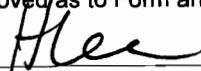


2009 SEP 17 PM 6:31


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 82334 C.M.S.

Introduced by Councilmember _____

**RESOLUTION CORRECTING, REFINING AND CLARIFYING THE
GENERAL PLAN LAND USE DIAGRAM TO GENERALLY
REFLECT EXISTING ZONING AND 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 September 2, 2009, 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 September 29, 2009 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 October 6, 2009; 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.

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), 15183, and/or Section 15273 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 33 15, Oakland, California; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1 St 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, OCT 6 2009

PASSED BY THE FOLLOWING VOTE:

AYES – ~~BROOKS~~, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER. - 7

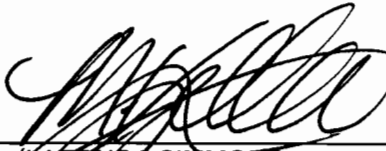
NOES – 0

ABSENT – 0

ABSTENTION – 0

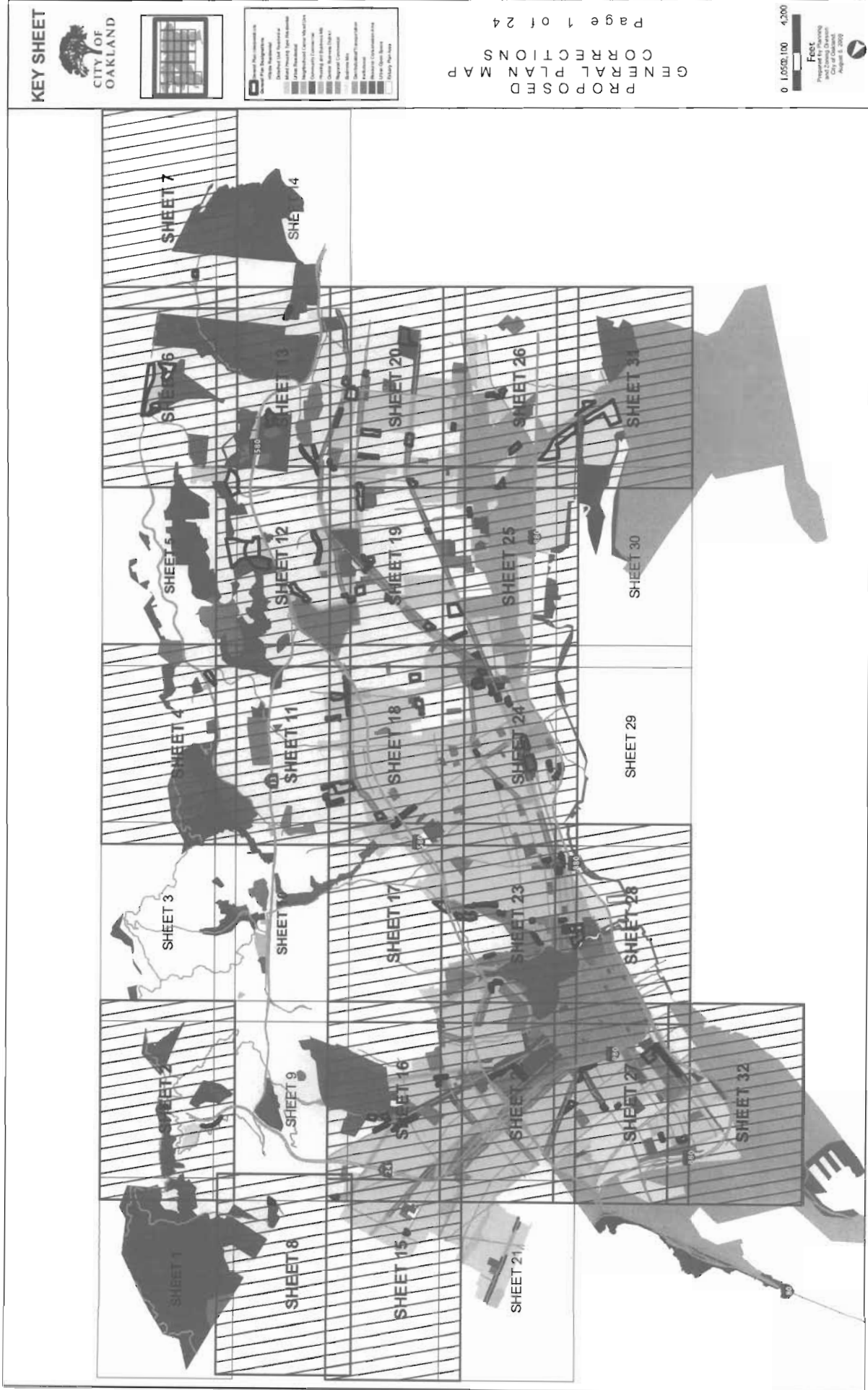
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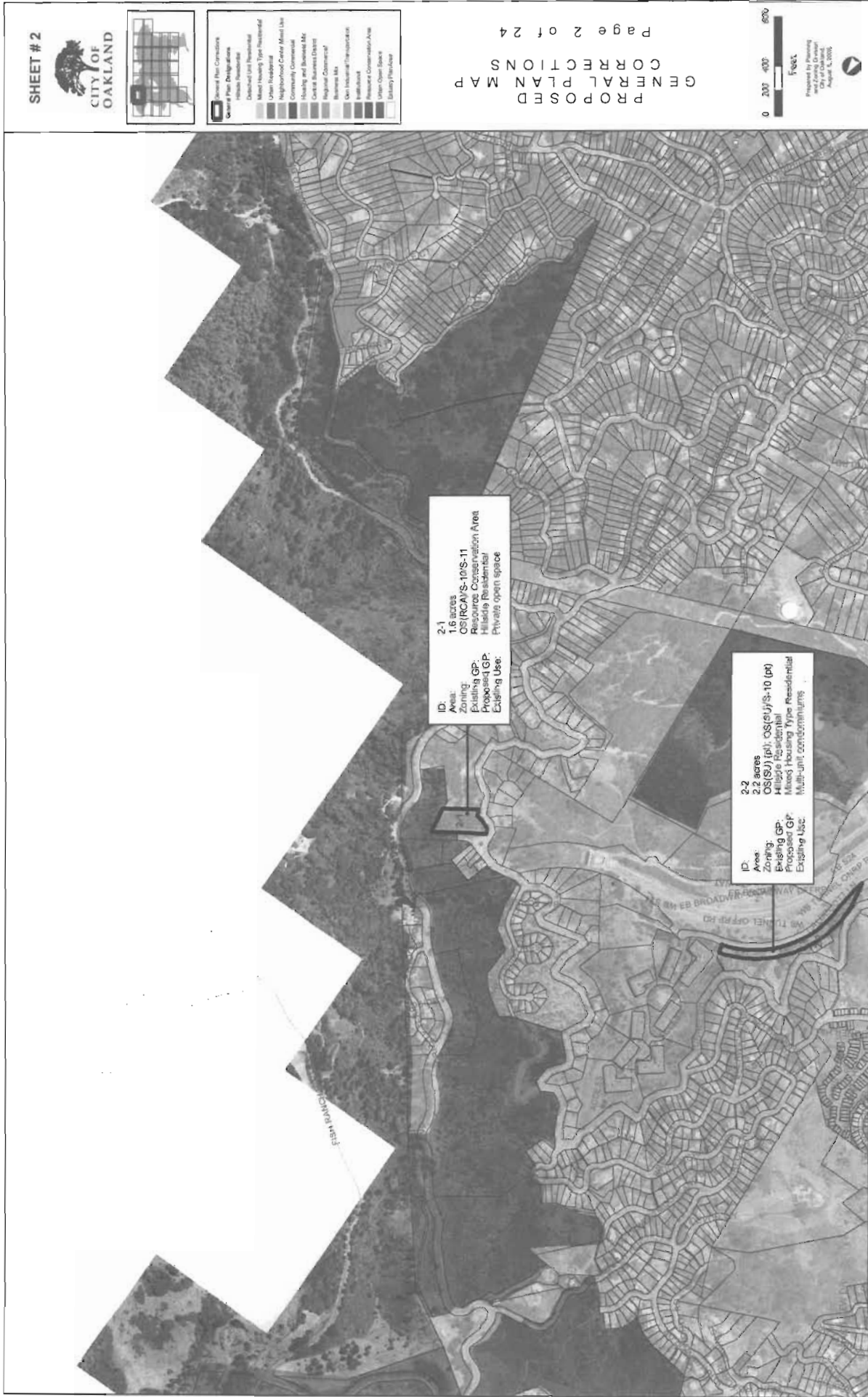
ATTEST:



