

**CITY OF OAKLAND**  
**AGENDA REPORT**

OFFICE OF THE CITY CLERK  
2005 SEP 15 PM 4: 24

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Community and Economic Development Agency  
DATE: September 27, 2005

**RE: PRELIMINARY REPORT AND RECOMMENDATIONS ON PROPOSAL  
TO EXPAND DESIGN REVIEW TO THE CITY'S COMMERCIAL ZONING  
DISTRICTS**

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**SUMMARY**

The Land Use and Transportation Element (LUTE) of the General Plan includes policies and implementation programs intended to revitalize the City's commercial corridors, as well as enhance existing business areas and neighborhood shopping districts. Unfortunately, current zoning regulations do not consistently support these General Plan goals regarding commercial revitalization, due to the fact that most non-residential projects and many mixed-use projects along the City's commercial corridors and within business districts are now permitted without the requirement for any design review.

The commercial zoning districts that currently allow most non-residential and many mixed-use projects without the requirement for design review include: C-10, C-30, C-35, C-40, C-45, C-51, C-52, and C-55. These "limited or no design review" commercial zoning designations currently apply to large portions of the City's major commercial corridors, such as Broadway, Telegraph, San Pablo, International Blvd., Macarthur Blvd., Grand Ave., Lakeshore, Foothill, and Bancroft, as well as Foothill Square, Eastmont Mall, and most of the downtown business district. In most of these commercial areas, the only non-residential project types requiring design review are Signs and Telecommunications Facilities. It is staff's opinion that changing the commercial zoning regulations to require a more comprehensive design review process for development along the City's commercial corridors and within business districts would be an important step toward implementing the General Plan goal of transforming the City's commercial areas into more attractive, vital and pedestrian-oriented places.

The process of establishing a new commercial district design review program will require additional staff analysis before specific recommendations can be brought forward as to which commercial corridors and business districts are to be subject to design review, and what the specific thresholds for commercial design review will be. However, a few general recommendations can be made at this time:

- An important guide to commercial district design review designation should be the Land Use and Transportation Element's "City Structure Diagram" (see Attachment A) showing 'Key Corridors', 'Showcase Districts', 'Transit-Oriented Districts', and 'Activity Centers'.

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- Utilize a Zoning District Overlay, such as S-4, to designate the specific commercial corridors and business districts that are to be subject to design review.

Once a specific commercial design review program has been developed and reviewed, draft zoning text and zoning map changes would be referred to both the City Planning Commission and City Council for consideration.

### **FISCAL IMPACTS**

It will be necessary to evaluate and possibly adjust commercial development fees to ensure that the fees charged reflect the level of review provided.

The revenue and expenditure impacts of adopting a commercial design review program will be more fully assessed when the actual zoning text amendments implementing a specific commercial design review program are presented at a later date to the City Council. If necessary, amendments to the Master Fee Schedule will be proposed.

Also, the impacts on existing staff resources will need to be considered. Full implementation of a commercial district design review program may require one or more of the following: additional staffing; or a reallocation of existing staff workload capacity through adjustments in other processes and programs.

### **SUSTAINABLE OPPORTUNITIES**

#### **Economic:**

*Improving commercial districts and corridors through design review will, over time, provide an economic benefit to the commercial districts, corridors and their surrounding neighborhoods.*

#### **Environmental:**

*Improving commercial districts and corridors through design review may improve environmental conditions indirectly through economic improvements, and directly through increased discretionary review for commercial and mixed-use projects.*

#### **Social Equity:**

*Improving commercial districts and corridors through design review will, over time, provide social and economic benefits to the districts, corridors and their surrounding neighborhoods.*

Sustainable opportunities will be further discussed when an ordinance adopting changes to the commercial zoning text and citywide zoning map is presented to Council.

### **DISABILITY AND SENIOR CITIZEN**

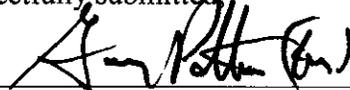
Disability and Senior Citizen access will not be adversely affected by a commercial district design review program. In fact, it should improve as a result of implementation of such a program.

**RECOMMENDATION AND RATIONALE**

Staff requests that the City Council:

- (1) Review the proposal and suggest any further revisions Council deems appropriate;
- (2) Determine whether to direct staff to prepare recommendations for the specific commercial corridors and business districts to be subject to design review, the procedures and thresholds for design review, and the criteria for decision.

