.4.2B: Preference for New Industrial Uses along Truck Routes. Redevelopment assistance for new industrial development projects should be prioritized to give preference to those new or existing businesses located along approved truck travel routes, and whose primary access routes are well away from residential areas.</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Building Services and Planning Division., Oakland Police Department</p> <p>City of Oakland Building Services and Planning Division., and Redevelopment Agency</p>	<p>Pursuant to implementation of the Redevelopment Plan</p> <p>Upon application for new businesses</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
<p>Potential Impact 8.4.3: Exposure of Schools and Sensitive Uses. Currently, all of the schools within the Project Area are located within ¼ mile of a permitted hazardous materials use or an identified environmental case. Most of these schools are also located within ¼ mile of an area designated for “Business Mix” or “Community Commercial” land uses.</p> <p>Implementation of the Redevelopment Plan’s projects, programs and other activities could result in the introduction of new businesses that involve hazardous materials within the Business Mix or Community Commercial area near schools and other sensitive uses.</p>	<p>Mitigation Measure 8.4.3A: Preference for Industrial Uses away from Sensitive Receptors. Redevelopment assistance for new industrial development projects should be prioritized to give preference to those new or existing businesses located further than ¼ mile away from a school sites, hospital, health clinic or residence.</p> <p>Mitigation Measure 8.4.3B: Hazardous Materials Assessment Report and Remediation Plan Required. Any project in furtherance of the Redevelopment Plan that proposes a business that handles hazardous materials within ¼ mile of a school, hospital, or residence shall be required to submit a Hazardous Materials Assessment Report and Remediation Plan (HMARRP) for review and approval by the City.</p> <p>Mitigation Measure 8.4.3C: Technical Assistance - Hazardous Materials Assessment Report and Remediation Plan. Implementation programs pursuant to the Redevelopment Plan should include redevelopment assistance for existing businesses within the Project Area that handle hazardous materials within ¼ mile of a school, hospital or residence. Such assistance may be in the form of loans, grants and/or technical assistance from the OES toward the preparation of a required Hazardous Materials Assessment Report and Remediation Plan or relocation of the business.</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Building Services and Planning Division., and Redevelopment Agency</p> <p>City of Oakland Building Services and Planning Division., Oakland Fire Services Agency, Office of Emergency Services, and Redevelopment Agency</p> <p>City of Oakland Building Services and Planning Division., Oakland Fire Services Agency, Office of Emergency Services, and Redevelopment Agency</p>	<p>Upon application for new businesses, pursuant to redevelopment Plan implementation plans</p> <p>Upon application for new businesses subject to such plans</p> <p>Pursuant to implementation of the Redevelopment Plan</p>
<p>Potential Impact 8.4.4: Exposure from Prior Hazardous Materials Users. Implementation of the Redevelopment Plan’s projects, programs and other</p>	<p>Mitigation Measure 8.4.4A: Technical Assistance - Closure of Permitted Hazardous Materials Use Sites. Implementation programs pursuant to the Redevelopment Plan should include redevelopment assistance for the proper closure of</p>	<p><i>Less than Significant</i></p>	<p>Oakland Fire Services Agency, Office of Emergency Services, and Redevelopment Agency</p>	<p>Upon closure of such businesses, pursuant to implementation of the Redevelopment Plan</p>

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POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	<p>Redevelopment Plan should include redevelopment assistance in the removal and disposal of contaminated soil or groundwater in accordance with City of Oakland requirements. Such assistance may be in the form of loans, grants or technical assistance, or the use of Polanco Act or other Redevelopment Agency/City authority.</p> <p>Mitigation Measure 8.4.5D: Dewatering of Contaminated Groundwater. Implementation programs pursuant to the Redevelopment Plan should include potential redevelopment assistance in the removal or dewatering of contaminated groundwater in accordance with City of Oakland requirements. Such assistance may be in the form of loans, grants or technical assistance, or the use of Polanco Act or other Redevelopment Agency/City authority. This mitigation measure would implement state and federal regulations.</p> <p>Mitigation Measure 8.4.5E: Procedures for Protection of Workers. Any project, program or other implementation activity in furtherance of the Redevelopment Plan that may be proposed on a site involving a site investigation, site remediation, underground storage tank removal, excavation, dewatering, and/or construction of improvements where a chemical release has occurred, shall be conducted according to legally required health and safety precautions.</p> <p>Mitigation Measure 8.4.5F: Underground Utility Construction Process. Any project, program or other implementation activity in furtherance of the Redevelopment Plan that may include construction of underground utilities shall require, through implementing contracts, the construction contractor to follow proper health and</p>		<p>Emergency Services, and Redevelopment Agency</p> <p>Oakland Fire Services Agency, Office of Emergency Services, and Redevelopment Agency</p> <p>City of Oakland Building Services and Planning Division., Oakland Fire Services Agency, Office of Emergency Services, and Redevelopment Agency</p> <p>City of Oakland Building Services and Planning Division., Public Works Department, Oakland Fire Services Agency Office of</p>	<p>of the Redevelopment Plan</p> <p>Pursuant to implementation of the Redevelopment Plan</p> <p>Concurrent with new construction</p> <p>Concurrent with new construction</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	safety precautions and to dispose of contaminated soil and groundwater safely and legally.		Emergency Services, and Redevelopment Agency	
<p>Potential Impact 8.4.6: Exposure to Hazardous Building Materials. Demolition and renovation of existing structures could result in potential exposure of workers or the community to hazardous building materials during construction. Without proper abatement procedures, future building occupants could be exposed if hazardous building materials are left in place.</p>	<p>Mitigation Measure 8.4.6A: Hazardous Building Material Abatement Process. All projects, programs or other implementation activities pursuant to the Redevelopment Plan that involve demolition or renovation to existing structures and facilities shall conduct a hazardous building material survey(s) or audit(s).</p> <ul style="list-style-type: none"> • The survey shall be completed by a Registered Environmental Assessor or a registered engineer prior to construction or demolition activities. • If hazardous building materials were identified during the survey, compliance with state and federal regulations regarding abatement of hazardous building materials would be required. • The Project Sponsor shall be required to comply with BAAQMD requirements for the removal of friable and non-friable asbestos-containing materials as well as other requirements of Cal/OSHA, BAAQMD, and the Contractors Licensing Board for abatement of asbestos prior to demolition. Any PCB-containing equipment or fluorescent lights containing mercury vapors would also be removed and disposed of properly. The Project Sponsor shall also investigate soils for the potential of containing lead and other metals around buildings painted with lead-based paint, as well as pesticides such as chlordane and DDT. <p>Mitigation Measure 8.4.6B: Hazardous Building Materials Abatement Assistance. Implementation programs pursuant to the</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Building Services and Planning Division., Public Works Department, Oakland Fire Services Agency Office of Emergency Services, and Redevelopment Agency</p> <p>City of Oakland Building</p>	<p>Prior to demolition or renovation</p> <p>Pursuant to implementation of the Redevelopment Plan</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	<p>Redevelopment Plan should include potential redevelopment assistance in the removal or abatement of hazardous building materials from existing buildings within the Project Area in accordance with City of Oakland requirements. Such assistance may be in the form of loans, grants or technical assistance to individual property owners.</p>		<p>Services and Planning Division., Oakland Fire Services Agency Office of Emergency Services, and Redevelopment Agency</p>	
Public Infrastructure				
<p>Potential Impact 9.4.2: Water Distribution and Wastewater Collection Infrastructure. Implementation of the Redevelopment Plan's projects, programs and other activities is expected to facilitate or assist in the construction of new residential, commercial and/or industrial development within the Project Area. Such new development may require localized improvements to the water and wastewater system's capacity.</p>	<p>Mitigation Measure 9.4.2: Infrastructure Improvements. Major new development projects pursuant to or in furtherance of the Redevelopment Plan shall be reviewed to determine projected water and wastewater loads as compared to available capacity. Where appropriate, determine capital improvement requirements, fiscal impacts and funding sources prior to project approval.</p> <ul style="list-style-type: none"> • These new projects should address the replacement or rehabilitation of the existing sanitary sewer collection system to prevent an increase in I/I in the sanitary sewer system. The main concern is the increase in total wet weather flows, which could have an adverse impact if the flows are greater than the maximum allowable flows from this sub-basin, as defined by the City of Oakland Public Works Department. • When capital improvement requirements for subsequent projects are being assessed, the project sponsor should contact the Wastewater Planning Section to coordinate with EBMUD for this work. • At the Redevelopment Agency's sole discretion, redevelopment funds could potentially be used to subsidize the costs for such improvements. 	<p><i>Less than Significant</i></p>	<p>City of Oakland Public Works Agency.</p>	<p>Prior to issuance of a building permit.</p>

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POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE	MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
Public Services			
No potentially significant impacts identified.	None needed.	<i>No impact</i>	
Cultural and Historic Resources			
<p>Potential Impact 11.4.1: Discovery of Cultural Resource. During construction activities pursuant to implementing the Redevelopment Plan, cultural resources may be uncovered and damaged if not properly recovered or preserved.</p>	<p>Mitigation Measure 11.1.1: Halt Construction/Evaluate Find. In accordance with CEQA Section 15064.5, should previously unidentified cultural resources be discovered during construction, the Project sponsor is required to cease work in the immediate area and an immediate evaluation of the find should be conducted by a qualified archaeologist or qualified paleontologist. If the find is determined to be an historic or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation to protect, preserve, remove or restore the artifacts uncovered should be available. Work may continue on part of the building site while historic or unique archaeological resource mitigation takes place.</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Planning and Building Department.</p> <p>Prior to construction.</p> <p>City of Oakland Planning and Building Department, with recommendation by a cultural resource consultant.</p> <p>Prior to construction.</p> <p>City of Oakland Planning and Building Department, with recommendation by a cultural resource consultant.</p> <p>Prior to construction.</p>
<p>Potential Impact 11.4.2: Discovery of Human Remains. During construction activities pursuant to implementation of the Redevelopment Plan, it is possible that human remains may be uncovered.</p>	<p>Mitigation Measure 11.4.2: Halt Construction/Evaluate Remains. In the event that any human remains are uncovered within the Project Area during future construction activity associated with the implementation of the Project, there should be no further excavation or disturbance of the site or any nearby area until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required or such investigation has occurred and appropriate actions have been taken. If the remains are determined to be of Native American origin, the descendants from the deceased Native</p>	<p><i>Less than Significant</i></p>	<p>City of Oakland Planning and Building Department, with recommendation by a cultural resource consultant if necessary.</p> <p>During construction as part of construction phasing and management plan.</p>

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POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	<p>American(s) shall make a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.</p>			
<p>Potential Impact 11.4.3: Removal or Alteration of Historic Resources: The Redevelopment Plan, as an implementation tool of the General Plan, does not at this preliminary stage propose any specific removal or alteration of historic structures. However, future redevelopment activities may accelerate pressures to alter or replace existing buildings within the Project Area, likely including historic properties.</p>	<p>With adherence to the policies and implementation actions included in the HPE, potential impacts to historic resources in the Project Area may be avoided or substantially lessened to a level of <i>less than significant</i>. The following action items are recommended to be added to the Redevelopment Plan's subsequent Implementation Plan(s) to implement HPE provisions:</p> <ol style="list-style-type: none"> 1. For any project receiving assistance from the Redevelopment Agency within the West Oakland Redevelopment Project Area, a standard requirement shall be instituted to complete an intensive historic survey of the project site and the surrounding area. 2. As part of the first Implementation Plan for the West Oakland Redevelopment Plan, the Agency shall identify potential sites to relocate historic resources that may be displaced by redevelopment projects or activities. 3. If redevelopment projects within the West Oakland Redevelopment Project Area involve the demolition of multiple historic resources, the Agency will consider acquiring a site for relocation of such structures. 4. As part of the first implementation Plan for the West Oakland Redevelopment Plan, the Agency shall fund a Mills Act study for the 	<p><i>Less than Significant</i></p>	<p>Redevelopment Agency.</p>	<p>Pursuant to adoption of the Redevelopment Plan's subsequent Implementation Plan.</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	<p>Redevelopment Project Area.</p> <p>5. As part of the first Implementation Plan for the West Oakland Redevelopment Plan, a set of design guidelines shall be developed for the two districts (Oak Center and Oak Point) eligible for the National Register.</p> <p>6. Revise, update and republish "Rehab Right". As part of this effort, incorporate residential design specifications and details that can be used as a template for cost-effective solutions for common repairs, additions and alterations to existing housing in the West Oakland Redevelopment Project Area.</p> <p>7. As part of the first two 5-year Implementation Plans for the West Oakland Redevelopment Plan, design and implement a set of historic markers and other interpretive information demarcating the Oak Center District and Oak Point District, including monument signs on landmark buildings.</p>			
Cumulative Impacts and Mitigation Measures:				
Transportation				
<p>Cumulative Impact 5.4.2: Signalized Intersections. Traffic generated by new growth and development within the Project Area, in combination with traffic from past projects, other current projects, and probable future projects, would cause cumulative impacts at the intersection of San Pablo Avenue/40th Street in Emeryville.</p>	<p>No feasible mitigation measures have been identified that would reduce cumulative impacts at the San Pablo Avenue and 40th Street intersection to a level that is less than significant.</p>	<p><i>Considerable and Unavoidable.</i></p>		