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

EXHIBIT A







General Plan Categories

- Green
- Urban
- Medium Density Residential
- High Density Residential
- Medium Density Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business MK
- Central Business District
- Regional Commercial
- Business MK
- Open Space/Concentration
- Industrial
- Resource Conservation Area
- Other Open Space
- Slacks/Practices

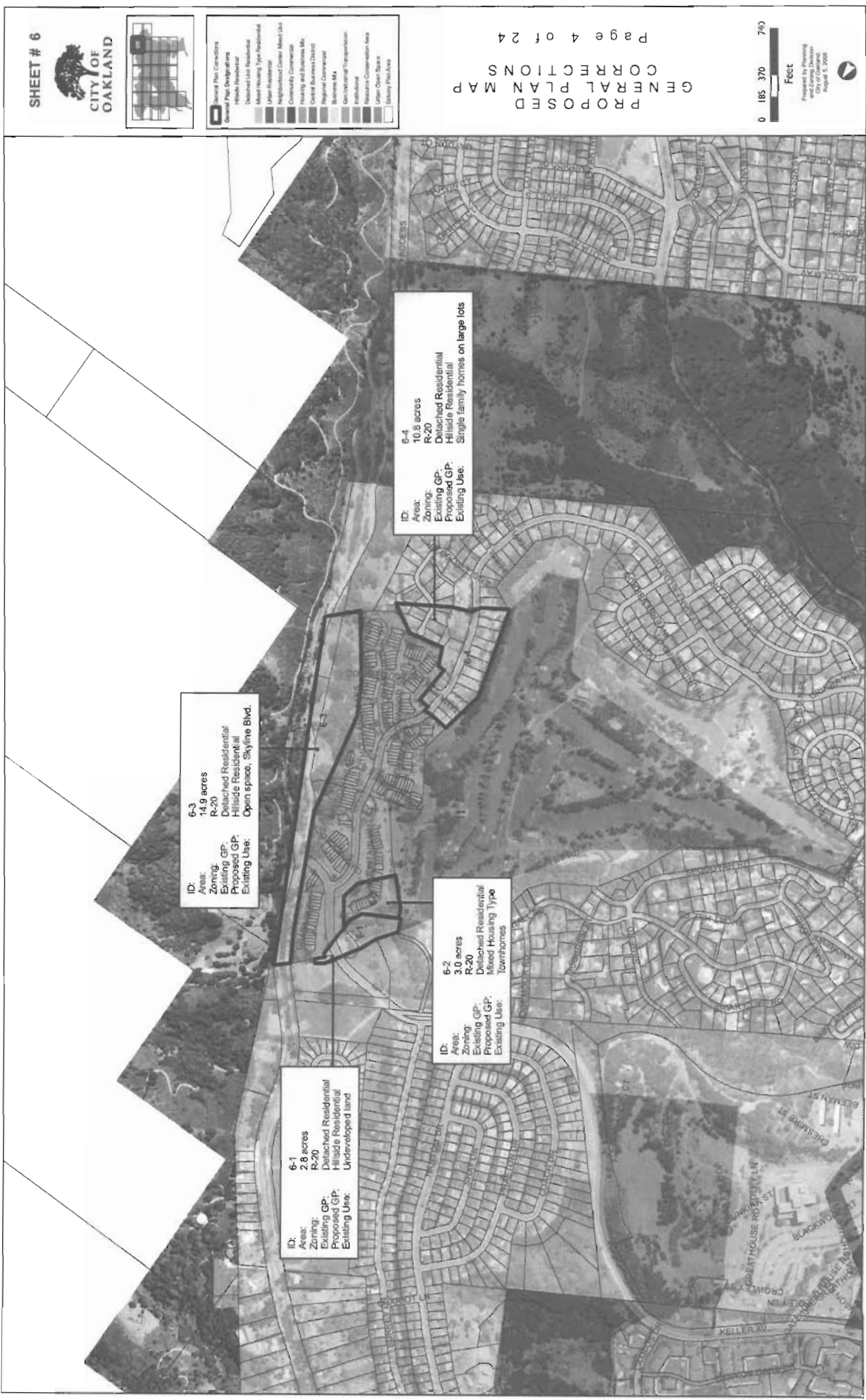
PROPOSED
GENERAL PLAN MAP
Page 3 of 24



Prepared by Planning
and Zoning Division
August 16, 2009



ID: 4-1
Area: 5.0 acres
Zoning: C-20
Existing GP: Hillside Residential
Proposed GP: Neighborhood Center Mixed Use
Existing Use: Assisted living, private school, offices

