

NOTICE AND DIGEST

AN ORDINANCE: 1) AMENDING THE OAKLAND PLANNING CODE (TITLE 17) OF THE OAKLAND MUNICIPAL CODE (OMC), AS RECOMMENDED BY THE CITY PLANNING COMMISSION, TO: (A) UPDATE REGULATIONS FOR ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS) TO COMPLY WITH STATE LAW AND IMPLEMENT MISCELLANEOUS AND CLEAN-UP CHANGES IN SUPPORT OF THE TITLE 17 AMENDMENTS ADOPTED IN OCTOBER 2023 TO STREAMLINE THE DEVELOPMENT REVIEW PROCESS FOR SMALL PROJECTS AND IMPROVE THE CITY'S ABILITY TO IMPROVE MORE COMPLEX PROJECTS, SUCH AS HOUSING, AND (B) PROVIDE WRITTEN FINDINGS IN SUPPORT OF ADU PLANNING CODE REGULATIONS RESTRICTING THE DEVELOPMENT OF ADUS IN THE S-9 OVERLAY ZONE AND FOR NON-HABITABLE SPACE IN MULTI-FAMILY BUILDINGS; AND 2) AMENDING THE OAKLAND SUBDIVISION CODE (TITLE 16) OF THE OMC TO REMOVE THE PREVALENT LOT SIZE REQUIREMENT, IN LINE WITH PREVIOUS TITLE 17 CHANGES ADOPTED IN OCTOBER 2023; AND 3) MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS.

This Ordinance amends the Oakland Planning Code (Title 17) to: (a) bring the City's ADU regulations into full compliance with California State law; and (b) implement miscellaneous and "clean-up" changes in various Chapters to align with and support zoning changes made in October 2023. This Ordinance adopts findings regarding the regulation of ADUs in the S-9 Fire Safety Protection Overlay Zone (S-9 Overlay Zone), including the number of permitted ADUs, parking requirements, and amnesty for unpermitted ADUs in the S-9 Overlay Zone and (2) the definition of non-habitable space for interior ADUs in multi-family buildings. This Ordinance also amends the Oakland Subdivision Code (Title 16) to remove prevalent lot size requirements in support of Planning Code amendments made in October 2023, except for in the S-9 Overlay Zone. The City may also adopt appropriate California Environmental Quality Act (CEQA) findings in support of these amendments.

Notice of Publication

This Ordinance was introduced at the City Council meeting, Tuesday evening **June 4, 2024**, and passed to print **7 Ayes, 1 Excused Reid**. Final adoption has been scheduled for the City Council meeting **Tuesday, June 18, 2024, 1:30 P.M.**, at One Frank H. Ogawa Plaza, Council Chamber, 3rd floor, Oakland, California and via Teleconference.

Three full copies are available for use and examination by the public in the Office of the City Clerk at One Frank H. Ogawa Plaza, 1st floor, Oakland, California.

ASHA REED, City Clerk
OT 6834723; June 14, 2024