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
<p>Cumulative Impact 5.4.3: Non-Signalized Intersections. Traffic generated by new growth and development within the Project Area, in combination with traffic from past projects, other current projects, and probable future projects, would cause the intersection at 3rd and Market Streets to operate at unacceptable levels of service.</p>	<p>Mitigation Measure 5.4.3: Convert the two-way-stop-control to all-way-stop-control at the 3rd Street & Market Street intersection. Individual development projects pursuant to implementation of the Redevelopment Plan's programs or other activities within the Project Area shall fund a pro-rata fair share of the cost to convert the two-way-stop-control intersection to all-way-stop-control at the 3rd Street & Market Street intersection. Alternatively, at the Redevelopment Agency's sole discretion, redevelopment funds could potentially be used to subsidize these fair-share funding contributions or to implement this improvement.</p>	<p><i>Less than Considerable</i></p>	<p>City of Oakland Traffic Engineering Department and Planning Department.</p>	<p>Prior to intersection operation exceeding Level of Service E.</p>
<p>Cumulative Impact 5.4.4: AC Transit Service. New growth and development within the Project Area, in combination with past projects, other current projects, and probable future projects, would be likely to increase average ridership on AC Transit by more than 3 percent.</p>	<p>Mitigation Measure 5.4.4: Coordination with AC Transit. The City of Oakland shall coordinate with AC Transit to ensure that the average load factor on any specific AC Transit line does not exceed 125 percent over a peak thirty-minute period. At the Redevelopment Agency's sole discretion, redevelopment financing capabilities could potentially be used to assist AC Transit in meeting this operational threshold.</p>	<p><i>Less than Considerable.</i></p>	<p>City of Oakland, in coordination with AC Transit.</p>	<p>During development of AC Transit master planning efforts for transit lines in the area.</p>
<p>Cumulative Impact 5.4.5: BART Service. New growth and development within the Project Area, in combination with other past projects, current projects and probable future projects, would likely result in cumulatively significant impacts on BART service at fare gates.</p>	<p>Mitigation Measure 5.4.5: Coordination with BART. The City of Oakland shall coordinate with BART to ensure that adequate fare gate capacity is available at the West Oakland and MacArthur BART stations to accommodate anticipated increases in ridership associated with projected growth and development within the Project Area. To the extent that adequate capacity may be reliant on the addition of one or more new fare gates at the station, the Redevelopment Agency, at its sole discretion, may consider utilizing redevelopment financing</p>	<p><i>Less than Considerable.</i></p>	<p>City of Oakland, in coordination with BART.</p>	<p>At such time as BART determines that fare gate capacity exceeds 1 minute.</p>

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POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	capabilities to assist in the financing of such station improvements.			
Cumulative Impact 5.4.7: Truck Parking. Redevelopment, in combination with past, other current, and probable future projects (including the Port of Oakland's Vision 2000 Program and the OARB Redevelopment Project) could result in a cumulatively inadequate supply of parking for trucks serving the Port of Oakland.	Any mitigation measures that might be recommended for the Project Area that would result in expansion of trucking operations and truck-related activities would be in conflict with the land use compatibility strategies embodied in General Plan policy and supporting land use ordinances. Therefore, no mitigation measures are recommended.	<i>Considerable and Unavoidable.</i>		
Air Quality				
Cumulative Impact 6.4.8 Emissions of NO_x and PM₁₀: Implementation of the Redevelopment Plan, in conjunction with the Port's Vision 2000 Program and the adjacent OARB Area Redevelopment Project would cumulatively exceed BAAQMD significance criteria for NO _x and PM ₁₀ .	Most of the cumulative emissions in the Project Area are attributed to Port-related projects. The Port of Oakland is implementing the Vision 2000 AQMP, a program to mitigate the potential air quality impacts of the Port's Vision 2000 Program.	<i>Significant and Unavoidable</i>		
Noise				
Cumulative Impact 7.4.5: Traffic Noise. New growth and development within the Project Area, combined with other past projects, other current projects and probable future projects would generate cumulative noise increases along	None identified.	<i>Significant and Unavoidable</i>		

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE	MONITORING RESPONSIBILITY	MONITORING TIMEFRAME	
local streets.				
Public Services				
<p>Cumulative Impact 10.4.1: Parks. On a cumulative basis the growth and development that may be facilitated by, or be in furtherance of the Redevelopment Plan would contribute to a cumulatively considerable deficit in existing parkland.</p>	<p>Mitigation Measure 10.4.1A: Park Sites. The City of Oakland Redevelopment Agency shall coordinate with the Office of Parks and Recreation to develop and initiate a land acquisition program for new parks in underserved areas. The biggest challenge will be to find available land in appropriate areas to serve new residents. The Redevelopment Agency may be able to assist through the use of redevelopment tools in the identification and acquisition of appropriate new park sites.</p>	<p><i>Less than Considerable</i></p>	<p>City of Oakland Redevelopment Agency, Planning Department, Office of Park and Recreation.</p>	<p>Pursuant to development of redevelopment Plan 5-year Implementation Plans.</p>
	<p>Mitigation Measure 10.4.1B: Joint Use. The City of Oakland Redevelopment Agency shall coordinate with the City Office of Parks and Recreation and the OUSD, local churches, private recreation providers and local non-profit agencies to promote joint use agreements and joint use partnerships that maximize the use of non-park recreational facilities.</p>		<p>City of Oakland Redevelopment Agency, Planning Department, Office of Park and Recreation and OUSD.</p>	<p>Pursuant to development of redevelopment Plan 5-year Implementation Plans.</p>
	<p>Mitigation Measure 10.4.1C: Funding. The City of Oakland and its Redevelopment Agency shall identify and pursue local funding opportunities to augment existing General Fund monies. At the Redevelopment Agency's sole discretion, redevelopment funds could potentially be used for parkland acquisitions and improvements.</p>		<p>City of Oakland Redevelopment Agency, Planning Department, Office of Park and Recreation.</p>	<p>Pursuant to development of redevelopment Plan 5-year Implementation Plans.</p>
<p>Cumulative Impact 10.4.2: Schools. On a cumulative basis,</p>	<p>Mitigation Measure 10.4.2A: Joint Use. The City of Oakland, its Redevelopment Agency, and</p>	<p><i>Less than Considerable</i></p>	<p>City of Oakland Redevelopment Agency,</p>	<p>Pursuant to development of Redevelopment Plan 5-year</p>

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
<p>the growth and development that may be facilitated by, or be in furtherance of the Redevelopment Plan would contribute to a cumulatively considerable deficit in existing school capacity.</p>	<p>public and private land developers within the Project Area shall work with the OUSD to identify possible joint use opportunities. Examples of joint use may include the lease or sale of air rights above or below existing school grounds or facilities to private developers, or joint venturing with private developers, public entities or other parties in the development of surplus school property. Other joint use opportunities include joint ventures with the City parks department in the development of shared school grounds/public park space. Joint use agreements can result in opportunities for sharing costs for such items as maintenance and repair, thereby saving funds for other District needs.</p> <p>Mitigation Measure 10.4.2B: Funding Opportunities. The City of Oakland and its Redevelopment Agency shall coordinate with the OUSD to identify and pursue local funding opportunities to match potential state grants. At the Redevelopment Agency's sole discretion, local funds could potentially include the use of redevelopment funds.</p> <p>Mitigation Measure 10.4.2C: Real Estate Asset Management. The City of Oakland and its Redevelopment Agency should coordinate with the OUSD in the management of the District's real estate assets. On a cumulative, District-wide basis the School District will continue to be challenged in its ability to find available land in appropriate areas to serve new student populations. The District may</p>		<p>Planning Department, and OUSD.</p> <p>City of Oakland Redevelopment Agency, Planning Department, Office of Park and Recreation and OUSD.</p> <p>City of Oakland Redevelopment Agency, Planning Department, Office of Park and Recreation and OUSD</p>	<p>Implementation Plans.</p> <p>Pursuant to development of Redevelopment Plan 5-year Implementation Plans.</p> <p>Pursuant to development of Redevelopment Plan 5-year Implementation Plans.</p>

¹ California Redevelopment Law (Section 33607.5) establishes specific mechanisms and formulas for payments by redevelopment agencies to school districts. Section 33607.5 of the CRL also specifically provides that such payments are the exclusive payments required to be made by a redevelopment agency to a school district. A Redevelopment Agency shall not be required, as a mitigation measure or as part of any settlement agreement or judgement, to make any other payments to a school district.

MITIGATION MONITORING AND REPORTING PROGRAM

POTENTIAL IMPACTS	MITIGATION MEASURES AND RESULTING LEVEL OF SIGNIFICANCE		MONITORING RESPONSIBILITY	MONITORING TIMEFRAME
	<p>now own or control real estate outside of the Project Area where new schools may not be needed to serve student demands. Creative use and disposition of these real estate assets could help mitigate the costs of future facility needs. The City and Agency may be able to assist through the use of redevelopment tools in the identification, use and potential disposition of appropriate sites, even if these sites are not located within the Project Area.</p>			

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Responses to Comments

3.1 Introduction

This chapter provides responses to public comments received during the official public review period on the Draft EIR, along with a copy of each of the comment letters, and a transcript containing verbal comments recorded from the July 16, 2003 public hearing conducted during the Draft EIR review period. The letters are each assigned a number, and each comment is numbered in the right margin. The written responses to these letters correspond to that numbering system, and are immediately following each letter.

In some cases, responses include a revision to the text of the Draft EIR. Those changes are indicated in the response, and a compilation of all such changes to the text and graphics of the Draft EIR is provided in Chapter 4 of this document. The changes are generally clarifications and corrections to the Draft EIR, and do not raise significant new environmental effects not previously considered in the DEIR.

