



AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: William Gilchrist
Director, Planning and
Building

SUBJECT: Planning Code Amendments to
Streamline Conditional Use Permit
Regulations

DATE: November 12, 2025

City Administrator Approval


Jestin Johnson (Nov 13, 2025 15:49:37 PST)

Date: Nov 13, 2025

RECOMMENDATION

Staff Recommends That The City Council Conduct A Public Hearing And, Upon Conclusion, Adopt An Ordinance, As Recommended By The Planning Commission:

- 1) Amending Title 17 Of The Oakland Municipal Code (The Planning Code) To:**
 - A. Adjust Regulations For Permitted And Conditionally Permitted Activities And Facilities For Purposes Of Providing Greater Opportunities For Ground Floor Activities And Ease The Permitting Burden For Commercial, Civic, And Low Impact Industrial Activities; And**
 - B. Make Related Miscellaneous Clean-Up And Administrative Changes;**
- 2) Making Appropriate California Environmental Quality Act Findings.**

EXECUTIVE SUMMARY

The Conditional Use Permit (CUP) approval process in the City of Oakland (City) is often lengthy and expensive. This has been identified as inhibiting the opening of certain types of small- and neighborhood-serving businesses, as well as the implementation of parks improvements and maintenance by the City. Consistent with Mayor Lee's 10-Point Plan, which included streamlining City permitting processes, the proposed ordinance includes provisions to amend 28 chapters of the City Planning Code (Title 17 of the Oakland Municipal Code). The primary focus of these amendments is to reduce the number of activities subject to the CUP procedure and thereby allow these uses to be permitted outright.

In May 2025, the City Council adopted amendments to the CUP requirements for the Broadway Valdez District ([Ordinance No. 13840 C.M.S.](#)), which operated as a pilot for the current proposal. Those amendments helped facilitate the establishment of Northlake Oakland, a major initiative to invest in the district. By reducing regulatory barriers to opening businesses Citywide, new opportunities will open up for investment in Oakland by and for Oaklanders.

CED Committee
November 18, 2025

BACKGROUND / LEGISLATIVE HISTORY

The last comprehensive update to the OS Open Space Zoning Regulations occurred in 1998 as part of the planning code amendments implementing the 1996 Open Space, Conservation, and Recreation (OSCAR) Element of the General Plan. The last comprehensive update of the City's commercial zones was in 2011, when the City Council adopted amendments to the Planning Code ([Ordinance No. 13064 C.M.S.](#)), which created new zones for the City's commercial and residential areas.

In 2024, the City Council adopted amendments to the Planning Code ([Ordinance No. 13812 C.M.S.](#)), with new downtown zones to implement the Downtown Oakland Specific Plan. These changes included reducing the number of uses that required a CUP downtown by allowing for more uses to be permitted outright in order to make it easier for small businesses to open and help fill vacant commercial spaces.

On May 6, 2025, the City Council adopted amendments to the Planning Code ([Ordinance No. 13840 C.M.S.](#)), which: 1) expanded the pedestrian-oriented activities permitted in the D-BV Broadway Valdez District Commercial Zones; and 2) permitted Artisan Production commercial Activities in the D-LM Lake Merritt Station Area District Zones. These amendments were intended as the pilot for the current citywide permit streamlining proposal.

As part of her campaign, Mayor Lee proposed a 10-Point Plan that outlined her policy goals. Since taking office, she has maintained the plan as a guide to her key initiatives. This project supports the Mayor's goal of Removing Roadblocks to Support Small Businesses. Further information on the 10-Point Plan can be found on the Mayor's webpage¹.

Parks and Recreation Advisory Commission Recommendation

On October 8, 2025, City staff presented to the Parks and Recreation Advisory Commission (PRAC) the proposed changes to the Open Space Zoning Requirements in the Planning Code and the PRAC voted unanimously to recommend the amendments.