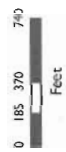


SHEET # 6



Symbol	Description
[Symbol]	General Plan Categories
[Symbol]	Special Plan Designations
[Symbol]	High Density Residential
[Symbol]	Medium Density Residential
[Symbol]	Low Density Residential
[Symbol]	Neighborhood Center / Mixed Use
[Symbol]	Community Commercial
[Symbol]	Neighborhood Commercial
[Symbol]	Regional Commercial
[Symbol]	Business MA
[Symbol]	General Industrial
[Symbol]	Heavy Industrial
[Symbol]	Light Industrial
[Symbol]	Office
[Symbol]	Urban Open Space
[Symbol]	Utility Right-of-Way

PROPOSED
 GENERAL PLAN
 CORRECTIONS
 MAP
 Page 4 of 24



Prepared by Planning
 and Growth Division
 August 5, 2009



SHEET # 7

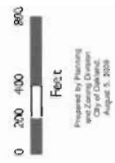
CITY OF OAKLAND

Legend Plan Categories

Green	General Plan Designation
Blue	Major Roadway
Light Green	Designated Urban Residential
Yellow	Medium Density Urban Residential
Light Blue	Urban Residential
Dark Green	Neighborhood Center Mixed Use
Dark Yellow	Community Commercial
Light Green	Health and Business Mix
Dark Green	Central Business District
Dark Blue	Regional Commercial
Light Green	Business Mix
Dark Blue	Centric Transit/Transportation
Light Blue	Industrial
Dark Green	Neighborhood Office
Dark Yellow	Office Park/Stock
Light Blue	Existing Park/Lake

GEN
CORRAL
POSED
PLAN
MAP

Page 5 of 24



Prepared by Planning
and Zoning Division
August 5, 2009

ID: 7-1
Area: 2.2 acres
Zoning: C-20
Neighborhood Center, Mixed Use
Existing GP: Hillside Residential
Proposed GP: Hillside Residential
Existing Use: 3 large lot single family homes



SHEET # 8



General Plan Categories

General Plan Designations	Urban Residential
Designated Local Neighborhood	Neighborhood Center/Mixed Use
Mixed Housing Type Neighborhood	Housing and Business Mix
Urban Residential	Regional Commercial
Neighborhood Center/Mixed Use	Business Mix
Housing and Business Mix	Office/Industrial/Transportation
Regional Commercial	Institutional
Business Mix	Resource Conservation Area
Office/Industrial/Transportation	Urban Open Space
Institutional	Utility Right-of-Way
Resource Conservation Area	
Urban Open Space	
Utility Right-of-Way	

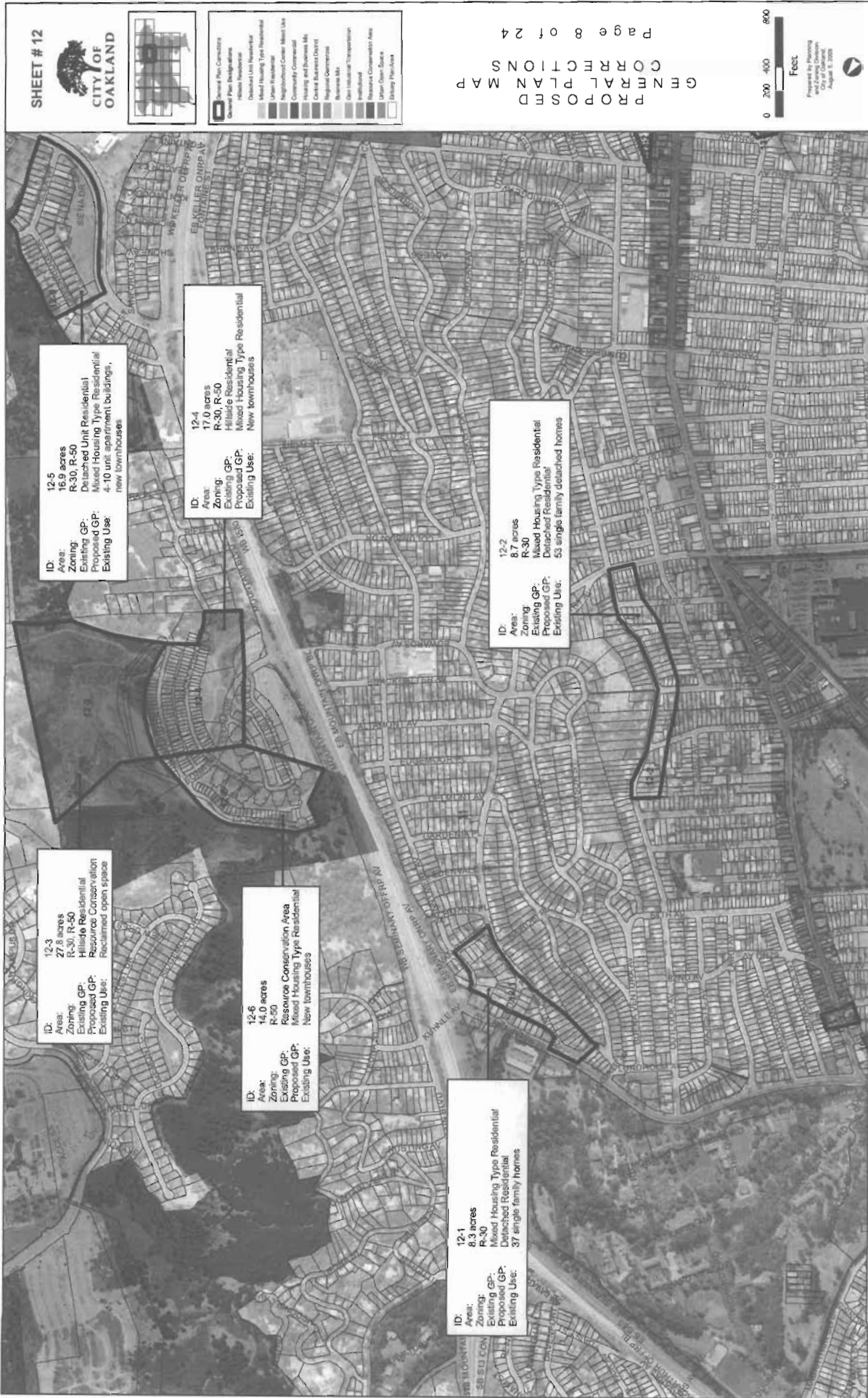
GENERAL PLAN MAP
CORRECTIONS
Page 6 of 24



