CITY OF OAKLAND
AGENDA REPORT

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: September 29, 2009

RE: **Public Hearing and Resolution to Correct, Refine and Clarify 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.**

SUMMARY

As part of the effort to update the Oakland zoning regulations, the Planning Department is refining the General Plan Land Use Diagram to adhere more closely to actual land uses and parcel shapes. Because the General Plan Map was prepared before the use of computer-generated (GIS) maps by the City, its designations are overly generalized in some areas. If not corrected, the existing Map would lead to continued discrepancies between the General Plan and Zoning Maps, or the rezoning of property to designations that were not intended by the General Plan. The proposed refinements 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. There are 116 refinements in total, encompassing over 525 acres and 2,000 parcels.

This is the second set of Map refinements and corrections to be brought before City Council. An earlier set of corrections was approved by the City Council on December 9, 2008.

The Planning Commission heard this item at its September 2, 2009 meeting and recommended approval. ***Attachment A*** contains a copy of the staff report that was presented to the Planning Commission. During the meeting, several residents of Bayport Village, a relatively new single-family, residential development in West Oakland, expressed their concern regarding the General Plan correction for their block, from Urban Residential to Mixed Housing Type. Staff and Planning Commissioners assured them that the proposed General Plan designation was consistent with the single-family homes.

FISCAL IMPACT

Approval of the resolution would have minimal fiscal impact. Execution of the corrections could be accomplished within existing staffing capacity.

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 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

One of the major purposes of the Zoning Update is to achieve conformance with General Plan Land Use Diagram. Thus, it is important that intended uses on the Diagram are shown correctly and that other ambiguities on the map are eliminated before rezoning begins. The intent of this process is not to substantively change or amend the Diagram. Rather, in most cases, the Map corrections and refinements will result in a General Plan designation which matches what is on the ground today. In a few cases, updated designations also are needed to reflect development that occurred between 1998 and 2009.

PROGRAM DESCRIPTION

Three -Tiered Process

Corrections and refinements to the Land Use Diagram are being brought forward in three tiers. The **first tier** consisted of 32 scrivener's errors and was heard by the Planning Commission in fall 2008 and approved by the City Council in Resolution No. 81718 C.M.S. on December 9, 2008. The **second tier** (addressed by this staff report) is intended to more accurately depict the

edges of the polygons (or "shapes") on the Land Use Diagram. **Third tier** corrections will occur at a later date, in tandem with the publication of new zoning maps and may include more substantive changes.

Extent and Location of the Tier 2 Proposed Map Refinements
The **Tier 2** refinements before the City Council represent just over one percent of Oakland's land area. There are 116 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 1,500 parcels.

In almost all cases, the proposed refinements will adjust General Plan boundaries to reinforce *existing* land use patterns and preclude the need for rezoning to uses which could be inconsistent with the General Plan's policies. The changes are needed because the General Plan Map overstated or understated the geographic extent of existing land uses in many locations. For example, several neighborhood shopping districts were mapped as being a full block deep when they are actually only a half block deep. In such cases, rezoning the residual half blocks from residential to commercial use was not the intent of the General Plan and would conflict with the Plan's goal of maintaining and enhancing residential areas. Thus, refinements are proposed to narrow (or in other cases widen) the commercial corridors to their actual depths and retain existing zoning district edges. Examples like these are replicated across the city, in multiple land use categories, on multiple sites, and under many different circumstances and conditions.

The Tier 2 refinements are located in all seven City Council districts and in all of the Planning Areas identified in the Oakland General Plan except the Harbor. A tally of their geographic distribution appears on the following page. Because of the more complex and fine-grained land use pattern in older flatland neighborhoods, more refinements are needed in areas like San Antonio and Elmhurst than in the Oakland Hills.

Planning Area	Number of Tier 2 General Plan Map Refinements
North Hills	6
South Hills	11
Lower Hills	9
North Oakland	6
West Oakland	11
Central	3
San Antonio	21
Fruitvale	12
Central East Oakland	13
Elmhurst	21

Planning Area	Number of Tier 2 General Plan Map Refinements
Airport	3
Harbor	0
TOTAL	116

The 116 changes may be grouped into the following 10 categories:

- Areas where higher density residential "shapes" were drawn too large, thereby encroaching into established lower density areas (23 cases)
- Areas where lower density residential "shapes" were drawn too large, thereby encroaching into higher density areas (15 cases)
- Areas where commercial "shapes" were drawn too large, thereby encroaching into stable residentially zoned areas (25 cases)
- Areas where residential "shapes" were drawn too large, thereby encroaching into stable commercial areas (17 cases)
- Areas where residential or commercial "shapes" were drawn too large, thereby encroaching into stable industrial areas (4 cases)
- Areas where industrial "shapes" were drawn too large, thereby encroaching into stable commercial or residential areas (10 cases)
- Areas where *Community* commercial "shapes" were drawn too large, thereby encroaching into stable *Neighborhood* commercial areas (2 cases)
- Areas where large schools or park/ open space uses were left off the map (7 cases)
- Areas where shapes depicting public or open space uses were drawn too large, thereby encroaching onto private property (4 cases)
- Areas where substantial land use changes have occurred since the adoption of the 1998 General Plan, but where General Plan Map Amendments were determined to be unnecessary (these are primarily "housekeeping" edits to make the map more reflective of recent development) (9 cases)

The proposed refinements will eliminate many of the apparent 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 will be eliminated through the rezoning process as thousands of properties across Oakland are rezoned to reflect their designations on the General Plan Map.

It is important to keep in mind that the General Plan Map is intended to be just that—a generalized depiction of intended future land uses. It is not intended to be parcel-specific and zoning boundaries need not conform exactly to Plan shapes. Thus, the refinements presented in this staff report are not intended to bring the Plan Map and Zoning Map into "perfect" alignment. In keeping with best practices around the Bay Area, staff has set a threshold of one acre for the refinements identified in this report. All of the refinements described in this report are larger

than one acre, with a few exceptions where the current designation could lead to future land use conflicts.

The City is using a standardized 32-sheet parcel-level map grid to annotate these 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 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 refinements are annotated in three forms: (a) in the text below; (b) in ***Attachment B*** of this report, where they are listed sequentially by map grid number; and (c) ***Exhibit A*** of the accompanying Resolution, as a series of maps.

Description of Proposed Refinements
The remainder of this report provides a more detailed overview of each of the refinements, using the 10 categories listed above:

Category 1: Higher Density Residential "Shapes" Drawn Too Large, Encroaching Into Stable Less Dense Areas
These refinements would avoid the need to "up-zone" established residential areas with densities that are below what is shown on the Plan Map. For example, a large garden apartment complex on Alvingroom Drive (near Castlemont High School) is shown on the Plan Map as "Mixed Housing Type Residential." However, the "shape" on the map corresponding to this complex was drawn too large, taking in about 30 single family homes (zoned R-30) on either side. Rather than interpreting the General Plan literally and rezoning these homes for higher density housing, the shape refinement would shrink the size of the Urban Residential shape to the correct size and put the single family homes back into the Detached Residential category which surrounds them.

There are 23 cases like this on the General Plan Map, although the circumstances in each case are slightly different than in the example sited above. These cases include:
- 3 cases where a Hillside Residential area was shown as Detached Residential
- 13 cases where a Detached Residential area was shown as Mixed Housing Type Residential
- 2 cases where a Detached Residential area was shown as Urban Residential
- 5 cases where a Mixed Housing Type area was shown as Urban Residential

Table 1: Map Refinements Which Reduce Densities to the Intended Designations

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
6-1	2.8	West edge of Sequoyah Townhomes	Detached Residential	Hillside Residential	EBMUD land and common open space in the Sequoyah PUD—refinement reflects property lines. Detached Res generally not appropriate in hillside areas.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
6-3	14.9	Skyline north of Keller	Detached Residential	Hillside Residential	Same comment as above. Refinement also includes the public right-of-way on Skyline.
6-4	10.8	Large lot homes on Sequoyah Drive	Detached Residential	Hillside Residential	Corrects erroneous designation of large hill area lots as "Detached Residential" rather than "Hillside Residential."
11-1	5.2	E/side Coolidge, from Sequoia School to Morgan and 2800 blk of Morgan	Mixed Type Residential	Detached Residential	Large low density area on the edge of a mixed housing type area. This change avoids unnecessary upzoning of about 35 SF homes now zoned R-30.
11-2	14.8	Residential streets west of Maple and below Morgan	Mixed Type Residential	Detached Residential	Same as above. Avoids unnecessary upzoning of about 100 SF homes now zoned R-30.
11-4	5.3	W/side High Street above Masterson	Mixed Type Residential	Detached Residential	Same as above. Church, rectory and SF homes. Shape change avoids need to upzone R-30 single family area.
12-1	8.3	Hillmont Drive east of Seminary to VanMourik	Mixed Type Residential	Detached Residential	Avoids unnecessary upzoning of about 35 SF homes zoned R-30.
12-2	8.7	Downslope lots on Outlook, 68th to 73rd Aves	Mixed Type Residential	Detached Residential	Avoids unnecessary upzoning of about 50 SF homes now zoned R-30.
13-2	5.1	Golf Links Rd, 82d to Fontaine, downslope lots	Mixed Type Residential	Detached Residential	Alvingroom Apartments (on adjacent site) were drawn too large. Change avoids need to unnecessarily upzone SF homes.
13-3	2.0	Seneca, north side of Alvingroom	Mixed Type Residential	Detached Residential	Alvingroom Apartments (on adjacent site) were drawn too large. Change avoids need to unnecessarily upzone SF homes
13-4	2.3	S/side of Iris Street, 83rd Ave to Castlemont	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes, same as adjacent Detached Res area.
17-1	5.5	NE corner Park Blvd and I-580, incl Excelsior and Alma	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes zoned R-30, same as adjacent Detached Res area.
19-8	9.8	Olive St, 78th to 80th Av	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—extend to take in about 60 SF homes now zoned R-30.
20-4	4.0	N/ Side 86th Ave, Birch to Bancroft	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block incudes about 25 single family homes zoned R-30, same as adjacent Detached Res area.
20-5	7.4	89th to 90th Av, Birch to Bancroft	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is predominantly single family homes zoned R-30, same as adjacent Detached Res area.
20-6	1.0	99th and Bancroft	Urban Residential	Detached Residential	This block of Bancroft is developed with SF homes and is zoned R-30, same as adjacent Detached Res area.
23-2	5.4	Area east of Alma and west of Home Place	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes and small apartments

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
23-3	1.3	9th Ave east of Park Blvd	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes
23-4	1.8	Euclid and VanBuren	Urban Residential	Mixed Type Residential	Clarifies edge of Urban Residential area and avoids unintended upzoning of low density homes now zoned R-35.
23-6	1.7	W/side Wesley near Prospect Street	Urban Residential	Detached Residential	Corrects overestimated extent of Urban Residential area and avoids need to upzone SF homes to R-70 densities.
23-8	1.4	W/side 7th Ave b/w 23rd and 24th St	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes and duplexes
23-10	0.8	5th Ave at E. 19th Street	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids rezoning block of 2-family homes to R-70.
25-2	2.5	N/side 53rd Ave, Wentworth to Holland	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes, same as adjacent Detached Res area.

Category 2: Lower Density Residential "Shapes" Drawn Too Large, Encroaching Into Stable More Dense Areas

These refinements would avoid the need to "downzone" well established moderate to high density residential areas. In most cases, these areas are already developed with apartments or mixed density housing, but are designated for a less dense designation (such as "Detached Residential") on the Plan Map. For example, the General Plan Map shows an entire block of the Broadway Terrace apartment district (zoned R-60) as "Hillside Residential." The intent of the General Plan was not to replace the apartments with single family homes, but rather resulted from the Urban Residential "blob" along Broadway Terrace not being drawn large enough. The correction would extend the Urban Residential area another block up Broadway Terrace to correspond to the existing R-60 zoning boundary.

There are 15 cases like this on the Map, including:

8 cases where a Mixed Housing Type area was shown as Detached Residential

- 1 case where an Urban Residential area was shown as Hillside Residential
- 1 cases where an Urban Residential area was shown as Detached Residential
- 5 cases where an Urban Residential area was shown as Mixed Housing Type Residential

Table 2: Map Refinements Which Increase Densities to the Intended Designations

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
6-2	3.0	West edge of Sequoyah Townhomes	Detached Residential	Mixed Type Residential	More accurately shows the boundaries of the Sequoyah PUD, an established development of townhomes in the Oakland Hills.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
11-3	2.3	West side of 39th Street, south of Bayo	Detached Residential	Mixed Type Residential	Mix of SF homes and 2-8 plexes, now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough.
12-5	17.0	Greenridge, Rilea, Siena above Keller	Detached Residential	Mixed Type Residential	A developed area of townhomes and 2-8 plexes. Adjacent "Mixed Housing Type" shape was not drawn large enough.
16-2	2.6	Broadway Terrace, below Claremont Country Club	Hillside Residential	Urban Residential	More accurate mapping of well-established high-density apartment district. Avoids need to downzone 4-story condos to R-30.
16-3	3.1	East side of Broadway, first block above Broadway Terrace	Detached Residential	Mixed Type Residential	Established area of SF homes, flats, and mid-rise apartment buildings currently zoned R-60. This change better reflects actual extent of the mixed density pattern.
16-6	2.4	41st at Howe	Mixed Type Residential	Urban Residential	More accurate mapping of adjacent Urban Residential "blob" to include existing mid-rise apartments (already zoned R-70)
18-7	5.6	Lyon Street west of High Street	Detached Residential	Mixed Type Residential	Mix of SF homes, flats and and 2-4 plexes, and small apartments now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough.
19-3	4.5	N/side of 62nd Av between Brann and Camden	Detached Residential	Mixed Type Residential	Recognizes large, well established garden apartment complex (zoned R-50) that was not shown on GP Map. Avoids need to downzone and render nonconforming.
19-5	3.5	Both sides of Havenscourt, just below Bancroft	Detached Residential	Urban Residential	More accurate interpretation of the edge of the Urban Residential area, avoids down-zoning several mid-rise apartments to R-30.
19-11	9.4	55th to 57th, above International	Detached Residential	Mixed Type Residential	3 block area of SF homes, flats and and 2-4 plexes, now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough—this is not a Detached Res area.
20-2	8.1	96th to 98th, below MacArthur Blvd	Detached Residential	Mixed Type Residential	Area of small apartment buildings and townhomes zoned R-50. Surrounding Detached Residential designation was too generalized and did not acknowledge this established multi-family area.
23-5	1.4	Burke east of Euclid	Mixed Type Residential	Urban Residential	Minor change to clarify edge of the Adams Point apartment district. Avoids need to downzone well established apartment bldgs.
23-7	3.8	8th Ave, Ivy Drive to East 24th Street	Mixed Type Residential	Urban Residential	Corrects underestimated extent of Urban Residential and avoids need to downzone established block of multi-family housing.
24-5	1.6	26th Av at East 20th Street	Mixed Type Residential	Urban Residential	More accurate depiction of the edge of the Urban Residential area, which "bulbs out" at this location and includes several large apartment buildings.
25-1	1.2	47th Av between Bancroft and International	Mixed Type Residential	Urban Residential	More accurate depiction of the edge of the Urban Residential area, which "bulbs out" at this location and includes several large apartment buildings.

Category 3: Commercial "Shapes" Drawn Too Large, Encroaching Into Stable Residentially Zoned Areas

These refinements will avoid the rezoning of established residential areas with commercial designations. In each case, a commercial district "blob" was drawn too large on the General Plan Map, taking in residential areas on its perimeter. For example, the Broadway corridor in Rockridge/Temescal (near 51st Street) was drawn as extending a full block back from Broadway, taking in single family homes along Desmond and Coronado Streets. A literal interpretation of the General Plan Map could result in the rezoning of these homes from R-35 to the equivalent of C-40, which is not what was intended by the Plan. The Map refinement pulls the commercial edge back to mid-block, allowing the homes to be correctly designated as "Mixed Type Residential" (the same designation as the rest of the neighborhood).