Planning Commission Recommendation

On November 5, 2025, City staff presented to the Planning Commission the proposed amendments to the Planning Code that would reduce the number of CUPs for various activities in 28 chapters of the Planning Code. The Planning Commission unanimously recommended that the City Council approve the proposed Planning Code amendments as stated below:

Recommend That The City Council Conduct A Public Hearing And, Upon Conclusion, Adopt An Ordinance:

1. Amending Title 17 Of The Oakland Municipal Code (The Planning Code) To:
 - A. Adjust Regulations For Permitted And Conditionally Permitted Activities And Facilities For Purposes Of Providing Greater Opportunities For Ground Floor Activities And Ease The Permitting Burden For Commercial, Civic, And Low Impact Industrial Activities; And
 - B. Make Related Miscellaneous Clean-Up And Administrative Changes; And

¹ <https://www.mayorbarbaralee.com/100-days>

2. Making Appropriate California Environmental Quality Act Findings.

With the following revision:

In Section 17.136.30 Small Project Design Review, add provisions for Community Education Civic Activities and Group Assembly Commercial Activities as written and presented by Staff in the November 5, 2025 PowerPoint.

ANALYSIS AND POLICY ALTERNATIVES

The following Planning Code chapters are proposed to be amended:

- 17.09 Definitions
- 17.10 Use Classifications
- 17.11 OS Open Space Zoning Regulations
- 17.15 RD Detached Unit Residential Zone Regulations
- 17.17 RM Mixed Housing Type Residential Zones Regulations
- 17.19 RU Urban Residential Zones Regulations
- 17.33 CN Neighborhood Center Commercial Zones Regulations
- 17.35 CC Community Commercial Zones Regulations
- 17.37 CR Regional Commercial Zones Regulations
- 17.65 HBX Housing and Business Mix Commercial Zones Regulations
- 17.72 M-40 Industrial Zone Regulations
- 17.73 CIX, IG and IO Industrial Zones Regulations
- 17.74 S-1 Medical Center Commercial Zone Regulations
- 17.97 S-15 Transit-Oriented Development Commercial Zones Regulations
- 17.98 S-16 Interstate Corridor Commercial Zones Regulations
- 17.101A D-WS Wood street District Zones Regulations
- 17.101B D-OTN Oak to Ninth District Zone Regulations
- 17.101C D-BV Broadway Valdez District Commercial Zones Regulations
- 17.101E D-CE Central Estuary District Zones Regulations
- 17.101G D-LM Lake Merritt Station Area District Zones Regulations
- 17.101H D-CO Coliseum Area District Zones Regulations
- 17.101K D-DT Downtown District Zones Regulations
- 17.103 Special Regulations and Findings for Certain Use Classifications
- 17.116 Off-Street Parking and Loading Requirements
- 17.128 Telecommunications Regulations
- 17.134 Conditional Use Permit Procedure
- 17.135 Special Use Permit Review Procedure for the OS Zone
- 17.136 Design Review Procedure

The following sections describe the proposed amendments, organized thematically.

1. PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES

a. Commercial Zones

The bulk of proposed amendments reduce the regulatory barriers to permitting Commercial and Civic activities in Commercial zones. One of the key triggers for a CUP for a Civic or

Commercial Activity is the square footage of the proposal. For example, in the CN Zones, many proposed activities currently require a CUP if they are over 7,500 square feet. The proposal would shift that threshold up to 10,000 square feet, which would result in significant time and cost savings for businesses proposing operations between 7,500 and 10,000 square feet. Relatively small size thresholds for a CUP such as in the CN Commercials Districts can make it hard to fill larger building vacancies. Therefore, the proposed Planning Code amendments would raise many of these CUP thresholds by 20% to 50% depending on the activity and the zone.

Group Assembly: Group Assembly Commercial Activities include a variety of business activities that facilitate public gathering, generally having a floor area of at least 5,000 square feet. This includes activities such as yoga studios, theaters, night clubs, banquet halls, and fitness clubs. Such activities can serve as anchor destinations, attracting patrons to a commercial district from throughout the city and region. The activity generated from these venues can support other business, such as restaurants, bolster the reputation of a commercial district, and promote the city as a center for arts and culture. However, Group Assembly Activities also have the potential to generate elevated noise levels that can disturb neighboring residents. Currently, the Planning Code regulates this issue by requiring most Group Assembly Activities to receive a CUP. The proposal aims to create a more predictable permitting process by increasing the square footage allowed before a CUP is required and instead establishing performance standards in the CN, CC, CR, HBX, D-CE, D-LM, and D-CO Zones. A CUP would only be triggered if the use is proposed to be outdoors, or if it exceeds 10,000 or 15,000 square feet (depending on the zone). For projects that do not trigger a CUP but propose to use amplified sound, they would be reviewed under the Small Project Design Review Procedure (Section 17.136.030) and an Operational Noise Plan would be required. This would document the potential noise generation of the project and describe any mitigation measure required to meet the existing noise performance standards outlined in Section 17.120.050. Traditionally, one of the reasons to require a CUP would be to require this noise study and add conditions as a result of the noise study. By requiring this with the permitted use as a performance standard, it allows staff to still have these requirements without the need for the lengthier CUP process.