Prepared by Planning
and Community Development
City of Oakland
August 15, 2009

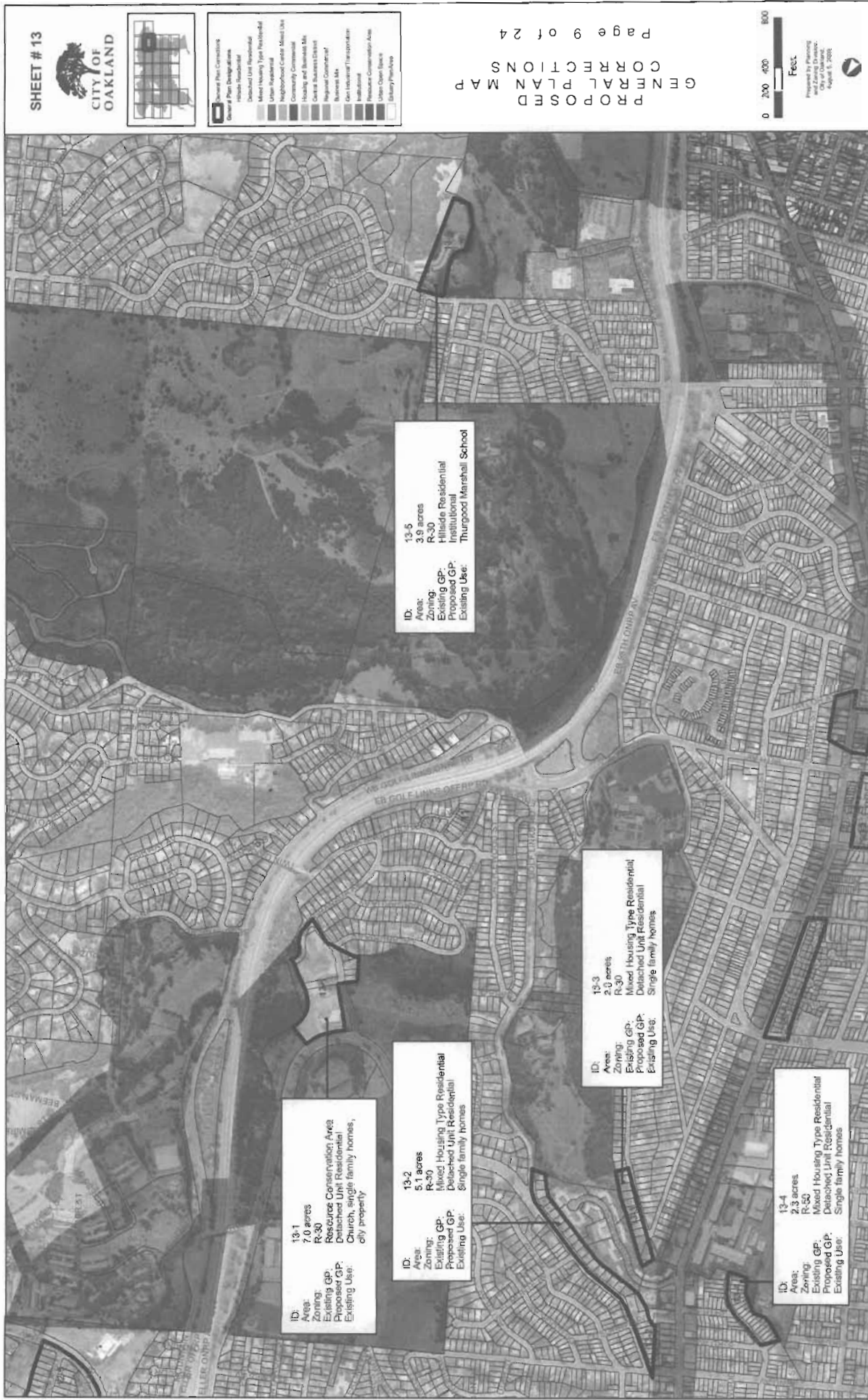
ID: 6-1
Area: 2.1 acres
Zoning: R-30
Existing GP: Community Commercial
Proposed GP: Hillside Residential
Existing Use: single family homes

EXHIBIT A



Item:
CED Committee
September 29, 2009

EXHIBIT A



SHEET # 13



- General Plan Corrections**
General Plan Designations
- Special Use Residential
 - Mixed Housing Type Residential
 - Urban Residential
 - Neighborhood Central Area (NCA)
 - Community Commercial
 - Housing and Business Mix
 - Central Business District
 - Regional Commercial
 - Business Mix
 - Gen. Industrial / Transportation
 - Industrial
 - Resource Conservation Area
 - Urban Open Space
 - Utility Right-of-Way

PROPOSED
 CORRECTIONS
 MAP
 Page 9 of 24

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 Prepared by Planning
 City of Oakland
 August 11, 2009

