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OAKLAND

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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Rachel Flynn  
Director, PBD

**SUBJECT:** Update to Off-Street Parking and  
Loading Requirements for New  
Development

**DATE:** August 18, 2016

City Administrator Approval

Date:

9/2/16

## RECOMMENDATION

**Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Consider Adopting, As Recommended By The Planning Commission, An Ordinance Amending The Oakland Planning Code To Comprehensively Update Citywide Off-Street Parking And Loading Regulations And Make Conforming Changes To Other Planning Code Sections, And Adopting Environmental Findings.**

## EXECUTIVE SUMMARY

Staff proposes a comprehensive update of the City's off-street parking and loading requirements for new development. These requirements have not been comprehensively updated since the currently Planning Code was adopted in 1965. Staff recommendations are based on the City's policies regarding affordable housing, transit use, and climate change and on best practices from around the country, particularly the west coast.

## BACKGROUND / LEGISLATIVE HISTORY

Staff is proposing an update of the City's off-street parking and loading regulations contained in Chapter 17.116 and other parts of the Planning Code to be consistent with current City policies and nationwide best practices. Off-street parking regulations establish the required number of on-site parking spaces that must be provided for new construction, changes of use, and additions to existing buildings. These requirements are usually based on a reference unit, such as parking spaces required per new dwelling unit or a certain amount of additional floor area. Although the subject of this update is off-street parking, staff is coordinating efforts with the Public Works Department, which is also revising the City's on-street parking policies, particularly in Downtown. In addition to number of parking spaces required, this update proposes minor modifications to regulations relating to the dimensions and location of off-street parking spaces.

Item: \_\_\_\_\_  
CED Committee  
September 13, 2016

### ***Why an update is needed***

Most of the City's current off-street parking and loading regulations were adopted with the rest of the original version of the current Planning Code in 1965. With some exceptions, Oakland's parking and loading requirements were designed to suit the needs of a more suburban community, rather than a place with the density or character of Oakland's urban neighborhoods. Outside of recently adopted Specific Plans, modern best practices for regulating parking and loading have not been incorporated into the City's off-street parking and loading requirements. The current parking and loading regulations also do not reflect adopted City policies, such as those contained in the Land Use and Transportation Element of the General Plan (LUTE), Housing Element of the General Plan, City's "Transit First" policy, Climate Action Plan, or the Mayor's Housing Cabinet report (see the Policy Framework section of this report below).

### ***Trends in parking policy***

Best practices for establishing parking requirements have seen a significant transition over the last several years. When the Planning Code was adopted in 1965, parking requirements were generically based on past peak parking demand as described in professional manuals published by organizations such as the Institute of Transportation Engineers and the American Planning Association<sup>1</sup>. These manuals encouraged rigid requirements based on the periods of highest demand in suburban environments. Many cities, including Oakland, adopted "one-size fits all" uniform parking requirements based on these manuals.

More recent research regarding off-street parking has found that rigid minimum parking requirements generally result in an oversupply of parking, particularly when car owners perceive that off-street parking is available without cost. Current best practices in off-street parking requirements also acknowledge the high opportunity cost of using land for parking instead of other purposes, and the financial cost of constructing a parking space (each space in a parking structure can cost as much as \$80,000, depending on the type of construction and whether the parking is underground).

Recently developed regulatory techniques encourage "just right" parking – parking requirements that are tailored to the location and features of a particular development. This, in turn, has the potential to increase mass transit ridership, particularly if convenient transit options are available<sup>2</sup>. Local jurisdictions that reduce parking requirements based on this concept have experienced other benefits, including:

- More housing and construction due to reductions in construction costs;
- Improved air quality;
- A more efficient use of land;
- More attractive street frontages; and
- Better stormwater management.

Staff's recommendations for parking requirements for Downtown and the major transportation corridors, described below, generally apply these best practices while also providing protections from parking spillover into lower density residential areas.

<sup>1</sup> Litman, Todd. Parking Management Best Practices, Page 15

<sup>2</sup> Litman, Todd. Parking Management Best Practices, Page 10

### ***Loading***

While the primary focus of this project is updating the parking requirements, staff is also proposing to update the City's commercial and residential loading requirements. Like parking, the new loading requirements are based on nationwide best practices and the City's recent experience with development applications.

### ***Public Hearings***

Staff presented the proposal to the Planning Commission on June 22, 2016 and the Zoning Update Committee, which is a subcommittee of the Planning Commission, on March 9, 2016. The following is a summary of the comments from the Planning Commission:

The Planning Commissioners adopted a motion that recommended forwarding the proposal, without changes, and provided their comments to the City Council. The following summarizes comments from the Planning Commission.

Commissioner Nagraj stated the following:

- Lower parking requirements are particularly important for Downtown to make the development of Type 1 construction buildings feasible.
- Allowing on-street and private car share options to fulfill a car share requirement is a good change to the proposal because publicly accessible car share within a private garage is a security risk.
- A minimum .75 parking spaces per affordable housing unit outside a transit accessible area is too strict a requirement according to a study from the California Housing Partnership Corporation.
- The proposed maximum parking requirement of 1.25 parking spaces per unit for the Central Business District and transit-oriented development zones should be reduced to 1.0 space per unit.
- The reduced transit pass requirement for Downtown and for developments seeking parking reductions outside of Downtown is a good change but he is still concerned about the feasibility of the subsidy.
- The regulations should accommodate the use of mechanical car stackers.

Commissioner Monchamp reiterated Commissioner Nagraj's comments that a minimum .75 parking spaces per affordable housing unit outside a transit accessible area is too restrictive and that a maximum of 1.25 parking spaces Downtown and in transit-oriented development zones is not restrictive enough.

Commissioner Patillo stated that she disagrees with those who believe the proposal does not go far enough to reduce parking requirements. She stated that she does not want to live in a city like San Francisco where people need to take Uber, car share, or transit to visit Downtown. She stated that these options are not preferred by senior citizens and that she wants people from outside of Oakland to be able to conveniently drive and spend money downtown.

Commissioner Moore stated the following:

- The 1.25 spaces per unit maximum parking requirement in Downtown and in transit-oriented development areas is good as an incremental step that can be reviewed during the development of the Downtown Parking Plan and the Downtown Specific Plan.

- He did not support requiring fees for community benefits in return for reducing parking requirements. He stated that the savings should be contained within a new development to make them more feasible and units more affordable.
- He supports the proposed standardization of parking requirements across activity types. The proposed one parking space per 600 square feet of ground floor area is appropriate for Oakland's urban environment.
- The proposed parking relaxation for additions to historic buildings will encourage the rehabilitation of the City's stock of historic structures.
- The City should limit the issuance of Residential Parking Permits to new developments in Commercial Zones.
- The proposed relaxation of loading requirements is necessary because several variances for a reduction in the number of loading berths have been approved by the City.
- He supports allowing a private car share within a building to fulfill a car share requirement because publicly accessible car share within a private garage is a security risk.

Commissioner Manus stated the following:

- The City should monitor how implementation of the new parking rules is affecting the City.
- Parking should be either below grade or screened from the street.
- Charging stations should be required in new development.
- The City should consider regional needs when establishing new parking and transit policy.
- The auto needs of families should be considered in the proposal.
- The proposed new requirements should be graphically displayed.

## **ANALYSIS**

### ***Policy Framework***

The proposed parking and loading update is consistent with City, Regional, and State policies that encourage alternative transportation modes.

The Land Use and Transportation Element of the General Plan (LUTE), the City's primary land use policy document, contains clear policies that encourage alternative methods of transportation such as biking, walking, and public transit. Adjusting parking minimums to encourage the use of alternative transportation modes is consistent with these policies. The Housing Element of the General Plan encourages flexible parking standards (Action 3.2.3).

The City of Oakland adopted a Transit First Policy in 1996 (Resolution No. 73036 C.M.S.). This policy instructs City staff to prioritize transit in the construction and maintenance of the City's transportation infrastructure.

Updating off-street parking regulations is also directly addressed in Priority Action 35 of the City's "Energy and Climate Action Plan" (ECAP), which provides:

“New regulations will be developed for parking requirements in the [P]lanning [C]ode pertaining to new development on private property. These regulations would permit parking requirements to be met through alternative approaches demonstrated to reduce demand for parking and GHG [greenhouse gas] emissions. These approaches may involve a range of transportation demand management strategies, including on-site car-share vehicles, secure bicycle parking and showers, and subsidized transit passes.” (ECAP, p. 44.)

The Mayor’s Housing Cabinet report also cites parking requirements as an impediment to increasing the City’s housing supply.

The Metropolitan Transportation Commission (MTC) has begun a Regional Parking Initiative that reflects several of the policies in staff’s proposal. Documents published by MTC include: “Reforming Parking Policies to Reform Smart Growth”; “Parking Code Guidance: Case Studies and Model Provisions”; and “MTC Smart Parking Policies/Toolbox”. Further, the State has updated the CEQA Guidelines to remove parking in transit areas as an impact requiring environmental analysis.

### ***Principles***

The following principles have guided the development of proposed changes to the parking requirements:

1. The City should maintain a balance between providing an adequate supply of parking to serve new growth and avoiding excessive parking supply. This balance should encourage transit ridership, provide attractive frontages, use land efficiently, reduce construction costs, and minimize parking impact of new development on existing neighborhoods.
2. New development should contain the parking required for its new owners/tenants.
3. Techniques to reduce parking demand should be implemented to reflect the City’s “Transit First” policies.
4. The cost of a parking space should be reflected in the price to the user.
5. Excessive driving should be discouraged when alternative transportation methods are conveniently available.
6. Businesses that are consistent with the intent of the underlying zoning designation should be able to move into existing buildings without being significantly burdened by additional parking requirements.
7. Parking space and maneuvering aisle dimensions should be adequate for most modern cars.

### ***Proposals***

The following is a summary of the proposed revisions to the City’s parking and loading regulations. The proposed Code Amendments are in ***Exhibits A*** (proposed changes shown in redline format) ***and B*** (all changes accepted) of the ordinance and a detailed summary of the proposal is contained in ***Attachment A*** of this report.

1. Downtown Parking

Current Requirements. The majority of Downtown is zoned either: Central Business District – Residential (CBD-R), Central Business District – Pedestrian Retail (CBD-P), Central Business District – General Commercial (CBD-C), or Central Business District – Mix (CBD-X).

Commercial activities currently have no parking requirement in these zones and residential activities require one parking space per unit. Section 17.116.290(C) of the Oakland Planning Code also permits, upon the granting of a Conditional Use Permit (CUP), a 50 percent reduction in the parking requirements in the CBD zones, the major transportation corridors, and in the S-15 Transit-Oriented Development Zones. The City has been routinely approving these reductions due to the concentration of transit in these areas.

The southeast area of Downtown (roughly bounded by Lake Merritt, 14<sup>th</sup> Street, Broadway, and I-880) has zoning that was designated through the Lake Merritt Station Area Plan. The LM-1 through LM-4 Zones in the Lake Merritt Station Area Plan area have regulations that reflect some of the current thinking regarding parking policy. These zones require 0.75 parking spaces per unit, “unbundled” parking and a relaxation of parking requirements for the conversion of historic buildings. “Unbundling” requires that parking spaces must be sold or rented separately from a unit to reflect the actual cost of the space. Parking requirements for these zones can also be reduced or waived upon the granting of a CUP and payment of a \$20,000 per space in-lieu fee to the City. Like the CBD Zones, these zones do not require parking for commercial activities.

Proposal. Staff proposes the following Downtown parking requirements:

1. No *minimum* parking requirement for any activities downtown;
2. A residential parking *maximum* of 1.25 parking spaces per dwelling unit;
3. A commercial parking *maximum* of one parking space per 300 square feet of ground floor area and one parking space per 500 square feet of upper story floor area;
4. Required unbundled parking;
5. One car share space preserved for buildings between 50 – 200 units and one car share space per each additional 200 units<sup>3</sup>; and
6. A transit allowance paid by the property owner or homeowners association that would be distributed indefinitely to each residential unit. This transit allowance could be fulfilled in one of two ways:
  - Providing the equivalent to half the value of an adult AC Transit monthly pass per month for each dwelling unit. The value of the pass is currently \$75 per month, so the subsidy would be \$37.50 per unit placed on a Regional Transit Connection Clipper Card; or
  - Providing one AC Transit EasyPass per dwelling unit. The AC Transit EasyPass program provides discounted bus passes, valid at any time on all AC Transit local and transbay lines. The program is generally geared to residential communities with 100 or more units, but smaller developments are considered on a case by case basis and developments can participate as a group. Each EasyPass costs approximately \$100 to \$120 per year, depending on a development’s distance to transit and number of participants.

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<sup>3</sup> Car sharing is a type of car rental that is designed to be convenient for people who want to rent cars for short periods of times within a day. Car share vehicles are generally stored at convenient locations such as parking lots and on the street.

Rationale. In general, these proposals provide developers the option of reducing parking, thereby making housing more affordable through lower construction costs. The requirements for car share, transit allowance, and unbundled parking further encourage residents to use transit in Downtown, where there is the greatest concentration of public transit in the East Bay, including three BART stations, a confluence of major AC Transit lines, the free Broadway Shuttle, and the future terminus for the Bus Rapid Transit (BRT) Line. Note that the proposal allows developers to provide the number of parking spaces they believe is adequate for their residents and businesses, with maximums of up to 1.25 parking spaces per unit and one space for each 300 square feet of ground floor commercial area and 500 square feet of upper story floor area, but does not impose a parking minimum.

## 2. Commercial Parking Determined by Building

Current Requirements. The following summarizes some existing commercial parking requirements for the City.

### Downtown and Transit-Oriented Development Districts

- No minimum number of spaces required.

### Neighborhood Commercial (CN) Zones

- Restaurants – 1 space per 300 square feet of floor area
- Retail – 1 space per 600 square feet of floor area
- Office – 1 space per 900 square feet of floor area

### Other Zones

- Restaurants – 1 space per 200 square feet of floor area
- Retail – 1 space per 400 square feet of floor area
- Office – 1 space per 600 square feet of floor area

Proposal. Staff proposes to continue to not require parking for commercial activities in Downtown, or Transit-Oriented Development Districts, which are adjacent to BART Stations. Staff further proposes to require one parking space per 600 square feet of ground floor area and one parking space per 1,000 square feet of upper floor space for any commercial use in other parts of the City.

Rationale. The City's current commercial parking requirements are based on the specific type of business. However, the future tenant of a commercial space is not always known during the design of a project. Therefore, an excess of parking is sometimes provided in projects to have the most flexibility for accommodating future tenants. When not enough parking is provided, the types of future tenants that can legally occupy buildings are sometimes limited by current commercial parking requirements, thereby making it more difficult to reuse the building. The proposal eliminates these problems by standardizing the requirements across use classifications.

### 3. Parking Reductions – Multifamily Housing

Current Requirements. The existing regulations allow the amount of required parking to be reduced by 50 percent on the major commercial corridors upon the granting of a CUP. This provision was added during the citywide zoning update in 2011 as a place-holder until the parking regulations are updated with specific parking reduction standards.

Proposal. Staff proposes to allow any multifamily project creating 10 or more units, or nonresidential project of 3,000 square feet of commercial space or more, to reduce parking requirements if it contains certain parking demand management features. These include:

- A 20 percent decrease if car sharing spaces are provided onsite;
- A 10 percent decrease if car sharing spaces are within 300 feet of the development;
- A 10 percent decrease if one monthly transit pass is provided per residential unit; The transit allowance for each unit would be equivalent to one-half the value of an adult AC Transit monthly pass, which is currently \$75 per month; and
- A 30 percent decrease if the project is within one-half mile from a “major transit stop”<sup>4</sup>.

These parking reduction percentages would be cumulative. Also, staff proposes that the required parking could not be reduced by more than 50 percent, regardless of amount of traffic demand features. This limitation would assure that a minimal amount of parking is required for each development outside of downtown. For example, a project that contains an on-site car sharing space and is within ½ mile from a major transit stop<sup>4</sup> could reduce the parking requirement by up to 50 percent. If that same project provided a monthly transit pass, the reduction would still be 50 percent.

Rationale. The proposed parking reductions listed are based on research performed by staff from several sources, including studies from the University of California<sup>5</sup>, the Mineta Institute<sup>6</sup>, and TransForm, a local transportation advocacy organization. Staff believes that allowing these reductions encourages the use of the parking demand reduction features.

### 4. Parking Reductions – Affordable Housing

Current Requirements. Required parking for affordable units is the same as market rate units – generally one space per unit.

Proposal. Staff proposes to reduce the required parking for affordable housing to a minimum of .50 space per unit for affordable housing that is within one-half of a mile from a major transit stop<sup>4</sup> and a minimum of .75 space per unit for affordable housing at other locations. Note that

<sup>4</sup> “Major transit stop” is defined in California Public Resources Code section 21064.3 as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

<sup>5</sup> Cervero, Robert and Tsai, Yu-Hsin. Working Paper – San Francisco City CarShare: Travel-Demand Trends and Second-Year Impacts.

<sup>6</sup> Martin, Elliot and Shaheen, Susan. The Impact of Carsharing on Household Vehicle Ownership.



these requirements could be reduced further by providing the parking demand management features described in Proposal #3, above.

Rationale. Several studies have shown that parking demand for affordable housing is lower than for market-rate units, particularly when the units are near transit. Also, State density bonus law, as modified by Assembly Bill (AB)744, which went into effect January 1, 2016, creates new parking requirements (inclusive of handicapped and guest parking) that apply to certain types of eligible projects: (a) 100 percent affordable developments consisting solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families; and (b) mixed-income developments consisting of the maximum number of very low- or low-income units provided for in density bonus law, which is 11 percent and 20 percent respectively. The city may be required to approve an alternate parking ratio if the project is within ½ mile of a major transit stop<sup>4</sup> and there is unobstructed access to the major transit stop, meaning a resident is able to access the major transit stop without encountering a natural or constructed impediment.

#### 5. Parking Reductions – Senior Housing

Current Requirements. Required parking for senior housing can be reduced by 75 percent upon the granting of a CUP.

Proposal. Staff proposes to reduce the required parking for senior housing to .25 spaces per unit by right.

Rationale. Removing the CUP requirement would encourage needed senior housing, which has a lower parking demand than typical residential uses. The City rarely denies a CUP for reduced parking in senior housing; therefore, allowing this reduction by right will eliminate the time and cost of administering unnecessary CUPs.

#### 6. Unbundling

Current Requirements. "Unbundling" requires the building owner to sell or rent parking separately from a unit to reflect the actual cost of the space. Unbundling is required for all new developments that create 10 or more dwelling units in the D-LM and D-BV Zones, which are the zones designated in the most recently adopted Specific Plans. No other zones require unbundling.

Proposal. Staff proposes to require unbundling on all new market-rate developments containing 10 or more dwelling units. Staff proposes to exempt affordable housing from this requirement.

Rationale. When the cost of including parking is part of the rent or cost of a dwelling unit, it is considered "bundled". Bundling together the cost of parking and housing hides the cost of a parking space and makes the cost of owning a car less expensive compared to other transportation modes. Requiring parking spaces to be sold or rented separately from a unit can lower housing costs for those who choose not to have a parking space. According to the

Metropolitan Transportation Commission (MTC), unbundling reduces the number of parking spaces required in a building by 10 – 15 percent<sup>7</sup>.

Staff proposes to exempt affordable housing from this requirement because unbundling can make it more difficult to finance affordable projects.

#### 7. Maximum Parking in Transit-Oriented Development zones

Current Requirements. The City currently has three transit-oriented development zones: S-15, S-15W, and the Coliseum Area District-1 Zone – 1 (D-CO-1 Zone). These zones surround transit hubs at the Coliseum, Fruitvale, West Oakland, and MacArthur BART stations. There are no parking maximums in these zones, although the S-15 and S-15W do require a special finding if parking is in excess of the required one-half space per dwelling unit.

Proposal. Staff proposes to impose a parking maximum of 1.25 parking spaces per dwelling unit in these zones.

Rationale. A parking maximum is consistent with the City's vision of emphasizing the use of public transit near BART stations. Reducing parking will also reduce construction costs where the City encourages the greatest development intensity. The 1.25 space maximum is consistent with the proposal for the Central Business District described in Proposal #1, above.

#### 8. Additions to Historic Buildings

Current Requirements. Minimum parking requirements currently apply to additions to historic buildings the same way they apply to any other building. For instance, additional parking is required if new dwelling units are created at a historic building site. For this proposal, historic buildings include Local Register Properties. Local Register Properties include City Landmarks and Districts, properties designated under State and Federal programs, and properties rated "A" or "B" by the City's Office of Cultural Heritage.

Proposal. Staff proposes that no parking be required for additions to historic buildings when the addition is less than 100 percent of the floor area of the existing building.

Rationale. Providing new parking for additions to historic buildings can create visual or site design impacts and often make their rehabilitation financially infeasible. Historic buildings tend to have limited parking opportunities because they were constructed when parking was not a City requirement. For instance, creating a garage for a traditional historic building that is located adjacent to a street would require the construction of an expensive and visually disruptive garage door.

The size restriction for the addition (less than 100 percent of the floor area of the existing building) would restrict the parking waiver to projects that are subordinate in size to the existing building.

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<sup>7</sup> See Reforming Parking Policies to Support Smart Growth. Toolbox/Handbook: Parking Best Practice and Strategies for Supporting Transit-Oriented Development in the Bay Area. July 2007.

## 9. Change of Use within Existing Buildings

Current Requirements. Parking is currently required for a change of use from one activity classification<sup>8</sup> to another for all buildings constructed after 1965, when the majority of parking regulations were adopted by the City. Parking is also required for pre-1965 constructed buildings for a change of use from one "Major Use Category"<sup>8</sup> to another.

Proposal. Staff proposes that parking only be required for a change in major use category for all buildings except for Local Register Properties (i.e., changes of use in Local Register Properties do not require additional parking).

Rationale. The proposal will encourage the flexible use of post-1965 constructed buildings. Staff proposes to preserve the parking requirements for changes from one major use category to another because often times these conversions have significant parking impacts on a neighborhood. For instance, a conversion of an industrial building to a residential development would significantly increase parking demand. The proposal will also encourage the reuse and rehabilitation of the City's valuable Local Register Properties.

## 10. Flexible Use Parking

Current Requirements. The use of customer or employee parking for a business on another parcel is regulated as an Automotive Fee Parking Commercial Activity, which is generally prohibited in Neighborhood Commercial Zones and conditionally permitted in other commercial zones.

Proposal. Staff proposes to permit auto fee parking in Commercial Zones on lots that contain an active business. A CUP would only be required if a conditionally permitted business expands its parking onto another parcel. For instance, a CUP is required for bars to operate in Commercial Zones, so providing parking for a bar on a different lot would require a CUP.

Rationale. Allowing commercial businesses to share parking would result in more efficient use of parking spaces. In a City study of parking in Temescal, shared parking among businesses was identified as a key recommendation to increasing parking supply during peak demand periods.

## 11. Off-Site Parking

Current Requirements. Placing required parking at an off-site parking facility is allowed for residential activities in Neighborhood Commercial and Downtown Zones and commercial businesses in all zones. However, the required parking must currently be located within 300 feet of the primary lot and both lots must be under common ownership.

Proposal. Staff proposes the following:

- Allow off-site parking for residential activities in all Commercial and high density Residential Zones.

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<sup>8</sup>There are dozens of "Activity Classifications" in the Planning Code, such as Permanent Residential, General Retail Sales, Medical Services, and General Manufacturing. These classifications are organized into five "Major Activity Classes": Residential, Civic, Commercial, Industrial, and Agricultural and Extractive.

- Allow off-site parking for commercial businesses in all zones.
- Allow the required parking to be located off-site within 300 feet by right and 600 feet upon the granting of a CUP.
- Do not require common ownership of parcels for off-site parking.

Rationale. The proposal will encourage off-site parking, which reduces potential visual and site design impacts related to providing parking in new development. The requirement for both lots to be owned by the same entity often makes off-site parking infeasible.

## 12. Parking on Small Lots in Commercial Zones

Current Requirements. Parking requirements apply to all lots regardless of lot size except in the Broadway Valdez and Lake Merritt Station Specific Plan areas, where no parking is required for lots 50 feet wide or less.

Proposal. Staff proposes to waive parking requirements on lots that are 40 feet wide or less in the Community Commercial and Neighborhood Center Zones.

Rationale. Placing a lobby entrance and garage door on a narrow façade leaves little space for storefronts, which are the most important element of a successful commercial streetscape. Eliminating parking requirements on narrow lots would also require fewer curb cuts and garage doors dominating streetscapes. The most successfully designed commercial districts in the City have a pattern of small lots without garages or curb cuts interrupting the pedestrian flow and a continuous storefront.

## 13. Calculating Parking Requirements in Civic Buildings

Current Requirements. Parking requirements for certain civic activities (residential care, schools, colleges, and hospitals), all industrial activities, and auto sales are currently based on number of employees. For instance, the parking requirement for high schools is one space per three employees plus one space per 10 students.

Proposal. Staff proposes to base parking requirements for schools, colleges, and hospitals on a parking demand analysis for a particular project; residential care on number of beds; and auto sales, warehousing, and industrial activities based on floor area.

Rationale. With new development, many times the specific number of employees is not known during the design of the project. Also, defining and identifying the number of employees is difficult due to the variety of work schedules and predicting future workload.

Basing parking requirements for larger projects, such as hospitals, colleges, and schools, on a professional analysis provides a more accurate estimate of parking demand for projects that may have a major parking impact on a neighborhood. Basing parking requirements for auto sales, warehousing, and industrial activities on floor area provide a convenient parking calculation for activities that do not tend to have parking impacts on residential and neighborhood districts. The detailed parking requirements, contained in **Exhibits A and B** of the ordinance, are based on the recently developed parking requirements in San Diego.

14. Parking Required in the Mixed Housing Type (RM) zones

Current Requirements. The RM Zones are a mix of single-family homes, duplexes, and small apartment buildings, generally found in transit-accessible areas. Current regulations require one and one-half parking spaces (rounded up) per residential unit in the Mixed Housing Type Residential-1 (RM-1) and RM-2 Zones, although in the RM-2 Zone, one space per unit is allowed for small lots (less than 4,000 square feet or 40 feet in width) and one space per unit is allowed regardless of lot size or width in the West Oakland District. One parking space per unit is required in the RM-3 and RM-4 Zones.

Proposal. Staff proposes to require one parking space per unit for all the RM Zones.

Rationale. The requirement of one and one-half parking spaces per unit discourages appropriate residential infill development in neighborhoods that are near transit. Requiring only one parking space per unit also better accommodates the creation of secondary units and allows for more pervious surfaces on a lot. Finally, having the same parking requirement for each of the RM zones simplifies the Planning Code.

15. Residential Parking Location – Side and Rear Context

Current Requirements. Under the current regulations, new parking for one- and two-unit residential projects is often required to be to the side or rear of a residence and set back at least 25 feet from the front lot line. This requirement is intended to preserve the “parking context” of a neighborhood where existing parking is less visible from the street.

Proposal. Staff proposes to allow required parking to be within 25 feet from the front line but continue the requirement that parking be located to the side of the lot.

Rationale. Requiring new parking to be at least 25 feet from the front lot line is not consistent with typical parking behavior. Residents with side and rear parking often park near the front lot line to be closer to the entrance of the residence. Requiring paving to the rear of the yard increases impermeable surface area and uses area on a lot that could be used for other purposes, such as landscaping.

16. Driveway Width

Current Requirements. The Planning code currently allows a maximum 19 foot driveway width.

Proposal. Staff proposes to only require a maximum driveway width in the front 20 feet of a property.

Rationale. Limiting the driveway width to 19 feet conflicts with the minimum 21-foot back-up space required for maneuvering into and out of perpendicular parking spaces located in the rear of a lot, where there are limited visual impacts to the street. The proposal would allow sufficient driveway towards the rear of a lot to allow maneuvering into and out of parking spaces.

### 17. Aisle Width

Current Requirements. The regulations currently require a 21-foot maneuvering aisle for parking (i.e., "back-up" space for perpendicularly parked vehicles). This was reduced from 24 feet in 2011 to allow for more compact residential parking.

Proposal. Staff proposes to increase the commercial parking aisle requirement to 23 feet.

Rationale. The 21-foot standard has been adequate for residential parking, where residents are more familiar with the maneuvering dimensions of their parking lot. However, 21 feet is not adequate for commercial parking where turnover is high and motorists are less familiar with the lot. The proposed 23-foot requirement would provide adequate maneuvering space based on field tests by City staff and published national standards.

### 18. Obstructions Next to Parking Spaces

Current Requirements. Two feet of additional perpendicular parking space width required if there is an obstruction on one or two sides of a parking space.

Proposal. Staff proposes to reduce the obstruction requirement to one foot of additional parking space width if there is an obstruction on one side and to maintain the requirement of two feet if there is an obstruction on two sides.

Rationale. Only one additional foot is needed to accommodate an open door on each side.

### 19. Residential Loading Requirements

Current Requirements. The Planning Code currently requires the following number of loading berths for residential development:

Total Floor Area	Requirement
Less than 50,000 sf	No berth required
50,000—149,999 sf	One berth
150,000—299,999 sf	Two berths
Each additional 300,000 sf	One additional berth

Proposal. Staff proposes to maintain that no loading berth be required for developments that are less than 50,000 square feet. Staff further proposes to only require one loading berth per for all developments greater than 50,000 square feet. Note that this proposal was not discussed at the Zoning Update Committee.

Rationale. The City has recently approved several variances for loading berths for larger residential projects. Applicants have informed staff that only one berth is required because building management staggers move-in times for new residents so that loading vehicles are not parked in the street. This proposal is consistent with the requirements in the Portland and

Chicago Planning Codes; some jurisdictions such as San Francisco and Berkeley do not require any loading berths for residential activities. Staff believes that one loading berth is appropriate for larger residential developments so moving vans for new residents do not block street traffic.

## 20. Commercial Loading Requirements

Current/Proposed Requirements. The City's current and proposed commercial loading berth regulations are contained in **Attachment B**. The updated loading berth requirements are separated into businesses that have a high daily demand for loading, such as restaurants, retail stores, and wholesale sales, and lower demand for loading, such as offices, service activities, medical services, and group assembly. The proposed minimum size for when a commercial activity requires a loading berth is also proposed to increase from 10,000 square feet for most activities to 20,000 square feet.

Rationale. Staff proposes these adjustments based on recent experience with development applications and research of other recently updated Planning Codes. Note that this proposal was not discussed at the Zoning Update Committee.

### **Key Issues and Impacts**

#### Parking Maximums

As stated in proposals (1) and (7), above, staff proposes a parking maximum of 1.25 parking spaces per dwelling unit in Downtown and transit-oriented development zones. Staff has received input from the public and some Planning Commissioners that the maximum should be lowered to a maximum of 1.0 space per unit.

Staff recommends a parking maximum of 1.25 spaces because the City has never adopted parking maximums and believes a conservative approach would allow the City to analyze the impacts of the regulations. Staff also believes that a somewhat higher maximum will allow developers to have some additional parking to provide hourly auto fee parking opportunities within their buildings. Staff believes that this additional parking may be valuable to accommodate nighttime visitors to Downtown entertainment. However, a parking maximum of 1.0 parking space per unit would be consistent with the Downtown regulations in San Francisco and Portland and would encourage more transit use.

#### Community Benefits in Return for Parking Reductions

Staff has received input that additional community benefits should be provided in return for the parking reduction described in proposals (1) and (3) because the reduction allows developers to construct less expensively, and parking reductions can have an impact on the immediate neighborhood.

Staff does not recommend requiring developers to pay for parking reduction for the following reasons. Staff's proposal is based on encouraging "just right" parking – parking requirements that are tailored to the location and parking demand reduction features of a particular development (providing transit passes, unbundling, car share, etc.) This has the potential to reduce unnecessary and expensive parking, increase housing supply and mass transit

ridership, improve air quality, and increase use land efficiency. Adding additional costs to projects in return for parking reductions would create a financial disincentive to provide the community benefits of less parking demand and the incorporation of parking demand management elements.

Further, the City has not had a successful experience with in-lieu fees for a reduction of parking in the Broadway/Valdez and Lake Merritt Specific Plan areas. Only one required parking space has been removed through the payment of in-lieu fees for these entire areas. As a result, the City is not currently receiving the benefits of either in-lieu fees or reduced parking.

### **FISCAL IMPACT**

The proposal should lower the cost of construction, which will lead to additional development and property taxes. Unbundled parking will also generate revenues by being taxed as automotive fee parking.

### **PUBLIC OUTREACH / INTEREST**

Staff has conducted nine community meetings regarding the proposed parking update. Two of the community-wide meetings were conducted in 2011 to educate the community regarding the City's major parking issues and to receive input regarding possible solutions. Two other community-wide meetings were conducted at the West Oakland and Fruitvale Senior Centers on October 23, 2015 and October 29, 2015, respectively. Staff also presented the proposal at meetings in Council Districts 1, 2, 3, 5, and 6.

The following is a summary of the input provided at these meetings and staff's response.

*Spillover. Although the majority of meeting attendees advocated for parking policies that encouraged increased transit use, there was significant concern regarding possible parking impacts on the residential neighborhoods adjacent to commercial corridors. There was a general acknowledgment that the approach must respect and accommodate the interests of all residents, not only those who prefer less driving and parking. Concern was particularly expressed regarding convenience for seniors and individuals with disabilities, and overall security.*

Response: Staff based the proposed parking requirements on research that demonstrates a reduction in parking when parking management techniques are incorporated into a project. Therefore, staff does not anticipate spillover from large developments into surrounding residential neighborhoods. Further, staff will coordinate with Public Works regarding the relationship between the Residential Permit Parking (RPP) program and the off-street parking regulations to explore options to limit spillover.

*Parking maximums. Meeting attendees promoted parking maximums Downtown and near BART Stations to promote transit use in these areas.*

Response: Staff proposes parking maximums of 1.25 parking spaces per dwelling unit and maximum parking for commercial activities in Downtown and in transit-oriented development



zones. However, staff received input from some meeting attendees that this should be further reduced to one parking space per dwelling unit, similar to the maximum in Downtown San Francisco. This issue is further discussed in the "Key Issues and Impacts" section of this report.

*On-street & off-street coordination. Several meeting attendees stressed that there needs to be a coordinated effort within the City between the Planning Division's update of off-street parking requirements and the Department of Public Works' management of on-street parking.*

Response: Staff has incorporated several of the recommendations contained in the document "Downtown Oakland Parking Study: Final Management Plan" (<http://www2.oaklandnet.com/Parking/DowntownParkingStudy/>), published by the City's Public Works Department, including unbundling, parking maximums, removal of parking minimums, car share space requirements, and transit subsidies. Planning will also closely coordinate with Public Works regarding the mapping of future RPP areas and any adjustments to the RPP program.