Artisan Production: Artisan Production was newly added to the Planning Code as a Commercial Activity type in 2023. It is defined as “the creation, exhibition, and on-site sale of multi-media art and artisan products.” This classification includes activities, such as, painting; drawing; sculpture; small-scale jewelry, metalworking, furniture, and woodworking production; photography, picture framing, printshop, digital print lab; fashion design, sewing, textiles fabrication; art galleries; and small-scale food production.” Over the last two years, the classification has been incrementally added to certain Zones as they were updated. However, given the citywide nature of this update, Artisan Production will be added to most Zoning districts, allowing for these activities to be permitted in most commercial districts, as well as certain Industrial and Residential districts as appropriate.

Mechanical or Electronic Games: Mechanical or Electronic Games are defined as arcades providing pinball machines, video game devices, or other similar games. Such arcades can serve as key activity generators on commercial corridors. Additionally, they serve as “third places”, particularly for youth, by providing for social opportunities outside home and school. Regulations on these activities vary significantly throughout the City zoning districts and the

proposal would allow Mechanical or Electronic Games permitted by-right in most commercial districts, as well as certain Industrial and Residential districts as appropriate.

Medical Service and Animal Care: Medical Service and Animal Care Commercial Activities are neighborhood-serving uses that can generate activity on a commercial corridor, but that contain sensitive operations that should be screened from public view. In order to maintain vibrant commercial storefronts, while allowing these businesses to operate, ground-floor transparency requirements were developed first for the new D-DT zoning districts adopted to implement the Downtown Oakland Specific Plan, then refined for the Broadway Valdez Zoning Update. In those districts, the relevant businesses must provide street-fronting windows for reception, lobby, and waiting areas, while treatment rooms may not face the street. The current proposal expands these requirements to include other pedestrian-oriented commercial districts in the CN, CC, and D-LM Zones.

Daycare Facilities, Preschools, and Elementary Schools: In the D-LM Zones, daycare facilities, preschools, and elementary schools with more than fifty enrollees would require a pickup and drop-off management plan. This regulation already exists in the new D-DT Zones and the proposal ensures regulatory consistency within the adjacent districts. Projects that trigger this requirement in both the D-LM and D-DT Zones would be reviewed under the Small Project Design Review Procedure (Section 17.136.030).

Lake Merritt Station Area District: The D-LM Zones have been amended to maintain the highest possible consistency with the surrounding D-DT Zones, as established by the Downtown Oakland Specific Plan. This will ensure clear and consistent regulations throughout Oakland's Downtown.

Additional miscellaneous amendments are proposed where they would support small- and neighborhood-serving businesses.

b. Open Space Zones

The current Open Space Zone permitting standards established in 1998 require virtually every project in Oakland's parks to go through a CUP process. This results in increased costs and delays for implementing City-sponsored projects. Recognizing these issues, the proposal focuses on making changes to section *17.11.060 Special provisions for permitted and conditionally permitted activities in the OS Zone* in order to allow more uses in City parks and also allow for faster approval of various park projects.

The permitting requirement for certain park improvements would be changed from a Minor CUP to Permitted. These changes would make it easier to install basic park amenities, such as paths, kiosks, and restrooms. Restrictions would also be reduced on basic utility infrastructure and on special events. Meanwhile, other activities would be changed from Prohibited to Minor CUP, which would allow for installation of low-impact recreational amenities, particularly in Athletic Field Parks. However, requiring a Minor CUP would maintain thoughtful analysis of proposals, particularly in regard to the priority in the OSCAR Element in limiting expansion of impervious surfaces in parks. Additionally, cafes would be allowed in most parks, which would help to activate those spaces and provide revenue for their maintenance. Installation of more impactful park amenities, such as water play features, restaurants, and alcohol sales, would be changed from Prohibited to Major CUP. This would maintain a high level of review to ensure they don't cause negative impacts. Additionally, the proposed amendments would clarify that "Building and

grounds maintenance, repair, and in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements shall not be considered a 'change in use'." This will facilitate more effective maintenance of Oakland's parks.