There are 25 cases like this on the General Plan Map, profiled in Table 3. They include:

- 1 case where a Hillside Residential Area was shown as Neighborhood Center Mixed Use
- 1 case where a Hillside Residential Area was shown as Community Commercial
- 2 cases where a Detached Residential Area was shown as Neighborhood Center Mixed Use
- 6 cases where a Mixed Housing Type Area was shown as Neighborhood Center Mixed Use
- 4 cases where a Mixed Housing Type Area was shown as Community Commercial
- 6 cases where an Urban Residential area was shown as Neighborhood Center Mixed Use
- 4 cases where an Urban Residential area was shown as Community Commercial
- 1 case where an Urban Residential area was shown as Housing-Business Mix

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

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
7-1	2.2	11220-11240 Golf Links Rd	Neighborhood Center Mixed Use	Hillside Residential	Grass Valley commercial area drawn too large, encroaching onto large lot SF homes
8-1	2.1	Unit block Alvarado Road	Community Commercial	Hillside Residential	Claremont Hotel "blob" drawn too large, encroaching onto SF homes zoned R-30
15-1	1.7	Claremont Av at Auburn	Neighborhood Center Mixed Use	Detached Residential	College/ Claremont commercial district drawn too large, encroaching onto single family homes zoned R-30 and R-35
15-2	1.3	Shattuck near Alcatraz	Neighborhood Center Mixed Use	Mixed Type Residential	Minor change to avoid need to rezone developed residential (R-50 zoned) parcels on Shattuck to commercial use
16-4	1.3	Glendale, Desmond, Clifton	Neighborhood Center Mixed Use	Mixed Type Residential	Broadway/College corridor was mapped as being a full-block deep. Need to show as half-block deep, preserving residential uses and R-35 zoning on parallel streets.
16-5	5.0	Glendale, Desmond, Clifton, 51st, 49th Streets (nr Broadway)	Community Commercial	Mixed Type Residential	Broadway corridor was mapped as being a full-block deep. Need to show as half-block deep, preserving residential uses and R-35 zoning on parallel streets.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
18-3	3.6	Both sides of *MacArthur on first* block east of Lincoln	Neighborhood *Center Mixed* Use	Urban *Residential*	New 3-story apartment bldg and older SF *homes—Urban Res designation should have* extended one block further
18-4	3.5	West side of Masterson Street	Neighborhood Center Mixed Use	Mixed Type Residential	MacArthur corridor drawn too wide in the Laurel district, going a full block deep and picking up SF homes and flats on Masterson.
18-5	3.1	West side of Masterson Street	Neighborhood Center Mixed Use	Detached Residential	MacArthur corridor drawn too wide in the Laurel district, going a full block deep and picking up SF homes on Masterson.
19-1	1.0	61st and MacArthur	Neighborhood Center Mixed Use	Urban Residential	Neighborhood Center "blob" does not reflect actual shape. Established R-70 area of high density apartments should have been shown.
19-2	1.7	Murdoch Ct./ 60th Ave	Neighborhood Center Mixed Use	Mixed Type Residential	Adjacent neighborhood shopping district was mapped too large, change protects residential area on adjacent street.
19-4	2.2	Foothill-Bancroft, west of Havenscourt	Community Commercial	Urban Residential	More accurately shows the edge of the Community Commercial corridor and avoids need to rezone established area of high-density apartments from R-70 to commercial.
19-6	3.4	Bancroft, west of Cole	Neighborhood Center Mixed Use	Urban Residential	Neighborhood Center "blob" does not reflect actual shape. Established R-70 area of high density apartments should have been shown.
19-10	3.4	W/side International, 81st to 82nd	Neighborhood Center Mixed Use	Urban Residential	Refinement avoids the need to split a large parcel that is fully developed with apartments into two different zoning districts.
20-3	2.9	MacArthur, 98th to Taylor	Neighborhood Center Mixed Use	Urban Residential	This section of MacArthur has already transitioned from commercial to urban residential uses, which is a primary goal of the General Plan. R-70 zoning should remain.
23-9	3.1	Wayne Av between Athol and 3rd Ave	Neighborhood Center Mixed Use	Urban Residential	E. 18th commercial district was mapped as one block deep when it is only ½ block deep.
23-11	1.3	West side 15th Ave below Foothill	Community Commercial	Mixed Type Residential	Corrects overestimated width of commercial corridor on Lower 14th Ave and avoids need to rezone stable SF (R-36) area to C-20.
24-1	2.2	SW corner of E. 16th St at 44th Av	Community Commercial	Urban Residential	Corrects overestimated extent of commercial area and avoids need to rezone large apartment buildings from R-70 to commercial
24-7	2.8	30th Ave and Derby between International and East 12th	Community Commercial	Mixed Type Residential	Corrects overestimated extent of International Blvd commercial area and avoids need to rezone single family homes from R-30 to commercial.
24-8	1.9	31st Ave between International and E.12th St	Neighborhood Center Mixed Use	Mixed Type Residential	Corrects overestimated extent of International Blvd commercial area and avoids need to rezone about single family homes from R-30 to commercial.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-9	2.2	E/side E. 12th Street between 37th and 39th Avenues	Neighborhood Center Mixed Use	Mixed Type Residential	Corrects overestimated extent of commercial area and avoids need to rezone single family homes and non-conforming body shop from R-30 to commercial.
24-12	4.0	East 17th Street between 42nd Av and High St	Community Commercial	Mixed Type Residential	Corrects overestimated extent of commercial area in the High Street corridor and avoids need to rezone stable block of 20 SF homes from R-40 to Commercial.
24-13	1.9	N / side High Street between E. 16th and E. 18th St	Community Commercial	Urban Residential	Corrects overestimated extent of commercial area and avoids need to rezone existing apartment buildings to commercial
27-10	9.0	N/ Side 7th St from Union to Market	Community Commercial	Urban Residential	Only south side of the street is commercially developed and zoned, but map shows both sides. North side of the street is all high density housing.
28-3	2.3	East 12th at 3rd Av, SW corner	Housing-Business Mix	Urban Residential	More accurately shows edge of Urban Res area east of Laney College and avoids rezoning a high-rise apartment tower from R-70 to HBX.

Category 4: Residential "Shapes" Drawn Too Large, Encroaching Into Stable Commercially Zoned Areas

These refinements will avoid the rezoning of established commercial areas with residential designations. In each case, the commercial area was drawn smaller than its actual extent and a portion is shown as "residential" on the General Plan Map. For example, the Dimond shopping district (at MacArthur and Fruitvale) is depicted on the Plan Map as an oblong "blob" along MacArthur Boulevard. In fact, this commercial district includes a "tail" along the east side of Fruitvale Avenue that extends below Interstate 580 for several blocks. This "tail" has been commercially zoned for decades and supports numerous small businesses, but is shown on the Plan Map as "Mixed Housing Type Residential." The appropriate designation should be "Neighborhood Center Mixed Use," as this is part of an integrated commercial district that covers a few more blocks than are indicated on the Plan Map.

There are 17 cases like this on the General Plan Map, profiled in Table 4. They include:

- 1 case where a Neighborhood Center Mixed Use Area was shown as Hillside Residential
- 2 cases where a Neighborhood Center Mixed Use Area was shown as Detached Residential
- 3 cases where a Neighborhood Center Mixed Use Area was shown as Mixed Type Residential
- 4 cases where a Neighborhood Center Mixed Use Area was shown as Urban Residential
- 5 cases where a Community Commercial area was shown as Mixed Type Residential
- 2 cases where a Community Commercial area was shown as Urban Residential

Table 4: Map Refinements Restoring Commercial Designations where Residential Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
4-1	5.0	Redwood Road west of Skyline	Hillside Residential	Neighborhood Center Mixed Use	Editing shape to conform to actual parcel shapes and land use patterns, including assisted living facility, office buildings and private school
16-7	1.6	41st at Piedmont Av	Urban Residential	Neighborhood Center Mixed Use	Correctly shows edge of Piedmont Ave shopping district which "bulbs out" at 41st to take in drugstore and parking lot
18-2	2.2	W/ side Fruitvale from Montana to MacArthur	Mixed Type Residential	Neighborhood Center Mixed Use	Better shows the edges of the Dimond retail district and precludes rezoning of gas station and active retail to R-50 equivalent.
18-6	5.5	East side of Fruitvale Av below I-580	Mixed Type Residential	Neighborhood Center Mixed Use	Better shows the edges of the Dimond retail district and precludes rezoning of many offices, retail uses, services, etc. from C-30 to R-50.
19-7	1.3	Seminary above Foothill	Detached Residential	Neighborhood Center Mixed Use	Commercial district "bulbs out" at this location, but General Plan Map shows continuous corridor. This would avoid having to rezone active small businesses to R-30, rendering them non-conforming
19-9	1.0	International at 72nd Ave	Urban Residential	Community Commercial	Fine tunes the edge of an established Community Commercial district on International to better match existing land uses.
20-7	5.3	International, 88th to 90th Aves	Urban Residential	Neighborhood Center Mixed Use	Better reflection of the existing land use pattern along International. This stretch has fairly active pedestrian oriented businesses and services.
24-6	1.2	West side of Foothill between 33rd and 34th Avenues	Urban Residential	Neighborhood Center Mixed Use	Corrects underestimated extent of existing commercial area – block contains almost continuous retail with no housing and is in the middle of an active commercial district at Foothill/Fruitvale.
24-11	1.9	East 15th St between 40th and 42nd Streets	Mixed Type Residential	Community Commercial	Corrects underestimated extent of International Blvd Community Commercial corridor, which "bulbs out" at this location and includes a number of auto-related uses (now zoned C-40)
24-14	1.5	South side 42nd Street below International Blvd	Mixed Type Residential	Community Commercial	Corrects underestimated extent of International Blvd Community Commercial corridor, which "bulbs out" at this location and includes retail, automotive and warehouse uses (now zoned C-40)
26-4	1.8	N/side of 98th Ave on east side of Edes	Mixed Type Residential	Neighborhood Center Mixed Use	More accurately shows boundaries of neighborhood commercial district and avoids rezoning active businesses to R-30.
26-5	3.2	N/side of 98th Ave on west side of Edes	Detached Residential	Neighborhood Center Mixed Use	More accurately shows boundaries of neighborhood commercial district and avoids rezoning active businesses to R-30.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
27-1	3.6	NE corner Market and 26th Street	Mixed Type Residential	Community Commercial	San Pablo Corridor "bulbs out" here and includes light industrial and automotive uses on this block. This correction avoids need to rezone active C-30 businesses to residential
27-3	1.0	23rd at West, NE corner	Mixed Type Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (warehouse, etc) and avoids need to rezone C-30 land to R-50 equivalent.
27-4	1.6	San Pablo at Grand	Urban Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (warehouse, etc) and avoids need to rezone C-30 land to R-70 equivalent.
27-5	2.3	E/side Brush south of Grand Av	Mixed Type Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (automotive repair, etc) and avoids need to rezone C-51 land to R-50 equivalent.
28-6	1.0	5th Ave at International	Urban Residential	Neighborhood Center Mixed Use	Corrects underestimated extent of neighborhood commercial area and avoids need to rezone gas station and auto repair on major gateway street from commercial to residential use

Category 5: Residential or Commercial Shapes Drawn Too Large, Encroaching Into Active Industrial Areas

These refinements affect the interface areas between industrial uses and residential or commercial uses. In each case, the existing zoning supports industry and the existing land use is industrial. In each case, the General Plan drew the adjacent residential/ commercial areas slightly larger than their actual extent, resulting in the designation of industrial parcels as residential or commercial on the Map. The proposed refinements would avoid making these industrial uses non-conforming and would restore the industrial (i.e., General Industrial or Business Mix) designation.

An example of these changes may be found in the Jingletown area near the Fruitvale BART Station. An active steel fabrication plant (zoned industrial) appears on the General Plan Map as "Mixed Housing Type Residential." The nearby residential area actually ends just east of this site, and the site itself is part of a large belt of industrial uses that run along the Nimitz Freeway and rail lines. There is no compelling reason to rezone this property to the equivalent of R-50 and render the current use non-conforming. The Map refinement would correctly show this block as "Business Mix."

There are four cases like this on the General Plan Map, including two instances where Business Mix areas were shown as "Mixed Housing Type Residential" and one instance where a Business Mix area was shown as "Detached Residential." There is also one instance where a Business Mix area was incorrectly shown as "Regional Commercial." The proposed refinements are outlined in Table 5.

Table 5: Map Refinements Restoring "Business Mix" Designations where Commercial/Residential Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-2	3.6	East side of 23rd Avenue, E 10th St to I-880	Mixed Type Residential	Business Mix	This area includes active industrial uses (including steel fabrication) zoned M-20, and was not intended for conversion to residential use. The adjacent Mixed Housing Type area was mapped too large.
25-3	1.7	75th Ave, ½ block east of Hawley	Detached Residential	Business Mix	More accurately shows the edge of the residential and industrial area and avoids the creation of a non-conforming industrial use.
25-4	2.9	8200 blk of Baldwin	Regional Commercial	Business Mix	Fine tunes the edge of the Hegenberger corridor to acknowledge existing industrial use zoned M-40 (off the corridor) and avoid creation of new non-conformity.
27-6	0.9	21st and Magnolia, SE corner	Mixed Type Residential	Business Mix	More accurately interprets the edge of the Business Mix area.

Category 6: Industrial Shapes Drawn Too Large, Encroaching Into Stable Residential or *Commercial* Areas

This is the flip side of the circumstances noted in Category 5 and also applies to the interface areas between active industrial and non-industrial uses. Included are a variety of residential and commercial land uses that are now appropriately zoned with residential and commercial districts. The General Plan Map depicted the industrial areas near these sites as being larger than they actually are, thus implying that these properties should be zoned for industry. However, rezoning would be inconsistent with General Plan policies and could disrupt stable uses. The refinements will clarify the intended designations of these areas as commercial or residential.

An example of these changes may be found on F Street in East Oakland. A stable block of single family detached homes (zoned R-30) appears on the General Plan Map as "General Industrial." Although there are industrial uses nearby, this particular block is part of a large single family neighborhood and there is no compelling reason to change the zoning to IG. The Map refinement would correctly show this block as "Detached Residential."

There are 10 cases like this on the General Plan Map, including:

- 1 case where a Detached Unit Residential area was designated "General Industrial"
- 4 cases where a Mixed Housing Type area was designated "Business Mix"
- 1 case where a Community Commercial area was designated "Business Mix"
- 3 cases where a Regional Commercial area was designated "Business Mix"
- 1 case where a Business Mix (office park) area was designated "General Industrial"

Table 6: Map Refinements Restoring Commercial or Residential Designations where Industrial Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-3	1.7	West side of East 10th Street at 27th Avenue in Jingletown	Business Mix	Mixed Type Residential	More accurately interprets the edge of the residential area and avoids need to rezone 13 single family homes and duplexes to industrial use.
26-1	3.9	W/side 85th Av at Enterprise Way	General Industrial	Business Mix	Fine tunes the edge between the Hegenberger business park area and the adjacent heavy industrial area. This acknowledges existing office/ hotel uses and avoid rezoning them to heavy industry (IG)
26-2	28.0	North/west side of Hegenberger from 880 to Leet	Business Mix	Regional Commercial	Adjusting the GP designations along the Hegenberger Rd Regional Commercial corridor to correspond to parcel boundaries. This avoids splitting parcels into two zoning districts, and also avoids rezoning hotel, office, and retail uses from commercial to industrial.
26-3	1.2	S/side F Street, east of 92nd Avenue	General Industrial	Detached Residential	More accurately interprets the edge of the Detached Res area and avoids the need to rezone 1/2 block of stable R-30 single family homes to general industry.
27-7	1.6	N/ side 16th at Willow to Campbell	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone stable block of single family homes to industry.
27-8	0.7	16th and Poplar SW corner	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone 4 single family homes to industrial uses
28-8	2.1	Bottom of 14th Av at I-880	Business Mix	Community Commercial	Corrects underestimated extent of commercial area and avoids need to split parcel and rezone part of freeway-oriented Burger King from commercial to industrial
31-1	28.0	Doolittle at Hegenberger	Business Mix	Regional Commercial	Same as above
31-2	4.2	Rear of parcels fronting the east (south) side of Hegenberger	Business Mix	Regional Commercial	Same as above
32-1	2.5	E/side Wood Street b/w 12th and 13th	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone single family homes and church to industrial uses

Category 7: Community Commercial "Shapes" Drawn Too Large, Encroaching Into Neighborhood Commercial Areas

There are two instances on the General Plan Map where "Community Commercial" areas on the International Boulevard corridor were mapped larger than their intended extent. In both cases, this designation was mapped an "extra" block along International, suggesting that the desired pattern on these blocks would include community-serving uses such as auto repair and car sales (similar to today's C-40 areas). The existing land uses in these two cases include pedestrian-oriented

neighborhood-serving retail uses (similar to today's C-28 areas). Rezoning to support more auto-oriented uses would not be consistent with other policies of the General Plan. The proposed refinement more accurately shows the edge of the Community Commercial districts. Locations and details are provided in Table 7 below.

Table 7: Map Refinements Restoring "Neighborhood Center Mixed Use" Designations where "Community Commercial" Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-10	1.6	East side International Blvd between 39th and 40th	Community Commercial	Neighborhood Center Mixed Use	More accurate interpretation of the Fruitvale business district--extends neighborhood center mixed use designation one additional block to include existing active ground-floor ped-oriented retail.
28-7	1.5	W side International, 12th to 13th Aves	Community Commercial	Neighborhood Center Mixed Use	More accurate interpretation of the neighborhood business district--extends neighborhood center mixed use designation one additional block to include existing active ground-floor ped-oriented retail and historic buildings.