*Role of transit. Attendees at meetings brought up deficiencies with public transit in the City, particularly the buses run by AC Transit, and noted that changes to parking requirements would be more palatable if they were accompanied by improvements in public transit.*

Response: Staff acknowledges that AC Transit service currently has some deficiencies, but the agency has recently proposed a significant service expansion in Oakland, and has started construction on a Bus Rapid Transit (BRT) line from San Leandro BART to Downtown Oakland. The coordination of land use and transit service proposed by this plan should also create additional demand on policymaker for increased AC Transit service.

*Affordable housing. Several attendees stated that parking spaces increases the cost of constructing affordable housing.*

Response: Staff is proposing a reduction in the parking minimums for affordable housing, particularly when it is near transit.

*Unbundling. "Unbundling" parking involves separating the cost to rent or buy a parking space from the cost to rent or buy a unit. Several meeting participants stated that unbundling should be required Citywide, not just Downtown.*

Response: Staff's current proposal requires unbundling for all residential projects that create 10 dwelling units or more.

## **COORDINATION**

Staff has coordinated with the Bureau of Public Works and the Department of Transportation regarding Downtown parking policies and the RPP program. Additionally, the City Administrator's Office, the City Attorney's Office, and the Controller's Bureau were consulted in the preparation of this report.

## **SUSTAINABLE OPPORTUNITIES**

***Economic:*** The proposed reductions in parking requirements will encourage development by lowering construction costs. This will result in an increase in construction jobs, resident's spending money in Oakland, and space for new businesses.

***Environmental:*** The proposal will provide incentives for the use of transit and for residents to live with fewer cars. Lowering parking and development costs near transit will also discourage the use of cars. These features will lower automobile emissions, air pollution, and greenhouse gases.

***Social Equity:*** Easing parking requirements will reduce housing costs by decreasing the cost of construction and increasing the supply of dwelling units.

## **CEQA**

The proposed amendments to the Planning Code rely on the previous set of applicable CEQA documents including: the Coliseum Area Specific Plan EIR (2015); Broadway Valdez Specific Plan EIR (2014); West Oakland Specific Plan EIR (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan EIR (1998); the Oakland Estuary Policy Plan EIRs (1999, 2006) and Supplemental EIR (2013); the Redevelopment Area EIRs – West Oakland (2003), Central City East (2003), Coliseum (1995), and Oakland Army Base (2002); the Historic Preservation Element of the General Plan EIR (1998); the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, "Previous CEQA Documents"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163.


Moreover, each as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment), and Section 21099(d) of the Public Resources Code states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area are not to be considered significant environmental impacts.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that the City Council adopt the subject ordinance to comprehensively update the City's off-street parking requirements for new development. The proposed regulations are summarized in the Analysis section of this report. **Exhibit A** of the Ordinance contains the text showing deletions and additions to the Planning Code. **Exhibit B** of the Ordinance is a clean version of the text (accepting all changes).

For questions regarding this report, please contact Neil Gray, Planner IV, at (510) 238-3878.

Respectfully submitted,



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Attachments (2):

- A. Summary of proposal
- B. Existing and proposed loading requirements

**ATTACHMENT A**  
**Summary of the Off-Street Parking and Loading Update**

<b>1. Minimum and Maximum Parking in Downtown</b>	
<p><b>Problem:</b> The current regulations do not prescribe a minimum amount of required parking for most commercial development in Downtown. Minimum parking is prescribed for commercial development in the CBD-R (Downtown Residential) Zone and for residential development in all Downtown zones. The prescribed minimum parking requirements represent a “one size fits all” approach when in reality parking demand varies by project. In many cases, minimum requirements result in too much parking.</p>	
<b>Existing</b>	<b>Recommendation</b>
<ul style="list-style-type: none"> <li>• No <u>commercial</u> parking is currently required in downtown except in Residential Zones.</li> <li>• Generally, one parking space is required for each parking space per <u>residential</u> unit, which can be decreased to .5 parking spaces per unit with a conditional use permit.</li> <li>• .75 parking spaces required per <u>residential</u> unit in the Lake Merritt Station Specific Plan Area, which can be reduced through in-lieu fees.</li> </ul>	<ul style="list-style-type: none"> <li>• No parking required for <u>Commercial</u> or <u>Residential</u> activities in the downtown area.</li> <li>• Required unbundled parking for new development</li> <li>• Transit allowance and transit information required for tenants of developments of 10 units or more.<sup>1</sup></li> <li>• One car share space preserved for buildings between 50 – 200 units, then one car share space per 200 units<sup>2</sup>.</li> <li>• Parking maximum of 1.25 spaces per unit</li> </ul>
<p><b>Rationale:</b> <i>The proposed approach is “project-oriented.” The amount of parking provided would be determined on a project-by-project basis so the amount would be “just right” – not too much, not too little. Downtown is well-served by transit so it can support flexible parking requirements. However, even if there are no minimum parking requirements, developers will likely provide on-site parking if there is market demand.</i></p>	

<sup>1</sup>The transit allowance for each residential unit would be equivalent to ½ the value of an adult AC Transit monthly pass, which is currently \$75 per month. Therefore, the allowance would be \$37.50 per month.

<sup>2</sup>Car sharing is a type of rental that is designed to be convenient for people who want cars for short periods of times within a day. Car share vehicles are generally stored at convenient locations such as parking lots and on the street.

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<b>2. Commercial Parking – Determined by Building</b>	
<p><b>Problem:</b> The current amount of commercial parking required is based on the specific type of business. However, with new commercial development, many times the specific tenant is not known during the design of the project. In many cases, in order to provide the most flexibility for accommodating future tenants, too much parking is provided in the project. If not enough parking is provided, the types of future tenants that could occupy the building is limited thereby making it more difficult to reuse the building.</p>	
<b>Existing</b>	<b>Recommendation</b>
<p>No minimum number of spaces generally required in Downtown;</p> <p><u>Neighborhood Commercial (CN) Zones:</u></p> <ul style="list-style-type: none"> <li>• Restaurants – 1 space per 300 square feet of floor area</li> <li>• Retail – 1 space per 600 square feet of floor area</li> <li>• Office – 1 space per 900 square feet of floor area</li> </ul> <p><u>Other Zones</u></p> <ul style="list-style-type: none"> <li>• Restaurants – 1 space per 200 square feet of floor area</li> <li>• Retail – 1 space per 400 square feet of floor area</li> <li>• Office – 1 space per 600 square feet of floor area</li> </ul>	<p><u>Downtown Commercial Zones</u>            No parking spaces required for Downtown zones (see proposal #1, above)</p> <p><u>All Other Zones</u></p> <ul style="list-style-type: none"> <li>• Ground floor commercial space: 1 parking space per 600 square feet of floor area</li> <li>• Upper floor commercial space: 1 parking space per 1,000 square feet of floor area</li> </ul>
<p><b>Rationale:</b> <i>Under the proposal, new projects with unknown future tenants are less likely to provide too much parking than under the current regulations. The proposal also facilitates the reuse of existing buildings since the parking requirement would not change if a new tenant moves in. Eliminating the restaurant classification would still result in adequate parking supply because the proposed changes would allow shared parking between commercial activities, thereby allowing restaurant patrons to park at lots serving other activities.</i></p>	

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**3. Parking Reductions – Multifamily Housing**

**Problem:** The current regulations allow the amount of parking required to be reduced up to 50% with a Conditional Use Permit (CUP) in Downtown and commercial corridors. This provision was added during the citywide zoning update in 2011 as a place-holder until the parking regulations are updated with specific parking reduction standards. The requirement for a CUP discourages the use of this provision and there isn't guidance on how to determine the appropriate size of the parking reduction.

Existing	Recommendation
<ul style="list-style-type: none"> <li>Required parking can be reduced by up to fifty percent (50%) in the zones designated on the City's major transportation corridors with the granting of a CUP.</li> </ul>	<ol style="list-style-type: none"> <li>Required parking for a multifamily developments of ten units or more or commercial developments greater than 3,000 square feet may be reduced per the following:               <ul style="list-style-type: none"> <li><b>Provision of Car sharing space (onsite)..... 20%<sup>3</sup></b></li> <li><b>Provision of Car-sharing spaces (within 600 ft)..... 10%</b></li> <li><b>Transit Allowance provided for each unit<sup>4</sup> ..... 10%</b></li> <li><b>Within ½ mile of a Major Transit Stop.<sup>5</sup> ..... 30%<sup>6</sup></b></li> </ul> </li> <li>Cannot reduce parking requirement by more than 50 percent.</li> </ol>

**Rationale:** Removing the CUP requirement and establishing specific parking reduction standards would encourage projects to incorporate parking demand management strategies. Research shows that the proposed strategies reduce parking demand, and the percentages have been updated to reflect the estimated reductions. The proposal is consistent with The Oakland Energy and Climate Action Plan (ECAP), which contains a policy to establish alternative mechanisms to meeting parking requirements (Policy PA 35).

<sup>3</sup> Car share spaces can either be provided only for residents within a new development or for traditional car share organizations. This reduction is based on analysis in the document Car-Sharing: Where and How it Succeeds (2005), page ES-3. The document was developed by the Transit Cooperative Research Program.

<sup>4</sup> The transit allowance for each residential unit would be equivalent to the ½ the value of an adult AC Transit monthly pass, currently \$75 per month or providing an AC Transit Easy Pass”.

<sup>5</sup> Major Transit Stop is defined in the California Public Resources Code as site with an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the peak commute periods.

<sup>6</sup> This reduction was determined through the GreenTrip Database. This database, which was funded by the Metropolitan Transportation Commission and developed by the Oakland branch of TransForm, a transit advocacy group, includes data gathered at multi-family residential sites around the San Francisco Bay Area. Data collection began in November 2013, and is ongoing. The data shows parking supplied, and parking used, at each site.

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**4. Parking Reductions – Affordable Housing**

**Problem:** New developments that include affordable housing units, whether a mixed income development or a housing project of 100% affordable units, currently trigger the same parking requirements as market rate developments. Yet data shows car ownership and parking demand among affordable housing units is lower than market rate projects. Requiring parking minimums that exceed parking demand leads increased housing costs occupy valuable real estate that could instead be used for additional housing units. Further, State law has recently changed with the passage of AB 744, which does not allow local government to require more than one-half a space per affordable housing unit that is within ½ a mile of a major transit stop.

Existing	Recommendation
<p>Required parking is one space per unit for any affordable housing unit, though developers can apply for a reduction if demonstrating reduced demand.</p>	<ul style="list-style-type: none"> <li>• Required parking is 0.5 spaces per unit for affordable housing unit within ½ mile of a major transit stop consistent with state law.</li> <li>• Required parking is .75 spaces per unit for all other affordable housing units.</li> </ul> <p>**These requirements can be reduced through the provision of transit passes and car share spaces as described in proposal #3, above.</p>

**Rationale:** *This new requirement brings the City in line with new state law AB 744 and provides a reduction for all affordable housing because studies show affordable housing produces less of a demand for parking<sup>7</sup>.*

<sup>7</sup> These reductions are consistent with the San Diego Affordable Housing Study, December 2011

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**5. Parking Reductions – Senior Housing**

**Problem:** The current regulations allow the amount of parking required for senior housing to be reduced up to 75% with a conditional use permit. This provision acknowledges that reduced parking is appropriate in senior housing. The requirement for a conditional use permit is an unnecessary hurdle and discourages the use of this provision.

<b>Existing</b>	<b>Recommendation</b>
Required parking can be reduced by 75 percent upon the granting of a Conditional Use Permit.	Required parking may be reduced to 0.25 spaces per unit by right.
<b>Rationale:</b> <i>Removing the conditional use permit requirement would encourage needed senior housing. Senior housing has a lower parking demand than typical residential uses.</i>	



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**6. Unbundling**

**Problem:** When the cost of including parking is part in the rent or cost of a dwelling unit, it is considered “bundled.” Bundling hides the cost of the parking space and makes the cost of owning a car less expensive relative to other transportation modes. Unbundling requires the building owner to sell or rent parking as separately from a unit, in an attempt to reflect the actual cost of the space. Residents that do not have cars can save money by forgoing parking. Studies have shown that unbundling reduces the number of parking spaces required in a building.

<b>Existing</b>	<b>Recommendation</b>
Unbundling is required for multifamily residential developments of 10 or more units in the D-BV and D-LM zones only.	Unbundling required for all multifamily residential developments of 10 or more units citywide.

***Rationale:*** Data shows that some tenants do not opt for parking spaces and overall parking demand goes down when unbundling is instituted.

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**7. Maximum Parking in Transit Oriented Development zones**

**Problem:** The City has a transit-first policy and has encouraged the creation of Transit Oriented Development, particularly around many of the BART stations within the City. However, lower minimums do not prevent developers from building excessive parking to serve BART users. Excess parking is not consistent with developments oriented toward transit use.

<b>Existing</b>	<b>Recommendation</b>
No parking maximums exist in any zone.	1.25 parking spaces per unit maximum in the S-15, S-15W, and D-CO-1 zones.

**Rationale:** *This maximum is consistent with the proposal for the CBD and the policies in the Land Use and Transportation Element of the General Plan regarding the character of transit oriented development.*

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**8. Additions to Historic Buildings**

**Problem:** Under the current regulations, minimum parking requirements apply to additions to all buildings, including historic buildings. This discourages the rehabilitation of historic buildings. In many cases, providing new parking for additions is not feasible and requires significant alterations to the historic building, because they often cover an entire site.

Existing	Recommendation
Parking required for additions to historic buildings <sup>8</sup> .	No parking required for additions to historic buildings <sup>8</sup> when the addition is less than 100% of the floor area of the existing building.

**Rationale:** *The proposal would encourage the reuse of historic buildings. The size restriction for the addition (less than 100% of the floor area of the existing building) would restrict the parking waiver to smaller projects that are subordinate in size to the existing building.*

<sup>8</sup> For the purpose of this regulation, historic buildings include Local Register Properties, which are City Landmarks and Districts, properties designated under State and Federal programs, and properties rated “A” or “B” by the City’s Office of Cultural Heritage.

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**9. Change of Use within Existing Buildings**

**Problem:** Under the current regulations, minimum parking requirements apply to some change of use of existing buildings. This discourages the reuse and rehabilitation of historic buildings and can limit the flexible use of existing buildings.

Existing	Recommendation
<ul style="list-style-type: none"> <li>• Parking required for change of use from one activity classification to another for all post-1965 existing buildings.</li> <li>• Parking required for pre-1965 building for a change of use from one “Activity Classification”<sup>9</sup> to another.</li> </ul>	<ul style="list-style-type: none"> <li>• For non-historic properties, no parking required for any changes of use for any building within a “use class” such as Residential, Commercial, Civic, Industrial, or Agricultural and Extractive<sup>9</sup>.</li> <li>• For historic properties<sup>10</sup>, no parking required for any changes of use for any building.</li> </ul>

**Rationale:** *The proposal will encourage the flexible use of post-1965 constructed buildings. Staff proposes to preserve the parking requirements for changes from one major use category to another in most buildings because often times these conversions have significant parking impacts on a neighborhood. For instance, a conversion of an industrial building to a residential development would significantly increase parking demand in a neighborhood. The proposal will also encourage the rehabilitation and use of Local Register Properties.*

<sup>9</sup> There are dozens of “Activity Classifications” in the Planning Code, such as Permanent Residential, General Retail Sales, Medical Services, and General Manufacturing. These classifications are organized into five “Use Classes”: Residential, Civic, Commercial, Industrial, and Agricultural and Extractive.

<sup>10</sup> In general, historic buildings include Local Register Properties, which include City Landmarks and Districts, properties designated under State and Federal programs, and properties rated “A” or “B” by the City’s Office of Cultural Heritage. In the Broadway/Valdez and Lake Merritt Station Area Specific Plan Areas, historic buildings are proposed to also include Potentially Designated Historic Properties (PDHPs), which are buildings that have at least a “C” rating or contribute to an historic district.

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**10. Flexible Use Parking**

**Problem:** In many commercial districts, there is a variety of commercial businesses and customers with parking needs at different times of the day and some businesses have more parking than necessary. These parking spaces could be utilized more efficiently if they could be used by employees and customers located on different lots or by any customer in a commercial district. Under the current regulations, parking required for a business must be reserved for that business; it cannot be shared with another business or used by the public without being considered an auto fee parking lot. Most commercial zones do not permit or only conditionally permit auto fee parking lots.

<b>Existing</b>	<b>Recommendation</b>
Parking must be reserved for the activity it serves unless a permit is granted allowing an auto fee parking lot.	Auto fee parking is permitted for parcels that are: outside of one-half (1/2) a mile from a BART Station, contain an active business, and in a commercial zone.

**Rationale:** *Allowing commercial businesses to share their parking would result in more efficient use of parking spaces. In a City study of parking in Temescal, shared parking among businesses was identified as a key recommendation to increasing parking supply during peak demand periods. In many cases there are businesses that need nighttime parking, such as restaurants and theaters that are near other businesses with unused parking spaces, such as restaurants and theaters.*

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**11. Off-Site Parking**

**Problem:** In some cases, providing required parking on the same lot as the activity the parking serves creates visual or site design impacts. In these cases it may preferable to locate required parking for a new proposal on another lot. Under the current regulations, required parking must be on the same lot as the activity it serves, with the following exceptions: 1) residential activities in neighborhood commercial zones and Downtown; and 2) commercial businesses in all zones. In these cases, all required parking must be located within 300 feet of the lot containing the activity and the lots must have a common owner. Requiring common ownership of the different lots discourages off-site parking and is unnecessary and 300 feet limits the number of potential parking spaces within the district.

Existing	Recommendation
<ul style="list-style-type: none"> <li>• Off-site parking allowed for residential activities in Neighborhood Commercial and Downtown Zones and commercial businesses in all zones.</li> <li>• The required parking must be located within 300 feet of the primary lot and both lots must be under common ownership.</li> </ul>	<ul style="list-style-type: none"> <li>• Allow off-site parking for residential activities in all commercial and high density residential zones.</li> <li>• Allow off-site parking for commercial businesses in all zones.</li> <li>• Required parking may be located off-site within 600 feet by right if parking is located on a developed lot; otherwise off-site parking only permitted upon the granting of a conditional use permit.</li> <li>• Common ownership would not be required for off-site parking</li> </ul>

**Rationale:** Removing the common ownership requirement for off-site parking would encourage off-site parking thereby reducing potential visual and site design impacts related to on-site parking. The visual and site design impacts of the off-site parking would be evaluated during the design review associated with the new development. Also, off-site parking located on a lot that does not contain a principal activity would still be classified as Auto Fee Parking which is generally prohibited in residential zones and requires a conditional use permit in commercial zones and Downtown. Staff proposes to require a CUP on undeveloped lots to assure that critical opportunity sites are not required to remain parking.

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**12. Parking on Small Lots in Commercial Districts**

**Problem:** Incorporating parking into projects on small substandard lots in commercial districts can result in negative visual and site design impacts due to the small lot size. In these cases, parking can visually and physically dominate the site to the detriment of the project and the surrounding district.

<b>Existing</b>	<b>Recommendation</b>
Parking requirements apply to all lots regardless of lot size except in the Broadway Valdez Specific Plan Area.	Parking requirements do not apply to interior lots with less than 40 feet of street frontage in the CN and CC zones.

**Rationale:** *Eliminating parking requirements on narrow lots would encourage fewer curb cuts and garage doors dominating streetscapes and larger storefront space. Most of the successfully designed commercial districts in the City, such as the Fruitvale and Montclair Districts, have a pattern of small lots without garages or curb cuts interrupting the pedestrian flow and continuous storefront.*

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**13. Calculating Parking Requirements – Employees vs. Building Size**

**Problem:** For certain activities, the current regulations specify the amount of required parking based on the number of employees. With new development, many times the specific number of employees is not known during the design of the project. Also, defining and identifying the number of “employees” is difficult (due to the variety of work schedules).

<b>Existing</b>	<b>Proposed</b>
<ul style="list-style-type: none"> <li>• Residential care: 1 space per 3 employees; plus 1 space for each facility vehicle</li> <li>• High schools: 1 space per 3 employees; plus 1 space per 10 students</li> <li>• Other schools: 1 space per 3 employees</li> <li>• Colleges: 1 space per 3 employees; plus 1 space per 6 students</li> <li>• Hospitals: 1 space per 4 beds; plus 1 space per 4 employees; plus 1 space per doctor</li> <li>• Auto sales: 1 space per 1,000 sf or per 3 employees (whichever is less)</li> </ul>	<ul style="list-style-type: none"> <li>• Residential care: 1 space per 5 beds</li> <li>• High schools: determined by Director of City Planning based on a parking demand and capacity study.</li> <li>• Other schools: 0.5 space per 1 classroom</li> <li>• Colleges: Determined by Director of City Planning based on a parking demand and capacity study.</li> <li>• Hospitals: Determined by Director of City Planning based on a parking demand and capacity study.</li> <li>• Auto sales: 1 space per 1,000 sf</li> </ul>

**Rationale:** *With new development, many times the specific number of employees is not known during the design of the project. Also, defining and identifying the number of employees is difficult due to the variety of work schedules and predicting future workload. Basing parking requirements for larger projects, such as hospitals, colleges, and schools, on a professional analysis provides a more accurate estimate of parking demand for projects that may have a major parking impact on a neighborhood. Basing parking requirements for auto sales, warehousing, and industrial activities on floor area provides a convenient parking calculation for activities that do not tend to have parking impacts on residential and neighborhood districts.*



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**14. Parking Required – RM Zones**

**Problem:** The current regulations require one and one-half parking spaces (rounded up) per residential unit in the Mixed Housing Type Residential-1 (RM-1) and RM-2 Zones, although one space per unit is allowed for small lots (less than 4,000 square feet) in the RM-2 Zone. One parking space per unit is required in the RM-3 and RM-4 Zones. The RM Zones are medium-density residential zones found in transit-accessible areas and near major arterials, and are located throughout North Oakland and in pockets of West and East Oakland. These areas are a mix of single-family homes, duplexes, and small apartment buildings. The requirement of one and one-half parking spaces per unit discourages appropriate residential infill development in these neighborhoods.

Existing	Recommendation
<ul style="list-style-type: none"> <li>• RM-1 Zone: 1.5 spaces per unit</li> <li>• RM-2 Zone: 1.5 spaces per unit</li> <li>• RM-3 Zone: 1 space per unit</li> <li>• RM-4 Zone: 1 space per unit</li> </ul>	<p>One parking space per unit in all the RM zones, except two parking spaces per unit would be required for units with five or more bedrooms.</p>

**Rationale:** *The requirement of one and one-half parking spaces per unit discourages appropriate residential infill development in neighborhoods that are near transit. Requiring only one parking space per unit also better accommodates the creation of secondary units and increases pervious surfaces on a lot. Finally, having the same parking requirement for each of the RM zones simplifies the Planning Code.*

**ATTACHMENT A – Summary of the Off-Street Parking and Loading Update  
CED Meeting  
September 13, 2016**

**15. Residential Parking Location – Side/Rear Context**

**Problem:** Under the current regulations, in neighborhoods where parking is located to the side or rear of the residence, new parking for one- and two-unit residential projects is required to be to the side or rear of a residence and set back at least 25 feet from the front lot line. This requirement is intended to preserve the parking character of a neighborhood where existing parking is less visible from the street. Requiring new parking to the side or rear of a residence limits the parking space from detracting from the visual quality of the residence. However, requiring new parking to be at least 25 feet from the front lot line is not consistent with typical parking behavior. Residents with side and rear parking often park near the front lot line to be closer to the entrance of the residence. Requiring paving to the rear of the yard increases impermeable surface area and uses area on a lot that could be used for better purposes.

<b>Existing</b>	<b>Recommendation</b>
New required parking for single family homes and duplexes must be located to the side or rear of a house and at least 25 feet from the front lot line if the site is in a neighborhood with a rear yard parking context.	New required parking for single family homes and duplexes must be located to the side of a lot <u>or</u> rear of a house if the site is in a neighborhood with a rear yard parking context. The parking is <u>not</u> required to be at least 25 feet from front lot line

**Rationale:** *Unnecessarily requiring paving to the rear of the yard increases impermeable surface area and uses area on a lot that could be used for better purposes.*

**ATTACHMENT A – Summary of the Off-Street Parking and Loading Update  
CED Meeting  
September 13, 2016**

**16. Driveway Width**

**Problem:** Under the current regulations, the maximum allowed driveway width is 19 feet. It is unclear where the 19-foot maximum applies on the lot. If the regulation applies to the entire lot, limiting the driveway width to 19 feet conflicts the minimum 21-foot back-up space required for maneuvering into and out of perpendicular parking spaces located in the rear of a lot with limited visual impacts to the street.

<b>Existing</b>	<b>Recommendation</b>
Maximum driveway width is 19 feet	Maximum driveway width is 19 feet for front 20 feet of lot

**Rationale:** *The proposal would limit the visual impacts of parking as seen from the street but allow sufficient driveway width in the remainder of the lot to allow maneuvering into and out of parking spaces.*

**ATTACHMENT A – Summary of the Off-Street Parking and Loading Update**  
**CED Meeting**  
**September 13, 2016**

**18. Aisle Width**

**Problem:** The regulations previously required a 24-foot maneuvering aisle for parking (i.e., “back-up” space for perpendicularly parked vehicles). During the citywide commercial and residential zoning update in 2011, this standard was reduced to 21 feet to allow more compact residential parking. The 21-foot standard is been adequate for residential parking, where residents are more familiar with the maneuvering dimensions of their parking lot. However, 21 feet does not appear to be adequate for commercial parking where parking turn-over is high and motorists are less familiar with the parking lot.

<b>Existing</b>	<b>Recommendation</b>
Residential = 21 ft. Commercial = 21 ft.	Residential = 21 ft. Commercial = 23 ft.

**Rationale:** *The proposal would provide adequate maneuvering space based on field tests by City staff and published national standards.*

**ATTACHMENT A – Summary of the Off-Street Parking and Loading Update**  
**CED Meeting**  
**September 13, 2016**

**19. Obstructions Next to Parking Spaces**

**Problem:** In cases where the long side of a parking space abuts a wall, fence, post, or similar obstruction, it is difficult to maneuver into and out of the space and difficult for passengers to enter and exit the vehicle due to limited space for opening vehicle doors. The current regulations address this difficulty by requiring the parking space to be two feet wider when the obstruction is on one or both sides of the space and when the space is located perpendicular to the maneuvering aisle. One additional foot is needed to accommodate an opened door on each side. The additional two feet in width is appropriate when obstructions are on both sides of the space. However, two additional feet is not needed when the obstruction is only on one side. In addition, extra width is necessary for vehicle doors in all cases, not just for spaces located perpendicular to the maneuvering aisle.

<b>Existing</b>	<b>Recommendation</b>
Two feet additional perpendicular parking space width required if there is an obstruction on one side or two sides.	<ul style="list-style-type: none"> <li>• One foot additional parking space width required if there is an obstruction on one side and two feet if there is an obstruction on two sides.</li> <li>• Additional width would apply to all parking spaces.</li> </ul>

**Rationale:** *Only one additional foot is needed to accommodate an open door on each side.*

**ATTACHMENT A – Summary of the Off-Street Parking and Loading Update**  
**CED Meeting**  
**September 13, 2016**

**20. Loading Berth Requirements**

**Problem:** Transportation and storage technology has significantly improved since 1965, when the current loading requirements were developed. Also, staff has heard from developers that the code requires more residential loading berths than is necessary because building management efficiently schedules move-in times for their residents. Some loading areas are necessary to avoid traffic impacts from trucks parking on the street; however, too many unnecessarily uses valuable and expensive space that could be used for additional dwelling units, landscaping, or other uses. The City has approved several variances to reduce the number of unnecessary loading berths.

Existing	Recommendation
<p><u>Residential:</u>            Less than 50,000 sf of development.....No berth required            50,000—149,999 sf of development.....One berth            150,000—299,999 sf of development.....Two berths            Each additional 300,000 sf.....One additional berth</p> <p><u>Commercial:</u>            See Attachment C</p>	<p><u>Residential:</u>            One space required for all developments of 50,000 square feet or more.</p> <p><u>Commercial:</u>            A. High loading demand activities (See Attachment C for a list of high loading demand activities)                Less than 25,000 sf. ....No berths required.                25,000 – 59,999 sf. ....One berth.                60,000 – 159,000 sf. ....Two berths.                Each additional 120,000 sf. ....One additional berth.</p> <p>B. Low loading demand activities (See Attachment C for a list of low loading demand activities)                Less than 40,000 sf .....No berths required.                40,000—59,999 sf .....One berth.                60,000—159,000 sf .....Two berths.                Each additional 160,000 .....One additional berth.</p>

**Rationale:** Staff made these adjustments based on recent experience with development applications and research of other recently updated Planning Codes. These proposals are consistent with other cities, including Seattle, Portland, Berkeley, and San Francisco. However, San Francisco, Berkeley, and San Francisco do not require any loading for residential activities. The proposal includes one loading berth for larger residential developments so residents moving into a building have at least one space to park a moving truck.

## ATTACHMENT B

### Current and Proposed Residential and Commercial Loading Berth Requirements

#### EXISTING: 17.116.140 Off-street loading – Residential Activities.

Total Floor Area of Facilities Occupied Requirement	Requirement
Less than 50,000 square feet.	No berth required.*
50,000—149,999 square feet.	One (1) berth.*
150,000—299,999 square feet.	Two (2) berths.*
Each additional 300,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*

\*Off-street loading is not required in CBD-P zone when combined with the S-7 Zone.

#### PROPOSED: 17.116.140 Off-street loading – Residential Activities.

Residential Activity and Total Floor Area of Facilities Occupied Requirement	Requirement
Less than 50,000 square feet.	No berth required.
50,000 square feet or more.	One (1) berth.*

\*Off-street loading is not required in CBD-P Zone when combined with the S-7 Zone.

**ATTACHMENT B – Current and Proposed Loading Birth Requirements**  
**CED Meeting**  
**September 13, 2016**

**EXISTING: 17.116.140 Off-street loading—Commercial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter: (See illustration I-18.)

<b>Commercial Activity and Total Size of Facilities Occupied</b>	<b>Requirement</b>
<b>A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Fast-Food Restaurant, Convenience Market, Alcoholic Beverage Sales, Consumer Service, General Retail Sales, Consumer Cleaning and Repair Service, Group Assembly, Personal Instruction and Improvement Services, Communication and Media Service, Broadcasting and Recording Service, Research Service, General Wholesale Sales, Building Material Sales, Automobile and Other Light Vehicle Sales and Rental, Automobile and Other Light Vehicle Gas Station and Servicing, Automotive and Other Light Vehicle Repair and Cleaning, Transport and Warehousing, Animal Care, or Animal Boarding occupying facilities with the following floor area:</b>	
Less than 10,000 square feet.	No berths required.*
10,000—24,999 square feet.	One (1) berth.*
25,000—49,999 square feet.	Two (2) berths.*
50,000—99,999 square feet.	Three (3) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
<b>B. Mechanical or Electronic Games, Medical Service, Consumer Service, Consultative and Financial Service, Administrative, or Transient Habitation, occupying facilities with the following floor area:</b>	
Less than 50,000 square feet.	No berths required.*
50,000—149,999 square feet.	One (1) berth.*
150,000—299,999 square feet.	Two (2) berths.*
Each additional 300,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
<b>C. Undertaking Service, occupying facilities with the following floor area:</b>	
Less than 2,500 square feet.	No berths required.*
2,500—24,999 square feet.	One (1) berth.
25,000—49,999 square feet.	Two (2) berths.*
50,000—99,999 square feet.	Three (3) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
<b>D. Scrap Operation, occupying facilities with the following amounts of floor area and outdoor storage, processing, or sales area:</b>	
Less than 25,000 square feet.	One (1) berth.*
25,000—49,999 square feet.	Two (2) berths.*



**ATTACHMENT B – Current and Proposed Loading Birth Requirements**  
**CED Meeting**  
**September 13, 2016**

<b>Commercial Activity and Total Size of Facilities Occupied</b>	<b>Requirement</b>
50,000—99,999 square feet.	Three (3) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
E. All other Commercial Activities.	No berths required.*

**PROPOSED: 17.116.140 Off-street loading—Commercial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter:

<b>Commercial Activity and Total Size of Facilities Occupied</b>	<b>Requirement</b>
A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Fast-Food Restaurant, Convenience Market, Alcoholic Beverage Sales, Consumer Service, General Retail Sales, Large-Scale Combined Retail and Grocery Sales, Consumer Cleaning and Repair Service, Research Service, General Wholesale Sales, Building Material Sales, Automobile and Other Light Vehicle Gas Station and Servicing, Automotive Fee Parking, or Undertaking Service - occupying facilities with the following floor area:	
Less than 20,000 square feet.	No berths required.*
20,000—59,999 square feet.	One (1) berth.*
60,000—159,000 square feet.	Two (2) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
B. Mechanical or Electronic Games, Medical Service, Consultative and Financial Service, Administrative, Transient Habitation, Check Cashier and Check Cashing, Consumer Dry Cleaning Plant, Group Assembly, Personal Instruction and Improvement Services, Business, Communication, and Media Service, Broadcasting and Recording Service, Automobile and Other Light Vehicle Sales and Rental, Automobile and Other Light Vehicle Repair and Cleaning, Taxi and Light Fleet-Based Service, Animal Care, or Animal Boarding - occupying facilities with the following floor area:	
Less than 40,000 square feet.	No berths required.*
40,000—59,999 square feet.	One (1) berth.*
60,000—159,000 square feet.	Two (2) berths.*
Each additional 160,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*

\*Off-street loading is not required in the CBD-P zone when combined with the S-7 Zone.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

2016 SEP -2 AM 10:29

*Olivia Chen*  
Office of the City Attorney

## OAKLAND CITY COUNCIL

ORDINANCE No. \_\_\_\_\_ C.M.S.