ID: 13-1
Area: 7.0 acres
Zoning: R-30
Resource Conservation Area
Existing GP: Detached Unit Residential
Proposed GP: Church, single family homes, city property
Existing Use:

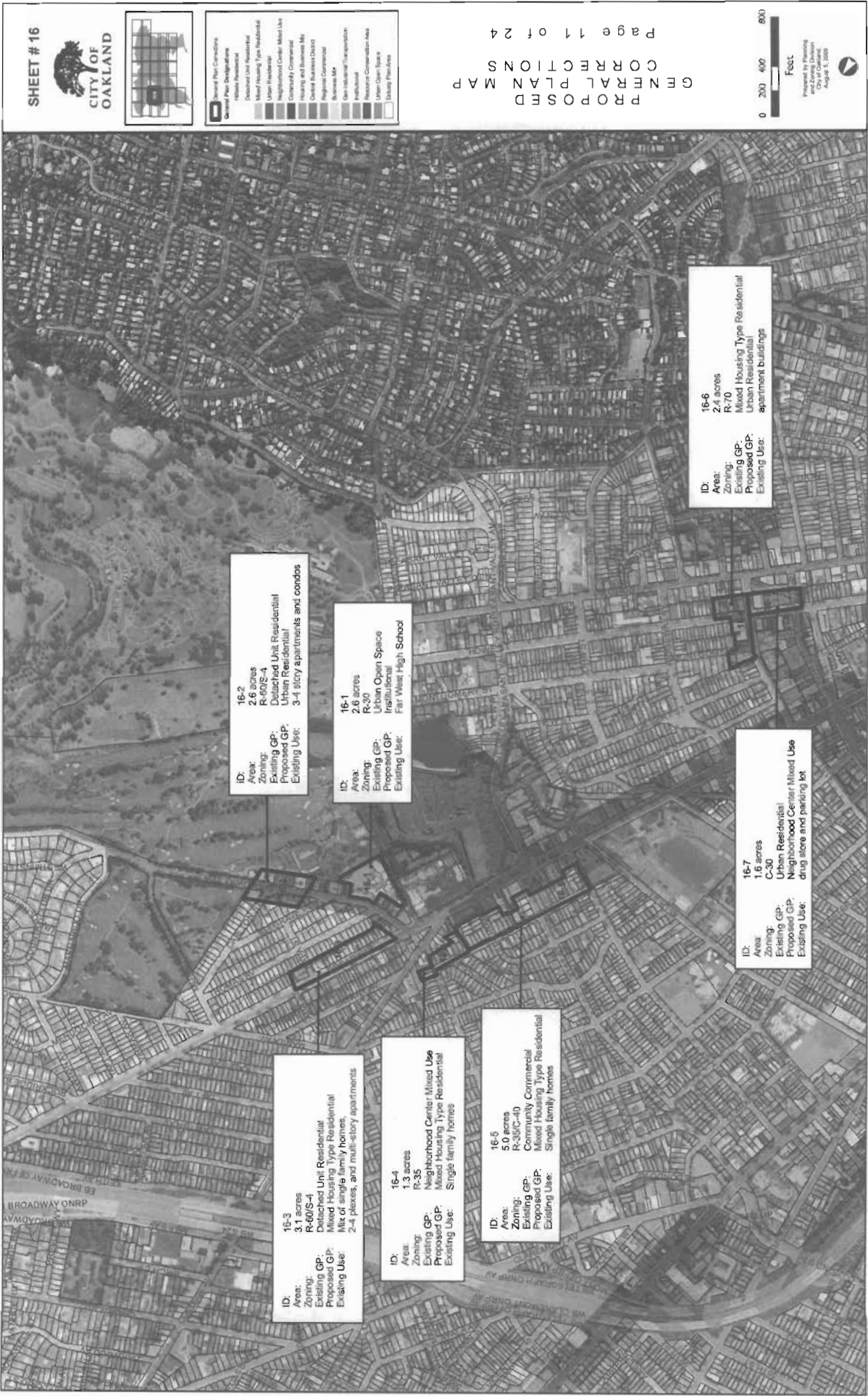
ID: 13-2
Area: 5.1 acres
Zoning: R-30
Existing GP: Mixed Housing Type Residential
Proposed GP: Detached Unit Residential
Existing Use: Single family homes

ID: 13-3
Area: 2.0 acres
Zoning: R-30
Existing GP: Mixed Housing Type Residential
Proposed GP: Detached Unit Residential
Existing Use: Single family homes

ID: 13-4
Area: 2.3 acres
Zoning: R-30
Existing GP: Mixed Housing Type Residential
Proposed GP: Detached Unit Residential
Existing Use: Single family homes

ID: 13-5
Area: 3.9 acres
Zoning: R-30
Existing GP: Hillside Residential
Proposed GP: Institutional
Existing Use: Thurwood Marshall School





SHEET # 16



General Plan Categories
General Plan Designations

Single-Family Residential
Multi-Family Residential
Mixed Housing Type Residential
Urban Residential
Neighborhood Center Mixed Use
Community Commercial
Office Business District
Regional Commercial
Business Mid
Office Industrial/Technology
Industrial
Research/Convention Area
Urban Open Space
Utility Plan Area



Prepared for Planning
Department
City of Oakland
August 5, 2008

ID: 16-2
Area: 2.6 acres
Zoning: R-60/S-4
Existing GP: Detached Unit Residential
Proposed GP: Urban Residential
Existing Use: 3-4 story apartments and condos

ID: 16-1
Area: 2.6 acres
Zoning: R-30
Existing GP: Urban Open Space
Proposed GP: Institutional
Existing Use: Fair West High School

ID: 16-3
Area: 3.1 acres
Zoning: R-60/S-4
Existing GP: Detached Unit Residential
Proposed GP: Mixed Housing Type Residential
Existing Use: Mix of single family homes, 2-4 plexes, and multi-story apartments

ID: 16-4
Area: 1.9 acres
Zoning: R-30
Existing GP: Neighborhood Center Mixed Use
Proposed GP: Mixed Housing Type Residential
Existing Use: Single family homes

ID: 16-5
Area: 5.0 acres
Zoning: R-35/C-40
Existing GP: Community Commercial
Proposed GP: Mixed Housing Type Residential
Existing Use: Single family homes