Category 8: Large Schools And/Or Park/ Open Space Uses That Were Left Off The Map
This category includes a number of important community resources, such as schools, parks, and cemeteries, that do not currently appear on the General Plan Map. Although the General Plan is too "broad brush" to show every single school and park in the city, the cases listed below are larger than an acre in size, in some cases substantially so. They include:

- A 4-acre cemetery now shown as "Detached Residential"
- A 4-acre elementary school in the South Oakland Hills shown as "Hillside Residential"
- Several school campuses that were shown on the map as being much smaller than their actual extent

Table 8: Map Refinements to Show Public and Open Space Uses That Were Not Mapped or Not Correctly Mapped

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
13-5	3.9	Golf Links Rd at Hellman	Hillside Residential	Public/ Institutional	Elementary School not previously shown on map
16-1	2.0	E/side Broadway Terrace, just above Broadway	Urban Open Space	Public/ Institutional	Most of the Far West High School campus was mapped as "Open Space" since it adjoins the Claremont Country Club. This change correctly shows the site as Public.
18-1	4.4	Fairfax Avenue at Fern Street	Detached Residential	Urban Open Space	Calls out House of Peace cemetery as a distinct open space land use
28-1	8.1	1st to 3rd Av, East 12th to East 10th Streets	Urban Residential	Public/ Institutional	OUSD offices and misc. facilities were not shown on the Plan Map

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
28-2	3.7	Block bounded by 3rd and 4th Av, East 10th and 11th Streets	Housing Business Mix	Public/ Institutional	OUSD facilities
28-4	1.5	N/side E. 12th Street between 3rd and 4th Av	Housing and Business Mix	Public/ Institutional	Public Educational Facility
28-5	1.5	S. side International, between 3rd and 4th Avenues	Urban Residential	Public/ Institutional	Public Educational Facility

Category 9: Private Property That Was Erroneously Designated For Public Or Open Space Uses

Several of Oakland's parks, schools, and hospitals were shown on the General Plan Map as being larger than their actual extent. As a result, a number of *private properties* appear to be designated on the Map for open space or public uses. Some of these discrepancies were corrected during the "Tier 1" General Plan corrections considered by the Planning Commission last fall. Additional discrepancies have been identified as the city has begun preparing new zoning maps.

Four Map refinements are identified here, affecting the following locations:

- A 1.6-acre undeveloped private property on Tunnel Road was erroneously mapped as being part of the Grizzly Peak Open Space area
- About 7 acres on Crest Avenue east of Fontaine Street were erroneously mapped as being part of the King Estates Open Space Area
- The Map "shape" showing the Pill Hill hospital complex was mapped larger than its actual extent, taking in apartments and medical offices on 30th Street, and portions of the car dealerships along Broadway. These areas should be designated as "Community Commercial" rather than "Public/Institutional"
- Oakland High School was mapped larger than its actual extent, taking in private homes and apartments on Alma Avenue.

Table 9: Map Refinements to Correctly Show Private Parcels that were Erroneously Shown for Public and Open Space Uses

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-1	1.6	Tunnel Road adjacent to Grizzly Peak Open Space Preserve	Resource Conservation Area	Hillside Residential	Adjacent Grizzly Peak (Measure K acquisition) Open Space boundaries were not correctly shown, resulting in erroneous designation of private lot as open space.
13-1	7.0	Crest Av east of Fontaine Street	Resource Conservation Area	Detached Residential	King Estates Open Space was mapped too large, resulting in several homes and a church being designated as open space. Also includes a vacant City-owned parcel with development potential.

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
22-1	10.4	S/side 30th Street between Broadway and Telegraph and rear of parcels fronting Broadway from 30th to I-580	Public/ Institutional	Community Commercial	The current designation overstates the extent of the hospitals and extends onto numerous commercially zoned properties containing private medical offices. Need to adjust boundary to acknowledge existing uses.
23-1	2.3	Alma Av just below MacArthur	Public/ Institutional	Mixed Type Residential	Oakland High was mapped too large on the Land Use Map, covering a mixed density (R-50) residential area. Change would avoid need to rezone for institutional uses.

Category 10: Development That Has Occurred 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 precisely match the designations on the General Plan Map. Formal General Plan Map Amendments were not required in these instances because the development more or less corresponded to the shape on the Map, or because the proposed use was permitted by the Map designation. The changes below would align the Map designations to more closely match the actual uses on (and shapes of) these sites.

As noted in Table 10, seven sites have been identified, corresponding to the following developments:

- Caldecott Lane
- Monte Vista Villas (Leona Quarry)
- Chestnut-Linden Court (Bridge Housing, West Grand)
- Palm Villas/ Covington Manor (9000-9400 MacArthur)
- Durant Square (109th/ International)
- Cesar Chavez Education Center (former Montgomery Wards)
- Acorn Redevelopment Project Area single family homes (bounded by 8th, 10th, Filbert, Market)

Table 10: Map Refinements to Show Land Use Changes That Have Occurred Since 1998

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-2	2.0	Caldecott Lane	Hillside Residential	Mixed Type Residential	Post-1998 townhome development, adjoins Parkwoods Condominiums along Hwy 24
12-3	27.8	Leona Quarry	Hillside Residential	Resource Conservation	Area set aside as open space (quarry reclamation) upon approval of Monte Vista Villa project
12-4	17.0	Leona Quarry	Hillside Residential	Mixed Type Residential	Reflects actual shape of the area now developed with townhomes at Monte Vista Villas. Shape on 1998 Map was a "blob"

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
12-6	14.0	Leona Quarry	Resource Conservation	Mixed Type Residential	Reflects actual shape of the area now developed with townhomes at Monte Vista Villas. Shape on 1998 Map was a "blob"
20-1	3.8	West side of MacArthur between 90th and 94th	Urban Residential	Mixed Type Residential	Reflects Palm Villa and Covington Court, townhome and zero lot line single family developments that went in after the 1998 Plan was adopted.
20-8	12.7	109th at International (Durant Square)	Community Commercial	Mixed Type Residential	Housekeeping update to reflect the post-1998 development of Durant Square, including SF homes and townhomes.
24-4	10.2	West side of International Blvd at 29th Av	Community Commercial	Public/ Institutional	Former Montgomery Wards warehouse is now a public school and should be shown as such.
27-2	1.7	N/side West Grand Ave between Chestnut and Linden	Community Commercial	Mixed Type Residential	Reflects multi-family development (Bridge Housing) that took place after 1998. Current use is not inconsistent with Community Commercial, but zoning should stay R-50.
27-9	8.5	8th and Filbert, Acorn Redevelopment area	Urban Residential	Mixed Type Residential	Reflects post 1998 redevelopment in the Acorn area and replacement of Housing Authority units with SF homes on the block bounded by 8th, 10th, Filbert, and Market

NOTIFICATIONS

As described earlier, the proposed map corrections are not substantive amendments to the General Plan and merely refines the intent of the previously adopted General Plan. Therefore, these refinements could have been done by the Planning Director; they do not need City Council or Planning Commission approval or noticing and don't count toward the number of times the General Plan can be amended per year. 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, a notice announcing the General Plan map corrections and the hearing date was posted in the Oakland Tribune. CEDA also mailed postcards to all property owners directly affected by the map changes. Approximately 1,500 postcards were sent, informing property owners of the proposed refinements to the General Plan Map. Each postcard contained a brief explanation of the process, a website link with more detailed information about the corrections, the tentative City Council and Committee meeting dates, as well as contact information for the staff planner. Maps identifying the proposed changes and databases with the assessor parcel numbers and addresses of all properties included in the Tier 2 corrections, giving the existing (incorrect) Land Use Diagram designation and the proposed (corrected and refined) designation were published on the website link included in the notification and were also made available at the Planning and Zoning offices.

PUBLIC COMMENTS

Following notification, over four dozen phone and email inquiries were received—mostly from individuals seeking clarification as to the City's intent and the nature of this action. During the

Planning Commission meeting, several residents of Bayport Village, a relatively new single family residential development in West Oakland, expressed their concern regarding the General Plan correction for their block, from Urban Residential to Mixed Housing Type (see shape 27-9 on page 21 of ***Exhibit A*** to the resolution or page 8 of ***Attachment B)***. Staff and Planning Commissioners assured them that the corrections would be consistent with their existing development. A property owner who owns two adjacent, vacant parcels on Desmond at 51st (half a block off of Broadway) stated their opposition to the refinement from Community Commercial to Mixed Housing Type. Staff maintains that all the parcels along Desmond Street, between 49th Street and Clifton, mostly single family homes should be correctly designated as Mixed Housing Type (see shape 16-5 on page 11 of ***Exhibit A*** to the resolution or page 2 of ***Attachment B***).

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.

SUSTAINABLE OPPORTUNITIES

Economic: The Map corrections 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 Map corrections will ensure that portions of several parks that were incorrectly mapped for residential development will be correctly mapped as open space, thereby confirming the City's commitment to protecting them in the future. The corrections also reduce the potential for incompatible land uses being in cited in areas that were incorrectly shown on the General Plan (for example, industrial uses on residential streets).

Social Equity: The Map corrections will benefit homeowners and renters in several lower income East Oakland communities by correctly showing the designation of their properties as housing rather than industry. 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 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 Map.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution confirming the proposed corrections to the General 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:

Dan Lindheim
Office of the City Administrator

Attachments:
A. Planning Commission Report
B. Summary Table of General Plan Map Refinements

Item: _____
Community and Economic Development Committee
September 29, 2009

Oakland City Planning Commission STAFF REPORT

Case File Number GP09168 **September 2, 2009**

Location:	Citywide
Proposal:	Corrections, Refinements and Clarifications of 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
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:	August , 2009
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: cferracane@oaklandnet.com

SUMMARY

As part of the effort to update the Oakland zoning regulations, the Planning Department is refining the General Plan Land Use Diagram to respond more closely to actual land uses and parcel shapes. Because the General Plan Map was prepared before the use of computer-generated (GIS) maps by the city, its designations are overly generalized in some areas. If not corrected, the existing Map would lead to continued discrepancies between the General Plan and Zoning Maps, or the rezoning of property to designations that were not intended by the General Plan. The proposed refinements 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. There are 116 refinements in total, encompassing over 525 acres and 2,000 parcels.

This is the second set of Map refinements and corrections to be brought before the Planning Commission. An earlier set of corrections was considered by the Commission in October 2009 and approved by the City Council in December 2008. Staff recommends the Commission forward the proposal to the City Council for adoption.

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 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.

One of the major purposes of the Zoning Update is to achieve conformance with General Plan Land Use Diagram. Thus, it is important that intended uses on the Diagram are shown correctly and that scrivener's errors and other ambiguities on the map are eliminated before rezoning begins. The intent of this process is not to substantively change or amend the Diagram. Rather, in most cases, the Map corrections and refinements will result in a General Plan designation which matches what is on the ground today. In a few cases, updated designations also are needed to reflect development that occurred between 1998 and 2009.

Three -Tiered Process

Corrections and refinements to the Land Use Diagram are being brought forward in three tiers. The **first tier** consisted of 32 scrivener's errors and was heard by the Planning Commission in Fall 2008 and approved by the City Council on December 10, 2008. The **second tier** (addressed by this staff report) is intended to more accurately depict the edges of the polygons (or "shapes") on the Land Use Diagram. Future **third tier** corrections will occur at a later date in tandem with the publication of new zoning maps and may include more substantive changes.

Extent and Location of the Tier 2 Proposed Map Refinements

The **Tier 2** refinements now before the Planning Commission represent just over one percent of Oakland's land area. There are 116 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 1,500 parcels.

In almost all cases, the proposed refinements will adjust General Plan boundaries to reinforce *existing* land use patterns and preclude the need for rezoning to uses which could be inconsistent with the General

Plan's policies. The changes are needed because the General Plan Map overstated or understated the geographic extent of existing land uses in many locations. For example, several neighborhood shopping districts were mapped as being a full block deep when they are actually only a half block deep. In such cases, rezoning the residual half blocks from residential to commercial use was not the intent of the General Plan and would conflict with the Plan's goal of maintaining and enhancing residential areas. Thus, refinements are proposed to narrow (or in other cases widen) the commercial corridors to their actual depths and retain existing zoning district edges. Examples like these are replicated across the city, in multiple land use categories, on multiple sites, and under many different circumstances and conditions.

The Tier 2 refinements are located in all seven City Council districts and in all of the Planning Areas identified in the Oakland General Plan except the Harbor. A tally of their geographic distribution appears below. Because of the more complex and fine-grained land use pattern in older flatland neighborhoods, more refinements are needed in areas like San Antonio and Elmhurst than in the Oakland Hills.

Planning Area	Number of Tier 2 General Plan Map Refinements
North Hills	6
South Hills	11
Lower Hills	9
North Oakland	6
West Oakland	11
Central	3
San Antonio	21
Fruitvale	12
Central East Oakland	13
Elmhurst	21
Airport	3
Harbor	0
TOTAL	116

The 116 changes may be grouped into the following 10 categories:

- Areas where higher density residential "shapes" were drawn too large, thereby encroaching into established lower density areas (23 cases)
- Areas where lower density residential "shapes" were drawn too large, thereby encroaching into higher density areas (15 cases)
- Areas where commercial "shapes" were drawn too large, thereby encroaching into stable residentially zoned areas (25 cases)
- Areas where residential "shapes" were drawn too large, thereby encroaching into stable commercial areas (17 cases)
- Areas where residential or commercial "shapes" were drawn too large, thereby encroaching into stable industrial areas (4 cases)
- Areas where industrial "shapes" were drawn too large, thereby encroaching into stable commercial or residential areas (10 cases)

- Areas where *Community* commercial "shapes" were drawn too large, thereby encroaching into stable *Neighborhood* commercial areas (2 cases)
- Areas where large schools or park/ open space uses were left off the map (7 cases)
- Areas where shapes depicting public or open space uses were drawn too large, thereby encroaching onto private property (4 cases)
- Areas where substantial land use changes have occurred since the adoption of the 1998 General Plan, but where General Plan Map Amendments were determined to be unnecessary (these are primarily "housekeeping" edits to make the map more reflective of recent development) (9 cases)

The proposed refinements will eliminate many of the apparent 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 will be eliminated through the rezoning process as thousands of properties across Oakland are rezoned to reflect their designations on the General Plan Map.

It is important to keep in mind that the General Plan Map is intended to be just that—a generalized depiction of intended future land uses. It is not intended to be parcel-specific and zoning boundaries need not conform exactly to Plan shapes. Thus, the refinements presented in this staff report are not intended to bring the Plan Map and Zoning Map into "perfect" alignment. In keeping with best practices around the Bay Area, Staff has set a threshold of one acre for the refinements identified in this report. All of the refinements described in this report are larger than one acre, with a few exceptions where the current designation could lead to future land use conflicts.

The City is using a standardized 32-sheet parcel-level map grid to annotate these 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 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 2 General Plan refinements are annotated in three forms: (a) in the text below; (b) in Appendix A of this report, where they are listed sequentially by map grid number; and (c) 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 10 categories listed above:

Category 1: Higher Density Residential "Shapes" Drawn Too Large, Encroaching Into Stable Less Dense Areas

These refinements would avoid the need to "up-zone" established residential areas with densities that are below what is shown on the Plan Map. For example, a large garden apartment complex on Alvingroom Drive (near Castlemont High School) is shown on the Plan Map as "Mixed Housing Type Residential." However, the "shape" on the map corresponding to this complex was drawn too large, taking in about 30 single family homes (zoned R-30) on either side. Rather than interpreting the General Plan literally and rezoning these homes for higher density housing, the shape refinement would shrink the size of the Urban Residential shape to the correct size and put the single family homes back into the Detached Residential category which surrounds them.

There are 23 cases like this on the General Plan Map, although the circumstances in each case are slightly different than in the example sited above. These cases include:

- 3 cases where a Hillside Residential area was shown as Detached Residential
- 13 cases where a Detached Residential area was shown as Mixed Housing Type Residential
- 2 cases where a Detached Residential area was shown as Urban Residential
- 5 cases where a Mixed Housing Type area was shown as Urban Residential

Table 1 profiles each of the 23 cases:

Table 1: Map Refinements Which Reduce Densities to the Intended Designations

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
6-1	2.8	West edge of Sequoyah Townhomes	Detached Residential	Hillside Residential	EBMUD land and common open space in the Sequoyah PUD—refinement reflects property lines. Detached Res generally not appropriate in hillside areas.
6-3	14.9	Skyline north of Keller	Detached Residential	Hillside Residential	Same comment as above. Refinement also includes the public right-of-way on Skyline.
6-4	10.8	Large lot homes on Sequoyah Drive	Detached Residential	Hillside Residential	Corrects erroneous designation of large hill area lots as "Detached Residential" rather than "Hillside Residential."
11-1	5.2	E/side Coolidge, from Sequoia School to Morgan and 2800 blk of Morgan	Mixed Type Residential	Detached Residential	Large low density area on the edge of a mixed housing type area. This change avoids unnecessary upzoning of about 35 SF homes now zoned R-30.
11-2	14.8	Residential streets west of Maple and below Morgan	Mixed Type Residential	Detached Residential	Same as above. Avoids unnecessary upzoning of about 100 SF homes now zoned R-30.
11-4	5.3	W/side High Street above Masterson	Mixed Type Residential	Detached Residential	Same as above. Church, rectory and SF homes. Shape change avoids need to upzone R-30 single family area.
12-1	8.3	Hillmont Drive east of Seminary to VanMourik	Mixed Type Residential	Detached Residential	Avoids unnecessary upzoning of about 35 SF homes zoned R-30.