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**ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO COMPREHENSIVELY UPDATE CITYWIDE OFF-STREET PARKING AND LOADING REGULATIONS AND MAKE CONFORMING CHANGES TO OTHER PLANNING CODE SECTIONS, AND ADOPTING ENVIRONMENTAL FINDINGS**

**WHEREAS**, most of the City's off-street parking and loading regulations were adopted with the original version of the Planning Code in 1965 and have not been comprehensively updated since 1965; and

**WHEREAS**, the City's off-street parking and loading regulations are not consistent with nationwide best practices; and

**WHEREAS**, many of the current off-street parking requirements are inconsistent with regional policies established by the Metropolitan Transportation Commission and City policies related to transit use, housing supply, air quality, and climate change contained in the Land Use and Transportation Element of the General Plan, Housing Element of the General Plan, City's "Transit First" policy, Climate Action Plan, and/or the Mayor's Housing Cabinet Report; and

**WHEREAS**, many of the current off-street parking regulations create impediments to the rehabilitation of historic structures and the flexible reuse of commercial facilities; and

**WHEREAS**, some of the current off-street parking regulations discourage the efficient use of land; and

**WHEREAS**, the City seeks to update its off-street parking and loading regulations to make them more consistent with local, state and regional policies and with nationwide best practices; and

**WHEREAS**, this Ordinance will serve the public necessity, convenience and welfare for the reasons set forth in the accompanying Agenda Report dated August 18, 2016, and incorporates such reasons herein by reference; and

**WHEREAS**, this Ordinance is in conformity with adopted City policies related to transit use, housing supply, air quality, and climate change contained in the Land Use and Transportation Element of the General Plan, Housing Element of the General Plan, City's "Transit First" policy, Climate Action Plan, and/or the Mayor's Housing Cabinet Report; and

**WHEREAS**, adoption of this Ordinance is in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.); and

**WHEREAS**, staff presented the proposed updates to the off-street parking and loading requirements at several community meetings throughout the City; and

**WHEREAS**, the proposed updates were considered at a regular, duly noticed meeting of the Zoning Update Committee on March 9, 2016, and the Zoning Update Committee recommended that the proposal be presented to the full Planning Commission; and

**WHEREAS**, the proposed updates were considered, after a duly noticed public hearing, at a regular meeting of the Planning Commission on June 22, 2016, and the Planning Commission recommended that that the City Council adopt the proposed updates; and

**WHEREAS**, this Ordinance was considered at a regular, duly noticed, meeting of the Community and Economic Development Committee of the City Council (“Committee”) on September 13, 2016, and the Committee recommended adoption of this Ordinance; and

**WHEREAS**, this Ordinance was considered, after a duly noticed public hearing, at a regular meeting of the City Council on September 20, 2016, and all interested parties were provided an ample opportunity to participate in said hearing and express their views; now, therefore

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

**Section 1. Recitals.** The City Council finds and determines the forgoing recitals to be true and correct and hereby makes them a part of this Ordinance.

**Section 2. Amendment of the Oakland Planning Code.** Title 17 of the Oakland Municipal Code is hereby amended as detailed in *Exhibits A and B*, attached hereto and incorporated as set forth fully herein.

**Section 3. Severability.** The provisions of this Ordinance are severable. If a court of competent jurisdiction determines that a word, phrase, clause, sentence, paragraph, subsection, section, Chapter or other provision is invalid, or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions of this Ordinance that can be given effect without the invalid provision or application and the application of those provisions to other persons or circumstances are not affected by that decision. The City Council declares that the City Council would have adopted this Ordinance irrespective of the invalidity of any particular portion of this Ordinance.

**Section 4.** That the record before this Council relating to this Ordinance includes, without limitation, the following:

1. all final staff reports, and other final documentation and information produced by or on behalf of the City, including without limitation supporting technical studies and all related/supporting final materials, and all final notices relating to the parking regulations

and attendant hearings;

2. all oral and written evidence received by the CED Committee and City Council during the public hearings on the parking regulations; and all written evidence received by the relevant City Staff before and during the public hearings on the parking regulations;
3. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations and Oakland Fire Code; (c) other applicable City policies and regulations; and (d) all applicable state and federal laws, rules and regulations.

**Section 5.** That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based, are respectively: (a) Planning and Building Department –Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California; and (b) Office of the City Clerk, One Frank H. Ogawa Plaza, 1st Floor, Oakland, California.

**Section 6. California Environmental Quality Act.** The proposed amendments to the Planning Code rely on the previous set of applicable CEQA documents including: the Coliseum Area Specific Plan EIR (2015); Broadway Valdez Specific Plan EIR (2014); West Oakland Specific Plan EIR (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan EIR (1998); the Oakland Estuary Policy Plan EIRs (1999, 2006) and Supplemental EIR (2013); the Redevelopment Area EIRs – West Oakland (2003), Central City East (2003), Coliseum (1995), and Oakland Army Base (2002); the Historic Preservation Element of the General Plan EIR (1998); the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, "Previous CEQA Documents"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163.

The proposed amendments are also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment), and Section 21099(d) of the Public Resources Code states that parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area are not to be considered significant environmental impacts, each as a separate and independent basis.

**Section 7. Conforming Changes.** The City Council hereby authorizes the City Administrator or designee to make non-substantive, technical conforming changes (essentially correction of typographical and clerical errors), prior to formal publication of the Amendments in the Oakland Municipal Code.

**Section 8. Effective Date.** This Ordinance shall be effective 30 days from the date of final passage by the City Council, but shall not apply to (a) building/construction related permits already issued and not yet expired; (b) zoning applications approved by the City and not yet expired; or (c) zoning applications deemed complete by the City as of the date of final passage. However, zoning applications deemed complete by the City prior to the date of final passage of this Ordinance may be processed under provisions of these Planning Code amendments if the

applicant chooses to do so.

**Section 9. Authority.** This Ordinance is enacted pursuant to the City of Oakland's general police powers, Section 106 of the Charter of the City of Oakland, and Article XI of the California Constitution.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, GALLO, GUILLEN, KALB, KAPLAN, REID, CAMPBELL-WASHINGTON, and PRESIDENT GIBSON  
MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION: \_\_\_\_\_

**EXHIBIT A: PROPOSED CHANGES TO MUNICIPAL CODE**

The following contains proposed amendments to the Oakland Municipal Code (O.M.C.). Additions to the O.M.C. are underlined; deletions are in ~~striketrough~~.

**Title 17 PLANNING**

**Chapters:**

Chapter 17.74 - S-1 MEDICAL CENTER COMMERCIAL ZONE REGULATIONS

Chapter 17.76 - S-2 CIVIC CENTER COMMERCIAL ZONE REGULATIONS

Chapter 17.78 - S-3 RESEARCH CENTER COMMERCIAL ZONE REGULATIONS

Chapter 17.97 - S-15 TRANSIT-ORIENTED DEVELOPMENT COMMERCIAL ZONES  
REGULATIONS

Chapter 17.101F - D-GI GATEWAY DISTRICT INDUSTRIAL ~~DISTRICT~~-ZONE REGULATIONS

## Chapter 17.09 DEFINITIONS

### Sections:

17.09.040 Definitions.

#### 17.09.040 Definitions.

"Car-share, public" means a service that provides an integrated citywide network of neighborhood-based motor vehicles available to members by reservation on an hourly basis or in smaller intervals.

"Car-share, private" means a service provided within a development that provides motor vehicles available only to occupants and only on an hourly basis or in smaller intervals.

"Dependent loading berth" means a loading berth that can only be accessed by driving across another parking space or loading berth. (See also "Independent loading berth" and "Tandem loading berth" in this Section.)

"Dependent parking space" means a parking space ~~which~~ that can only be accessed by driving across another parking space or loading berth. (See also "Independent parking space" and "Tandem parking" in this Section.)

"Ground floor" means the story of a building that is at or nearest ground level.

"Independent loading berth" means a loading berth that can be accessed without driving across another parking space or loading berth. (See also "Dependent loading berth" and "Tandem parking" in this Section.)

"Independent parking space" means a parking space ~~which~~ that can be accessed without driving across another parking space or loading berth. (See also "Dependent parking space" and "Tandem parking" in this Section.)

"Major Classes" are the categories of individual Activity and Facility Types that are in this Chapter. The Major Activity Classes are: Residential, Civic, Commercial, Industrial, and Agricultural and Extractive. The Major Facility Classes are: Residential, Nonresidential, Signs, and Telecommunications.

"Use" means an Activity and/or Facility.

## Chapter 17.10 USE CLASSIFICATIONS

### Sections:

#### Article I - General Classification Rules

#### Article I General Classification Rules

##### ~~17.10.020 Definitions.~~

##### ~~17.10.020 Definitions.~~

~~"Activity" means the performance of a function or operation.~~

~~"Facility" means a structure, open area, or other physical contrivance or object.~~

##### 17.10.040 - Accessory activities.

~~N. Car-sharing services and parking spaces are considered accessory to all activities, as long as required parking space for that activity is not taken by car-sharing trucks and automobiles. Car-sharing services are considered accessory to all facility types, excepting: One-Family Dwellings, One-Family Dwellings with Secondary Units, Two-Family Dwellings, and Rooming Houses.~~

##### 17.10.490 - Automotive Fee Parking Commercial Activities.

Automotive Fee Parking Commercial Activities include the parking and storage of motor vehicles on a fee basis, including, but not limited to, for-fee parking lots and parking for car share vehicles, other than the operation of parking facilities by a Civic Activity. This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.



**Chapter 17.33 CN NEIGHBORHOOD CENTER COMMERCIAL ZONES REGULATIONS**

**Sections:**

17.33.030 Permitted and conditionally permitted activities.

17.33.030 Permitted and conditionally permitted activities.

**Table 17.33.01: Permitted and Conditionally Permitted Activities**

Activities	Zones				Additional Regulations
	CN-1	CN-2	CN-3	CN-4	
<b>Commercial Activities</b>					
Automotive Fee Parking	C(L4)	C(L4)	C(L4)	C	<u>17.103.055</u>

**Chapter 17.35 CC COMMUNITY COMMERCIAL ZONES REGULATIONS**

**Sections:**

17.35.030 Permitted and conditionally permitted activities.

17.35.030 Permitted and conditionally permitted activities.

**Table 17.35.01: Permitted and Conditionally Permitted Activities**

Activities	Zones			Additional Regulations
	CC-1	CC-2	CC-3	
<b>Commercial Activities</b>				
Automotive Fee Parking	C	C	C	<u>17.103.055</u>

**Chapter 17.37 CR REGIONAL COMMERCIAL ZONES REGULATIONS**

**Sections:**

17.37.030 Permitted and conditionally permitted activities.

**17.37.030 Permitted and conditionally permitted activities.**

Table 17.37.01 lists the permitted, conditionally permitted, and prohibited activities in the CR Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

**Table 17.37.01: Permitted and Conditionally Permitted Activities**

Activities	Zone	Additional Regulations
<b>Commercial Activities</b>		
Automotive Fee Parking	—(L7)	

**Limitations on Table 17.37.01:**

L7. Existing automotive fee parking lots may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or expanding the size of the parcel with the parking constitutes an expansion of a nonconforming use and is not permitted.

**Chapter 17.58 CBD CENTRAL BUSINESS DISTRICT ZONES REGULATIONS <sup>[25]</sup>**

**Sections:**

17.58.040 Permitted and conditionally permitted activities.

17.58.040 Permitted and conditionally permitted activities.

**Table 17.58.01: Permitted and Conditionally Permitted Activities**

Activities	CBD-R	CBD-P	CBD-C	CBD-X	Additional Regulations
<b>Commercial Activities</b>					
Automotive Fee Parking	C(L14)	C(L14)	C(L14)	C(L14)	<u>17.103.055</u>

**Limitations:**

**L14.** Automotive fee parking is permitted upon the granting of conditional use permit (see Chapter 17.134 for the CUP procedure) if it is located in either a parking structure that is at least three (3) stories high or in a below grade parking lot. Automotive fee parking is otherwise prohibited.

## Chapter 17.65 HBX HOUSING AND BUSINESS MIX COMMERCIAL ZONES REGULATIONS

### Sections:

17.65.010 Title, purpose, and applicability.

#### 17.65.010 Title, purpose, and applicability.

The provisions of this Chapter shall be known as the HBX Housing and Business Mix Commercial Zones Regulations. This Chapter establishes land use regulations for the HBX-1, HBX-2, HBX-3, and HBX-4 Zones.

**Housing and Business Mix - 1 (HBX-1) Commercial Zone.** The HBX-1 Commercial Zone is intended to provide development standards that provide for the compatible coexistence of industrial and heavy commercial activities and medium density residential development. This zone recognizes the equal importance of housing and business.

**Housing and Business Mix - 2 (HBX-2) Commercial Zone.** The HBX-2 Commercial Zone is intended to provide development standards for areas that have a mix of industrial, certain commercial and medium to high density residential development. This zone recognizes the equal importance of housing and business.

**Housing and Business Mix - 3 (HBX-3) Commercial Zone.** The HBX-3 Commercial Zone is intended to provide development standards for areas that have a mix of industrial, heavy commercial and higher density residential development. This zone is intended to promote housing with a strong presence of commercial and industrial activities.

**Housing and Business Mix - 4 (HBX-4) Commercial Zone.** The HBX-4 Commercial Zone is intended to provide development standards for Live/Work, Work/Live, and housing in areas with a strong presence of industrial and heavy commercial activities.

## Chapter 17.73 CIX, IG AND IO INDUSTRIAL ZONES REGULATIONS

### Sections:

17.73.010 Title, purpose, and applicability.

17.73.010 Title, purpose, and applicability.

A. **Description of Zones.** This Chapter establishes land use regulations for the following zones:

1. **CIX-1 Commercial Industrial Mix - 1 Industrial Zone.** The CIX-1 Zone is intended to create, preserve, and enhance industrial areas that are appropriate for a wide variety of businesses and related commercial and industrial establishments. This zone is intended to accommodate existing older industries and provide flexibility in order to anticipate new technologies. Large-scale commercial and retail uses will be limited to sites with direct access to the regional transportation system.
2. **CIX-1A West Oakland Plan Area Commercial Industrial Mix - 1A Industrial Zone (Business Enhancement).** The CIX-1A Zone intended to create, preserve, and enhance industrial areas in the West Oakland Specific Plan Area that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small spaces for start-up businesses.
3. **CIX-1B West Oakland Plan Area Commercial Industrial Mix - 1B Industrial Zone (Low Intensity Business).** The CIX-1B Zone is intended to support industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.
4. **CIX-1C West Oakland Plan Area Commercial Industrial Mix - 1C Industrial Zone (High Intensity Business).** The CIX-1C Zone is intended to support industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of higher intensity commercial, retail, office, and advanced manufacturing-type users. This zone is applied to areas with strong locational advantages that make possible the attraction of high intensity commercial and light industrial land uses and development types.
5. **CIX-1D West Oakland Plan Area Commercial Industrial Mix - 1D Industrial Zone (Retail Commercial Mix).** The CIX-1D Zone is intended to create, preserve, and enhance industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of large-scale retail and commercial uses. This district is applied to areas with a prominent street location.
6. **CIX-2 Commercial Industrial Mix - 2 Industrial Zone.** The CIX-2 Zone is intended to create, preserve, and enhance industrial areas that are appropriate for a wide variety of commercial and industrial establishments. Uses with greater off-site impacts may be permitted provided they meet specific performance standards and are buffered from residential areas.
7. **IG General Industrial Zone.** The IG Zone is intended to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments that may have the potential to generate off-

site impacts such as noise, light/glare, odor, and traffic. This zone allows heavy industrial and manufacturing uses, transportation facilities, warehousing and distribution, and similar and related supporting uses. Uses that may inhibit such uses, or the expansion thereof, are prohibited. This district is applied to areas with good freeway, rail, seaport, and/or airport access.

8. **IO Industrial Office Industrial Zone.** The IO Zone is intended to create and support areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments in a campus-style setting. Development and performance standards in this district are more restrictive and accommodate large-parcel development in an attractive, well-landscaped setting. Future development shall reflect large-scale office, research and development, light industrial, wholesaling and distribution, and similar and related supporting uses.

**Chapter 17.74 S-1 MEDICAL CENTER COMMERCIAL ZONE REGULATIONS**

**Sections:**

17.74.040 Conditionally permitted activities.

**17.74.040 Conditionally permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

C. Commercial Activities:

Automotive Fee Parking (see Section 17.103.055 for Automotive Fee Parking on a lot containing a principal activity in a principal facility)



## **Chapter 17.76 S-2 CIVIC CENTER COMMERCIAL ZONE REGULATIONS**

### **Sections:**

17.76.010 Title, purpose, and applicability.

17.76.060 Conditionally permitted activities.

### **17.76.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the S-2 Civic Center Commercial Zone Regulations. The Civic Center (S-2) Zone is intended to create, preserve, and enhance areas devoted primarily to major public and quasi-public facilities and auxiliary uses, and is typically appropriate to portions of the Oakland Central District and to outlying areas of public facilities. These regulations shall apply in the S-2 Zone.

### **17.76.060 Conditionally permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

#### **C. Commercial Activities:**

Automotive Fee Parking (see Section 17.103.055 for Automotive Fee Parking on parcels containing a principal activity in a principal facility)

**Chapter 17.78 S-3 RESEARCH CENTER COMMERCIAL ZONE REGULATIONS**

**Sections:**

17.78.010 Title, purpose, and applicability.

**17.78.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the S-3 Research Center Commercial Zone Regulations. The Research Center (S-3) Zone is intended to create, preserve, and enhance areas devoted primarily to conference, research, administrative, and recreational activities in attractive surroundings conducive to such pursuits, and is typically appropriate to relatively secluded locations. These regulations shall apply in the S-3 Zone.

## Chapter 17.97 S-15 TRANSIT-ORIENTED DEVELOPMENT COMMERCIAL ZONES REGULATIONS

### Sections:

17.97.010 Title, purpose, and applicability.

17.97.020 Required design review process.

17.97.025 Use Permit Criteria

17.97.030 Special regulations for large-scale developments.

17.97.035 ~~030~~ Special regulations applying to mixed-use developments on Bay Area Rapid Transit (BART) stations on sites with one (1) acre or more land area.

17.97.040 Permitted and conditionally permitted activities.

17.15.050 Permitted and conditionally permitted facilities.

17.97.060 Property development standards.

17.97.070 Height, floor area ratio (FAR), density, and open space.

17.97.080 Special regulations for Mini-Lot and Planned Unit Developments.

17.97.090 Other zoning provisions.

~~17.97.080 Special regulations applying to certain Commercial and Industrial Activities.~~

~~17.97.085 Reserved.~~

~~17.97.090 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a Nonresidential Activity.~~

~~17.97.100 Use permit criteria.~~

~~17.97.110 Limitations on Signs, marquees, awnings.~~

~~17.97.120 Minimum lot area, width, and frontage.~~

~~17.97.130 Height, floor area ratio (FAR), density, and open space.~~

~~17.97.140, 17.97.150 Reserved.~~

~~17.97.160 Minimum yards and courts.~~

~~17.97.170 Reserved.~~

~~17.97.180 Buffering and landscaping.~~

~~17.97.190 Special regulations for Mini-Lot Developments.~~

~~17.97.200 Special regulations for large-scale developments.~~

~~17.97.210 Other zoning provisions.~~

**17.97.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the S-15 Transit-Oriented Development Commercial Zones Regulations. The Transit-Oriented Development (S-15) Zones are intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of Residential, Civic, Commercial, and Light Industrial Activities, allowing for amenities such as benches, kiosks, lighting, and outdoor cafes; and by limiting conflicts between vehicles and pedestrians, and is typically appropriate around transit centers such as Bay Area Rapid Transit (BART) stations, AC Transit centers, and other transportation nodes. These regulations shall apply in the S-15 Zones.

**17.97.025 Use permit criteria.**

In the S-15 Zones, a Conditional Use Permit for any Activity or Facility listed in Sections 17.97.030, 17.97.040, 17.97.050, and 17.97.080, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:

- A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area;
- B. That the proposal will encourage an appropriate mixture of Residential and/or Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation;
- C. That the proposal is designed to provide a safe and pleasant pedestrian environment;
- D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:
  1. That vehicular access cannot reasonably be provided from a different street or other way;
  2. That every reasonable effort has been made to share means of vehicular access with abutting properties;
  3. That the proposal is enclosed or screened from view of the abutting principal street by the measures required in Section 17.110.040B.
- E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement.
- F. In addition to the foregoing criteria and any other applicable requirements, Automotive Fee Parking within this zone shall be subject to the following use permit criteria:
  1. Automotive Fee Parking Commercial Activities shall be part of a larger development that contains a significant amount of Commercial and/or Residential Facilities;

2. Automotive Fee Parking Commercial Activities may only be contained in a structured parking facility of at least three (3) stories that replaces an existing at grade parking facility;
3. The new parking structure shall represent no more than a seventy-five percent (75%) increase of existing parking at the site;
4. Automotive Fee Parking Commercial Activities at the site shall be specifically designated by a city sponsored plan or study designed to promote a transit oriented district as defined by the General Plan;
5. The facility or facilities containing the Residential and/or Commercial Activities shall be adjacent to the principal street(s) and the Automotive Fee Parking Commercial Activities shall be behind and substantially visually obstructed from the principal Street(s) by the Residential and/or Commercial Facility or Facilities; and
6. The project shall be consistent in all significant respects with the General Plan's goals, objectives, and policies that promote transit oriented development and districts.

**17.97.030 Special regulations for large-scale developments.**

No development which involves more than one hundred thousand (100,000) square feet of new floor area shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and Section 17.97.100, or upon the granting of a Planned Unit Development approval pursuant to Chapters 17.140 and 17.142.

**17.97.035030 Special regulations applying to mixed-use developments on Bay Area Rapid Transit (BART) stations on sites with one (1) acre or more land area.**

No mixed-use developments that include Bay Area Rapid Transit (BART) stations located on sites with one (1) acre or more land area shall be permitted except upon the granting of a conditional use permit pursuant to Section 17.97.025400 and the conditional use permit procedure in Chapter 17.134 or upon the granting of a Planned Unit Development permit pursuant to Chapters 17.140 and 17.142, and shall be subject to the following special regulations:

- A. Intermodal Activities and Pedestrian Plaza. Developments should incorporate multiple forms of public transportation and a pedestrian plaza.
- B. Professional Design. The application shall utilize the following professionals in the design process for the development:
  1. An architect licensed by the state of California; and
  2. A landscape architect licensed by the state of California, or an urban planner holding or capable of holding membership in the American Institute of Certified Planners.
- C. Undergrounding of Utilities. All electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities shall be placed underground by the developer as required by the city. Electric and telephone facilities

shall be installed in accordance with standard specifications of the serving utilities. Street lighting and fire alarm facilities shall be installed in accordance with standard specifications of the Electrical Department.

- D. Performance Bonds. The City Planning Commission or, on appeal, the City Council may, as a condition of approval of any said development, require a cash bond or surety bond for the completion of all or specified parts of the development deemed to be essential to the achievement of the purposes set forth in Section 17.97.010. The bond shall be in a form approved by the City Attorney, in a sum of one hundred fifty percent (150%) of the estimated cost of the work, and conditioned upon the faithful performance of the work specified within the time specified. This requirement shall not apply if evidence is provided to the city which indicates that alternative bonding or other assurances have been secured by the Bay Area Rapid Transit District.

**17.97.040 Permitted and conditionally permitted activities.**

**Table 17.97.01: Permitted and Conditionally Permitted Activities**

Activities	Zone		Additional Regulations
	S-15	S-15W	
<b>Commercial Activities</b>			
Automotive Fee Parking	C	C	
<b>Industrial Activities</b>			
Custom Manufacturing	C(L3)	P(L3)	
Light Manufacturing	—	C	
Research and Development	—	C(L3)	
<b>Agriculture and Extractive Activities</b>			
Limited Agriculture	P(L43)	P(L43)	
Extensive Agriculture	C(L54)	C(L54)	

**Limitations on Table 17.97.01:**

**L3.** Industrial Activities. All accessory Industrial Activities shall be conducted entirely within an enclosed facility.

**L43.** Limited Agriculture is permitted outright if the activity occupies less than one (1) acre of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**L54.** Extensive Agriculture is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these activities must meet the use permit criteria in Section 17.97.025400.

17.97.060 Property development standards.

A. Zone Specific Standards. Table 17.97.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

Table 17.97.03: Property Development Standards

<u>Activities</u>	<u>Zones</u>		<u>Additional Regulations</u>
	<u>S-15</u>	<u>S-15W</u>	
<u>Minimum Lot Dimensions</u>			
<u>Lot Width mean</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>1</u>
<u>Frontage</u>	<u>25 ft.</u>	<u>25 ft.</u>	<u>1</u>
<u>Lot area</u>	<u>4,000 sf.</u>	<u>4,000 sf.</u>	<u>1</u>
<u>Minimum/Maximum Setbacks</u>			
<u>Minimum front</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>2</u>
<u>Minimum interior side</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>3</u>
<u>Minimum street side</u>	<u>0 ft.</u>	<u>0 ft.</u>	<u>4</u>
<u>Rear (Residential Facilities)</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>5, 6</u>
<u>Rear (Nonresidential Facilities)</u>	<u>0/10 ft.</u>	<u>0/10 ft.</u>	<u>5, 6</u>
<u>Parking Requirement</u>	<u>See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking</u>		<u>14</u>
<u>Courtyard Regulations</u>	<u>See Section 17.108.120</u>		
<u>Height and Floor Area Ratio Regulations</u>	<u>See Table 17.97.04</u>		
<u>Ground Floor Parking and Loading Requirement</u>	<u>Yes</u>		<u>7</u>

Additional Regulations for Table 17.97.03:

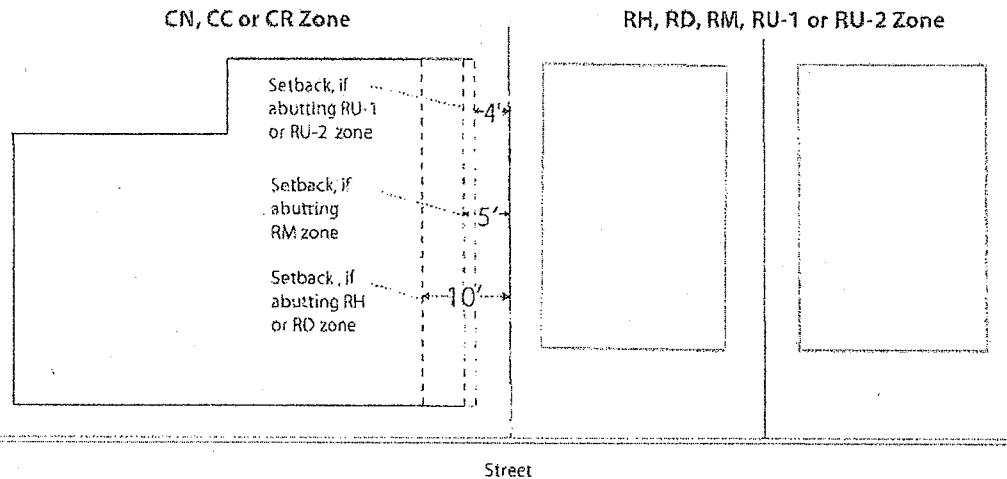
1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, lot width mean, and street frontage regulations.

2. If fifty percent (50%) or more of the frontage on one side of the street between two intersecting streets is in any Residential Zone and all or part of the remaining frontage is in any Commercial or Industrial Zone, the required front setback of the commercially or industrially zoned lots is one-half (1/2) of the minimum front setback required in the Residential Zone. If fifty percent (50%) or more of the total frontage is in more than one Residential Zone, then the minimum front setback on the commercially or industrially zoned lots is one-half (1/2) of that required in the Residential Zone with the lesser front setback.

3. Wherever an interior side lot line abuts an interior side lot line of any lot located in an RH or RD Zone, the setback of the abutting portion of its side lot line is ten (10) feet. In the case where an interior side lot line abuts an interior side lot line in an RM Zone, the setback of the abutting portion of its side lot line is five (5) feet. In the case where an interior side lot line abuts a side yard of an RU-1 or RU-2 lot, a side setback of four (4) feet is required (see Illustration for Table 17.97.03 [Additional Regulation 3], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.97.03 [Additional Regulation 3]

\*for illustration purposes only

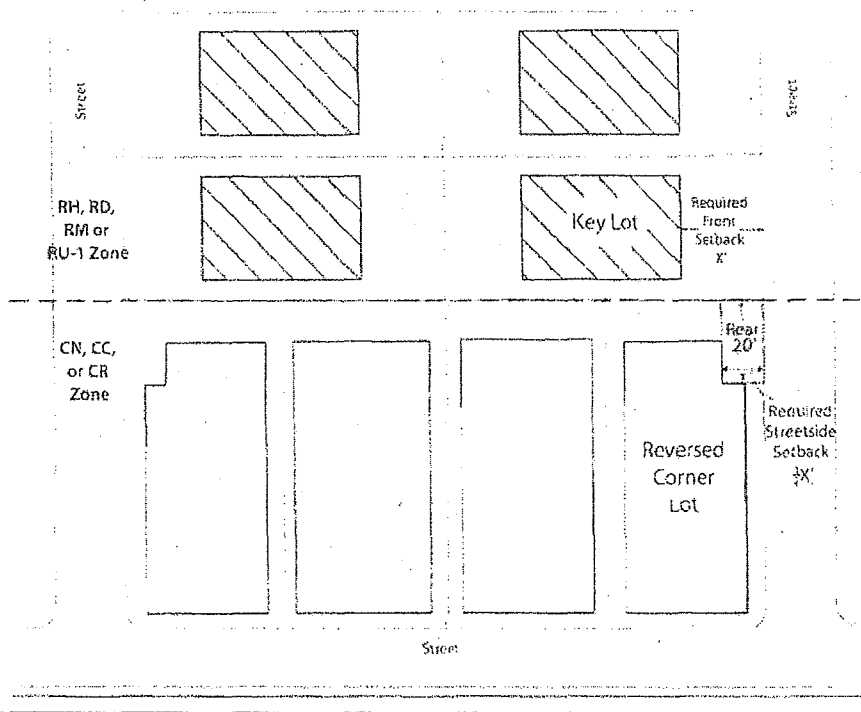


4. When the rear yard of a reversed corner lot abuts a key lot that is in an RH, RD, or RM Zone, the required street side yard setback in the rear twenty (20) feet of the reversed corner lot is one-half (1/2) of the minimum front yard required on the key lot. (see Illustration for Table 17.97.03 [Additional Regulation 4], below) Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.97.03 [Additional Regulation 4]

\*for illustration purposes only





5. Wherever a rear lot line abuts an alley, one-half of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.

6. When a rear lot line is adjacent to an RH, RD, or RM Zone, the required rear setback for both Residential and Nonresidential Facilities is ten (10) feet. When a rear lot line is not adjacent to an RH, RD, or RM Zone, the required rear setback is ten (10) feet for Residential Facilities and there is no required setback for Nonresidential Facilities.

7. Ground Floor Parking and Loading. Off-street parking, loading, and driveway located within twenty (20) feet from all pedestrian walkways and plazas may only be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedures in Chapter 17.134 and the use permit criteria in Section 17.97.025.

~~17.97.080 Special regulations applying to certain Commercial and Industrial Activities.~~

~~A. Fast Food Restaurants, Convenience Markets, and Certain Establishments Selling Alcoholic Beverages. See Section 17.103.030.~~

~~B. Industrial Activities. All accessory Industrial Activities, as defined in Section 17.10.040.F, shall be conducted entirely within an enclosed facility.~~

(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. 12899 § 4, Exh. A (part), 2008; Ord. 12776 § 3, Exh. A (part), 2006; Ord. 11892 § 4 (part), 1996; prior planning code § 6858)

~~17.97.090 Special regulations applying to the demolition of a facility containing rooming units or to the conversion of a living unit to a nonresidential activity.~~

~~See Sections 17.97.100 and 17.102.230.~~

~~(Ord. 12776 § 3, Exh. A (part), 2006; Ord. 11892 § 4 (part), 1996; prior planning code § 6859)~~

~~17.97.100 Use permit criteria.~~

~~In the S-15 Zones, a conditional use permit for any activity or facility listed in Sections 17.97.030, 17.97.040, 17.97.050, and 17.97.200, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:~~

- ~~A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area;~~
- ~~B. That the proposal will encourage an appropriate mixture of Residential and/or Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation;~~
- ~~C. That the proposal is designed to provide a safe and pleasant pedestrian environment;~~
- ~~D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:
  - ~~1. That vehicular access cannot reasonably be provided from a different street or other way;~~
  - ~~2. That every reasonable effort has been made to share means of vehicular access with abutting properties;~~
  - ~~3. That the proposal is enclosed or screened from view of the abutting principal street by the measures required in Section 17.110.040B.~~~~
- ~~E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement.~~
- ~~F. In addition to the foregoing criteria and any other applicable requirements, auto-fee parking within this zone shall be subject to the following use permit criteria:
  - ~~1. Auto fee parking shall be part of a larger development that contains a significant amount of commercial and/or residential facilities;~~
  - ~~2. Auto fee parking may only be contained in a structured parking facility of at least three stories that replaces an existing at-grade parking facility;~~
  - ~~3. The new parking structure shall represent no more than a seventy-five percent (75%) increase of existing parking at the site;~~
  - ~~4. Auto fee parking at the site shall be specifically designated by a city sponsored plan or study designed to promote a transit oriented district as defined by the general plan;~~~~

~~5. The facility or facilities containing the residential and/or commercial activities shall be adjacent to the principal street(s) and the auto fee parking shall be behind and substantially visually obstructed from the principal Street(s) by the residential and/or commercial facility or facilities; and~~

~~6. The project shall be consistent in all significant respects with the general plan's goals, objectives, and policies that promote transit oriented development and districts.~~

~~For purposes of Subsection 17.97.100(F), "principal street" means the street or streets on which the development is most primarily oriented and that is appropriately designated in the general plan to accommodate the amount of trips proposed. On an interior lot, the principal street shall be the street in front of the development. On a corner lot, the principal streets shall be both the streets adjacent to the development. On a lot that has frontage on three (3) or more streets, at least two (2) streets shall be designated as principal streets.~~

~~(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. 12776 § 3, Exh. A (part), 2006; Ord. 12561 § 3 (part), 2004; Ord. 11892 § 4 (part), 1996; prior planning code § 6860)~~

#### ~~17.97.110 Limitations on Signs, marquees, awnings.~~

~~A. General Limitations. All Signs shall be subject to the applicable limitations set forth in Chapter 17.104.~~

~~(Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. 12776 § 3, Exh. A (part), 2006; Ord. 12606 An. A (part), 2004; Ord. 11892 § 4 (part), 1996; prior planning code § 6863)~~

#### ~~17.97.120 Minimum lot area, width, and frontage.~~

~~Every lot containing a Residential Facility shall have a minimum lot area of four thousand (4,000) square feet and a minimum lot width mean of twenty-five (25) feet, except as a lesser area or width is allowed by Section 17.106.010. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of twenty-five (25) feet upon a street, except as this requirement is modified by Section 17.106.020.~~

~~(Ord. 12776 § 3, Exh. A (part), 2006; Ord. 11892 § 4 (part), 1996; prior planning code § 6864)~~

#### ~~17.97.070430 Height, floor area ratio (FAR), density, and open space.~~

#### ~~17.97.090 Special regulations for Mini-Lot and Planned Unit Developments.~~

~~A. Mini-Lot Developments. In Mini-Lot Developments, certain regulations that apply to individual lots in the S-15 Zones may be waived or modified when and as prescribed in Chapter 17.142.~~

~~B. Planned Unit Developments. Large integrated developments shall be subject to the Planned Unit Development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the S-15 Zones, and certain of~~

the other regulations applying in said zone may be waived or modified. The normally required design review process may also be waived for developments at the time of initial granting of a Planned Unit Development (PUD) permit. Unless otherwise specified in the PUD permit, any future changes within the Planned Unit Development shall be subject to applicable design review regulations.

