

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

2011 JAN 27 PM 12: 07

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: February 8, 2011

RE: Public Hearing and Resolution to Correct, Refine and Clarify the General Plan Land Use Diagram to Generally Reflect Existing Land Use and Conform to the Intent of the Previously Adopted General Plan.

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**SUMMARY**

As part of the effort to update the Oakland zoning regulations, the Planning Department has continued to refine the 1998 General Plan Land Use Diagram to respond more closely to actual land uses and parcel shapes. Over the past several years, the City has been transitioning from a highly generalized “blob-like” Land Use Diagram to a more precise Diagram. This shift will facilitate a more accurate alignment between the Oakland General Plan Land Use Diagram and the Oakland Zoning Map, and will reduce the need for frequent General Plan consistency determinations as specific development projects are proposed.

The General Plan Map (i.e., the Land Use Diagram), adopted by the City Council in 1998 as part of the Land Use and Transportation Element (LUTE) of the Oakland General Plan, was prepared before the use of computer-generated (GIS) maps by the Planning Department. Thus, its designations are overly generalized in some areas. If not corrected, the existing Map could lead to the rezoning of property to designations that were not intended by the General Plan. The corrections, refinements and clarifications would improve the Land Use Diagram’s conformance to what was previously adopted in 1998 and are not intended to be substantive amendments to the Plan. There are 79 refinements in total, encompassing approximately 556 acres and affecting almost 1,400 parcels.

This is the third and final set of refinements and corrections to be brought before the City Council. Two earlier sets of corrections were considered and approved by the City Council in December 2008 and October 2009.

The Planning Commission heard this item at its November 3, 2010 meeting and recommended approval. *Attachment A* contains a copy of the staff report that was presented to the Planning Commission.

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## FISCAL IMPACT

Existing staffing and appropriations levels should be sufficient to implement the corrections, refinements and clarifications to the General Plan Land Use Diagram (to make edits to maps). Funding for staff is within the existing appropriations in the Development Service Fund (2415) and the Planning and Zoning Organizations (88211, 88229 and 88219). There is no negative impact anticipated to the City's General Purpose Fund (1010).

## BACKGROUND

Consistent with state law, the Oakland General Plan includes a Land Use Diagram (also called the "General Plan Map") showing the distribution of various land uses across the city. Fourteen color-coded categories are used, each corresponding to a different land use and density/intensity.

The 1998 Land Use Diagram was drawn in a very "broad brush" manner. It was designed to be printed and interpreted at a scale of 1" = 1 mile, allowing the entire city to fit on an 11" x 17" sheet which could be folded and inserted in the back of the Plan document. The philosophy was to keep the map conceptual, leaving the more detailed parcel-level mapping to the Zoning Update.

As the General Plan Land Use and Transportation Element itself notes:

"The zoning map will refine the boundaries used for the land use classifications as needed to achieve the intent of the General Plan....the zoning map will provide greater specificity and detail in areas of the City too small to be detailed in the General Plan." (*Land Use and Transportation Element, p. 144*)

Although the "broad brush" mapping approach is acceptable under California general plan law, it has had a number of unintended consequences. Specifically:

- There is a high margin of error; some of the shapes on the map were improperly placed.
- The edges of map shapes are overly generalized; areas with complex land use patterns were simply mapped as "blobs" rather than conforming to their actual extent.
- Small pockets of residential and commercial uses (generally 10 acres or less) do not appear on the map at all; they were omitted to keep the map legible.

## KEY ISSUES AND IMPACTS

For the past two years, City staff has been updating the City's Zoning Maps to incorporate new residential and commercial zoning districts. One of the major purposes of the residential and commercial Zoning Update is to achieve conformance with the General Plan. Thus, it is important that intended uses on the General Plan Land Use Diagram are shown correctly and that

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other ambiguities on the map are eliminated before new zoning is implemented. Staff has identified a number of areas where literal interpretation of the General Plan Map would require rezoning in a manner that would be inconsistent with the General Plan's policies.

For example, there are several high-rise apartment buildings along Market Street in West Oakland and along Martin Luther King Jr. Way in North Oakland (in both cases zoned R-70) with a General Plan designation of "Mixed Housing Type Residential". A literal interpretation of the General Plan would mean down-zoning these buildings to a much lower density, rendering all of the existing structures non-conforming. Given that the General Plan land use strategy is to "maintain and enhance" these areas, a more appropriate solution is to refine the General Plan Land Use Diagram to recognize these small pockets of high-density development and retain the zoning "as is".<sup>1</sup> The intent of these General Plan Map refinements is not to substantively change or amend the Land Use Diagram. Rather, in most cases, the Map refinements will result in a General Plan land use designation which matches what is on the ground today and will enable a new zoning designation which is equivalent to the current zoning. The intent of the General Plan Map refinements is therefore to reinforce the current pattern of use and avoid potential future disinvestment.

In addition to the Map refinements described above, several corrections to the General Plan Map are also needed. For example, updated designations are needed to more accurately depict development that occurred between 1998 and 2010. In a few cases, updated designations are also needed to reflect recent public acquisition of property as open space and to show large institutional uses that were not initially displayed on the Map.

## PROGRAM DESCRIPTION

### Three -Tiered Process

Corrections and refinements to the General Plan Land Use Diagram have been brought forward in three tiers. The first tier consisted of 32 scrivener's errors and was heard by the Planning Commission in October 2008 and approved by the City Council in December 2008. The second tier consisted of 116 map refinements and included over 1,600 parcels. These refinements were intended to more accurately show the edges of the colored shapes on the Land Use Diagram. The refinements were heard by the Planning Commission in September 2009 and approved by the City Council in October 2009.

As noted above, this third tier of refinements and corrections is primarily intended to recognize small pockets of higher and lower density development that were not recognized on the original

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<sup>1</sup> Although the statement indicates that existing zoning will be retained "as is", the R-70 zone will be replaced in the near future with a zone of equivalent density using the new Oakland zoning framework, which is being considered by the Planning Commission, as a separate action. The name of the zone is proposed to change from R-70 to RU-3, but the allowable density would stay the same.

1998 Land Use Diagram. Collectively, the refinements and corrections will replace Oakland's "blob-like" General Plan Map with a more precise Map that recognizes the fine-grained pattern of land uses and densities that characterizes many Oakland neighborhoods. The modifications to the General Plan Map continue to be non-substantive in nature.

Although the overall effect of these changes will be to make the General Plan Map more precise, the Map will continue to be somewhat generalized and will not match zoning district boundaries exactly. Consistent with State law, it is not intended to be parcel-specific nor to bring the Plan Map and Zoning Map into "perfect" alignment.

#### Extent and Location of the Proposed Map Refinements

The refinements now before the City Council represent just approximately one percent of all parcels in the City of Oakland. There are 79 identifiable General Plan Map refinements (the refinements are referred to as "shapes" in this report, since they correspond to physical shapes on the Map), which affect about 1,400 parcels. In almost all cases, the proposed refinements will adjust General Plan Map boundaries to reinforce *existing* land use patterns and preclude the need for substantive zoning changes. The General Plan's intent was not to change the character of the proposed refinement areas, which for the most part are located in stable neighborhoods which the Plan indicates should be "maintained and enhanced."

The General Plan Map refinements are located in all parts of Oakland, as indicated below:

Planning Area	Number of General Plan Map Refinements
North Hills	5
South Hills	2
Lower Hills	9
North Oakland	8
West Oakland	13
Central	2
San Antonio	10
Fruitvale	2
Central East Oakland	11
Elmhurst	17
<b>TOTAL</b>	<b>79</b>

The 79 General Plan Map refinements are grouped into the following categories for discussion in this report:

- Category 1: Areas where “built out” pockets of higher density residential development were not acknowledged by the General Plan Map due to mapping scale issues (33 cases).
- Category 2: Areas where existing “built out” pockets of lower density residential development were not acknowledged by the General Plan Map due to mapping scale issues (9 cases).
- Category 3: Areas where commercial map designations were over-generalized or omitted due to mapping scale issues (15 cases).
- Category 4: West Oakland Map clarifications (5 cases).
- Category 5: Areas where major institutional uses were not shown on the map due to scale issues (5 cases).
- Category 6: Areas where the extent of open space needs to be clarified (5 cases).
- Category 7: Areas where substantial land use changes have occurred since adoption of the 1998 General Plan (5 cases).
- Category 8: Other miscellaneous refinements necessary to avoid erroneous rezoning (2 cases).

The proposed General Plan Map refinements will eliminate many potential inconsistencies between the General Plan Map and the new Zoning Map, and will reduce uncertainty and ambiguity for property owners in these areas. More substantial inconsistencies are being eliminated through the rezoning process as thousands of properties across Oakland are being rezoned to reflect their designations on the General Plan Map. The latter changes have been recommended for approval by the Planning Commission and are being considered by the City Council concurrently with the General Plan Map refinements.

The City is using a standardized 32-sheet parcel-level map grid to annotate General Plan Map corrections. This same grid has been used throughout the Zoning Update process, and will continue to provide a template for future maps. Each General Plan Map refinement has been assigned an identification number (ID #) which indicates the map grid number plus a second number to distinguish it from other shapes on the map. For instance, on Map Sheet 27, one would find shapes 27-1, 27-2, 27-3, 27-4, and so on.

The General Plan Map refinements are annotated in two forms: (a) in the text below and (b) in a series of 11 x 17 map panels included as exhibits to the implementing resolution.

## **DESCRIPTION OF PROPOSED REFINEMENTS**

The remainder of this staff report provides a more detailed overview of each of the General Plan Map refinements, using the eight categories listed above:

### Category 1: Small Pockets of Higher Density Residential Use Not Currently Shown on the General Plan Map

These General Plan Map refinements will avoid rezoning in a manner that is inconsistent with the General Plan's directive to "maintain and enhance" these areas. These areas include small clusters of duplexes, triplexes, and 4-8 plexes that are designated for "Detached Residential" on the General Plan Map, and clusters of mid-rise or high-rise apartments that are designated for "Mixed Housing Type Residential" on the Map. In such cases, a literal interpretation of the General Plan Map would mean changing the zoning for these areas to the point where a majority of the structures would become non-conforming due to their higher-than-allowed densities. The General Plan Map designations for these areas do not represent an accurate portrayal of what is "on the ground" or what is projected to be "on the ground" in the future.

There are 33 cases like this on the General Plan Map. These cases include:

- 24 instances where clusters of existing duplexes, triplexes, and 4-8 unit apartment buildings are designated "Detached Residential" on the General Plan Map. In all cases, these areas are already zoned for medium-density development (typically R-50 and in some cases R-60 or R-70). To be consistent with the General Plan's directive to "maintain and enhance" these areas, the General Plan Map designation for these areas is being changed to "Mixed Housing Type Residential" to match existing conditions.
- 2 clusters of small apartment buildings that are designated on the General Plan Maps as "Hillside Residential". One of these areas is located on Somerset Road (near Montclair Village) and the other is located on Mountain Blvd just north of 98<sup>th</sup> Avenue. The former area is zoned R-50 and the latter area is zoned R-70. Both are fully developed and located in areas designated by the General Plan as "maintain and enhance", so the designation for these areas is being changed to "Mixed Housing Type Residential" to match existing conditions.
- 7 cases where clusters of higher-density apartment buildings (with densities exceeding 30 units per acre) are designated on the General Plan Map as "Mixed Housing Type Residential." All seven of these areas are currently zoned R-70 or R-80. The General Plan directive for most of these areas is to "maintain and enhance" the existing land use character, so the General Plan designation for the area will be changed to "Urban Residential" to match actual densities. It should be noted that the proposed, higher-density General Plan designation of "Urban Residential" will also better support the directive to "grow and change" for refinement area (19-11) that is located on Foothill Boulevard, one of the City's transportation corridors.

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Table 1 profiles each of the 33 cases:

**Table 1: Map Refinements Which Increase Densities to the Intended Designations**

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
10-1	8.0	East and south sides of Montclair Village	Detached Unit Residential	Mixed Housing Type Residential	Small apartment buildings and condominiums within the "village" street grid. Currently zoned R-50 and R-70.
10-2	4.2	Somerset Rd (above Park Blvd below 13)	Hillside Residential	Mixed Housing Type Residential	Block of mostly 4-8 unit apartment buildings. Currently zoned R-50.
10-4	5.0	Perimeter of Oakmore-Leimert commercial district	Detached Unit Residential	Mixed Housing Type Residential	Well-established area of single family homes, small apartment buildings and 2-8 unit buildings adjacent to commercial district. Currently zoned R-50.
11-1	22.6	East end of Tompkins St	Detached Unit Residential	Mixed Housing Type Residential	Several blocks of mixed density housing, including single family homes, group homes and institutional uses, small apartment buildings. Currently zoned R-50.
12-2	2.1	75th Av and Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
12-3	5.3	7664-7811 Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
12-4	7.6	7870-8117 Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
13-1	2.0	Mountain Blvd just above 98 <sup>th</sup> Av	Hillside Residential	Mixed Housing Type Residential	Area of several multi-story condos/ apartment buildings. Currently zoned R-70.
13-2	8.1	10200-10500 Foothill Blvd	Detached Unit Residential	Mixed Housing Type Residential	Four-plexes, large townhome complex, mid-size apartments, liquor store. Zoned R-40, R-50, C-10
17-1	3.4	East side of Park Blvd at El Centre	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, garden apartments. Currently zoned R-50.
17-2	4.2	Both sides of Park Blvd at Leimert	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, garden apartments. Currently zoned R-50.
17-3	10.3	Park Blvd below Glenview, Norwood, Woodruff	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, 2-8 plexes, and several large apartment buildings. Currently zoned R-50 and R-70.
17-4	11.0	MacArthur Blvd at 14 <sup>th</sup> Avenue	Mixed Housing Type Residential	Urban Residential	Apartment buildings adjacent to Highland hospital and 1-580, currently zoned R-70.
18-2	4.9	East of Courtland Creek and w/ of House of Peace Cemetery	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, 2-8 plexes, and large apartment buildings. Currently zoned R-50.
18-3	3.7	East side of Fern Street facing House of Peace Cemetery	Detached Unit Residential	Mixed Housing Type Residential	Continuous block of small apartment buildings. Currently zoned R-50.

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
18-4	7.0	Ransom to 38 <sup>th</sup> Av b/w Canington and Santa Rita	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and flats, block cunently zoned R-50. Some commercial on 38 <sup>th</sup>
19-1	8.3	MacArthur Blvd opposite Mills College	Detached Unit Residential	Mixed Housing Type Residential	Small apartment buildings and gas station. Currently zoned R-50.
19-2	10.4	Ygnacio Av from Congress to Trask	Detached Unit Residential	Mixed Housing Type Residential	2-4 plexes and a few SF homes. Cunent zoning is R-50.
19-5	4.1	Walnut at Mason, and Kingsley Street	Detached Unit Residential	Mixed Housing Type Residential	Church, apartment buildings, and courtyard style homes. Cunent zoning is R-50 and C-30.
19-7	9.7	First block of 73 <sup>rd</sup> Avenue below International Blvd	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and 2-8 unit buildings. Cunent zoning is R-50.
19-10	12.4	Garfield Av b/w 75 <sup>th</sup> and 80 <sup>th</sup> Avenues	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and 2-8 unit buildings. Cunent zoning is R-50.
19-11	1.0	Foothill, opposite Eastmont Mall	Mixed Housing Type Residential	Urban Residential	Several parcels developed with 3-4 story apartment buildings, currently zoned C-30.
20-1	5.4	Bancroft between 103 <sup>th</sup> and 106 <sup>th</sup> Aves.	Detached Unit Residential	Mixed Housing Type Residential	Single family homes and small apartment buildings. Current zoning is R-50.
21-1	3.1	W/ side of MLK Jr Way just south of Berkeley	Mixed Housing Type Residential	Urban Residential	Strip of high-rise apartment buildings cunently zoned R-70.
22-7	4.8	Vicinity of Valdez and 29 <sup>th</sup> Streets	Mixed Housing Type Residential	Urban Residential	Three high rise apartment buildings cunently zoned R-80.
23-1	14.1	MacArthur Blvd between Wesley and Spruce St	Detached Unit Residential	Mixed Housing Type Residential	Mix of SF homes, 2-4 plexes, older homes divided into multiple units, larger apartments. Cunent zoning is R-70 and R-50.
23-2	4.9	W/side Athol from Haddon to Cleveland	Detached Unit Residential	Mixed Housing Type Residential	Single family homes and small apartment buildings. Current zoning is R-50.
23-4	6.0	Hillsborough St.	Detached Unit Residential	Mixed Housing Type Residential	Large apartment buildings. Current zoning is R-50 and R-70.
23-6	3.1	E/side 14 <sup>th</sup> Avenue b/w East 29 <sup>th</sup> and East 30 <sup>th</sup> Streets	Mixed Housing Type Residential	Urban Residential	Block of apartments developed at densities of approx. 100 units/ acre and zoned R-70.
23-7	16.7	Area b/w Santa Clara St and 1-580 above Grand Ave	Mixed Housing Type Residential	Urban Residential	Area of continuous large apartment buildings, some 4-5 stories tall and some 2-3 stories. Current zoning is R-70.
25-1	11.5	70 <sup>th</sup> to 76 <sup>th</sup> Avenues between Havley and Spencer Sts.	Detached Unit Residential	Mixed Housing Type Residential	Mixed density housing (mostly single family with some 2-4 units), across the street from BART station. Cunent zoning is R-50.



Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
26-2	0.8	Edes Av at S. Elmhurst Av	Detached Unit Residential	Mixed Housing Type Residential	Vacant site zoned R-50; multi-family dev't project has been proposed for several years.
27-4	5.2	W/ side of Market St h/w 14 <sup>th</sup> and 18 <sup>th</sup> Sts.	Mixed Housing Type Residential	Urban Residential	Strip of high-rise apartment buildings currently zoned R-70.

**Category 2: “Built-out” Low Density Residential Areas Shown for Higher Densities on the General Plan Map**

There are nine locations where the General Plan Map shows an established low density residential area as being denser than actual conditions. While this may be appropriate in areas with opportunities identified in the LUTE for “growth and change,” the areas in question are well-established neighborhoods where the General Plan indicates the existing land use pattern should be “maintained and enhanced.” Some contain important historic resources or natural resources that the General Plan indicates should be conserved.

The discrepancy is primarily a result of the scale at which the 1998 General Plan Map was originally prepared. In most cases an adjoining moderate or high density area was “drawn too large” or was overly generalized. Rezoning these areas to a higher density zone could have unintended consequences that would conflict with the General Plan’s policies. Staff is seeking to clarify the intent of the General Plan Map by refining boundaries and Map designations to be more consistent with prevailing lower densities. These designations similarly would be reflected in the zoning for these areas.

Table 2 profiles each of the nine cases:

**Table 2: Map Refinements Which Reduce Densities Down to the Intended Designations**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
10-6	19.5	End of Woodcrest, Dublin, Kearny, Argyle, Woodminster area	Detached Unit Residential	Hillside Residential	Large lots backing onto Joaquin Miller Park and Sausal Creek. More environmentally constrained than adjacent areas.
17-5	3.0	Block bounded by Vermont / Warfield/ Weldon/ Prince	Mixed Housing Type Residential	Detached Residential	Block of entirely single family homes, on the edge between a “Mixed Housing Type” area and a “Detached Residential” area.
19-4	1.8	Holway Court	Mixed Housing Type Residential	Detached Residential	Older subdivision of single family homes, on edge between a “Mixed Housing Type” area and a “Detached Residential” area.
20-3	4.3	Dowling at 86 <sup>th</sup> Av	Mixed Housing Type Residential	Detached Residential	Edge of the “Mixed Housing Type” area was not drawn precisely, taking in these single family detached homes now zoned R-30.
22-1	25.6	Area immediately east of Highway 24 from 44 <sup>th</sup> St to 50 <sup>th</sup> St.	Urban Residential	Mixed Housing Type Residential	One and two family homes, 3-8 plexes, a few small apartment buildings. Current zoning is R-50.