Comment letters and verbal comments on the Draft EIR were received from the following agencies, organizations and individuals:

- A. California Department of Toxic Substances Control
- B. West Oakland Project Area Committee
- C. West Oakland Environmental Indicators Project, Allen Edson and Mary Lane
- D. June Gin
- E. Una Gilmartin
- F. Larry Rice, West Oakland Project Area Committee (WOPAC)
- G. Lynne Horiuchi, West Oakland Project Area Committee (WOPAC)
- H. Stefanie Parrott, West Oakland Project Area Committee (WOPAC)
- I. Bruce Beasley, West Oakland Project Area Committee (WOPAC)
- J. Karin MacDonald, West Oakland Project Area Committee (WOPAC)
- K. Louie P. Martinez, West Oakland Project Area Committee (WOPAC)
- L. Debra Bridges
- M. Transcript from the City of Oakland Planning Commission public hearing on July 16, 2003
- N. Governor's Office of Planning and Research, State Clearinghouse

2004 HOUSING ELEMENT UPDATE INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

DOCUMENT SUBMITTED FOR PUBLIC REVIEW:

FEBRUARY 27, 2004

COMMENTS CAN BE SENT TO:

**CITY OF OAKLAND
COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY
PLANNING AND ZONING DIVISION
STRATEGIC PLANNING UNIT
250 FRANK H. OGAWA PLAZA, SUITE 3330
OAKLAND, CA 94612**

**PREPARED FOR:
THE CITY OF OAKLAND**

PREPARED BY:



IN ASSOCIATION WITH:



ATTACHMENT H

City of Oakland
File No. GP04-069/ER04-0002

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

1. **Project Title:** City of Oakland Housing Element Update

2. **Lead Agency Name and Address:**

City of Oakland
Community and Economic Development Agency
Strategic Planning
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612

3. **Contact Person and Phone Number:**

Margaret Stanzione, Strategic Planning Coordinator
Phone: (510) 238-4932
E-Mail: mstanzione@oaklandnet.com

4. **Project Location:**

The City of Oakland is located at the eastern shore of the San Francisco Bay. The City encompasses 56 square miles of land and 24 square miles of water and is defined by the Bay and Estuary on the southwest, the crest of the Berkley-Oakland Hills on the northeast, and other urban areas on the north and south. Most of the development is located on the coastal shelf, which varies in width from two to four miles. Oakland is approximately 15 miles east of San Francisco and 90 miles southwest of Sacramento. Interstate 80 provides access to Oakland from the northwest, while Interstate 580 and 980 provides access from the southeast. Portions of the City are rolling or hilly, with elevations in the City limits ranging from sea level to 1,760 feet at Grizzly Peak. (Source: *City of Oakland General Plan Land Use and Transportation Element (LUTE) Environmental Impact Report, 1998*).

5. **Project Sponsor's Name and Address:**

City of Oakland
Community and Economic Development Agency
Strategic Planning
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612

6. General Plan Classifications: Citywide

7. Zoning: Citywide

8. Description of Project:

The 2004 Housing Element update is a statement by the City of Oakland of its current and future housing needs. The purpose of the Housing Element is to establish goals, policies, and programs that address identified housing needs. The City's Housing Element is based on eight goals that provide direction and guidance for meeting the City's housing needs through 2006.

1. Provide adequate sites suitable for housing for all income groups.
2. Promote the development of adequate housing for low- and moderate-income households.
3. Remove constraints to the availability and affordability of housing for all income groups.
4. Conserve and improve older housing and neighborhoods.
5. Preserve affordable rental housing.
6. Promote equal housing opportunity.
7. Promote sustainable development and smart growth.
8. Increase public access to information through technology.

The City's housing policies and strategies have been developed within a broader context that includes four major initiatives:

1. Update of the *General Plan Land Use and Transportation Elements* (1998)
2. Attraction of 10,000 Residents to Downtown Oakland (the "Mayor's 10K Initiative")
3. Promotion of Sustainable Development Policies and Practices
4. Affordable Housing Strategies

The Housing Element is prepared to meet the requirements of state law (Section 65580 – 65589.8 of the California Government Code). The Housing Element also addresses the needs of special population groups defined under state law (Section 65583 of the California Government Code), equal housing opportunity, housing rehabilitation, and housing subsidies for owners and renters.

The updated Housing Element covers a period of seven and one half years (January 1, 1999 to June 30, 2006), corresponding with the Association of Bay Area Government's (ABAG) *Regional Housing Needs Determination* (RHND) adopted March 2001. The RHND requires the City of Oakland to accommodate at least 7,733 new housing units (average 1,031 units per year) between 1999 and 2006.

Per the RHND, 2,238 units should be affordable to households earning no more than 50 percent of median income, 969 units should be affordable to households earning between 50 percent and 80 percent of median income, 1,959 units should be affordable to households earning between 80 percent and 120 percent of median income, and 2,567 units should be affordable to households earning more than 120 percent of median income. Sites on which such housing may be constructed should permit adequate densities and contain infrastructure and services to

increase the financial feasibility of producing housing affordable to low-income residents. The Housing Element does not require the City or others to construct the housing units allocated by the RHND. The Housing Element must, however, contain policies, programs, and other actions that demonstrate that the City can accommodate its regional housing allocation assigned by ABAG.

Housing potential on land suitable for residential development in Oakland is more than adequate to meet Oakland's RHND allocation. The City has identified 46 sites on which housing has been built since January 1999 or is currently under construction. These sites contain 3,168 units, or approximately forty percent of the City's total need. Identified housing unit potential to meet the balance of housing needs still to be provided within the planning period (4,565 units) totals approximately 13,730-15,800 units, including potential housing projects in predevelopment (5,316 units) and potential on additional housing opportunity sites (8,420-10,490 units). Based on this analysis, the total identified housing unit potential is more than three times larger than remaining need as identified by ABAG.

The 1998 *Land Use and Transportation Element* evaluated increases in residential density in the Old Oakland and Gateway neighborhoods (Downtown), near Jack London Square, at the Ninth Avenue Terminal and Fruitvale waterfront, and along sections of International, Foothill, and MacArthur Boulevards, Telegraph and San Pablo Avenue, and Martin Luther King Junior Way. Most of the opportunity sites identified in the Housing Element fall within these geographic areas. Based on an evaluation of its vacant land inventory and the distribution and density of residential land uses contained in the 1998 *Land Use and Transportation Element*, the City of Oakland has determined it can meet the requirements of accommodating its total RHND under existing zoning. The Housing Element does not contain any recommendations to rezone or change land uses on any properties identified in the vacant land inventory except in cases where rezonings are necessary to accomplish General Plan-Zoning conformance. As a result, implementation of the policies, programs, and other actions contained in the Housing Element will not change the pattern of development anticipated by the *LUTE*.

9. Surrounding Land Uses and Setting:

The project is a General Plan Amendment that will be applied citywide and includes the City of Oakland Planning Area (Figure II-2 – Planning Area Boundaries, *General Plan LUTE EIR*, page II-4).

10. Other Public Agencies Whose Approval Is Required:

Although the project does not require other public agency approvals, the City is required to submit the draft Housing Element to the California Department of Housing and Community Development (HCD), per Section 65585 of the California Government Code, and consider its findings on the draft Housing Element before it can be adopted as a General Plan Amendment.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Claudia Cappio,
Director of Development

ENVIRONMENTAL SETTING

The City of Oakland includes a variety of residential, commercial, industrial, public, institutional, and open space land uses, as well as several major transportation hubs. The City is a continuation of urban development to the north and south; contains a regional airport and seaport; and is bordered by public open space owned by the East Bay Regional Park District to the east and the estuary to the west. The City is characterized by many individual neighborhoods, a variety of housing types, commercial nodes and transportation corridors, and industrial areas with many long time industries. Most of the new development in the City takes place on vacant, infill parcels or on lots that are underutilized or redeveloped. Compared to other areas in the Bay Area, Oakland is considered an urban environment.

The *Land Use and Transportation Element (LUTE)* adopted in 1998 assigned new land use designations to many parts of the City. The EIR prepared for the *LUTE*, certified in 1998, evaluated the environmental impacts of the *LUTE* and analyzed the likely growth potential for portions of the City to 2015, the horizon year of the *LUTE*.

The following evaluation provides information regarding impacts from residential development(s) as a result of the 2004 Housing Element's policies and programs. Implementation of the amendments to the Housing Element will not result in a change in land use patterns, a greater number of dwelling units than anticipated under the current General Plan, or a rate of housing construction greater than what has already been evaluated in the General Plan *LUTE EIR*. Furthermore, no substantial changes are proposed to the residential General Plan land use designations adopted in 1998; no information is introduced in the Housing Element which would result in substantial changes to the land use pattern; and no new information is being introduced. As a result, to a large extent, the General Plan *LUTE EIR* has been incorporated by reference in this Mitigated Negative Declaration. A copy of the General Plan *LUTE EIR* is available for public review at the City of Oakland, Community and Economic Development Agency, Strategic Planning, 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, California 94612.

CEQA requires that an explanation of all answers except "no impact" answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified. As defined here, a significant effect is considered a substantial adverse effect.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS – Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| (a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments to Section I, Questions (a), (b), (c), and (d):

The Open Space for Community Character section within the *Open Space, Conservation, and Recreation (OSCAR) Element* (Chapter 2, pages 2-64 – 2-67) applies specific standards for the protection of visual

quality and scenic views in Oakland, which will ensure that there are no significant aesthetic impacts. Views, streets, and gateways, along with architectural and landscape features are discussed in the *General Plan* with appropriate policies and programs to protect visual resources and scenic corridors (policies OS-10.1 – OS-10.4, pages 2-65 – 2-67). The Visual and Aesthetic Conditions section of the *LUTE EIR* (pages III.F-1 – III.F-12) adequately addresses the project’s potential impacts to aesthetic resources, and are incorporated by reference here. The *LUTE EIR* determined that development under the *General Plan* would not adversely affect existing visual resources with the implementation of *LUTE* goals, objectives, policies, and actions. Mitigation measures in the *LUTE EIR* require the development of design guidelines for height and bulk in the Downtown, for all Neighborhood Commercial areas, and for parking facilities to ensure the preservation of significant visual characteristics. Those mitigation measures are listed below:

Mitigation Measure F.2a: Develop guidelines or a “step back” ordinance for height and bulk for new development projects in the downtown area. Projects should be encouraged to be designed at pedestrian-scale on the street-side, with high towers or strong vertical elements stepping back from the street.

Mitigation Measure F.2c: Define view corridors and, based upon these views, designate appropriate height limits and other requirements. Views of Lake Merritt, the Estuary, and architecturally or historically significant buildings should be considered.

Mitigation Measure F.3a: Develop standard design guidelines for all Neighborhood Commercial areas that require continuous or nearly continuous storefronts located along the front yard setback, promote small scale commercial activities rather than large scale establishments at the ground level, restrict front yard parking lots and driveways, require small scale pedestrian-oriented signage, have a relatively low height limit, and promote the development of pedestrian friendly amenities at the street level. The standards design guidelines may be expanded to capture the unique or desired character of certain areas.

Mitigation Measure F.3c: Develop design guidelines for parking facilities of all types.

Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURAL RESOURCES – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| (a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments to Section II, Questions (a), (b), and (c):

As discussed in the *General Plan OSCAR Element* and *LUTE* agricultural resources and/or land(s) currently zoned for agricultural uses are not present within Oakland’s planning area. The project is within an urbanized area that contains a mixture of commercial, residential, and industrial uses. There are no anticipated impacts to agricultural resources, as no new dwelling units would be constructed that could

potentially convert prime farmland, conflict with existing zoning for agricultural use(s), or result in the conversion of farmland to non-agricultural use(s).

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY – Would the project:

(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance – Air Quality Impacts

According to the Bay Area Air Quality Management District’s CEQA Guidelines and the City of Oakland, an air quality impact is considered significant if the project would:

- conflict with or obstruct implementation of the applicable air quality plan;
- violate or contribute substantially to an existing or projected air quality violation;
- result in a cumulatively considerable net increase of a non-attainment pollutant;
- violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation;
- result in substantial emissions or deterioration of ambient air quality. The significance thresholds recommended by the BAAQMD are considered to represent “substantial” emissions. These thresholds are 80 pounds per day (or 15 tons/year) for regional air quality pollutants, including ROG, NO_x, and PM₁₀. For carbon monoxide (CO), a project contributing to CO concentrations exceeding the State Ambient Air Quality Standard of 9 parts per million (ppm) averaged over 8 hours or 20 ppm for one hour. Any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact;
- result in the exposure to sensitive receptors or the general public to substantial levels of toxic air contaminants; or
- frequently expose sensitive receptors or members of the general public to objectionable odors.

The significance threshold for construction dust impacts is based on the appropriateness of construction dust controls. The BAAQMD guidelines provide feasible control measures for construction emission of PM₁₀. If the appropriate construction controls are implemented, then air pollutant emissions from construction activities would be considered less-than-significant.