ID: 16-7
Area: 1.6 acres
Zoning: C-30
Existing GP: Urban Residential
Proposed GP: Neighborhood Center Mixed Use
Existing Use: drug store and parking lot

ID: 16-6
Area: 2.4 acres
Zoning: R-70
Existing GP: Mixed Housing Type Residential
Proposed GP: Urban Residential
Existing Use: apartment buildings

EXHIBIT A

SHEET # 17



- General Plan Categories
- General Plan Designations
- Historic Resources
- Designated Land Residential
- Medium Density Residential
- Urban Residential
- Urban Residential Medium Density
- Community Conservation
- Heavy and Business Mx
- Office Business District
- Regional Commercial
- Business Mx
- General Industrial/Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Utility Plan Area

PROPOSED
GENERAL
PLAN MAP
Page 12 of 24



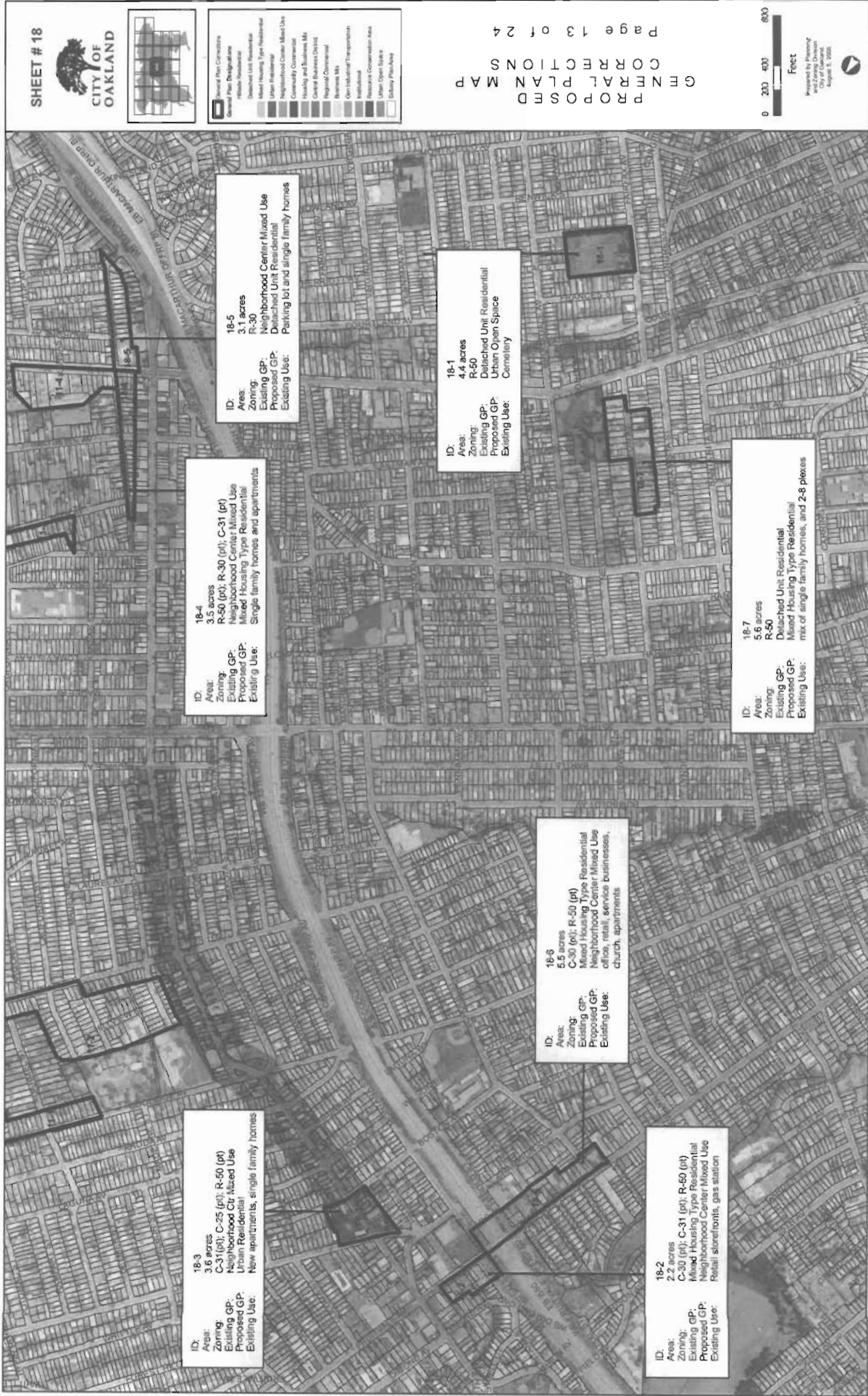
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Prepared by Planning
Department
City of Oakland
August 5, 2008



17-1
Area: 5.5 acres
Zoning: R-30
Existing GP: Mixed Housing Type Residential
Proposed GP: Detached Residential
Existing Use: 21 single family homes

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EXHIBIT A



ID: 18-3
Area: 3.6 acres
Zoning: C-31(pt); C-25(pt); R-50(pt)
Existing GP: Neighborhood Ctr. Mixed Use
Proposed GP: Urban Residential
Existing Use: New apartments, single family homes

ID: 18-4
Area: 3.5 acres
Zoning: R-50 (pt); R-30 (pt); C-31 (pt)
Existing GP: Neighborhood Center Mixed Use
Proposed GP: Mixed Housing Type Residential
Existing Use: Single family homes and apartments

ID: 18-5
Area: 3.1 acres
Zoning: R-30
Existing GP: Neighborhood Center Mixed Use
Proposed GP: Detached Unit Residential
Existing Use: Parking lot and single family homes

ID: 18-6
Area: 5.5 acres
Zoning: C-30 (pt); R-50 (pt)
Existing GP: Mixed Housing Type Residential
Proposed GP: Neighborhood Center Mixed Use
Existing Use: office, retail, service businesses, church, apartments

ID: 18-1
Area: 4.4 acres
Zoning: R-50
Existing GP: Detached Unit Residential
Proposed GP: Urban Open Space
Existing Use: Cemetery