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ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
22-2	2.9	W/ side of MLK Jr Way at 52 <sup>nd</sup> Street	Urban Residential	Mixed Housing Type Residential	Well established block of mixed density housing currently zoned R-40 and surrounded by similar blocks.
23-3	3.8	Capital Street (Haddon Hill)	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings, adjacent to much higher density area. Currently zoned R-50.
23-5	13.5	Portions of Lester St., Newton, Athol, Haddon	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings, adjacent to much higher density area. Currently zoned R-40 and R-50. GP Map over-generalized this area.
23-11	15.0	3 <sup>rd</sup> , 4 <sup>th</sup> , and 5 <sup>th</sup> Avenues from E. 15 <sup>th</sup> to E. 17 <sup>th</sup> St.	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings. Currently zoned R-50. GP Map over-generalized this area.

**Category 3: Areas where Commercial Map Designations were Over-generalized or Omitted**

There are 15 locations on the General Plan Map where a commercial district was not drawn precisely enough to facilitate a match with the new Zoning Map. In 11 of these locations, the proposed General Plan Map refinements will avoid the rezoning of established residential areas with commercial designations. For example, the Piedmont Avenue commercial corridor was mapped as being an entire city block wide in the area between MacArthur Boulevard and I-580, taking in all the homes along Westall and Warren Streets. These are residential blocks, and the commercial area should be limited to the parcels fronting on Piedmont Avenue. The Map refinement would adjust the boundary and show the block's "interior" residential area as "Mixed Housing Type" Residential. The other ten locations are similarly configured.

The remaining four locations include two where the commercial area was not mapped large enough, one where the commercial area was not mapped at all, and one where a General Plan Map "clean-up" is needed to eliminate a remnant designation in the I-980 Freeway right-of-way. The first category includes one location where the San Pablo commercial corridor "bulbs out" at 30<sup>th</sup> Street and another where the Eastmont Mall commercial area crosses 73<sup>rd</sup> Avenue and includes parcels on the east side of the street. Rather than rezoning these active commercial areas to residential uses, the General Plan Map will be refined to show them as Community Commercial, which is consistent with the General Plan's policies to "maintain and enhance" these areas. The commercial district that was not mapped at all is the Oakmore-Leimert commercial district, which was shown as "Detached Residential" on the Plan Map due to scale issues. The final area is a General Plan Map "clean up" adjacent to the Jack London Shopping Center at 7<sup>th</sup> and Brush Streets.

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These areas are shown in Tables 3a and 3b.

**Table 3a: Map Refinements where Commercial Areas were Overstated**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
16-1	4.5	Interior of area bounded by Shattuck, Hwy 24, Telegraph, and 51 <sup>st</sup> Street	Neighborhood Center Mixed Use	Urban Residential	Large apartment buildings and smaller flats and mixed density units, currently zoned R-70.
18-1	1.8	NW corner Garden and Courtland	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Four or five parcels with apartment buildings, adjacent to Walgreens Shopping Center
19-3	1.3	Both sides of Bancroft just east of Vicksburg	Neighborhood Center Mixed Use	Urban Residential	Several apartment buildings adjacent to a small neighborhood commercial district
21-2	6.8	W/ side Dover St b/w 56 <sup>th</sup> and 59 <sup>th</sup> Streets	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Formerly part of the "Old Merritt College" (University High) campus and since redeveloped with SF homes, currently zoned R-40. Commercial area mapped too large.
22-3	4.4	40 <sup>th</sup> to 41 <sup>st</sup> Streets between Telegraph and Hwy 24	Neighborhood Center Mixed Use	Urban Residential	Established area of apartments adjacent to the MacArthur BART transit village area. Current zoning of R-70 is better fit than S-15.
22-4	1.7	San Pablo at 32 <sup>nd</sup> St	Community Commercial	Urban Residential	Large multi-family building; Urban Residential portion of corridor should extend ½ block further to include this site.
22-6	4.1	Wanen Av and Westall Av	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Mix of SF homes, flats, small apartments. Commercial corridor mapped too wide.
23-8	2.1	East side of Wesley, behind Trader Joes	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Map overstates the extent of the shopping district, covering parcels currently developed with apartment buildings.
23-9	3.8	W/ side of 5 <sup>th</sup> Avenue between E. 19 <sup>th</sup> and E. 21 <sup>st</sup> Streets	Neighborhood Center Mixed Use	Urban Residential	Map overstates the extent of the shopping district, covering parcels currently developed with apartment buildings.
23-10	3.3	SE perimeter of the East 18 <sup>th</sup> St shopping district	Neighborhood Center Mixed Use	Urban Residential	Map overstates the extent of the shopping center, covering parcels currently developed with apartment buildings.
32-3	1.4	7 <sup>th</sup> Street between Wood and Pine	Community Commercial	Mixed Housing Type Residential	This is Marcus Garvey Commons, a multi-family development that would be more appropriately zoned residential rather than commercial.

**Table 3b: Map Refinements Restoring Commercial Designations where Other Designations were Overstated**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
10-3	2.0	Leimert just east of Park Blvd	Detached Unit Residential	Neighborhood Center Mixed Use	Established commercial district zoned C-5 and left off the General Plan Map due to scale issues.
19-6	5.3	Corner of 73 <sup>rd</sup> Av and Bancroft	Mixed Housing Type Residential	Community Commercial	Office buildings, retail, fast food, currently with C-30 zoning—on the eastern

					perimeter of Eastmont Mall.
22-5	3.1	30 <sup>th</sup> St and Filbert Streets	Mixed Housing Type Residential	Community Commercial	Auto services, light industry, heavy commercial – San Pablo corridor “bulbs out” at this location. Currently zoned C-40.
27-2	2.2	I-980 Freeway between 7 <sup>th</sup> and 9th Streets	Business Mix	Community Commercial	Should be part of the adjacent shape that includes the shopping center. This is just a “clean up” item.

**Category 4: West Oakland Map Clarifications**

There are five locations in West Oakland where staff seeks to clarify the intent of the General Plan Map and to avoid the erroneous rezoning of property during the zoning update. The changes annotated below will enable existing zoning to remain “as is” in most cases, and will avoid rezoning property based on General Plan Map designations that do not match either existing conditions or the LUTE policies for these areas. These five changes include two around the West Oakland BART station (making the General Plan boundary consistent with the S-15 Transit Oriented Development district), two along Pine Street (clarifying the extent of the Mixed Housing Type area), and two along Adeline Street (intended to align the General Plan Map designations to existing zoning in order to prevent the creation of new non-conforming uses).

Staff is not proposing substantive changes to the General Plan Map in West Oakland at this time. A request to amend the General Plan Map to create a new four-block Housing Business Mix area (near Adeline/ 24th) was received from a property owner during the Zoning Update process. However, this change would be considered a substantive General Plan Amendment rather than a correction since it would require concurrent rezoning of industrial land to the HBX zone. This change is not included in this staff report but could be considered at a future date.

The West Oakland General Plan Map refinements are shown in Table 4.

**Table 4: Proposed West Oakland General Plan Map Refinements**

iD #	Acres	Location	Designation on Existing G.P. Map	Corrected Designation	Description
27-3	0.4	24 <sup>th</sup> and Chestnut, NW corner	Business Mix	Mixed Housing Type Residential	Single family homes, church, on edge between Business Mix and Mixed Housing Type, currently zoned R-50.
32-1	1.0	Pine and 10 <sup>th</sup> St	Mixed Housing Type Residential	Business Mix	Recycling business occupies full city block. Parcel is currently split, with an isolated “island” of Mixed Housing Type on the front half and Business Mix on back half.
32-2	0.7	SE corner of Pine at 8 <sup>th</sup> St	Mixed Housing Type Residential	Housing and Business Mix	Extends existing strip of HBX by three parcels to include warehouse/ office building.

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32-4	1.1	Center St. between 3 <sup>rd</sup> and 5 <sup>th</sup> Streets	Business Mix	Mixed Housing Type Residential	Enables retention of existing R-36 zoning on enclave of houses in South Prescott area.
32-5	13.6	Southern terminus of Mandela Parkway and 1-880 right of way	Business Mix	Community Commercial	Aligns General Plan designation with the S-15 Transit Oriented Development zone, consistent with W. Oakland transit village plans.

**Category 5: Large Institutional Uses That Were Inadvertently Left Off the General Plan Map**

This category also appeared in the Tier 2 General Plan Map Corrections and Refinements. Over the course of the Zoning Update, staff has identified four additional institutional uses that are large enough to be depicted on the General Plan Map. It is desirable to clarify the General Plan Map to acknowledge these uses as the important community resources they are. The specific uses include:

- The complex of public buildings on 18th Street in West Oakland across from DeFremery Park, including Ralph Bunche School and the West Oakland Library;
- Parker Elementary School in East Oakland;
- Acorn Woodland Elementary School in East Oakland (itemized as two separate Map refinements);
- The complex of public and institutional buildings at 27th and Harrison, including Westlake Middle School and the First Congregational Church.

Table 5 provides more information on these cases in this category.

**Table 5: Map Refinements to Show Public and Institutional Uses That Were Not Mapped**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
12-1	3.0	7929 Ney Ave	Detached Unit Residential	Institutional	Parker Elementary School
19-8	3.2	81 <sup>st</sup> Ave at Rudsdale	Mixed Housing Type Residential	Institutional	Woodland Elementary School
19-9	6.5	81 <sup>st</sup> Ave at Rudsdale	Business Mix	Institutional	Woodland Elementary School
22-8	8.5	27 <sup>th</sup> St and Hanison	Community Commercial	Institutional	First Congregational Church; Westlake Middle School
27-5	6.0	North side of 15 <sup>th</sup> Street opposite DeFremery Park	Business Mix	Institutional	Ralph Bunche School, West Oakland Library

**Category 6: Refinements to Clarify the Extent of Public Open Space Areas**

Five refinements to the General Plan Map are proposed to clarify the extent of public open space shown on the General Plan and to update the Map to show a recent acquisition by the East Bay Regional Park District. These refinements include:

- Clarifying the extent of the Grizzly Peak Open Space in the North Hills to remove a small piece of private property that was erroneously shown as public land;
- Depicting Castle Canyon (in the Piedmont Pines area) as open space, since the land has been acquired by the City for resource conservation and will be rezoned OS (RCA);
- Expanding the Dunsmuir Ridge regional open space to show a recent 65-acre acquisition by the East Bay Regional Park District;
- Clarifying the extent of Golden Gate Park on San Pablo Avenue to show the actual park boundary and ensure that homes along 61st Street are shown as “residential” rather than “open space” uses;
- Correcting a longstanding error on the map in which Sobrante Park and Sobrante Park Elementary School are shown in the reverse locations from where they actually appear.

These changes are annotated in Table 6 below:

**Table 6: Map Refinements to Clarify the Extent of Public Open Space**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-1	0.6	Grizzly Peak Estates (Tunnel Rd)	Resource Conservation	Hillside Residential	Small portion of a private parcel erroneously shown as part of the public open space.
10-5	10.8	Castle Canyon (Piedmont Pines)	Hillside Residential	Resource Conservation	Reflects acquisition of this area by the city for protection and resource management
14-1	65.2	Above Dunsmuir House	Hillside Residential	Resource Conservation	Reflects acquisition of this area by the EBRPD for protection and resource management
21-3	3.6	61 <sup>st</sup> Street above San Pablo Ave	Urban Open Space	Mixed Housing Type Residential	Plan overstated extent of park. Should clarify to note that homes on 61 <sup>st</sup> are in Residential area.
26-4 a	3.0	Bergedo Drive	Urban Open Space	Institutional	Location of elementary school.
26-4 b	3.2	Bergedo Drive	Institutional	Urban Open Space	Location of park.

**Category 7: Refinements to Reflect Development Since 1998**

The Land Use and Transportation Element of the General Plan, which includes Oakland’s General Plan Map, was adopted by the City Council in 1998. Since that time, several large-scale projects have been developed that do not match the designations on the General Plan Map. Formal General Plan Map Amendments were not required in these instances because the proposed use was permitted by the General Plan Map designation. The changes below would simply align the Map designations so that they are closer to the actual new uses on these sites. This category also appeared in the Tier 2 General Plan corrections. However, the changes below were not identified until the update of the zoning maps took place.

There are five cases in this category, described in Table 7 below:

**Table 7: Map Refinements to Show Land Use Changes That Have Occurred Since 1998**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-1	18.2	1-880 frontage between 29 <sup>th</sup> Av and Fruitvale	Regional Commercial	Community Commercial	When the General Plan was prepared, the former Del Monte Cannery site was envisioned as a major regional employment hub. The site was subsequently developed as a community scale shopping center.
26-1	16.9	98 <sup>th</sup> Ave near E Street	Housing and Business Mix	Mixed Type Residential	This is the Arcadia Park development. It was originally shown as Business Mix in the 1998 Plan. Following demolition of Fleischmanns Yeast in 2003, the Plan was amended to Housing Business Mix. A portion of the site was developed with housing and zoned R-30 and R-50. This portion should now be shown as Mixed Housing Type Residential on the General Plan, in order to retain the existing zoning and reflect existing residential uses.
26-3	2.0	Edes Avenue near Bergedo	Housing and Business Mix	Mixed Type Residential	Should update GP Map to reflect recent development of this site with townhomes, and retain R-40 zoning.
27-1	3.6	Mandela Parkway at 32 <sup>nd</sup> Street	Business Mix	Housing and Business Mix	Should update GP Map to reflect recent development of this site with live-work units, and to support HBX zoning rather than CIX zoning (which prohibits residential use)
27-6	1.7	Palm Court	Urban Residential	Mixed Type Residential	Enclave of single family homes in West Oakland built after demolition of public housing units on this site in early 2000s.

**Category 8: Other Miscellaneous Corrections and Refinements**

Two additional small refinements to the General Plan Map are proposed. The first is the designation of a two block area on MacArthur Boulevard between Foothill and Talbot (near Foothill Square) as “Neighborhood Center Mixed Use” instead of “Community Commercial.” This area was rezoned from a heavier commercial designation to C-28 as part of a community planning process in the 1990s. The General Plan Map refinement would enable these blocks to keep their “neighborhood” oriented commercial zoning, rather than returning to a heavier commercial district. The existing uses on these blocks are small-scale neighborhood serving businesses.

The second case involves the designation of several blocks immediately east of the Coliseum BART parking lot as “Business Mix” rather than “General Industrial.” These blocks are currently zoned M-20, which is consistent with a Business Mix designation. Staff does not believe that it was the intent of the General Plan to create more high-impact heavy industrial uses on these blocks. Such an action would conflict with the transit-oriented development policies of the General Plan, as these blocks are across the street from BART and within a Redevelopment

Project Area. The proposed designafion would permit zoning of these blocks with a CIX zone (office/ light industry) equivalent to the current M-20 rather than “downzoning” to an IG zone.

Table 8 summarizes the miscellaneous refinements.

Table 8: Miscellaneous Map Refinements

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
20-2	6.1	MacArthur Blvd from Foothill to Talbot	Community Commercial	Neighborhood Center Mixed Use	Small local serving businesses, rezoned from heavier commercial designation to C-28 in the 1990s as part of a neighborhood planning process.
25-2	12.3.	73 <sup>rd</sup> Avenue at San Leandro Street	General Industrial	Business Mix	Mix of industrial uses and storage areas immediately east of the Coliseum BART station. Cunently zoned M-20.

## NOTIFICATIONS

As described earlier, the proposed General Plan Map corrections are not substantive amendments to the General Plan and merely refine the intent of the previously adopted General Plan. Therefore, these refinements could have been done by the Planning Director as an administrative action without public notice, and they do not need City Council or Planning Commission approval. However, in the interest of transparency and openness, the Community and Economic Development Agency (CEDA) is requesting that the City Council confirm these corrections. Toward that end, the Council hearing date was posted in the Oakland Tribune.

In addition, prior to the Planning Commission hearing on November 3, 2010, approximately 1,400 postcards were mailed out to all property owners directly affected by the General Plan Map refinements with informafion about the proposed refinements. Each postcard contained a brief explanation of the process, a website link with more detailed information about the corrections, the Planning Commission meeting date, as well as contact information for the staff planner. Maps identifying the proposed Map changes and databases with the assessor parcel numbers and addresses of all properties included in the corrections, giving the existing (incorrect) Land Use Diagram designation and the proposed (corrected and refined) General Plan Map designafion were published on the website link included in the nofication and were also made available at the Planning and Zoning offices.

## PUBLIC COMMENTS

Following notification, over two dozen phone and email inquiries were received—mostly from individuals seeking clarification as to the City’s intent and the nature of this action. Staff received letters of support from an individual property owner and the Oakland Heritage Alliance.

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 Community and Economic Development Committee  
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## ENVIRONMENTAL DETERMINATION

The proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (ER97-0018). As a separate and independent basis, this proposal is also exempt under Sections 15061(b)(3) and/or 15183 of the State CEQA Guidelines.

## SUSTAINABLE OPPORTUNITIES

**Economic:** The General Plan Map refinements will eliminate uncertainty and confusion around the designation of these properties, resulting in cost savings for property owners and administrative savings for staff.

**Environmental:** The General Plan Map refinements will ensure that several areas incorrectly mapped for residential development will be correctly mapped as open space, including areas recently acquired by the city for protection and resource management. The General Plan Map refinements will confirm the City's commitment to protecting these lands into the future. The refinements also reduce the potential for incompatible land uses being cited in areas that were incorrectly shown on the General Plan (for example, industrial uses on elementary schools).

**Social Equity:** The General Plan Map refinements will benefit homeowners and renters in several lower income East and West Oakland communities by correctly showing the designation of their properties as housing rather than industry or commercial. This is an important environmental justice benefit, and also demonstrates the City's commitment to conserving workforce housing.

## DISABILITY AND SENIOR CITIZEN ACCESS

Staff does not anticipate any particular barriers or benefits resulting from the General Plan Map corrections, regarding access issues for the disabled or for senior citizens.

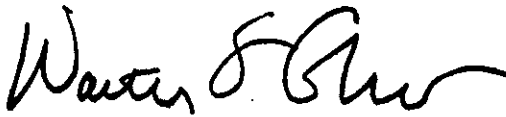
## RECOMMENDATION(S) AND RATIONALE

Staff recommends that the City Council ensure proper implementation of the goals and policies of the General Plan Land Use and Transportation Element by approving a resolution that confirms the proposed corrections to the General Plan Map.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution confirming the proposed corrections, refinements and clarifications to the General Plan Map.

Respectfully submitted,



Walter S. Cohen, Director  
Community and Economic Development Agency

Prepared by:  
Barry Miller, AICP, Planning Consultant

Christina Ferracane, Planner II  
Strategic Planning Division, Planning and Zoning

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

  
\_\_\_\_\_  
Office of the City Administrator

**Attachments:**

- A. November 3, 2010 Planning Commission Report
- B. Summary Table of General Plan Map Refinements

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Community and Economic Development Committee  
February 8, 2011

## ***Oakland City Planning Commission***

## **STAFF REPORT**

Case File Number GP10264

November 3, 2010

Location:	Citywide
Proposal:	Further (Tier 3) Corrections, Refinements and Clarifications of the General Plan Land Use Diagram to Generally Reflect Existing Land Use and Conform to the Intent of the Previously Adopted General Plan
Applicant:	Planning Commission
Planning Permits Required:	None
General Plan:	Affects all categories
Zoning:	Affected areas include most of the zoning districts used in Oakland, except CBD
Environmental Determination:	The proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (ER97-0018); as a separate and independent basis, this proposal is also exempt under Sections 15061(b)(3), 15183, and/or Section 15273 of the State CEQA Guidelines.
Service Delivery District:	All
City Council District:	All
Date Filed:	October , 2010
Status:	N/A
Staff Recommendation:	Forward recommendation to City Council.
For Further Information:	Contact Christina Ferracane, Strategic Planning at (510) 238-3903 or by email: <a href="mailto:cfcerracanc@oaklandnet.com">cfcerracanc@oaklandnet.com</a>

### **SUMMARY**

As part of the effort to update the Oakland zoning regulations, the Planning Department has continued to refine the 1998 General Plan Land Use Diagram to respond more closely to actual land uses and parcel shapes. Over the past several years, the City has been transitioning from a highly generalized "blob-like" General Plan Land Use Diagram to a more precise Diagram. This shift will facilitate a more accurate alignment between the Oakland General Plan Land Use Diagram and the Oakland Zoning Maps, and will reduce the need for frequent General Plan consistency determinations as specific development projects are proposed.