Comments to Section III, Questions (a), (b), (c), (d), and (e):

Oakland is within the Bay Area Air Quality Management District (BAAQMD) that operates a network of monitoring sites throughout the Bay Area. During a five-year period (1990–1995) the state and federal standards for carbon monoxide were met every day at the Alice Street station monitoring site (*LUTE EIR*, page III.E-5). Potential impacts to air quality within the City, including those resulting from population increases, were analyzed as part of the *LUTE EIR* (Air Quality, pages III.E-1 – III.E-35). This analysis adequately addresses the project's impacts to air quality, and is incorporated by reference here. The mitigation measures related to air quality contained in the *LUTE EIR* are also incorporated by reference here. Based on this analysis and implementation of the OSCAR Element's Air Resources objectives, policies, and actions (policies CO-12.1 – CO-12.6, pages 3-52 – 3-58), and Mitigation Measures in the *LUTE EIR*, impacts to local air quality are mitigated to less than significant. The Mitigation Measures in the *LUTE EIR* are as follows:

Mitigation Measure E.4: Where residential development would be located above commercial uses, parking garages, or any other uses with a potential to generate odors, the odor-generating use should be properly vented (e.g., located on rooftops) and designed (e.g., equipped with afterburners) so as to minimize the potential for nuisance odor problems.

Mitigation Measure E.5a: The following Basic Control Measures shall be implemented at all construction sites:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose debris *or* require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Mitigation Measure E.5b: The following enhanced control measures shall be implemented at all construction sites when more than four acres are under construction at any one time:

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

Mitigation Measure E.5c: BAAQMD dust control measures would be implemented by contractors of future development projects as outlined in BAAQMD *CEQA Guidelines* (1996) or any subsequent applicant BAAQMD updates. They are as follows:

- Any stationary motor sources (such as generators and compressors) to be located within 100 feet of any residence or school (sensitive receptors) would be equipped with a supplementary pollution control system on its exhaust as required by Bay Area Air Quality Management District (BAAQMD) and California Air Resources Board (CARB).
- To minimize construction equipment emissions, low-NOx tune-ups should be performed on all construction equipment. Contractors should be required to utilize equipment with recent (within

30 days) low- NOx tune-ups to minimize NOx emissions. This would apply to all diesel-powered equipment greater than 50 horsepower and periodic tune-ups (every 90 days) would be required for equipment used continuously for construction of a specific development.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments to Section IV, Questions (a), (b), (c), (d), (e), and (f):

The *General Plan OSCAR Element* provides for orderly growth in the planning area and includes provisions for the conservation of natural resources, including the protection and enhancement of sensitive biological resources (pages 3-40 – 3-46). The analysis contained in the LUTE EIR related to biological resources adequately addresses the project’s impacts to biological resources, and is incorporated by reference here. The LUTE EIR identifies no mitigation necessary of policies or actions within the General Plan to preserve and protect biological resources within the City (pages III.H-14 – III.H-20).

The objectives, policies, and actions within the Wildlife section of the OSCAR Element (Chapter 3, pages 3-49 – 3-50) ensure the protection of wildlife from the hazards of urbanization, which includes the protection and enhancement of migratory corridors for wildlife. Residential development proposed as a part of the project is not expected to adversely affect biological resources. Most anticipated development will occur on infill sites within well-developed urban areas, which the General Plan does not designate as biologically sensitive.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES – Would the project?

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| (a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Thresholds of Significance – Historic Resource Impacts

Under CEQA guidelines, a project will normally have a significant effect on the environment if it will “disrupt or adversely affect a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group or social group, or a paleontological site except as part of a scientific study.” The Public Resources Code defines "substantial adverse change" as "demolition, destruction, relocation or alteration," activities that would impair the significance of an historical resource {Cal. Pub. Res. Code § 5020.1(q)}.

Comments to Section V, Questions (a), (b), (c), and (d):

Potential impacts to archaeological, historic, and cultural resources were analyzed as part of the *LUTE EIR* (pages III.G-1 – III.G-17). This analysis adequately addresses the project’s impacts to archaeological, historic, and cultural resources, and is incorporated by reference here. The mitigation measures contained in the *LUTE EIR* are also incorporated by reference here. The *EIR* identifies the paleontological remains and registered historic resources within the Central Business District “change” area, Estuary Shoreline “change” area, and Transit Corridor “change” area (Tables III.G-1 – III.G-4, pages III.G-2 – III.G-11). The *General Plan LUTE* and *Historic Preservation Element* proposes a series of policies and programs in order to protect and preserve the archaeological and historic resources in Oakland from the effects of increased development intensity (Historic Preservation Policies 3.1 and 3.9 (a) and *LUTE* Policies D1.1, D2.1, and N11.4). These policies address preserving design elements of historic buildings, architectural integrity, and ensuring that new development in historic districts are visually interesting and compatible in character with the surroundings.

With the implementation of *General Plan* policies and appropriate mitigation measures from the *LUTE EIR* (Mitigation Measure G.2, G.3a, and G.3b, pages III.G-13 – III.G.16), impacts to archaeological, historic, or cultural resources are less than significant and no new impacts are anticipated as a result of the project. Those mitigation measures are as follows:

Mitigation Measure G.2: Establish criteria and interdepartmental referral procedures for determining when discretionary City approval of ground-disturbing activities should be subject to special conditional to safeguard potential archaeological resources.

Mitigation Measure G.3a: Amend the Zoning Regulations text to incorporate the new preservation regulations and incentives.

Mitigation Measure G.3b: Develop and adopt design guidelines for Landmarks and Preservation Districts.

In addition to the mitigation measures listed above, the following mitigation measures shall also apply:

Mitigation Measure Cultural Resources 1 (New – in addition to the LUTE EIR): In accordance with CEQA Section 15064.5, should previously unidentified cultural resources be discovered during future construction, the applicant is required to cease work in the immediate area and an immediate evaluation of the find should be conducted by a qualified archaeologist or qualified paleontologist. If the find is determined to be an historic or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation to protect, preserve, remove or restore the artifacts uncovered should be available. Work may continue on part of the building site while historic or unique archaeological resource mitigation takes place.

Mitigation Measure Cultural Resources 2 (New – in addition to the LUTE EIR): In the event that any human remains are uncovered during future construction, there should be no further excavation or disturbance of the site until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required or such investigation has occurred and appropriate actions have been taken, and (if the remains are determined to be of Native American origin) the descendants from the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and may associate grave good as provided in Public Resources Code Section 5097.98.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOILS – Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map for the area or based on other substantial evidence of a known fault? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Be located on expansive soil creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- (e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Comments to Section VI, Questions (a), (b), (c), (d), and (e):

The principle active faults in the vicinity of the Oakland planning area are the Hayward Fault, San Andreas Fault, and the Calaveras Fault (page III.K-3). Construction located within liquefaction and landslide hazard zones are required to conduct a seismic investigation and recommend construction methods to mitigate potential seismic hazards identified (*LUTE EIR*, page III.K-19). The three types of soils within the Oakland planning area are the bay muds located along the shoreline and in the land filled areas, the alluvium and sand dune deposits located in the flatland and hills areas, and sandstones and shale fragments of the hill areas (*LUTE EIR*, page III.K-2). The City's *OSCAR Element* provides policies and actions to minimize the potential for soil erosion resulting from development on hillside areas (page 3-9). These programs require actions such as reviewing the grading ordinance every five years to keep it current with new construction methods and developing illustrated grading guidelines that accompany the City's grading ordinance (Action CO-2.4.1 and Action CO-2.4.2).

The *LUTE EIR* discusses a high shrink/swell potential in areas underlain by soils with high clay content. The *OSCAR Element* contains Policy CO-2.3 (page 3-9) and Action CO-1.1.3 (page 3-4), which require development on fill soils to make special provisions to safeguard against subsidence and to consider soil constraints (i.e., shrink/swell and low soil strength potential) in the design of buildings.

The *LUTE EIR* determined that the potential impacts from seismic activity, erosion, and geologic hazards are less than significant with the implementation of the policies and actions contained within the *OSCAR Element* (*LUTE EIR*, pages III.K-13 – III.K-20).

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS –

Would the project:

- (a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- (b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- (c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- (d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments to Section VII, Questions (a), (b), (c), (d), (e), (f), (g), and (h):

The City's *General Plan Environmental Hazards Element* discusses potential impacts resulting from hazards and hazardous materials that may endanger residents of Oakland or negatively affect the environment. The project is not expected to generate hazardous materials or expose residences to hazardous materials. Compliance with existing laws and implementation of the objectives, policies, and actions within the *Environmental Hazards Element* and the *OSCAR Element* would minimize potential public health impacts associated with use and presence of hazardous substances in Oakland to that of less than significant (*LUTE EIR*, pages III.M-1 – III.M-20). The following mitigation measure applies:

Mitigation Measure M.5: Hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of site-specific health and safety plans, as recommended by the Occupational Safety and Health Administration.

	Potentially Significant	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY –

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

According to the CEQA Guidelines, a project may be considered to have a significant effect on the environment, in terms of a land use impact, if the project would:

- fundamentally conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment;
- require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses.
- displace large numbers of people;
- induce substantial growth;
- disrupt or divide the physical arrangement of an established community; or
- conflict with any applicable habitat conservation plan or natural community conservation plan.

Comments to Section IX, Questions (a), (b), and (c):

The updated Housing Element identifies housing conditions, trends, and needs and sets forth housing goals, policies, and programs for Oakland. The opportunities for housing development identified in the Housing Element focus on locations in downtown Oakland, along the major transportation corridors of the City, in transit-oriented districts near Oakland's BART stations, and near Jack London Square. Opportunities for housing development identified in the Element cover a range of housing densities, with many opportunities for urban density and mixed-use housing development.

Housing development envisioned in the Housing Element is consistent with the vision and specific land use designations, densities of development, and transportation systems set forth in the *Oakland General Plan LUTE* (pages 131 – 145). Although the Housing Element will not directly result in the development of any particular housing or sites, it identifies potential sites and policies supportive of programs for developing housing to meet Oakland's allocation of regional housing needs and an amount of housing development that is consistent with the development levels envisioned under the *LUTE*.

The Housing Element is consistent with housing development efforts underway as part of the Mayor's 10K Initiative to attract approximately 6,000 new residential units in downtown Oakland for 10,000 new downtown residents and will not physically divide the community. Anticipated housing development as a result of the project is also consistent with the *OSCAR Element* and the *Historic Preservation Element* of the *General Plan* and is generally consistent with neighborhood, area, and habitat conservation plans completed in recent years.

The *LUTE EIR* assumed the addition of about 12,000 households in Oakland between 1995 and 2015, based on *General Plan* policies and consideration of ABAG Projections '96 (the most current at the time of the EIR analysis [1998]). The *LUTE EIR* assumptions included more household growth in Oakland than did the ABAG Projections '96. Total households estimated for Oakland and assumed in the *LUTE EIR* analyses was 144,031 households (1995) and 156,076 projected (2015), for an increase of 12,045.

Oakland's regional housing needs allocation (RHNA) as determined by ABAG identifies the need for development of 7,733 housing units at various income levels over the period January 1, 1999 to June 30, 2006. Comparison of that growth to the *LUTE EIR* growth assumption requires that the development of housing units under the RHNA be converted to growth of households residing in those units (accounting for a housing vacancy factor), and that the additional households be added to existing households in the base year to identify total households in the future (once the housing needs are met). This total was then compared to total households analyzed in the *LUTE EIR*.

The original ABAG calculations of regional housing need assumed the estimates of households in 1999 as determined by the State Department of Finance (DOF) E-5 Report. For Oakland, 144,979 households were identified by DOF, as of January 1, 1999. Assuming an average overall vacancy of four percent, the RHNA for Oakland of 7,733 additional housing units by June 30, 2006 would accommodate 7,424 additional households in Oakland. This amount of household growth over the base year total would result in 152,403 households in Oakland in the future; less than the total analyzed in the *LUTE EIR* (156,077 households). Thus, the potential residential development as a result of the Housing Element update is consistent with what was planned and projected under the analysis in the *LUTE EIR* (pages II.A-1 – II.A-32). Therefore, the analysis contained in the *LUTE EIR* related to Planning and Land Use adequately addresses the project's impacts on Planning and Land Use and is incorporated by reference here. No new impacts are anticipated.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments to Section X, Questions (a) and (b):

The *General Plan LUTE* identifies the Leona Quarry as Oakland's only active quarry (page III.K-3). This quarry is located on a southwest-facing slope at Edwards Avenue and I-580.