Table 1, continued

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
12-2	8.7	Downslope lots on Outlook, 68th to 73rd Aves	Mixed Type Residential	Detached Residential	Avoids unnecessary upzoning of about 50 SF homes now zoned R-30.
13-2	5.1	Golf Links Rd, 82d to Fontaine, downslope lots	Mixed Type Residential	Detached Residential	Alvingroom Apartments (on adjacent site) were drawn too large. Change avoids need to unnecessarily upzone SF homes.
13-3	2.0	Seneca, north side of Alvingroom	Mixed Type Residential	Detached Residential	Alvingroom Apartments (on adjacent site) were drawn too large. Change avoids need to unnecessarily upzone SF homes
13-4	2.3	S/side of Iris Street, 83rd Ave to Castlemont	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes, same as adjacent Detached Res area.
17-1	5.5	NE corner Park Blvd and I-580, incl Excelsior and Alma	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes zoned R-30, same as adjacent Detached Res area.
19-8	9.8	Olive St, 78th to 80th Av	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—extend to take in about 60 SF homes now zoned R-30.
20-4	4.0	N/ Side 86th Ave, Birch to Bancroft	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block incudes about 25 single family homes zoned R-30, same as adjacent Detached Res area.
20-5	7.4	89th to 90th Av, Birch to Bancroft	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is predominantly single family homes zoned R-30, same as adjacent Detached Res area.
20-6	1.0	99th and Bancroft	Urban Residential	Detached Residential	This block of Bancroft is developed with SF homes and is zoned R-30, same as adjacent Detached Res area.
23-2	5.4	Area east of Alma and west of Home Place	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes and small apartments
23-3	1.3	9th Ave east of Park Blvd	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes
23-4	1.8	Euclid and VanBuren	Urban Residential	Mixed Type Residential	Clarifies edge of Urban Residential area and avoids unintended upzoning of low density homes now zoned R-35.
23-6	1.7	W/side Wesley near Prospect Street	Urban Residential	Detached Residential	Corrects overestimated extent of Urban Residential area and avoids need to upzone SF homes to R-70 densities.
23-8	1.4	W/side 7th Ave b/w 23rd and 24th St	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes and duplexes
23-10	0.8	5th Ave at E. 19th Street	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids rezoning block of 2-family homes to R-70.
25-2	2.5	N/side 53rd Ave, Wentworth to Holland	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes, same as adjacent Detached Res area.

Category 2: Lower Density Residential "Shapes" Drawn Too Large, Encroaching Into Stable More Dense Areas

These refinements would avoid the need to "downzone" well established moderate to high density residential areas. In most cases, these areas are already developed with apartments or mixed density housing, but are designated for a less dense designation (such as "Detached Residential") on the Plan Map. For example, the General Plan Map shows an entire block of the Broadway Terrace apartment district (zoned R-60) as "Hillside Residential." The intent of the General Plan was not to replace the apartments with single family homes, but rather resulted from the Urban Residential "blob" along Broadway Terrace not being drawn large enough. The correction would extend the Urban Residential area another block up Broadway Terrace to correspond to the existing R-60 zoning boundary.

There are 15 cases like this on the Map, including:

- 8 cases where a Mixed Housing Type area was shown as Detached Residential
- 1 case where an Urban Residential area was shown as Hillside Residential
- 1 cases where an Urban Residential area was shown as Detached Residential
- 5 cases where an Urban Residential area was shown as Mixed Housing Type Residential

Table 2 profiles each of the 15 cases:

Table 2: Map Refinements Which Increase Densities to the Intended Designations

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
6-2	3.0	West edge of Sequoyah Townhomes	Detached Residential	Mixed Type Residential	More accurately shows the boundaries of the Sequoyah PUD, an established development of townhomes in the Oakland Hills.
11-3	2.3	West side of 39th Street, south of Bayo	Detached Residential	Mixed Type Residential	Mix of SF homes and 2-8 plexes, now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough.
12-5	17.0	Greenridge, Rilea, Siena above Keller	Detached Residential	Mixed Type Residential	A developed area of townhomes and 2-8 plexes. Adjacent "Mixed Housing Type" shape was not drawn large enough.
16-2	2.6	Broadway Terrace, below Claremont Country Club	Hillside Residential	Urban Residential	More accurate mapping of well-established high-density apartment district. Avoids need to downzone 4-story condos to R-30.
16-3	3.1	East side of Broadway, first block above Broadway Terrace	Detached Residential	Mixed Type Residential	Established area of SF homes, flats, and mid-rise apartment buildings currently zoned R-60. This change better reflects actual extent of the mixed density pattern.
16-6	2.4	41st at Howe	Mixed Type Residential	Urban Residential	More accurate mapping of adjacent Urban Residential "blob" to include existing mid-rise apartments (already zoned R-70)
18-7	5.6	Lyon Street west of High Street	Detached Residential	Mixed Type Residential	Mix of SF homes, flats and and 2-4 plexes, and small apartments now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough.
19-3	4.5	N/side of 62nd Av between Brann and Camden	Detached Residential	Mixed Type Residential	Recognizes large, well established garden apartment complex (zoned R-50) that was not shown on GP Map. Avoids need to downzone and render nonconforming.

Table 2, continued

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
19-5	3.5	Both sides of Havenscourt, just below Bancroft	Detached Residential	Urban Residential	More accurate interpretation of the edge of the Urban Residential area, avoids down-zoning several mid-rise apartments to R-30.
19-11	9.4	55th to 57th, above International	Detached Residential	Mixed Type Residential	3 block area of SF homes, flats and and 2-4 plexes, now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough—this is not a Detached Res area.
20-2	8.1	96th to 98th, below MacArthur Blvd	Detached Residential	Mixed Type Residential	Area of small apartment buildings and townhomes zoned R-50. Surrounding Detached Residential designation was too generalized and did not acknowledge this established multi-family area.
23-5	1.4	Burke east of Euclid	Mixed Type Residential	Urban Residential	Minor change to clarify edge of the Adams Point apartment district. Avoids need to downzone well established apartment bldgs.
23-7	3.8	8th Ave, Ivy Drive to East 24th Street	Mixed Type Residential	Urban Residential	Corrects underestimated extent of Urban Residential and avoids need to downzone established block of multi-family housing.
24-5	1.6	26th Av at East 20th Street	Mixed Type Residential	Urban Residential	More accurate depiction of the edge of the Urban Residential area, which "bulbs out" at this location and includes several large apartment buildings.
25-1	1.2	47th Av between Bancroft and International	Mixed Type Residential	Urban Residential	More accurate depiction of the edge of the Urban Residential area, which "bulbs out" at this location and includes several large apartment buildings.

Category 3: Commercial "Shapes" Drawn Too Large, Encroaching Into Stable Residentially Zoned Areas

These refinements will avoid the rezoning of established residential areas with commercial designations. In each case, a commercial district "blob" was drawn too large on the General Plan Map, taking in residential areas on its perimeter. For example, the Broadway corridor in Rockridge/Temescal (near 51st Street) was drawn as extending a full block back from Broadway, taking in single family homes along Desmond and Coronado Streets. A literal interpretation of the General Plan Map could result in the rezoning of these homes from R-35 to the equivalent of C-40, which is not what was intended by the Plan. The Map refinement pulls the commercial edge back to mid-block, allowing the homes to be correctly designated as "Mixed Type Residential" (the same designation as the rest of the neighborhood).

There are 25 cases like this on the General Plan Map, profiled in Table 3. They include:

- 1 case where a Hillside Residential Area was shown as Neighborhood Center Mixed Use
- 1 case where a Hillside Residential Area was shown as Community Commercial
- 2 cases where a Detached Residential Area was shown as Neighborhood Center Mixed Use
- 6 cases where a Mixed Housing Type Area was shown as Neighborhood Center Mixed Use
- 4 cases where a Mixed Housing Type Area was shown as Community Commercial
- 6 cases where an Urban Residential area was shown as Neighborhood Center Mixed Use
- 4 cases where an Urban Residential area was shown as Community Commercial
- 1 case where an Urban Residential area was shown as Housing-Business Mix

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

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
7-1	2.2	11220-11240 Golf Links Rd	Neighborhood Center Mixed Use	Hillside Residential	Grass Valley commercial area drawn too large, encroaching onto large lot SF homes
8-1	2.1	Unit block Alvarado Road	Community Commercial	Hillside Residential	Claremont Hotel "blob" drawn too large, encroaching onto SF homes zoned R-30
15-1	1.7	Claremont Av at Auburn	Neighborhood Center Mixed Use	Detached Residential	College/ Claremont commercial district drawn too large, encroaching onto single family homes zoned R-30 and R-35
15-2	1.3	Shattuck near Alcatraz	Neighborhood Center Mixed Use	Mixed Type Residential	Minor change to avoid need to rezone developed residential (R-50 zoned) parcels on Shattuck to commercial use
16-4	1.3	Glendale, Desmond, Clifton	Neighborhood Center Mixed Use	Mixed Type Residential	Broadway/College corridor was mapped as being a full-block deep. Need to show as half-block deep, preserving residential uses and R-35 zoning on parallel streets.
16-5	5.0	Glendale, Desmond, Clifton, 51st, 49th Streets (nr Broadway)	Community Commercial	Mixed Type Residential	Broadway corridor was mapped as being a full-block deep. Need to show as half-block deep, preserving residential uses and R-35 zoning on parallel streets.
18-3	3.6	Both sides of MacArthur on first block east of Lincoln	Neighborhood Center Mixed Use	Urban Residential	New 3-story apartment bldg and older SF homes—Urban Res designation should have extended one block further
18-4	3.5	West side of Masterson Street	Neighborhood Center Mixed Use	Mixed Type Residential	MacArthur corridor drawn too wide in the Laurel district, going a full block deep and picking up SF homes and flats on Masterson.
18-5	3.1	West side of Masterson Street	Neighborhood Center Mixed Use	Detached Residential	MacArthur corridor drawn too wide in the Laurel district, going a full block deep and picking up SF homes on Masterson.
19-1	1.0	61st and MacArthur	Neighborhood Center Mixed Use	Urban Residential	Neighborhood Center "blob" does not reflect actual shape. Established R-70 area of high density apartments should have been shown.
19-2	1.7	Murdoch Ct./ 60th Ave	Neighborhood Center Mixed Use	Mixed Type Residential	Adjacent neighborhood shopping district was mapped too large, change protects residential area on adjacent street.
19-4	2.2	Foothill-Bancroft, west of Havenscourt	Community Commercial	Urban Residential	More accurately shows the edge of the Community Commercial corridor and avoids need to rezone established area of high-density apartments from R-70 to commercial.
19-6	3.4	Bancroft, west of Cole	Neighborhood Center Mixed Use	Urban Residential	Neighborhood Center "blob" does not reflect actual shape. Established R-70 area of high density apartments should have been shown.
19-10	3.4	W/side International, 81st to 82nd	Neighborhood Center Mixed Use	Urban Residential	Refinement avoids the need to split a large parcel that is fully developed with apartments into two different zoning districts.
20-3	2.9	MacArthur, 98th to Taylor	Neighborhood Center Mixed Use	Urban Residential	This section of MacArthur has already transitioned from commercial to urban residential uses, which is a primary goal of the General Plan. R-70 zoning should remain.

Table 3, continued

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description

23-9	3.1	Wayne Av between Athol and 3rd Ave	Neighborhood Center Mixed Use	Urban Residential	E. 18th commercial district was mapped as one block deep when it is only ½ block deep.
23-11	1.3	West side 15th Ave below Foothill	Community Commercial	Mixed Type Residential	Corrects overestimated width of commercial corridor on Lower 14th Ave and avoids need to rezone stable SF (R-36) area to C-20.
24-1	2.2	SW corner of E. 16th St at 44th Av	Community Commercial	Urban Residential	Corrects overestimated extent of commercial area and avoids need to rezone large apartment buildings from R-70 to commercial
24-7	2.8	30th Ave and Derby between International and East 12th	Community Commercial	Mixed Type Residential	Corrects overestimated extent of International Blvd commercial area and avoids need to rezone single family homes from R-30 to commercial.
24-8	1.9	31st Ave between International and E.12th St	Neighborhood Center Mixed Use	Mixed Type Residential	Corrects overestimated extent of International Blvd commercial area and avoids need to rezone about single family homes from R-30 to commercial.
24-9	2.2	E/side E. 12th Street between 37th and 39th Avenues	Neighborhood Center Mixed Use	Mixed Type Residential	Corrects overestimated extent of commercial area and avoids need to rezone single family homes and non-conforming body shop from R-30 to commercial.
24-12	4.0	East 17th Street between 42nd Av and High St	Community Commercial	Mixed Type Residential	Corrects overestimated extent of commercial area in the High Street corridor and avoids need to rezone stable block of 20 SF homes from R-40 to Commercial.
24-13	1.9	N / side High Street between E. 16th and E. 18th St	Community Commercial	Urban Residential	Corrects overestimated extent of commercial area and avoids need to rezone existing apartment buildings to commercial
27-10	9.0	N/ Side 7th St from Union to Market	Community Commercial	Urban Residential	Only south side of the street is commercially developed and zoned, but map shows both sides. North side of the street is all high density housing.
28-3	2.3	East 12th at 3rd Av, SW corner	Housing-Business Mix	Urban Residential	More accurately shows edge of Urban Res area east of Laney College and avoids rezoning a high-rise apartment tower from R-70 to HBX.

Category 4: Residential "Shapes" Drawn Too Large, Encroaching Into Stable Commercially Zoned Areas

These refinements will avoid the rezoning of established commercial areas with residential designations. In each case, the commercial area was drawn smaller than its actual extent and a portion is shown as "residential" on the General Plan Map. For example, the Dimond shopping district (at MacArthur and Fruitvale) is depicted on the Plan Map as an oblong "blob" along MacArthur Boulevard. In fact, this commercial district includes a "tail" along the east side of Fruitvale Avenue that extends below Interstate 580 for several blocks. This "tail" has been commercially zoned for decades and supports numerous small businesses, but is shown on the Plan Map as "Mixed Housing Type Residential." The appropriate designation should be "Neighborhood Center Mixed Use," as this is part of an integrated commercial district that covers a few more blocks than are indicated on the Plan Map.

There are 17 cases like this on the General Plan Map, profiled in Table 4. They include:
- 1 case where a Neighborhood Center Mixed Use Area was shown as Hillside Residential
- 2 cases where a Neighborhood Center Mixed Use Area was shown as Detached Residential
- 3 cases where a Neighborhood Center Mixed Use Area was shown as Mixed Type Residential
- 4 cases where a Neighborhood Center Mixed Use Area was shown as Urban Residential
- 5 cases where a Community Commercial area was shown as Mixed Type Residential
- 2 cases where a Community Commercial area was shown as Urban Residential

Table 4: Map Refinements Restoring Commercial Designations where Residential Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
4-1	5.0	Redwood Road west of Skyline	Hillside Residential	Neighborhood Center Mixed Use	Editing shape to conform to actual parcel shapes and land use patterns, including assisted living facility, office buildings and private school
16-7	1.6	41st at Piedmont Av	Urban Residential	Neighborhood Center Mixed Use	Correctly shows edge of Piedmont Ave shopping district which "bulbs out" at 41st to take in drugstore and parking lot
18-2	2.2	W/ side Fruitvale from Montana to MacArthur	Mixed Type Residential	Neighborhood Center Mixed Use	Better shows the edges of the Dimond retail district and precludes rezoning of gas station and active retail to R-50 equivalent.
18-6	5.5	East side of Fruitvale Av below I-580	Mixed Type Residential	Neighborhood Center Mixed Use	Better shows the edges of the Dimond retail district and precludes rezoning of many offices, retail uses, services, etc. from C-30 to R-50.
19-7	1.3	Seminary above Foothill	Detached Residential	Neighborhood Center Mixed Use	Commercial district "bulbs out" at this location, but General Plan Map shows continuous corridor. This would avoid having to rezone active small businesses to R-30, rendering them non-conforming
19-9	1.0	International at 72nd Ave	Urban Residential	Community Commercial	Fine tunes the edge of an established Community Commercial district on International to better match existing land uses.