The 1998 General Plan Map (i.e., the Land Use Diagram) was prepared before the use of computer-generated (GIS) maps by the Planning Department. Thus, its designations are overly generalized in some areas. If not corrected, the existing Map could lead to the rezoning of property to designations that were not intended by the General Plan. The refinements now being completed will improve the Plan's conformance to what was previously adopted by the Council in 1998. The changes are not substantive amendments to the Plan, although all procedural requirements for a general plan amendment have been followed. There are 79 refinements and corrections in total, encompassing approximately 556 acres and affecting almost 1,400 parcels.

This is the third and final set of Map refinements and corrections to be brought before the Planning Commission. Two earlier sets of corrections were considered by the Planning Commission in October 2008 and September 2009. Both of these were subsequently approved by the City Council.

## BACKGROUND

Consistent with State law, the Oakland General Plan includes a Land Use Diagram (also called the “General Plan Map”) showing the distribution of various land uses across the city. Fourteen color-coded categories are used, each corresponding to a different land use and density/intensity.

The 1998 Land Use Diagram was drawn in a very “broad brush” manner. It was designed to be printed and interpreted at a scale of 1” = one mile, allowing the entire city to fit on an 11” x 17” sheet which could be folded and inserted in the back of the Plan document. The philosophy was to keep the map conceptual, leaving the more detailed parcel-level mapping to the Zoning Update. As the Land Use and Transportation Element itself notes:

“The zoning map will refine the boundaries used for the land use classifications as needed to achieve the intent of the General Plan....the zoning map will provide greater specificity and detail in areas of the City too small to be detailed in the General Plan.”  
*(Land Use and Transportation Element, p. 144)*

Although the “broad brush” mapping approach is acceptable under California general plan law, it has had a number of unintended consequences. Specifically:

- The edges of map shapes were overly generalized; areas with complex land use patterns were simply mapped as “blobs” rather than conforming to their actual extent.
- Small pockets of residential and commercial uses (generally 10 acres or less) do not appear on the map at all; they were omitted to keep the map legible.

One of the major purposes of the Zoning Update is to achieve conformance with General Plan. For the past two years, City staff has been updating the Zoning Maps to incorporate new residential and commercial zoning districts and to match these districts to the General Plan Map to the greatest extent possible. In undertaking this task, Staff has identified a number of areas where literal interpretation of the General Plan Map would require rezoning in a manner that would be inconsistent with the General Plan’s policies.

For example, there are several high-rise apartment buildings along Market Street in West Oakland and along Martin Luther King Jr. Way in North Oakland (in both cases zoned R-70) with a General Plan designation of “Mixed Housing Type Residential”. A literal interpretation of the General Plan would mean downzoning these buildings to a much lower density, rendering all of the existing structures non-conforming. Given that the General Plan strategy is to “maintain and enhance” these areas, a more appropriate solution is to refine the General Plan to recognize these small pockets of high-density development and retain the zoning “as is”.<sup>1</sup> In most cases, the Map refinements will result in a General Plan designation which matches what is on the ground today and will enable a new zoning designation which is equivalent to the current zoning. The intent of the General Plan refinement is to reinforce the current pattern of use and avoid potential future disinvestment.

In addition to the Map refinements described above, several corrections to the General Plan Map also are needed. For example, updated designations are needed to more accurately depict development that

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<sup>1</sup> *Although the statement indicates that existing zoning will be retained “as is”, the R-70 zone will be replaced in the near future with a zone of equivalent density using the new Oakland zoning framework, which is being considered by the Planning Commission, as a separate action. The name of the zone is proposed to change from R-70 to RU-3, but the allowable density would stay the same.*

occurred between 1998 and 2010. In a few cases, updated designations are needed to reflect recent public acquisition of property as open space and to show large institutional uses that were not initially displayed on the Map.

**Three -Tiered Process**

Corrections and refinements to the Land Use Diagram have been brought forward in three tiers. The first tier consisted of 32 scrivener’s errors and was heard by the Planning Commission in October 2008 and approved by the City Council in December 2008. The second tier consisted of 116 map refinements and included over 1,600 parcels. These refinements were intended to more accurately show the edges of the colored shapes on the Land Use Diagram. The refinements were heard by the Planning Commission in September 2009 and approved by the City Council in October 2009.

As noted above, the third tier of refinements and corrections is primarily intended to recognize small pockets of higher and lower density development that were not recognized on the original Land Use Diagram. The cumulative effect of the refinements and corrections will be to replace Oakland’s “blob-like” General Plan Map with a more precise map that recognizes the fine-grained pattern of land uses and densities that characterizes many Oakland neighborhoods. The modifications to the Map continue to non-substantive and are administrative in nature. Although the overall effect of these changes will be to make the Map more precise, the Map will continue to be *somewhat* generalized and will not match zoning district boundaries exactly.

**Extent and Location of the Tier 3 Proposed Map Refinements**

The Tier 3 refinements now before the Planning Commission represent just approximately one percent of all parcels in the City of Oakland. There are 79 identifiable map refinements (the refinements are referred to as “shapes” in this staff report since they correspond to physical shapes on the Map), which affect about 1,400 parcels. In almost all cases, the proposed refinements will adjust General Plan boundaries to reinforce *existing* land use patterns and preclude the need for substantive zoning changes. Based on policies in the General Plan, the Plan’s intent was not to upzone or downzone the subject areas, which for the most part are located in stable neighborhoods which the Plan indicates should be “maintained and enhanced.”

The Tier 3 refinements are located in all parts of Oakland, as indicated below:

Planning Area	Number of Tier 3 General Plan Map Refinements
North Hills	5
South Hills	2
Lower Hills	9
North Oakland	8
West Oakland	13
Central	2
San Antonio	10
Fruitvale	2
Central East Oakland	11
Elmhurst	17
<b>TOTAL</b>	<b>79</b>

The 79 refinements are grouped into the following categories for discussion in this staff report:

- Category 1: Areas where “built out” pockets of higher density residential development were not acknowledged by the General Plan Map due to mapping scale issues (33 cases)
- Category 2: Areas where existing “built out” pockets of lower density residential development were not acknowledged by the General Plan Map due to mapping scale issues (9 cases)
- Category 3: Areas where commercial map designations were over-generalized or omitted due to mapping scale issues (15 cases)
- Category 4: West Oakland Map clarifications (5 cases)
- Category 5: Areas where major institutional uses were not shown on the map due to scale issues (5 cases)
- Category 6: Areas where the extent of open space needs to be clarified (5 cases)
- Category 7: Areas where substantial land use changes have occurred since adoption of the 1998 General Plan (5 cases)
- Category 8: Other miscellaneous refinements necessary to avoid erroneous rezoning (2 cases)

The proposed refinements will eliminate many potential inconsistencies between the General Plan Map and the Zoning Map and will reduce uncertainty and ambiguity for property owners in these areas. More substantial inconsistencies are being eliminated through the rezoning process as thousands of properties across Oakland are being rezoned to reflect their designations on the General Plan Map. The latter changes will be considered by the Planning Commission in upcoming public hearings.

The City is using a standardized 32-sheet parcel-level map grid to annotate Map corrections. This same grid has been used throughout the Zoning Update process, and will continue to provide a template for future maps. Each refinement has been assigned an identification number (ID #) which indicates the map grid number plus a second number to distinguish it from other shapes on the map. For instance, on Map Sheet 27, one would find shapes 27-1, 27-2, 27-3, 27-4, and so on.

The Tier 3 General Plan refinements are annotated in two forms: (a) in the text below and (b) in a series of 11 x 17 map panels at the end of this report.

#### **DESCRIPTION OF PROPOSED REFINEMENTS**

The remainder of this staff report provides a more detailed overview of each of the refinements, using the eight categories listed above:

##### **Category 1: Small Pockets of Higher Density Residential Use Not Currently Shown on the General Plan Map**

These refinements would avoid the need to “downzone” established residential areas. These areas include small clusters of duplexes, triplexes, and 4-8 plexes that are designated for “Detached Residential” on the General Plan Map, and clusters of mid-rise or high-rise apartments that are designated for “Mixed Housing Type Residential” on the Map. In such cases, a literal interpretation of the General Plan would mean changing the zoning for these areas to the point where a majority of the structures would become non-conforming. The General Plan designations for these areas do not represent an accurate portrayal of what is “on the ground” or what is projected to be “on the ground” in the future.

There are 33 cases like this on the General Plan Map. These cases include:

- 24 instances where clusters of existing duplexes, triplexes, and 4-8 unit apartment buildings are designated “Detached Residential” on the General Plan instead of “Mixed Housing Type Residential.” In all cases, these areas are already zoned for medium-density development (typically R-50 and in some cases R-60 or R-70). Staff does not believe that downzoning to single family districts (e.g., R-30) would be consistent with the General Plan directive to “maintain and enhance” these areas.
- 2 clusters of small apartment buildings that are designated “Hillside Residential” instead of “Mixed Housing Type Residential.” One of these areas is located on Somerset Road (near Montclair Village) and the other is located on Mountain Blvd just north of 98<sup>th</sup> Avenue. The former area is zoned R-50 and the latter area is zoned R-70. Both are fully developed.
- 7 cases where clusters of higher-density apartment buildings (with densities exceeding 30 units per acre) are designated “Mixed Housing Type Residential.” All seven of these areas are currently zoned R-70 or R-80. Based on their actual densities, these areas should be designated “Urban Residential.” Staff does not believe that downzoning to medium density districts (e.g., R-40 or R-50) would be consistent with the General Plan directive to “maintain and enhance” these areas.

Table I profiles each of the 33 cases:

**Table 1: Map Refinements Which Increase Densities to the Intended Designations**

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
10-1	8.0	East and south sides of Montclair Village	Detached Unit Residential	Mixed Housing Type Residential	Small apartment buildings and condominiums within the “village” street grid. Currently zoned R-50 and R-70.
10-4	5.0	Perimeter of Oakmore-Leimert commercial district	Detached Unit Residential	Mixed Housing Type Residential	Well-established area of single family homes, small apartment buildings and 2-8 unit buildings adjacent to commercial district. Currently zoned R-50.
11-1	22.6	East end of Tompkins St	Detached Unit Residential	Mixed Housing Type Residential	Several blocks of mixed density housing, including single family homes, group homes and institutional uses, small apartment buildings. Currently zoned R-50.
12-2	2.1	75th and Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
12-3	5.3	7664-7811 Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
12-4	7.6	7870-8117 Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
13-2	8.1	10200-10500 Foothill Blvd	Detached Unit Residential	Mixed Housing Type Residential	Four-plexes, large townhome complex, mid-size apartments, liquor store. Zoned R-40, R-50, C-10
17-1	3.4	East side of Park Blvd at El Centra	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, garden apartments. Currently zoned R-50.
17-2	4.2	Both sides of Park Blvd at Leimert	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, garden apartments. Currently zoned R-50.
17-3	10.3	Park Blvd below Glenview, Norwood, Woodruff	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, 2-8 plexes, and several large apartment buildings. Currently zoned R-50 and R-70.

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Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
18-2	4.9	East of Courtland Creek and w/ of House of Peace Cemetery	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, 2-8 plexes, and large apartment buildings. Currently zoned R-50.
18-3	3.7	East side of Fern Street facing House of Peace Cemetery	Detached Unit Residential	Mixed Housing Type Residential	Continuous block of small apartment buildings. Currently zoned R-50.
18-4	7.0	Ransom to 38 <sup>th</sup> b/w Carrington and Santa Rita	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and flats, block currently zoned R-50. Some commercial on 38 <sup>th</sup>
19-1	8.3	MacArthur Blvd opposite Mills College	Detached Unit Residential	Mixed Housing Type Residential	Small apartment buildings and gas station. Currently zoned R-50.
19-2	10.4	Ygnacio Av from Congress to Trask	Detached Unit Residential	Mixed Housing Type Residential	2-4 plexes and a few SF homes. Current zoning is R-50.
19-5	4.1	Walnut at Mason, and Kingsley Street	Detached Unit Residential	Mixed Housing Type Residential	Church, apartment buildings, and courtyard style homes. Current zoning is R-50 and C-30.
19-7	9.7	First block of 73 <sup>rd</sup> Avenue below International Blvd	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and 2-8 unit buildings. Current zoning is R-50.
19-10	12.4	Garfield Av b/w 75 <sup>th</sup> and 80 <sup>th</sup> Avenues	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and 2-8 unit buildings. Current zoning is R-50.
20-1	5.4	Bancroft between 103th and 106 <sup>th</sup> Aves.	Detached Unit Residential	Mixed Housing Type Residential	Single family homes and small apartment buildings. Current zoning is R-50.
23-1	14.1	MacArthur Blvd between Wesley and Spruce St	Detached Unit Residential	Mixed Housing Type Residential	Mix of SF homes, 2-4 plexes, older homes divided into multiple units, larger apartments, Current zoning is R-70 and R-50.
23-2	4.9	W/side Athol from Haddon to Cleveland	Detached Unit Residential	Mixed Housing Type Residential	Single family homes and small apartment buildings. Current zoning is R-50.
23-4	6.0	Hillsborough St.	Detached Unit Residential	Mixed Housing Type Residential	Large apartment buildings. Current zoning is R-50 and R-70.
25-1	11.5	70 <sup>th</sup> to 76 <sup>th</sup> Avenues between Hawley and Spencer Sts.	Detached Unit Residential	Mixed Housing Type Residential	Mixed density housing (mostly single family with some 2-4 units), across the street from BART station. Current zoning is R-50.
26-2	0.8	Edes Av at S. Elmhurst Av	Detached Unit Residential	Mixed Housing Type Residential	Vacant site zoned R-50; multi-family dev't project has been proposed for several years.
10-2	4.2	Somerset Rd (above Park Blvd below 13)	Hillside Residential	Mixed Housing Type Residential	Block of mostly 4-8 unit apartment buildings. Currently zoned R-50.
13-1	2.0	Mountain Blvd just above 98 <sup>th</sup> Av	Hillside Residential	Mixed Housing Type Residential	Area of several multi-story condos/ apartment buildings. Currently zoned R-70.
17-4	11.0	MacArthur Blvd at 14 <sup>th</sup> Avenue	Mixed Housing Type Residential	Urban Residential	Apartment buildings adjacent to Highland Hospital and I-580, currently zoned R-70.
19-11	1.0	Foothill, opposite Eastmont Mall	Mixed Housing Type Residential	Urban Residential	Several parcels developed with 3-4 story apartment buildings, currently zoned C-30.
21-1	3.1	W/ side of MLK Jr	Mixed Housing	Urban	Strip of high-rise apartment buildings currently



Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
		Way just south of Berkeley	Type Residential	Residential	zoned R-70.
22-7	4.8	Vicinity of Valdez and 29 <sup>th</sup> Streets	Mixed Housing Type Residential	Urban Residential	Three high rise apartment buildings currently zoned R-80.
23-6	3.1	E/side 14 <sup>th</sup> Avenue b/w East 29 <sup>th</sup> and East 30 <sup>th</sup>	Mixed Housing Type Residential	Urban Residential	Block of apartments developed at densities of approx. 100 units/ acre and zoned R-70.
23-7	16.7	Area b/w Santa Clara St and 1-580 above Grand Ave	Mixed Housing Type Residential	Urban Residential	Area of continuous large apartment buildings, some 4-5 stories tall and some 2-3 stories. Current zoning is R-70.
27-4	5.2	W/ side of Market St b/w 14 <sup>th</sup> and 18 <sup>th</sup>	Mixed Housing Type Residential	Urban Residential	Strip of high-rise apartment buildings currently zoned R-70.

**Category 2: “Built-out” Low Density Residential Areas Shown for Higher Densities on the General Plan Map**

There are nine locations where the General Plan shows an established low density residential area as being more dense than actual conditions. While this may be appropriate in areas with opportunities for “growth and change,” the areas in question are well-established neighborhoods where the General Plan indicates the existing land use pattern should be “maintained and enhanced.” Some contain important historic resources or natural resources that the General Plan indicates should be conserved.

The discrepancy is primarily a result of the scale at which the General Plan was prepared. In most cases an adjoining moderate or high density area was “drawn too large” or was overly generalized. Rezoning these areas to a higher density zone could have unintended consequences that would conflict with the General Plan’s policies. Staff is seeking to clarify the intent of the General Plan Map by refining boundaries and reducing the Map designation to something more consistent with prevailing densities.

Table 2 profiles each of the nine cases:

**Table 2: Map Refinements Which Reduce Densities Down to the Intended Designations**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
17-5	3.0	Block bounded by Vermont / Warfield/ Weldon/ Prince	Mixed Housing Type Residential	Detached Residential	Block of entirely single family homes, on the edge between a “Mixed Housing Type” area and a “Detached Residential” area.
19-4	1.8	Holway Court	Mixed Housing Type Residential	Detached Residential	Older subdivision of single family homes, on edge between a “Mixed Housing Type” area and a “Detached Residential” area.
20-3	4.3	Dowling at 86 <sup>th</sup> Street	Mixed Housing Type Residential	Detached Residential	Edge of the “Mixed Housing Type” area was not drawn precisely, taking in these single family detached homes now zoned R-30.
22-1	25.6	Area immediately east of Highway 24 from 44 <sup>th</sup> St to 50 <sup>th</sup> St.	Urban Residential	Mixed Housing Type Residential	One and two family homes, 3-8 plexes, a few small apartment buildings. Current zoning is R-50.
22-2	2.9	W/ side of MLK Jr Way at 52 <sup>nd</sup> Street	Urban Residential	Mixed Housing Type Residential	Well established block of mixed density housing currently zoned R-40 and surrounded by similar blocks.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
23-3	3.8	Capital Street (Haddon Hill)	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings, adjacent to much higher density area. Currently zoned R-50.
23-5	13.5	Portions of Lester St., Newton, Athol, Haddon	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings, adjacent to much higher density area. Currently zoned R-40 and R-50. GP Map over-generalized this area.
23-11	15.0	3 <sup>rd</sup> , 4 <sup>th</sup> , and 5 <sup>th</sup> Avenues from E. 15 <sup>th</sup> to E. 17 <sup>th</sup> SL	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings. Currently zoned R-50. GP Map over-generalized this area.
10-6	19.5	End of Woodcrest, Dublin, Keamy, Argyle, Woodminster area	Detached Unit Residential	Hillside Residential	Large lots backing onto Joaquin Miller Park and Sausal Creek. More environmentally constrained than adjacent areas.

**Category 3: Areas where Commercial Map Designations were Overgeneralized**

There are 15 locations on the General Plan Map where a commercial district was not drawn precisely enough to facilitate a match with the Zoning Map. In 11 of these locations, the proposed General Plan Map refinements will avoid the rezoning of established residential areas with commercial designations. For example, the Piedmont Avenue commercial corridor was mapped as being an entire city block wide in the area between MacArthur Boulevard and I-580, taking in all the homes along Westall and Warren Streets. These are residential blocks, and the commercial area should be limited to the parcels fronting on Piedmont Avenue. The Map refinement would adjust the boundary and show the block's "interior" residential area as "Mixed Housing Type" Residential. The other ten locations are similarly configured.

The remaining four locations include two where the commercial area was not mapped large enough, one where the commercial area was not mapped at all, and one where a map "clean-up" is needed to eliminate a remnant designation in the I-980 Freeway right-of-way. The first category includes one location where the San Pablo commercial corridor "bulbs out" at 30<sup>th</sup> Street and another where the Eastmont Mall commercial area crosses 73<sup>rd</sup> Avenue and includes parcels on the east side of the street. Rather than rezoning these active commercial areas to residential uses, the map will be refined to show them as Community Commercial. The commercial district that was not mapped at all is the Oakmore-Leimert commercial district, which was shown as "Detached Residential" on the Plan Map due to scale issues. The final area is a map "clean up" adjacent to the Jack London Shopping Center at 7<sup>th</sup> and Brush Streets.

These areas are shown in Tables 3a and 3b.