In 2002, the City Council approved a residential project for the Quarry site, consistent with the *General Plan LUTE* Policies. The loss of mineral resources was determined to be less than significant in the Leona Quarry EIR, because the impact of the proposed residential project on the overall available aggregate reserves of Rhyolite in the South San Francisco Bay P-C Region is insignificant because the overall aggregate reserves would remain in deficit despite the inability to extract aggregate from Leona Quarry. Overall, the redevelopment of the quarry site, along with the complete restoration and revegetation of the existing slopes, would be considered to be a beneficial impact because residential development is more consistent with the surrounding community.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. NOISE – Would the project result in:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| (a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Thresholds of Significance – Noise Impacts

According to the CEQA Guidelines and the City of Oakland, the project would have a significant impact on the environment if it would:

- expose persons to or generate noise levels in excess of standards established in the Oakland General Plan or applicable standards of other agencies;
- exceed City-adopted state land use compatibility guidelines for all specified land uses (City of Oakland, 1997) as follows:
 - multifamily residential land uses—DNL 60 dBA or less is normally acceptable, DNL 60 to 70 dBA is conditionally acceptable, and DNL 70 to 75 dBA is normally unacceptable;
 - commercial and office uses—DNL 67 dBA or less is normally acceptable, DNL 67 to 75 dBA is conditionally acceptable; or
 - should conditionally acceptable noise levels exist or result from the project, new construction or development should undertake a detailed analysis of noise reduction techniques and noise insulation features shall be included in project;
- exceed the operational standards of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050). If existing ambient noise levels exceed the applicable noise level standard, the standard shall be adjusted to equal the ambient noise level;
- exceed California Noise Insulation Standards (CCR Part 2, Title 24) for multi-family dwellings, hotels, motels, dormitories and long-term care facilities (and may be extended by local legislative action to include single family dwellings) of 45 dBA Ldn or CNEL inside the dwelling unit;
- expose persons to or generate excessive ground-borne vibration or ground-borne noise levels;
- result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, as described below:
 - an increase of 5 dBA at the receptor property boundary; or
 - cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project or exceed temporary construction standards of the City

of Oakland Noise Ordinance, except if an acoustical analysis is performed and all feasible mitigation measures imposed, including the standard City of Oakland noise reduction measures adopted by the Oakland City Council on January 16, 2001; or

- if the ambient noise level exceeds the applicable noise level standards above, the standard shall be adjusted to equal the ambient noise level. During the hours of 7 p.m. to 7 a.m. on weekdays and 8 p.m. to 9 a.m. on weekends and federal holidays, noise levels received by any land use from construction or demolition shall not exceed the applicable nighttime operational noise level standard.

Comments to Section XI, Questions (a), (b), (c), (d), (e), and (f):

The *LUTE EIR* identifies Oakland's existing noise environment as primarily caused by traffic on major highways, including Interstate 880, Interstate 980, Interstate 580, State Highway 24, State Highway 13, and major arterial streets (page III.L-2). The noise analysis contained in the *LUTE EIR* adequately addresses the project's noise impacts and is incorporated by reference. In addition to roadways, other major sources of noise include industrial uses, aircraft noise associated with the operation of Metropolitan Oakland International Airport, Bay Area Rapid Transit (BART), and railroad facilities of the Union Pacific Railroad.

The goal of reducing or eliminating the effects of noise on Oakland residents within the *General Plan Noise Element* protects Oakland residents from excessive noise levels (page 31). Policies and programs within the *Noise Element* allow for proposed projects with regard to noise-sensitive land uses, such as residential development (pages 37 – 40). With these policies implemented and the review of site specific, individual development projects for their compatibility with the existing and future noise environment in accordance with the Oakland Noise Ordinance, no significant noise impacts are anticipated. Mitigation Measures included in the *LUTE EIR* are as follows:

Mitigation Measure L.3a: Establish design requirements for large-scale commercial development that requires adequate buffers from residential uses. Use of open space, recreation space, or transit installations as buffers should be encouraged.

Mitigation Measure L.3b: Mixed residential/non-residential neighborhoods should be rezoned after determining which should be used for residential, mixed, or non-residential uses. Some of the factors that should be considered when rezoning mixed use areas include the future intentions of the existing residents or businesses, natural features, or health hazards.

Mitigation Measure L.4: Where high density residential development would be located adjacent to existing lower density residential development, new development shall be designed to minimize noise impacts on any existing residential uses due to increased traffic on local roadways and increased parking activities.

Mitigation Measure L.5a: The City should develop distinct definitions for home occupation, live/work and work/live operations; define appropriate locations for these activities and performance criteria for their establishment; and create permitting procedures and fees that facilitate the establishment of those activities which meet the performance criteria.

Mitigation Measure L.5b: Avoid proliferation of existing incompatible uses by eliminating, through appropriate rezoning actions, pockets of residential zoning within predominantly industrial areas.

Mitigation Measure L.5c: Establish performance-based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.

Mitigation Measure L.5d: Develop performance zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby uses.

Mitigation Measure L.7: Future transit improvements shall be designed sufficiently so that future noise levels along these streets can be adequately estimated and considered in the design of future residential or other noise-sensitive developments.

In addition to the mitigation measures listed above, the following mitigation measures shall also apply:

Mitigation Measure Noise 1 (New – in addition to the LUTE EIR): Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities shall be allowed on weekends until after the buildings are enclosed without prior authorization of the Building Services and Planning Divisions of the Community and Economic Development Agency.

Mitigation Measure Noise 2 (New – in addition to the LUTE EIR): To reduce daytime noise impacts due to construction, to the maximum feasible extent, the city shall require the applicant to develop a site-specific noise reduction program, subject to city review and approval, which includes the following measures:

- Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems;
- An on-site complaint and enforcement manager shall be posted to respond to and track complaints;
- A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.);
- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible);
- Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels where feasible, which could achieve a reduction of 5dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; and
- Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.

Pile-Driving Requirements and Conditions (to be implemented if pile driving is required):

Mitigation Measure Noise 3 (New – in addition to the LUTE EIR): If pile-driving occurs as part of a project, it shall be limited to between 8:00 a.m. and 4:00 p.m., Monday through Friday, with no pile driving permitted between 12:30 and 1:30 p.m. No pile driving shall be allowed on Saturday, Sundays, or holidays without prior authorization of the Building Services and Planning Divisions of the Community and Economic Development Agency.

Mitigation Measure Noise 4 (New – in addition to the LUTE EIR): To further mitigate potential pile-driving and/or other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the city to ensure that maximum feasible noise attenuation is achieved. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities:

- Implement “quiet” pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions;
- Erect temporary plywood noise barriers around the entire construction site;
- Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site;
- Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and
- Monitor the effectiveness of noise attenuation measures by taking noise measurements.
- A third-party peer review, paid for by the applicant, shall be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the applicant.
- A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of deposit shall be determined by the Building Official and the deposit shall be submitted by the project sponsor concurrent with submittal of the noise reduction plan.

Mitigation Measure Noise 5 (New – in addition to the LUTE EIR): A process with the following components shall be established for responding to and tracking complaints pertaining to pile-driving construction noise:

- A procedure for notifying City Building Division staff and the Oakland Police Department;
- A list of telephone numbers (during regular construction hours and off-hours);
- A plan for posting signs on-site pertaining to complaint procedures and who to notify in the event of a problem;
- Designation of a construction complaint manager for the project; and

- Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving activities.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. POPULATION AND HOUSING – Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments to Section XII, Questions (a), (b), and (c):

The City’s RHND allocation could result in the potential construction of 7,733 new residential units; however, these new units are part of the residential development projected and planned for under the *General Plan LUTE* and analyzed within the *LUTE EIR* (pages III.C-1 – III.C-11). Therefore, the analysis contained in the *LUTE EIR* related to population and housing adequately addresses the project’s impacts on population and housing and is incorporated by reference here. Potential impacts as a result of this projected development have been analyzed and mitigated, as necessary, through policies and programs within the *General Plan*. No new impacts to population and housing are anticipated as a result of the project, and according to the *LUTE EIR* (pages III.C-1 and III.C-2), development under the *General Plan LUTE* will most likely result in continued population growth, as projected under the current development policies.

In addition, the project recommends various housing programs to assist in providing housing for low- and moderate-income households, and as a result, the project will minimize displacement of existing residents, as it facilitates the accommodation of an adequate range of housing for City residents.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES – Would the project result in:

Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause

significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

- | | | | | |
|------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| (a) Fire protection? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Police protection? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Schools? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Parks? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Other public facilities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments to Section XIII, Questions (a), (b), (c), (d), and (e):

Potential impacts to public services, including fire and police protection, schools, library services, and maintenance of public facilities were analyzed in the *LUTE EIR* (pages III.D-20 – III.D-38). This analysis adequately addresses the project’s impacts on public services and is incorporated by reference here. The project will not affect the ability of the City’s public services to meet the demands of Oakland residents. Mitigation measures included in the *LUTE EIR* associated with police and fire services, increased school enrollment, and increased library patronage, in conjunction with the assessment of infrastructure fees on residential developments will mitigate impacts associated with the provision of public services from the 7,733 potential new residential units to less than significant (Mitigation Measures for police services; D.5-1a, b, c, d, and e; Mitigation Measures for fire services D.6-1a, b, c, and d; Mitigation Measures for school services D.7-1a, b, c, d, e, f, g, and h; and the Mitigation Measure for library services D.8-1). Those mitigation measures are listed below:

Mitigation Measure D.5-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.

Mitigation Measure D.5-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.

Mitigation Measure D.5-1c: Increase police foot patrols and cruisers in high visibility downtown areas and locate funding sources to support them.

Mitigation Measure D.5-1d: Analyze the distribution of services provided by the public and privately operated civic and institutional uses, identify underserved areas of the City and increase services in those areas.

Mitigation Measure D.5-1e: Solicit comments from the Oakland Police and Fire Departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated.

Mitigation Measure D.6-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.

Mitigation Measure D.6-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.

Mitigation Measure D.6-1c: Explore retaining the existing Fire Stations at all three military bases to facilitate the provision of adequate public services to users of these sites as well as to surrounding properties.

Mitigation Measure D.6-1d: Solicit comments from the Oakland Police and Fire departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated during project planning and design.

Mitigation Measure D.7-1a: To reduce overcrowding, the School District should periodically conduct a review to determine if the following measures are feasible to implement:

- 1) reassigning students among district schools to account for changing populations and new development;
- 2) more efficient use of underutilized and/or abandoned school facilities;

If these measures do not reduce overcrowding, OUSD may have to expand existing schools or construct new schools. All of these measures would require varying amounts of funding.

If current sources of funding including the existing school mitigation fees (developer school impacts fee), and increases in state funding are insufficient to pay for the cost of these mitigating overcrowding, the OUSD should formulate and implement specific measures to raise additional funds. Funding sources which may be considered by OUSD include:

- 1) adjustments of school mitigation fees on commercial and residential development;
- 2) the creation of special assessment or Mello Roos districts or annexation to a Community Facilities District;
- 3) sale of surplus OUSD property; and
- 4) an other funding mechanisms available to the OUSD by state law or local ordinances, including those measures identified in the OUSD's 1996 Developer Fee Justification Study.

Mitigation Measure D.7-1b: In reviewing major land use or policy decisions, the City will consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas and the impact of the project on current service levels. The City will consult with the School district regarding potential impacts on school facilities early in the planning process.

Mitigation Measure D.7-1c: Support the School District's efforts to use local bond issues and voter approved assessment districts as a means of providing adequate school facilities.

Mitigation Measure D.7-1d: Where feasible and appropriate, encourage the inclusion of child care centers in major residential and commercial developments near transit centers, community centers, and schools.

Mitigation Measure D.7-1e: Continue to assist the Oakland Unified School District in securing all of the fees, grants, and other financial resources possible.