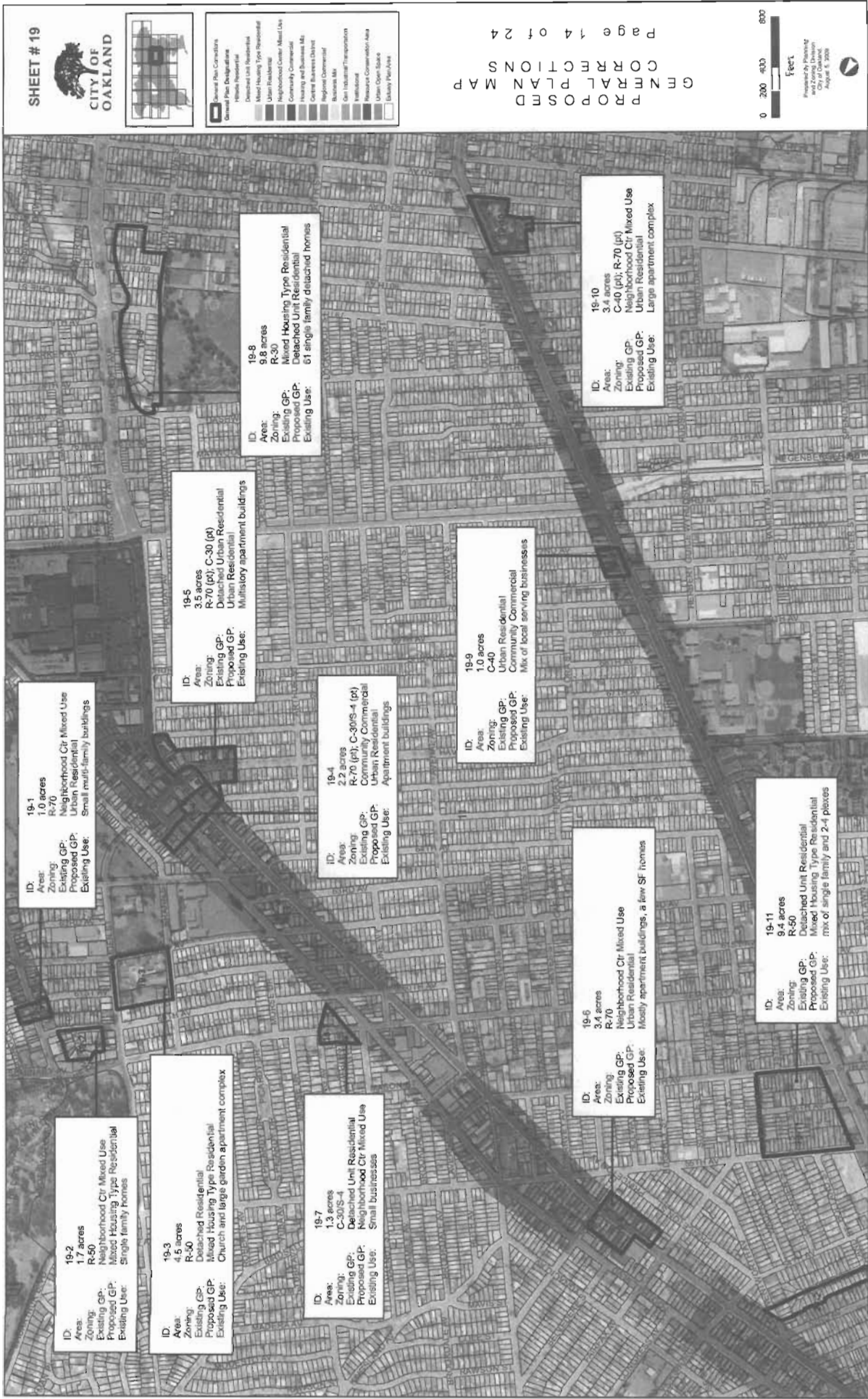
ID: 18-7
Area: 5.6 acres
Zoning: R-50
Existing GP: Detached Unit Residential
Proposed GP: Mixed Housing Type Residential
Existing Use: mix of single family homes, and 2-8 pleats

ID: 18-2
Area: 2.2 acres
Zoning: C-30 (pt); C-31 (pt); R-50 (pt)
Existing GP: Mixed Housing Type Residential
Proposed GP: Neighborhood Center Mixed Use
Existing Use: Retail storefronts, gas station



- General Plan Categories
- General Plan Designations
- Historic Resources
- Detached Unit Residential
- Mixed Housing Type Residential
- Urban Residential
- Neighborhood Center Mixed Use
- Community Commercial
- Housing and Business Mix
- Neighborhood Office
- Neighborhood Commercial
- Business Mix
- Office/Industrial/Transportation
- Industrial
- Resource Conservation Area
- Urban Open Space
- Utility Plant Area

EXHIBIT A



Item:
 CED Committee
 September 29, 2009



SHEET # 22



General Plan Categories	
[Swatch]	General Plan Categories
[Swatch]	Urban Residential
[Swatch]	Medium Density Residential
[Swatch]	Major Housing Type Residential
[Swatch]	Urban Industrial
[Swatch]	Neighborhood Center Mixed Use
[Swatch]	Community Commercial
[Swatch]	Housing and Business Mix
[Swatch]	Central Business District
[Swatch]	Regional Commercial
[Swatch]	Business Mix
[Swatch]	Office/Industrial/Transportation
[Swatch]	Industrial
[Swatch]	Resource Conservation Area
[Swatch]	Urban Open Space
[Swatch]	Library/Plaza Area

PROPOSED
GENERAL
PLANS
MAP
Page 16 of 24



ID: 22-1
 Area: 10.4 acres
 Zoning: S-1 (pt); C-40/S-4 (pt); C-40/S-5 (pt)
 Existing GP: Institutional
 Proposed GP: Community Commercial
 Existing Use: Rear portion of car lots on Broadway; medical offices and apartments on 30th

EXHIBIT A



Item:
 CED Committee
 September 29, 2009



EXHIBIT A



Item: _____
 CED Committee
 September 29, 2009



ID: 26-3
Area: 1.2 acres
Zoning: R-30
Existing GP: General Industrial
Proposed GP: Detached Residential
Existing Use: Single family homes