**Table 3a: Map Refinements Restoring Residential Designations where Commercial Areas were Overstated**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
16-1	4.5	Interior of area bounded by Shattuck, Hwy 24, Telegraph, and 51 <sup>st</sup> Street	Neighborhood Center Mixed Use	Urban Residential	Large apartment buildings and smaller flats and mixed density units, currently zoned R-70.
18-1	1.8	NW corner Garden and Courtland	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Four or five parcels with apartment buildings, adjacent to Walgreens Shopping Center
19-3	1.3	Both sides of Bancroft just east of Vicksburg	Neighborhood Center Mixed Use	Urban Residential	Several apartment buildings adjacent to a small neighborhood commercial district

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
21-2	6.8	W/ side Dover St b/w 56 <sup>th</sup> and 59 <sup>th</sup> Streets	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Formerly part of the "Old Merritt College" (University High) campus and since redeveloped with SF homes, currently zoned R-40. Commercial area mapped too large.
22-3	4.4	40 <sup>th</sup> to 41 <sup>st</sup> Streets between Telegraph and Hwy 24	Neighborhood Center Mixed Use	Urban Residential	Established area of apartments adjacent to the MacArthur BART transit village area. Current zoning of R-70 is better fit than S-15.
22-4	1.7	San Pablo at 32 <sup>nd</sup> St	Community Commercial	Urban Residential	Large multi-family building; Urban Residential portion of corridor should extend ½ block further to include this site.
22-6	4.1	Warren Av and Westall Av	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Mix of SF homes, flats, small apartments. Commercial corridor mapped too wide.
23-8	2.1	East side of Wesley, behind Trader Joes	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Map overstates the extent of the shopping district, covering parcels currently developed with apartment buildings.
23-9	3.8	W/ side of 5 <sup>th</sup> Avenue between E, 19 <sup>th</sup> and E.21 Streets	Neighborhood Center Mixed Use	Urban Residential	Map overstates the extent of the shopping district, covering parcels currently developed with apartment buildings.
23-10	3.3	SE perimeter of the East 18 <sup>th</sup> St shopping district	Neighborhood Center Mixed Use	Urban Residential	Map overstates the extent of the shopping center, covering parcels currently developed with apartment buildings.
32-3	1.4	7 <sup>th</sup> Street between Wood and Pine	Community Commercial	Mixed Housing Type Residential	This is Marcus Garvey Commons, a multi-family development that would be more appropriately zoned residential rather than commercial.

**Table 3b: Map Refinements Restoring Commercial Designations where Other Designations were Overstated**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
10-3	2.0	Leimert just east of Park Blvd	Detached Unit Residential	Neighborhood Center Mixed Use	Established commercial district zoned C-5 and left off the General Plan Map due to scale issues.
19-6	5.3	Corner of 73 <sup>rd</sup> and Bancroft	Mixed Housing Type Residential	Community Commercial	Office buildings, retail, fast food, currently with C-30 zoning—on the eastern perimeter of Eastmont Mall.
22-5	3.1	30 <sup>th</sup> and Filbert Streets	Mixed Housing Type Residential	Community Commercial	Auto services, light industry, heavy commercial – San Pablo corridor "bulbs out" at this location. Currently zoned C-40.
27-2	2.2	I-980 Freeway between 7 <sup>th</sup> and 9th	Business Mix	Community Commercial	Should be part of the adjacent shape that includes the shopping center. This is just a "clean up" item.

**Category 4: West Oakland Map Clarifications**

There are five locations in West Oakland where staff seeks to clarify the intent of the General Plan to avoid the erroneous rezoning of property during the zoning update. The changes annotated below will enable existing zoning to remain "as is" in most cases, and will avoid rezoning property based on General Plan designations which do not match either existing or intended future conditions. These five changes include two around the West Oakland BART station (making the General Plan boundary consistent with the S-15 Transit Oriented Development district), two along Pine Street (clarifying the extent of the Mixed

Housing Type area), and two along Adeline Street (intended to align the General Plan designations to existing zoning in order to prevent the creation of new non-conforming uses).

Staff is not proposing substantive changes to the General Plan Map in West Oakland at this time. A request to amend the General Plan to create a new four-block Housing Business Mix area (near Adeline/24th) was received from a property owner during the Zoning Update process. However, this change would be considered a substantive amendment rather than a correction since it would require concurrent rezoning of industrial land to the HBX zone. This change is not included in this staff report but could be considered at a future date.

The West Oakland Map refinements are shown in Table 4.

**Table 4: Proposed West Oakland General Plan Map Refinements**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
27-3	0.4	24 <sup>th</sup> and Chestnut, NW corner	Business Mix	Mixed Housing Type Residential	Single family homes, church, on edge between Business Mix and Mixed Housing Type, currently zoned R-50.
32-1	1.0	Pine and 10 <sup>th</sup> St	Mixed Housing Type Residential	Business Mix	Recycling business occupies full city block. Parcel is currently split, with an isolated "island" of Mixed Housing Type on the front half and Business Mix on back half.
32-2	0.7	SE corner of Pine at 8th	Mixed Housing Type Residential	Housing and Business Mix	Extends existing strip of HBX by three parcels to include warehouse/ office building.
32-4	1.1	Center St. between 3 <sup>rd</sup> and 5 <sup>th</sup> Streets	Business Mix	Mixed Housing Type Residential	Enables retention of existing R-36 zoning on enclave of houses in South Prescott area.
32-5	13.6	Southern terminus of Mandela Parkway and I-880 right of way	Business Mix	Community Commercial	Aligns General Plan designation with the S-15 Transit Oriented Development zone, consistent with W. Oakland transit village plans.

**Category 5: Large Institutional Uses That Were Left Off the Map**

This category also appeared in the Tier 2 General Plan Corrections and Refinements. Over the course of the Zoning Update, staff has identified four additional institutional uses that are large enough to be depicted on the General Plan Map. Clarification of the General Plan Map is desired to acknowledge these uses as the important community resources they are. The specific uses include:

- The complex of public buildings on 18th Street in West Oakland across from DeFremery Park, including Ralph Bunche School and the West Oakland Library
- Parker Elementary School in East Oakland
- Acorn Woodland Elementary School in East Oakland (itemized as two separate Map refinements)
- The complex of public and institutional buildings at 27th and Harrison, including Westlake Middle School and the First Congregational Church

Table 5 provides more information on these cases in this category.

**Table 5: Map Refinements to Show Public and Institutional Uses That Were Not Mapped**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
12-1	3.0	7929 Ney Ave	Detached Unit Residential	Institutional	Parker Elementary School
19-8	3.2	81 <sup>st</sup> Ave at Rudsdale	Mixed Housing Type Residential	Institutional	Woodland Elementary School
19-9	6.5	81 <sup>st</sup> Ave at Rudsdale	Business Mix	Institutional	Woodland Elementary School
22-8	8.5	27 <sup>th</sup> and Harrison	Community Commercial	Institutional	First Congregational Church; Westlake Middle School
27-5	6.0	North side of 18 <sup>th</sup> Street opposite DeFremery Park	Business Mix	Institutional	Ralph Bunche School, West Oakland Library

**Category 6: Refinements to Clarify the Extent of Public Open Space Areas**

Five refinements to the Map are proposed to clarify the extent of public open space shown on the General Plan and to update the Map to show a recent acquisition by the East Bay Regional Park District. These refinements include:

- Clarifying the extent of the Grizzly Peak Open Space in the North Hills to remove a small piece of private property that was erroneously shown as public land
- Depicting Castle Canyon (in the Piedmont Pines area) as open space, since the land has been acquired by the City for resource conservation and will be rezoned OS (RCA)
- Expanding the Dunsmuir Ridge regional open space to show a recent 65-acre acquisition by the East Bay Regional Park District
- Clarifying the extent of Golden Gate Park on San Pablo Avenue to show the actual park boundary and ensure that homes along 61st Street are shown as “residential” rather than “open space” uses
- Correcting a longstanding error on the map in which Sobrante Park and Sobrante Park Elementary School are shown in the reverse locations from where they actually appear.

These changes are annotated in Table 6 below:

**Table 6: Map Refinements to Clarify the Extent of Public Open Space**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-1	0.6	Grizzly Peak Estates (Tunnel Rd)	Resource Conservation	Hillside Residential	Small portion of a private parcel erroneously shown as part of the public open space.
10-5	10.8	Castle Canyon (Piedmont Pines)	Hillside Residential	Resource Conservation	Reflects acquisition of this area by the city for protection and resource management
14-1	65.2	Above Dunsmuir House	Hillside Residential	Resource Conservation	Reflects acquisition of this area by the EBRPD for protection and resource management
21-3	3.6	61 <sup>st</sup> Street above San Pablo Ave	Urban Open Space	Mixed Housing Type Residential	Plan overstated extent of park. Should clarify to note that homes on 61 <sup>st</sup> are in Residential area.
26-4 a	3.0	Bergedo Drive	Urban Open Space	Institutional	Location of elementary school.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
26-4 b	3.2	Bergedo Drive	Institutional	Urban Open Space	Location of park.

**Category 7: Refinements to Reflect Development Since 1998**

The Land Use and Transportation Element, which includes Oakland's General Plan Map, was adopted in 1998. Since that time, several large-scale projects have been developed that do not match the designations on the General Plan Map. Formal General Plan Map Amendments were not required in these instances because the proposed use was permitted by the Map designation. The changes below would simply align the Map designations so that they are closer to the actual new uses on these sites.

This category also appeared in the Tier 2 General Plan corrections. However, the changes below were not identified until the update of the zoning maps took place.

There are five cases in this category, described in Table 7 below:

**Table 7: Map Refinements to Show Land Use Changes That Have Occurred Since 1998**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-1	18.2	I-880 frontage between 29 <sup>th</sup> Av and Fruitvale	Regional Commercial	Community Commercial	When the General Plan was prepared, the former Del Monte Cannery site was envisioned as a major regional employment hub. The site was subsequently developed as a community scale shopping center.
26-1	16.9	98 <sup>th</sup> Ave near E Street	Housing and Business Mix	Mixed Type Residential	This is the Arcadia Park development. It was originally shown as Business Mix in the 1998 Plan. Following demolition of Fleischmanns Yeast in 2003, the Plan was amended to Housing Business Mix. A portion of the site was developed with housing and zoned R-30 and R-50. This portion should now be shown as Mixed Housing Type Residential on the General Plan, in order to retain the existing zoning and reflect existing residential uses.
26-3	2.0	Edes Avenue near Bergedo	Housing and Business Mix	Mixed Type Residential	Should update GP Map to reflect recent development of this site with townhomes, and retain R-40 zoning.
27-1	3.6	Mandela Parkway at 32 <sup>nd</sup> Street	Business Mix	Housing and Business Mix	Should update GP Map to reflect recent development of this site with live-work units, and to support HBX zoning rather than CIX zoning (which prohibits residential use)
27-6	1.7	Palm Court	Urban Residential	Mixed Type Residential	Enclave of single family homes in West Oakland built after demolition of public housing units on this site in early 2000s.

**Category 8: Other Miscellaneous Corrections and Refinements**

Two additional small refinements to the Plan Map are proposed. The first is the designation of a two block area on MacArthur Boulevard between Foothill and Talbot (near Foothill Square) as "Neighborhood Center Mixed Use" instead of "Community Commercial." This area was rezoned from a heavier commercial designation to C-28 as part of a community planning process in the 1990s. The General Plan Map refinement would enable these blocks to keep their "neighborhood" oriented

commercial zoning, rather than remming to a heavier commercial district. The existing uses on these blocks are small-scale neighborhood serving businesses.

The second case involves the designation of several blocks immediately east of the Coliseum BART parking lot as "Business Mix" rather than "General Industrial." These blocks are currently zoned M-20, which is consistent with a Business Mix designation. Staff does not believe that it was the intent of the General Plan to create more high-impact heavy industrial uses on these blocks. Such an action would conflict with the transit-oriented development policies of the General Plan, as these blocks are across the street from BART and within a Redevelopment Project Area. The proposed designation would permit zoning of these blocks with a CIX zone (office/ light industry) equivalent to the current M-20 rather than "downzoning" to an IG zone.

Table 8 summarizes the miscellaneous refinements.

**Table 8: Miscellaneous Map Refinements**

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
20-2	6.1	MacArthur Blvd from Foothill to Talbot	Community Commercial	Neighborhood Center Mixed Use	Small local serving businesses, rezoned from heavier commercial designation to C-28 in the 1990s.as part of a neighborhood planning process.
25-2	12.3	73 <sup>rd</sup> Avenue at San Leandro Street	General Industrial	Business Mix	Mix of industrial uses and storage areas immediately east of the Coliseum BART station. Currently zoned M-20.

**NOTIFICATIONS**

In addition to the notice to agenda subscribers, newspaper notice was provided and CEDA mailed written notification to all property owners directly affected by the map changes. Approximately 1,400 notices were sent, each with a website link to review maps identifying the proposed changes. The website also includes a data base with the assessor parcel numbers and street addresses of all properties included in the Tier 3 corrections, giving the existing (incorrect) Land Use Diagram designation and the proposed (corrected) designation.

**ENVIRONMENTAL DETERMINATION**

The proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (ER97-0018); as a separate and independent basis, this proposal is also exempt under Sections 15061(b)(3), 15183, and/or Section 15273 of the State CEQA Guidelines.

- RECOMMENDATIONS:**
1. Affirm staff's environmental determination.
  2. Forward the proposed Further (Tier 3) Corrections, Refinements and Clarifications of the General Plan Land Use Diagram to the City Council.

Prepared by:

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Approved for forwarding to the  
City Planning Commission:

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ERIC ANGSTADT  
Deputy Director of Planning and Zoning, CEDA

**ATTACHMENTS:**

- A. General Plan Map Corrections (11" x 17" map sheets)



**Attachment B**  
 General Plan Map Corrections, Refinements and Clarifications  
 Community and Economic Development Committee of the City Council  
 February 8, 2011

**Summary Table of General Plan Map Refinements**

*Contains identical information to Tables 1-8 in the Agenda Report, but sites are listed sequentially by Map Grid number.*

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
10-1	8.0	East and south sides of Montclair Village	Detached Unit Residential	Mixed Housing Type Residential	Small apartment buildings and condominiums within the "village" street grid. Currently zoned R-50 and R-70.
10-2	4.2	Somerset Rd (above Park Blvd below Hwy 13)	Hillside Residential	Mixed Housing Type Residential	Block of mostly 4-8 unit apartment buildings. Currently zoned R-50.
10-3	2.0	Leimert just east of Park Blvd	Detached Unit Residential	Neighborhood Center Mixed Use	Established commercial district zoned C-5 and left off the General Plan Map due to scale issues.
10-4	5.0	Perimeter of Oakmore-Leimert commercial district	Detached Unit Residential	Mixed Housing Type Residential	Well-established area of single family homes, small apartment buildings and 2-8 unit buildings adjacent to commercial district. Currently zoned R-50.
10-5	10.8	Castle Canyon (Piedmont Pines)	Hillside Residential	Resource Conservation	Reflects acquisition of this area by the city for protection and resource management
10-6	19.5	End of Woodcrest, Dublin, Keamy, Argyle, Woodminster area	Detached Unit Residential	Hillside Residential	Large lots backing onto Joaquin Miller Park and Sausal Creek. More environmentally constrained than adjacent areas.
11-1	22.6	East end of Tompkins St	Detached Unit Residential	Mixed Housing Type Residential	Several blocks of mixed density housing, including single family homes, group homes and institutional uses, small apartment buildings. Currently zoned R-50.
12-1	3.0	7929 Ney Av	Detached Unit Residential	Institutional	Parker Elementary School
12-2	2.1	75 <sup>th</sup> Av and Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
12-3	5.3	7664-7811 Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
12-4	7.6	7870-8117 Ney	Detached Unit Residential	Mixed Housing Type Residential	Area of mixed multi-family (small apartment buildings) and single family homes. Currently zoned R-50.
13-1	2.0	Mountain Blvd just above 98th Av	Hillside Residential	Mixed Housing Type Residential	Area of several multi-story condos/apartment buildings. Currently zoned R-70.
13-2	8.1	10200-10500 Foothill Blvd	Detached Unit Residential	Mixed Housing Type Residential	Four-plexes, large townhome complex, mid-size apartments, liquor store. Zoned R-40, R-50, C-10
14-1	65.2	Above Dunsmuir House	Hillside Residential	Resource Conservation	Reflects acquisition of this area by the EBRPD for protection and resource management

**Attachment B**  
 General Plan Map Corrections, Refinements and Clarifications  
 Community and Economic Development Committee of the City Council  
 February 8, 2011

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
16-1	4.5	Interior of area bounded by Shattuck, Hwy 24, Telegraph, and 51st St	Neighborhood Center Mixed Use	Urban Residential	Large apartment buildings and smaller flats and mixed density units, currently zoned R-70.
17-1	3.4	East side of Park Blvd at El Centre	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, garden apartments. Currently zoned R-50.
17-2	4.2	Both sides of Park Blvd at Leimert	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, garden apartments. Currently zoned R-50.
17-3	10.3	Park Blvd below Glenview, Norwood, Woodruff	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, 2-8 plexes, and several large apartment buildings. Currently zoned R-50 and R-70.
17-4	11.0	MacArthur Blvd at 14th Av	Mixed Housing Type Residential	Urban Residential	Apartment buildings adjacent to Highland Hospital and I-580, currently zoned R-70.
17-5	3.0	Block bounded by Vermont / Warfield/ Weldon/ Prince	Mixed Housing Type Residential	Detached Residential	Block of entirely single family homes, on the edge between a "Mixed Housing Type" area and a "Detached Residential" area.
18-1	1.8	NW corner Garden and Courtland	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Four or five parcels with apartment buildings, adjacent to Walgreens Shopping Center
18-2	4.9	East of Courtland Creek and w/ of House of Peace Cemetery	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes, 2-8 plexes, and large apartment buildings. Currently zoned R-50.
18-3	3.7	East side of Fern Street facing House of Peace Cemetery	Detached Unit Residential	Mixed Housing Type Residential	Continuous block of small apartment buildings. Currently zoned R-50.
18-4	7.0	Ransom to 38 <sup>th</sup> Av b/w Carrington and Santa Rita	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and flats, block currently zoned R-50. Some commercial on 38th
19-1	8.3	MacArthur Blvd opposite Mills College	Detached Unit Residential	Mixed Housing Type Residential	Small apartment buildings and gas station. Currently zoned R-50.
19-10	12.4	Garfield Av b/w 75th and 80th Aves.	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and 2-8 unit buildings. Current zoning is R-50.
19-11	1.0	Foothill, opposite Eastmont Mall	Mixed Housing Type Residential	Urban Residential	Several parcels developed with 3-4 story apartment buildings, currently zoned C-30.
19-2	10.4	Ygnacio Av from Congress to Trask	Detached Unit Residential	Mixed Housing Type Residential	2-4 plexes and a few SF homes. Current zoning is R-50.
19-3	1.3	Both sides of Bancroft just east of Vicksburg	Neighborhood Center Mixed Use	Urban Residential	Several apartment buildings adjacent to a small neighborhood commercial district

**Attachment B**  
**General Plan Map Corrections, Refinements and Clarifications**  
**Community and Economic Development Committee of the City Council**  
**February 8, 2011**

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
19-4	1.8	Holway Court	Mixed Housing Type Residential	Detached Residential	Older subdivision of single family homes, on edge between a "Mixed Housing Type" area and a "Detached Residential" area.
19-5	4.1	Walnut at Mason, and Kingsley Street	Detached Unit Residential	Mixed Housing Type Residential	Church, apartment buildings, and courtyard style homes. Current zoning is R-50 and C-30.
19-6	5.3	Corner of 73 <sup>rd</sup> Av and Bancroft	Mixed Housing Type Residential	Community Commercial	Office buildings, retail, fast food, currently with C-30 zoning-on the eastern perimeter of Eastmont Mall.
19-7	9.7	First block of 73 <sup>rd</sup> Av below International Blvd	Detached Unit Residential	Mixed Housing Type Residential	Mix of single family homes and 2-8 unit buildings. Current zoning is R-50.
19-8	3.2	81st Av at Rudsdale	Mixed Housing Type Residential	Institutional	Woodland Elementary School
19-9	6.5	81st Av at Rudsdale	Business Mix	Institutional	Woodland Elementary School
20-1	5.4	Bancroft between 103th and 106th Aves.	Detached Unit Residential	Mixed Housing Type Residential	Single family homes and small apartment buildings. Current zoning is R-50.
20-2	6.1	MacArthur Blvd from Foothill to Talbot	Community Commercial	Neighborhood Center Mixed Use	Small local serving businesses, rezoned from heavier commercial designation to C-28 in the 1990s as part of a neighborhood planning process.
20-3	4.3	Dowling at 86th Av	Mixed Housing Type Residential	Detached Residential	Edge of the "Mixed Housing Type" area was not drawn precisely, taking in these single family detached homes now zoned R-30.
2-1	0.6	Grizzly Peak Estates (Tunnel Rd)	Resource Conservation	Hillside Residential	Small portion of a private parcel erroneously shown as part of the public open space.
21-1	3.1	W/ side of MLK Jr Way just south of Berkeley	Mixed Housing Type Residential	Urban Residential	Strip of high-rise apartment buildings currently zoned R-70.
21-2	6.8	W/ side Dover St b/w 56th and 59th Sts.	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Formerly part of the "Old Merritt College" (University High) campus and since redeveloped with SF homes, currently zoned R-40. Commercial area mapped too large.
21-3	3.6	61st St above San Pablo Ave	Urban Open Space	Mixed Housing Type Residential	Plan overstated extent of park. Should clarify to note that homes on 61st are in Residential area.
22-1	25.6	Area immediately east of Highway 24 from 44th St to 50th St.	Urban Residential	Mixed Housing Type Residential	One and two family homes, 3-8 plexes, a few small apartment buildings. Current zoning is R-50.
22-2	2.9	W/ side of MLK Jr Way at 52nd St	Urban Residential	Mixed Housing Type Residential	Well established block of mixed density housing currently zoned R-40 and surrounded by similar blocks.