Mitigation Measure D.7-1f: Work with the School District to coordinate land use and school facility planning and continue efforts by the City to collect impact fees and monitor the school capacity impacts of new development.

Mitigation Measure D.7-1g: The Office of Parks and Recreation, Real Estate Division of the Office of Public Works, and the Oakland Unified School District should assess the use of City and school-owned parcels for use as civic, institutional, or recreational facilities.

Mitigation Measure D.7-1h: Support state and federal legislation to promote affordable, safe, high-quality child care, including children with special needs.

Mitigation Measure D.7-1i: The District should develop, in cooperation and coordination with the City, a Master Facilities Plan, which shall be periodically updated. The Plan shall provide a comprehensive view of the District's current and projected facilities, alternatives to reduce overcrowding (including without limitation the alternatives outlined in Mitigation Measure D.7-1a), and financial options (including without limitations the alternatives outlines in Mitigation Measure D.7-1a..

After the approval of the Master Facilities Plan, the City and District shall enter into an MOU that shall establish a continuing procedure for coordinating residential and commercial development and exploring the imposition of mutually agreed upon reasonable and feasible mitigation measures to reduce the impacts on school facilities.

Mitigation Measure D.8-1: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.

Oakland does not anticipate the rate of population growth through 2006 (the planning period for the Housing Element) to exceed that anticipated by the *LUTE EIR*. Implementation of the objectives and policies in the *LUTE* will allow the City to supply infrastructure and services to the additional 7,733 potential new residential units needed to accommodate the City's RHND. Some localized impacts may occur due to the increase in residential land uses in specific areas, such as traffic congestion, parking, etc. These potential localized impacts associated with future projects will be evaluated, as required, in subsequent environmental reviews as site specific development plans are submitted to the City.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. RECREATION – Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments to Section XIV, Questions (a) and (b):

The potential impacts from new residential development on parks, open space, and recreation were analyzed as part of the *LUTE EIR* (pages III.D-39 – III.D-44). This analysis adequately addresses the project’s impacts on recreational facilities and is incorporated by reference here. The mitigation measures contained in the *LUTE EIR* related to recreation are also incorporated by reference here. Chapter 4 of the *OSCAR Element* discusses recreation resources and identifies objectives to maintain, preserve, and expand parklands (pages 4-25 – 4-68). The policies provided in the *OSCAR Element* reduce park and recreation impacts that could occur as a result of future development pursuant to the *LUTE* and provide for funding opportunities to maintain parklands (policies REC-3.1, 3.2, 3.3, 4.1, 6.1, 6.2, 6.3, 7.1, 10.1, and 10.2). Development consistent with the *LUTE* is projected to increase population of Oakland by 26,000 by the year 2015. To maintain the City’s level of service standard, another 104 acres of local parkland has been identified as a need to serve this growth increment (*LUTE EIR*, page III.D-41).

The *LUTE EIR* determined that impacts to recreation due to increased service demands are less than significant with existing policies included in the *OSCAR Element*. Residential development resulting from this project is not expected to increase the demand for park services beyond that which has already been mitigated by the *LUTE EIR*.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC – Would the project:

(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thresholds of Significance – Traffic Impacts

According to CEQA Guidelines, a project would normally have a significant effect on the environment if it would “cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections.” Specifically, the City of Oakland’s standard criteria were used to determine if the project would result in a significant traffic impact. A

project-generated increase in traffic is considered to be significant if it meets any of the following criteria:

- at a study intersection that is located within the Downtown area¹, the project would cause the existing or future baseline level of service (LOS) to degrade to worse than LOS E.
- at a study intersection *that is located outside the Downtown area*, the project would cause the existing or future baseline level of service LOS to degrade to worse than LOS D.
- at a study intersection *outside the Downtown area* where the existing or future baseline level of service is LOS E, the project would cause the service level to degrade to LOS F, or would cause the average vehicle delay to increase by four or more seconds.
- at a study intersection *for all areas* where the existing or future baseline level of service is LOS E the project would cause the service level to degrade to LOS F, or would cause the average delay for any of the critical movements to increase by six or more seconds.
- at a study intersection *for all areas* where the baseline level of service is LOS F, the project would cause (a) the total average vehicle delay to increase by two or more seconds, (b) an increase in the average delay for any of the critical movements of four or more seconds; or (c) an increase in volume-to-capacity (v/c) ratio of more than three percent (if delay values cannot be measured accurately).

A significant project-related traffic impact also would occur if the project:

- would substantially increase traffic hazards to motor vehicles, bicyclist, or pedestrians due to a design feature (e.g. sharp curves or dangerous intersections), incompatible uses (e.g. farm equipment), or increases in volumes of motor vehicles, bicyclists, or pedestrians.
- would result in inadequate emergency access for the project site.
- results in a parking demand (both project-generated and project-displaced) that would not be met by the project's proposed parking supply or by the existing parking supply within a reasonable walking distance of the project site.
- would generate added transit ridership that would increase the peak-hour load factor higher than 1.25 passengers per seat for AC Transit buses, and 1.35 passengers per seat for BART, and the additional transit trips would contribute more than two percent to the peak-hour transit ridership for transit lines serving the project site.

Comments to Section XV, Questions (a), (b), (c), (d), (e), (f), and (g):

The development of 7,733 potential new residential dwelling units will require development procedures and a review process that imposes requirements and improvements for adequate traffic, pedestrian, bicycle circulation, and parking facilities. New residential developments must comply with the *General Plan LUTE* for minimizing future circulation impacts (pages 127 – 145). The project is not anticipated to result in inadequate emergency access, parking capacity, or conflict with other adopted policies, plans, or programs that support alternative transportation.

The *LUTE EIR* focuses its analysis on General Plan program-level impacts and the Downtown and Coliseum Showcase District project impacts. This analysis adequately addresses the project's impacts on

¹ Downtown is defined in the *Land Use and Transportation Element* of the *Oakland General Plan* as the area generally bounded by West Grand Avenue on the north, Lake Merritt and Channel Park to the east, the Oakland Estuary to the south and I-980 / Brush Street to the west; the project is not within that area, but may affect intersections in this area.

traffic and is incorporated by reference here. The *LUTE EIR* proposes the following mitigation measures (pages III.B-18 – III.B-31):

1. Mitigation Measure B.1 – Implement roadway improvements and transit improvements to reduce congestion on arterial roadways.
2. Mitigation Measure B.3 – Increase the cycle length to 120 seconds resulting in a LOS level D at the intersection of 12th Street and Brush Street.
3. Mitigation Measure B.4 – (a) Installation of traffic signal at the intersection of 66th Avenue and I-880 southbound ramps and re-stripe the lanes of the southbound off-ramp; (b) Installation of traffic signal at the intersection of 66th Avenue and I-880 northbound ramps; (c) Installation of traffic signal at the intersection of 66th Avenue and Oakport Street and widen Oakport Street; and (d) Widen the northbound approach at High Street and Coliseum Way.

These mitigation measures are incorporated by reference in this project. As a result of development anticipated in the *LUTE*, implementation of the above mitigation measures reduces impacts associated with transportation and circulation to less than significant. Again, applicable project-specific impacts that could result from new residential development under the Housing Element will be evaluated on case-by-case basis, as required, through an appropriate level of environmental review under CEQA.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:

(a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments to Section XVI, Questions (a), (b), (c), (d), (e), (f), and (g):

Development consistent with the *LUTE*, including that of 7,733 potential new residential units, would result in an increase demand for utilities and service systems needs. However, the increase in residential development would not significantly impact the City's ability to meet the public service demands for wastewater treatment, as they are already accounted for in the *General Plan LUTE EIR* analysis.

Impacts associated with utilities and service systems were analyzed in the *LUTE EIR* (pages III.D-1 – III.D-20). This analysis adequately addresses the project's impacts on utilities and service systems and is incorporated by reference. Those impacts directly related to an increase in residential development include increases in water demand requiring localized improvements to the water delivery system, the continued construction of hill area subdivisions with acknowledged drainage problems, and increases on solid waste services. These impacts were analyzed as part of the *LUTE EIR* as potential significant impacts. Mitigation provided in the *LUTE EIR* for capital improvement needs (Mitigation Measures D.1-2 and D.2-2), storm water drainage as a result of hill area development (Mitigation Measure D.3-2a, b, c, and d), and increases in solid waste services (Mitigation Measures D.4-1a, b, and c) reduces impacts to utilities and service systems to less than significant. No additional impacts on utilities and service systems are anticipated from the project. The mitigation measures contained in the *LUTE EIR* are listed below:

Mitigation Measure D.1-2: Review major new development proposals to determine projected water (including potential recycled water use), wastewater, and storm drainage loads compared with available water, recycled water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

Mitigation Measure D.2-2: Review major new development proposals to determine projected water (including potential recycled water use), wastewater, and storm drainage loads compared with available water, recycled water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

Mitigation Measure D.3-2a: Review major new development proposals to determine projected water (including potential recycled water use), wastewater, and storm drainage loads compared with available water, recycled water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

Mitigation Measure D.3-2b: Require major new development to include a combination of on-site and off-site drainage improvements to ensure that such projects do not create downstream erosion or flood hazards, or adversely impact the City's ability to manage stormwater runoff.

Mitigation Measure D.4-1a: Continue to implement programs that reduce the amount of solid waste generated in the City by encouraging recycling, composting, and other activities consistent with the City's Source Reduction and Recycling Element.

Mitigation Measure D.4-1b: Support solid waste collection, recycling, and disposal rates that are sufficient to cover the cost of adequate, efficient service delivery.

Mitigation Measure D.4-1c: Establish guidelines and incentives for the recycling of construction and demolition debris and the use of recycled concrete and other recycled projects in the construction of new buildings, roads, and infrastructure.

Potentially

Potentially Significant Impact	Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- (a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
- (b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- (c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Comments to Section XVII, Questions (a), (b), and (c):

- a. Residential development proposed as a part of the project is not expected to adversely affect air, biological resources, or cultural resources, or degrade the quality of the environment where there is biologically sensitive habitat due to anticipated development occurring only on infill sites within well-developed urban areas.
- b. The proposed project will not require the rezoning of additional vacant land to accommodate the City's housing allocation. New residential units constructed under the 2003 Housing Element are part of the residential development projected and planned for under the *General Plan LUTE* and analyzed within the *General Plan LUTE EIR*. There are no new major projects, other than those already included and planned for in the growth projections under the *LUTE*, expected during the current Housing Element planning period (1999 – 2006). Therefore, cumulatively considerable impacts of the project have already been analyzed and mitigated, as necessary, through policies and programs within the existing *General Plan*. Thus, the 2003 Housing Element update would not contribute to significant unmitigated cumulative impacts. Although, if a project comes before the City that is deemed appropriate for housing but would require a land use re-zone, a project specific assessment of cumulatively considerable growth inducing impacts would be conducted as part of the development review process. There are no new cumulative effects; therefore, a Subsequent EIR is not required.
- c. No new impacts are anticipated as a result of the project that have not already been analyzed and evaluated as part of the *General Plan LUTE EIR*. Based on this analysis, the proposed project is not expected to have environmental effects that will cause substantial adverse effects on the residents of Oakland or surrounding communities, either directly or indirectly.

SUMMARY OF HOUSING ELEMENT MITIGATION MEASURES

[Unless otherwise noted, the following Mitigation Measures are from the Land Use and Transportation Environmental Impact Report (LUTE EIR) dated February 1998]

I. AESTHETICS

Mitigation Measure F.2a: Develop guidelines or a “step back” ordinance for height and bulk for new development projects in the downtown area. Projects should be encouraged to be designed at pedestrian-scale on the street-side, with high towers or strong vertical elements stepping back from the street.

Mitigation Measure F.2c: Define view corridors and, based upon these views, designate appropriate height limits and other requirements. Views of Lake Merritt, the Estuary, and architecturally or historically significant buildings should be considered.