Table 4, continued

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
20-7	5.3	International, 88th to 90th Aves	Urban Residential	Neighborhood Center Mixed Use	Better reflection of the existing land use pattern along International. This stretch has fairly active pedestrian oriented businesses and services.
24-6	1.2	West side of Foothill between 33rd and 34th Avenues	Urban Residential	Neighborhood Center Mixed Use	Corrects underestimated extent of existing commercial area -- block contains almost continuous retail with no housing and is in the middle of an active commercial district at Foothill/Fruitvale.
24-11	1.9	East 15th St between 40th and 42nd Streets	Mixed Type Residential	Community Commercial	Corrects underestimated extent of International Blvd Community Commercial corridor, which "bulbs out" at this location and includes a number of auto-related uses (now zoned C-40)
24-14	1.5	South side 42nd Street below International Blvd	Mixed Type Residential	Community Commercial	Corrects underestimated extent of International Blvd Community Commercial corridor, which "bulbs out" at this location and includes retail, automotive and warehouse uses (now zoned C-40)
26-4	1.8	N/side of 98th Ave on east side of Edes	Mixed Type Residential	Neighborhood Center Mixed Use	More accurately shows boundaries of neighborhood commercial district and avoids rezoning active businesses to R-30.
26-5	3.2	N/side of 98th Ave on west side of Edes	Detached Residential	Neighborhood Center Mixed Use	More accurately shows boundaries of neighborhood commercial district and avoids rezoning active businesses to R-30.
27-1	3.6	NE corner Market and 26th Street	Mixed Type Residential	Community Commercial	San Pablo Corridor "bulbs out" here and includes light industrial and automotive uses on this block. This correction avoids need to rezone active C-30 businesses to residential
27-3	1.0	23rd at West, NE corner	Mixed Type Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (warehouse, etc) and avoids need to rezone C-30 land to R-50 equivalent.
27-4	1.6	San Pablo at Grand	Urban Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (warehouse, etc) and avoids need to rezone C-30 land to R-70 equivalent.
27-5	2.3	E/side Brush south of Grand Av	Mixed Type Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (automotive repair, etc) and avoids need to rezone C-51 land to R-50 equivalent.
28-6	1.0	5th Ave at International	Urban Residential	Neighborhood Center Mixed Use	Corrects underestimated extent of neighborhood commercial area and avoids need to rezone gas station and auto repair on major gateway street from commercial to residential use

Category 5: Residential or Commercial Shapes Drawn Too Large, Encroaching Into Active Industrial Areas

These refinements affect the interface areas between industrial uses and residential or commercial uses. In each case, the existing zoning supports industry and the existing land use is industrial. In each case, the General Plan drew the adjacent residential/ commercial areas slightly larger than their actual extent, resulting in the designation of industrial parcels as residential or commercial on the Map. The proposed refinements would avoid these making these industrial uses non-conforming and would restore the industrial (i.e., General Industrial or Business Mix) designation.

An example of these changes may be found in the Jingletown area near the Fruitvale BART Station. An active steel fabrication plant (zoned industrial today) appears on the General Plan Map as "Mixed Housing Type Residential." The nearby residential area actually ends just east of this site, and the site itself is part of a large belt of industrial uses that run along the Nimitz Freeway and rail lines. There is no compelling reason to rezone this property to the equivalent of R-50 and render the current use non-conforming. The Map refinement would correctly show this block as "Business Mix."

There are four cases like this on the General Plan Map, including two instances where Business Mix areas were shown as "Mixed Housing Type Residential" and one instance where a Business Mix area was shown as "Detached Residential." There is also one instance where a Business Mix area was incorrectly shown as "Regional Commercial." The proposed refinements are outlined in Table 5.

Table 5: Map Refinements Restoring "Business Mix" Designations where Commercial/Residential Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-2	3.6	East side of 23rd Avenue, E 10th St to I-880	Mixed Type Residential	Business Mix	This area includes active industrial uses (including steel fabrication) zoned M-20, and was not intended for conversion to residential use. The adjacent Mixed Housing Type area was mapped too large.
25-3	1.7	75th Ave, ½ block east of Hawley	Detached Residential	Business Mix	More accurately shows the edge of the residential and industrial area and avoids the creation of a non-conforming industrial use.
25-4	2.9	8200 blk of Baldwin	Regional Commercial	Business Mix	Fine tunes the edge of the Hegenberger corridor to acknowledge existing industrial use zoned M-40 (off the corridor) and avoid creation of new non-conformity.
27-6	0.9	21st and Magnolia, SE corner	Mixed Type Residential	Business Mix	More accurately interprets the edge of the Business Mix area.

Category 6: Industrial Shapes Drawn Too Large, Encroaching Into Stable Residential Or Commercial Areas

This is the flip side of the circumstance in Category 5 and also applies to the interface areas between active industrial and non-industrial uses. Included are a variety of residential and commercial land uses that are now appropriately zoned with residential and commercial districts. The General Plan Map depicted the industrial areas near these sites as being larger than they actually are, thus implying that these properties should be zoned for industry. However, rezoning would be inconsistent with General Plan policies and could disrupt stable uses. The refinements will clarify the intended designations of these areas as commercial or residential.

An example of these changes may be found on F Street in East Oakland. A stable block of single family detached homes (zoned R-30) appears on the General Plan Map as "General Industrial." Although there are industrial uses nearby, this particular block is part of a large single family neighborhood and there is no compelling reason to change the zoning to IG. The Map refinement would correctly show this block as "Detached Residential."

There are 10 cases like this on the General Plan Map, including:
- 1 case where a Detached Unit Residential area was designated "General Industrial"
- 4 cases where a Mixed Housing Type area was designated "Business Mix"
- 1 case where a Community Commercial area was designated "Business Mix"
- 3 cases where a Regional Commercial area was designated "Business Mix"
- 1 case where a Business Mix (office park) area was designated "General Industrial"

Table 6: Map Refinements Restoring Commercial or Residential Designations where Industrial Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-3	1.7	West side of East 10th Street at 27th Avenue in Jingletown	Business Mix	Mixed Type Residential	More accurately interprets the edge of the residential area and avoids need to rezone 13 single family homes and duplexes to industrial use.
26-1	3.9	W/side 85th Av at Enterprise Way	General Industrial	Business Mix	Fine tunes the edge between the Hegenberger business park area and the adjacent heavy industrial area. This acknowledges existing office/ hotel uses and avoid rezoning them to heavy industry (IG)
26-2	28.0	North/west side of Hegenberger from 880 to Leet	Business Mix	Regional Commercial	Adjusting the GP designations along the Hegenberger Rd Regional Commercial corridor to correspond to parcel boundaries. This avoids splitting parcels into two zoning districts, and also avoids rezoning hotel, office, and retail uses from commercial to industrial.
26-3	1.2	S/side F Street, east of 92nd Avenue	General Industrial	Detached Residential	More accurately interprets the edge of the Detached Res area and avoids the need to rezone 1/2 block of stable R-30 single family homes to general industry.
27-7	1.6	N/ side 16th at Willow to Campbell	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone stable block of single family homes to industry.

Table 6, continued

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
27-8	0.7	16th and Poplar SW corner	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone 4 single family homes to industrial uses
28-8	2.1	Bottom of 14th Av at I-880	Business Mix	Community Commercial	Corrects underestimated extent of commercial area and avoids need to split parcel and rezone part of freeway-oriented Burger King from commercial to industrial
31-1	28.0	Doolittle at Hegenberger	Business Mix	Regional Commercial	Same as above
31-2	4.2	Rear of parcels fronting the east (south) side of Hegenberger	Business Mix	Regional Commercial	Same as above
32-1	2.5	E/side Wood Street b/w 12th and 13th	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone single family homes and church to industrial uses

Category 7: Community Commercial "Shapes" Drawn Too Large, Encroaching Into Neighborhood Commercial Areas

There are two instances on the General Plan Map where "Community Commercial" areas on the International Boulevard corridor were mapped larger than their intended extent. In both cases, this designation was mapped an "extra" block along International, suggesting that the desired pattern on these blocks would include community-serving uses such as auto repair and car sales (similar to today's C-40 areas). The existing land uses in these two cases include pedestrian-oriented neighborhood-serving retail uses (similar to today's C-28 areas). Rezoning to support more auto-oriented uses would not be consistent with other policies of the General Plan. The proposed refinement more accurately shows the edge of the Community Commercial districts. Locations and details are provided in Table 7 below.

Table 7: Map Refinements Restoring "Neighborhood Center Mixed Use" Designations where "Community Commercial" Areas were Overstated

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-10	1.6	East side International Blvd between 39th and 40th	Community Commercial	Neighborhood Center Mixed Use	More accurate interpretation of the Fruitvale business district--extends neighborhood center mixed use designation one additional block to include existing active ground-floor ped-oriented retail.
28-7	1.5	W side International, 12th to 13th Aves	Community Commercial	Neighborhood Center Mixed Use	More accurate interpretation of the neighborhood business district--extends neighborhood center mixed use designation one additional block to include existing active ground-floor ped-oriented retail and historic buildings.

Category 8: Large Schools And/Or Park/ Open Space Uses That Were Left Off The Map

This category includes a number of important community resources, such as schools, parks, and cemeteries, that do not currently appear on the General Plan Map. Although the General Plan is too "broad brush" to show every single school and park in the city, the cases listed below are all over an acre in size and in some cases substantially larger. They include:

- A 4-acre cemetery now shown as "Detached Residential"
- A 4-acre elementary school in the South Oakland Hills shown as "Hillside Residential"
- Several school campuses that were shown on the map as being much smaller than their actual extent

Table 8 provides more information on the seven cases in this category.

Table 8: Map Refinements to Show Public and Open Space Uses That Were Not Mapped or Not Correctly Mapped

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
13-5	3.9	Golf Links Rd at Hellman	Hillside Residential	Public/ Institutional	Elementary School not previously shown on map
16-1	2.0	E/side Broadway Terrace, just above Broadway	Urban Open Space	Public/ Institutional	Most of the Far West High School campus was mapped as "Open Space" since it adjoins the Claremont Country Club. This change correctly shows the site as Public.
18-1	4.4	Fairfax Avenue at Fern Street	Detached Residential	Urban Open Space	Calls out House of Peace cemetery as a distinct open space land use
28-1	8.1	1st to 3rd Av, East 12th to East 10th Streets	Urban Residential	Public/ Institutional	OUSD offices and misc. facilities were not shown on the Plan Map
28-2	3.7	Block bounded by 3rd and 4th Av, East 10th and 11th Streets	Housing Business Mix	Public/ Institutional	OUSD facilities
28-4	1.5	N/side E. 12th Street between 3rd and 4th Av	Housing and Business Mix	Public/ Institutional	Public Educational Facility
28-5	1.5	S. side International, between 3rd and 4th Avenues	Urban Residential	Public/ Institutional	Public Educational Facility

Category 9: Private Property That Was Erroneously Designated For Public Or Open Space Uses

Several of Oakland's parks, schools, and hospitals were shown on the General Plan Map as being larger than their actual extent. As a result, a number of *private properties* appear to be designated on the Map for open space or public uses. Some of these discrepancies were corrected during the "Tier 1" General Plan corrections considered by the Planning Commission last fall. Additional discrepancies have been identified as the city has begun preparing new zoning maps.

Four Map refinements are identified here, affecting the following locations:

- A 1.6-acre undeveloped private property on Tunnel Road was erroneously mapped as being part of the Grizzly Peak Open Space area
- About 7 acres on Crest Avenue east of Fontaine Street were erroneously mapped as being part of the King Estates Open Space Area
- The Map "shape" showing the Pill Hill hospital complex was mapped larger than its actual extent, taking in apartments and medical offices on 30th Street, and portions of the car dealerships along Broadway. These areas should be designated as "Community Commercial" rather than "Public/Institutional"
- Oakland High School was mapped larger than its actual extent, taking in private homes and apartments on Alma Avenue.

Table 9 provides more information on the four cases in this category.

Table 9: Map Refinements to Correctly Show Private Parcels that were Erroneously Shown for Public and Open Space Uses

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-1	1.6	Tunnel Road adjacent to Grizzly Peak Open Space Preserve	Resource Conservation Area	Hillside Residential	Adjacent Grizzly Peak (Measure K acquisition) Open Space boundaries were not correctly shown, resulting in erroneous designation of private lot as open space.
13-1	7.0	Crest Av east of Fontaine Street	Resource Conservation Area	Detached Residential	King Estates Open Space was mapped too large, resulting in several homes and a church being designated as open space. Also includes a vacant City-owned parcel with development potential.
22-1	10.4	S/side 30th Street between Broadway and Telegraph and rear of parcels fronting Broadway from 30th to I-580	Public/ Institutional	Community Commercial	The current designation overstates the extent of the hospitals and extends onto numerous commercially zoned properties containing private medical offices. Need to adjust boundary to acknowledge existing uses.
23-1	2.3	Alma Av just below MacArthur	Public/ Institutional	Mixed Type Residential	Oakland High was mapped too large on the Land Use Map, covering a mixed density (R-50) residential area. Change would avoid need to rezone for institutional uses.

Category 10: Development That Has Occurred 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 precisely match the designations on the General Plan Map. Formal General Plan Map Amendments were not required in these instances because the development more or less corresponded to the shape on the Map, or 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 (and shapes of) these sites.

As noted in Table 10, seven sites have been identified, corresponding to the following developments:

- Caldecott Lane
- Monte Vista Villas (Leona Quarry)
- Chestnut-Linden Court (Bridge Housing, West Grand)
- Palm Villas/ Covington Manor (9000-9400 MacArthur)
- Durant Square (109th/ International)
- Cesar Chavez Education Center (former Montgomery Wards)
- Acorn Redevelopment Project Area single family homes (bounded by 8th, 10th, Filbert, Market)

Table 10: Map Refinements to Show Land Use Changes That Have Occurred Since 1998

ID #	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-2	2.0	Caldecott Lane	Hillside Residential	Mixed Type Residential	Post-1998 townhome development, adjoins Parkwoods Condominiums along Hwy 24
12-3	27.8	Leona Quarry	Hillside Residential	Resource Conservation	Area set aside as open space (quarry reclamation) upon approval of Monte Vista Villa project
12-4	17.0	Leona Quarry	Hillside Residential	Mixed Type Residential	Reflects actual shape of the area now developed with townhomes at Monte Vista Villas. Shape on 1998 Map was a "blob"
12-6	14.0	Leona Quarry	Resource Conservation	Mixed Type Residential	Reflects actual shape of the area now developed with townhomes at Monte Vista Villas. Shape on 1998 Map was a "blob"
20-1	3.8	West side of MacArthur between 90th and 94th	Urban Residential	Mixed Type Residential	Reflects Palm Villa and Covington Court, townhome and zero lot line single family developments that went in after the 1998 Plan was adopted.
20-8	12.7	109th at International (Durant Square)	Community Commercial	Mixed Type Residential	Housekeeping update to reflect the post-1998 development of Durant Square, including SF homes and townhomes.
24-4	10.2	West side of International Blvd at 29th Av	Community Commercial	Public/ Institutional	Former Montgomery Wards warehouse is now a public school and should be shown as such.
27-2	1.7	N/side West Grand Ave between Chestnut and Linden	Community Commercial	Mixed Type Residential	Reflects multi-family development (Bridge Housing) that took place after 1998. Current use is not inconsistent with Community Commercial, but zoning should stay R-50.
27-9	8.5	8th and Filbert, Acorn Redevelopment area	Urban Residential	Mixed Type Residential	Reflects post 1998 redevelopment in the Acorn area and replacement of Housing Authority units with SF homes on the block bounded by 8th, 10th, Filbert, and Market

NOTIFICATIONS

NOTIFICATIONS

CEDA mailed written notification to all property owners directly affected by the map changes. Approximately 1,500 notices were sent, notifying property owners of refinements to the General Plan Map. Each notification contained a website link with more detailed information about the corrections, as well as contact information for the staff planner. Maps identifying the proposed changes and databases with the assessor parcel numbers and addresses of all properties included in the Tier 2 corrections, giving the existing (incorrect) Land Use Diagram designation and the proposed (corrected and refined) designation were published on the website link included in the notification and were also made available at the Planning and Zoning offices and at branches of the Oakland Public Library. Additionally, a newspaper notice with the website link and staff contact information was published in the Oakland Tribune on Sunday, August 16, 2009.

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 general plan map corrections, refinements and clarifications to the City Council for adoption.