~~17.97.160 Minimum yards and courts.~~

~~No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or other facilities allowed therein by Section 17.108.130:~~

- ~~A. Front Yard. A front yard shall be provided, as prescribed in Section 17.108.040, in certain situations where part of the frontage on the same side of a block is in a Residential Zone.~~
- ~~B. Side Yard—Street Side or Corner Lot. A side yard shall be provided, as prescribed in Section 17.108.070, on the street side of a corner lot in certain situations where a lot to the rear of the corner is in a Residential Zone.~~
- ~~C. Side Yard—Interior Lot Line.
  - ~~1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 17.108.080, for Residential Facilities.~~
  - ~~2. A side yard shall be provided, as prescribed in Section 17.108.090, along an interior side lot line lying along a boundary of any of certain other zones.~~~~
- ~~D. Rear Yard.
  - ~~1. A rear yard with a minimum depth of ten (10) feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 17.108.110.~~
  - ~~2. A rear yard shall be provided, as prescribed in Section 17.108.100, along a boundary of any of certain other zones.~~~~
- ~~E. Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 17.108.120.~~

~~(Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12776, § 3(Exh. A), adopted 2006; Ord. 11892 § 4 (part), 1996; prior planning code § 6870)~~

~~17.97.170 Reserved.~~

~~Editor's note—~~

~~Ord. No. 13064, § 2(Exh. A), adopted March 15, 2011, repealed the former Section 17.97.170 in its entirety, which pertained to minimum usable open space and derived from the prior planning code, § 6871; Ord. No. 11892, § 4, adopted 1996, and Ord. No. 12776, § 3(Exh. A), adopted 2006.~~

~~17.97.180 Buffering and landscaping.~~

~~A. Buffering. All uses shall be subject to the applicable requirements of the buffering regulations in Chapter 17.110 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.~~

~~B. Landscaping. All uses shall be subject to the applicable requirements of the standards for required landscaping and screening, Chapter 17.124, with respect to maintenance, required materials and capacity, combination materials, and heights; and other matters specified therein.~~

~~(Ord. 12776 § 3, Exh. A (part), 2006; Ord. 11892 § 4 (part), 1996; prior planning code § 6872)~~

~~17.97.190 Special regulations for Mini-Lot Developments.~~

~~In Mini-Lot Developments, certain of the regulations otherwise applying to individual lots in the S-15 Zones may be waived or modified when and as prescribed in Chapter 17.142.~~

~~(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. 12776 § 3, Exh. A (part), 2006; Ord. 11892 § 4 (part), 1996; prior planning code § 6873)~~

~~17.97.200 Special regulations for large-scale developments.~~

~~No development which involves more than one hundred thousand (100,000) square feet of new floor area shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and Section 17.97.100, or upon the granting of a Planned Unit Development approval pursuant to Chapters 17.140 and 17.142.~~

~~17.97.100210 Other zoning provisions.~~



**Chapter 17.101B D-OTN OAK TO NINTH DISTRICT ZONE REGULATIONS**

**Sections:**

17.101B.020 Permitted and conditionally permitted activities.

17.101B.020 Permitted and conditionally permitted activities.

**Table 17.101B.01: Permitted and Conditionally Permitted Activities**

Activities	Zones		Additional Regulations
	D-OTN	OS-RSP	
<b>Commercial Activities</b>			
Automotive Fee Parking	C	—	<u>17.103.055</u>

## Chapter 17.101C D-BV BROADWAY VALDEZ DISTRICT COMMERCIAL ZONES REGULATIONS

### Sections:

17.101C.010 - Title, intent, and description.

17.101C.050 - Property development standards.

### 17.101C.010 - Title, intent, and description.

B. **Description of Zones.** This Chapter establishes land use regulations for the following four (4) zones:

1. **~~D-BV-1 Broadway Valdez District Retail Priority Sites—Commercial—~~ 1 Commercial Zone.** The intent of the D-BV-1 Zone is to establish Retail Priority Sites in the Broadway Valdez District Specific Plan Area in order to encourage a core of comparison goods retail with a combination of small-, medium-, and large-scale retail stores. Priority Sites 3 and 5 are further divided into subareas a, b, and c and Priority Site 4 into subareas a and b as shown in the Height Area Map. Each Retail Priority Site and subarea will have a specified minimum square footage of retail required prior to Residential or Transient Habitation Activities and Facilities being permitted.
2. **~~D-BV-2 Broadway Valdez District Retail—Commercial—~~ 2 Commercial Zone.** The intent of the D-BV-2 Zone is to create, maintain, and enhance areas of the Broadway Valdez District Specific Plan Area for ground-level retail, restaurants, entertainment, and art activities with pedestrian-oriented, active storefront uses. Upper-story spaces are intended to be available for a wide range of Office and Residential Activities.
3. **~~D-BV-3 Broadway Valdez District Mixed Use Boulevard—Commercial—~~ 3 Commercial Zone.** The D-BV-3 Zone is intended to create, maintain, and enhance areas with direct frontage and access along Broadway, 27<sup>th</sup> Street, Piedmont Avenue, and Harrison Street. A wider range of ground-floor office and other commercial activities are allowed than permitted in the D-BV-2 Zone with upper-story spaces intended to be available for a broad range of Residential, Office, or other Commercial Activities. Mixed uses can either be vertical and/or horizontal.
4. **~~D-BV-4 Broadway Valdez District Mixed Use—Commercial—~~ 4 Commercial Zone.** The D-BV-4 Zone is intended to create, maintain, and enhance areas that do not front Broadway, 27<sup>th</sup> Street, Piedmont Avenue, or Harrison Street, and allows the widest range of uses on the ground floor including both residential and commercial businesses. Upper-story spaces are intended to be available for a broad range of Residential or Commercial Activities.

### 17.101C.050 - Property development standards.

A. **Zone Specific Standards.** Table 17.101C.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations"



column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

**Table 17.101C.03: Property Development Standards**

Development Standards	Zones				Combining Zone*	Additional Regulations
	D-BV-1	D-BV-2	D-BV-3	D-BV-4		
Minimum Required Parking	See Chapter 17.116 for automobile parking regulations; and Sections <del>17.116.080, 17.116.082, and 17.116.110(I)</del> for additional parking regulations for the D-BV Zones. See Chapter 17.117 for bicycle parking regulations.				N	

**Chapter 17.101D D-KP KAISER PERMANENTE OAKLAND MEDICAL CENTER DISTRICT ZONES REGULATIONS**

**Sections:**

17.101D.010 Title, purpose and applicability.

17.101D.030 Permitted and conditionally permitted activities.

17.101D.040 Permitted and conditionally permitted facilities, ~~in the D-KP-1, D-KP-2, and D-KP-3 Zones.~~

**17.101D.010 Title, purpose and applicability.**

A. **Title and Purpose.** The provisions of this Chapter shall be known as the D-KP Kaiser Permanente Oakland Medical Center District Zones Regulations. This Chapter establishes land use regulations for the D-KP-1, D-KP-2 D-KP-3 and D-KP-4 Zones, ~~which are depicted in Figure OMC-1.~~ The purposes of the Kaiser Permanente Oakland Medical Center Zones are to:

B. **Description of Zones.** This Chapter establishes land use regulations for the following four (4) zones:

1. ~~D-KP-1 Kaiser Permanente Oakland Medical Center Commercial District – 1~~  
**Commercial Zone:** The D-KP-1 Zone is intended for those properties north of MacArthur Boulevard and west of Broadway.
2. ~~D-KP-2 Kaiser Permanente Oakland Medical Center Commercial District – 2~~  
**Commercial Zone:** The D-KP-2 Zone is intended for those properties south of MacArthur Boulevard.
3. ~~D-KP-3 Kaiser Permanente Oakland Medical Center Commercial District – 3~~  
**Commercial Zone:** The D-KP-3 Zone is intended for those properties north of MacArthur Boulevard and east of Broadway.
4. ~~D-KP-4 Kaiser Permanente Oakland Medical Center Residential District – 4~~  
**Residential Zone:** The D-KP-4 Zone is intended for those single family residential properties on the east side of Manila Avenue and will have the permitted uses further restricted during time the properties remain a part of the Kaiser Permanente Oakland Medical Center.

**17.101D.030 Permitted and conditionally permitted activities.**

**Table 17.101D.01 Permitted and Conditionally Permitted Activities**

Activity Types	Zones			Additional Regulations
	D-KP-1	D-KP-2	D-KP-3	
<b>Commercial Activities</b>				
Automotive Fee Parking	C	C	C	17.103.055

**17.101D.040 Permitted and conditionally permitted facilities, in the ~~D-KP-1, D-KP-2, and D-KP-3~~ Zones.**

Table 17.101D.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-KP-1, D-KP-2, and D-KP-3 Zones. The descriptions of these activities are contained in Chapter 17.10.

## Chapter 17.101E D-CE CENTRAL ESTUARY DISTRICT ZONES REGULATIONS

### Sections:

17.101E.010 Title, intent, and description.

17.101E.030 Permitted and conditionally permitted activities.

### 17.101E.010 Title, intent, and description.

B. **Description of Zones.** This Chapter establishes land use regulations for the following six (6) zones:

1. **D-CE-1 Central Estuary District ~~Commercial~~ - 1 Commercial Zone (Embarcadero Cove).** The D-CE-1 Zone is intended to create, maintain, and enhance areas of the Central Estuary that have a mix of marine, office and other commercial uses.
2. **D-CE-2 Central Estuary District ~~Commercial~~ - 2 Commercial Zone (High Street Retail).** The D-CE-2 Zone is intended to create, maintain, and enhance areas of the Central Estuary with a wide range of commercial uses with direct street frontage and access to the freeway.
3. **D-CE-3 Central Estuary District Mix - 3 Commercial Zone (Jingletown/Elmwood).** The D-CE-3 Zone is intended to create, preserve, and enhance areas of the Central Estuary that have a mix of industrial, heavy commercial and residential development. This zone is intended to promote housing with a strong presence of Commercial and Industrial Activities.
4. **D-CE-4 Central Estuary District Mix - 4 Commercial Zone (Mixed Use Triangle).** The D-CE-4 Zone is intended to create, maintain, and enhance areas of the Central Estuary that have a mix of Industrial and Heavy Commercial Activities. Higher density residential development is also appropriate in this zone.
5. **D-CE-5 Central Estuary District ~~Industrial~~ - 5 Industrial Zone (Food Industry Cluster/High St. Warehouse Wedge/Tidewater South).** The D-CE-5 Zone is intended to create, preserve, and enhance areas of the Central Estuary that are appropriate for a wide variety of heavy commercial and industrial establishments. Uses with greater off-site impacts may be permitted provided they meet specific performance standards.
6. **D-CE-6 Central Estuary District ~~Industrial~~ - 6 Industrial Zone (Con Agra/Owens Brockway/Tidewater North).** The D-CE-6 Zone is intended to create, preserve, and enhance areas of the Central Estuary that are appropriate for a wide variety of businesses and related commercial and industrial establishments that may have the potential to generate off-site impacts, such as noise, light/glare, odor, and traffic. This zone allows industrial and manufacturing uses, transportation facilities, warehousing and distribution, and similar related supporting uses. Uses that may inhibit such uses, or the expansion thereof, are prohibited. This district is applied to areas with good freeway, rail, seaport, and/or airport access.

17.101E.030 Permitted and conditionally permitted activities.

Table 17.101E.01: Permitted and Conditionally Permitted Activities

Activities	Zones						Additional Regulations
	D-CE-1	D-CE-2	D-CE-3	D-CE-4	D-CE-5	D-CE-6	
Commercial Activities							
Automotive Fee Parking	—	—	—	C	C	C	<u>17.103.055</u>

**Chapter 17.101F D-GI GATEWAY DISTRICT INDUSTRIAL ~~DISTRICT~~ ZONE REGULATIONS**

**Sections:**

17.101F.010 Title, intent, and description.

**17.101F.010 Title, intent, and description.**

The provisions of this Chapter shall be known as the D-GI Gateway District Industrial ~~District~~ Zone Regulations. The intent of the Gateway District Industrial ~~District~~ (D-GI) Zone is to facilitate implementation of the Oakland Army Base Reuse Plan.

**Chapter 17.101G D-LM LAKE MERRITT STATION AREA DISTRICT ZONES REGULATIONS**

**Sections:**

17.101G.010 Title, purpose, and applicability.

17.101G.030 Permitted and conditionally permitted activities.

**17.101G.010 Title, purpose, and applicability.**

B. **Description of zones.** This Chapter establishes land use regulations for the following five (5) zones:

1. **D-LM-1 Lake Merritt Station Area District Mixed Residential-- 1 Residential Zone.** The intent of the D-LM-1 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District appropriate for high-density residential development with compatible Commercial Activities.
2. **D-LM-2 Lake Merritt Station Area District Pedestrian Commercial-- 2 Commercial Zone.** The intent of the D-LM-2 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of Office and Residential Activities.
3. **D-LM-3 Lake Merritt Station Area District General Commercial-- 3 Commercial Zone.** The intent of the D-LM-3 Zone is to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District appropriate for a wide range of ground-floor Commercial Activities. Upper-story spaces are intended to be available for a wide range of Residential, Office, or other Commercial Activities.
4. **D-LM-4 Lake Merritt Station Area District Mixed Commercial-- 4 Commercial Zone.** The intent of the D-LM-4 Zone is to designate areas of the Lake Merritt Station Area Plan District appropriate for a wide range of Residential, Commercial, and compatible Light Industrial Activities.
5. **D-LM-5 Lake Merritt Station Area District Institutional-- 5 Institutional Zone.** The intent of the D-LM-5 Zone is to create, preserve, and enhance areas devoted primarily to major public and quasi-public facilities and auxiliary uses.

**17.101G.030 Permitted and conditionally permitted activities.**

**Table 17.101G.01: Permitted and Conditionally Permitted Activities**

Activities	Zones					Additional Regulations
	D-LM-1	D-LM-2	D-LM-3	D-LM-4	D-LM-5	
<b>Commercial Activities</b>						
Automotive Fee	C(L14)	C(L14)	C(L14)	C(L14)	C(L14)	<u>17.103.055</u>
Parking						

## Chapter 17.101H D-CO COLISEUM AREA DISTRICT ZONES REGULATIONS

### Sections:

17.101H.010 Title, intent, and description.

17.101H.030 Permitted and conditionally permitted activities.

17.101H.070 Use permit criteria in the D-CO-1 Zone.

### 17.101H.010 Title, intent, and description.

B. Description of Zones. This Chapter establishes land use regulations for the following six (6) zones:

1. **D-CO-1 Coliseum Area Transit-Oriented Development District - 1 Commercial Zone (Coliseum BART/ San Leandro Street)**. The D-CO-1 Zone is intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments, to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of Residential, Civic, Commercial, and Light Industrial Activities.
2. **D-CO-2 Coliseum Area ~~Commercial~~ District - 2 Commercial Zone (Coliseum District)**. The D-CO-2 Zone is intended to create, maintain and enhance areas that allow a broad mixture of residential, retail, commercial, office, and light industrial uses, and serve as region-drawing centers of sports, entertainment, and business activities.
3. **D-CO-3 Coliseum Area ~~Commercial~~ District - 3 Commercial Zone (Oakport South / Hegenberger Road)**. The D-CO-3 Zone is intended to create, maintain and enhance areas suitable for a wide variety of retail, commercial, and industrial operations along the Oakport Street and Hegenberger Road corridors, and in region-drawing centers of Commercial, and Light Industrial Activities.
4. **D-CO-4 Coliseum Area ~~Commercial~~ District - 4 Commercial Zone (Edgewater North / Waterfront)**. The D-CO-4 Zone is intended to create, maintain and enhance a mix of activities on or near the Northwest Edgewater Drive waterfront. This zone allows for the consideration of housing, if shown to be compatible in an area with a strong presence of Commercial and Industrial Activities.
5. **D-CO-5 Coliseum Area ~~Commercial Industrial Mix~~ District - 5 Industrial Zone (Edgewater South / Pardee Drive)**. The D-CO-5 Zone is intended to create, preserve, and enhance areas near Pardee Drive and within the southern portion of the Airport Business Park that are appropriate for a wide variety of Office, Commercial, Industrial, and Logistics Activities.
6. **D-CO-6 Coliseum Area ~~Commercial Industrial Mix~~ District - 6 Industrial Zone (Oakport North)**. The D-CO-6 Zone is intended to apply to commercial, industrial and institutional areas with strong locational advantages that make possible the attraction of higher intensity commercial and light industrial land uses and development types.



**17.101H.030 Permitted and conditionally permitted activities.**

**Table 17.101H.01: Permitted and Conditionally Permitted Activities**

Activities	Zones						Additional Regulations
	D-CO-1	D-CO-2	D-CO-3	D-CO-4	D-CO-5	D-CO-6	
<b>Commercial Activities</b>							
Transient Habitation (Hotels)	C	C	C	C	—	C	17.103.050
Automotive Fee Parking	C	C	C(L11)(L15)	C	C	C	

**Limitations on Table 17.101H.01:**

**L15.** Existing automotive fee parking lots within three hundred (300) feet of a lot line adjacent to the Hegenberger Road right-of-way may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or expanding the size of the parcel with the parking constitutes an expansion of a nonconforming use and is not permitted.

**17.101H.070 Use permit criteria in the D-CO-1 Zone.**

In the D-CO-1 Zone, a conditional use permit for any activity or facility listed in Sections 17.101H.030, 17.101H.040, and 17.101H.060, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:

- F. In addition to the foregoing criteria and any other applicable requirements, Automotive Fee Parking within this zone shall be subject to the following additional use permit criteria:
1. The Automotive Fee Parking is part of a larger development that contains a significant amount of Commercial and/or Residential Facilities;
  2. The Automotive Fee Parking is contained in a structured parking facility of at least three stories that replaces an existing at-grade parking facility;
  3. The new parking structure represents no more than a seventy-five percent (75%) increase of existing parking at the site;
  4. Automotive Fee Parking at the site is designed to promote a transit oriented district as defined by the General Plan;

5. Where feasible, the Automotive Free Parking is located behind and substantially visually obstructed from the principal street(s) by the Residential and/or Commercial Facility or Facilities; and
6. The project shall be consistent in all significant respects with the ~~general plan's~~ goals, objectives, and policies of the General Plan that promote transit oriented development and districts.

For purposes of Subsection 17.101H.100(F), "principal street" means the street or streets on which the development is most primarily oriented and that is appropriately designated in the general plan to accommodate the amount of trips proposed. On an interior lot, the principal street shall be the street in front of the development. On a corner lot, the principal streets shall be both the streets adjacent to the development. On a lot that has frontage on three (3) or more streets, at least two (2) streets shall be designated as principal streets.

**Chapter 17.103 SPECIAL REGULATIONS AND FINDINGS FOR CERTAIN USE CLASSIFICATIONS**

**Sections:**

Article III - Commercial Activities

**Article III Commercial Activities**

17.103.055 Automotive Fee Parking.

17.103.055 Special Regulation regarding Automotive Fee Parking.

A. Automotive Fee Parking is permitted regardless of the use regulations of the underlying zone, as specified in (1) or (2), below.

1. For parking that is not devoted to car share services, the Facility meets all of the following:

a) It is further than one-half (1/2) a mile from a BART Station;

b) It is in an RU-5 Zone, or any Commercial Zone except a D-BV, S-15, CR, HBX, or D-CO-1 Zone; and

c) It is on a parcel with a principal Enclosed Nonresidential Facility that contains a principal Nonresidential Activity other than an Auto Fee Parking Commercial Activity.

2. For parking that is devoted to car share services, the Facility is in an RU-5 Zone or any Commercial Zone.

B. Required parking for a use on the same lot may be used for the Automotive Fee Parking described in (A), above.

## Chapter 17.116 OFF-STREET PARKING AND LOADING REQUIREMENTS

### Sections:

Article I - General Provisions

Article II - Off-Street Parking Requirements

Article III – Reductions in Required Parking

Article ~~IV~~ - Off-Street Loading Requirements

Article V - Standards for Required Parking and Loading Facilities

### Article I General Provisions

17.116.020 Effect on new and existing uses.

17.116.030 More than one activity on a lot.

17.116.040 Determination by Director of City Planning.

**17.116.020 Effect on new and existing uses.**

~~(See illustrations I-19a, b.)~~

- A. **New Parking and Loading to Be Provided for New Facilities and Additions to Existing Facilities.** The off-street parking and loading requirements of this Chapter shall only be provided for activities occupying any portion of new facilities and new additions to existing facilities. The required amount of new parking and loading shall be based on the cumulative increase in floor area, or other applicable unit of measurement, and any minimum size for which parking or loading is required in Articles II and IV of this Chapter. Except as otherwise provided in Sections 17.114.030 and Chapter 17.138, new off-street parking and loading as prescribed hereafter shall be provided for activities occupying facilities, or portions thereof, which are constructed, established, wholly reconstructed, or moved onto a new lot after the effective date of the zoning regulations, or of a subsequent rezoning or other amendment thereto establishing or increasing parking or loading requirements for such activities, except to the extent that existing parking or loading exceeds such requirements for any existing facilities. The required amount of new parking and loading shall be based on the cumulative increase in floor area, or other applicable unit of measurement prescribed hereafter, after said effective date; provided, however, that for an activity occupying a facility existing on said effective date, new parking shall be required for said increase to the extent that the total of such existing facility and the added facilities exceeds any minimum size hereafter prescribed for which any parking is required for such activity.
- B. **Changes in Use within an Existing Facility.** Except as otherwise provided for conversions in historic facilities as described in Subsection 17.116.110(F), new dwelling units described in Subsection C, and for Residentially Oriented Joint Living and Working Quarters described in Section 17.102.195, a change of use within an existing facility to a different major class

shall meet the parking and loading requirements of the new use. Additional parking and loading is not required for a change of use within an existing facility from one classification to another that is within the same major class.

**C. New Parking and Loading Provided for New Dwelling Units in Existing Facilities.**

Except as provided for the conversion of historic facilities in Section 17.116.110(F), additions to historic facilities in Section 17.116.110(G), and for the conversion of a building into Residentially Oriented Joint Living and Working Quarters, as specified in Section 17.102.195, the parking and loading requirements of this Chapter apply to newly established dwelling units. However, additional parking only needs to be provided to the extent that the existing parking does not meet the new total parking requirement.

~~**B. New Parking to Be Provided for New Living Units in Existing Facilities.** Except as provided in Sections 17.116.110(D)(3) for the conversion of historic buildings in the D-BV and D-LM Zones, if any facility, or portion thereof, which is in existence on the effective date of the zoning regulations, or of a subsequent rezoning or other amendment thereto establishing or increasing parking or loading requirements for an activity therein, is altered or changed in occupancy so as to result in an increase in the number of residential living units therein, new off-street parking as prescribed hereafter shall be provided for the added units. However, such new parking need be provided only in the amount by which the requirement prescribed hereafter for the facility after said alteration or change exceeds the requirement prescribed hereafter for the facility as it existed prior to such alteration or change; and such new parking need not be provided to the extent that existing parking exceeds the latter requirement. Other alterations and substitutions or other changes in activities may be made in any facility or portion thereof existing on said date without regard for the parking and loading requirements prescribed hereafter, and new parking and loading shall not be required therefor, except as otherwise provided in Subsection A. of this Section with respect to additions and in Subsection C. of this Section.~~

**D. Existing Required Parking and Loading to Be Maintained.** Existing parking or loading that is equal to or less than the minimum required shall not be reduced in amount unless equivalent substitute facilities are provided. These substitute facilities must be consistent with the standards and requirements described in this Chapter.

~~**C. Existing Parking and Loading to Be Maintained.** No existing parking or loading serving any activity shall be reduced in amount or changed in design, location, or maintenance below, or if already less than shall not be reduced further below, the requirements prescribed hereafter for such activity unless equivalent substitute facilities are provided.~~

**ED. Parking to be Provided for Existing Residential Facilities.** When a conditional use permit is required by Section 17.102.300 for the alteration of, or addition to, an existing Residential Facility in order to create a total of five (5) or more bedrooms in any dwelling unit, the off-street parking requirement of Section 17.102.300.C shall apply to the entire facility, including the existing facility and any alteration or addition.

**17.116.030 More than one activity on a lot.**

(See illustrations 1-20a, b.) Whenever a single lot contains different activities with the same off-street parking or loading requirement, the overall requirement shall be based on the sum of all such activities, and the minimum size prescribed hereafter for which any parking or loading is required shall be deemed to be exceeded for all such activities if it is exceeded by their sum. Whenever a single lot contains activities with different off-street parking or loading requirements,

the overall requirement shall be the sum of the requirements for each such activity calculated separately; provided, however, that the minimum size prescribed hereafter for which any parking is required shall be deemed to be exceeded on said lot for all activities for which the same or a smaller minimum size, expressed in the same unit of measurement, is prescribed, if said minimum size is exceeded by the sum of all such activities on the lot.

**17.116.040 Determination by Director of City Planning.**

In the case of activities for which the Director of City Planning is required to prescribe a number of parking spaces or loading berths, he or she shall base his or her determination on the traffic generation of the activities, the amount and frequency of loading operations thereof, the time of operation of the activities, their location, and such other factors as affect the need for off-street parking or loading. At his or her discretion, the Director of City Planning may require the applicant to provide an analysis of parking demand and capacity from an independent professional. Any such determination shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.

**Article II Off-Street Parking Requirements**

17.116.060 Off-street parking—Residential Activities.

17.116.070 Off-street parking—Civic Activities.

17.116.080 Off-street parking—Commercial Activities.

~~17.116.082 Off-street parking in the D-BV Zones—Commercial Activities.~~

17.116.090 Off-street parking—Industrial Activities.

17.116.100 Off-street parking—Agricultural and Extractive Activities.

17.116.105 Special regulations in the CBD Zones.

~~17.116.110 Special exemptions to parking requirements.~~

**17.116.060 Off-street parking—Residential Activities.**

**A. Minimum and Maximum Parking for Permanent and Semi-Transient Residential Activities.**

1. Minimum Parking. Except as otherwise provided in Article III and elsewhere in this Title, the following amounts of off-street parking are required for all Permanent and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities: ~~Except as otherwise provided in Section 17.44.200, Chapter 17.94, Sections 17.102.300, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Permanent and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities~~

and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter:

Residential Facility Type	Zone	Total Required Parkingment
One-Family Dwelling.	RH and RD Zones, except when combined with the S-12 Zone.	Two (2) spaces for each dwelling unit; however, when combined with the S-11 Zone, the requirement shall is be one (1) space per bedroom with a minimum of two (2) spaces per dwelling unit and a maximum requirement of four (4) spaces per dwelling unit.
	RM-1 Zone, except when combined with the S-12 Zone.	One and one-half (1½) spaces for each dwelling unit.
	RM-2 Zone, except when combined with the S-12 Zone.	<p>a) One (1) space for each dwelling unit when lot is less than 4,000 square feet in size and/or 45 feet in width; or</p> <p>b) One (1) space for each dwelling unit, regardless of lot size or width, when lot is located in the West Oakland District only, as specified in Table 17.17.03, Note 17; or</p> <p>c) One and one-half (1½) spaces for each dwelling unit when lot is 4,000 square feet or more in size and/or 45 feet in width, except when located in the West Oakland District (see Requirement b. above).</p>
	CBD-P, S-2, and D-LM Zones (when combined with the S-7 Zone), except when combined with the S-12 Zone.	No spaces required.
	S-15 and D-CO Zones, except when combined with the S-12 Zone.	One-half (½)-space for dwelling unit.
	Any other zone, except when combined with the S-12 Zone.	One (1) space for each dwelling unit.
	Any zone combined with the S-12 Zone.	See Section 17.94.040.

Residential Facility Type	Zone	Total Required Parkingment
One-Family Dwelling with Secondary Unit.	RH and, RD, RM-1, and RM-2 Zones, except when combined with the S-12 Zone.	One (1) space for the Secondary Unit unless the lot already contains a total of at least three (3) spaces or is located <u>in a near-transit accessible area</u> pursuant to Section 17.103.080; however, when combined with the S-11 Zone, the requirement shall be one (1) space for each bedroom in any Secondary Unit, up to a maximum requirement of two (2) spaces per Secondary Unit. See Section 17.103.080.
	CBD, S-2, and D-LM Zones, except when combined with the S-12 Zone.	No additional space required for the Secondary Unit.
	Any <del>the</del> other zones, except when combined with the S-12 Zone.	One (1) space for the Secondary Unit unless the lot already contains a total of at least two (2) spaces or is located <u>in a near-transit accessible area</u> pursuant to Section 17.103.080; however, when combined with the S-11 Zone, the requirement shall be one (1) space for each bedroom in any Secondary Unit, up to a maximum requirement of two (2) spaces per Secondary Unit. See Section 17.103.080.
	Any zone combined with the S-12 Zone.	See Section 17.94.040.
Two-Family Dwelling.  Multifamily Dwelling.	RD-2, <del>RM-1, RM-2</del> Zone, except when combined with the S-12 Zone.	One and one-half (1½) spaces for each dwelling unit, <del>however, for the RM-2 Zone in the West Oakland District only (defined for the purposes of this Chapter as all areas between Interstate 980 to the east, Interstate 880 to the south and west, and Interstate 580 to the north), the minimum parking requirement shall be only one (1) space for each dwelling unit.</del>



Residential Facility Type	Zone	Total Required Parking
	<del>CBD, S-2, and P Zone (when combined with the S-7 zone) D-LM Zones</del> , except when combined with the S-12 Zone.	No spaces required.
	<del>D-BV-1, D-BV-2, S-15, and D-CO Zones</del> , except when combined with the S-12 Zone.	One-half (½) space for each dwelling unit.
	<del>D-BV-3 and D-BV-4 Zones and D-LM Zones</del> , except when combined with the S-12 Zone.	Three-quarters (¾) space for each dwelling unit. See Section 17.116.110 for further regulations, including but not limited to, unbundling of parking and allowances for an in-lieu fee.
	Any other zone, except when combined with the S-12 Zone.	One (1) space for each dwelling unit.
	Any zone combined with the S-12 Zone.	See Section 17.94.040.
Rooming House.	<del>CBD, S-2 and D-LM Zones (when combined with the S-7 Zone).</del>	No spaces required.
	<del>D-BV-1 and D-BV-2 Zones, and D-LM Zones.</del>	One (1) space for each four (4) rooming units.
	All <del>ny</del> other zones.	One (1) space for each two (2) rooming units.
Mobile Home.	<del>CBD, S-2, and P Zone (when combined with the S-7 Zone) D-LM Zones</del>	No spaces required.
	All <del>ny</del> other zones.	One (1) space for each living dwelling unit plus one (1) additional space for each four (4) living dwelling units.
Bed and Breakfast.	<del>CBD, S-2 and D-LM Zones.</del>	<del>No spaces required. Required parking for a One-Family dwelling in the underlying zone only.</del>
	All <del>ny</del> other zones.	One (1) space for each two (2) <del>units</del> guest rooms, plus the required parking for a One-Family <del>D</del> dwelling in the underlying zone.

2. Maximum Parking for Permanent and Semi-Transient Residential Activities. No more than the following amounts of off-street parking are permitted for all Permanent

and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities:

<u>Residential Facility Type</u>	<u>Zone</u>	<u>Maximum Number of Parking Spaces</u>
<u>One-Family Dwelling.</u>	<u>CBD, S-15, D-LM, and D-CO Zones.</u>	<u>One and one-quarter (1¼) parking spaces per dwelling unit.</u>
<u>One-Family Dwelling with Secondary Unit.</u>		
<u>Two-Family Dwelling.</u>	<u>All other zones.</u>	<u>No maximum parking requirement.</u>
<u>Multifamily Dwelling.</u>		
<u>Mobile Home.</u>		
<u>Rooming House.</u>	<u>CBD, S-15, D-LM, and D-CO Zones.</u>	<u>One and one-quarter (1¼) parking spaces per each two rooming units.</u>
	<u>All other zones.</u>	<u>No maximum parking requirement.</u>
<u>Bed and Breakfast.</u>	<u>CBD, S-15, D-LM, and D-CO Zones.</u>	<u>One and one-quarter (1¼) parking spaces per each two guest rooms, plus the maximum allowed parking for a One-Family Dwelling in the underlying zone.</u>
	<u>All other zones.</u>	<u>No maximum parking requirement.</u>

B. Residential Care and Emergency Shelter Residential Activities. Except as otherwise provided in Article III and this Title, the following amounts of off-street parking are required for all Residential Care and Emergency Shelter Residential Activities when located in any zone and occupying the specified facilities and/or having the specified number of employees and/or facility vehicles. ~~B. Residential Care and Emergency Shelter Residential Activities.~~ Except as otherwise provided in Section 17.44.200, Chapter 17.94, Sections 17.102.300, 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Residential Care and Emergency Shelter Residential Activities when located in any zone and occupying the specified facilities and/or having the specified number of employees and/or facility vehicles, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter.

<u>Residential Activity</u>	<u>Total Required Parkingment</u>
<u>Residential Care.</u>	<u>One (1) space for each three (3) employees on site during the shift that has maximum staffing, and one (1) space for each facility vehicle. Where more than two (2) three (3) spaces are required, for a single housekeeping unit, additional spaces beyond two (2) three may be provided in tandem.</u>

Emergency Shelter.	One (1) space for each three (3) employees on site during the shift that has maximum staffing, plus one (1) space for each facility vehicle.
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**17.116.070 Off-street parking—Civic Activities.**

Except as otherwise provided in Sections ~~17.44.200, 17.116.020, 17.116.030, and 17.116.110~~ Article III and elsewhere in this Title, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Civic Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated numbers of employees or doctors, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter. ~~(See illustration 1-18.)~~

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
A. Essential Service and Limited Childcare.	S-15 and D-CO Zones. <u>All zones.</u>	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section <del>17.116.040.</del> <u>No spaces required.</u>
	Any other zone	—	<del>No spaces required.</del>
B. Community Assembly and Recreational Assembly: <ul style="list-style-type: none"> <li>◦ <del>p</del> Playgrounds and playing fields;</li> <li>◦ <del>e</del> Concessions located in public parks;</li> <li>◦ <del>t</del> Temporary nonprofit festivals;</li> <li>◦ <u>Private non-profit clubs and lodges.</u></li> </ul>	<del>CBD-P Zone</del> (when combined with the S-7 Zone). <u>All zones.</u>	—	No spaces required.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section <del>17.116.040.</del>
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section <del>17.116.040.</del>

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parkingment
Private non-profit clubs and lodges.	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	—	No spaces required.
Churches and all other.	CBD-P Zone (when combined with the S-7 Zone), CBD-C, CBD-X, S-2, and D-LM-2 through D-LM-5 Zones. CN-1, CN-2, and CN-3 Zones.	— Total of 75 seats or 750 square feet of floor area where seats are not fixed, in principal meeting rooms.	No spaces required. One (1) space for each 15 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	Total of 75 seats, or 750 square feet of floor area where seats are not fixed in principal meeting rooms.	One (1) space for each 15 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
C. Community Education: high schools.	CBD-P, CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5 Zones.	—	No spaces required.
	S-15 and D-CO Zones.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040 One (1) space for each three employees plus one space for each 10 students of planned capacity.
All others.	CBD-P, CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5 Zones.	---	No spaces required.
	S-15 and D-CO Zones.	---	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	No minimum.	One-half (1/2) space for each three employees classroom.
D. Nonassembly Cultural Administrative.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones. CBD-P, CBD-C, CBD-X, and D-LM Zones.	---	No spaces required.
	All other zones. C-45 and S-2 Zones.	Ten thousand (10,000) square feet in the D-BV Zones and five thousand (5,000) square feet for all other zones. 10,000 square feet of floor area.	One space per six hundred (600) square feet of floor area on the ground floor and one (1) space per one thousand (1,000) square feet of floor area on other floors. One (1) space for each 1,400 square feet of floor area.
	CN Zones.	3,000 square feet of floor area.	One (1) space for each 900 square feet of floor area.