Mitigation Measure F.3a: Develop standard design guidelines for all Neighborhood Commercial areas that require continuous or nearly continuous storefronts located along the front yard setback, promote small scale commercial activities rather than large scale establishments at the ground level, restrict front yard parking lots and driveways, require small scale pedestrian-oriented signage, have a relatively low height limit, and promote the development of pedestrian friendly amenities at the street level. The standards design guidelines may be expanded to capture the unique or desired character of certain areas.

Mitigation Measure F.3c: Develop design guidelines for parking facilities of all types.

III. AIR QUALITY

Mitigation Measure E.4: Where residential development would be located above commercial uses, parking garages, or any other uses with a potential to generate odors, the odor-generating use should be properly vented (e.g., located on rooftops) and designed (e.g., equipped with afterburners) so as to minimize the potential for nuisance odor problems.

Mitigation Measure E.5a: The following Basic Control Measures shall be implemented at all construction sites:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose debris *or* require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Mitigation Measure E.5b: The following enhanced control measures shall be implemented at all construction sites when more than four acres are under construction at any one time:

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

Mitigation Measure E.5c: BAAQMD dust control measures would be implemented by contractors of future development projects as outlined in BAAQMD *CEQA Guidelines* (1996) or any subsequent applicant BAAQMD updates. They are as follows:

- Any stationary motor sources (such as generators and compressors) to be located within 100 feet of any residence or school (sensitive receptors) would be equipped with a supplementary pollution control system on its exhaust as required by Bay Area Air Quality Management District (BAAQMD) and California Air Resources Board (CARB).
- To minimize construction equipment emissions, low-NOx tune-ups should be performed on all construction equipment. Contractors should be required to utilize equipment with recent (within 30 days) low- NOx tune-ups to minimize NOx emissions. This would apply to all diesel-powered equipment greater than 50 horsepower and periodic tune-ups (every 90 days) would be required for equipment used continuously for construction of a specific development.

V. CULTURAL RESOURCES

Mitigation Measure G.2: Establish criteria and interdepartmental referral procedures for determining when discretionary City approval of ground-disturbing activities should be subject to special conditional to safeguard potential archaeological resources.

Mitigation Measure Cultural Resources 1 (New – in addition to the LUTE EIR): In accordance with CEQA Section 15064.5, should previously unidentified cultural resources be discovered during future construction, the applicant is required to cease work in the immediate area and an immediate evaluation of the find should be conducted by a qualified archaeologist or qualified paleontologist. If the find is determined to be an historic or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation to protect, preserve, remove or restore the artifacts uncovered should be available. Work may continue on part of the building site while historic or unique archaeological resource mitigation takes place.

Mitigation Measure Cultural Resources 2 (New – in addition to the LUTE EIR): In the event that any human remains are uncovered during future construction, there should be no further excavation or disturbance of the site until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required or such investigation has occurred and appropriate actions have been taken, and (if the remains are determined to be of Native American origin) the descendants from the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and nay associate grave good as provided in Public Resources Code Section 5097.98.

Mitigation Measure G.3a: Amend the Zoning Regulations text to incorporate the new preservation regulations and incentives.

Mitigation Measure G.3b: Develop and adopt design guidelines for Landmarks and Preservation Districts.

VII. HAZARDS AND HAZARDOUS MATERIALS

Mitigation Measure M.5: Hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of site-specific health and safety plans, as recommended by the Occupational Safety and Health Administration.

XI. NOISE

Mitigation Measure L.3a: Establish design requirements for large-scale commercial development that requires adequate buffers from residential uses. Use of open space, recreation space, or transit installations as buffers should be encouraged.

Mitigation Measure L.3b: Mixed residential/non-residential neighborhoods should be rezoned after determining which should be used for residential, mixed, or non-residential uses. Some of the factors that should be considered when rezoning mixed use areas include the future intentions of the existing residents or businesses, natural features, or health hazards.

Mitigation Measure L.4: Where high density residential development would be located adjacent to existing lower density residential development, new development shall be designed to minimize noise impacts on any existing residential uses due to increased traffic on local roadways and increased parking activities.

Mitigation Measure L.5a: The City should develop distinct definitions for home occupation, live/work and work/live operations; define appropriate locations for these activities and performance criteria for their establishment; and create permitting procedures and fees that facilitate the establishment of those activities which meet the performance criteria.

Mitigation Measure L.5b: Avoid proliferation of existing incompatible uses by eliminating, through appropriate rezoning actions, pockets of residential zoning within predominantly industrial areas.

Mitigation Measure L.5c: Establish performance-based standards which designate appropriate levels of noise, odors, light/glare, traffic volumes, or other such characteristics for industrial activities located near commercial or residential areas.

Mitigation Measure L.5d: Develop performance zoning regulations which permit industrial and commercial uses based upon their compatibility with other adjacent or nearby uses.

Mitigation Measure L.7: Future transit improvements shall be designed sufficiently so that future noise levels along these streets can be adequately estimated and considered in the design of future residential or other noise-sensitive developments.

Mitigation Measure Noise 1 (New – in addition to the LUTE EIR): Standard construction activities shall be limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction activities shall be allowed on weekends until after the buildings are enclosed without prior authorization of the Building Services and Planning Divisions of the Community and Economic Development Agency.

Mitigation Measure Noise 2 (New – in addition to the LUTE EIR): To reduce daytime noise impacts due to construction, to the maximum feasible extent, the city shall require the applicant to develop a site-specific noise reduction program, subject to city review and approval, which includes the following measures:

- Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the City in the event of problems;
- An on-site complaint and enforcement manager shall be posted to respond to and track complaints;
- A pre-construction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices are completed prior to the issuance of a building permit (including construction hours, neighborhood notification, posted signs, etc.);
- Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible);
- Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used; this muffler can lower noise levels where feasible, which could achieve a reduction of 5dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible; and
- Stationary noise sources shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, or insulation barriers or other measures shall be incorporated to the extent feasible.

Pile-Driving Requirements and Conditions (to be implemented if pile driving is required):

Mitigation Measure Noise 3 (New – in addition to the LUTE EIR): If pile-driving occurs as part of a project, it shall be limited to between 8:00 a.m. and 4:00 p.m., Monday through Friday, with no pile driving permitted between 12:30 and 1:30 p.m. No pile driving shall be allowed on Saturday, Sundays, or holidays without prior authorization of the Building Services and Planning Divisions of the Community and Economic Development Agency.

Mitigation Measure Noise 4 (New – in addition to the LUTE EIR): To further mitigate potential pile-driving and/or other extreme noise-generating construction impacts, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. This plan shall be submitted for review and approval by the city to ensure that maximum feasible noise attenuation is achieved. These attenuation measures shall include as many of the following control strategies as feasible and shall be implemented prior to any required pile-driving activities:

- Implement “quiet” pile-driving technology, where feasible, in consideration of geotechnical and structural requirements and conditions;
- Erect temporary plywood noise barriers around the entire construction site;
- Utilize noise control blankets on the building structure as it is erected to reduce noise emission from the site;

- Evaluation the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings; and
- Monitor the effectiveness of noise attenuation measures by taking noise measurements.
- A third-party peer review, paid for by the applicant, shall be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the applicant.
- A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of deposit shall be determined by the Building Official and the deposit shall be submitted by the project sponsor concurrent with submittal of the noise reduction plan.

Mitigation Measure Noise 5 (New – in addition to the LUTE EIR): A process with the following components shall be established for responding to and tracking complaints pertaining to pile-driving construction noise:

- A procedure for notifying City Building Division staff and the Oakland Police Department;
- A list of telephone numbers (during regular construction hours and off-hours);
- A plan for posting signs on-site pertaining to complaint procedures and who to notify in the event of a problem;
- Designation of a construction complaint manager for the project; and
- Notification of neighbors within 300 feet of the project construction area at least 30 days in advance of pile-driving activities.

XIII. PUBLIC SERVICES

Mitigation Measure D.5-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.

Mitigation Measure D.5-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.

Mitigation Measure D.5-1c: Increase police foot patrols and cruisers in high visibility downtown areas and locate funding sources to support them.

Mitigation Measure D.5-1d: Analyze the distribution of services provided by the public and privately operated civic and institutional uses, identify underserved areas of the City and increase services in those areas.

Mitigation Measure D.5-1e: Solicit comments from the Oakland Police and Fire Departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated.

Mitigation Measure D.6-1a: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.

Mitigation Measure D.6-1b: Develop target ratios of police officers and firefighters to population for annual budgeting purposes. These ratios should be used to assess the feasibility and merits of service fees on new development which finance additional police officers and fire fighters.

Mitigation Measure D.6-1c: Explore retaining the existing Fire Stations at all three military bases to facilitate the provision of adequate public services to users of these sites as well as to surrounding properties.

Mitigation Measure D.6-1d: Solicit comments from the Oakland Police and Fire departments on major new development proposals to ensure that law enforcement and fire protection impacts are appropriately addressed and mitigated during project planning and design.

Mitigation Measure D.7-1a: To reduce overcrowding, the School District should periodically conduct a review to determine if the following measures are feasible to implement:

- 1) reassigning students among district schools to account for changing populations and new development;
- 2) more efficient use of underutilized and/or abandoned school facilities;

If these measures do not reduce overcrowding, OUSD may have to expand existing schools or construct new schools. All of these measures would require varying amounts of funding.

If current sources of funding including the existing school mitigation fees (developer school impacts fee), and increases in state funding are insufficient to pay for the cost of these mitigating overcrowding, the OUSD should formulate and implement specific measures to raise additional funds. Funding sources which may be considered by OUSD include:

- 1) adjustments of school mitigation fees on commercial and residential development;
- 2) the creation of special assessment or Mello Roos districts or annexation to a Community Facilities District;
- 3) sale of surplus OUSD property; and
- 4) an other funding mechanisms available to the OUSD by state law or local ordinances, including those measure identified in the OUSD's 1996 Developer Fee Justification Study.

Mitigation Measure D.7-1b: In reviewing major land use or policy decisions, the City will consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas and the impact of the project on current service levels. The City will consult with the School district regarding potential impacts on school facilities early in the planning process.

Mitigation Measure D.7-1c: Support the School District's efforts to use local bond issues and voter approved assessment districts as a means of providing adequate school facilities.

Mitigation Measure D.7-1d: Where feasible and appropriate, encourage the inclusion of child care centers in major residential and commercial developments near transit centers, community centers, and schools.

Mitigation Measure D.7-1e: Continue to assist the Oakland Unified School District in securing all of the fees, grants, and other financial resources possible.

Mitigation Measure D.7-1f: Work with the School District to coordinate land use and school facility planning and continue efforts by the City to collect impact fees and monitor the school capacity impacts of new development.

Mitigation Measure D.7-1g: The Office of Parks and Recreation, Real Estate Division of the Office of Public Works, and the Oakland Unified School District should assess the use of City and school-owned parcels for use as civic, institutional, or recreational facilities.

Mitigation Measure D.7-1h: Support state and federal legislation to promote affordable, safe, high-quality child care, including children with special needs.

Mitigation Measure D.7-1i: The District should develop, in cooperation and coordination with the City, a Master Facilities Plan, which shall be periodically updated. The Plan shall provide a comprehensive view of the District's current and projected facilities, alternatives to reduce overcrowding (including without limitation the alternatives outlined in Mitigation measure D.7-1a), and financing options (including without limitation the alternatives outlined in Mitigation Measure D.7-1a).

After the approval of the Master Facilities Plan, the City and District shall enter into an MOU that shall establish a continuing procedure for coordinating residential and commercial development and exploring the imposition of mutually agreed upon reasonable and feasible mitigation measures to reduce the impacts on school facilities.

Mitigation Measure D.8-1: In reviewing major land use or policy decisions, consider the availability of police and fire protection services, park and recreation services, schools, and library services in the affected areas, as well as the impact of the project on current service levels.

XV. TRANSPORTATION/TRAFFIC

Mitigation Measure B.1: Implement roadway improvements and transit improvements to reduce congestion on arterial roadways.

Mitigation Measure B.3: Increase the cycle length to 120 seconds resulting in a LOS level D at the intersection of 12th and Brush Street.