For activities and changes to parks in Open Space Zones, even if an activity is permitted in the OS Zone of the Planning Code, it still goes through the review process of Public Works and/or Parks, Recreation, and Youth Development, as well as the PRAC. Therefore, planning staff review should not be necessary for these types of uses.

For more detailed discussion of the proposed amendments affecting parks, please see the Staff Report to the PRAC (**Attachment A**) for their October 8, 2025 meeting.

c. Residential and Industrial Zones

Amendments are proposed to Residential and Industrial Zones to allow for a wider variety of uses, as appropriate.

2. USE CLASSIFICATIONS

Miscellaneous amendments would be made to Chapter 17.10 Use Classifications, such as those described here. Satellite Recycling Collection Centers would be added as an Accessory activity and referenced throughout the Planning Code. This would bring the City in line with State law related to recycling centers. Electric Vehicle Charging Stations for light vehicles under 14,000 pounds would be classified as Essential Service Civic Activities. Meanwhile, charging for heavy vehicles would be classified as Trucking and Truck-Related Industrial Activities in order to restrict those activities where appropriate. Neighborhood-serving dry cleaners with on-site processing facilities would be reclassified from Consumer Dry Cleaning Plant Commercial Activities to Consumer Service Commercial Activities. Research and Development Industrial Activities would be amended to bring Oakland in line with neighboring municipalities. Related changes would be made to Research Service Commercial Activities, Light Manufacturing Industrial Activities, and Heavy/High Impact Manufacturing Industrial Activities.

3. OTHER AMENDMENTS

Other miscellaneous clean-up and administrative amendments would be made to the following chapters:

- 17.15 RD Detached Unit Residential Zone Regulations
- 17.103 Special Regulations and Findings for Certain Use Classifications
- 17.116 Off-Street Parking and Loading Requirements
- 17.128 Telecommunications Regulations
- 17.134 Conditional Use Permit Procedure

FISCAL IMPACT

Implementation of these changes will be a component of the existing approval process administered by the Department of Planning and Building, which collects fees for such review and approvals as established in the Master Fee Schedule. Staff will inform the public of the new regulations as part of all applicable inquiries and apply the new regulations as part of all applicable planning and building permit applications. Staff will also develop any application materials including summaries and guides using internal resources and staff's time.

PUBLIC OUTREACH / INTEREST

Public meetings were conducted by the PRAC on October 8, 2025 and Zoning Update Committee (ZUC) on October 22, 2025. A public hearing was conducted by the Planning Commission (PC) on November 5, 2025. The ZUC and PC meetings were noticed in the *Oakland Tribune*.

The Planning and Building Department has received consistent community feedback in recent years about the challenges of opening a small-business and of high commercial vacancy rates in Oakland. In August 2025, staff presented this proposed permit streamlining project to the Oakland BID Alliance and has incorporated the feedback received into the proposed amendments.

The Planning and Building; Parks, Recreation, and Youth Development; and Public Works departments have all received consistent community feedback in recent years about a lack of amenities in Oakland parks. The Planning & Building Department also conducted a parks survey in summer 2024. The responses indicated strong support for improved amenities at parks, such as restrooms and increased athletic facilities. Additionally, respondents indicated a desire for specialized recreational facilities, such as roller rinks, dedicated bike trails, pickleball courts, updated play structures, and dog parks.

COORDINATION

Planning staff, in consultation with the City Attorney's Office, Department of Parks, Recreation, and Youth Development, and Department of Public Works, drafted the proposed Planning Code amendments. The City's Economic and Workforce Development Department engaged in early discussions to identify the issues to be addressed. This report and legislation have been reviewed by the Office of the City Attorney and by the Budget Office.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed Planning Code amendments would expand the list of permitted Commercial Activities across the City. The amendments are primarily intended to make it easier for new businesses to open in existing commercial districts. The proposed regulation changes would reduce the number of activities subject to Conditional Use Permits, which will reduce application costs, expedite planning reviews, and increase certainty in the permit approval process.

Environmental: The proposed Planning Code amendments would facilitate the opening of new neighborhood-serving businesses in existing commercial districts. This would improve residents' access to services, which would reduce travel distances.

Race & Equity: The proposed Planning Code amendments would expand and streamline the permitted Commercial activities Citywide. The amendments are primarily intended to make it easier for new small businesses to open in Oakland's commercial districts. The proposed

regulation changes would reduce the number of activities subject to Conditional Use Permits, which will reduce application costs and expedite the permit approval process. This will expand economic opportunities for small businesses and access to services for Oakland residents.