Civic Activity	Zone	Minimum Total Size for Which Parking Required	<u>Total Required Parking</u>
	S-15 and D-CO Zones.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	3,000 square feet of floor area.	One (1) space for each 600 square feet of floor area.
E. Health Care: hospitals.	CBD-P Zone (only when combined with the S-7 Zone). CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5.	<u>No minimum.</u> -	No spaces required.
	C-45, CBD-P (only if not combined with the S-7 Zone), CBD-C, CBD-X, D-LM and S-2 Zones.	No minimum	One (1) space for each staff or regular visiting doctor.
	S-15 and D-CO Zones.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040. One (1) space for each four beds, plus one space for each four (4) employees other than doctors, plus one space for each staff or regular visiting doctor.

Civic Activity	Zone	Minimum Total Size for Which Parking Required	<u>Total Required Parkingment</u>
Clinics.	<p>CBD-P Zone (only when combined with the S-7 Zone).  <u>C-45, CBD-P, CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5.</u></p>	<p>---</p>	<p><u>No spaces required. No spaces required.</u></p>
	<p>C-45, CBD-P (only when not combined with the S-7 zone),                      CBD-C, CBD-X, and S-2 Zones.</p>	<p>No minimum.</p>	<p>One (1) space for each staff or regular visiting doctor.</p>
	<p>S-15 and; D-CO, and D-LM Zones.</p>	<p>---</p>	<p>A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040</p>
	<p>Any other zone.</p>	<p>No minimum.</p>	<p>Three (3) spaces for each staff or regular visiting doctor plus one (1) space for each two other employees.</p>
All other.	<p>CBD-P Zone (only when combined with the S-7 Zone).  <u>C-45, CBD-P, CBD-C, CBD-X, S-2, and D-LM-2 through D-LM-5 Zones.</u></p>	<p><u>No minimum.</u></p>	<p>No spaces required.</p>
	<p>C-45, CBD-P (only when not combined with the S-7 Zone),                      CBD-C, CBD-X, D-LM and S-2 Zones.</p>	<p>No minimum.</p>	<p>One (1) space for each staff or regular visiting doctor.</p>

Civic Activity	Zone	Minimum Total Size for Which Parking Required	<u>Total Required Parking</u>
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	No minimum.	One (1) space for each six (6) beds, plus one space for each four (4) employees other than doctors, plus one space for each staff or regular visiting doctor.
F. Utility and Vehicular.	CDB-P, CBD-C, CBD-X, <u>S-2</u> , and D-LM- <u>2</u> through D-LM- <u>5</u> Zones.	—	No spaces required.
	C-45 and S-2 Zones.	10,000 square feet of floor area.	One (1) space for each vehicle used in connection with the activities.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	<u>Five thousand (5,000)</u> <del>3,000</del> square feet of floor area.	One (1) space for each three (3) employees plus one space for each vehicle used in connection with the activities.
G. Extensive Impact: colleges and universities.	CBD-P, CBD-C, CBD-X, and D-LM- <u>2</u> through D-LM- <u>5</u> Zones.	—	No spaces required.
	S-15 and D-CO Zones.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040



Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parkingment
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040 One (1) space for each three (3) employees plus one space for each six (6) students of planned capacity.
All other.	CBD-P Zone (only when combined with the S-7 Zone) All zones.	- No minimum.	No spaces required. A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	S-15 and D-CO Zones.	-	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

**17.116.080 Off-street parking—Commercial Activities.**

**A. Minimum Parking for Commercial Activities.**

~~Except as otherwise provided in Sections 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Commercial Activities when located in the indicated zones and occupying facilities of the specified sizes, or having the indicated numbers of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter: (See illustration I-18.)~~ Except as otherwise provided in Article III and elsewhere in this Title, the following table contains the amounts of off-street parking that are required in the indicated location for all Commercial Activities.

<u>Commercial Activity</u>	<u>Zone</u>	<u>Minimum Total Size for Which Parking Required</u>	<u>Total Required Parking</u>
<u>Group Assembly.</u>	<u>CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.</u>	<u>—</u>	<u>No spaces required.</u>
	<u>All other zones.</u>	<u>Ten thousand (10,000) square feet of floor area.</u>	<u>One (1) space for each fifteen (15) seats in indoor places of assembly with fixed seats, plus one space for each one hundred (100) square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly area.</u>
<u>General Wholesale.</u> <u>Building Material Sales.</u> <u>Automobile and Other Light Vehicle Sales and Rental.</u> <u>Automobile and Other Light Vehicle Gas Station and Servicing.</u>	<u>CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.</u>	<u>—</u>	<u>No spaces required.</u>
	<u>All other zones.</u>	<u>Ten thousand (10,000) square feet of floor area.</u>	<u>One (1) space for each 1,000 square feet of floor area.</u>
<u>Taxi and Light Fleet-Based Service.</u>	<u>CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.</u>	<u>—</u>	<u>No spaces required.</u>

<u>Commercial Activity</u>	<u>Zone</u>	<u>Minimum Total Size for Which Parking Required</u>	<u>Total Required Parking</u>
	<u>All other zones.</u>	<u>Ten thousand (10,000) square feet of floor area and outdoor storage.</u>	<u>One (1) space for each one thousand (1,000) square feet of floor area, plus one space for each vehicle used in connection with the activities.</u>
<u>Automobile and Other Light Vehicle Repair and Cleaning.</u>	<u>CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.</u>	<u>—</u>	<u>No spaces required.</u>
	<u>All other zones.</u>	<u>No minimum.</u>	<u>One (1) space for each one thousand (1,000) square feet of floor area.</u>
<u>Automotive Fee Parking.</u>	<u>All zones.</u>	<u>—</u>	<u>No spaces required.</u>
<u>Animal Boarding.</u>	<u>CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.</u>	<u>—</u>	<u>No spaces required.</u>
	<u>All other zones.</u>	<u>Five thousand (5,000) square feet.</u>	<u>One (1) space for each 1,000 square feet of floor area.</u>
<u>All other activities</u>	<u>CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.</u>	<u>—</u>	<u>No spaces required.</u>
	<u>All other zones.</u>	<u>Ten thousand (10,000) square feet in the D-BV Zones and three thousand (3,000) square feet for all other zones.</u>	<u>One (1) space for each six hundred (600) square feet of floor area on the ground floor of a building; One (1) space for each one thousand (1,000) square feet of floor area not on the ground floor of a building</u>

<u>All 0.3 for each All 0.3 for each Commercial Activity</u>	<u>Zone</u>	<u>Minimum Total Size for Which Parking Required</u>	<u>Requirement</u>

<del>All o.3 for each</del> <del>o.3 for each</del> Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
A. General Food Sales.	CBD-P, CBD-C, CBD-X, D-LM, D-CO, and S-15 Zones.	—	No spaces required.
Full-Service Restaurant.	C-45 and S-2 Zones.	3,000 square feet of floor area.	One (1) space for each 450 square feet of floor area.
Limited-Service Restaurant and Cafe.	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
Convenience Market.	Any other zone.	3,000 square feet.	One (1) space for each 200 square feet of floor area.
Alcoholic Beverage Sales.			
B. Mechanical or Electronic Games.	CBD-P, CBD-C, CBD-X, D-LM, D-CO, and S-15 Zones.	—	No spaces required
Medical Service.			
General Retail Sales, except when sales are primarily of bulky merchandise such as furniture or large appliances.	C-45 and S-2 Zones.	1,000 square feet of floor area.	One (1) space for each 900 square feet of floor area.
Consumer Service.	CN Zones.	3,000 square feet of floor area.	One (1) space for each 600 square feet of floor area.
Consumer Cleaning and Repair Service, except when services consist primarily of repair or cleaning of large items such as furniture or carpets.	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
Consumer Cleaning and Repair Service, except when services consist primarily of repair or cleaning of large items such as furniture or carpets.	Any other zone.	3,000 square feet of floor area.	One (1) space for each 400 square feet of floor area.
General Wholesale Sales, whenever 50 percent or more of all sales on the lot are at retail.			
Undertaking Service.			

<del>All e.3 for each. All e.3 for each Commercial Activity</del>	Zone	Minimum Total Size for Which Parking Required	Requirement
<del>C. Consultative and Financial Service. Administrative.</del>	<del>CBD-P, CBD-C, CBD-X, D-LM, D-CO, and S-15 Zones.</del>	<del>---</del>	No spaces required.
Business, Communication and Media Service.	C-45 and S-2 Zones.	10,000 square feet of floor area.	One (1) space for each 1,400 square feet of floor area.
Broadcasting and Recording Services.	CN Zones.	3,000 square feet of floor area.	One (1) space for each 900 square feet of floor area.
Research Service.	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
	Any other zone.	3,000 square feet of floor area.	One (1) space for each 600 square feet of floor area.
D. General Wholesale Sales,	S-15 and D-CO-1 Zones.	<del>---</del>	No spaces required.
whenever less than fifty percent (50%) of all sales on the lot are at retail.	D-CO-2, D-CO-3, D-CO-4, D-CO-5, and D-CO-6 Zones.	10,000 square feet of floor area.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
Building Material Sales.	C-45, CBD-P, CBD-C, CBD-X, D-LM and S-2 Zones.	10,000 square feet of floor area.	One (1) space for each 1,000 square feet of floor area, or for each three (3) employees, whichever requires fewer spaces.
Automotive Sales and Service.			
Automobile and Other Light Vehicle Sales and Rental.	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
	Any other zone.	5,000 square feet of floor area.	One (1) space for each 1,000 square feet of floor area, or for each three (3) employees, whichever requires fewer spaces.

<p><del>All 0.3 for each. All 0.3 for each Commercial Activity</del></p>	<p>Zone</p>	<p>Minimum Total Size for Which Parking Required</p>	<p>Requirement</p>
<p>E. Group Assembly, Personal Instruction and Improvement Services.</p>	<p>CBD-P, CBD-C, CBD-X, D-LM, D-CO-1, and S-15 Zones.</p>	<p>---</p>	<p>No spaces required.</p>
	<p>D-CO-2, D-CO-3, D-CO-4, D-CO-5, and D-CO-6 Zones.</p>	<p>10,000 square feet of floor area.</p>	<p>A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040</p>
	<p>C-45 and S-2 Zones.</p>	<p>10,000 square feet of floor area.</p>	<p>One (1) space for each 16 seats in indoor places of assembly with fixed seats, plus one space for each 160 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly area.</p>
	<p>CN Zones.</p>	<p>Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.</p>	<p>One (1) space for each eight seats in indoor places of assembly with fixed seats, plus one (1) space for each 80 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.</p>
	<p>D-BV Zones.</p>	<p>See Section 17.116.082.</p>	<p>See Section 17.116.082.</p>

<p><del>All e.3 for each</del> All  <del>e.3 for each</del>  Commercial  Activity</p>	<p>Zone</p>	<p><del>Minimum Total Size for Which</del>  Parking Required</p>	<p>Requirement</p>
	<p>Any other zone.</p>	<p>Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly areas.</p>	<p>One (1) space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly areas.</p>
<p>F. Transient Habitation.</p>	<p>CBD-P (only when combined with the S-7 zone), D-LM, DCO-1, and S-15 Zones.</p>	<p>---</p>	<p>No spaces required.</p>
	<p>D-CO-2, D-CO-3, D-CO-4, D-CO-5, and D-CO-6 Zones.</p>	<p>No minimum.</p>	<p>A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040</p>
	<p>CBD-P, CBD-C, CBD-X, and D-BV Zones.</p>	<p>No minimum.</p>	<p>One (1) space for each unit in a motel and one (1) space for each two units in a hotel.</p>
	<p>Any other zone.</p>	<p>No minimum.</p>	<p>One (1) space for each unit in a motel and three (3) spaces for each four units in a hotel.</p>
	<p>CBD-P, CBD-C, CBD-X, D-LM, D-CO, and S-15 Zones.</p>	<p>---</p>	<p>No spaces required.</p>
<p>G. General Retail</p>			

All e.3 for each. All e.3 for each. Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Requirement
Sales, whenever sales are primarily of bulky merchandise such as furniture or large appliances.	C-45 and S-2 Zones.	10,000 square feet of floor area.	One (1) space for each 1,000 square feet of floor area.
	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
	Any other zone.	5,000 square feet of floor area.	One (1) space for each 1,000 square feet of floor area.
Consumer Cleaning and Repair Service, whenever services consist primarily of repair or cleaning of large items such as furniture or carpets.	CBD-P, CBD-C, CBD-X, D-LM, D-CO, and S-15 Zones.	—	No spaces required.
Animal care and Animal boarding.			
H. Automobile and Other Light Vehicle Gas Station and Servicing.	C-45 and S-2 Zones.	10,000 square feet of floor area.	One (1) space for each 1,000 square feet of floor area.
	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
	Any other zone.	No minimum.	One (1) space for each 1,000 square feet of floor area.
Automotive and Other Light Vehicle Repair and Cleaning.	CBD-P, CBD-C, CBD-X, D-CO, and D-LM Zones.	—	No spaces required.
Automotive Fee Parking.			
I. Transport and Warehousing.	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
	Any other zone.	10,000 square feet of floor area and outdoor storage, processing, or sales area.	One (1) space for each three employees.
	CBD-P, CBD-C, CBD-X, D-CO, and D-LM Zones.	—	No spaces required.
Taxi and Light Fleet-based Service.			



<del>All 0.3 for each .All 0.3 for each Commercial Activity</del>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
<del>J. Scrap Operation.</del>	<del>D-BV Zones.</del>	<del>See Section 17.116.082.</del>	<del>See Section 17.116.082.</del>
	<del>Any other zone.</del>	<del>10,000 square feet of floor area and outdoor storage, processing or sales area.</del>	<del>One (1) space for each 2,000 square feet of floor area, or for each three employees, whichever requires more spaces; provided that in the case of Scrap Operation Commercial Activities whenever storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse and their original form, when the foregoing are not a part of a manufacturing operation, occupy less than 50 percent (50%) of the floor and open area of the firm on a single lot, the parking requirement shall be as prescribed for the other activities engaged in by the same firm on the same lot.</del>
	<del>CBD-P, CBD-C, CBD- X, D-LM, D-CO, and S-15 Zones.</del>	<del>—</del>	<del>No spaces required.</del>

<del>All e.3 for each All e.3 for each Commercial Activity</del>	<b>Zone</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
K. <del>Fast-Food Restaurant.</del>	CBD-P, CBD-C, CBD-X, D-LM, D-CO, and S-15 zones.	--	No spaces required
	C-45 Zone.	10,000 square feet of floor area.	One (1) space for each 450 square feet of floor area.
	CN and S-2 Zones.	2,000 square feet of floor area.	One (1) space for each 300 square feet of floor area.
	D-BV Zones.	See Section 17.116.082.	See Section 17.116.082.
	Any other zone.	3,000 square feet of floor area.	One (1) space for each 200 square feet of floor area.

(Ord. No. 13090, § 4(Exh. A), 10-4-2011; Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12999, § 4(Exh. A), 3-16-2010; Ord. No. 12971, § 2(Exh. A), 9-22-2009; Ord. No. 12955, § 2(Exh. A), 7-21-2009; Ord. No. 12939, § 4(Exh. A), 6-16-2009; Ord. 12289 § 4 (part), 2000; Ord. 11892 § 14, 1996; prior planning code § 7513)

**17.116.082 Off-street parking in the D-BV Zones—Commercial Activities**

Except as otherwise provided in Sections 17.116.020, 17.116.030, and 17.116.110, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for Commercial Activities when located in the D-BV Zones and occupying facilities of the specified sizes. The required parking spaces shall be developed and maintained pursuant to the provisions of Article IV of this Chapter. (See illustration I-18.)

<b>Location of Commercial Activity</b>	<b>Minimum Total Size for Which Parking Required</b>	<b>Requirement</b>
A. Commercial Activities on the ground floor, except for Transient Habitation (see Table 17.116.080).	10,000 square feet of floor area.	One (1) space for each 500 square feet of floor area.
B. Commercial Activities not on the ground floor, except for Transient Habitation (see Table 17.116.080).	10,000 square feet of floor area.	One (1) space for each 1,000 square feet of floor area.

**B. Maximum Parking for Commercial Activities.** Except as otherwise provided elsewhere in this Title, no more than the following amounts of off-street parking are permitted for Commercial Activities when located in the indicated zones:

<u>Commercial Activity</u>	<u>Zone</u>	<u>Maximum Number of Parking Spaces</u>
<u>General Food Sales.</u> <u>Limited Service Restaurant and Café.</u> <u>Fast-Food Restaurant.</u> <u>Convenience Market.</u> <u>Alcoholic Beverage Sales.</u> <u>Mechanical or Electronic Games.</u> <u>Medical Service.</u> <u>General Retail Sales.</u> <u>Large-Scale Combined Retail and Grocery Sales.</u> <u>Consumer Service.</u> <u>Consultative and Financial Service.</u> <u>Check Cashier and Check Cashing.</u> <u>Consumer Cleaning and Repair Service.</u> <u>Consumer Dry Cleaning Plant.</u> <u>Group Assembly.</u> <u>Personal Instruction and Improvement Services.</u> <u>Administrative.</u> <u>Business, Communication, and Media Service.</u> <u>Broadcasting and Recording Service.</u>	<u>CBD-P, CBD-C, CBD-X,</u> <u>S-2, D-LM-2 through D-</u> <u>LM-5, D-CO, and S-15</u> <u>Zones.</u>	<u>Ground floor: One (1) space</u> <u>for each three hundred</u> <u>(300) square feet of floor</u> <u>area.</u>  <u>Above Ground floor: One (1)</u> <u>space for each five hundred</u> <u>(500) square feet of floor</u> <u>area.</u>
<u>Research Service.</u> <u>Animal Care.</u>	<u>All other zones.</u>	<u>No maximum.</u>
<u>All other Commercial Activities.</u>	<u>All zones</u>	<u>No maximum.</u>

**17.116.090 Off-street parking—Industrial Activities.**

Except as otherwise provided in Sections ~~17.101.090, 17.116.020, 17.116.030, and 17.116.110,~~ and subject to the calculation rules set forth in Section ~~17.116.040~~ this Title, the following amounts of off-street parking are required for all Industrial Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated number of employees, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter. ~~(See illustration 1-18.)~~

<u>Zone</u>	<u>Minimum Total Size for Which Parking Required</u>	<u>Total Required Parking Requirement</u>

Zone	Minimum Total Size for Which Parking Required	Total Required Parking Requirement
CBD-P, CBD-C, CBD-X, D-CO, <u>S-2</u> , and S-15 Zones.	—	No spaces required.
All <del>any</del> other zones.	10,000 square feet of floor area.	One (1) space for each <u>one thousand five hundred (1,500)</u> square feet of floor area, <del>or for each three (3) employees, whichever requires more spaces.</del>

**17.116.100 Off-street parking—Agricultural and Extractive Activities.**

Except as otherwise provided in Sections ~~17.116.020, 17.116.030, and 17.116.110~~ this Title, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Agricultural and Extractive Activities when located in the indicated zones and occupying facilities of the specified sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter: ~~(See illustration 1-18.)~~

Zone	Minimum Total Size for Which Parking Required	Total Required Parking Requirement
CBD-P, CBD-C, CBD-X, <u>S-2</u> , D-CO, and D-LM Zones.	—	No spaces required.
<del>C-45 and S-2 Zones.</del>	<del>10,000 square feet of floor area and outdoor sales or display area.</del>	<del>One (1) space for each 1,000 square feet of floor area and outdoor sales or display area.</del>
All <del>any</del> other zones.	<del>Ten thousand (10,000) 5,000</del> square feet of floor area and outdoor sales <del>or display area.</del>	One (1) space for each <u>one thousand (1,000)</u> square feet of floor area and outdoor sales <del>or display area.</del>

**17.116.105 Special regulations in the CBD Zones.**

The following regulations shall apply to new Multifamily Residential Facilities of ten (10) or more dwelling units in the CBD Zones only.

**A. Car-Share Parking Spaces.**

1. Car-share parking spaces shall be provided in the amount specified in the Table below.

<u>Number of Dwelling Units</u>	<u>Number of Required Car Share Parking Spaces</u>
Less than 50 units.	No spaces required.

<u>50 – 200 units.</u>	<u>One (1) space.</u>
<u>201 – 400 units.</u>	<u>Two (2) spaces.</u>
<u>Each additional 200 units.</u>	<u>One (1) additional space.</u>

2. Required car-share space(s) shall be made available through one of the following two means:
  - a. A private car-share, operated by the property owner or homeowners association, provided within the development. In this case, each private car-share space shall be assigned to a vehicle owned and maintained by the property owner or homeowners association for the use of residents within the development; or
  - b. At no cost, providing a parking space to a public car-share organization for purposes of providing car-share services for its car-share service subscribers. The car-share spaces may be provided on the building site or on another site within 600 feet of the building site. All car-share vehicles shall be accessible to both non-resident and resident subscribers.
3. A private car share (option 2(b), above) shall be provided if a public car share operator cannot make use of a public car share space.
4. A notice describing the requirement for car-sharing spaces shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.
5. All car-share parking spaces shall be counted toward the minimum and maximum required parking spaces.

B. Transit Passes. The property owner or homeowners association shall make permanently available a monthly transit benefit to each dwelling unit in an amount equal to either one-half the price of an Adult 31-Day AC Transit Pass or an AC Transit EasyPass. This benefit shall be placed on a Regional Transit Connection Clipper Card. A notice describing this transit benefit shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

### Article III - Exemptions and Reductions in Required Parking

#### 17.116.110 Special parking exemptions and reductions to parking requirements.

The provisions of this Section shall apply to all activities facilities and zones in all or specified zones, except Residential Activities occupying One-Family Dwelling, One-Family Dwelling with Secondary Unit, Two-Family Dwelling, or Multifamily Dwelling Residential Facilities located within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.040 shall apply.

- A. Discretionary Reduction for Senior Citizen Housing and Dormitories. The number of parking spaces prescribed in Section 17.116.060 may be reduced by not to exceed seventy-five percent (75%) in senior citizen housing where for each living dwelling units that are is regularly occupied by at least one not more than two individuals who is at least one of whom is sixty-fifty-five (6055) years of age or older or is physically handicapped regardless

of age. ~~This reduction cannot be increased according to any other exemption in this Section, or in a dormitory, fraternity, or similar facility, the number of parking spaces prescribed in Section 17.116.060 may be reduced by not to exceed seventy-five percent (75%) upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the proposal conforms to the use permit criteria set forth in Subsections A, or B, and C, of this Section:~~

- ~~1. In the case of senior citizen housing where living units are regularly occupied by not more than two individuals at least one of whom is sixty (60) years of age or older or is physically handicapped regardless of age, that such occupancy is guaranteed, for a period of not less than fifty (50) years, by appropriate conditions incorporated into the permit;~~
- ~~2. In the case of a dormitory, fraternity, or similar facility, that the occupants are prevented from operating a motor vehicle because they are not of driving age or by other special restriction, which limitation of occupancy by non-qualifying drivers is assured by appropriate conditions incorporated into the permit;~~
- ~~3. That due to the special conditions referred to above, and considering the availability, if any, of public transportation within convenient walking distance, the reduced amount of parking will be adequate for the activities served, and that the reduction will not contribute to traffic congestion or impair the efficiency of on-street parking.~~

B. Affordable Housing. For zones that have a base parking minimum in Section 17.116.060(A) of three-quarter (3/4) space per dwelling unit or more, the parking requirement for affordable housing restricted for low, very low, and moderate income households, (as defined in California Government Code Section 50052.5 and in Oakland Planning Code Section 17.107.020) is the following:

1. One-half (1/2) space per affordable housing unit if within a transit accessible area; and
2. Three-quarters (3/4) space per affordable housing unit if not within a transit accessible area.

~~B. Discretionary Reduction of Total Requirements with Shared Parking Area.~~ For a joint off-street parking area which serves two (2) or more Nonresidential Activities in any zone, or Residential Activities in the CN, C-45, or CBD Zones, and which meets the conditions set forth in Section 17.116.180, the total parking requirement for the sharing activities may be reduced by not to exceed fifty percent (50%) upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that the typical utilization of the parking area would be staggered to such an extent that the reduced number of spaces would be adequate to serve all such activities.

C. Parking Reduction through Demand Management Measures. The following are the percentages that parking requirements are reduced for Multifamily Dwelling Residential Facilities of ten (10) or more dwelling units through implementation of the listed parking demand management measures. The parking reduction percentages for the demand management measures described below can be added together to create a greater parking reduction, but cannot create more than a fifty percent (50%) reduction. These reductions cannot be combined with the parking reductions described in other Subsections of Article III, except for the reduction described in Subsection B, above. A notice describing the

demand management measure(s) required shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

1. Transit Accessible Areas. A project that is within a transit accessible area receives a 30 percent (30%) reduction in the parking requirement. This reduction cannot be applied to the parking ratio for affordable housing that already receives a reduction under B(1), above.
2. On-site public or private car share spaces. The provision of on-site car-share spaces at the level and standards described in 17.116.105(B) reduces the parking requirement by twenty percent (20%).
3. Off-site public or private car share spaces. The provision of off-site car-share spaces at the minimum level and standards described in Subsections 17.116.105(A) reduces the parking requirement by ten percent (10%).
4. Transit passes. The provision of transit passes at the level and standards described in Subsection 17.116.105(B) reduces the parking requirement by ten percent (10%).

D. Discretionary Reduction of Total Requirements with Shared Parking Area. For a joint off-street parking area that serves more than one activity (either on the same or different lots) and meets the conditions set forth in Section 17.116.180, the total parking requirement for the sharing activities may be reduced by not to exceed fifty percent (50%) upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit (See Chapter 17.134 for the CUP criteria), and to the following additional use permit criterion:

1. The typical utilization of the parking area would be staggered to such an extent that the reduced number of spaces would be adequate to serve all such activities.

EG. Discretionary Waiver or Reduction in Districts Providing Common Parking Areas. The off-street parking requirements specified above for Nonresidential Activities in any zone, or for Residential Activities in ~~Commercial~~ ~~the CN, C-45, or CBD~~ Zones, may be waived or reduced by the Director of City Planning when said activities are located within a municipal parking district or assessment district the function of which is to provide off-street parking, upon a finding that, in consideration of existing or prospective municipal parking facilities, such waiver or reduction would not substantially contribute to traffic congestion or impair the efficiency of on-street parking. Any determination on such waiver or reduction shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.

~~D. Each of the following provisions shall apply in the D-BV and D-LM Zones only:~~

- ~~1. In Lieu Fee. The parking space requirements of this Section for the D-BV and D-LM Zones may be reduced or waived upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and payment of an in-lieu fee to the City of Oakland. The parking in-lieu fee shall be as set forth in the Master Fee Schedule. Parking in-lieu fees shall be deposited with the City of Oakland prior to issuance of a building permit. A parking in-lieu fee may be refunded, without interest, to the person who made such payment, or his assignee or designee, if additional off-street parking spaces are provided for such building~~

~~or use by others than the City so as to satisfy the parking requirement for which the in-lieu payment was made. To obtain a refund, the required off street parking spaces must be in place prior to issuance of a certificate of occupancy and before funds are spent or committed by the City.~~

~~2. Narrow Lots. Lots with a mean width of less than fifty (50) feet and fronting Broadway or 27th Street are not required to provide parking on-site unless alternative driveway access is available from an alternative location, such as a shared access driveway from an adjoining parcel or from an alley.~~

~~F. **3.—Conversion of Historic Buildings.** No additional parking spaces are required for the conversion of a Nonresidential Facility to a Residential Facility or vice versa if the Nonresidential or Residential Facility any change of use of a facility that is either a Potentially Designated Historic Property (PDHP) or a property listed in the City of Oakland's Local Register of Historical Resources (see Policy 3.8 of Historic Preservation Element of the Oakland General Plan). If the number of existing parking spaces on the lot is equals or is less than required, then that these number of parking spaces must be preserved with the conversion. If there are more parking spaces on the lot than required, then the number of spaces can be reduced to the minimum required.~~

~~Parking spaces shall not be further reduced below the requirement unless payment of an in-lieu fee, as set forth in the Master Fee Schedule, to the City of Oakland is provided.~~

~~G. **Additions to Historic Buildings.** No additional parking spaces are required for an addition that increases the floor area by one hundred percent (100%) or less of a facility that is listed in the City of Oakland's Local Register of Historical Resources (see Policy 3.8 of Historic Preservation Element of the Oakland General Plan).~~

~~4. **Affordable Housing.** Parking requirements applicable to affordable housing for moderate, low, and very low income households, (as defined in California Government Code Section 50052.5 and in Oakland Planning Code Section 17.107.020), shall be one quarter (1/4) spaces per dwelling unit. In Subsection 17.116.110(A) of this Chapter, Senior Citizen Housing and Dormitories requirements apply but do not require a Conditional Use Permit and the reduced parking requirement is one quarter (1/4) spaces per dwelling unit.~~

~~5. **Unbundled Parking.** The following rules shall apply to new Multifamily Dwelling Residential Facilities of ten (10) or more units:~~

~~a. Off street parking spaces shall be leased or sold separately from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space(s).~~

~~b. Off street parking spaces serving affordable units as defined in Section 17.107.020 shall be offered to potential buyers and renters at a price proportional to the sale or rental price of the affordable units as compared to the price proportional to comparable market rate units, except when offered to non-residents pursuant to Subsection (c) below.~~

~~c. Parking spaces shall be offered only to residents of the dwelling units served by the off street parking, except that any surplus spaces that are not rented or sold may be rented to non-residents with the provision that such spaces must be vacated on 30 days' notice if requested by residents to be made available to them.~~



H. Parking reduction for parking on narrow lots in certain Commercial Zones.

1. In the CN and CC Zones, lots with a mean width of forty (40) feet or less are not required to provide parking on-site unless alternative driveway access is available from an alternative location, such as a side street, a shared access driveway on an adjoining parcel, or an alley.
2. In the D-BV Zones, lots with a mean width of fifty (50) feet or less and fronting Broadway or 27th Street are not required to provide parking on-site unless alternative driveway access is available from an alternative location, such as a side street, a shared access driveway from an adjoining parcel or an alley.

I. Parking Reduction through the payment of in lieu fees in the D-BV Zones. Both of the following provisions shall apply in the D-BV Zones only:

1. The parking requirements for the D-BV Zones may be reduced or waived upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and payment of an in-lieu fee to the City of Oakland. The parking in-lieu fee shall be as set forth in the Master Fee Schedule. Parking in-lieu fees shall be deposited with the City of Oakland prior to issuance of a building permit. A parking in-lieu fee may be refunded, without interest, to the person who made such payment, or his assignee or designee, if additional off-street parking spaces are provided for such building or use by others than the City so as to satisfy the parking requirement for which the in-lieu payment was made. To obtain a refund, the required off-street parking spaces must be in place prior to issuance of a certificate of occupancy and before funds are spent or committed by the City.
2. Notwithstanding anything to the contrary contained in the Planning Code, Variances may not be granted relating to: (a) a reduction and/or elimination of any required parking; or (b) a reduction and/or elimination of any parking spaces serving any activity, or if already less than currently required parking, shall not be reduced further below the requirements prescribed for such activity in this Chapter, as the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and payment of the in-lieu fee shall be the means of reducing or eliminating such parking.

**Article IIIV Off-Street Loading Requirements**

17.116.120 Off-street loading—Residential Activities.

17.116.130 Off-street loading—Civic Activities.

17.116.140 Off-street loading—Commercial Activities.

17.116.150 Off-street loading—Industrial Activities.

17.116.160 Off-street loading—Agricultural and Extractive Activities.

**17.116.120 Off-street loading—Residential Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for Residential Activities when occupying

facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter. (See illustration I-18.)

Residential Activity and Total Floor Area of Facilities Occupied Requirement	Requirement
Less than 50,000 square feet.	No berth required.*
50,000—149,999 square feet or more.	One (1) berth.*
150,000—299,999 square feet.	Two (2) berths.*
Each additional 300,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*

\*Off-street loading is not required in CBD-P Zzone when combined with the S-7 Zzone.

**17.116.130 Off-street loading—Civic Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for the specified Civic Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter. (See illustration I-18.)

Civic Activity and Total Floor Area of Facilities Occupied	Requirement
A. Community Assembly, Community Education, Nonassembly Cultural, Health Care, or Administrative, occupying the following floor area:	
Less than 50,000 square feet.	No berth required.*
50,000—149,999 square feet.	One (1) berth.*
150,000—299,999 square feet.	Two (2) berths.*
Each additional 150,000 100,000-square feet or fraction of one-half or more thereof.	One (1) additional berth.*
B. Utility and Vehicular, or Extensive Impact.	A number of berths to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
C. All other Civic Activities.	No berths required.

\*Off-street loading is not required in the CBD-P zZone when combined with the S-7 Zzone.