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WALTER COHEN
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A. General Plan Map Corrections in Chronological Order by Sheet
B. General Plan Map Corrections Map Sheets

Attachment B
General Plan Map Corrections, Refinements and Clarifications
Community and Economic Development Committee of the City Council
September 29, 2009

Summary Table of General Plan Map Refinements

Contains identical information to Tables 1-10 in the Agenda Report, but sites are listed sequentially by Map Grid number.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
2-1	9	1.6	Tunnel Road adjacent to Grizzly Peak Open Space Preserve	Resource Conservation Area	Hillside Residential	Adjacent Grizzly Peak (Measure K acquisition) Open Space boundaries were not correctly shown, resulting in erroneous designation of private lot as open space.
2-2	10	2.0	Caldecott Lane	Hillside Residential	Mixed Type Residential	Post-1998 townhome development, adjoins Parkwoods Condominiums along Hwy 24
4-1	4	5.0	Redwood Road west of Skyline	Hillside Residential	Neighborhood Center Mixed Use	Editing shape to conform to actual parcel shapes and land use patterns, including assisted living facility, office buildings and private school
6-1	1	2.8	West edge of Sequoyah Townhomes	Detached Residential	Hillside Residential	EBMUD land and common open space in the Sequoyah PUD—refinement reflects property lines. Detached Res generally not appropriate in hillside areas.
6-2	2	3.0	West edge of Sequoyah Townhomes	Detached Residential	Mixed Type Residential	More accurately shows the boundaries of the Sequoyah PUD, an established development of townhomes in the Oakland Hills.
6-3	1	14.9	Skyline north of Keller	Detached Residential	Hillside Residential	Same comment as above. Refinement also includes the public right-of-way on Skyline.
6-4	1	10.8	Large lot homes on Sequoyah Drive	Detached Residential	Hillside Residential	Corrects erroneous designation of large hill area lots as "Detached Residential" rather than "Hillside Residential."
7-1	3	2.2	11220-11240 Golf Links Rd	Neighborhood Center Mixed Use	Hillside Residential	Grass Valley commercial area drawn too large, encroaching onto large lot SF homes
8-1	3	2.1	Unit block Alvarado Road	Community Commercial	Hillside Residential	Claremont Hotel "blob" drawn too large, encroaching onto SF homes zoned R-30
11-1	1	5.2	E/side Coolidge, from Sequoia School to Morgan and 2800 blk of Morgan	Mixed Type Residential	Detached Residential	Large low density area on the edge of a mixed housing type area. This change avoids unnecessary upzoning of about 35 SF homes now zoned R-30.
11-2	1	14.8	Residential streets west of Maple and below Morgan	Mixed Type Residential	Detached Residential	Same as above. Avoids unnecessary upzoning of about 100 SF homes now zoned R-30.
11-3	2	2.3	West side of 39th Street, south of Bayo	Detached Residential	Mixed Type Residential	Mix of SF homes and 2-8 plexes, now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough.
11-4	1	5.3	W/side High Street above Masterson	Mixed Type Residential	Detached Residential	Same as above. Church, rectory and SF homes. Shape change avoids need to upzone R-30 single family area.
12-1	1	8.3	Hillmont Drive east of Seminary to VanMourik	Mixed Type Residential	Detached Residential	Avoids unnecessary upzoning of about 35 SF homes zoned R-30.
12-2	1	8.7	Downslope lots on Outlook, 68th to 73rd Aves	Mixed Type Residential	Detached Residential	Avoids unnecessary upzoning of about 50 SF homes now zoned R-30.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
12-3	10	27.8	Leona Quarry	Hillside Residential	Resource Conservation	Area set aside as open space (quarry reclamation) upon approval of Monte Vista Villa project
12-4	10	17.0	Leona Quarry	Hillside Residential	Mixed Type Residential	Reflects actual shape of the area now developed with townhomes at Monte Vista Villas. Shape on 1998 Map was a "blob"
12-5	2	17.0	Greenridge, Rilea, Siena above Keller	Detached Residential	Mixed Type Residential	A developed area of townhomes and 2-8 plexes. Adjacent "Mixed Housing Type" shape was not drawn large enough.
12-6	10	14.0	Leona Quarry	Resource Conservation	Mixed Type Residential	Reflects actual shape of the area now developed with townhomes at Monte Vista Villas. Shape on 1998 Map was a "blob"
13-1	9	7.0	Crest Av east of Fontaine Street	Resource Conservation Area	Detached Residential	King Estates Open Space was mapped too large, resulting in several homes and a church being designated as open space. Also includes a vacant City-owned parcel with development potential.
13-2	1	5.1	Golf Links Rd, 82d to Fontaine, downslope lots	Mixed Type Residential	Detached Residential	Alvingroom Apartments (on adjacent site) were drawn too large. Change avoids need to unnecessarily upzone SF homes.
13-3	1	2.0	Seneca, north side of Alvingroom	Mixed Type Residential	Detached Residential	Alvingroom Apartments (on adjacent site) were drawn too large. Change avoids need to unnecessarily upzone SF homes
13-4	1	2.3	S/side of Iris Street, 83rd Ave to Castlemont	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes, same as adjacent Detached Res area.
13-5	8	3.9	Golf Links Rd at Hellman	Hillside Residential	Public/ Institutional	Public Elementary School not previously shown on map
15-1	3	1.7	Claremont Av at Auburn	Neighborhood Center Mixed Use	Detached Residential	College/ Claremont commercial district drawn too large, encroaching onto single family homes zoned R-30 and R-35
15-2	3	1.3	Shattuck near Alcatraz	Neighborhood Center Mixed Use	Mixed Type Residential	Minor change to avoid need to rezone developed residential (R-50 zoned) parcels on Shattuck to commercial use
16-1	8	2.0	E/side Broadway Terrace, just above Broadway	Urban Open Space	Public/ Institutional	Most of the Far West High School campus was shown as "Open Space" since it adjoins the Claremont Country Club. This change correctly shows the site as Public.
16-2	8	2.6	Broadway Terrace, below Claremont Country Club	Hillside Residential	Urban Residential	More accurate mapping of well-established high-density apartment district. Avoids need to downzone 4-story condos to R-30.
16-3	2	3.1	East side of Broadway, first block above Broadway Terrace	Detached Residential	Mixed Type Residential	Established area of SF homes, flats, and mid-rise apartment buildings currently zoned R-60. This change better reflects actual extent of the mixed density pattern.
16-4	3	1.3	Glendale, Desmond, Clifton	Neighborhood Center Mixed Use	Mixed Type Residential	Broadway/College corridor was mapped as being a full-block deep. Need to show as half-block deep, preserving residential uses and R-35 zoning on parallel streets.
16-5	3	5.0	Glendale, Desmond, Clifton, 51st, 49th Streets (nr Broadway)	Community Commercial	Mixed Type Residential	Broadway corridor was mapped as being a full-block deep. Need to show as half-block deep, preserving residential uses and R-35 zoning on parallel streets.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
16-6	2	2.4	41st at Howe	Mixed Type Residential	Urban Residential	More accurate mapping of adjacent Urban Residential "blob" to include existing mid-rise apartments (already zoned R-70)
16-7	4	1.6	41st at Piedmont Av	Urban Residential	Neighborhood Center Mixed Use	Correctly shows edge of Piedmont Ave shopping district which "bulbs out" at 41st to take in drugstore and parking lot
17-1	1	5.5	NE corner Park Blvd and I-580, incl Excelsior and Alma	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes zoned R-30, same as adjacent Detached Res area.
18-1	8	4.4	Fairfax Avenue at Fern Street	Detached Residential	Urban Open Space	Calls out House of Peace cemetery as a distinct open space land use
18-2	4	2.2	W/ side Fruitvale from Montana to MacArthur	Mixed Type Residential	Neighborhood Center Mixed Use	Better shows the edges of the Dimond retail district and precludes rezoning of gas station and active retail to R-50 equivalent.
18-3	3	3.6	Both sides of MacArthur on first block east of Lincoln	Neighborhood Center Mixed Use	Urban Residential	New 3-story apartment bldg and older SF homes—Urban Res designation should have extended one block further
18-4	3	3.5	West side of Masterson Street	Neighborhood Center Mixed Use	Mixed Type Residential	MacArthur corridor drawn too wide in the Laurel district, going a full block deep and picking up SF homes and flats on Masterson.
18-5	3	3.1	West side of Masterson Street	Neighborhood Center Mixed Use	Detached Residential	MacArthur corridor drawn too wide in the Laurel district, going a full block deep and picking up SF homes on Masterson.
18-6	4	5.5	East side of Fruitvale Av below I-580	Mixed Type Residential	Neighborhood Center Mixed Use	Better shows the edges of the Dimond retail district and precludes rezoning of many offices, retail uses, services, etc. from C-30 to R-50.
18-7	2	5.6	Lyon Street west of High Street	Detached Residential	Mixed Type Residential	Mix of SF homes, flats and and 2-4 plexes, and small apartments now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough.
19-1	3	1.0	61st and MacArthur	Neighborhood Center Mixed Use	Urban Residential	Neighborhood Center "blob" does not reflect actual shape. Established R-70 area of high density apartments should have been shown.
19-2	3	1.7	Murdoch Ct./ 60th Ave	Neighborhood Center Mixed Use	Mixed Type Residential	Adjacent neighborhood shopping district was mapped too large, change protects residential area on adjacent street.
19-3	2	4.5	N/side of 62nd Av between Brann and Camden	Detached Residential	Mixed Type Residential	Recognizes large, well established garden apartment complex (zoned R-50) that was not shown on GP Map. Avoids need to downzone and render nonconforming.
19-4	3	2.2	Foothill-Bancroft, west of Havenscourt	Community Commercial	Urban Residential	More accurately shows the edge of the Community Commercial corridor and avoids need to rezone established area of high-density apartments from R-70 to commercial.
19-5	2	3.5	Both sides of Havenscourt, just below Bancroft	Detached Residential	Urban Residential	More accurate interpretation of the edge of the Urban Residential area, avoids down-zoning several mid-rise apartments to R-30.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
19-6	3	3.4	Bancroft, west of Cole	Neighborhood Center Mixed Use	Urban Residential	Neighborhood Center "blob" does not reflect actual shape. Established R-70 area of high density apartments should have been shown.
19-7	4	1.3	Seminary above Foothill	Detached Residential	Neighborhood Center Mixed Use	Commercial district "bulbs out" at this location, but General Plan Map shows continuous corridor. This would avoid having to rezone active small businesses to R-30, rendering them non-conforming
19-8	1	9.8	Olive St, 78th to 80th Av	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—extend to take in about 60 SF homes now zoned R-30.
19-9	4	1.0	International at 72nd Ave	Urban Residential	Community Commercial	Fine tunes the edge of an established Community Commercial district on International to better match existing land uses.
19-10	3	3.4	W/side International, 81st to 82nd	Neighborhood Center Mixed Use	Urban Residential	Refinement avoids the need to split a large parcel that is fully developed with apartments into two different zoning districts.
19-11	2	9.4	55th to 57th, above International	Detached Residential	Mixed Type Residential	3 block area of SF homes, flats and and 2-4 plexes, now zoned R-50. Adjacent "Mixed Housing Type" shape was not drawn large enough—this is not a Detached Res area.
20-1	10	3.8	West side of MacArthur between 90th and 94th	Urban Residential	Mixed Type Residential	Reflects Palm Villa and Covington Court, townhome and zero lot line single family developments that went in after the 1998 Plan was adopted.
20-2	2	8.1	96th to 98th, below MacArthur Blvd	Detached Residential	Mixed Type Residential	Area of small apartment buildings and townhomes zoned R-50. Surrounding Detached Residential designation was too generalized and did not acknowledge this established multi-family area.
20-3	3	2.9	MacArthur, 98th to Taylor	Neighborhood Center Mixed Use	Urban Residential	This section of MacArthur has already transitioned from commercial to urban residential uses, which is a primary goal of the General Plan. R-70 zoning should remain.
20-4	1	4.0	N/ Side 86th Ave, Birch to Bancroft	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block incudes about 25 single family homes zoned R-30, same as adjacent Detached Res area.
20-5	1	7.4	89th to 90th Av, Birch to Bancroft	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is predominantly single family homes zoned R-30, same as adjacent Detached Res area.
20-6	1	1.0	99th and Bancroft	Urban Residential	Detached Residential	This block of Bancroft is developed with SF homes and is zoned R-30, same as adjacent Detached Res area.
20-7	4	5.3	International, 88th to 90th Aves	Urban Residential	Neighborhood Center Mixed Use	Better reflection of the existing land use pattern along International. This stretch has fairly active pedestrian oriented businesses and services.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
20-8	10	12.7	109th at International (Durant Square)	Community Commercial	Mixed Type Residential	Housekeeping update to reflect the post-1998 development of Durant Square, including SF homes and townhomes.
22-1	9	10.4	S/side 30th Street between Broadway and Telegraph and rear of parcels fronting Broadway from 30th to I-580	Public/ Institutional	Community Commercial	The current designation overstates the extent of the hospitals and extends onto numerous commercially zoned properties containing private medical offices. Need to adjust boundary to acknowledge existing uses.
23-1	9	2.3	Alma Av just below MacArthur	Public/ Institutional	Mixed Type Residential	Oakland High was mapped too large on the Land Use Map, covering a mixed density (R-50) residential area. Change would avoid need to rezone for institutional uses.
23-2	1	5.4	Area east of Alma and west of Home Place	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes and small apartments
23-3	1	1.3	9th Ave east of Park Blvd	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes
23-4	1	1.8	Euclid and VanBuren	Urban Residential	Mixed Type Residential	Clarifies edge of Urban Residential area and avoids unintended upzoning of low density homes now zoned R-35.
23-5	2	1.4	Burke east of Euclid	Mixed Type Residential	Urban Residential	Minor change to clarify edge of the Adams Point apartment district. Avoids need to downzone well established apartment bldgs.
23-6	1	1.7	W/side Wesley near Prospect Street	Urban Residential	Detached Residential	Corrects overestimated extent of Urban Residential area and avoids need to upzone SF homes to R-70 densities.
23-7	2	3.8	8th Ave, Ivy Drive to East 24th Street	Mixed Type Residential	Urban Residential	Corrects underestimated extent of Urban Residential and avoids need to downzone established block of multi-family housing.
23-8	1	1.4	W/side 7th Ave b/w 23rd and 24th St	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids need to upzone block of SF homes and duplexes
23-9	3	3.1	Wayne Av between Athol and 3rd Ave	Neighborhood Center Mixed Use	Urban Residential	E. 18th commercial district was mapped as one block deep when it is only ½ block deep.
23-10	1	0.8	5th Ave at E. 19th Street	Urban Residential	Mixed Type Residential	Corrects overestimated extent of Urban Residential and avoids rezoning block of 2-family homes to R-70.
23-11	3	1.3	West side 15th Ave below Foothill	Community Commercial	Mixed Type Residential	Corrects overestimated width of commercial corridor on Lower 14th Ave and avoids need to rezone stable SF (R-36) area to C-20.
24-1	3	2.2	SW corner of E. 16th St at 44th Av	Community Commercial	Urban Residential	Corrects overestimated extent of commercial area and avoids need to rezone large apartment buildings from R-70 to commercial
24-2	5	3.6	East side of 23rd Avenue, E 10th St to I-880	Mixed Type Residential	Business Mix	This area includes active industrial uses (including steel fabrication) zoned M-20, and was not intended for conversion to residential use. The adjacent Mixed Housing Type area was mapped too large.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
24-3	6	1.7	West side of East 10th Street at 27th Avenue in Jingletown	Business Mix	Mixed Type Residential	More accurately interprets the edge of the residential area and avoids need to rezone 13 single family homes and duplexes to industrial use.
24-4	10	10.2	West side of International Blvd at 29th Av	Community Commercial	Public/ Institutional	Former Montgomery Wards warehouse is now a public school and should be shown as such.
24-5	2	1.6	26th Av at East 20th Street	Mixed Type Residential	Urban Residential	More accurate depiction of the edge of the Urban Residential area, which "bulbs out" at this location and includes several large apartment buildings.
24-6	4	1.2	West side of Foothill between 33rd and 34th Avenues	Urban Residential	Neighborhood Center Mixed Use	Corrects underestimated extent of existing commercial area -- block contains almost continuous retail with no housing and is in the middle of an active commercial district at Foothill/Fruitvale.
24-7	3	2.8	30th Ave and Derby between International and East 12th	Community Commercial	Mixed Type Residential	Corrects overestimated extent of International Blvd commercial area and avoids need to rezone single family homes from R-30 to commercial.
24-8	3	1.9	31st Ave between International and E.12th St	Neighborhood Center Mixed Use	Mixed Type Residential	Corrects overestimated extent of International Blvd commercial area and avoids need to rezone about single family homes from R-30 to commercial.
24-9	3	2.2	E/side E. 12th Street between 37th and 39th Avenues	Neighborhood Center Mixed Use	Mixed Type Residential	Corrects overestimated extent of commercial area and avoids need to rezone single family homes and non-conforming body shop from R-30 to commercial.
24-10	7	1.6	East side International Blvd between 39th and 40th	Community Commercial	Neighborhood Center Mixed Use	More accurate interpretation of the Fruitvale business district--extends neighborhood center mixed use designation one additional block to include existing active ground-floor ped-oriented retail.
24-11	4	1.9	East 15th St between 40th and 42nd Streets	Mixed Type Residential	Community Commercial	Corrects underestimated extent of International Blvd Community Commercial corridor, which "bulbs out" at this location and includes a number of auto-related uses (now zoned C-40)
24-12	3	4.0	East 17th Street between 42nd Av and High St	Community Commercial	Mixed Type Residential	Corrects overestimated extent of commercial area in the High Street corridor and avoids need to rezone stable block of 20 SF homes from R-40 to Commercial.
24-13	3	1.9	N / side High Street between E. 16th and E. 18th St	Community Commercial	Urban Residential	Corrects overestimated extent of commercial area and avoids need to rezone existing apartment buildings to commercial
24-14	4	1.5	South side 42nd Street below International Blvd	Mixed Type Residential	Community Commercial	Corrects underestimated extent of International Blvd Community Commercial corridor, which "bulbs out" at this location and includes retail, automotive and warehouse uses (now zoned C-40)
25-1	2	1.2	47th Av between Bancroft and International	Mixed Type Residential	Urban Residential	More accurate depiction of the edge of the Urban Residential area, which "bulbs out" at this location and includes several large apartment buildings.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
25-2	1	2.5	N/side 53rd Ave, Wentworth to Holland	Mixed Type Residential	Detached Residential	Detached Res shape was not drawn large enough—this block is all single family homes, same as adjacent Detached Res area.
25-3	5	1.7	75th Ave, ½ block east of Hawley .	Detached Residential	Business Mix	More accurately shows the edge of the residential and industrial area and avoids the creation of a non-conforming industrial use.
25-4	5	2.9	8200 blk of Baldwin	Regional Commercial	Business Mix	Fine tunes the edge of the Hegenberger corridor to acknowledge existing industrial use zoned M-40 (off the corridor) and avoid creation of new non-conformity.
26-1	6	3.9	W/side 85th Av at Enterprise Way	General Industrial	Business Mix	Fine tunes the edge between the Hegenberger business park area and the adjacent heavy industrial area. This acknowledges existing office/ hotel uses and avoid rezoning them to heavy industry (IG)
26-2	6	28.0	North/west side of Hegenberger from 880 to Leet	Business Mix	Regional Commercial	Adjusting the GP designations along the Hegenberger Rd Regional Commercial corridor to correspond to parcel boundaries. This avoids splitting parcels into two zoning districts, and also avoids rezoning hotel, office, and retail uses from commercial to industrial.
26-3	6	1.2	S/side F Street, east of 92nd Avenue	General Industrial	Detached Residential	More accurately interprets the edge of the Detached Res area and avoids the need to rezone 1/2 block of stable R-30 single family homes to general industry.
26-4	4	1.8	N/side of 98th Ave on east side of Edes	Mixed Type Residential	Neighborhood Center Mixed Use	More accurately shows boundaries of neighborhood commercial district and avoids rezoning active businesses to R-30.
26-5	4	3.2	N/side of 98th Ave on west side of Edes	Detached Residential	Neighborhood Center Mixed Use	More accurately shows boundaries of neighborhood commercial district and avoids rezoning active businesses to R-30.
27-1	4	3.6	NE corner Market and 26th Street	Mixed Type Residential	Community Commercial	San Pablo Corridor "bulbs out" here and includes light industrial and automotive uses on this block. This correction avoids need to rezone active C-30 businesses to residential
27-2	10	1.7	N/side West Grand Ave between Chestnut and Linden	Community Commercial	Mixed Type Residential	Reflects multi-family development (Bridge Housing) that took place after 1998. Current use is not inconsistent with Community Commercial, but zoning should stay R-50.
27-3	4	1.0	23rd at West, NE corner	Mixed Type Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (warehouse, etc) and avoids need to rezone C-30 land to R-50 equivalent.
27-4	4	1.6	San Pablo at Grand	Urban Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (warehouse, etc) and avoids need to rezone C-30 land to R-70 equivalent.