**Attachment B**  
**General Plan Map Corrections, Refinements and Clarifications**  
**Community and Economic Development Committee of the City Council**  
**February 8, 2011**

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
22-3	4.4	40th to 41st Streets between Telegraph and Hwy 24	Neighborhood Center Mixed Use	Urban Residential	Established area of apartments adjacent to the MacArthur BART transit village area. Current zoning of R-70 is better fit than S-15.
22-4	1.7	San Pablo at 32nd St	Community Commercial	Urban Residential	Large multi-family building; Urban Residential portion of corridor should extend ½ block further to include this site.
22-5	3.1	30th and Filbert Sts.	Mixed Housing Type Residential	Community Commercial	Auto services, light industry, heavy commercial - San Pablo corridor "bulbs out" at this location. Currently zoned C-40.
22-6	4.1	Warren Av and Westall Av	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Mix of SF homes, flats, small apartments. Commercial corridor mapped too wide.
22-7	4.8	Vicinity of Valdez and 29th Streets	Mixed Housing Type Residential	Urban Residential	Three high rise apartment buildings currently zoned R-80.
22-8	8.5	27 <sup>th</sup> St and Harrison	Community Commercial	Institutional	First Congregational Church; Westlake Middle School
23-1	14.1	MacArthur Blvd between Wesley and Spruce St	Detached Unit Residential	Mixed Housing Type Residential	Mix of SF homes, 2-4 plexes, older homes divided into multiple units, larger apartments. Current zoning is R-70 and R-50.
23-10	3.3	SE perimeter of the East 18th St shopping district	Neighborhood Center Mixed Use	Urban Residential	Map overstates the extent of the shopping center, covering parcels currently developed with apartment buildings.
23-11	15.0	3rd, 4th, and 5th Avenues from E. 15th to E. 17th St.	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings. Currently zoned R-50. GP Map over-generalized this area.
23-2	4.9	W/side Athol from Haddon to Cleveland	Detached Unit Residential	Mixed Housing Type Residential	Single family homes and small apartment buildings. Current zoning is R-50.
23-3	3.8	Capital Street (Haddon Hill)	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings, adjacent to much higher density area. Currently zoned R-50.
23-4	6.0	Hillsborough St.	Detached Unit Residential	Mixed Housing Type Residential	Large apartment buildings. Current zoning is R-50 and R-70.
23-5	13.5	Portions of Lester SL, Newton, Athol, Haddon	Urban Residential	Mixed Housing Type Residential	Mix of single family homes and small multi-unit buildings, adjacent to much higher density area. Currently zoned R-40 and R-50. GP Map over-generalized this area.
23-6	3.1	E/side 14th Avenue b/w East 29th and East 30th Sts	Mixed Housing Type Residential	Urban Residential	Block of apartments developed at densities of approx. 100 units/ acre and zoned R-70.
23-7	16.7	Area b/w Santa Clara St and I-580 above Grand Ave	Mixed Housing Type Residential	Urban Residential	Area of continuous large apartment buildings, some 4-5 stories tall and some 2-3 stories. Current zoning is R-70.

**Attachment B**  
**General Plan Map Corrections, Refinements and Clarifications**  
**Community and Economic Development Committee of the City Council**  
**February 8, 2011**

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
23-8	2.1	East side of Wesley, behind Trader Joes	Neighborhood Center Mixed Use	Mixed Housing Type Residential	Map overstates the extent of the shopping district, covering parcels currently developed with apartment buildings.
23-9	3.8	W/ side of 5th Avenue between E. 19th and E. 21 Sts.	Neighborhood Center Mixed Use	Urban Residential	Map overstates the extent of the shopping district, covering parcels currently developed with apartment buildings.
24-1	18.2	I-880 frontage between 29th Av and Fruitvale	Regional Commercial	Community Commercial	When the General Plan was prepared, the former Del Monte Cannery site was envisioned as a major regional employment hub. The site was subsequently developed as a community scale shopping center.
25-1	11.5	70th to 76th Aves between Hawley and Spencer Sts.	Detached Unit Residential	Mixed Housing Type Residential	Mixed density housing (mostly single family with some 2-4 units), across the street from BART station. Current zoning is R-50.
25-2	12.3.	73rd Av at San Leandro Street	General Industrial	Business Mix	Mix of industrial uses and storage areas immediately east of the Coliseum BART station. Currently zoned M-20.
26-1	16.9	98th Av near E Street	Housing and Business Mix	Mixed Type Residential	This is the Arcadia Park development. It was originally shown as Business Mix in the 1998 Plan. Following demolition of Fleischmanns Yeast in 2003, the Plan was amended to Housing Business Mix. A portion of the site was developed with housing and zoned R-30 and R-50. This portion should now be shown as Mixed Housing Type Residential on the General Plan, in order to retain the existing zoning and reflect existing residential uses.
26-2	0.8	Edes Av at S. Elmhurst Av	Detached Unit Residential	Mixed Housing Type Residential	Vacant site zoned R-50; multi-family dev't project has been proposed for several years. It was originally shown as Business Mix in the 1998 Plan. Following demolition of Fleischmanns Yeast in 2003, the Plan was amended to Housing Business Mix.
26-3	2.0	Edes Avenue near Bergedo	Housing and Business Mix	Mixed Type Residential	Should update GP Map to reflect recent development of this site with townhomes, and retain R-40 zoning.
26-4 a	3.0	Bergedo Drive	Urban Open Space	Institutional	Location of elementary school.
26-4 b	3.2	Bergedo Drive	Institutional	Urban Open Space	Location of park.
27-1	3.6	Mandela Parkway at 32nd Street	Business Mix	Housing and Business Mix	Should update GP Map to reflect recent development of this site with live-work units, and to support HBX zoning rather than CIX zoning (which prohibits residential use)

**Attachment B**  
**General Plan Map Corrections, Refinements and Clarifications**  
**Community and Economic Development Committee of the City Council**  
**February 8, 2011**

Map ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
27-2	2.2	1-980 Freeway between 7th and 9th Sts	Business Mix	Community Commercial	Should be part of the adjacent shape that includes the shopping center. This is just a "clean up" item.
27-3	0.4	24th St and Chestnut, NW corner	Business Mix	Mixed Housing Type Residential	Single family homes, church, on edge between Business Mix and Mixed Housing Type, currently zoned R-50.
27-4	5.2	W/ side of Market St b/w 14th and 18 <sup>th</sup> Sts	Mixed Housing Type Residential	Urban Residential	Strip of high-rise apartment buildings currently zoned R-70.
27-5	6.0	North side of 18th St opposite DeFremery Park	Business Mix	Institutional	Ralph Bunche School, West Oakland Library
27-6	1.7	Palm Court	Urban Residential	Mixed Type Residential	Enclave of single family homes in West Oakland built after demolition of public housing units on this site in early 2000s.
32-1	1.0	Pine and 10th St	Mixed Housing Type Residential	Business Mix	Recycling business occupies full city block. Parcel is currently split, with an isolated "island" of Mixed Housing Type on the front half and Business Mix on back half.
32-2	0.7	SE corner of Pine at 8 <sup>th</sup> St	Mixed Housing Type Residential	Housing and Business Mix	Extends existing strip of HBX by three parcels to include warehouse/ office building.
32-3	1.4	7th St between Wood and Pine	Community Commercial	Mixed Housing Type Residential	This is Marcus Garvey Commons, a multi-family development that would be more appropriately zoned residential rather than commercial.
32-4	1.1	Center St. between 3rd and 5th Streets	Business Mix	Mixed Housing Type Residential	Enables retention of existing R-36 zoning on enclave of houses in South Prescott area.
32-5	13.6	Southern terminus of Mandela Parkway and 1-880 right of way	Business Mix	Community Commercial	Aligns General Plan designation with the S-15 Transit Oriented Development zone, consistent with W. Oakland transit village plans.

2011 JAN 27 PM 12:07

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

introduced by Councilmember \_\_\_\_\_

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**RESOLUTION TO CORRECT, REFINE AND CLARIFY THE  
GENERAL PLAN LAND USE DIAGRAM TO GENERALLY  
REFLECT EXISTING LAND USE, AND CONFORM TO THE INTENT  
OF THE PREVIOUSLY ADOPTED GENERAL PLAN.**

**WHEREAS**, the City of Oakland adopted the Land Use and Transportation Element of the General Plan (LUTE) in 1998; and

**WHEREAS**, consistent with state law, the LUTE includes a Land Use Diagram showing the distribution of various land uses across the city; and

**WHEREAS**, the 1998 Land Use Diagram contains fourteen color-coded categories, each corresponding to a different land use and density/intensity; and

**WHEREAS**, the 1998 Land Use Diagram was drawn in a very broad-brush manner, since it was designed to be printed and interpreted at a scale of 1" = 1 mile, allowing the entire city to fit on an 11" x 17" sheet which could be folded and inserted in the back of the Plan document.; and

**WHEREAS**, although the broad brush mapping approach is acceptable under California general plan law, it has had a number of unintended consequences, including:

1. there is a high margin of error; some of the shapes on the map were improperly placed,
2. the edges of map shapes are overly generalized; areas with irregular edges were simply mapped as "blobs" rather than conforming to their actual extent.
3. small pockets of residential and commercial uses (generally 10 acres or less) do not appear on the map at all; they were omitted to keep the map legible; and

**WHEREAS**, the City is now in the process of updating its zoning to conform with the LUTE, including the Land Use Diagram; and

**WHEREAS**, the LUTE notes that: "The zoning map will refine the boundaries used for the land use classifications as needed to achieve the intent of the General Plan...the zoning map will provide greater specificity and detail in areas of the City too small to be detailed in the General Plan."; and

**WHEREAS**, it is important that intended uses on the Land Use Diagram are shown correctly and that corrections, refinements and clarifications are completed before rezoning is underway; and

**WHEREAS**, the intent of this process is not to substantively change or amend the Land Use Diagram, but merely to correct, refine and clarify the diagram to reflect existing zoning and land use, and to conform to the previously adopted General Plan, and thus these corrections do not count towards the number of times a general plan element can be amended per year; and

**WHEREAS**, the City Planning Commission held a duly noticed public hearing on November 3, 2010, wherein it recommended the corrections, refinements and clarifications to the Land Use Diagram for adoption by the City Council; and

**WHEREAS**, the Community and Economic Development Committee held a public meeting on February 8, 2011 and also recommended the corrections, refinements and clarifications to the Land Use Diagram for adoption by the City Council; and

**WHEREAS**, the City Council held a duly noticed public hearing on February 15; now, therefore, be it

**RESOLVED**, that the City Council, having heard, considered and weighed all the evidence in the record presented on behalf of all parties and being fully informed of the Planning Commission's recommendations, hereby affirms the General Plan Land Use Diagram corrections as shown on the map attached to this Resolution as Exhibit A, which is hereby incorporated by reference; and be it

**FURTHER RESOLVED**, that the City Council hereby finds and determines that the corrections, refinements and clarifications to the Land Use Diagram are necessary to advance implementation of the General Plan and are consistent with the overall goals, objectives and policies in the Land Use and Transportation Element; and be it

**FURTHER RESOLVED**, that the City Council, as the California Environmental Quality Act (CEQA) Lead Agency, finds and determines that (a) this action is within the scope of the program examined in the 1998 LUTE EIR; (b) the corrections would not result in any new or more severe significant impacts than those studied in the 1998 LUTE EIR and thus no further environmental review is required under CEQA. As a separate and independent basis, this action is also exempt under Sections 15061(b)(3) and/or 15183 of the State CEQA Guidelines; and be it

**FURTHER RESOLVED**, that the record before this Council relating to the Land Use Diagram corrections includes, without limitation, the following:

1. the application, including all accompanying maps and papers;
2. all relevant plans and maps;
3. all staff reports, decision letters and other documentation and information produced by or on behalf of the City, including without limitation the and/or supporting materials, and all notices relating to the proposed corrections and attendant hearings;



4. all oral and written evidence received by the City staff, the Planning Commission, and the City Council before and during the public hearings on the Project Applications;
5. 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) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations; and be it

**FURTHER RESOLVED**, 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) Community & Economic Development Agency, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1<sup>st</sup> floor, Oakland, California; and be it

**FURTHER RESOLVED**, that the recitals contained in this resolution are true and correct and are integral parts of the City Council's decision.

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

**PASSED BY THE FOLLOWING VOTE:**

**AYES – BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND PRESIDENT REID**

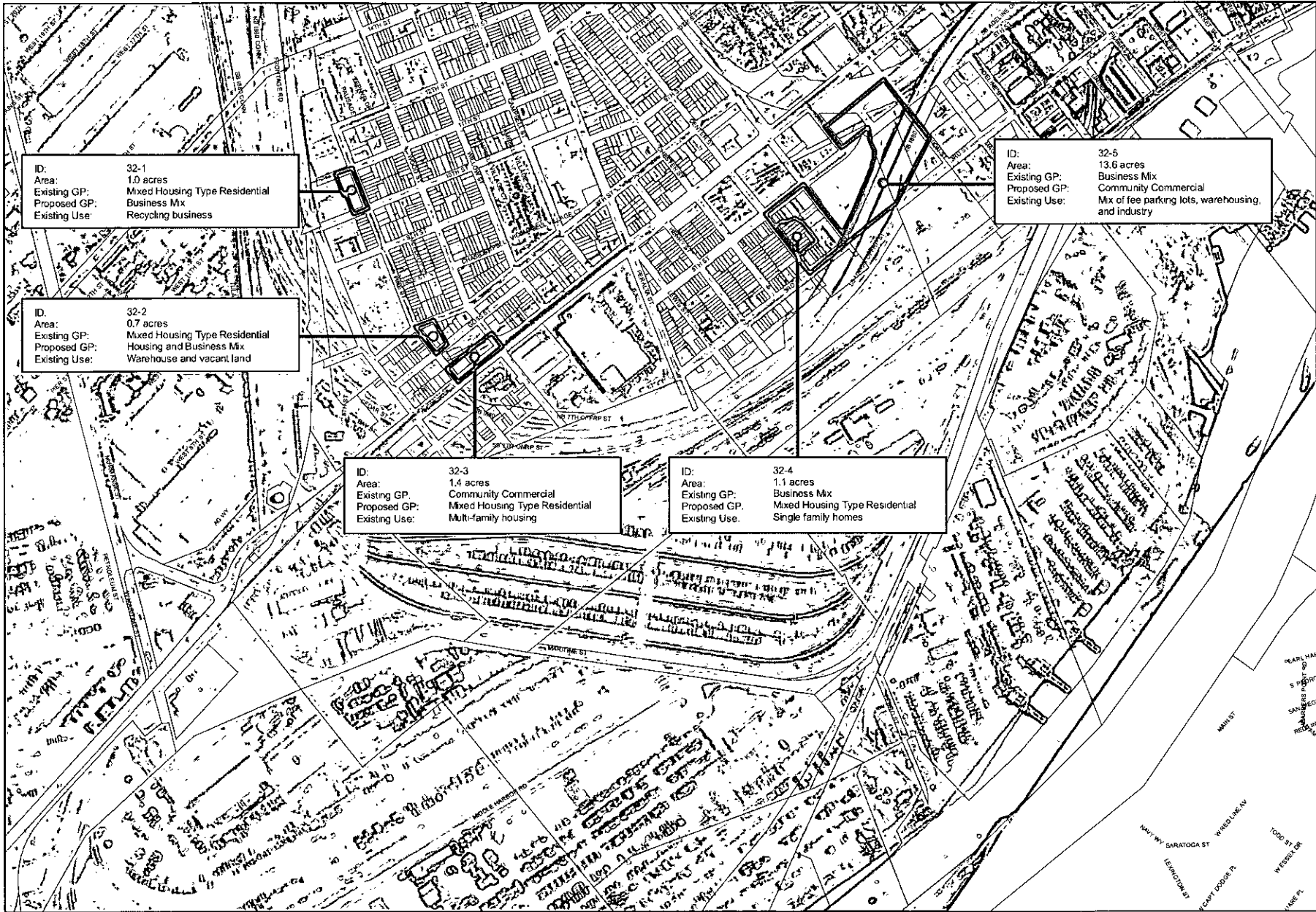
**NOES –**

**ABSENT –**

**ABSTENTION –**

**ATTEST:**

\_\_\_\_\_  
**LATONDA SIMMONS**  
City Clerk and Clerk of the Council of  
the City of Oakland, California



ID: 32-1  
 Area: 1.0 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Business Mix  
 Existing Use: Recycling business

ID: 32-2  
 Area: 0.7 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Housing and Business Mix  
 Existing Use: Warehouse and vacant land

ID: 32-3  
 Area: 1.4 acres  
 Existing GP: Community Commercial  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Multi-family housing

ID: 32-4  
 Area: 1.1 acres  
 Existing GP: Business Mix  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes

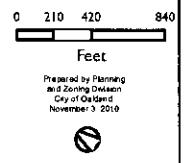
ID: 32-5  
 Area: 13.6 acres  
 Existing GP: Business Mix  
 Proposed GP: Community Commercial  
 Existing Use: Mx of fee parking lots, warehousing, and industry

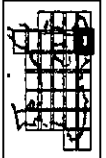
SHEET # 32



- General Plan Corrections
- General Plan Designations
- Hillside Residential
- Detached Lot Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- On Industrial Transportation
- Institutional
- Resource Conservation Area
- Urban Open Space
- Estuary Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
 Page 20 of 20