**17.116.140 Off-street loading—Commercial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter: ~~(See illustration 1-18.)~~

Commercial Activity and <del>Total Size</del> <u>Floor Area</u> of Facilities Occupied	Requirement
A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Fast-Food Restaurant, Convenience Market, Alcoholic Beverage Sales, Consumer Service, General Retail Sales, <u>Large-Scale Combined Retail and Grocery Sales,</u> Consumer Cleaning and Repair Service, Research Service, General Wholesale Sales, Building Material Sales, Automobile and Other Light Vehicle Gas Station and Servicing, <u>Automotive Fee Parking, or</u> <u>Undertaking Service -</u> <del>Automobile and Other Light Vehicle Sales and Rental, Group Assembly, Personal Instruction and Improvement Services, Communication and Media Service, Broadcasting and Recording Service, Animal Care, or Animal Boarding occupying facilities with the following floor area:</del>	
Less than <del>25,000</del> <u>10,000</u> square feet.	No berths required.*
<del>25,000</del> <u>10,000</u> — <del>59,999</del> <u>24,999</u> square feet.	One (1) berth.*
<del>60,000</del> <u>25,000</u> — <del>159,000</del> <u>49,999</u> square feet.	Two (2) berths.*
<del>50,000</del> — <del>99,999</del> square feet.	Three <del>(3)</del> berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
B. Mechanical or Electronic Games, Medical Service, <del>Consumer Service,</del> Consultative and Financial Service, Administrative, or Transient Habitation, <u>Check Cashier and Check Cashing,</u>	

Commercial Activity and Total Size Floor Area of Facilities Occupied	Requirement
Consumer Dry Cleaning Plant, Group Assembly, Personal Instruction and Improvement Services, Business, Communication, and Media Service, Broadcasting and Recording Service, Automobile and Other Light Vehicle Sales and Rental, Automotive and Other Light Vehicle Repair and Cleaning, Taxi and Light Fleet-Based Service, Animal Care, or Animal Boarding - occupying facilities with the following floor area:	
Less than 40,000 square feet.	No berths required.*
40,000—59,999 square feet.	One (1) berth.*
60,000—159,999 square feet.	Two (2) berths.*
Each additional 160,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
C. Undertaking Service, occupying facilities with the following floor area:	
Less than 2,500 square feet.	No berths required.*
2,500—24,999 square feet.	One (1) berth.
25,000—49,999 square feet.	Two (2) berths.*
50,000—99,999 square feet.	Three (3) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
D. Scrap Operation, occupying facilities with the following amounts of floor area and outdoor storage, processing, or sales area:	
Less than 25,000 square feet.	One (1) berth.*
25,000—49,999 square feet.	Two (2) berths.*
50,000—99,999 square feet.	Three (3) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
E. All other Commercial Activities.	No berths required.*

\*Off-street loading is not required in the CBD-P zone when combined with the S-7 Zzone.

**17.116.150 Off-street loading—Industrial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for all Industrial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article IV of this Chapter. (See illustration 1-18.)

Industrial Activity and Total Floor Area of Facilities Occupied	Requirement
Less than 10,000 square feet.	No berths required.*
10,000—24,999 square feet.	One (1) berth.*
25,000—49,999 square feet.	Two (2) berths.*
50,000—99,999 square feet.	Three (3) berths.*
Each additional <u>150,000</u> <del>170,000</del> square feet or fraction of one-half or more thereof.	One (1) additional berth.*

\*Off-street loading is not required in the CBD-P zone when combined with the S-7 Zzone.

**17.116.160 Off-street loading—Agricultural and Extractive Activities.**

Off-street loading is not required in any zone for Agricultural or Extractive Activities.

**Article IV Standards for Required Parking and Loading Facilities**

- 17.116.170 Property on which parking and loading must be provided.
- 17.116.175 Standards and criteria for accessory parking that serves a prohibited activity.
- 17.116.180 Conditions for off-street parking or loading.
- 17.116.190 Utilization of off-street parking and loading facilities.
- 17.116.200 Parking space dimensions.
- 17.116.210 Driveways and maneuvering aisles for parking.
- 17.116.220 Loading berth dimensions.
- 17.116.230 Driveways and maneuvering aisles for loading.
- 17.116.240 Tandem spaces and berths.
- 17.116.250 Maximum backing distance.
- 17.116.260 Surfacing and grade of parking and loading facilities.
- 17.116.270 Screening and setback of parking and loading areas.

17.116.280 Control on artificial illumination of parking and loading facilities.

17.116.290 Special requirements applying in some zones.

17.116.300 Parking accommodation requirements for One- and Two-Family Residential Facilities.

17.116.310 Unbundled Parking.

**17.116.170 Property on which parking and loading must be provided.**

A. Parking Spaces and Loading. Required Off-street parking spaces and loading berths required by the zoning regulations shall be located as set forth below for the specified activities except as otherwise provided in Section 17.116.290B. When a maximum distance from the lot containing the activity served to another lot is prescribed, it shall be measured along a permanently accessible pedestrian route between a lot line of the former lot and the nearest boundary of the offsite parking or loading area. Required parking provided on a lot other than the Facility or Activity it serves shall not count toward any of the required parking serving the Facility or Activity on the off-site lot.

Required Facility and Activity it Serves	Zone	Location
Parking spaces for any Residential or Commercial Activity.	RU-4, RU-5, CN, CC, C-45, CBD, S-15, D-BV, and D-CO, and D-LM Zones.	On the same lot as the activity served; or <u>either, subject to the provisions of Section 17.116.180: 1. subject to the provisions of, On another lot that both is located within three six hundred (6300) feet and contains an enclosed principal facility containing a principal activity; or 1.2. and having at least one owner in common with the former lot. Upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) on another lot that both is located within six hundred (600) feet and does not contain an enclosed principal facility containing a principal activity.</u>
	All <del>my</del> other zones.	On the same lot as the activity served, but for One-Family and Two-Family Dwelling Residential Facilities on any lot with a street-to-setback gradient that exceeds twenty percent (20%), required parking stalls may be permitted to extend into the public right-of-way of an adjoining street subject to the following standards <del>(see illustration I-20c):</del>  1. The required parking stalls shall be located perpendicular to and the edge of the curb, pavement, or sidewalk;

Required Facility and Activity it Serves	Zone	Location
		<p>2. The parking stalls shall be set back a minimum of five (5) feet from the edge of street pavement including any curbs or sidewalks; and</p> <p>3. The parking stalls extending into the street right-of-way shall not constitute more than fifty percent (50%) of the required residential parking.</p>
<p>Parking spaces for any Industrial Activity; Administrative or Utility and Vehicular Civic Activities; or Administrative, Research Service Commercial Activities.</p>	<p>Any zone.</p>	<p>On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within <u>five six</u> hundred (6500) feet, and having at least one owner in common with the former lot.</p>
<p>Parking spaces for any <u>other activity</u>, activity not listed above.</p>	<p>Any zone.</p>	<p>On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within three hundred (300) feet and having at least one owner in common with the former lot <u>or, upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), within six hundred (600) feet.</u></p>
<p>Loading berths for any activity.</p>	<p>Any zone.</p>	<p>On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on an abutting lot, <del>having at least one owner in common with the former lot, except that an jointly owned off-street</del> loading facility for Nonresidential Activities in any zone, or for Residential Activities in the <u>S-15, D-CO, D-LM, D-BV, CBD, CN, CC, and C-45</u> Zones, may, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and subject to the provisions of Section 17.116.180, be located on a lot which does not abut all the lots containing the activities served.</p>

**17.116.190 - Utilization of off-street parking and loading facilities.**

Facilities ~~which that~~ are intended to meet the off-street parking and loading requirements of the zoning regulations shall be made permanently available to, and maintained so as to permit utilization by, the residents, shoppers, employees, or other participants in, or the loading operations of, the activity or activities served, except as otherwise ~~provided in Section 17.116.290B~~ specifically permitted in this Title. No area may be utilized and counted both as a required parking space and a required loading berth. However, maneuvering aisles and

driveways may serve both required parking spaces and loading berths if they meet the requirements specified hereafter for both parking and loading facilities.

#### 17.116.200 Parking space dimensions.

(See illustration I-21.) The provisions of this Section shall apply to all activities in all zones except Residential Activities occupying One-Family, Two-Family, or Multifamily Residential Facilities located within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.060 shall apply. All required parking spaces shall have the minimum dimensions set forth below and shall be provided, where necessary, with driveways and maneuvering aisles as set forth in Section 17.116.210. Compact and intermediate parking spaces shall count toward the off-street parking requirements only if located on a lot containing a total of three or more required spaces. On such a lot, up to fifty percent (50%) of the required parking spaces may be compact spaces, provided that at least fifty percent (50%) of the required spaces are regular and/or handicapped spaces. Alternatively, when five or more parking spaces are required, up to seventy-five percent (75%) of the required spaces may be intermediate spaces, provided that if any required spaces are compact spaces, an equal or greater number of the required spaces shall be regular and/or handicapped spaces.

- A. Regular Parking Spaces. A regular parking space shall be not less than eighteen (18) feet long and eight and one-half feet (8½) wide for all parking patterns except parallel parking. ~~However, where one or both of the long sides of a regular parking space which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other, similar obstruction, the width specified above shall be increased by two (2) feet. (See Subsection D. for exceptions to this two (2) foot requirement).~~ For parallel parking, a regular parking space shall be not less than twenty-two (22) feet long and eight (8) feet wide.
- B. Intermediate Parking Spaces. An intermediate parking space shall be not less than sixteen and one-half (16½) feet long and eight (8) feet wide for all parking patterns except parallel parking. ~~However, where one or both of the long sides of a regular parking space which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other, similar obstruction, the width specified above shall be increased by two (2) feet. See Subsection D. for exceptions to this two (2) foot requirement.~~ For parallel parking, an intermediate parking space shall be not less than twenty and one-half (20½) feet long and seven and one-half (7½) feet wide.
- C. Compact Parking Spaces. A compact parking space shall be not less than fifteen (15) feet long and seven and one-half (7½) feet wide for all parking patterns except parallel parking. ~~However, where one or both of the long sides of a compact parking space which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other, similar obstruction, the width specified above shall be increased by two (2) feet. (See Subsection D. for exceptions to this two (2) foot requirement).~~ For parallel parking, a compact parking space shall be not less than nineteen (19) feet long and seven (7) feet wide.
- D. Posts and Other Obstructions. For required parking spaces that are at an angle of between sixty (60) degrees and ninety (90) degrees, the required parking space widths specified above shall be increased by one (1) foot for each long side of a parking space that abuts a wall or other similar obstruction. However, this additional width is



~~not required for Pposts and other similar structural members may be located immediately adjacent to a required parking space, provided that:~~

1. Such required parking space is a regular space or, if the City Traffic Engineer determines that sufficient maneuvering area is present, an intermediate or compact space; and
2. Such post or other similar structural member is located at least three (3) feet but not more than five (5) feet from the maneuvering aisle or located not more than four (4) feet from the end of the parking space opposite the maneuvering aisle; and
3. Such post or other similar structural member does not impede pedestrian access to vehicle parking in the space; and
4. Such posts and other similar structural members shall be located on one side only of a required parking space.

#### **17.116.210 Driveways and maneuvering aisles for parking.**

Where necessary, maneuvering aisles and driveways shall be provided of such design and arrangement as to provide adequate ingress to and egress from all required parking spaces. (See also Sections 17.94.070, 17.94.080, 17.116.240, 17.116.250, and 17.116.260.) Except within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.080 shall apply, and for shared access facilities, where the provisions of Section 17.102.090 shall apply, an onsite driveway serving any required off-street parking area shall have a minimum width of nine (9) feet. Driveways serving Residential Facilities with one (1) or two (2) living dwelling units on one lot shall be not more than nineteen (19) feet in width for the front twenty (20) feet of the lot, with a curb cut no more than nineteen (19) feet in width, and shall be limited to one driveway and one driveway curb cut per lot frontage. Driveways serving one lot or serving any of several adjacent lots under the same ownership shall be separated edge-to-edge by at least twenty-five (25) feet; where curbs exist, the separation shall be by at least twenty-five (25) feet of full vertical curb. Driveways serving adjacent lots under different ownership shall be separated edge-to-edge by at least ten (10) feet; where curbs exist, the separation shall be by at least ten (10) feet of full vertical curb.

- A. Maneuvering Aisle Width. Except for activities occupying ~~One Family, Two Family, or Multifamily~~ Residential Facilities located within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.070 shall apply, maneuvering aisles necessary for access into and out of required parking spaces shall have the following minimum widths, whether serving regular, intermediate, or compact parking spaces:
  1. Where parking is parallel: eleven (11) feet;
  2. Where parking is at an angle of forty-five (45) degrees or less: twelve (12) feet;
  3. Where parking is at an angle of sixty (60) degrees or less but more than forty-five (45) degrees: fifteen (15) feet;
  4. Where parking is at an angle of seventy-five (75) degrees or less but more than sixty (60) degrees: eighteen (18) feet;
  5. Where parking is at an angle of ninety (90) degrees or less but more than seventy-five (75) degrees: ~~twenty-one (21) feet.~~

- a. Twenty-one (21) feet for Residential Facilities; and
- b. Twenty-three (23) feet for Nonresidential Facilities.

**17.116.220 Loading berth dimensions.**

All required loading berths shall have the minimum dimensions set forth below when serving the indicated activities; provided that where one or both of the long sides of a berth which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other similar obstruction, each of the widths specified below shall be increased by three (3) feet. However, the minimum height or length of a required berth for Civic, Commercial, and Industrial Activities may ~~in any case be reduced upon the granting of a Conditional Use Permit pursuant to the conditional use permit procedure in (see Chapter 17.134 for the CUP procedure)~~ and upon determination that such smaller dimensions are ample for the size and type of trucks or goods which foreseeably will be involved in the loading operations of the activity served.

- A. For Residential Activities: twenty-three (23) feet long, ten (10) feet wide, and twelve (12) feet high;
- A.B. For all Industrial Activities and for General Wholesale Sales, Building Material Sales, Automobile and Other Light Vehicle Sales and Rental, Automobile and Other Light Vehicle Gas Station and Servicing; forty-five (45) feet long, twelve (12) feet wide, and fourteen (14) feet high;
- B.C. For Undertaking Service Commercial Activities: twenty-five (25) feet long, ten (10) feet wide, and eight (8) feet high;
- C.D. For all other activities for which loading facilities are required: thirty-three (33) feet long, twelve (12) feet wide, and fourteen (14) feet high.

**17.116.240 Tandem spaces and berths.**

~~(See illustration I-21.) No required loading berths shall be tandem. One required parking space on any lot containing both one (1) unit and fewer than three (3) required off-street parking spaces may be tandem. A vehicle shall not have to cross another loading berth, or a parking space, in order to gain access to any required loading berth. On any lot containing three (3) or more required off-street parking spaces, or containing required spaces for two (2) or more residential living dwelling units, required parking spaces shall not be tandem, a vehicle shall not have to cross another parking space, or a loading berth, in order to gain access to a required parking space, except that:~~

- A. In the S-11 Zone, with the provision of three (3) or more required parking spaces for a given One-Family Dwelling or One-Family Dwelling with Secondary Unit Residential Facility, tandem parking may be permitted for at least fifty percent (50%) of the vehicles shall not have to cross another parking space in order to gain access to a required parking spaces for a One-Family Dwelling or One-Family Dwelling with Secondary Unit Residential Facility.
- B. In the S-12 Zone, tandem parking may be permitted for One-Family Dwelling, One-Family Dwelling with Secondary Unit, Two-Family Dwelling, and Multi-family Dwelling Residential Facilities under the provisions of Section 17.94.060.

- C. In any zone, except when combined with the S-11 or S-12 Zones, tandem parking may be permitted for two (2) ~~one (1)~~ of the required spaces on a lot containing a One-Family Dwelling with Secondary Unit Residential Facility if the floor area of the Secondary Unit does not exceed the maximum allowed in Section 17.103.080.
- D. In any zone, tandem parking may be permitted for Nonresidential Activities upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that such proposal conforms to either or both of the following use permit criteria:
  - 1. That a full-time parking attendant supervises the parking arrangements at all times when the activities served are in active operation;
  - 2. That there are a total of ten (10) or fewer parking spaces on a lot, or within a separate parking area or areas on a lot, which spaces are provided solely for employees.
- F. Tandem parking spaces may be provided for Residential Care Residential Activities pursuant to the provisions of Section 17.116.060B.

**17.116.290 - Special requirements applying in some zones.**

- A. Whenever required off-street parking or loading facilities are located where the applicable individual zone regulations or development control maps require a conditional use permit for parking or loading or prescribe other special controls thereon, such regulations shall be complied with in addition to the standards prescribed above for required parking and loading.
- B. In the S-15 and D-CO-1 Zzones:
  - 1. Location of Parking. All off-street parking may be provided anywhere on the lot, or on a separate lot which is not in common ownership with the subject lot, provided that a long-term lease agreement or comparable binding agreement is provided, pursuant to Section 17.116.180.
  - 2. Parking Serving Nonresidential Uses. Off-street parking serving nonresidential uses may only be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedures in Chapter 17.134.
  - 3. Ground Floor Parking and Loading. Off-street parking, loading, and driveway located within twenty (20) feet from all pedestrian walkways and plazas may only be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedures in Chapter 17.134 and Section 17.100.100.
  - 4. Provisions for Shared Parking. Off-street parking may be shared amongst daytime activities between the hours of business operation and between the hours of nighttime activities. The number of required parking spaces for daytime use may be transferable to required parking or nighttime use, provided that a long-term lease agreement or comparable binding agreement is provided, pursuant to Section 17.116.180.
  - 5. Exceptions to Parking Requirement. The number of parking spaces provided may exceed the number required upon the granting of a conditional use permit pursuant to Section 17.100.100 and the conditional use permit procedure in Chapter 17.134.

~~C. In the RU-4, RU-5, CN, CC, CR, CBD, D-CO-1, or S-15 zones, the required number of parking spaces may be reduced by up to fifty percent (50%) upon the granting of a conditional use permit (see Chapter 17.134). The conditional use permit may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and the following criterion: The Planning Director has determined that there will not be a significant parking impact on the surrounding neighborhood through a combination of a parking demand management plan, transit availability, and other factors.~~

### **17.116.300 Parking accommodation requirements for One- and Two-Family Residential Facilities.**

The provisions of this Section apply to lots containing One-Family Dwelling, One-Family Dwelling with Secondary Unit, and Two-Family Dwelling Residential Facilities. Exceptions to the provisions of this Section may be approved pursuant to the Regular Design Review procedure in Chapter 17.136.

#### **A. Required parking location**

##### **1) This subsection applies to lots where both:**

- i. At least sixty percent (60%) of the buildings in the immediate context have required parking located to the rear or side at a depth of at least twenty-five (25) feet from the front lot line; and**
- ii. The difference in elevation of existing grade between the midpoint of the front lot line and the farthest opposite point of the lot depth is not twenty percent (20%) or greater.**

##### **2) For the lots described in Subsection 17.116.300(A)(1), the entirety of rRequired Garage, Carport or Uncovered Parking Location to the Side or Rear of a Residence in Certain Cases. gGarages, carports or any uncovered required parking spaces shall be located at one of the following locations:**

- 1. To the rear or side of any primary Residential Facility; or**
- 2. In the case of uncovered parking, closer to an interior side lot line than the principal facility.**
- 3. and at a A minimum of twenty-five (25) feet from the front lot line if:**
  - i1. At least sixty percent (60%) of the buildings in the immediate context have garages, carports and uncovered required parking located at a depth of at least twenty five (25) feet from the front lot line; and**
  - ii2. On the lot being developed, the difference in elevation of existing grade between the midpoint of the front lot line and the farthest opposite point of the lot depth does not exceed a gradient of twenty percent (20%).**

The immediate context shall consist of the five (5) closest lots on each side of the project site plus the ten (10) closest lots on the opposite side of the street; however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any approval of any required garage, carport, or uncovered parking space. Lots with a front lot line width of less than thirty-five (35) feet are exempt from this Subsection if the garage, carport or uncovered parking

space dimensions facing the front lot line equal less than fifty (50) percent of the building elevation facing the front lot line.

- B. Garage or Carport Recessed from Front of Residence in Certain Cases. When an attached or detached garage or carport is not subject to Subsection A. of this Section and is located on lots with a street-to-setback gradient of twenty percent (20%) or less and where the face of the primary Residential Facility, including projections at least eight (8) feet in height and five (5) feet in width, such as covered porches and bay windows, is within twenty-five (25) feet of the front lot line, at least one of the following requirements shall apply:
1. The front of the garage or carport shall be set back a minimum of five (5) feet from such face; or
  2. If the garage or carport is located below living space, either:
    - a. The front of the garage or carport shall be set back at least eighteen (18) inches from the upper level living space; or
    - b. The garage door shall be recessed at least six (6) inches from the surrounding exterior wall surfaces.
- C. Maximum Widths of Garages and Carports. Garages and carports shall have a maximum width of twenty-two (22) feet if the front of the garage or carport is located within thirty (30) feet of a street line and shall have a maximum width of thirty (30) feet if located elsewhere. In addition, all attached garages and carports shall have a maximum width not to exceed fifty percent (50%) of the total width of the primary Residential Facility if the front of the garage or carport is located within thirty (30) feet of a street line.
- D. Parking Restricted to Garages, Carports, Uncovered Required Parking Spaces or Driveways. Parking on a lot containing primary Residential Facilities may take place only in garages, carports, uncovered required parking spaces, or approved driveways.

**17.116.310 Unbundled Parking.**

With the exception of affordable housing as defined by Section 17.107.020, the following rules shall apply to new Multifamily Dwelling Residential Facilities of ten (10) or more units:

- A. Off-street parking spaces shall be rented or sold separately from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space(s).
- B. Off-street parking spaces shall only be offered to residents of the dwelling units served by the off-street parking. In the RU-4, RU-5, CBD and any Commercial Zone, any spaces (required or not required) not purchased or rented by residents may be rented to non-residents. Such spaces must be vacated on thirty (30) days' notice if requested by residents to be made available to them.
- C. A notice describing the unbundling requirement shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

## EXHIBIT B: PROPOSED CHANGES TO MUNICIPAL CODE

The following contains the Oakland Municipal Code text that reflects the additions and deletions proposed by the ordinance. This version does not show the proposed additions in underline or the proposed deletions in strikethrough to accommodate a clearer reading of the proposal.

### Title 17 PLANNING

#### Chapters:

Chapter 17.74 - S-1 MEDICAL CENTER COMMERCIAL ZONE REGULATIONS

Chapter 17.76 - S-2 CIVIC CENTER COMMERCIAL ZONE REGULATIONS

Chapter 17.78 - S-3 RESEARCH CENTER COMMERCIAL ZONE REGULATIONS

Chapter 17.97 - S-15 TRANSIT-ORIENTED DEVELOPMENT COMMERCIAL ZONES  
REGULATIONS

Chapter 17.101F - D-GI GATEWAY DISTRICT INDUSTRIAL ZONE REGULATIONS

## Chapter 17.09 DEFINITIONS

### Sections:

17.09.040 Definitions.

#### 17.09.040 Definitions.

**"Car-share, public"** means a service that provides an integrated citywide network of neighborhood-based motor vehicles available to members by reservation on an hourly basis or in smaller intervals.

**"Car-share, private"** means a service provided within a development that provides motor vehicles available only to occupants and only on an hourly basis or in smaller intervals.

**"Dependent loading berth"** means a loading berth that can only be accessed by driving across another parking space or loading berth. (See also "Independent loading berth" and "Tandem loading berth" in this Section.)

**"Dependent parking space"** means a parking space that can only be accessed by driving across another parking space or loading berth. (See also "Independent parking space" and "Tandem parking" in this Section.)

**"Ground floor"** means the story of a building that is at or nearest ground level.

**"Independent loading berth"** means a loading berth that can be accessed without driving across another parking space or loading berth. (See also "Dependent loading berth" and "Tandem parking" in this Section.)

**"Independent parking space"** means a parking space that can be accessed without driving across another parking space or loading berth. (See also "Dependent parking space" and "Tandem parking" in this Section.)

**"Major Classes"** are the categories of individual Activity and Facility Types that are in this Chapter. The Major Activity Classes are: Residential, Civic, Commercial, Industrial, and Agricultural and Extractive. The Major Facility Classes are: Residential, Nonresidential, Signs, and Telecommunications.

**"Use"** means an Activity and/or Facility.

**Chapter 17.10 USE CLASSIFICATIONS**

**Sections:**

**Article I - General Classification Rules**

**Article I General Classification Rules**



**Chapter 17.33 CN NEIGHBORHOOD CENTER COMMERCIAL ZONES REGULATIONS**

**Sections:**

17.33.030 Permitted and conditionally permitted activities.

17.33.030 Permitted and conditionally permitted activities.

**Table 17.33.01: Permitted and Conditionally Permitted Activities**

Activities	Zones				Additional Regulations
	CN-1	CN-2	CN-3	CN-4	
<b>Commercial Activities</b>					
Automotive Fee Parking	C(L4)	C(L4)	C(L4)	C	17.103.055

**Chapter 17.35 CC COMMUNITY COMMERCIAL ZONES REGULATIONS**

**Sections:**

17.35.030 Permitted and conditionally permitted activities.

17.35.030 Permitted and conditionally permitted activities.

**Table 17.35.01: Permitted and Conditionally Permitted Activities**

Activities	Zones			Additional Regulations
	CC-1	CC-2	CC-3	
<b>Commercial Activities</b>				
Automotive Fee Parking	C	C	C	17.103.055

**Chapter 17.37 CR REGIONAL COMMERCIAL ZONES REGULATIONS**

**Sections:**

17.37.030 Permitted and conditionally permitted activities.

**17.37.030 Permitted and conditionally permitted activities.**

Table 17.37.01 lists the permitted, conditionally permitted, and prohibited activities in the CR Zone. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities.

**Table 17.37.01: Permitted and Conditionally Permitted Activities**

Activities	Zone	Additional Regulations
	CR-1	
<b>Commercial Activities</b>		
Automotive Fee Parking	-(L7)	

**Limitations on Table 17.37.01:**

L7. Existing automotive fee parking lots may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or expanding the size of the parcel with the parking constitutes an expansion of a nonconforming use and is not permitted.

**Chapter 17.58 CBD CENTRAL BUSINESS DISTRICT ZONES REGULATIONS <sup>[25]</sup>**

**Sections:**

17.58.040 Permitted and conditionally permitted activities.

**17.58.040 Permitted and conditionally permitted activities.**

**Table 17.58.01: Permitted and Conditionally Permitted Activities**

Activities	CBD-R	CBD-P	CBD-C	CBD-X	Additional Regulations
<b>Commercial Activities</b>					
Automotive Fee Parking	C(L14)	C(L14)	C(L14)	C(L14)	17.103.055

**Limitations:**

L14. Automotive fee parking is permitted upon the granting of conditional use permit (see Chapter 17.134 for the CUP procedure) if it is located in either a parking structure that is at least three (3) stories high or in a below grade parking lot. Automotive fee parking is otherwise prohibited.

## Chapter 17.65 HBX HOUSING AND BUSINESS MIX COMMERCIAL ZONES REGULATIONS

### Sections:

17.65.010 Title, purpose, and applicability.

17.65.010 Title, purpose, and applicability.

The provisions of this Chapter shall be known as the HBX Housing and Business Mix Commercial Zones Regulations. This Chapter establishes land use regulations for the HBX-1, HBX-2, HBX-3, and HBX-4 Zones.

**Housing and Business Mix - 1 (HBX-1) Commercial Zone.** The HBX-1 Commercial Zone is intended to provide development standards that provide for the compatible coexistence of industrial and heavy commercial activities and medium density residential development. This zone recognizes the equal importance of housing and business.

**Housing and Business Mix - 2 (HBX-2) Commercial Zone.** The HBX-2 Commercial Zone is intended to provide development standards for areas that have a mix of industrial, certain commercial and medium to high density residential development. This zone recognizes the equal importance of housing and business.

**Housing and Business Mix - 3 (HBX-3) Commercial Zone.** The HBX-3 Commercial Zone is intended to provide development standards for areas that have a mix of industrial, heavy commercial and higher density residential development. This zone is intended to promote housing with a strong presence of commercial and industrial activities.

**Housing and Business Mix - 4 (HBX-4) Commercial Zone.** The HBX-4 Commercial Zone is intended to provide development standards for Live/Work, Work/Live, and housing in areas with a strong presence of industrial and heavy commercial activities.

## Chapter 17.73 CIX, IG AND IO INDUSTRIAL ZONES REGULATIONS

### Sections:

17.73.010 Title, purpose, and applicability.

### 17.73.010 Title, purpose, and applicability.

A. **Description of Zones.** This Chapter establishes land use regulations for the following zones:

1. **CIX-1 Commercial Industrial Mix - 1 Industrial Zone.** The CIX-1 Zone is intended to create, preserve, and enhance industrial areas that are appropriate for a wide variety of businesses and related commercial and industrial establishments. This zone is intended to accommodate existing older industries and provide flexibility in order to anticipate new technologies. Large-scale commercial and retail uses will be limited to sites with direct access to the regional transportation system.
2. **CIX-1A West Oakland Plan Area Commercial Industrial Mix - 1A Industrial Zone (Business Enhancement).** The CIX-1A Zone intended to create, preserve, and enhance industrial areas in the West Oakland Specific Plan Area that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small spaces for start-up businesses.
3. **CIX-1B West Oakland Plan Area Commercial Industrial Mix - 1B Industrial Zone (Low Intensity Business).** The CIX-1B Zone is intended to support industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.
4. **CIX-1C West Oakland Plan Area Commercial Industrial Mix - 1C Industrial Zone (High Intensity Business).** The CIX-1C Zone is intended to support industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of higher intensity commercial, retail, office, and advanced manufacturing-type users. This zone is applied to areas with strong locational advantages that make possible the attraction of high intensity commercial and light industrial land uses and development types.
5. **CIX-1D West Oakland Plan Area Commercial Industrial Mix - 1D Industrial Zone (Retail Commercial Mix).** The CIX-1D Zone is intended to create, preserve, and enhance industrial areas in the West Oakland Specific Plan Area that are appropriate for a broad range of large-scale retail and commercial uses. This district is applied to areas with a prominent street location.
6. **CIX-2 Commercial Industrial Mix - 2 Industrial Zone.** The CIX-2 Zone is intended to create, preserve, and enhance industrial areas that are appropriate for a wide variety of commercial and industrial establishments. Uses with greater off-site impacts may be permitted provided they meet specific performance standards and are buffered from residential areas.
7. **IG General Industrial Zone.** The IG Zone is intended to create, preserve and enhance areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments that may have the potential to generate off-

site impacts such as noise, light/glare, odor, and traffic. This zone allows heavy industrial and manufacturing uses, transportation facilities, warehousing and distribution, and similar and related supporting uses. Uses that may inhibit such uses, or the expansion thereof, are prohibited. This district is applied to areas with good freeway, rail, seaport, and/or airport access.

8. **IO Industrial Office Industrial Zone.** The IO Zone is intended to create and support areas of the City that are appropriate for a wide variety of businesses and related commercial and industrial establishments in a campus-style setting. Development and performance standards in this district are more restrictive and accommodate large-parcel development in an attractive, well-landscaped setting. Future development shall reflect large-scale office, research and development, light industrial, wholesaling and distribution, and similar and related supporting uses.

**Chapter 17.74 S-1 MEDICAL CENTER COMMERCIAL ZONE REGULATIONS**

**Sections:**

17.74.040 Conditionally permitted activities.

**17.74.040 Conditionally permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

C. Commercial Activities:

Automotive Fee Parking (see Section 17.103.055 for Automotive Fee Parking on a lot containing a principal activity in a principal facility)



## **Chapter 17.76 S-2 CIVIC CENTER COMMERCIAL ZONE REGULATIONS**

### **Sections:**

17.76.010 Title, purpose, and applicability.

17.76.060 Conditionally permitted activities.

### **17.76.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the S-2 Civic Center Commercial Zone Regulations. The Civic Center (S-2) Zone is intended to create, preserve, and enhance areas devoted primarily to major public and quasi-public facilities and auxiliary uses, and is typically appropriate to portions of the Oakland Central District and to outlying areas of public facilities. These regulations shall apply in the S-2 Zone.

### **17.76.060 Conditionally permitted activities.**

The following activities, as described in the use classifications in Chapter 17.10, may be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134:

#### **C. Commercial Activities:**

Automotive Fee Parking (see Section 17.103.055 for Automotive Fee Parking on parcels containing a principal activity in a principal facility)

**Chapter 17.78 S-3 RESEARCH CENTER COMMERCIAL ZONE REGULATIONS**

**Sections:**

17.78.010 Title, purpose, and applicability.

**17.78.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the S-3 Research Center Commercial Zone Regulations. The Research Center (S-3) Zone is intended to create, preserve, and enhance areas devoted primarily to conference, research, administrative, and recreational activities in attractive surroundings conducive to such pursuits, and is typically appropriate to relatively secluded locations. These regulations shall apply in the S-3 Zone.

## **Chapter 17.97 S-15 TRANSIT-ORIENTED DEVELOPMENT COMMERCIAL ZONES REGULATIONS**

### **Sections:**

17.97.010 Title, purpose, and applicability.

17.97.020 Required design review process.

17.97.025 Use Permit Criteria

17.97.030 Special regulations for large-scale developments.

17.97.035 Special regulations applying to mixed-use developments on Bay Area Rapid Transit (BART) stations on sites with one (1) acre or more land area.

17.97.040 Permitted and conditionally permitted activities.

17.15.050 Permitted and conditionally permitted facilities.

17.97.060 Property development standards.

17.97.070 Height, floor area ratio (FAR), density, and open space.

17.97.080 Special regulations for Mini-Lot and Planned Unit Developments.

17.97.090 Other zoning provisions.

### **17.97.010 Title, purpose, and applicability.**

The provisions of this Chapter shall be known as the S-15 Transit-Oriented Development Commercial Zones Regulations. The Transit-Oriented Development (S-15) Zones are intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of Residential, Civic, Commercial, and Light Industrial Activities, allowing for amenities such as benches, kiosks, lighting, and outdoor cafes; and by limiting conflicts between vehicles and pedestrians, and is typically appropriate around transit centers such as Bay Area Rapid Transit (BART) stations, AC Transit centers, and other transportation nodes. These regulations shall apply in the S-15 Zones.

### **17.97.025 Use permit criteria.**

In the S-15 Zones, a Conditional Use Permit for any Activity or Facility listed in Sections 17.97.030, 17.97.040, 17.97.050, and 17.97.080, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:

- A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area;

- B. That the proposal will encourage an appropriate mixture of Residential and/or Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation;
- C. That the proposal is designed to provide a safe and pleasant pedestrian environment;
- D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:
  - 1. That vehicular access cannot reasonably be provided from a different street or other way;
  - 2. That every reasonable effort has been made to share means of vehicular access with abutting properties;
  - 3. That the proposal is enclosed or screened from view of the abutting principal street by the measures required in Section 17.110.040B.
- E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement.
- F. In addition to the foregoing criteria and any other applicable requirements, Automotive Fee Parking within this zone shall be subject to the following use permit criteria:
  - 1. Automotive Fee Parking Commercial Activities shall be part of a larger development that contains a significant amount of Commercial and/or Residential Facilities;
  - 2. Automotive Fee Parking Commercial Activities may only be contained in a structured parking facility of at least three (3) stories that replaces an existing at grade parking facility;
  - 3. The new parking structure shall represent no more than a seventy-five percent (75%) increase of existing parking at the site;
  - 4. Automotive Fee Parking Commercial Activities at the site shall be specifically designated by a city sponsored plan or study designed to promote a transit oriented district as defined by the General Plan;
  - 5. The facility or facilities containing the Residential and/or Commercial Activities shall be adjacent to the principal street(s) and the Automotive Fee Parking Commercial Activities shall be behind and substantially visually obstructed from the principal Street(s) by the Residential and/or Commercial Facility or Facilities; and
  - 6. The project shall be consistent in all significant respects with the General Plan's goals, objectives, and policies that promote transit oriented development and districts.