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
27-5	4	2.3	E/side Brush south of Grand Av	Mixed Type Residential	Community Commercial	More accurately shows edge of the Grand Ave corridor, reflects existing uses (automotive repair, etc) and avoids need to rezone C-51 land to R-50 equivalent.
27-6	5	0.9	21st and Magnolia, SE corner	Mixed Type Residential	Business Mix	More accurately interprets the edge of the Business Mix area.
27-7	6	1.6	N/ side 16th at Willow to Campbell	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone stable block of single family homes to industry.
27-8	6	0.7	16th and Poplar SW corner	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone 4 single family homes to industrial uses
27-9	10	8.5	8th and Filbert, Acorn Redevelopment area	Urban Residential	Mixed Type Residential	Reflects post 1998 redevelopment in the Acorn area and replacement of Housing Authority units with SF homes on the block bounded by 8th, 10th, Filbert, and Market
27-10	3	9.0	N/ Side 7th St from Union to Market	Community Commercial	Urban Residential	Only south side of the street is commercially developed and zoned, but map shows both sides. North side of the street is all high density housing.
28-1	8	8.1	1st to 3rd Av, East 12th to East 10th Streets	Urban Residential	Public/ Institutional	OUSD offices and misc. facilities were not shown on the Plan Map
28-2	8	3.7	Block bounded by 3rd and 4th Av, East 10th and 11th Streets	Housing Business Mix	Public/ Institutional	OUSD facilities
28-3	3	2.3	East 12th at 3rd Av, SW corner	Housing-Business Mix	Urban Residential	More accurately shows edge of Urban Res area east of Laney College and avoids rezoning a high-rise apartment tower from R-70 to HBX.
28-4	8	1.5	N/side E. 12th Street between 3rd and 4th Av	Housing and Business Mix	Public/ Institutional	Public Educational Facility
28-5	8	1.5	S. side International, between 3rd and 4th Avenues	Urban Residential	Public/ Institutional	Public Educational Facility
28-6	4	1.0	5th Ave at International	Urban Residential	Neighborhood Center Mixed Use	Corrects underestimated extent of neighborhood commercial area and avoids need to rezone gas station and auto repair on major gateway street from commercial to residential use
28-7	7	1.5	W side International, 12th to 13th Aves	Community Commercial	Neighborhood Center Mixed Use	More accurate interpretation of the neighborhood business district--extends neighborhood center mixed use designation one additional block to include existing active ground-floor ped-oriented retail and historic buildings.
28-8	6	2.1	Bottom of 14th Av at I-880	Business Mix	Community Commercial	Corrects underestimated extent of commercial area and avoids need to split parcel and rezone part of freeway-oriented Burger King from commercial to industrial
31-1	6	28.0	Doolittle at Hegenberger	Business Mix	Regional Commercial	Same as above

ID #	Type	Acres	Location	Designation on Existing Map	Corrected Designation	Description
31-2	6	4.2	Rear of parcels fronting the east (south) side of Hegenberger	Business Mix	Regional Commercial	Same as above
32-1	6	2.5	E/side Wood Street b/w 12th and 13th	Business Mix	Mixed Type Residential	Corrects overestimated extent of Business Mix area and avoids need to rezone single family homes and church to industrial uses

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 SEP 17 PM 6:31

Approved as to Form and Legality

Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ 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, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES –

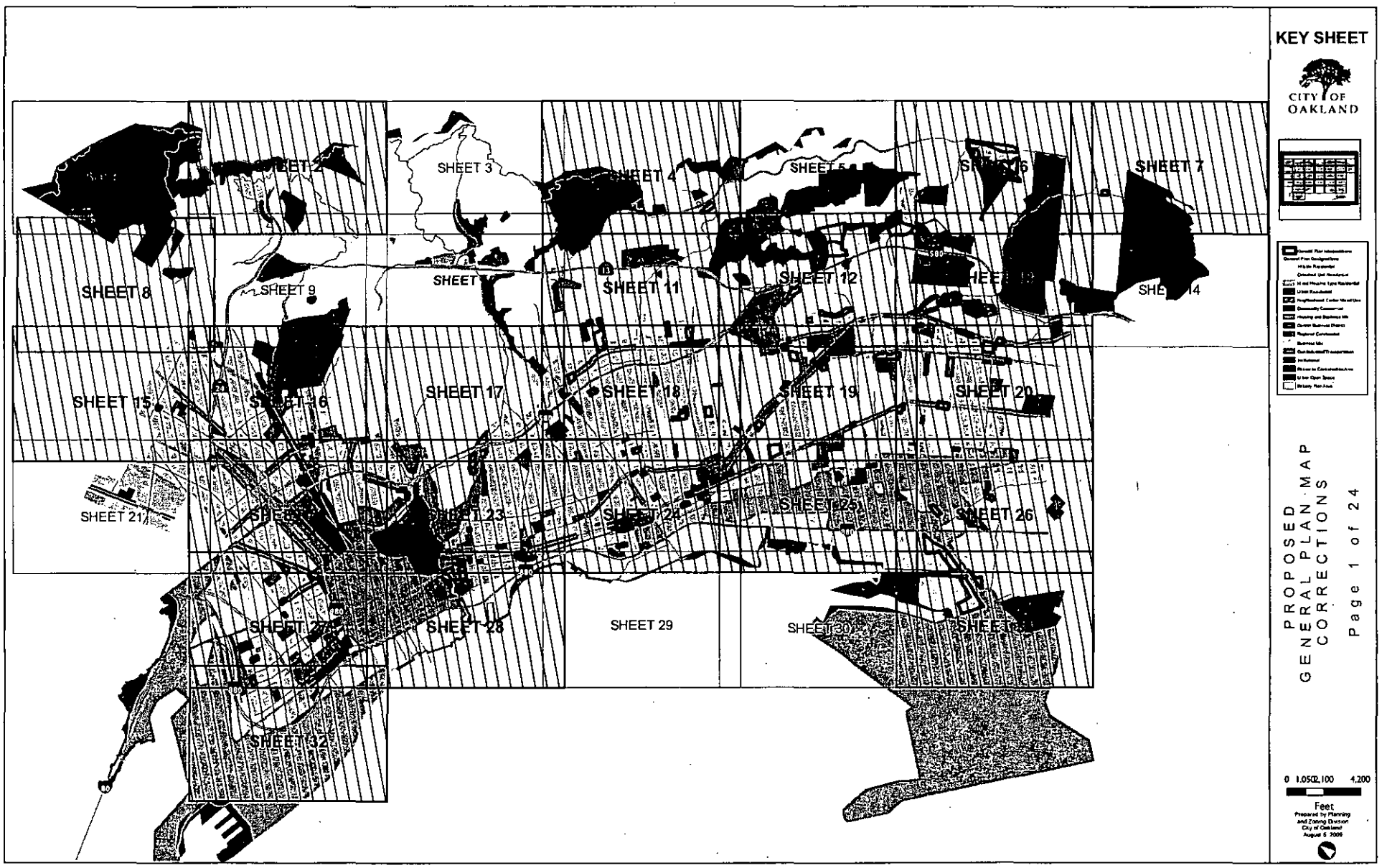
ABSENT –

ABSTENTION –

ATTEST:

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

EXHIBIT A



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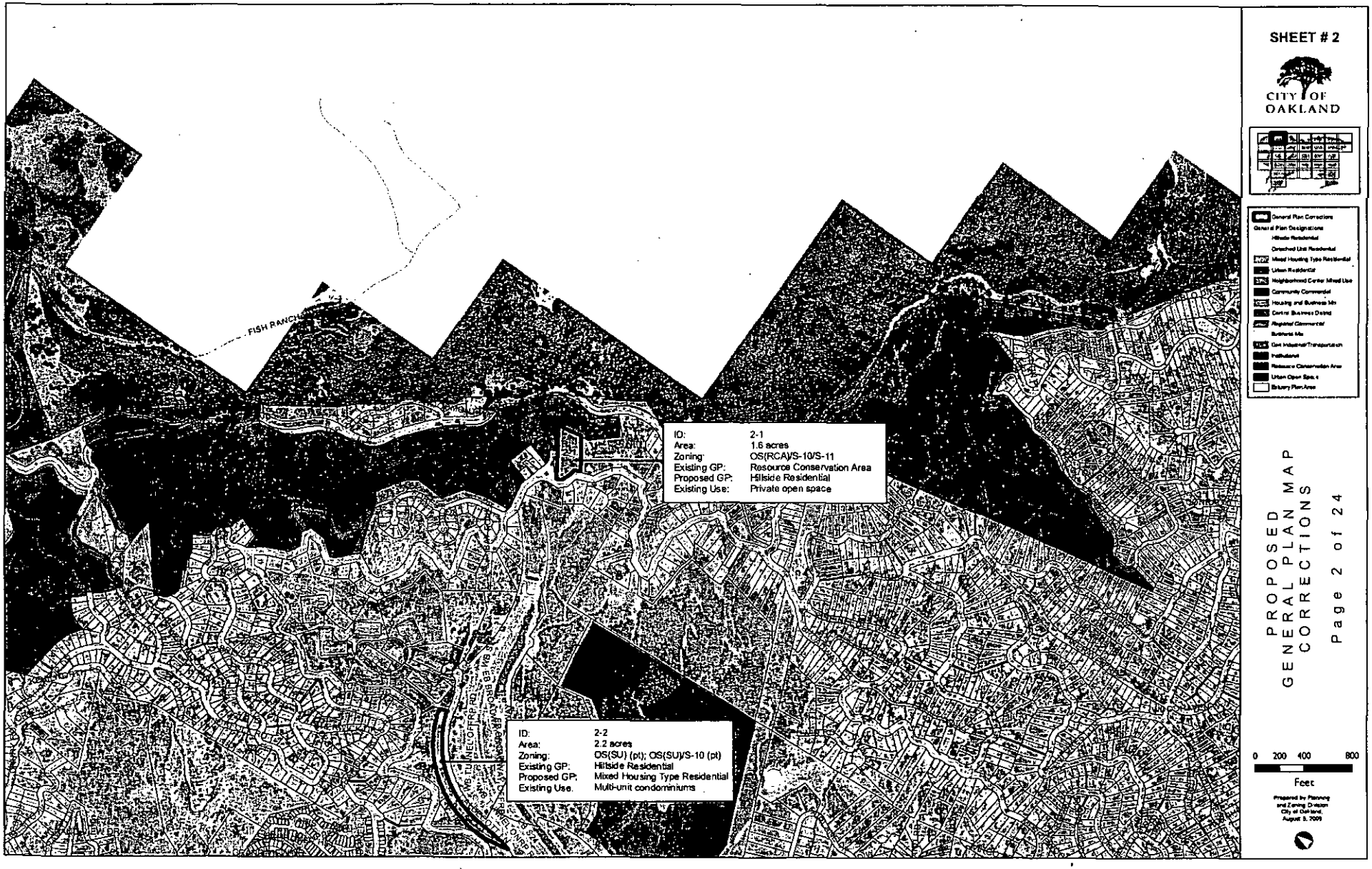

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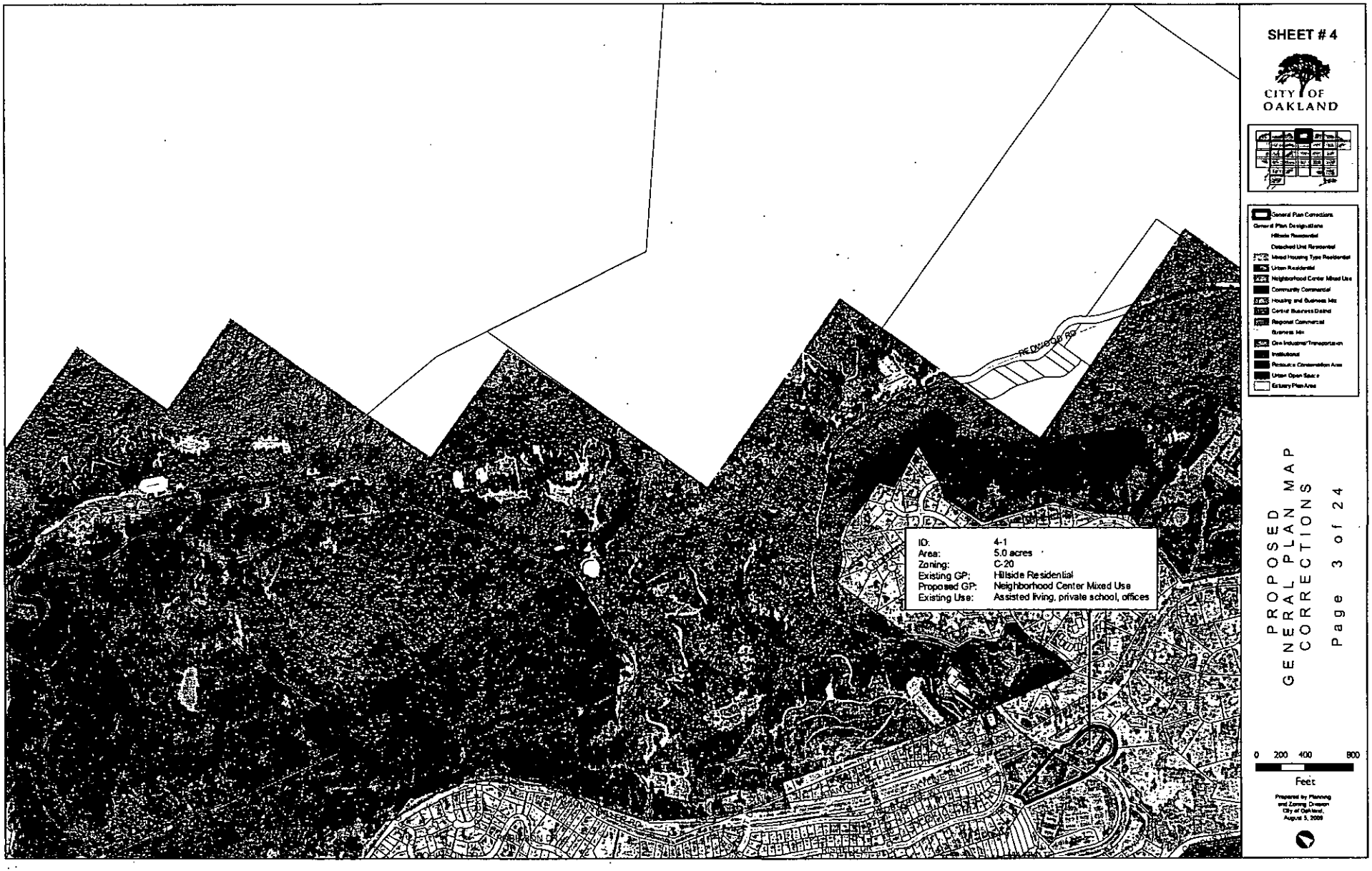