ID: 26-4
Area: 1.8 acres
Zoning: C-10/S-4
Existing GP: Mixed Housing Type Residential
Proposed GP: Neighborhood Ctr Mixed Use
Existing Use: open storage, 2 churches, retail, proposed shopping center

ID: 26-5
Area: 3.2 acres
Zoning: C-10/S-4
Existing GP: Detached Uni Residential
Proposed GP: Neighborhood Ctr Mixed Use
Existing Use: open storage, 2 churches, retail, proposed multi-family

ID: 26-1
Area: 3.9 acres
Zoning: IO
Existing GP: General Industrial
Proposed GP: Business Mix
Existing Use: Office/lex, Alameda county offices

ID: 26-2
Area: 28 acres
Zoning: C-36/S-4
Existing GP: Business Mix
Proposed GP: Regional Commercial
Existing Use: Walmart, fast food, office buildings, banks



- General Plan Categories**
- General Industrial
 - General Residential
 - Medium Density Residential
 - High Density Residential
 - Neighborhood Center Mixed Use
 - Community Commercial
 - Housing and Business Mix
 - Central Business District
 - Regional Commercial
 - Business Mix
 - General Industrial/Transportation
 - Industrial
 - Research/Competition Area
 - Urban Open Space
 - Utility Facilities

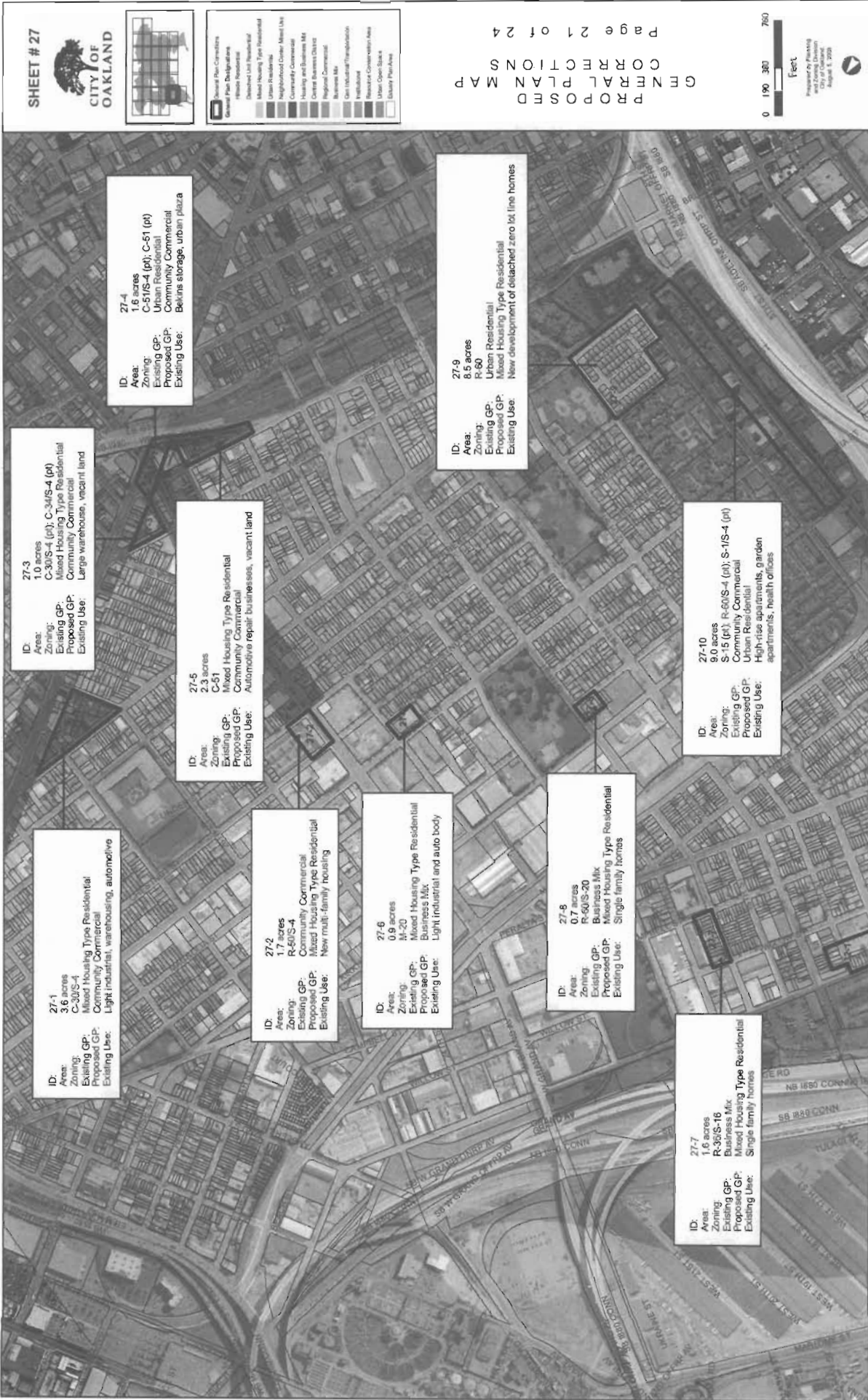




EXHIBIT A

SHEET # 31



	General Plan Corrections
	General Plan Amendments
	Designated Light Residential
	Medium Density Type Residential
	Urban Residential
	High-density Central Mixed Use
	Community Commercial
	Heavy and Business Mix
	General Business District
	Regional Commercial
	Business Mix
	General Industrial/Transportation
	Industrial
	Historic Conservation Area
	Urban Open Space
	Utility Project Area

PROPOSED
GENERAL PLAN MAP
Page 23 of 24



Prepared by Planning
and Zoning Division
City of Oakland
August 12, 2009



ID: 31-2
Area: 4.2 acres
Zoning: C-36/S-4
Existing GP: Business Mix
Proposed GP: Regional Commercial
Existing Use: Hotels, etc.

ID: 31-1
Area: 28.0 acres
Zoning: C-36/S-4
Existing GP: Business Mix
Proposed GP: Regional Commercial
Existing Use: Hotels, retail