**17.97.030 Special regulations for large-scale developments.**

No development which involves more than one hundred thousand (100,000) square feet of new floor area shall be permitted except upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and Section 17.97.100, or upon the granting of a Planned Unit Development approval pursuant to Chapters 17.140 and 17.142.

**17.97.035 Special regulations applying to mixed-use developments on Bay Area Rapid Transit (BART) stations on sites with one (1) acre or more land area.**

No mixed-use developments that include Bay Area Rapid Transit (BART) stations located on sites with one (1) acre or more land area shall be permitted except upon the granting of a conditional use permit pursuant to Section 17.97.025 and the conditional use permit procedure in Chapter 17.134 or upon the granting of a Planned Unit Development permit pursuant to Chapters 17.140 and 17.142, and shall be subject to the following special regulations:

- A. Intermodal Activities and Pedestrian Plaza. Developments should incorporate multiple forms of public transportation and a pedestrian plaza.
- B. Professional Design. The application shall utilize the following professionals in the design process for the development:
  - 1. An architect licensed by the state of California; and
  - 2. A landscape architect licensed by the state of California, or an urban planner holding or capable of holding membership in the American Institute of Certified Planners.
- C. Undergrounding of Utilities. All electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities shall be placed underground by the developer as required by the city. Electric and telephone facilities shall be installed in accordance with standard specifications of the serving utilities. Street lighting and fire alarm facilities shall be installed in accordance with standard specifications of the Electrical Department.
- D. Performance Bonds. The City Planning Commission or, on appeal, the City Council may, as a condition of approval of any said development, require a cash bond or surety bond for the completion of all or specified parts of the development deemed to be essential to the achievement of the purposes set forth in Section 17.97.010. The bond shall be in a form approved by the City Attorney, in a sum of one hundred fifty percent (150%) of the estimated cost of the work, and conditioned upon the faithful performance of the work specified within the time specified. This requirement shall not apply if evidence is provided to the city which indicates that alternative bonding or other assurances have been secured by the Bay Area Rapid Transit District.

**17.97.040 Permitted and conditionally permitted activities.**

**Table 17.97.01: Permitted and Conditionally Permitted Activities**

Activities	Zone		Additional Regulations
	S-15	S-15W	
<b>Commercial Activities</b>			
Automotive Fee Parking	C	C	
<b>Industrial Activities</b>			
Custom Manufacturing	C(L3)	P(L3)	
Light Manufacturing	—	C	

Activities	Zone		Additional Regulations
	S-15	S-15W	
Research and Development	—	C(L3)	
<b>Agriculture and Extractive Activities</b>			
Limited Agriculture	P(L4)	P(L4)	
Extensive Agriculture	C(L5)	C(L5)	

**Limitations on Table 17.97.01:**

**L3. Industrial Activities.** All accessory Industrial Activities shall be conducted entirely within an enclosed facility.

**L4. Limited Agriculture** is permitted outright if the activity occupies less than one (1) acre of land area and any sales area is less than one thousand (1,000) square feet; conditionally permitted if the activity is larger in either land or sales area (see Chapter 17.134 for the CUP procedure).

**L5. Extensive Agriculture** is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure). In addition to the CUP criteria contained in Section 17.134.050, these activities must meet the use permit criteria in Section 17.97.025.

**17.97.060 Property development standards.**

A. **Zone Specific Standards.** Table 17.97.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations" column refer to the regulations listed at the end of the Table.

**Table 17.97.03: Property Development Standards**

Activities	Zones		Additional Regulations
	S-15	S-15W	
<b>Minimum Lot Dimensions</b>			
Lot Width mean	25 ft.	25 ft.	1
Frontage	25 ft.	25 ft.	1
Lot area	4,000 sf.	4,000 sf.	1
<b>Minimum/Maximum Setbacks</b>			
Minimum front	0 ft.	0 ft.	2

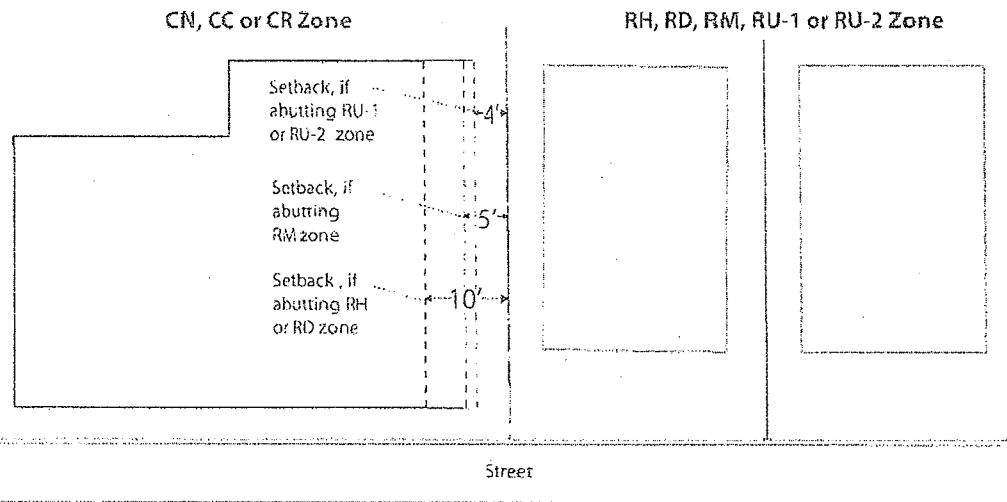
Activities	Zones		Additional Regulations
	S-15	S-15W	
Minimum interior side	0 ft.	0 ft.	3
Minimum street side	0 ft.	0 ft.	4
Rear (Residential Facilities)	10 ft.	10 ft.	5, 6
Rear (Nonresidential Facilities)	0/10 ft.	0/10 ft.	5, 6
Parking Requirement	See Chapter 17.116 for automobile parking and Chapter 17.117 for bicycle parking		14
Courtyard Regulations	See Section 17.108.120		
Height and Floor Area Ratio Regulations	See Table 17.97.04		
Ground Floor Parking and Loading Requirement	Yes		7

#### Additional Regulations for Table 17.97.03:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, lot width mean, and street frontage regulations.
2. If fifty percent (50%) or more of the frontage on one side of the street between two intersecting streets is in any Residential Zone and all or part of the remaining frontage is in any Commercial or Industrial Zone, the required front setback of the commercially or industrially zoned lots is one-half ( $\frac{1}{2}$ ) of the minimum front setback required in the Residential Zone. If fifty percent (50%) or more of the total frontage is in more than one Residential Zone, then the minimum front setback on the commercially or industrially zoned lots is one-half ( $\frac{1}{2}$ ) of that required in the Residential Zone with the lesser front setback.
3. Wherever an interior side lot line abuts an interior side lot line of any lot located in an RH or RD Zone, the setback of the abutting portion of its side lot line is ten (10) feet. In the case where an interior side lot line abuts an interior side lot line in an RM Zone, the setback of the abutting portion of its side lot line is five (5) feet. In the case where an interior side lot line abuts a side yard of an RU-1 or RU-2 lot, a side setback of four (4) feet is required (see Illustration for Table 17.97.03 [Additional Regulation 3], below). Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.97.03 [Additional Regulation 3]

\*for illustration purposes only

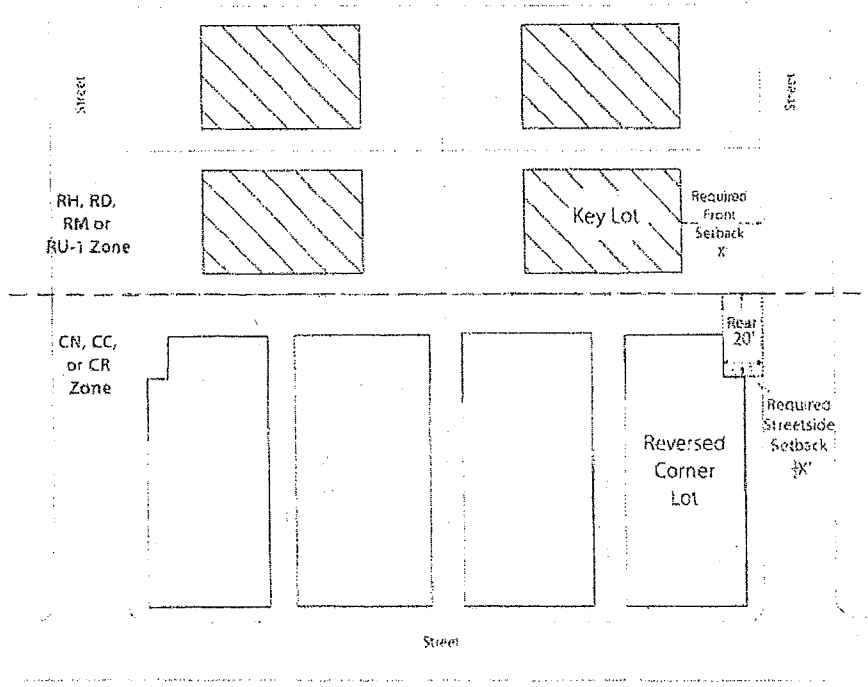


4. When the rear yard of a reversed corner lot abuts a key lot that is in an RH, RD, or RM Zone, the required street side yard setback in the rear twenty (20) feet of the reversed corner lot is one-half ( $\frac{1}{2}$ ) of the minimum front yard required on the key lot. (see Illustration for Table 17.97.03 [Additional Regulation 4], below) Also, see Section 17.108.130 for allowed projections into setbacks.

Illustration for Table 17.97.03 [Additional Regulation 4]

\*for illustration purposes only





5. Wherever a rear lot line abuts an alley, one-half of the right-of-way width of the alley may be counted toward the required minimum rear setback; provided, however, that the portion of the minimum rear setback actually on the lot itself shall not be so reduced to less than ten (10) feet. Also, see Section 17.108.130 for allowed projections into setbacks.

6. When a rear lot line is adjacent to an RH, RD, or RM Zone, the required rear setback for both Residential and Nonresidential Facilities is ten (10) feet. When a rear lot line is not adjacent to an RH, RD, or RM Zone, the required rear setback is ten (10) feet for Residential Facilities and there is no required setback for Nonresidential Facilities.

7. Ground Floor Parking and Loading. Off-street parking, loading, and driveway located within twenty (20) feet from all pedestrian walkways and plazas may only be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedures in Chapter 17.134 and the use permit criteria in Section 17.97.025.

**17.97.070 Height, floor area ratio (FAR), density, and open space.**

**17.97.090 Special regulations for Mini-Lot and Planned Unit Developments.**

- A. **Mini-Lot Developments.** In Mini-Lot Developments, certain regulations that apply to individual lots in the S-15 Zones may be waived or modified when and as prescribed in Chapter 17.142.
- B. **Planned Unit Developments.** Large integrated developments shall be subject to the Planned Unit Development regulations in Chapter 17.142 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the S-15 Zones, and certain of the other regulations applying in said zone may be waived or modified. The normally required design review process may also be waived for developments at the time of initial granting of a Planned Unit Development (PUD) permit. Unless otherwise specified in the PUD permit, any future changes within the Planned Unit Development shall be subject to applicable design review regulations.

**17.97.100 Other zoning provisions.**



**Chapter 17.101B D-OTN OAK TO NINTH DISTRICT ZONE REGULATIONS**

**Sections:**

17.101B.020 Permitted and conditionally permitted activities.

17.101B.020 Permitted and conditionally permitted activities.

**Table 17.101B.01: Permitted and Conditionally Permitted Activities**

Activities	Zones		Additional Regulations
	D-OTN	OS-RSP	
<b>Commercial Activities</b>			
Automotive Fee Parking	C	—	17.103.055

## Chapter 17.101C D-BV BROADWAY VALDEZ DISTRICT COMMERCIAL ZONES REGULATIONS

### Sections:

17.101C.010 - Title, intent, and description.

17.101C.050 - Property development standards.

### 17.101C.010 - Title, intent, and description.

**B. Description of Zones.** This Chapter establishes land use regulations for the following four (4) zones:

1. **D-BV-1 Broadway Valdez District Retail Priority Sites– 1 Commercial Zone.** The intent of the D-BV-1 Zone is to establish Retail Priority Sites in the Broadway Valdez District Specific Plan Area in order to encourage a core of comparison goods retail with a combination of small-, medium-, and large-scale retail stores. Priority Sites 3 and 5 are further divided into subareas a, b, and c and Priority Site 4 into subareas a and b as shown in the Height Area Map. Each Retail Priority Site and subarea will have a specified minimum square footage of retail required prior to Residential or Transient Habitation Activities and Facilities being permitted.
2. **D-BV-2 Broadway Valdez District Retail– 2 Commercial Zone.** The intent of the D-BV-2 Zone is to create, maintain, and enhance areas of the Broadway Valdez District Specific Plan Area for ground-level retail, restaurants, entertainment, and art activities with pedestrian-oriented, active storefront uses. Upper-story spaces are intended to be available for a wide range of Office and Residential Activities.
3. **D-BV-3 Broadway Valdez District Mixed Use Boulevard– 3 Commercial Zone.** The D-BV-3 Zone is intended to create, maintain, and enhance areas with direct frontage and access along Broadway, 27<sup>th</sup> Street, Piedmont Avenue, and Harrison Street. A wider range of ground-floor office and other commercial activities are allowed than permitted in the D-BV-2 Zone with upper-story spaces intended to be available for a broad range of Residential, Office, or other Commercial Activities. Mixed uses can either be vertical and/or horizontal.
4. **D-BV-4 Broadway Valdez District Mixed Use– 4 Commercial Zone.** The D-BV-4 Zone is intended to create, maintain, and enhance areas that do not front Broadway, 27<sup>th</sup> Street, Piedmont Avenue, or Harrison Street, and allows the widest range of uses on the ground floor including both residential and commercial businesses. Upper-story spaces are intended to be available for a broad range of Residential or Commercial Activities.

### 17.101C.050 - Property development standards.

**A. Zone Specific Standards.** Table 17.101C.03 below prescribes development standards specific to individual zones. The number designations in the "Additional Regulations"

column refer to the regulations listed at the end of the Table. "—" indicates that a standard is not required in the specified zone.

**Table 17.101C.03: Property Development Standards**

Development Standards	Zones				Combining Zone*	Additional Regulations
	D-BV-1	D-BV-2	D-BV-3	D-BV-4		
Minimum Required Parking	See Chapter 17.116 for automobile parking regulations; and Section 17.116.110(l) for additional parking regulations for the D-BV Zones. See Chapter 17.117 for bicycle parking regulations.				N	

**Chapter 17.101D D-KP KAISER PERMANENTE OAKLAND MEDICAL CENTER DISTRICT ZONES REGULATIONS**

**Sections:**

17.101D.010 Title, purpose and applicability.

17.101D.030 Permitted and conditionally permitted activities.

17.101D.040 Permitted and conditionally permitted facilities.

**17.101D.010 Title, purpose and applicability.**

A. **Title and Purpose.** The provisions of this Chapter shall be known as the D-KP Kaiser Permanente Oakland Medical Center District Zones Regulations. This Chapter establishes land use regulations for the D-KP-1, D-KP-2 D-KP-3 and D-KP-4 Zones. The purposes of the Kaiser Permanente Oakland Medical Center Zones are to:

B. **Description of Zones.** This Chapter establishes land use regulations for the following four (4) zones:

1. **D-KP-1 Kaiser Permanente Oakland Medical Center District – 1 Commercial Zone:** The D-KP-1 Zone is intended for those properties north of MacArthur Boulevard and west of Broadway.
2. **D-KP-2 Kaiser Permanente Oakland Medical Center District – 2 Commercial Zone:** The D-KP-2 Zone is intended for those properties south of MacArthur Boulevard.
3. **D-KP-3 Kaiser Permanente Oakland Medical Center District – 3 Commercial Zone:** The D-KP-3 Zone is intended for those properties north of MacArthur Boulevard and east of Broadway.
4. **D-KP-4 Kaiser Permanente Oakland Medical Center District – 4 Residential Zone:** The D-KP-4 Zone is intended for those single family residential properties on the east side of Manila Avenue and will have the permitted uses further restricted during time the properties remain a part of the Kaiser Permanente Oakland Medical Center.

**17.101D.030 Permitted and conditionally permitted activities.**

**Table 17.101D.01 Permitted and Conditionally Permitted Activities**

Activity Types	Zones			Additional Regulations
	D-KP-1	D-KP-2	D-KP-3	
<b>Commercial Activities</b>				
Automotive Fee Parking	C	C	C	17.103.055

**17.101D.040 Permitted and conditionally permitted facilities.**

Table 17.101D.02 lists the permitted, conditionally permitted, and prohibited facilities in the D-KP-1, D-KP-2, and D-KP-3 Zones. The descriptions of these activities are contained in Chapter 17.10.



## Chapter 17.101E D-CE CENTRAL ESTUARY DISTRICT ZONES REGULATIONS

### Sections:

17.101E.010 Title, intent, and description.

17.101E.030 Permitted and conditionally permitted activities.

### 17.101E.010 Title, intent, and description.

B. **Description of Zones.** This Chapter establishes land use regulations for the following six (6) zones:

1. **D-CE-1 Central Estuary District - 1 Commercial Zone (Embarcadero Cove).** The D-CE-1 Zone is intended to create, maintain, and enhance areas of the Central Estuary that have a mix of marine, office and other commercial uses.
2. **D-CE-2 Central Estuary District - 2 Commercial Zone (High Street Retail).** The D-CE-2 Zone is intended to create, maintain, and enhance areas of the Central Estuary with a wide range of commercial uses with direct street frontage and access to the freeway.
3. **D-CE-3 Central Estuary District Mix - 3 Commercial Zone (Jingletown/Elmwood).** The D-CE-3 Zone is intended to create, preserve, and enhance areas of the Central Estuary that have a mix of industrial, heavy commercial and residential development. This zone is intended to promote housing with a strong presence of Commercial and Industrial Activities.
4. **D-CE-4 Central Estuary District Mix - 4 Commercial Zone (Mixed Use Triangle).** The D-CE-4 Zone is intended to create, maintain, and enhance areas of the Central Estuary that have a mix of Industrial and Heavy Commercial Activities. Higher density residential development is also appropriate in this zone.
5. **D-CE-5 Central Estuary District - 5 Industrial Zone (Food Industry Cluster/High St. Warehouse Wedge/Tidewater South).** The D-CE-5 Zone is intended to create, preserve, and enhance areas of the Central Estuary that are appropriate for a wide variety of heavy commercial and industrial establishments. Uses with greater off-site impacts may be permitted provided they meet specific performance standards.
6. **D-CE-6 Central Estuary District - 6 Industrial Zone (Con Agra/Owens Brockway/Tidewater North).** The D-CE-6 Zone is intended to create, preserve, and enhance areas of the Central Estuary that are appropriate for a wide variety of businesses and related commercial and industrial establishments that may have the potential to generate off-site impacts, such as noise, light/glare, odor, and traffic. This zone allows industrial and manufacturing uses, transportation facilities, warehousing and distribution, and similar related supporting uses. Uses that may inhibit such uses, or the expansion thereof, are prohibited. This district is applied to areas with good freeway, rail, seaport, and/or airport access.

17.101E.030 Permitted and conditionally permitted activities.

Table 17.101E.01: Permitted and Conditionally Permitted Activities

Activities	Zones						Additional Regulations
	D-CE-1	D-CE-2	D-CE-3	D-CE-4	D-CE-5	D-CE-6	
<b>Commercial Activities</b>							
Automotive Fee Parking	—	—	—	C	C	C	17.103.055

**Chapter 17.101F D-GI GATEWAY DISTRICT INDUSTRIAL ZONE REGULATIONS**

**Sections:**

17.101F.010 Title, intent, and description.

**17.101F.010 Title, intent, and description.**

The provisions of this Chapter shall be known as the D-GI Gateway District Industrial Zone Regulations. The intent of the Gateway District Industrial (D-GI) Zone is to facilitate implementation of the Oakland Army Base Reuse Plan.



## Chapter 17.101H D-CO COLISEUM AREA DISTRICT ZONES REGULATIONS

### Sections:

17.101H.010 Title, intent, and description.

17.101H.030 Permitted and conditionally permitted activities.

17.101H.070 Use permit criteria in the D-CO-1 Zone.

### 17.101H.010 Title, intent, and description.

B. Description of Zones. This Chapter establishes land use regulations for the following six (6) zones:

1. **D-CO-1 Coliseum Area Transit-Oriented Development District - 1 Commercial Zone (Coliseum BART/ San Leandro Street).** The D-CO-1 Zone is intended to create, preserve and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high-density residential, commercial, and mixed-use developments, to encourage a balance of pedestrian-oriented activities, transit opportunities, and concentrated development; and encourage a safe and pleasant pedestrian environment near transit stations by allowing a mixture of Residential, Civic, Commercial, and Light Industrial Activities.
2. **D-CO-2 Coliseum Area District - 2 Commercial Zone (Coliseum District).** The D-CO-2 Zone is intended to create, maintain and enhance areas that allow a broad mixture of residential, retail, commercial, office, and light industrial uses, and serve as region-drawing centers of sports, entertainment, and business activities.
3. **D-CO-3 Coliseum Area District - 3 Commercial Zone (Oakport South / Hegenberger Road).** The D-CO-3 Zone is intended to create, maintain and enhance areas suitable for a wide variety of retail, commercial, and industrial operations along the Oakport Street and Hegenberger Road corridors, and in region-drawing centers of Commercial, and Light Industrial Activities.
4. **D-CO-4 Coliseum Area District - 4 Commercial Zone (Edgewater North / Waterfront).** The D-CO-4 Zone is intended to create, maintain and enhance a mix of activities on or near the Northwest Edgewater Drive waterfront. This zone allows for the consideration of housing, if shown to be compatible in an area with a strong presence of Commercial and Industrial Activities.
5. **D-CO-5 Coliseum Area Mix District - 5 Industrial Zone (Edgewater South / Pardee Drive).** The D-CO-5 Zone is intended to create, preserve, and enhance areas near Pardee Drive and within the southern portion of the Airport Business Park that are appropriate for a wide variety of Office, Commercial, Industrial, and Logistics Activities.
6. **D-CO-6 Coliseum Area Mix District - 6 Industrial Zone (Oakport North).** The D-CO-6 Zone is intended to apply to commercial, industrial and institutional areas with strong locational advantages that make possible the attraction of higher intensity commercial and light industrial land uses and development types.

**17.101H.030 Permitted and conditionally permitted activities.**

**Table 17.101H.01: Permitted and Conditionally Permitted Activities**

Activities	Zones						Additional Regulations
	D-CO-1	D-CO-2	D-CO-3	D-CO-4	D-CO-5	D-CO-6	
<b>Commercial Activities</b>							
Transient Habitation	C	C	C	C	—	C	17.103.050
Automotive Fee Parking	C	C	C(L11)(L15)	C	C	C	

**Limitations on Table 17.101H.01:**

**L15.** Existing automotive fee parking lots within three hundred (300) feet of a lot line adjacent to the Hegenberger Road right-of-way may be reconfigured to increase the number of parking spaces and make more efficient use of the existing parking area. Expansion of existing facilities to include structured parking or expanding the size of the parcel with the parking constitutes an expansion of a nonconforming use and is not permitted.

**17.101H.070 Use permit criteria in the D-CO-1 Zone.**

In the D-CO-1 Zone, a conditional use permit for any activity or facility listed in Sections 17.101H.030, 17.101H.040, and 17.101H.060, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the conditional use permit procedure in Chapter 17.134 and to the following additional use permit criteria:

- F. In addition to the foregoing criteria and any other applicable requirements, Automotive Fee Parking within this zone shall be subject to the following additional use permit criteria:
  1. The Automotive Fee Parking is part of a larger development that contains a significant amount of Commercial and/or Residential Facilities;
  2. The Automotive Fee Parking is contained in a structured parking facility of at least three stories that replaces an existing at-grade parking facility;
  3. The new parking structure represents no more than a seventy-five percent (75%) increase of existing parking at the site;
  4. Automotive Fee Parking at the site is designed to promote a transit oriented district as defined by the General Plan;

5. Where feasible, the Automotive Fee Parking is located behind and substantially visually obstructed from the principal street(s) by the Residential and/or Commercial Facility or Facilities; and
6. The project shall be consistent in all significant respects with the goals, objectives, and policies of the General Plan that promote transit oriented development and districts.

For purposes of Subsection 17.101H.100(F), "principal street" means the street or streets on which the development is most primarily oriented and that is appropriately designated in the general plan to accommodate the amount of trips proposed. On an interior lot, the principal street shall be the street in front of the development. On a corner lot, the principal streets shall be both the streets adjacent to the development. On a lot that has frontage on three (3) or more streets, at least two (2) streets shall be designated as principal streets.

**Chapter 17.103 SPECIAL REGULATIONS AND FINDINGS FOR CERTAIN USE CLASSIFICATIONS**

**Sections:**

Article III - Commercial Activities

**Article III Commercial Activities**

17.103.055 Automotive Fee Parking.

**17.103.055 Special Regulation regarding Automotive Fee Parking.**

- A. This section applies to every parcel that each:
  - 1. Is not within one-half (1/2) a mile from a BART Station;
  - 2. Is in an RU-5 Zone, or any Commercial Zone except a D-BV, S-15, CR, HBX, or D-CO-1 Zone; and
  - 3. Has a principal Enclosed Nonresidential Facility that contains a principal Nonresidential Activity other than an Auto Fee Parking Commercial Activity.
- B. Automotive Fee Parking is permitted on the parcels described in Subsection A, regardless of the use regulations of the underlying zone.



## **Chapter 17.116 OFF-STREET PARKING AND LOADING REQUIREMENTS**

### **Sections:**

Article I - General Provisions

Article II - Off-Street Parking Requirements

Article III – Reductions in Required Parking

Article IV - Off-Street Loading Requirements

Article V - Standards for Required Parking and Loading Facilities

### **Article I General Provisions**

17.116.020 Effect on new and existing uses.

17.116.030 More than one activity on a lot.

17.116.040 Determination by Director of City Planning.

#### **17.116.020 Effect on new and existing uses.**

- A. New Parking and Loading to Be Provided for New Facilities and Additions to Existing Facilities.** The off-street parking and loading requirements of this Chapter shall only be provided for activities occupying any portion of new facilities and new additions to existing facilities. The required amount of new parking and loading shall be based on the cumulative increase in floor area, or other applicable unit of measurement, and any minimum size for which parking or loading is required in Articles II and IV of this Chapter.
- B. Changes in Use within an Existing Facility.** Except as otherwise provided for conversions in historic facilities as described in Subsection 17.116.110(F), new dwelling units described in Subsection C, and for Residentially Oriented Joint Living and Working Quarters described in Section 17.102.195, a change of use within an existing facility to a different major class shall meet the parking and loading requirements of the new use. Additional parking and loading is not required for a change of use within an existing facility from one classification to another that is within the same major class.
- C. New Parking and Loading Provided for New Dwelling Units in Existing Facilities.** Except as provided for the conversion of historic facilities in Section 17.116.110(F), additions to historic facilities in Section 17.116.110(G), and for the conversion of a building into Residentially Oriented Joint Living and Working Quarters, as specified in Section 17.102.195, the parking and loading requirements of this Chapter apply to newly established dwelling units. However, additional parking only needs to be provided to the extent that the existing parking does not meet the new total parking requirement.
- D. Existing Required Parking and Loading to Be Maintained.** Existing parking or loading that is equal to or less than the minimum required shall not be reduced in amount unless

equivalent substitute facilities are provided. These substitute facilities must be consistent with the standards and requirements described in this Chapter.

- E. **Parking to be Provided for Existing Residential Facilities.** When a conditional use permit is required by Section 17.102.300 for the alteration of, or addition to, an existing Residential Facility in order to create a total of five (5) or more bedrooms in any dwelling unit, the off-street parking requirement of Section 17.102.300.C shall apply to the entire facility, including the existing facility and any alteration or addition.

**17.116.030 More than one activity on a lot.**

Whenever a single lot contains different activities with the same off-street parking or loading requirement, the overall requirement shall be based on the sum of all such activities, and the minimum size prescribed hereafter for which any parking or loading is required shall be deemed to be exceeded for all such activities if it is exceeded by their sum. Whenever a single lot contains activities with different off-street parking or loading requirements, the overall requirement shall be the sum of the requirements for each such activity calculated separately; provided, however, that the minimum size prescribed hereafter for which any parking is required shall be deemed to be exceeded on said lot for all activities for which the same or a smaller minimum size, expressed in the same unit of measurement, is prescribed, if said minimum size is exceeded by the sum of all such activities on the lot.

**17.116.040 Determination by Director of City Planning.**

In the case of activities for which the Director of City Planning is required to prescribe a number of parking spaces or loading berths, he or she shall base his or her determination on the traffic generation of the activities, the amount and frequency of loading operations thereof, the time of operation of the activities, their location, and such other factors as affect the need for off-street parking or loading. At his or her discretion, the Director of City Planning may require the applicant to provide an analysis of parking demand and capacity from an independent professional. Any such determination shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.

**Article II Off-Street Parking Requirements**

17.116.060 Off-street parking—Residential Activities.

17.116.070 Off-street parking—Civic Activities.

17.116.080 Off-street parking—Commercial Activities.

17.116.090 Off-street parking—Industrial Activities.

17.116.100 Off-street parking—Agricultural and Extractive Activities.

17.116.105 Special regulations in the CBD Zones.

**17.116.060 Off-street parking—Residential Activities.****A. Minimum and Maximum Parking for Permanent and Semi-Transient Residential Activities.**

1. **Minimum Parking.** Except as otherwise provided in Article III and elsewhere in this Title, the following amounts of off-street parking are required for all Permanent and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities:

Residential Facility Type	Zone	Total Required Parking
One-Family Dwelling.	RH and RD Zones, except when combined with the S-12 Zone.	Two (2) spaces for each dwelling unit; however, when combined with the S-11 Zone, the requirement is one (1) space per bedroom with a minimum of two (2) spaces per dwelling unit and a maximum requirement of four (4) spaces per dwelling unit.
	CBD, S-2, and D-LM Zones, except when combined with the S-12 Zone.	No spaces required.
	S-15 and D-CO Zones, except when combined with the S-12 Zone.	One-half (½)-space for dwelling unit.
	Any other zone, except when combined with the S-12 Zone.	One (1) space for each dwelling unit.
	Any zone combined with the S-12 Zone.	See Section 17.94.040.
One-Family Dwelling with Secondary Unit.	RH and RD Zones, except when combined with the S-12 Zone.	One (1) space for the Secondary Unit unless the lot already contains a total of at least three (3) spaces or is located in a transit accessible area pursuant to Section 17.103.080; however, when combined with the S-11 Zone, the requirement shall be one (1) space for each bedroom in any Secondary Unit, up to a maximum requirement of two (2) spaces per Secondary Unit. See Section 17.103.080.
	CBD, S-2, and D-LM Zones, except when combined with the S-12 Zone.	No additional space required for the Secondary Unit.

Residential Facility Type	Zone	Total Required Parking
	Any other zone, except when combined with the S-12 Zone.	One (1) space for the Secondary Unit unless the lot already contains a total of at least two (2) spaces or is located in a transit accessible area pursuant to Section 17.103.080; however, when combined with the S-11 Zone, the requirement shall be one (1) space for each bedroom in any Secondary Unit, up to a maximum requirement of two (2) spaces per Secondary Unit. See Section 17.103.080.
	Any zone combined with the S-12 Zone.	See Section 17.94.040.
Two-Family Dwelling.  Multifamily Dwelling.	RD-2 Zone, except when combined with the S-12 Zone.	One and one-half (1½) spaces for each dwelling unit.
	CBD, S-2, and D-LM Zones, except when combined with the S-12 Zone.	No spaces required.
	D-BV-1, D-BV-2, S-15, and D-CO Zones, except when combined with the S-12 Zone.	One-half (½) space for each dwelling unit.
	D-BV-3 and D-BV-4 Zones, except when combined with the S-12 Zone.	Three-quarters (¾) space for each dwelling unit.
	Any other zone, except when combined with the S-12 Zone.	One (1) space for each dwelling unit.
	Any zone combined with the S-12 Zone.	See Section 17.94.040.
Rooming House.	CBD, S-2 and D-LM Zones.	No spaces required.
	D-BV-1 and D-BV-2 Zones.	One (1) space for each four (4) rooming units.
	All other zones.	One (1) space for each two (2) rooming units.
Mobile	CBD, S-2, and D-LM Zones	No spaces required.

Residential Facility Type	Zone	Total Required Parking
Home.	All other zones.	One (1) space for each dwelling unit plus one (1) additional space for each four (4) dwelling units.
Bed and Breakfast.	CBD, S-2 and D-LM Zones.	No spaces required.
	All other zones.	One (1) space for each two (2) guest rooms, plus the required parking for a One-Family Dwelling in the underlying zone.

2. **Maximum Parking for Permanent and Semi-Transient Residential Activities.** No more than the following amounts of off-street parking are permitted for all Permanent and Semi-Transient Residential Activities when located in the indicated zones and occupying the specified facilities:

Residential Facility Type	Zone	Maximum Number of Parking Spaces
One-Family Dwelling.	CBD, S-15, D-LM, and D-CO Zones.	One and one-quarter (1¼) parking spaces per dwelling unit.
One-Family Dwelling with Secondary Unit.		
Two-Family Dwelling.	All other zones.	No maximum parking requirement.
Multifamily Dwelling.		
Mobile Home.		
Rooming House.	CBD, S-15, D-LM, and D-CO Zones.	One and one-quarter (1¼) parking spaces per each two rooming units.
	All other zones.	No maximum parking requirement.
Bed and Breakfast.	CBD, S-15, D-LM, and D-CO Zones.	One and one-quarter (1¼) parking spaces per each two guest rooms, plus the maximum allowed parking for a One-Family Dwelling in the underlying zone.
	All other zones.	No maximum parking requirement.

- B. **Residential Care and Emergency Shelter Residential Activities.** Except as otherwise provided in Article III and this Title, the following amounts of off-street parking are required for all Residential Care and Emergency Shelter Residential Activities when located in any

zone and occupying the specified facilities and/or having the specified number of employees and/or facility vehicles.