In addition, the proposed amendments would help implement various goals of the Environmental Justice Element including the following:

- EJ-5.1 New Healthy Food Grocers
- EJ-6.6 Public Restroom Facilities
- EJ-7.1 Complete Neighborhoods
- EJ-7.13 Park Maintenance

These goals help advance racial equity by improving access to services in underserved neighborhoods.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed amendments to the Planning Code rely on the following California Environmental Quality Act (CEQA) findings: (1) a determination that no further environmental review is required following the certified Oakland 2045 General Plan Update - Phase 1 Environmental Impact Report and Downtown Oakland Specific Plan Environmental Impact Report pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15162 or 15163; (2) this proposal is exempt pursuant to CEQA Guidelines section 15183 (projects consistent with General Plan and zoning); and (3) this proposal is exempt pursuant to CEQA Guidelines Sections 15061(b)(3) (general rule, no significant effect on the environment). Each of these findings provide a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Conduct A Public Hearing And, Upon Conclusion, Adopt An Ordinance, As Recommended By The Planning Commission:

- 1) Amending Title 17 Of The Oakland Municipal Code (The Planning Code) To:
 - C. Adjust Regulations For Permitted And Conditionally Permitted Activities And Facilities For Purposes Of Providing Greater Opportunities For Ground Floor Activities And Ease The Permitting Burden For Commercial, Civic, And Low Impact Industrial Activities; And
 - D. Make Related Miscellaneous Clean-Up And Administrative Changes; And
- 2) Making Appropriate California Environmental Quality Act Findings.

For questions regarding this report, please contact TIMOTHY GREEN, PLANNER III, at (510) 238-6436.

Respectfully submitted,

CED Committee
November 18, 2025



William Gilchrist (Nov 13, 2025 14:15:59 PST)

WILLIAM GILCHRIST

Director, Planning and Building

Reviewed by:

Ed Manasse, Deputy Director, Planning Bureau

Reviewed by:

Laura Kaminski, Strategic Planning Manager,
Planning Bureau

Prepared by:

Timothy Green, Planner III
Strategic Planning Division

Attachment (1):

A: Staff Report to the Parks and Recreation Advisory Commission

CITY OF OAKLAND
Oakland Parks, Recreation & Youth Development

TO: Marc Barach, Chair, Parks and Recreation Advisory Commission
FROM: Timothy Green, Planner III, Planning and Building Department
DATE: September 18, 2025
SUBJECT: REQUEST FOR PARKS AND RECREATION ADVISORY COMMISSION TO SUPPORT CITYWIDE PLANNING CODE AMENDMENTS TO (1) ADJUST REGULATIONS FOR SECTION 17.11.060 SPECIAL PROVISIONS FOR PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES IN THE OS ZONE FOR PURPOSES OF REDUCING REGULATORY BARRIERS TO IMPROVING AND MAINTAINING PARKS; AND (2) MAKE RELATED MISCELLANEOUS AND ADMINISTRATIVE CHANGES TO CHAPTERS 17.09, 17.10, 17.11, AND 17.135.

SUMMARY

Planning Staff are proposing amendments that will adjust regulations for permitted and conditionally permitted activities and facilities, including focused changes to Chapter 17.11 Open Space Zoning Regulations and associated sections in other chapters. Staff requests review by the Parks and Recreation Advisory Commission of the following four chapters:

- 17.11 OS Open Space Zoning Regulations
 - Reduce Conditional Use Permit (CUP) requirements for activities and facilities in the OS Zone.
- 17.09 Definitions
 - Move Special definitions for projects in the Open Space (OS) Zone from 17.09 to 17.11.
- 17.10 Use Classifications
 - Amend the definition of accessory activities associated with parks.
- 17.135 Special Use Permit Review Procedure for the OS Zone
 - Make an administrative correction to a reference in order to reflect the move of special OS definitions from 17.09 to 17.11.

BACKGROUND / LEGISLATIVE HISTORY

The last comprehensive update to the OS Open Space Zoning Regulations occurred in 1998 as part of the planning code amendments implementing the 1996 Open Space, Conservation, and Recreation Element.