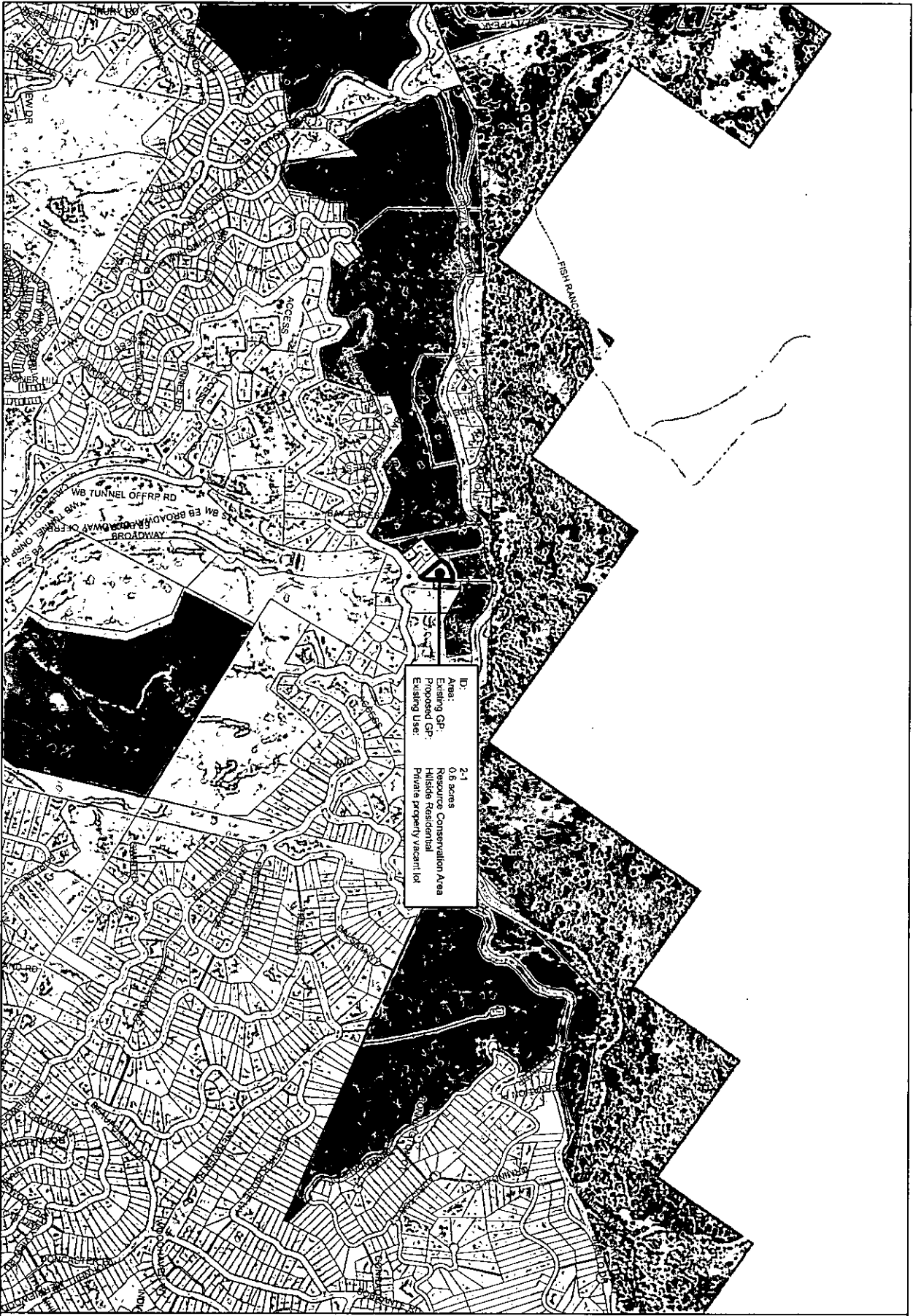


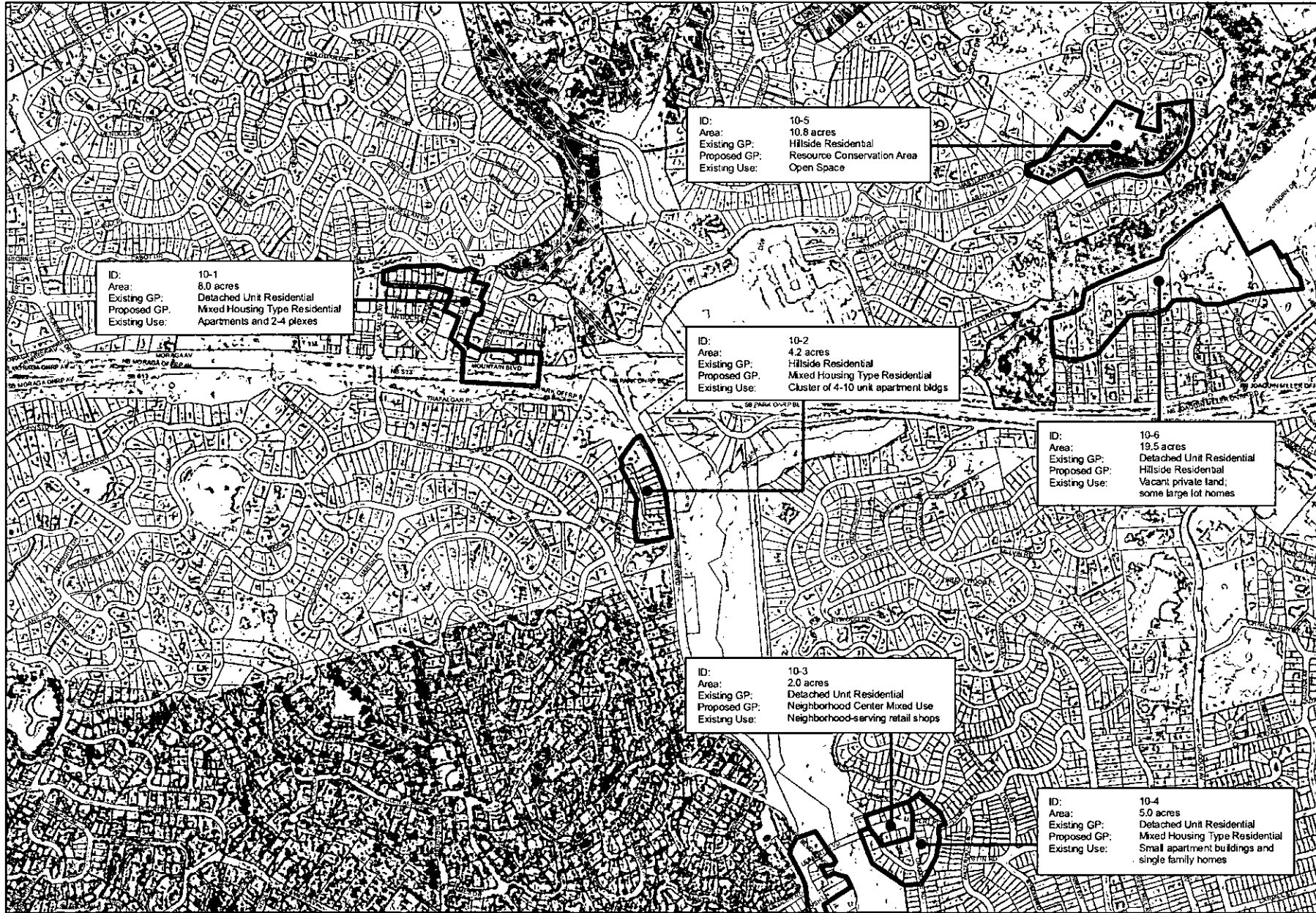
	General Plan Corrections
	District of Park Designation
	Historic Neighborhood
	Designated Landmark
	Oakland Housing Trust Designated
	Urban Reg. Area
	Neighborhood Center Land Use
	Community Commercial
	Medium Density Residential
	Office and Business Use
	Center of Business District
	Regional Commercial
	Data Not Available
	Open Space
	Multi-Modal Transportation
	Medium-Density Residential
	Urban Open Space
	Lighter Shade Area

PROPOSED  
GENERAL PLAN MAP  
CORRECTIONS



Prepared by Planning  
and Zoning Division  
November 3, 2010





ID: 10-1  
 Area: 8.0 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Apartments and 2-4 plexes

ID: 10-5  
 Area: 10.8 acres  
 Existing GP: Hillside Residential  
 Proposed GP: Resource Conservation Area  
 Existing Use: Open Space

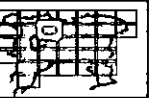
ID: 10-2  
 Area: 4.2 acres  
 Existing GP: Hillside Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Cluster of 4-10 unit apartment bldgs

ID: 10-6  
 Area: 19.5 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Hillside Residential  
 Existing Use: Vacant private land; some large lot homes

ID: 10-3  
 Area: 2.0 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Neighborhood Center Mixed Use  
 Existing Use: Neighborhood-serving retail shops

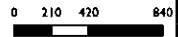
ID: 10-4  
 Area: 5.0 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Small apartment buildings and single family homes

SHEET # 10



- General Plan Corrections
- General Plan Designations
- Hillside Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- Open Industrial Transportation
- Institutional
- Resource Conservation Area
- Urban Open Space
- Estuary Plant Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
 Page 3 of 20

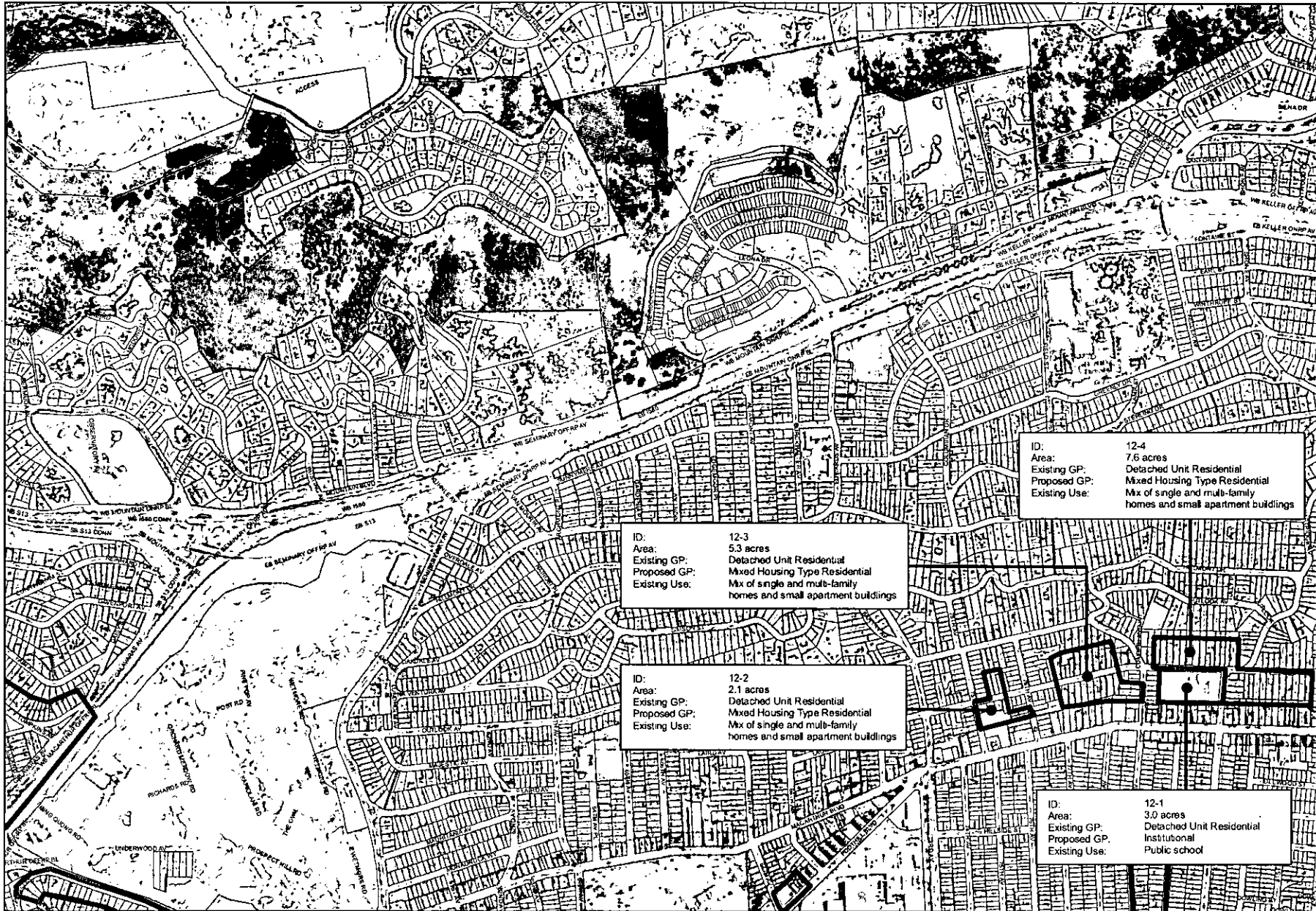


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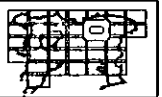
Prepared by Planning  
 and Zoning Division  
 City of Oakland  
 November 3, 2010







SHEET # 12



- General Plan Corrections
- General Plan Designations
- Mobile Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- Open Industrial/Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Estuary Plan Area

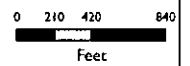
ID: 12-4  
 Area: 7.6 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Mix of single and multi-family homes and small apartment buildings

ID: 12-3  
 Area: 5.3 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Mix of single and multi-family homes and small apartment buildings

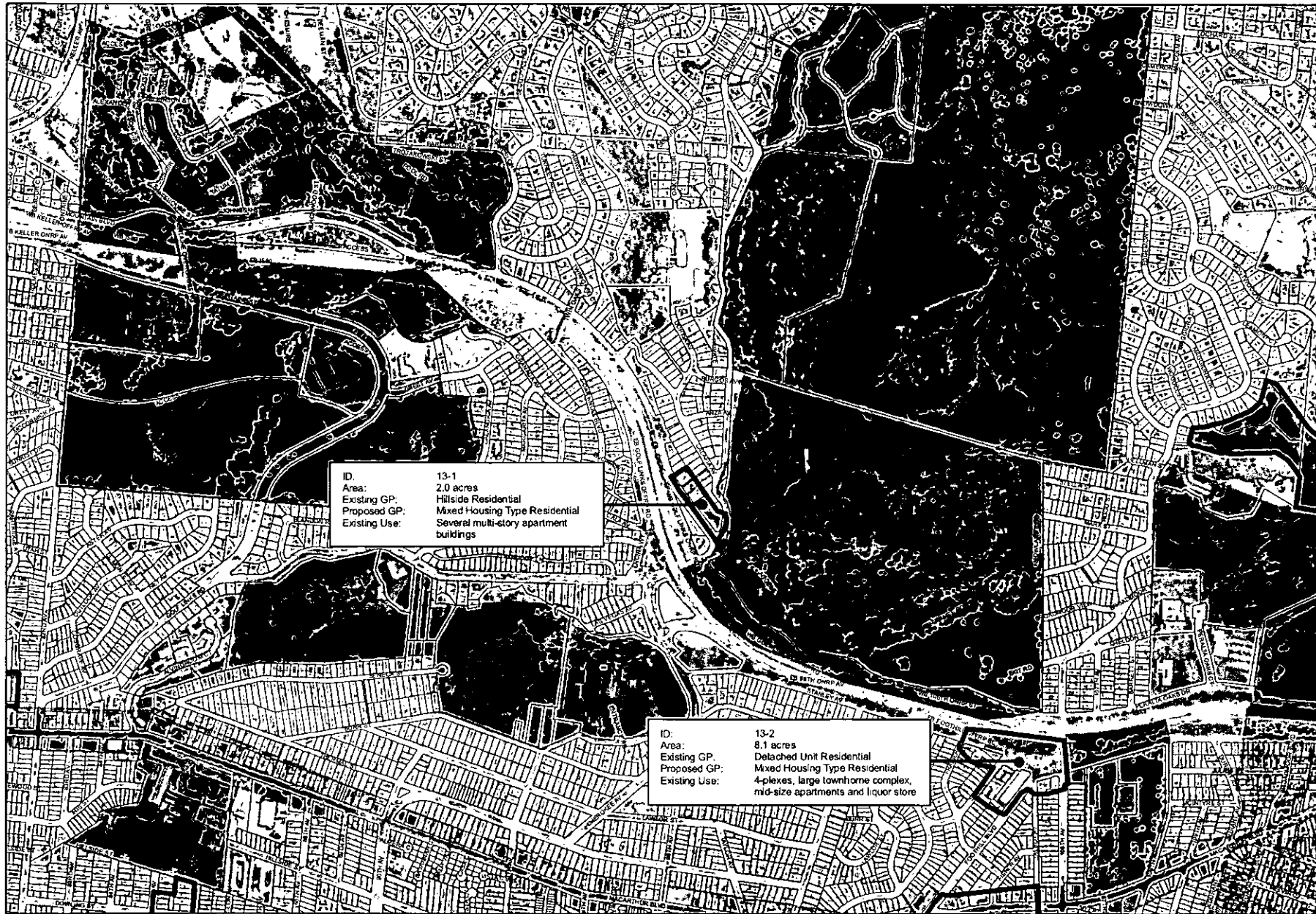
ID: 12-2  
 Area: 2.1 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Mix of single and multi-family homes and small apartment buildings

ID: 12-1  
 Area: 3.0 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Institutional  
 Existing Use: Public school

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
 Page 5 of 20



Feet  
 Prepared by Planning and Zoning Division  
 City of Oakland  
 November 3, 2010



ID: 13-1  
 Area: 2.0 acres  
 Existing GP: Hillside Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Several multi-story apartment buildings

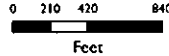
ID: 13-2  
 Area: 8.1 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: 4-plexes, large lowhome complex, mid-size apartments and liquor store

SHEET # 13



- General Plan Corrections
- General Plan Designations
- Hillside Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- Open Industrial Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Existing Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
 Page 6 of 20



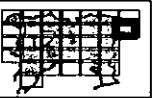
Prepared by Planning  
 and Zoning Division  
 City of Oakland  
 November 3, 2010





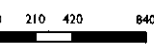
ID: 14-1  
 Area: 65.2 acres  
 Existing GP: Hillside Residential  
 Proposed GP: Resource Conservation Area  
 Existing Use: Open Space

SHEET # 14



- General Plan Corrections
- General Plan Designations**
- Hillside Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- City Industrial Transportation
- Institutional
- Resource Conservation Area
- Urban Open Space
- Estuary Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
 Page 7 of 20



Prepared by Planning  
 and Zoning Division  
 City of Oakland,  
 November 3, 2010





ID:	16-1
Area:	4.5 acres
Existing GP:	Neighborhood Center Mixed Use
Proposed GP:	Urban Residential
Existing Use:	Apartments and flats

SHEET # 16

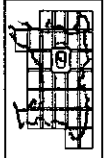
CITY OF OAKLAND

- General Plan Corrections
- General Plan Designations
- Historic Residential
- Detached Urban Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- General Industrial Transportation
- Institutional
- Resource Conservation Area
- Urban Open Space
- Excluded Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
 Page 8 of 20

0 210 420 840  
Feet

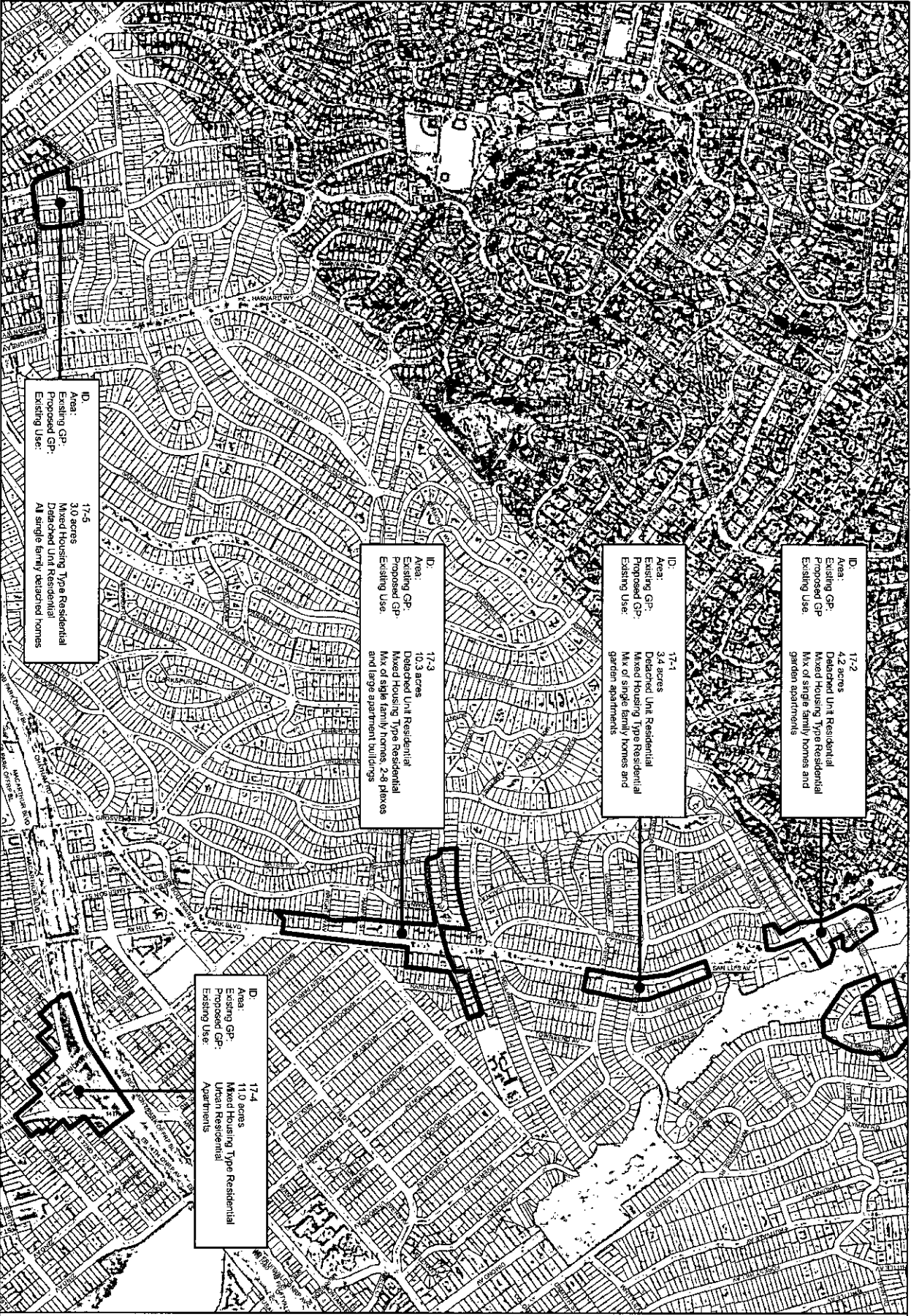
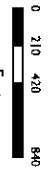
Prepared by Planning and Zoning Division  
City of Oakland,  
November 2, 2010