Residential Activity	Total Required Parking
Residential Care.	One (1) space for each three (3) employees on site during the shift that has maximum staffing, and one (1) space for each facility vehicle. Where more than two (2) spaces are required, additional spaces beyond two (2) may be provided in tandem.
Emergency Shelter.	One (1) space for each three (3) employees on site during the shift that has maximum staffing, plus one (1) space for each facility vehicle.

**17.116.070 Off-street parking—Civic Activities.**

Except as otherwise provided in Article III and elsewhere in this Title, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for the specified Civic Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated numbers of employees or doctors, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter:

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
A. Essential Service and Limited Childcare.	All zones.	—	No spaces required.
B. Community Assembly and Recreational Assembly: <ul style="list-style-type: none"> <li>◦ Playgrounds and playing fields;</li> <li>◦ Concessions located in public parks;</li> <li>◦ Temporary nonprofit festivals;</li> <li>◦ Private non-profit clubs and lodges.</li> </ul>	All zones.	—	No spaces required.
Churches and all other.	CBD-P, CBD-C, CBD-X, S-2, and D-LM-2 through D-LM-5 Zones.	—	No spaces required.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
	Any other zone.	Total of 75 seats, or 750 square feet of floor area where seats are not fixed in principal meeting rooms.	One space for each 15 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
C. Community Education: high schools.	CBD-P, CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5 Zones.	—	No spaces required.
All others.	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
D. Nonassembly Cultural. Administrative.	CBD-P, CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5 Zones.	—	No spaces required.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	No minimum.	One-half (1/2) space for each classroom.
	All other zones.	Ten thousand (10,000) square feet in the D-BV Zones and five thousand (5,000) square feet for all other zones.	One space per six hundred (600) square feet of floor area on the ground floor and one (1) space per one thousand (1,000) square feet of floor area on other floors.

Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
E. Health Care: hospitals.	CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5.	No minimum.	No spaces required.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
Clinics.	C-45, CBD-P, CBD-C, CBD-X, S-2 and D-LM-2 through D-LM-5.	—	No spaces required.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	No minimum.	Three (3) spaces for each staff or regular visiting doctor plus one (1) space for each two other employees.
All other.	C-45, CBD-P, CBD-C, CBD-X, S-2, and D-LM-2 through D-LM-5 Zones.	No minimum.	No spaces required.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
	Any other zone.	No minimum.	One (1) space for each six (6) beds, plus one space for each four (4) employees other than doctors, plus one space for each staff or regular visiting doctor.



Civic Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
F. Utility and Vehicular.	CDB-P, CBD-C, CBD-X, S-2, and D-LM-2 through D-LM-5 Zones.	—	No spaces required.
	S-15 and D-CO Zones.	—	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
	Any other zone.	Five thousand (5,000) square feet of floor area.	One (1) space for each three (3) employees plus one space for each vehicle used in connection with the activities.
G. Extensive Impact: colleges and universities.	CBD-P, CBD-C, CBD-X, and D-LM-2 through D-LM-5 Zones.	—	No spaces required.
	Any other zone.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040
All other.	All zones.	No minimum.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.

**17.116.080 Off-street parking—Commercial Activities.****A. Minimum Parking for Commercial Activities.**

Except as otherwise provided in Article III and elsewhere in this Title, the following table contains the amounts of off-street parking that are required in the indicated location for all Commercial Activities.

Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
Group Assembly.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	—	No spaces required.
	All other zones.	Ten thousand (10,000) square feet of floor area.	One (1) space for each fifteen (15) seats in indoor places of assembly with fixed seats, plus one space for each one hundred (100) square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.116.040, for outdoor assembly area.
General Wholesale. Building Material Sales. Automobile and Other Light Vehicle Sales and Rental. Automobile and Other Light Vehicle Gas Station and Servicing.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	—	No spaces required.
	All other zones.	Ten thousand (10,000) square feet of floor area.	One (1) space for each 1,000 square feet of floor area.
Taxi and Light Fleet-Based Service.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	—	No spaces required.

Commercial Activity	Zone	Minimum Total Size for Which Parking Required	Total Required Parking
	All other zones.	Ten thousand (10,000) square feet of floor area and outdoor storage.	One (1) space for each one thousand (1,000) square feet of floor area, plus one space for each vehicle used in connection with the activities.
Automobile and Other Light Vehicle Repair and Cleaning.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	—	No spaces required.
	All other zones.	No minimum.	One (1) space for each one thousand (1,000) square feet of floor area.
Automotive Fee Parking.	All zones.	—	No spaces required.
Animal Boarding.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	—	No spaces required.
	All other zones.	Five thousand (5,000) square feet.	One (1) space for each 1,000 square feet of floor area.
All other activities	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	—	No spaces required.
	All other zones.	Ten thousand (10,000) square feet in the D-BV Zones and three thousand (3,000) square feet for all other zones.	One (1) space for each six hundred (600) square feet of floor area on the ground floor of a building; One (1) space for each one thousand (1,000) square feet of floor area not on the ground floor of a building

**B. Maximum Parking for Commercial Activities.** Except as otherwise provided elsewhere in this Title, no more than the following amounts of off-street parking are permitted for Commercial Activities when located in the indicated zones:

Commercial Activity	Zone	Maximum Number of Parking Spaces
General Food Sales. Limited Service Restaurant and Café. Fast-Food Restaurant. Convenience Market. Alcoholic Beverage Sales. Mechanical or Electronic Games. Medical Service. General Retail Sales. Large-Scale Combined Retail and Grocery Sales. Consumer Service. Consultative and Financial Service. Check Cashier and Check Cashing. Consumer Cleaning and Repair Service. Consumer Dry Cleaning Plant. Group Assembly. Personal Instruction and Improvement Services. Administrative. Business, Communication, and Media Service. Broadcasting and Recording Service.	CBD-P, CBD-C, CBD-X, S-2, D-LM-2 through D-LM-5, D-CO, and S-15 Zones.	Ground floor: One (1) space for each three hundred (300) square feet of floor area.  Above Ground floor: One (1) space for each five hundred (500) square feet of floor area.
Research Service. Animal Care.	All other zones.	No maximum.
All other Commercial Activities.	All zones	No maximum.

**17.116.090 Off-street parking—Industrial Activities.**

Except as otherwise provided in this Title, the following amounts of off-street parking are required for all Industrial Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated number of employees, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter:

Zone	Minimum Total Size for Which Parking Required	Total Required Parking
CBD-P, CBD-C, CBD-X, D-CO, S-2, and S-15 Zones.	—	No spaces required.
All other zones.	10,000 square feet of floor area.	One (1) space for each one thousand five hundred (1,500) square feet of floor area.

**17.116.100 Off-street parking—Agricultural and Extractive Activities.**

Except as otherwise provided in this Title, and subject to the calculation rules set forth in Section 17.116.050, the following amounts of off-street parking are required for all Agricultural and Extractive Activities when located in the indicated zones and occupying facilities of the specified sizes, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter:

Zone	Minimum Total Size for Which Parking Required	Total Required Parking
CBD-P, CBD-C, CBD-X, S-2, D-CO, and D-LM Zones.	—	No spaces required.
All other zones.	Ten thousand (10,000) square feet of floor area and outdoor sales area.	One (1) space for each one thousand (1,000) square feet of floor area and outdoor sales area.

**17.116.105 Special regulations in the CBD Zones.**

The following regulations shall apply to new Multifamily Residential Facilities of ten (10) or more dwelling units in the CBD Zones only.

**A. Car-Share Parking Spaces.**

1. Car-share parking spaces shall be provided in the amount specified in the Table below.

Number of Dwelling Units	Number of Required Car Share Parking Spaces
Less than 50 units.	No spaces required.
50 – 200 units.	One (1) space.
201 – 400 units.	Two (2) spaces.
Each additional 200 units.	One (1) additional space.

2. Required car-share space(s) shall be made available through one of the following two means:

- a. A private car-share, operated by the property owner or homeowners association, provided within the development. In this case, each private car-share space shall be assigned to a vehicle owned and maintained by the property owner or homeowners association for the use of residents within the development; or
- b. At no cost, providing a parking space to a public car-share organization for purposes of providing car-share services for its car-share service subscribers. The car-share spaces may be provided on the building site or on another site within 600 feet of the building site. All car-share vehicles shall be accessible to both non-resident and resident subscribers.

3. A private car share (option 2(b), above) shall be provided if a public car share operator cannot make use of a public car share space.
4. A notice describing the requirement for car-sharing spaces shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.
5. All car-share parking spaces shall be counted toward the minimum and maximum required parking spaces.

**B. Transit Passes.** The property owner or homeowners association shall make permanently available a monthly transit benefit to each dwelling unit in an amount equal to either one-half the price of an Adult 31-Day AC Transit Pass or an AC Transit EasyPass. This benefit shall be placed on a Regional Transit Connection Clipper Card. A notice describing this transit benefit shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

### **Article III - Exemptions and Reductions in Required Parking**

#### **17.116.110 Special parking exemptions and reductions.**

The provisions of this Section apply to all facilities and zones in all or specified zones, except One-Family Dwelling, One-Family Dwelling with Secondary Unit, Two-Family Dwelling, or Multifamily Dwelling Residential Facilities located within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.040 shall apply.

- A. **Reduction for Senior Citizen Housing.** The number of parking spaces prescribed in Section 17.116.060 may be reduced by not to exceed seventy-five percent (75%) for each dwelling unit that is regularly occupied by at least one individual who is at least fifty-five (55) years of age or older or is physically handicapped regardless of age. This reduction cannot be increased according to any other exemption in this Section.
- B. **Affordable Housing.** For zones that have a base parking minimum in Section 17.116.060(A) of three-quarter (3/4) space per dwelling unit or more, the parking requirement for affordable housing restricted for low, very low, and moderate income households, (as defined in California Government Code Section 50052.5 and in Oakland Planning Code Section 17.107.020) is the following:
  1. One-half (1/2) space per affordable housing unit if within a transit accessible area; and
  2. Three-quarters (3/4) space per affordable housing unit if not within a transit accessible area.
- C. **Parking Reduction through Demand Management Measures.** The following are the percentages that parking requirements are reduced for Multifamily Dwelling Residential Facilities of ten (10) or more dwelling units through implementation of the listed parking demand management measures. The parking reduction percentages for the demand management measures described below can be added together to create a greater parking reduction, but cannot create more than a fifty percent (50%) reduction. These reductions cannot be combined with the parking reductions described in other Subsections of Article III, except for the reduction described in Subsection B, above. A notice describing the

demand management measure(s) required shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

1. **Transit Accessible Areas.** A project that is within a transit accessible area receives a 30 percent (30%) reduction in the parking requirement. This reduction cannot be applied to the parking ratio for affordable housing that already receives a reduction under B(1), above.
  2. **On-site public or private car share spaces.** The provision of on-site car-share spaces at the level and standards described in 17.116.105(B) reduces the parking requirement by twenty percent (20%).
  3. **Off-site public or private car share spaces.** The provision of off-site car-share spaces at the minimum level and standards described in Subsections 17.116.105(A) reduces the parking requirement by ten percent (10%).
  4. **Transit passes.** The provision of transit passes at the level and standards described in Subsection 17.116.105(B) reduces the parking requirement by ten percent (10%).
- D. **Discretionary Reduction of Total Requirements with Shared Parking Area.** For a joint off-street parking area that serves more than one activity (either on the same or different lots) and meets the conditions set forth in Section 17.116.180, the total parking requirement for the sharing activities may be reduced by not to exceed fifty percent (50%) upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit (See Chapter 17.134 for the CUP criteria), and to the following additional use permit criterion:
1. The typical utilization of the parking area would be staggered to such an extent that the reduced number of spaces would be adequate to serve all such activities.
- E. **Discretionary Waiver or Reduction in Districts Providing Common Parking Areas.** The off-street parking requirements specified above for Nonresidential Activities in any zone, or for Residential Activities in Commercial Zones, may be waived or reduced by the Director of City Planning when said activities are located within a municipal parking district or assessment district the function of which is to provide off-street parking, upon a finding that, in consideration of existing or prospective municipal parking facilities, such waiver or reduction would not substantially contribute to traffic congestion or impair the efficiency of on-street parking. Any determination on such waiver or reduction shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.
- F. **Conversion of Historic Buildings.** No additional parking spaces are required for any change of use of a facility that is listed in the City of Oakland's Local Register of Historical Resources (see Policy 3.8 of Historic Preservation Element of the Oakland General Plan). If the number of existing parking spaces on the lot equals or is less than required, then these parking spaces must be preserved with the conversion. If there are more parking spaces on the lot than required, then the number of spaces can be reduced to the minimum required.
- G. **Additions to Historic Buildings.** No additional parking spaces are required for an addition that increases the floor area by one hundred percent (100%) or less of a facility that is listed in the City of Oakland's Local Register of Historical Resources (see Policy 3.8 of Historic Preservation Element of the Oakland General Plan).

**H. Parking reduction for parking on narrow lots in certain Commercial Zones.**

1. In the CN and CC Zones, lots with a mean width of forty (40) feet or less are not required to provide parking on-site unless alternative driveway access is available from an alternative location; such as a side street, a shared access driveway on an adjoining parcel, or an alley.
2. In the D-BV Zones, lots with a mean width of fifty (50) feet or less and fronting Broadway or 27th Street are not required to provide parking on-site unless alternative driveway access is available from an alternative location, such as a side street, a shared access driveway from an adjoining parcel or an alley.

**I. Parking Reduction through the payment of in lieu fees in the D-BV Zones.** Both of the following provisions shall apply in the D-BV Zones only:

1. The parking requirements for the D-BV Zones may be reduced or waived upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and payment of an in-lieu fee to the City of Oakland. The parking in-lieu fee shall be as set forth in the Master Fee Schedule. Parking in-lieu fees shall be deposited with the City of Oakland prior to issuance of a building permit. A parking in-lieu fee may be refunded, without interest, to the person who made such payment, or his assignee or designee, if additional off-street parking spaces are provided for such building or use by others than the City so as to satisfy the parking requirement for which the in-lieu payment was made. To obtain a refund, the required off-street parking spaces must be in place prior to issuance of a certificate of occupancy and before funds are spent or committed by the City.
2. Notwithstanding anything to the contrary contained in the Planning Code, Variances may not be granted relating to: (a) a reduction and/or elimination of any required parking; or (b) a reduction and/or elimination of any parking spaces serving any activity, or if already less than currently required parking, shall not be reduced further below the requirements prescribed for such activity in this Chapter, as the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and payment of the in-lieu fee shall be the means of reducing or eliminating such parking.

**Article IV Off-Street Loading Requirements**

17.116.120 Off-street loading—Residential Activities.

17.116.130 Off-street loading—Civic Activities.

17.116.140 Off-street loading—Commercial Activities.

17.116.150 Off-street loading—Industrial Activities.

17.116.160 Off-street loading—Agricultural and Extractive Activities.

**17.116.120 Off-street loading—Residential Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for Residential Activities when occupying



facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter: (See illustration I-18.)

Residential Activity and Total Floor Area of Facilities Occupied Requirement	Requirement
Less than 50,000 square feet.	No berth required.
50,000 square feet or more.	One (1) berth.*

\*Off-street loading is not required in CBD-P Zone when combined with the S-7 Zone.

**17.116.130 Off-street loading—Civic Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for the specified Civic Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter: (See illustration I-18.)

Civic Activity and Total Floor Area of Facilities Occupied	Requirement
A. Community Assembly, Community Education, Nonassembly Cultural, Health Care, or Administrative - occupying the following floor area:	
Less than 50,000 square feet.	No berth required.*
50,000—149,999 square feet.	One (1) berth.*
150,000—299,999 square feet.	Two (2) berths.*
Each additional 150,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
B. Utility and Vehicular; or Extensive Impact.	A number of berths to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
C. All other Civic Activities.	No berths required.

\*Off-street loading is not required in the CBD-P Zone when combined with the S-7 Zone.

**17.116.140 Off-street loading—Commercial Activities.**

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for the specified Commercial Activities

when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter:

Commercial Activity and Floor Area of Facilities Occupied	Requirement
A. General Food Sales, Full Service Restaurant, Limited Service Restaurant and Cafe, Fast-Food Restaurant, Convenience Market, Alcoholic Beverage Sales, Consumer Service, General Retail Sales, Large-Scale Combined Retail and Grocery Sales, Consumer Cleaning and Repair Service, Research Service, General Wholesale Sales, Building Material Sales, Automobile and Other Light Vehicle Gas Station and Servicing, Automotive Fee Parking, or Undertaking Service	
Less than 25,000 square feet.	No berths required.*
25,000—59,999 square feet.	One (1) berth.*
60,000—159,000 square feet.	Two (2) berths.*
Each additional 120,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*
B. Mechanical or Electronic Games, Medical Service, Consultative and Financial Service, Administrative, Transient Habitation, Check Cashier and Check Cashing, Consumer Dry Cleaning Plant, Group Assembly, Personal Instruction and Improvement Services, Business, Communication, and Media Service, Broadcasting and Recording Service, Automobile and Other Light Vehicle Sales and Rental, Automotive and Other Light Vehicle Repair and Cleaning, Taxi and Light Fleet-Based Service, Animal Care, or Animal Boarding - occupying facilities with the following floor area:	

Commercial Activity and Floor Area of Facilities Occupied	Requirement
Less than 40,000 square feet.	No berths required.*
40,000—59,999 square feet.	One (1) berth.*
60,000—159,000 square feet.	Two (2) berths.*
Each additional 160,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*

\*Off-street loading is not required in the CBD-P zone when combined with the S-7 Zone.

#### 17.116.150 Off-street loading—Industrial Activities.

Except as otherwise provided in Sections 17.116.020 and 17.116.030, the following amounts of off-street loading are required in all zones for all Industrial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Article V of this Chapter:

Industrial Activity and Total Floor Area of Facilities Occupied	Requirement
Less than 10,000 square feet.	No berths required.*
10,000—24,999 square feet.	One (1) berth.*
25,000—49,999 square feet.	Two (2) berths.*
50,000—99,999 square feet.	Three (3) berths.*
Each additional 150,000 square feet or fraction of one-half or more thereof.	One (1) additional berth.*

\*Off-street loading is not required in the CBD-P zone when combined with the S-7 Zone.

#### 17.116.160 Off-street loading—Agricultural and Extractive Activities.

Off-street loading is not required in any zone for Agricultural or Extractive Activities.

### Article V Standards for Required Parking and Loading Facilities

17.116.170 Property on which parking and loading must be provided.

17.116.175 Standards and criteria for accessory parking that serves a prohibited activity.

17.116.180 Conditions for off-street parking or loading.

17.116.190 Utilization of off-street parking and loading facilities.

- 17.116.200 Parking space dimensions.
- 17.116.210 Driveways and maneuvering aisles for parking.
- 17.116.220 Loading berth dimensions.
- 17.116.230 Driveways and maneuvering aisles for loading.
- 17.116.240 Tandem spaces and berths.
- 17.116.250 Maximum backing distance.
- 17.116.260 Surfacing and grade of parking and loading facilities.
- 17.116.270 Screening and setback of parking and loading areas.
- 17.116.280 Control on artificial illumination of parking and loading facilities.
- 17.116.290 Special requirements applying in some zones.
- 17.116.300 Parking accommodation requirements for One- and Two-Family Residential Facilities.
- 17.116.310 Unbundled Parking.

**17.116.170 Property on which parking and loading must be provided.**

A. Parking Spaces and Loading. Required off-street parking spaces and loading berths shall be located as set forth below for the specified activities except as otherwise provided in Section 17.116.290B. When a maximum distance from the lot containing the activity served to another lot is prescribed, it shall be measured along a permanently accessible pedestrian route between a lot line of the former lot and the nearest boundary of the offsite parking or loading area. Parking provided on a lot other than the Facility or Activity it serves shall not use any of the required parking serving the Facility or Activity on the off-site lot.

Required Facility and Activity it Serves	Zone	Location
Parking spaces for any Residential or Commercial Activity.	RU-4, RU-5, CN, CC, C-45, S-15, D-BV, and D-CO, Zones.	On the same lot as the activity served; or either, subject to the provisions of Section 17.116.180: 1. On another lot that both is located within six hundred (600) feet and contains an enclosed principal facility containing a principal activity; or 2. Upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) on another lot that both is located within six hundred (600) feet and does not contain an enclosed principal facility containing a principal activity.
	All other zones.	On the same lot as the activity served, but for One-Family and Two-Family Dwelling Residential Facilities on any lot with a street-to-

Required Facility and Activity it Serves	Zone	Location
		<p>setback gradient that exceeds twenty percent (20%), required parking stalls may be permitted to extend into the public right-of-way of an adjoining street subject to the following standards:</p> <ol style="list-style-type: none"> <li>1. The required parking stalls shall be located perpendicular to and the edge of the curb, pavement, or sidewalk;</li> <li>2. The parking stalls shall be set back a minimum of five (5) feet from the edge of street pavement including any curbs or sidewalks; and</li> <li>3. The parking stalls extending into the street right-of-way shall not constitute more than fifty percent (50%) of the required residential parking.</li> </ol>
Parking spaces for any Industrial Activity.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within six hundred (600) feet.
Parking spaces for any other activity.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on another lot located within three hundred (300) feet or, upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure), within six hundred (600) feet.
Loading berths for any activity.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 17.116.180, on an abutting lot, except that an off-street loading facility for Nonresidential Activities in any zone, or for Residential Activities in the S-15, D-CO, D-LM, D-BV, CBD, CN, CC, and C-45 Zones, may, upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134, and subject to the provisions of Section 17.116.180, be located on a lot which does not abut all the lots containing the activities served.

**17.116.190 - Utilization of off-street parking and loading facilities.**

Facilities that are intended to meet the off-street parking and loading requirements of the zoning regulations shall be made permanently available to, and maintained so as to permit utilization by, the residents, shoppers, employees, or other participants in, or the loading operations of, the activity or activities served, except as otherwise specifically permitted in this Title. No area may be utilized and counted both as a required parking space and a required loading berth. However, maneuvering aisles and driveways may serve both required parking spaces and loading berths if they meet the requirements specified hereafter for both parking and loading facilities.

**17.116.200 Parking space dimensions.**

(See illustration I-21.) The provisions of this Section shall apply to all activities in all zones except Residential Activities occupying One-Family, Two-Family, or Multifamily Residential Facilities located within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.060 shall apply. All required parking spaces shall have the minimum dimensions set forth below and shall be provided, where necessary, with driveways and maneuvering aisles as set forth in Section 17.116.210. Compact and intermediate parking spaces shall count toward the off-street parking requirements only if located on a lot containing a total of three or more required spaces. On such a lot, up to fifty percent (50%) of the required parking spaces may be compact spaces, provided that at least fifty percent (50%) of the required spaces are regular and/or handicapped spaces. Alternatively, when five or more parking spaces are required, up to seventy-five percent (75%) of the required spaces may be intermediate spaces, provided that if any required spaces are compact spaces, an equal or greater number of the required spaces shall be regular and/or handicapped spaces.

- A. Regular Parking Spaces. A regular parking space shall be not less than eighteen (18) feet long and eight and one-half feet ( $8\frac{1}{2}$ ) wide for all parking patterns except parallel parking. For parallel parking, a regular parking space shall be not less than twenty-two (22) feet long and eight (8) feet wide.
- B. Intermediate Parking Spaces. An intermediate parking space shall be not less than sixteen and one-half ( $16\frac{1}{2}$ ) feet long and eight (8) feet wide for all parking patterns except parallel parking. For parallel parking, an intermediate parking space shall be not less than twenty and one-half ( $20\frac{1}{2}$ ) feet long and seven and one-half ( $7\frac{1}{2}$ ) feet wide.
- C. Compact Parking Spaces. A compact parking space shall be not less than fifteen (15) feet long and seven and one-half ( $7\frac{1}{2}$ ) feet wide for all parking patterns except parallel parking. For parallel parking, a compact parking space shall be not less than nineteen (19) feet long and seven (7) feet wide.
- D. Posts and Other Obstructions. For required parking spaces that are at an angle of between sixty (60) degrees and ninety (90) degrees, the required parking space widths specified above shall be increased by one (1) foot for each long side of a parking space that abuts a wall or other similar obstruction. However, this additional width is not required for posts and other similar structural members, provided that:
  1. Such required parking space is a regular space or, if the City Traffic Engineer determines that sufficient maneuvering area is present, an intermediate or compact space; and
  2. Such post or other similar structural member is located at least three (3) feet but not more than five (5) feet from the maneuvering aisle or located not more than four (4) feet from the end of the parking space opposite the maneuvering aisle; and
  3. Such post or other similar structural member does not impede pedestrian access to vehicle parking in the space; and
  4. Such posts and other similar structural members shall be located on one side only of a required parking space.

**17.116.210 Driveways and maneuvering aisles for parking.**

Where necessary, maneuvering aisles and driveways shall be provided of such design and arrangement as to provide adequate ingress to and egress from all required parking spaces. (See also Sections 17.94.070, 17.94.080, 17.116.240, 17.116.250, and 17.116.260.) Except within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.080 shall apply, and for shared access facilities, where the provisions of Section 17.102.090 shall apply, an onsite driveway serving any required off-street parking area shall have a minimum width of nine (9) feet. Driveways serving Residential Facilities with one (1) or two (2) dwelling units on one lot shall be not more than nineteen (19) feet in width for the front twenty (20) feet of the lot, with a curb cut no more than nineteen (19) feet in width, and shall be limited to one driveway and one driveway curb cut per lot frontage. Driveways serving one lot or serving any of several adjacent lots under the same ownership shall be separated edge-to-edge by at least twenty-five (25) feet; where curbs exist, the separation shall be by at least twenty-five (25) feet of full vertical curb. Driveways serving adjacent lots under different ownership shall be separated edge-to-edge by at least ten (10) feet; where curbs exist, the separation shall be by at least ten (10) feet of full vertical curb.

- A. Maneuvering Aisle Width. Except for activities occupying Residential Facilities located within the S-12 Residential Parking Combining Zone, where the provisions of Section 17.94.070 shall apply, maneuvering aisles necessary for access into and out of required parking spaces shall have the following minimum widths, whether serving regular, intermediate, or compact parking spaces:
1. Where parking is parallel: eleven (11) feet;
  2. Where parking is at an angle of forty-five (45) degrees or less: twelve (12) feet;
  3. Where parking is at an angle of sixty (60) degrees or less but more than forty-five (45) degrees: fifteen (15) feet;
  4. Where parking is at an angle of seventy-five (75) degrees or less but more than sixty (60) degrees: eighteen (18) feet;
  5. Where parking is at an angle of ninety (90) degrees or less but more than seventy-five (75) degrees:
    - a. Twenty-one (21) feet for Residential Facilities; and
    - b. Twenty-three (23) feet for Nonresidential Facilities.

**17.116.220 Loading berth dimensions.**

All required loading berths shall have the minimum dimensions set forth below when serving the indicated activities; provided that where one or both of the long sides of a berth which is at an angle of ninety (90) degrees or less, but more than sixty (60) degrees, to a maneuvering aisle abuts a wall or other similar obstruction, each of the widths specified below shall be increased by three (3) feet. However, the minimum height or length of a required berth for Civic, Commercial, and Industrial Activities may be reduced upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) and upon determination that such smaller dimensions are ample for the size and type of trucks or goods which foreseeably will be involved in the loading operations of the activity served.

- A. For Residential Activities: twenty-three (23) feet long, ten (10) feet wide, and twelve (12) feet high;
- B. For all Industrial Activities and for General Wholesale Sales, Building Material Sales, Automobile and Other Light Vehicle Sales and Rental, Automobile and Other Light Vehicle Gas Station and Servicing: forty-five (45) feet long, twelve (12) feet wide, and fourteen (14) feet high;
- C. For Undertaking Service Commercial Activities: twenty-five (25) feet long, ten (10) feet wide, and eight (8) feet high;
- D. For all other activities for which loading facilities are required: thirty-three (33) feet long, twelve (12) feet wide, and fourteen (14) feet high.

**17.116.240 Tandem spaces and berths.**

No required loading berths shall be tandem. One required parking space on any lot containing both one (1) unit and fewer than three (3) required off-street parking spaces may be tandem. On any lot containing three (3) or more required off-street parking spaces, or containing required spaces for two (2) or more dwelling units, required parking spaces shall not be tandem, except that:

- A. In the S-11 Zone, tandem parking may be permitted for fifty percent (50%) of the required parking spaces for a One-Family Dwelling or One-Family Dwelling with Secondary Unit Residential Facility.
- B. In the S-12 Zone, tandem parking may be permitted for One-Family Dwelling, One-Family Dwelling with Secondary Unit, Two-Family Dwelling, and Multi-family Dwelling Residential Facilities under the provisions of Section 17.94.060.
- C. In any zone, except when combined with the S-11 or S-12 Zones, tandem parking may be permitted for two (2) of the required spaces on a lot containing a One-Family Dwelling with Secondary Unit Residential Facility if the floor area of the Secondary Unit does not exceed the maximum allowed in Section 17.103.080.
- D. In any zone, tandem parking may be permitted for Nonresidential Activities upon the granting of a conditional use permit pursuant to the conditional use permit procedure in Chapter 17.134 and upon determination that such proposal conforms to either or both of the following use permit criteria:
  - 1. That a full-time parking attendant supervises the parking arrangements at all times when the activities served are in active operation;
  - 2. That there are a total of ten (10) or fewer parking spaces on a lot, or within a separate parking area or areas on a lot, which spaces are provided solely for employees.
- F. Tandem parking spaces may be provided for Residential Care Residential Activities pursuant to the provisions of Section 17.116.060B.

**17.116.290 - Special requirements applying in some zones.**

- A. Whenever required off-street parking or loading facilities are located where the applicable individual zone regulations or development control maps require a conditional use permit for



parking or loading or prescribe other special controls thereon, such regulations shall be complied with in addition to the standards prescribed above for required parking and loading.

B. In the S-15 and D-CO-1 Zones:

1. Location of Parking. All off-street parking may be provided anywhere on the lot, or on a separate lot which is not in common ownership with the subject lot, provided that a long-term lease agreement or comparable binding agreement is provided, pursuant to Section 17.116.180.
2. Parking Serving Nonresidential Uses. Off-street parking serving nonresidential uses may only be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedures in Chapter 17.134.
3. Ground Floor Parking and Loading. Off-street parking, loading, and driveway located within twenty (20) feet from all pedestrian walkways and plazas may only be permitted upon the granting of a conditional use permit pursuant to the conditional use permit procedures in Chapter 17.134 and Section 17.100.100.
4. Provisions for Shared Parking. Off-street parking may be shared amongst daytime activities between the hours of business operation and between the hours of nighttime activities. The number of required parking spaces for daytime use may be transferable to required parking or nighttime use, provided that a long-term lease agreement or comparable binding agreement is provided, pursuant to Section 17.116.180.
5. Exceptions to Parking Requirement. The number of parking spaces provided may exceed the number required upon the granting of a conditional use permit pursuant to Section 17.100.100 and the conditional use permit procedure in Chapter 17.134.

**17.116.300 Parking accommodation requirements for One- and Two-Family Residential Facilities.**

The provisions of this Section apply to lots containing One-Family Dwelling, One-Family Dwelling with Secondary Unit, and Two-Family Dwelling Residential Facilities. Exceptions to the provisions of this Section may be approved pursuant to the Regular Design Review procedure in Chapter 17.136.

A. Required parking location

- 1) This subsection applies to lots where both:
  - i. At least sixty percent (60%) of the buildings in the immediate context have required parking located to the rear or side at a depth of at least twenty-five (25) feet from the front lot line; and
  - ii. The difference in elevation of existing grade between the midpoint of the front lot line and the farthest opposite point of the lot depth is not twenty percent (20%) or greater.
- 2) For the lots described in Subsection 17.116.300(A)(1), the entirety of required garages, carports or any uncovered required parking spaces shall be located at one of the following locations:
  1. To the rear or side of any primary Residential Facility; or

2. In the case of uncovered parking, closer to an interior side lot line than the principal facility.

The immediate context shall consist of the five (5) closest lots on each side of the project site plus the ten (10) closest lots on the opposite side of the street; however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any approval of any required garage, carport, or uncovered parking space. Lots with a front lot line width of less than thirty-five (35) feet are exempt from this Subsection if the garage, carport or uncovered parking space dimensions facing the front lot line equal less than fifty (50) percent of the building elevation facing the front lot line.

- B. **Garage or Carport Recessed from Front of Residence in Certain Cases.** When an attached or detached garage or carport is not subject to Subsection A. of this Section and is located on lots with a street-to-setback gradient of twenty percent (20%) or less and where the face of the primary Residential Facility, including projections at least eight (8) feet in height and five (5) feet in width, such as covered porches and bay windows, is within twenty-five (25) feet of the front lot line, at least one of the following requirements shall apply:

1. The front of the garage or carport shall be set back a minimum of five (5) feet from such face; or
2. If the garage or carport is located below living space, either:
  - a. The front of the garage or carport shall be set back at least eighteen (18) inches from the upper level living space; or
  - b. The garage door shall be recessed at least six (6) inches from the surrounding exterior wall surfaces.

- C. **Maximum Widths of Garages and Carports.** Garages and carports shall have a maximum width of twenty-two (22) feet if the front of the garage or carport is located within thirty (30) feet of a street line and shall have a maximum width of thirty (30) feet if located elsewhere. In addition, all attached garages and carports shall have a maximum width not to exceed fifty percent (50%) of the total width of the primary Residential Facility if the front of the garage or carport is located within thirty (30) feet of a street line.

- D. **Parking Restricted to Garages, Carports, Uncovered Required Parking Spaces or Driveways.** Parking on a lot containing primary Residential Facilities may take place only in garages, carports, uncovered required parking spaces, or approved driveways.

#### **17.116.310 Unbundled Parking.**

With the exception of affordable housing as defined by Section 17.107.020, the following rules shall apply to new Multifamily Dwelling Residential Facilities of ten (10) or more units:

- A. Off-street parking spaces shall be rented or sold separately from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space(s).

- B. Off-street parking spaces shall only be offered to residents of the dwelling units served by the off-street parking. In the RU-4, RU-5, CBD and any Commercial Zone, any spaces (required or not required) not purchased or rented by residents may be rented to non-residents. Such spaces must be vacated on thirty (30) days' notice if requested by residents to be made available to them.
- C. A notice describing the unbundling requirement shall be permanently posted in a common area of the building such as a lobby or mailroom that is clearly visible to residents.

## NOTICE & DIGEST

### **AN ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO COMPREHENSIVELY UPDATE CITYWIDE OFF-STREET PARKING AND LOADING REGULATIONS AND MAKE CONFORMING CHANGES TO OTHER PLANNING CODE SECTIONS, AND ADOPTING ENVIRONMENTAL FINDINGS.**

This Ordinance comprehensively updates the City's off-street parking requirements for new development. This includes standards for the reduction of parking, removing required parking Downtown, instituting parking maximums for Downtown in Transit Oriented Development Zones, standardizing commercial parking requirements, and changing standards to allow for a more efficient use of land.