Ordinance No. 13763, adopted on October 23, 2023, added to Section 17.11.060, Park Uses Consistent with an Adopted Master Plan or Cultural Easement. This allows any activity to be permitted by-right if it is consistent with an adopted Park Master Plan. Ordinance No. 13779, adopted on January 1, 2024, made clarifying changes to Chapters 17.11, 17.134, and 17.135 that

provide updated procedures for issuance of planning permits for Park Uses consistent with a Master Plan adopted by City Council.

PROJECT / PROGRAM DESCRIPTION

The proposed Planning Code amendments reduce the requirements for Conditional Use Permits (CUPs) across a wide range of activity and facility types. While the package covers many chapters of the Planning Code, review by the Parks and Recreation Advisory Commission (PRAC) is limited to 17.11 OS Open Space Zoning Regulations and associated sections in other chapters.

Staff in the Planning and Building Department have received complaints from the Parks, Recreation and Youth Development Department as well as the Public Works Department about the permitting challenges associated with developing and maintaining Oakland's parks. The current permitting standards established in 1998 require virtually every project in Oakland's parks to go through a CUP process. This results in increased costs and delays for implementing City-sponsored projects. Recognizing these issues, the proposal focuses on making changes to sections 17.11.060 *Special provisions for permitted and conditionally permitted activities in the OS Zone*. This section assigns permitting provisions based on the nine following park classifications:

- RSP: Region-Serving Park
- CP: Community Park
- NP: Neighborhood Park
- AMP: Active Mini-Park
- PMP: Passive Mini-Park
- LP: Linear Park
- SU: Special Use Park
- RCA: Resource Conservation Area
- AF: Athletic Field Park

The permitting requirement for the following activities (within specified park classifications) would be changed from **Prohibited** to **Permitted**. These limited changes would allow for activation of parks by providing concessions and for special events to occur in any City park.

- Food service and other concessions (AMP, LP)
- Temporary uses (RCA)

The permitting requirement for the following activities would be changed from **Minor CUP** to **Permitted**. These changes would make it easier to install basic park amenities, such as paths, kiosks, and restrooms. Restrictions would also be reduced on basic utility infrastructure and on special events.

- Trails and paths (all park types)
- Electric, gas, and telephone distribution lines and poles (all park types)
- Water, storm drainage, and sewer lines (all park types)
- Food service and other concessions (RSP, CP, NP, SU, AF)
- Temporary uses (RSP, CP, NP, AMP, PMP, LP, SU, AF)
- Small benches and street furniture (RCA)

- Kiosks/map boards (all park types)
- Landscaping (RCA)
- General lighting (SU, AF)
- Rest room buildings (RSP, CP, NP, AMP, PMP, LP, SU, AF)

The permitting requirement for the following activities would be changed from **Prohibited** to **Minor CUP**. These changes would allow for installation of low-impact recreational amenities, particularly in Athletic Field Parks. However, requiring a Minor CUP would maintain thoughtful analysis of proposals, particularly in regard to limiting expansion of impervious surfaces in parks. Additionally, cafes would be allowed in most parks, which would help to activate those spaces and provide revenue for their maintenance.

- Bocce ball courts (AMP, LP, AF)
- Handball courts (AF)
- Horseshoe pits (AF)
- Lawn bowling (AMP, LP, AF)
- Skateboard play areas (AMP, LP)
- Wading pools (PMP, LP, AF)
- Limited-service restaurants and cafes (RSP, CP, NP, AMP, PMP, LP, SU, AF)
- General lighting (RCA)
- Maintenance sheds (AMP, PMP)

The permitting requirement for the following activities and facilities would be changed from **Major CUP** to **Minor CUP**. These limited changes would make it a faster process to install small service buildings in Resource Conservation Areas because it would not require the project to go to the Planning Commission for approval.

- Maintenance sheds (RCA)
- Rest room buildings (RCA)

The permitting requirement for the following activities would be changed from **Prohibited** to **Major CUP**. These changes would allow for installation of more impactful park amenities, such as water play features, restaurants, and alcohol sales, while maintaining a high level of review to ensure they don't cause negative impacts.