Mitigation Measure B.4: (a) Installation of traffic signal at the intersection of 66th Avenue and I-880 southbound ramps and re-stripe the lanes of the southbound off-ramp; (b) Installation of traffic signal at the intersection of 66th Avenue and I-880 northbound ramps; (c) Installation of traffic signal at the intersection of 66th Avenue and Oakport Street and widen Oakport Street; and (d) Widen the northbound approach at High Street and Coliseum Way.

XVI. UTILITIES AND SERVICE SYSTEMS

Mitigation Measure D.1-2: Review major new development proposals to determine projected water (including potential recycled water use), wastewater, and storm drainage loads compared with available

water, recycled water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

Mitigation Measure D.2-2: Review major new development proposals to determine projected water (including potential recycled water use), wastewater, and storm drainage loads compared with available water, recycled water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

Mitigation Measure D.3-2a: Review major new development proposals to determine projected water (including potential recycled water use), wastewater, and storm drainage loads compared with available water, recycled water, sewer, and storm drain capacity. Where appropriate, determine appropriate capital improvement requirements, fiscal impacts, and funding sources prior to project approval.

Mitigation Measure D.3-2b: Require major new development to include a combination of on-site and off-site drainage improvements to ensure that such projects do not create downstream erosion or flood hazards, or adversely impact the City's ability to manage stormwater runoff.

Mitigation Measure D.4-1a: Continue to implement programs that reduce the amount of solid waste generated in the City by encouraging recycling, composting, and other activities consistent with the City's Source Reduction and Recycling Element.

Mitigation Measure D.4-1b: Support solid waste collection, recycling, and disposal rates that are sufficient to cover the cost of adequate, efficient service delivery.

Mitigation Measure D.4-1c: Establish guidelines and incentives for the recycling of construction and demolition debris and the use of recycled concrete and other recycled projects in the construction of new buildings, roads, and infrastructure.

RESOURCES CONSULTED:

1. *City of Oakland General Plan Noise Element* (September 1974).
2. *City of Oakland General Plan Environmental Hazards Element* (September 1974).
3. *City of Oakland General Plan Historic Preservation Element* (March 1994).
4. *City of Oakland General Plan Open Space, Conservation, and Recreation Element* (June 1996).
5. *City of Oakland General Plan Land Use and Transportation Element Notice of Preparation and Initial Study* (March 1997).
6. *City of Oakland General Plan Land Use and Transportation Element Draft Environmental Impact Report* (October 1997).
7. *City of Oakland General Plan Land Use and Transportation Element Final Addendum to the Draft Environmental Impact Report* (February 1998).
8. *City of Oakland General Plan Land Use and Transportation Element* (March 1998).
9. *City of Oakland Bicycle Master Plan* (July 1999).
10. *City of Oakland Pedestrian Master Plan* (November 2002).
11. *City of Oakland Public Review Draft Housing Element* (April 2003).

NEGATIVE DECLARATION PREPARERS:

1. Margaret Stanzione, Strategic Planning, Community and Economic Development Agency, City of Oakland
2. Linda Hausrath, President, Hausrath Economics Group
3. Tracey Ferguson, Associate Planner, PARSONS
4. Christy Consolini, Environmental Planner, PARSONS
5. Steve Smith, Technical Editor, PARSONS

March 23, 2006

To: Neil Gray
Community and Economic Development Agency (CEDA)

Re: West Oakland Commerce Association Comments to the Draft HBX Design Manual

Dear Neil:

Sorry for the delay in getting back to you with your request for “specific suggested changes” to the Draft HBX Design Manual.

The West Oakland Commerce Association (WOCA) believes that the “tone” of the Design Manual addresses residential issues, but lacks clarity and specificity for the building of commercial or industrial buildings and as such would tend to stifle commercial / industrial construction.

Without commercial / industrial construction, this would lead to significantly reduced economic development in HBX areas and an imbalance of new construction favoring residential.

The Design Manual doesn't indicate which elements contained within this 21 page document should be applied to commercial / industrial construction and which should not. A new separate section that clearly lists applicable guidelines that apply to commercial / industrial construction, would be helpful and lend clarity.

To emphasize and demonstrate our difficulty, I posed the following question to a architect in our group as a test.

“If you were to apply for a building permit for a 15,000 warehouse and distribution building, what guidance does this document give to you?” His answer was “which of the following statements taken from the Design Manual would apply to my design criteria?”

We attempted to apply some or all the following, we found it impossible to design a building that would be functional and economically efficient.

Would you please address our concerns in your staff report to the Planning Commission for April 5th, 2006

Thank you

George Burt
VP West Oakland Commerce Association

ATTACHMENT I

Following are excerpts from the Draft Design Manual. Which, if any apply?

Page 3

Design Objective #1: Create a development pattern that encloses the street space by defining a street wall and street section while providing transitions from existing patterns and respecting the light and air of existing residential properties.

A setback establishes the footprint of a building by providing the required distance between buildings and the front, rear, and side property lines. Rigid setback requirements are not prescribed in the zoning ordinance because of the varied development patterns found within areas with an HBX designation. Instead, flexible setback guidelines are contained in this section to respond to the varied development contexts in the HBX zones.

Front Setback and Orientation

Guideline 1.1: Design the front setback to establish a street wall and transition from the front yard setback pattern. In cases where there is not an established pattern of setbacks (see the introduction for how to determine a pattern), a limited front yard setback should be designed so that a street edge or “wall” creates a comfortable pedestrian scale and unifies the street space. For larger lots (lots with a street frontage of more than 50 feet), this may consist of a maximum five foot front setback, an area just large enough to provide an entrance feature and/or landscaping that creates a pleasing transition from the public to the private space. A somewhat larger front setback area of up to fifteen feet can be appropriate for smaller lots (lots with a street frontage of 50 feet or less) to accommodate a landscaped yard, front stairs, and occasional visitor parking.

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Interior side setback and spacing between buildings

Guideline 1.4: Provide limited interior side setbacks and spacing between buildings toward the front of a property if there is not an established context on the street. In general, a new development should provide limited interior side setbacks that are visible from the street if there is 1) no established street pattern of interior yard setbacks on a street or 2) an established pattern of no interior side yard setbacks. This siting provides an effective street wall, eliminates areas for dumping garbage, and adds a measure of safety by minimizing unsafe dark areas near the street.

Where there is an established pattern that creates a rhythm of buildings on street (see the introduction for how to determine a pattern), a developer should either transition to a new rhythm or continue the existing rhythm. The following are two suggested design techniques to create a transition:

On larger lots, provide open areas that are at least 15 feet wide and that contain recreational space or driveways adjacent to the neighboring lot to effectively mark an end to the existing rhythm. This method frees a development to establish a new rhythm;

Provide a shallow notch adjacent to building façades to create a pattern of vertical separation, or shadow line to reflect the existing rhythm of the street and building modulation (see Guideline 4.3,

below). On larger lots, a development could transition to its own pattern as the distance from the existing pattern increases (see illustration, below).

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As a development site becomes narrower and smaller it becomes more challenging to provide mitigations for neighboring properties while preserving development potential. No “one size fits all” solution exists for the varied site contexts that will be found in the HBX zones. Therefore, a designer needs to carefully analyze the site and context and creatively use the design tools described above or other techniques. The design review planner must carefully balance the intent of these guidelines to 1) encourage more intense development and 2) provide buildings that are compatible with small scale residential development patterns. Note, however, that the light and air of existing properties will be affected by new development; the same amount of light and air a neighboring property enjoyed prior to a development cannot be preserved after the development is constructed. The intent of these guidelines to direct a more intense development pattern cannot be achieved without disturbing the light and air of existing development. Therefore, this guideline accounts for a reduction of light and air to neighboring properties that will result from new development in the dense urban environment envisioned by this document.

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Guideline 4.4: Emphasize human scale design and an active streetscape. The term “human scale” refers to the use of architectural elements to provide a building that is proportionate to human scale, particularly at the street level. Activating the street involves providing a visual, transitional, and/or operational connection between the sidewalk and what goes on within the building. It also involves providing ground level activities that attract pedestrians. If emphasis is placed on the human scale and activating the street, buildings will convey a sense that the neighborhood is an inviting, vibrant, pleasant, and safe environment for pedestrians. Consider the following methods to compose a human scaled façade and create an active streetscape:

Provide a ground level ceiling height greater than the upper stories;

Provide visually interesting details on street facing ground levels that contrast with the upper stories. For instance, entrances, exterior light fixtures, changes in materials, colors, and textures add interest and give a human scale to street-level building facades;

Modulate the façade of buildings into human-scale intervals;

Design a regular cadence of storefront sized windows and entrances at the front facade;

Locate nonresidential activities facing the street and at street level, including the nonresidential activities within work/live units;

Provide transparent glazing for nonresidential activities facing the street, including the nonresidential activities within work/live units.

Locate overhead cover along the sidewalk for pedestrian comfort such as front porches, canopies, awnings, or arcades;

Provide prominent stoops;

Provide a prominent front entrance;

Provide second story stepbacks;

Avoid blank walls (see Guideline 6.1);

Design Objective #6: Provide visual interest to street facing areas.

Guideline 6.1: Avoid blank walls at street front facades. Blank walls deaden the streetscape, reduce the visual interest of buildings, and increase safety concerns by removing “eyes on the street”. This guideline describes several methods to bring visual interest to street facing facades.

The generous placement of windows is encouraged at street fronting facades. To create visual interest, the placement and style of windows should contribute to a coherent and appealing composition on the façade. Also, recessed windows provide shadow lines and depth to a façade.

In addition to providing windows at facades, consider the following methods to avoid blank walls: articulating and massing the façade to create a series of smaller forms and incorporating elements such as entrances, bay windows, roof brackets, cornices, and columns.

Blank walls at the ground level are particularly discouraged because they deaden the pedestrian space and remove visual interest at the most visible part of a building. When sections of blank walls are unavoidable at the ground level

Guideline 8.3: Provide landscaping and buffering for parking lots and driveways. The perimeter of parking lots and driveways should be visually screened from the street, other activities on the lot, and abutting properties by either buildings or dense landscaping.

Also, the HBX regulations state that a tree shall be provided for every six parking spaces for projects that involve new or existing parking lots of 3,000 square feet or greater. Rows of canopy trees should be evenly distributed throughout the lot to shade surface parking and reduce heat build-up. Planter islands parallel to the parking spaces provide locations for trees to effectively canopy a parking lot. The use of light-colored materials is also encouraged to help reduce heat islands.

Pervious landscaped paving materials such as grasscrete are encouraged to allow landscaping, soften the appearance of outdoor parking areas, and decrease off-site runoff. Other decorative paving materials such as stamped concrete or faux brickwork can also soften the appearance of driveways and parking areas.

Guideline 8.4: Provide landscape and architectural wall buffers for commercial and industrial activities. Providing the appropriate buffering between properties is critical in allowing the various activities in the HBX zones to coexist compatibly. Therefore, lots that contain commercial or industrial activities (not including those in live/work units) and new residential construction next to existing commercial or industrial properties should provide sufficient landscaping and buffering to mitigate noise and visual impacts to residential activities.

A method to consider is constructing an eight foot masonry wall in front of an approximately five foot wide area of landscaping, including a row of trees that will grow above an eight foot level, at the property lines adjacent to residential properties. Other techniques will be considered that have an equivalent buffering and screening effect.

Outdoor storage near the front property line of a nonresidential property should be visually buffered from the street through combination of masonry walls and dense landscaping. The wall towards the front of the property should be no higher than six to eight feet tall and be visually softened through the use of landscaping, vines, contrasting textures, and colors. Landscaping, including trees, should be incorporated into the buffering method.

Note that neither chain link nor barbed wire is an appropriate material for fences.

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Guideline 8.5: Use high quality design on the walls of a parking podium that faces an adjacent residential activity. Guidelines 1.3 and 1.5 state that a well designed parking podium to the rear and side property lines may be an appropriate design for some developments. Developments employing this design should use a combination of the following techniques to mitigate the visual impacts of a wall to neighboring properties:

Vines draping over the wall;

Scoring or modulating the wall to be consistent with the architecture of the building;

The use of visually interesting materials with contrasting textures, appearance, and color.