**Proposed Plan Corrections**

- General Plan Corrections
- Historical Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center / Small Office
- Community Commercial
- Medium Density Office
- Central Business District
- Regional Commercial
- Office / Business
- Open Industrial / Transportation
- Industrial
- Medium Density Office
- Urban Open Space
- Estuary / Wetlands

PROPOSED  
GENERAL PLAN MAP  
CORRECTIONS



**ID:** 17-2  
**Area:** 4.2 acres  
**Existing GP:** Detached Unit Residential  
**Proposed GP:** Mixed Housing Type Residential  
**Existing Use:** Mix of single family homes and garden apartments

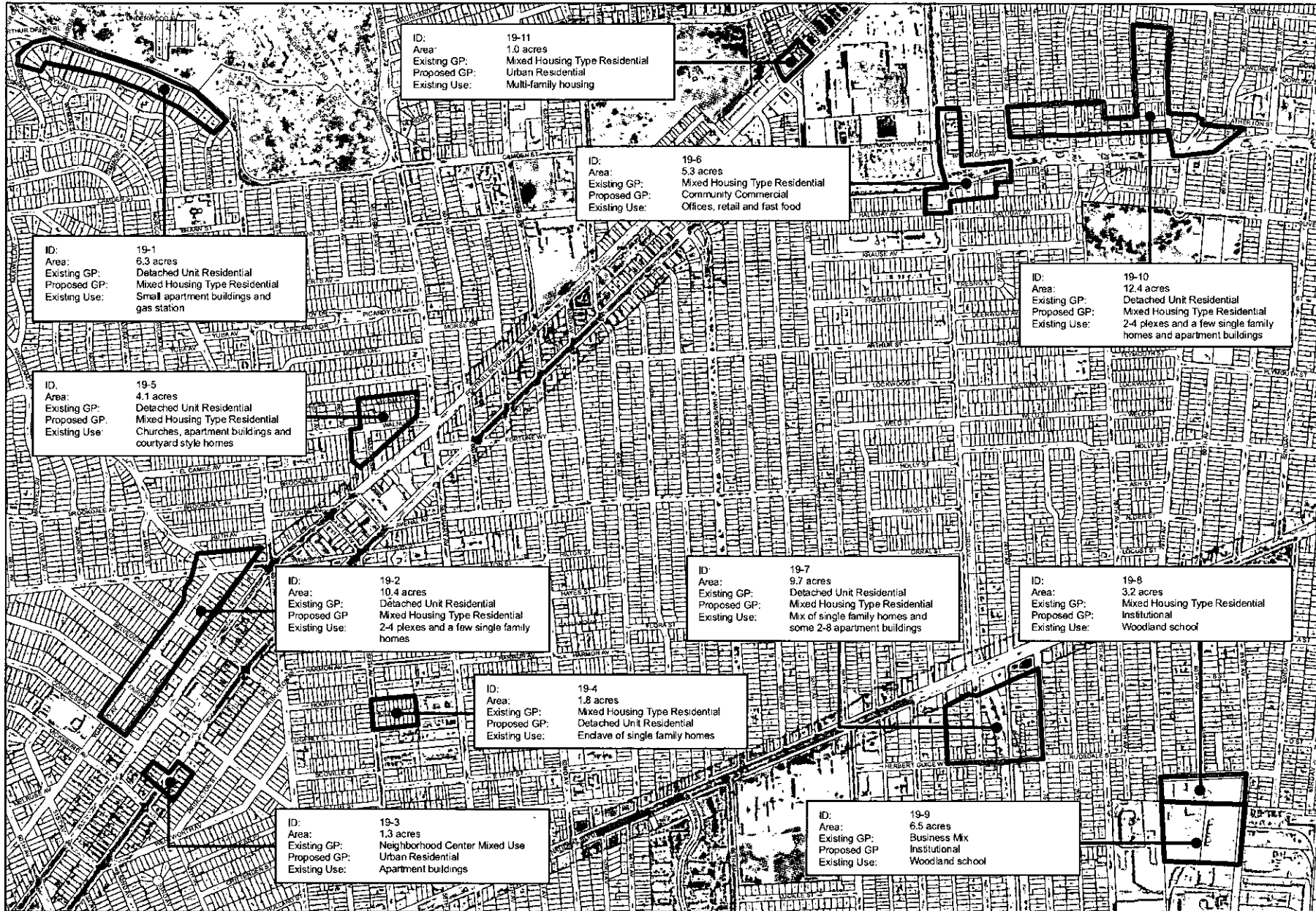
**ID:** 17-1  
**Area:** 3.4 acres  
**Existing GP:** Detached Unit Residential  
**Proposed GP:** Mixed Housing Type Residential  
**Existing Use:** Mix of single family homes and garden apartments

**ID:** 17-3  
**Area:** 10.3 acres  
**Existing GP:** Detached Unit Residential  
**Proposed GP:** Mixed Housing Type Residential  
**Existing Use:** Mix of single family homes, 2-8 places and large apartment buildings

**ID:** 17-5  
**Area:** 3.0 acres  
**Existing GP:** Mixed Housing Type Residential  
**Proposed GP:** Detached Unit Residential  
**Existing Use:** All single family detached homes

**ID:** 17-4  
**Area:** 11.0 acres  
**Existing GP:** Mixed Housing Type Residential  
**Proposed GP:** Urban Residential  
**Existing Use:** Apartments





SHEET # 19



- General Plan Corrections
- General Plan Designations
- Midrise Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- Open Industrial Transportation
- Institutional
- Resource Conservation Area
- Urban Open Space
- Estuary Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
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0 210 420 840

Feet

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 November 3, 2010



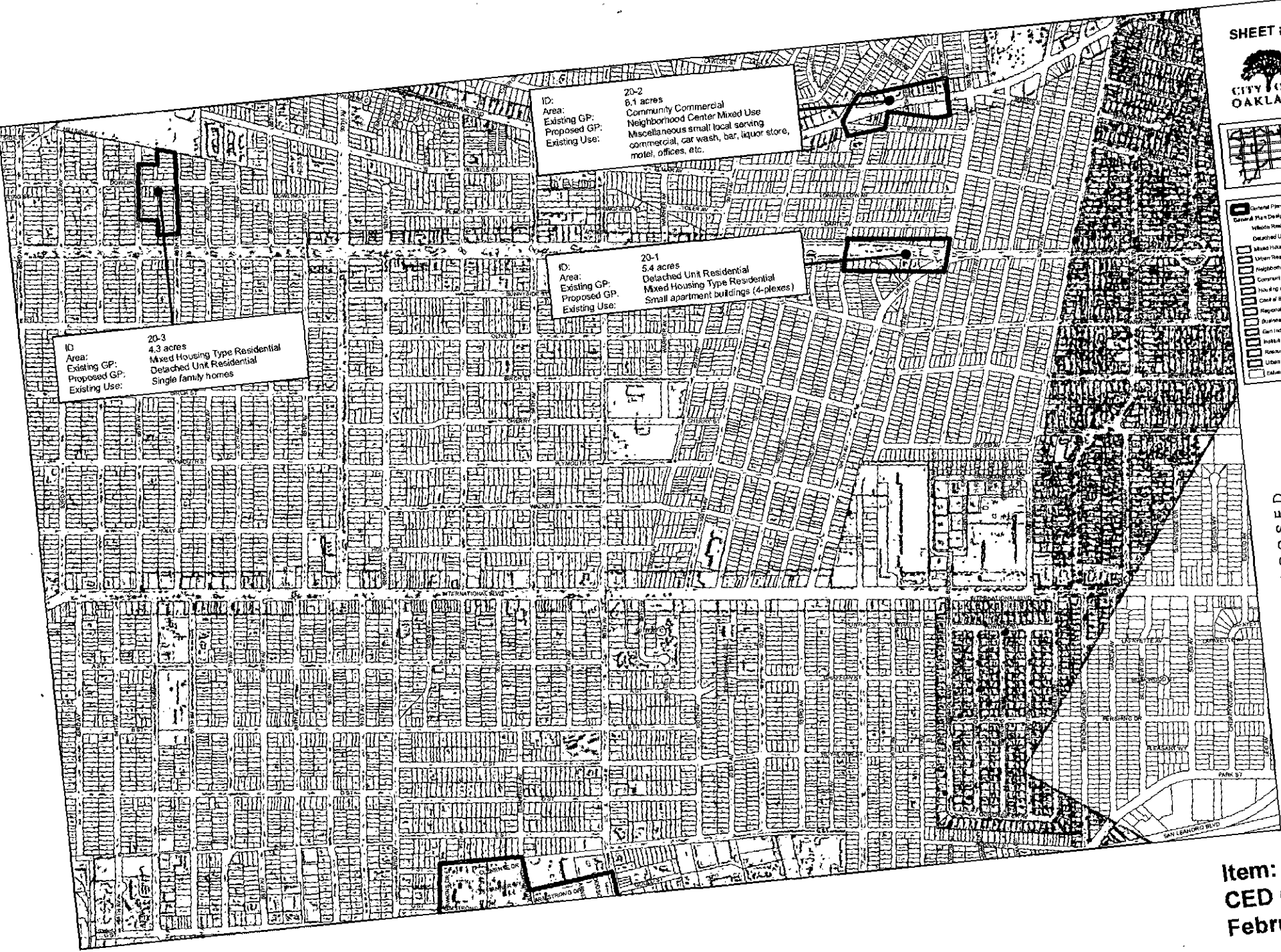


- General Plan Corrections
- General Plan Designations
- Medium Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- General Industrial Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Cemetery Plan Area

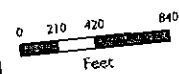
ID: 20-2  
 Area: 6.1 acres  
 Existing GP: Community Commercial  
 Proposed GP: Neighborhood Center Mixed Use  
 Existing Use: Miscellaneous small local serving commercial, car wash, bar, liquor store, motel, offices, etc.

ID: 20-1  
 Area: 5.4 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Small apartment buildings (4-plexes)

ID: 20-3  
 Area: 4.3 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Detached Unit Residential  
 Existing Use: Single family homes

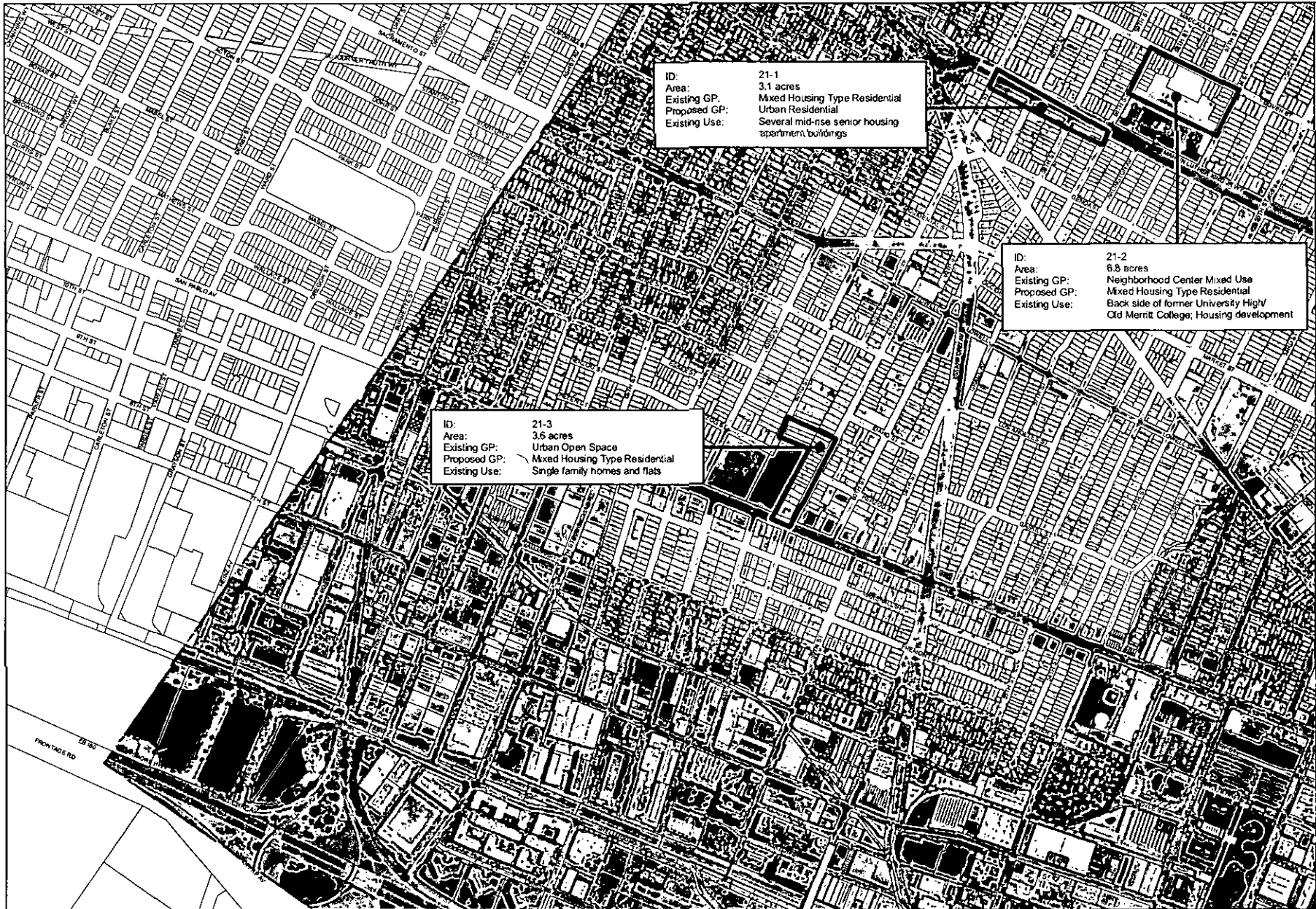


PROPOSED MAP  
 GENERAL PLAN  
 CORRECTIONS  
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Item: \_\_\_\_\_  
 CED Committee  
 February 8, 2011



ID: 21-1  
 Area: 3.1 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Urban Residential  
 Existing Use: Several mid-rise senior housing apartment buildings

ID: 21-2  
 Area: 8.8 acres  
 Existing GP: Neighborhood Center Mixed Use  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Back side of former University High/ Old Merritt College; Housing development

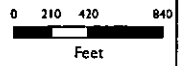
ID: 21-3  
 Area: 3.6 acres  
 Existing GP: Urban Open Space  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes and flats

SHEET # 21



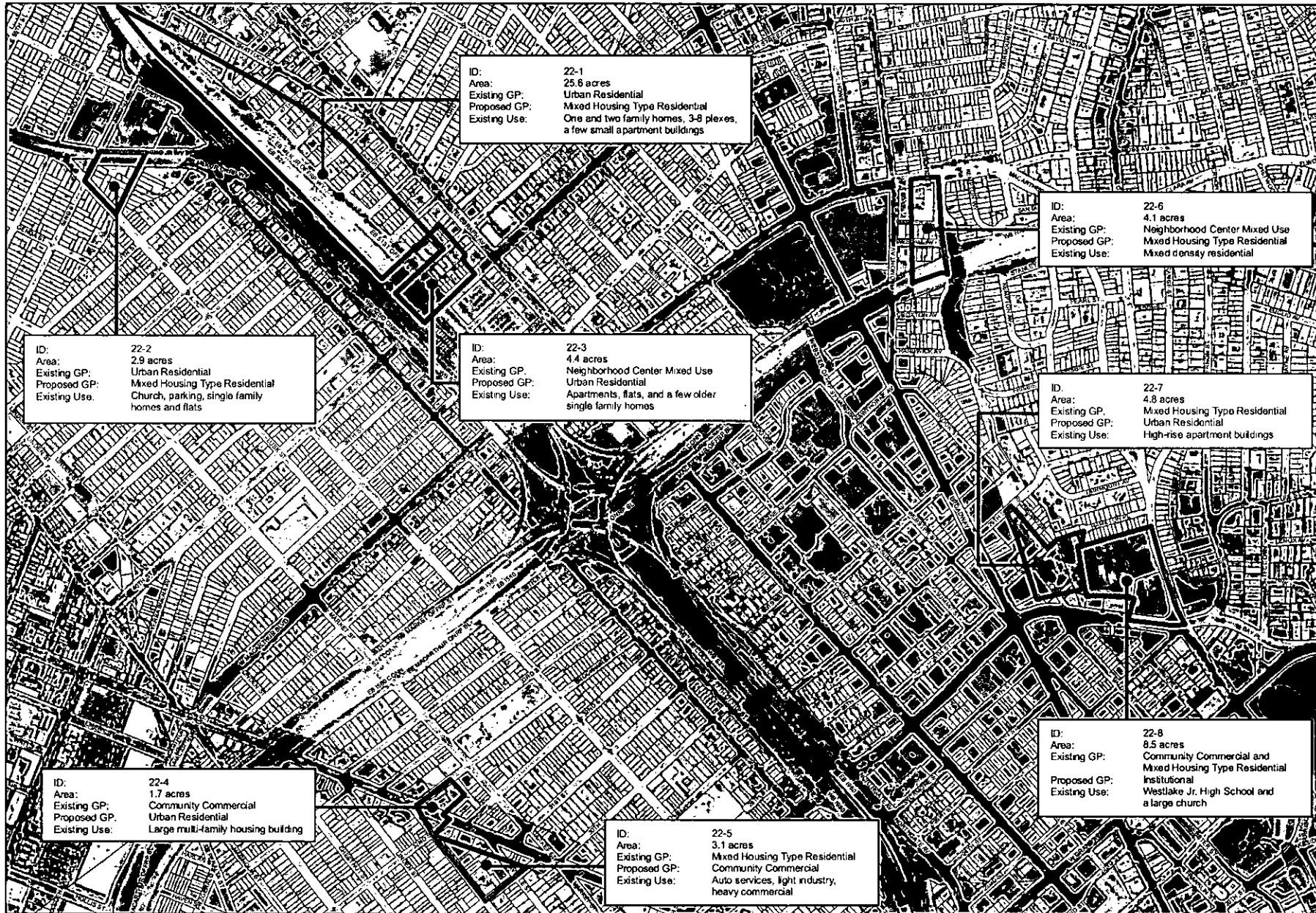
- General Plan Corrections**  
 General Plan Designations
- Mixed Residential
  - Deceased Urban Residential
  - Mixed Housing Type Residential
  - Urban Residential
  - Neighborhood Center Mixed Use
  - Community Commercial
  - Housing and Business Mix
  - Central Business District
  - Regional Commercial
  - Community Office
  - San Francisco Transportation
  - Institutional
  - Resource Conservation Area
  - Urban Open Space
  - Utility Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
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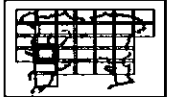