Respectfully submitted,



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CLAUDIA CAPPIO  
Development Director  
Community and Economic Development  
Agency

Prepared by:  
Ed Manasse, Planner IV

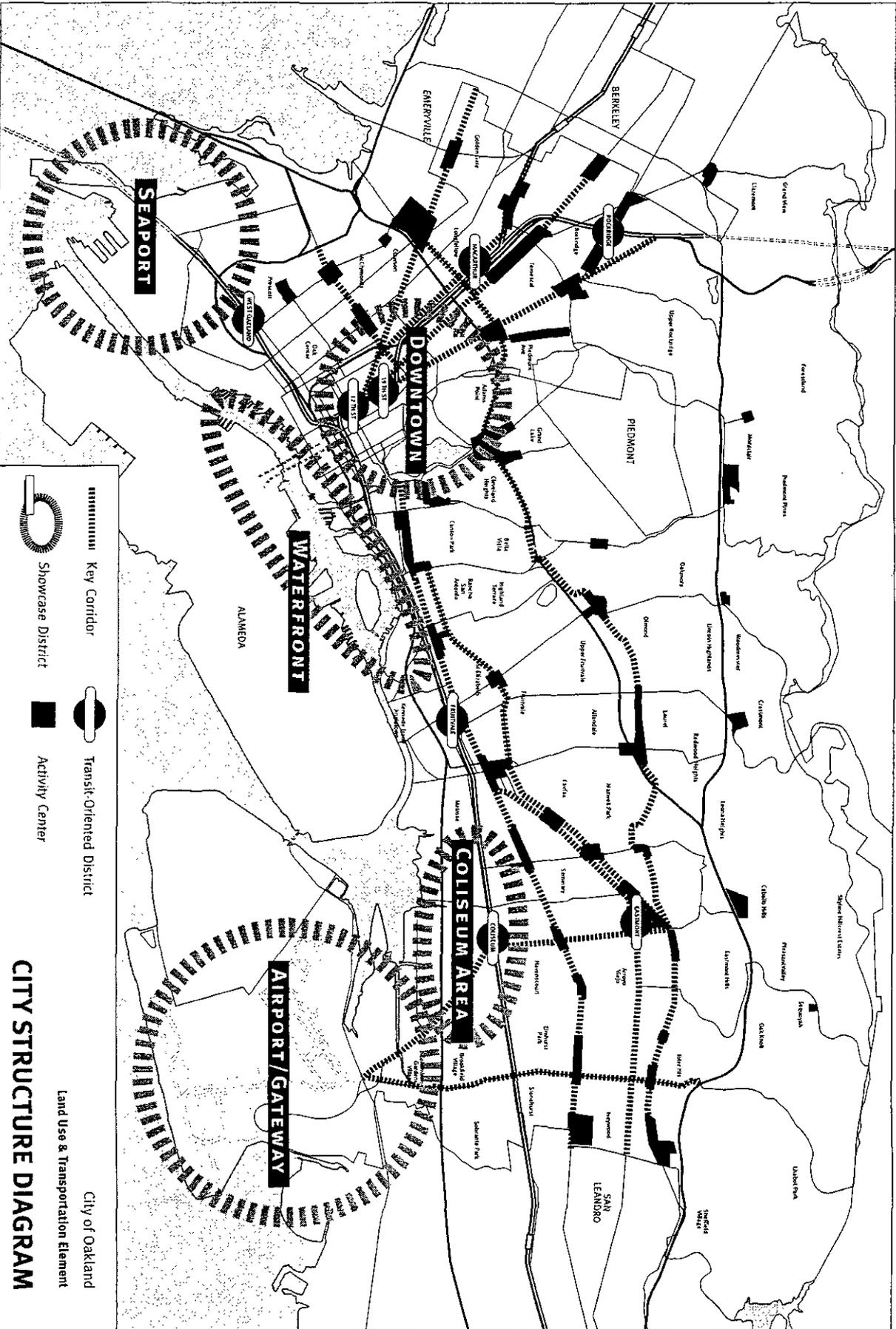
**APPROVED AND FORWARDED TO  
THE COMMUNITY & ECONOMIC  
DEVELOPMENT COMMITTEE:**



Office of the City Administrator

**ATTACHMENTS:**

- A. Land Use and Transportation Element’s “City Structure Diagram” (LUTE, Page 6)



- Key Corridor
- Showcase District
- Freeway
- BART Line
- Transit-Oriented District
- Activity Center

City of Oakland  
Land Use & Transportation Element  
**CITY STRUCTURE DIAGRAM**  
March 1998