- Large playgrounds (PMP)
- Recreation centers (AF)
- Swim centers (AF)
- Water play features (NP, AMP, PMP, LP, AF)
- Historic residence converted for museum/recreational purposes (AMP, PMP, LP)
- Museum (NP, AMP, PMP, LP)
- Bandstand (NP, LP, AF)
- Outdoor performance areas (AMP, PMP, LP, AF)
- Stadium or sports arena (AF)
- Full-service restaurants (CP, NP, AMP, PMP, LP, AF)
- Alcoholic beverage sales (CP, NP, AMP, PMP, LP, AF)
- Athletic field lighting (NP)
- Accessory buildings (PMP)

Other changes to Chapter 17.11 include the following:

- Move *Special definitions for projects in the Open Space (OS) Zone* from Chapter 17.09 into the chapter with minor changes.
- Exempt certain types of Essential Service Activities from the CUP procedure.
- State that “Building and grounds maintenance, repair, and in-kind replacement of existing park features, which cumulatively do not add more than one hundred (100) square feet of new impervious surface; and routine landscaping and/or landscape improvements shall not be considered a ‘change in use’.”
- Define Limited Child Care Civic Activities as those serving 14 children or less, and Community Education Civic Activities as those serving 15 children or more to be consistent with the rest of the Planning Code definition.
- Separate Stormwater Detention/Water Quality Facilities into those over 1,000 sf and those under 1,000 sf. Small facilities would be permitted in all parks. Large facilities would require a Major CUP in RSP, CP, NP, LP, SU, and RCA parks, and would be prohibited in other parks.
- Separate Fences, walls, or gates for athletic fields from those for general use. Prohibit athletic fences in AMP, PMP, LP, and RCA parks. Additionally, general use fences would now have a CUP exception if they increase safety and security or could prevent a public safety hazard or damage to an environmentally sensitive area, which brings it in line with all other park types. Athletic fences would require a Minor CUP in RSP, CP, NP, SU, and AF parks, and would be prohibited in other parks.
- Separate Public Art into that which covers over 1,000 sf and that which covers under 1,000 sf. Small facilities would be permitted in all parks. Large facilities would require a Major CUP in RCA parks and would require a Minor CUP in other parks.
- Align Permitted and Conditionally Permitted Nonresidential Facilities with the changes to Permitted and Conditionally Permitted Activities.
- Change Mini Telecommunications and Micro Telecommunications from Major CUP to Minor CUP. This would rationalize permitting requirements for telecommunications facilities by aligning with other Zones and placing the same burden of review on all telecommunication facilities.

Administrative changes would be made to chapters 17.09, 17.10, and 17.135 to maintain consistency with the aforementioned amendments.

FISCAL IMPACT

Implementation of these changes will be a component of the existing approval process administered by the Department of Planning and Building, which collects fees for such review and approvals as established in the Master Fee Schedule. Staff will inform the public of the new regulations as part of all applicable inquiries and apply the new regulations as part of all applicable planning and building permit applications. Staff will also develop any application materials including summaries and guides using internal resources and staff’s time.

PUBLIC OUTREACH / INTEREST

The Planning & Building; Parks, Recreation, and Youth Development; and Public Works departments have received consistent community feedback in recent years about a lack of amenities in parks. The Planning & Building Department also conducted a parks survey in summer 2024. The responses indicated strong support for improved amenities at parks, such as restrooms and increased athletic facilities. Additionally, respondents indicated a desire for specialized recreational facilities, such as roller rinks, dedicated bike trails, pickleball courts, updated play structures, and dog parks.

COORDINATION

In Summer 2025, Planning staff, in consultation with the City Attorney's Office, Department of Parks, Recreation, and Youth Development, and Department of Public Works, drafted the proposed amendments.


RECOMMENDATION


Staff requests that the Parks and Recreation Advisory Commission:

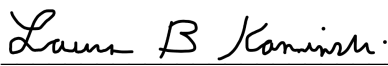
Recommend that the Planning Commission conduct a public hearing and receive Commission and Public comments on an ordinance amending Title 17 of the Oakland Municipal Code (The Planning Code) to:

1. Adjust regulations for Section 17.11.060 Special provisions for permitted and conditionally permitted activities in the OS Zone for purposes of reducing regulatory barriers to improving and maintaining parks; and
2. Make related miscellaneous and administrative changes to chapters 17.09, 17.10, 17.11, and 17.135.

Respectfully Submitted,


Prepared by:
Timothy Green
Planner III


Reviewed by:
Lakshmi Rajagopalan
Planner IV


Approved by:
Laura Kaminski
Strategic Planning Manager

Identification of Support Documents:

Attachment:

A: Revisions to OS Open space Zoning Regulations and Related Chapters