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SHEET # 22



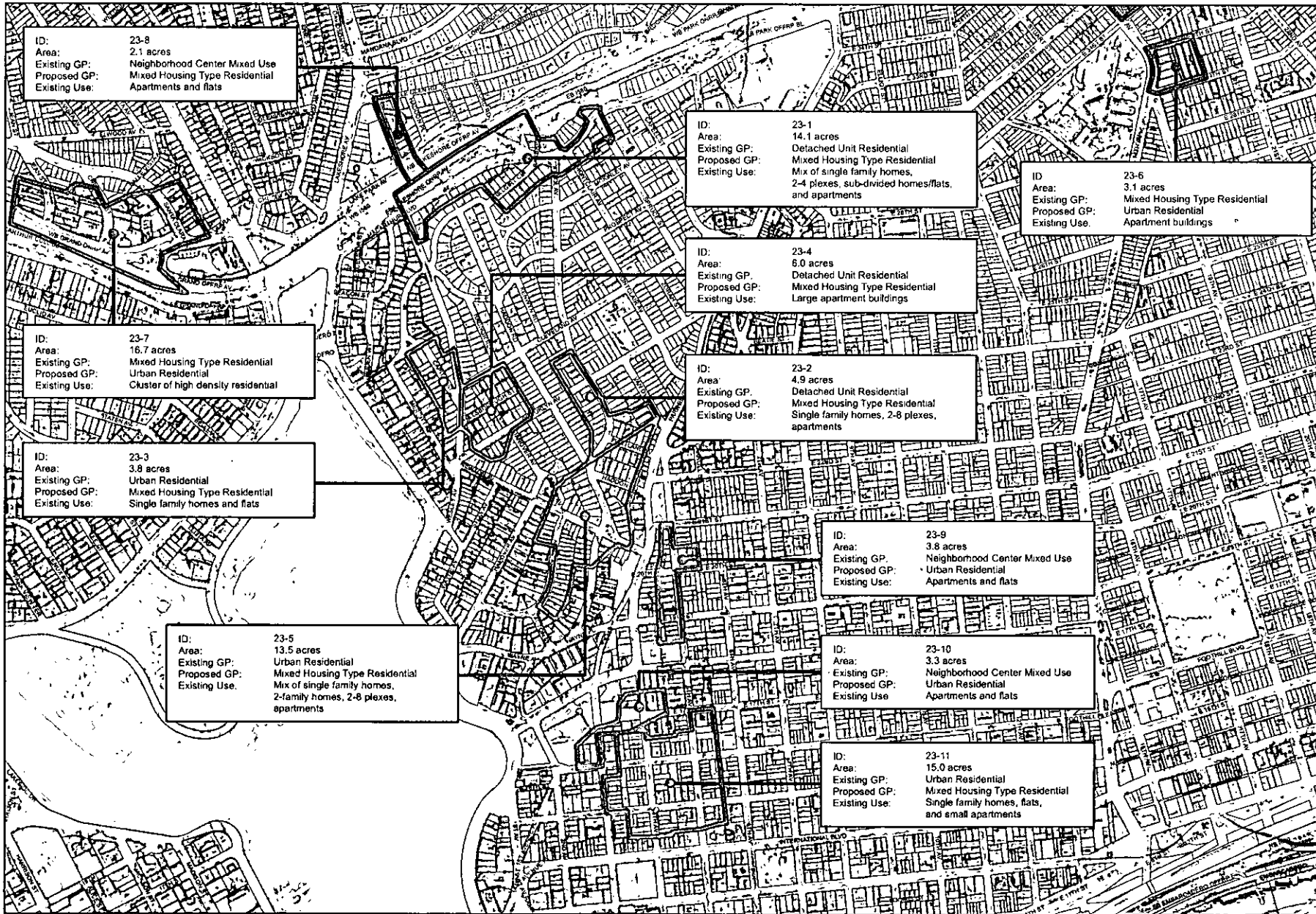
- General Plan Corrections
- General Plan Designations
- Urban Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- Open Industrial Transportation
- Institutional
- Resource Conservation Area
- Urban Open Space
- Exterior Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
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0 200 400 800

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ID: 23-8  
 Area: 2.1 acres  
 Existing GP: Neighborhood Center Mixed Use  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Apartments and flats

ID: 23-1  
 Area: 14.1 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Mix of single family homes, 2-4 plexes, sub-divided homes/flats, and apartments

ID: 23-6  
 Area: 3.1 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Urban Residential  
 Existing Use: Apartment buildings

ID: 23-4  
 Area: 8.0 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Large apartment buildings

ID: 23-7  
 Area: 16.7 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Urban Residential  
 Existing Use: Cluster of high density residential

ID: 23-2  
 Area: 4.9 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes, 2-8 plexes, apartments

ID: 23-3  
 Area: 3.8 acres  
 Existing GP: Urban Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes and flats

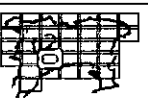
ID: 23-9  
 Area: 3.8 acres  
 Existing GP: Neighborhood Center Mixed Use  
 Proposed GP: Urban Residential  
 Existing Use: Apartments and flats

ID: 23-5  
 Area: 13.5 acres  
 Existing GP: Urban Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Mix of single family homes, 2-family homes, 2-8 plexes, apartments

ID: 23-10  
 Area: 3.3 acres  
 Existing GP: Neighborhood Center Mixed Use  
 Proposed GP: Urban Residential  
 Existing Use: Apartments and flats

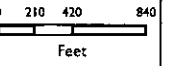
ID: 23-11  
 Area: 15.0 acres  
 Existing GP: Urban Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes, flats, and small apartments

SHEET # 23



- Additional  
 General Plan Connections  
 General Plan Designations  
 Historic Residential  
 Detached Unit Residential  
 Mixed Housing Type Residential  
 Urban Residential  
 Neighborhood Center Mixed Use  
 Community Commercial  
 Housing and Business Mix  
 Central Business District  
 Regional Commercial  
 Business Mix  
 Core Industrial/Transportation  
 Industrial  
 Resource Conservation Area  
 Urban Open Space  
 Estuary Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
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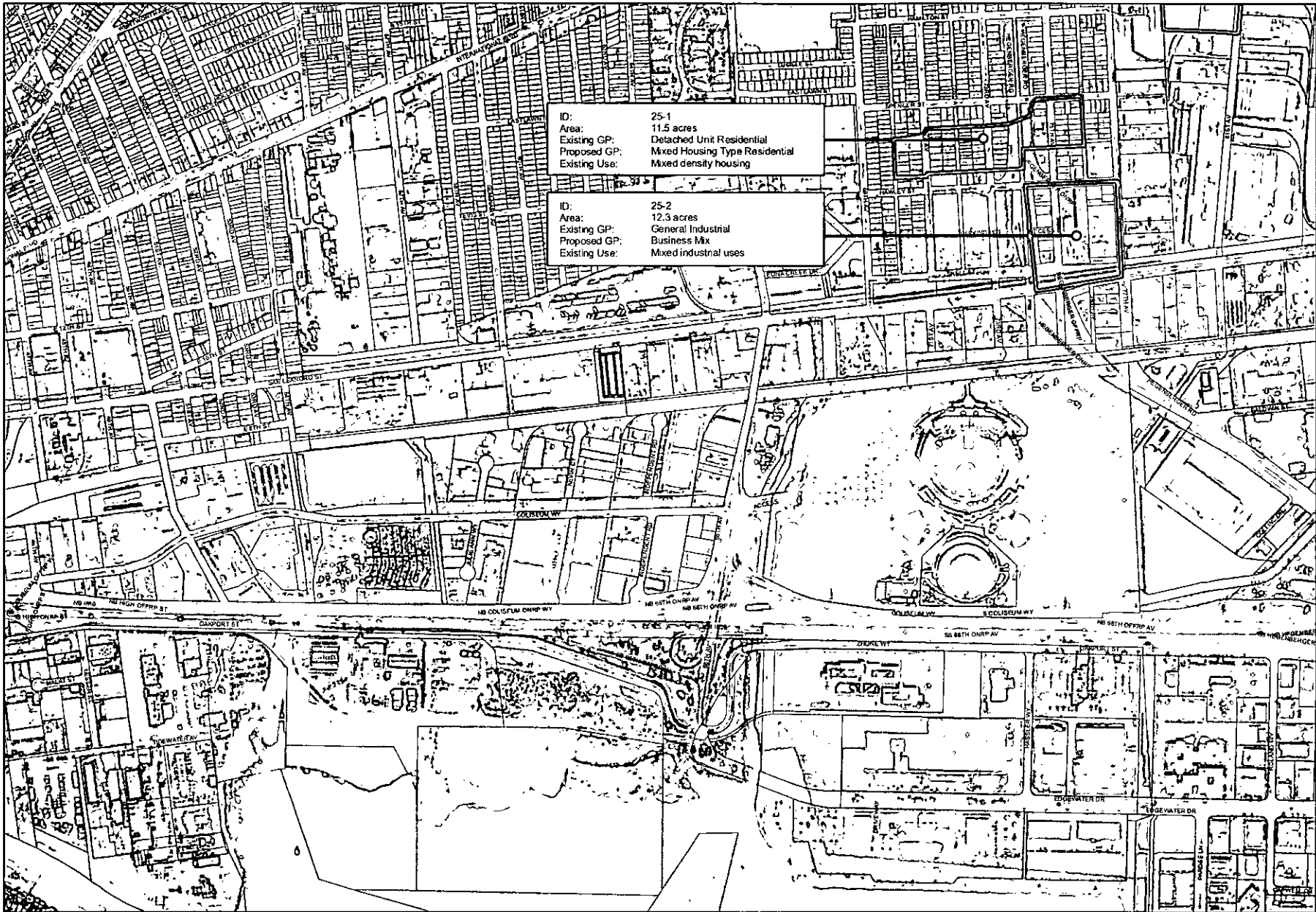


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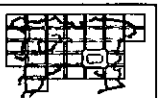




ID: 25-1  
 Area: 11.5 acres  
 Existing GP: Detached Unit Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Mixed density housing

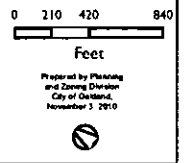
ID: 25-2  
 Area: 12.3 acres  
 Existing GP: General Industrial  
 Proposed GP: Business Mix  
 Existing Use: Mixed industrial uses

SHEET # 25

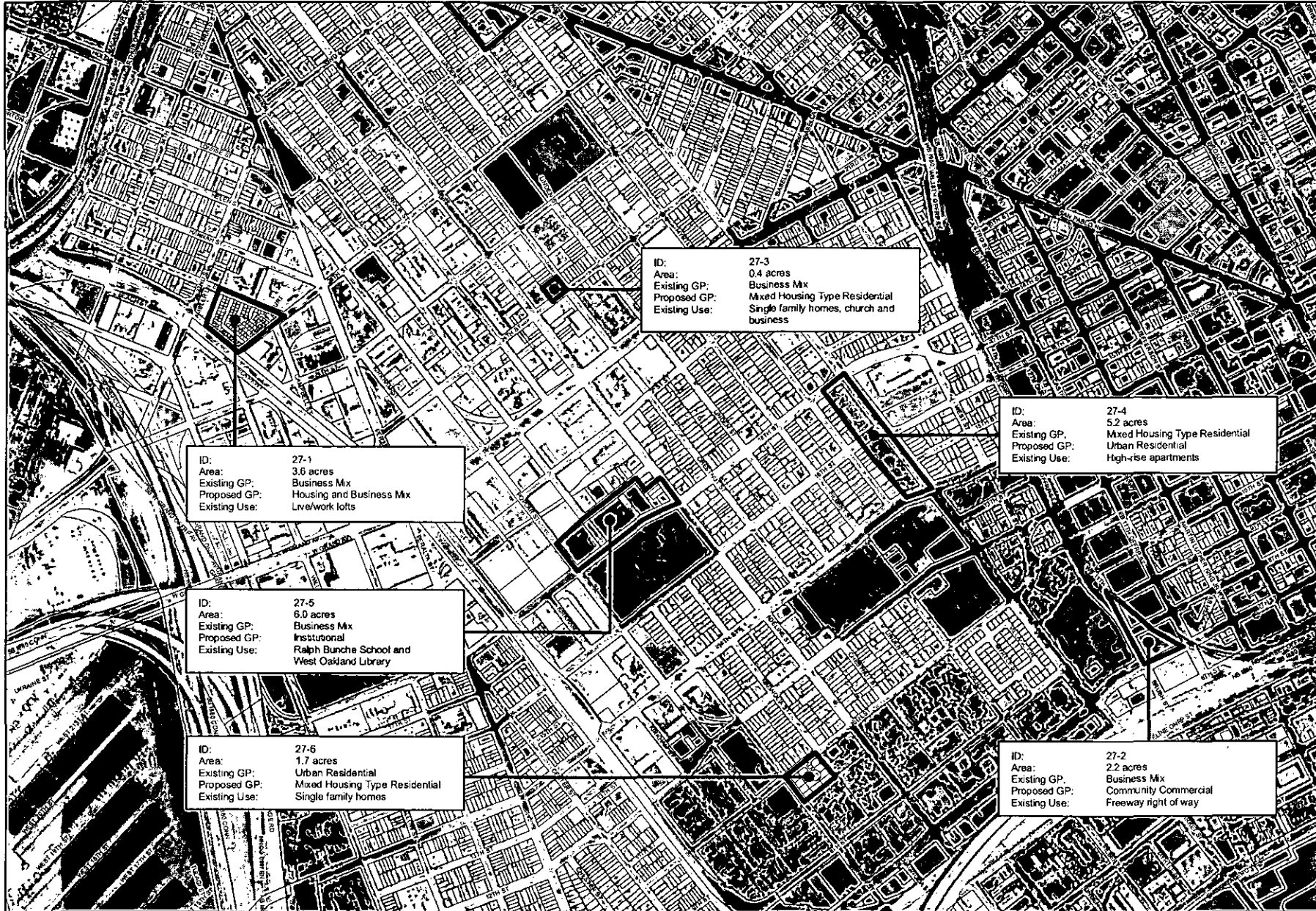


- General Plan Corrections
- General Plan Designations
- Historic Residential
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Use and Use
- Community Commercial
- Housing and Business Mix
- Central Business District
- Regional Commercial
- Business Mix
- City Industrial/Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Estuary Plan Area

PROPOSED  
 GENERAL PLAN MAP  
 CORRECTIONS  
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ID: 27-1  
 Area: 3.6 acres  
 Existing GP: Business Mix  
 Proposed GP: Housing and Business Mix  
 Existing Use: Live/work lofts

ID: 27-3  
 Area: 0.4 acres  
 Existing GP: Business Mix  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes, church and business

ID: 27-4  
 Area: 5.2 acres  
 Existing GP: Mixed Housing Type Residential  
 Proposed GP: Urban Residential  
 Existing Use: High-rise apartments

ID: 27-5  
 Area: 6.0 acres  
 Existing GP: Business Mix  
 Proposed GP: Institutional  
 Existing Use: Ralph Bunche School and West Oakland Library

ID: 27-6  
 Area: 1.7 acres  
 Existing GP: Urban Residential  
 Proposed GP: Mixed Housing Type Residential  
 Existing Use: Single family homes

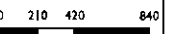
ID: 27-2  
 Area: 2.2 acres  
 Existing GP: Business Mix  
 Proposed GP: Community Commercial  
 Existing Use: Freeway right of way

SHEET # 27



- General Plan Locations
- General Plan Designations
- Mobile Residential
- Outrigger Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Center of Business District
- Regional Commercial
- Business Mix
- Open Industrial/Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Excluded Plan Area

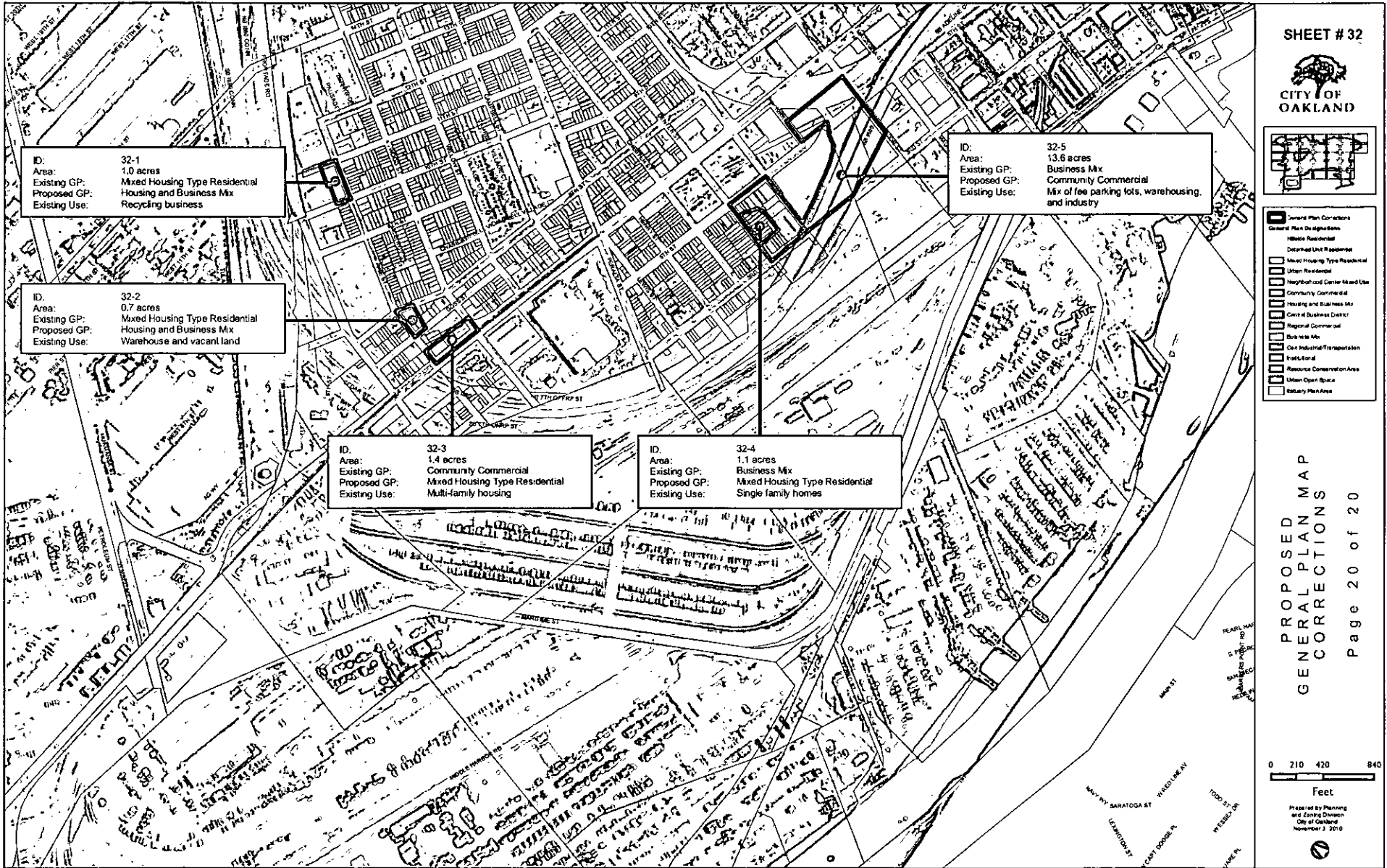
PROPOSED  
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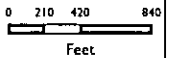


SHEET # 32



- General Plan Corrections
- General Plan Designations
  - Urban Residential
  - Detached Lot Residential
  - Mixed Housing Type Residential
  - Urban Residential
  - Neighborhood Center Mixed Use
  - Community Commercial
  - Housing and Business Mix
  - Cent of Business District
  - Regional Commercial
  - Business Mix
  - City Industrial/Transportation
  - Industrial
  - Resource Conservation Area
  - Main Open Space
  - Estuary Plan Area

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CORRECTIONS  
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