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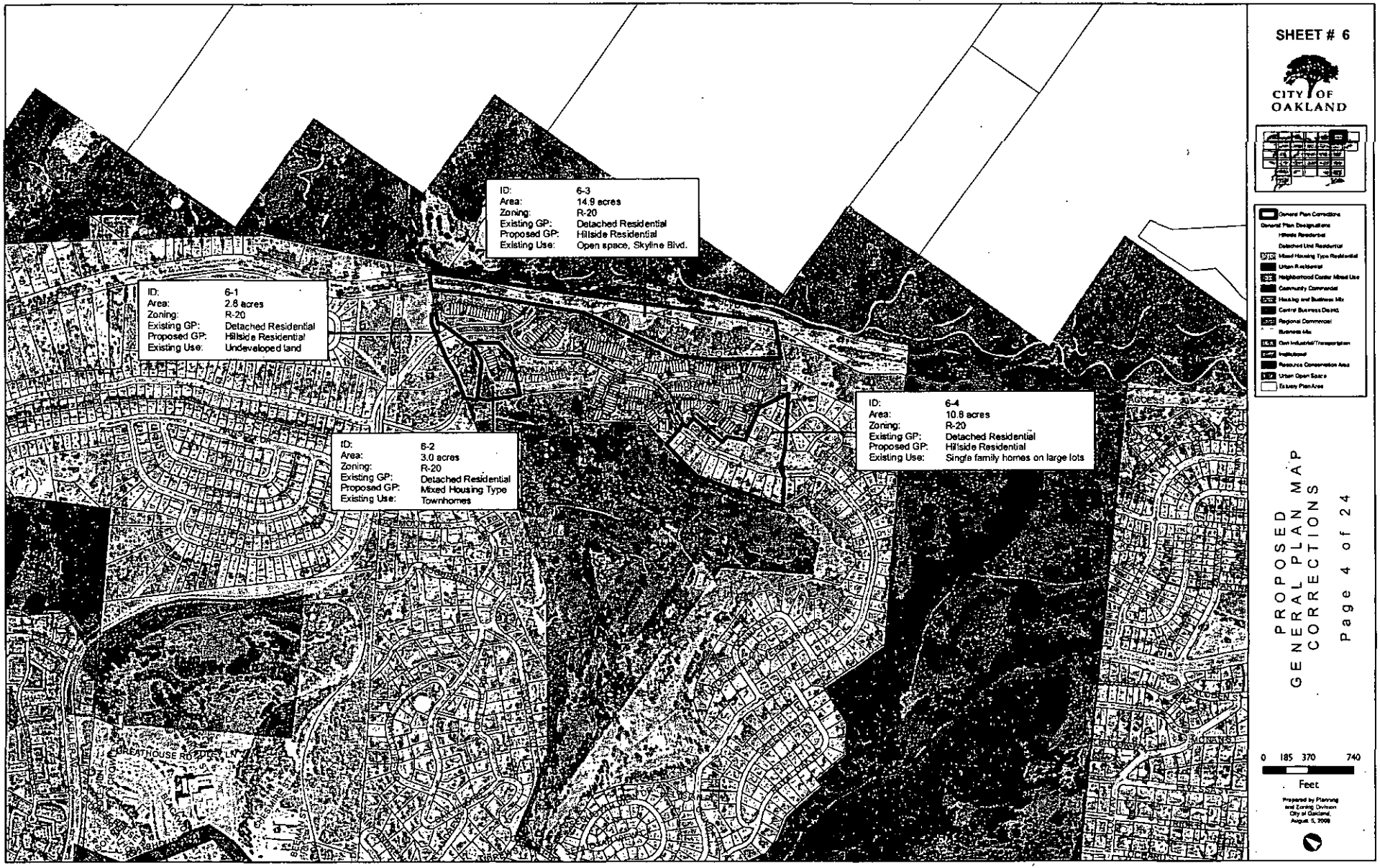

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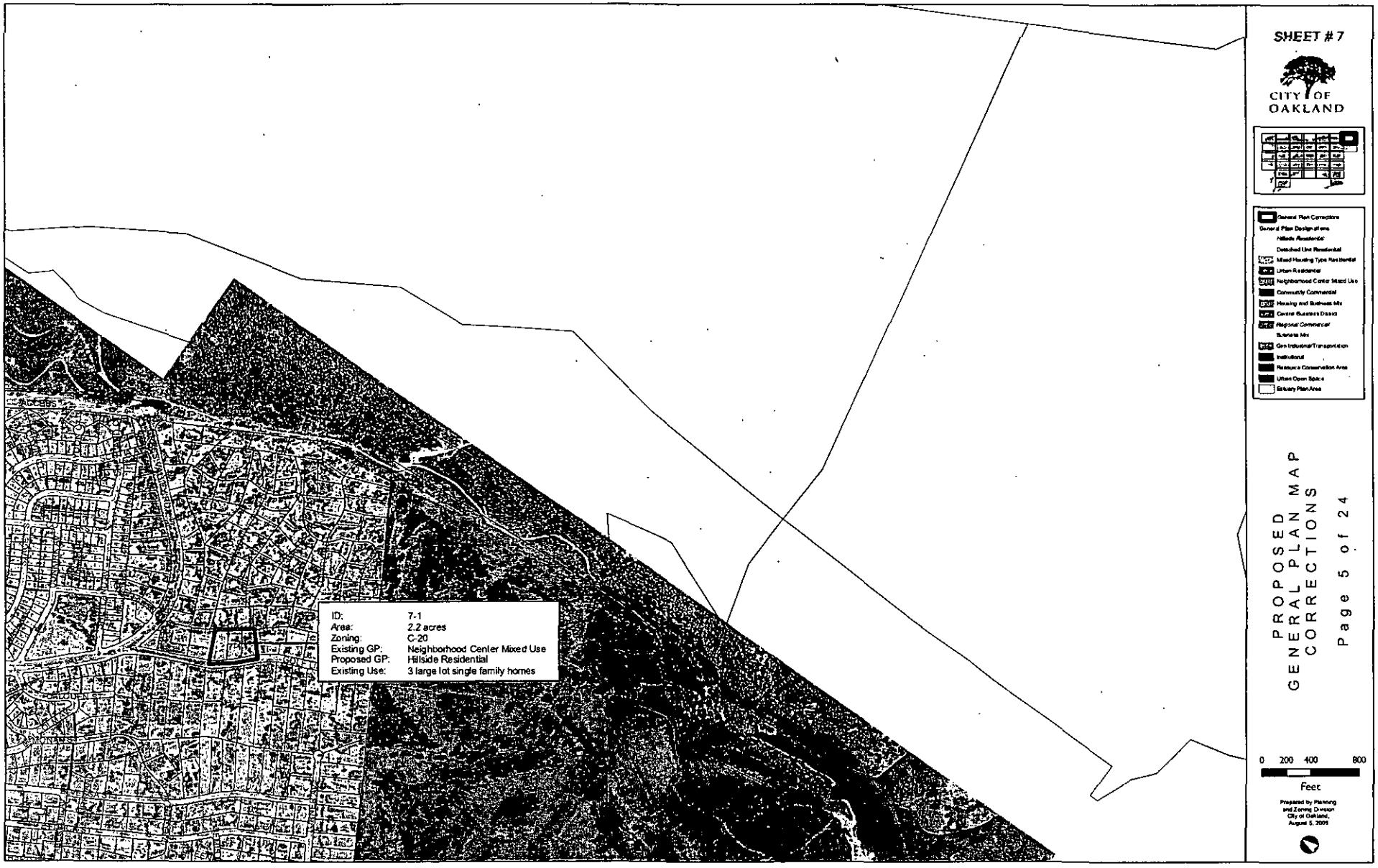

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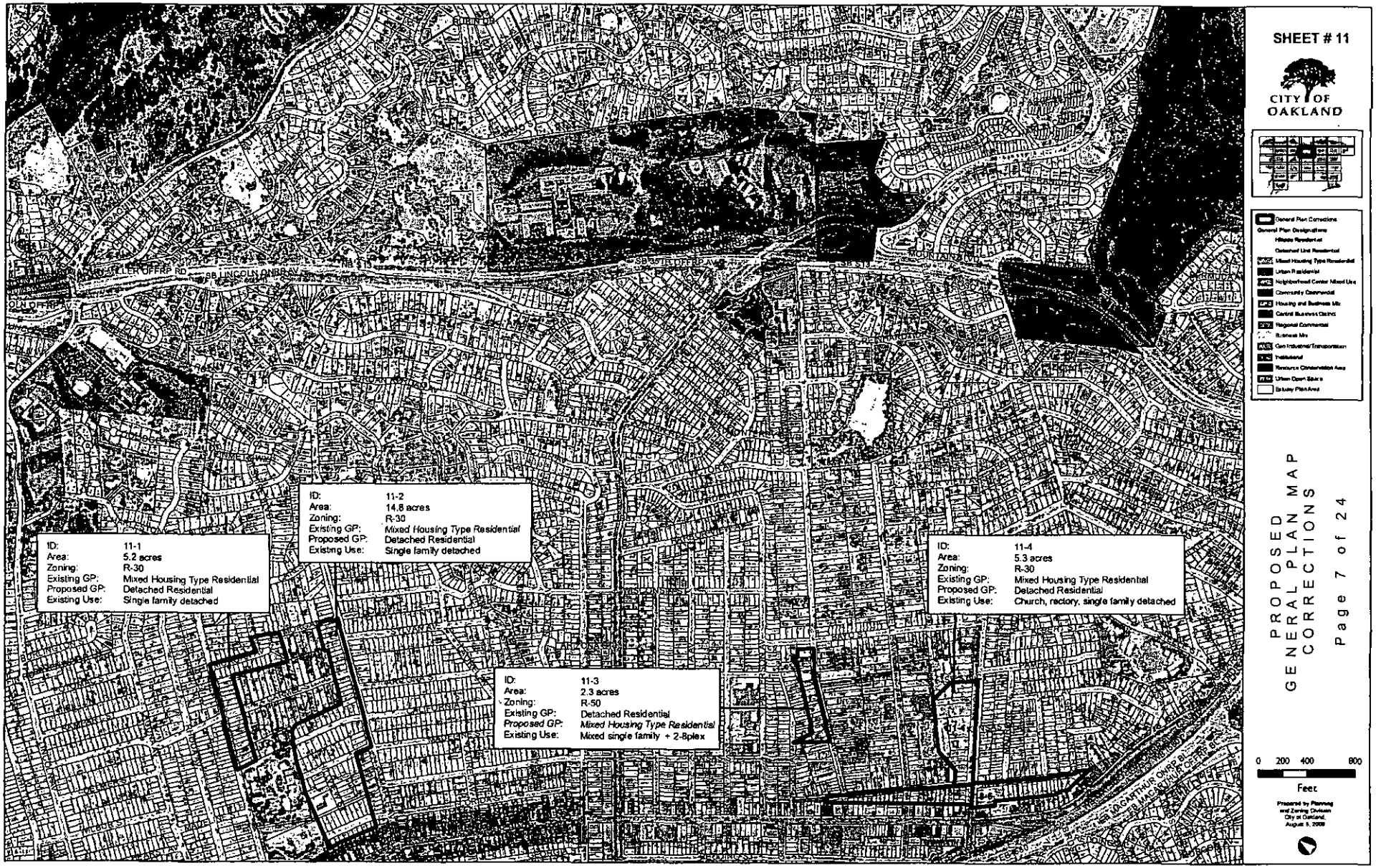

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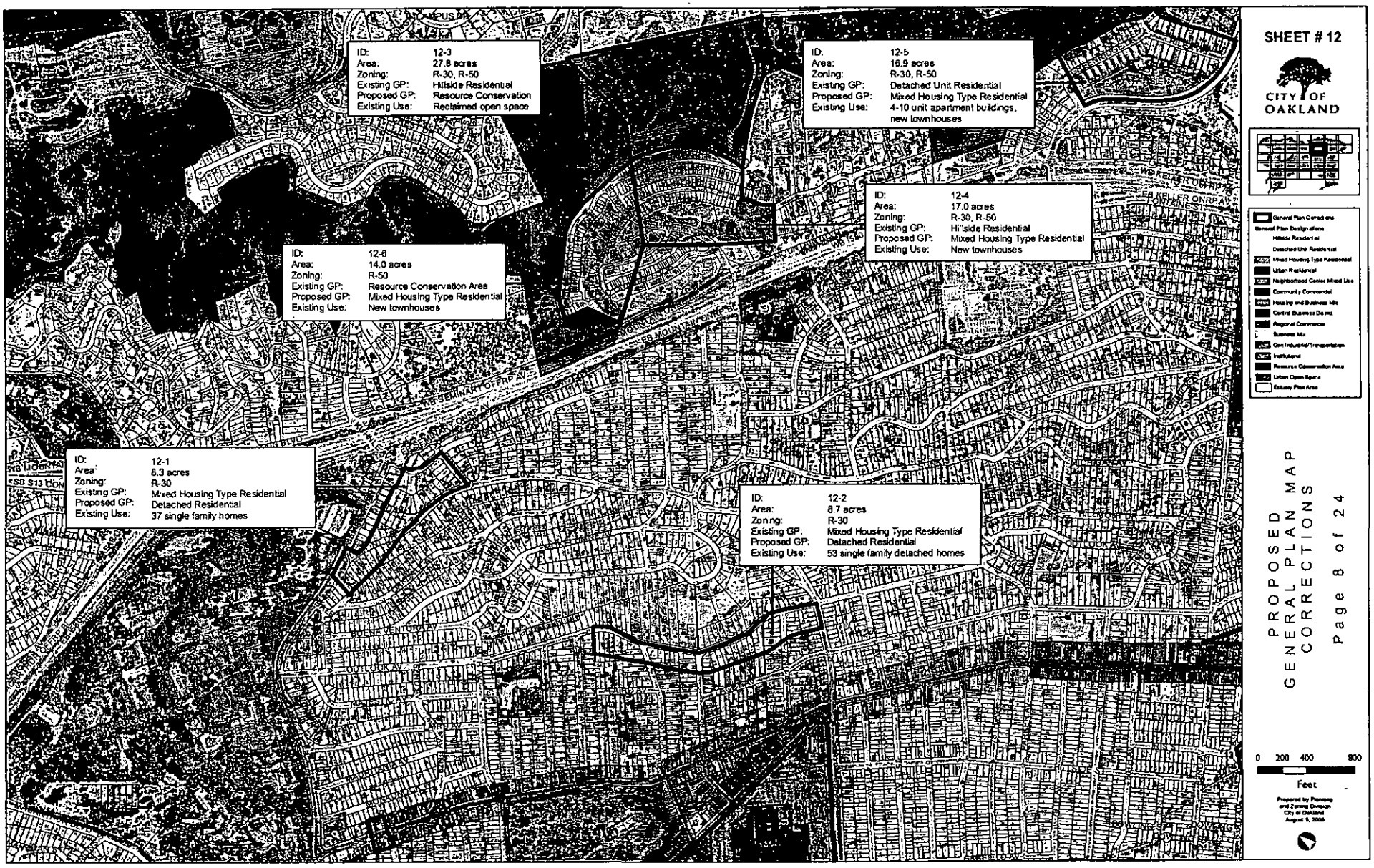

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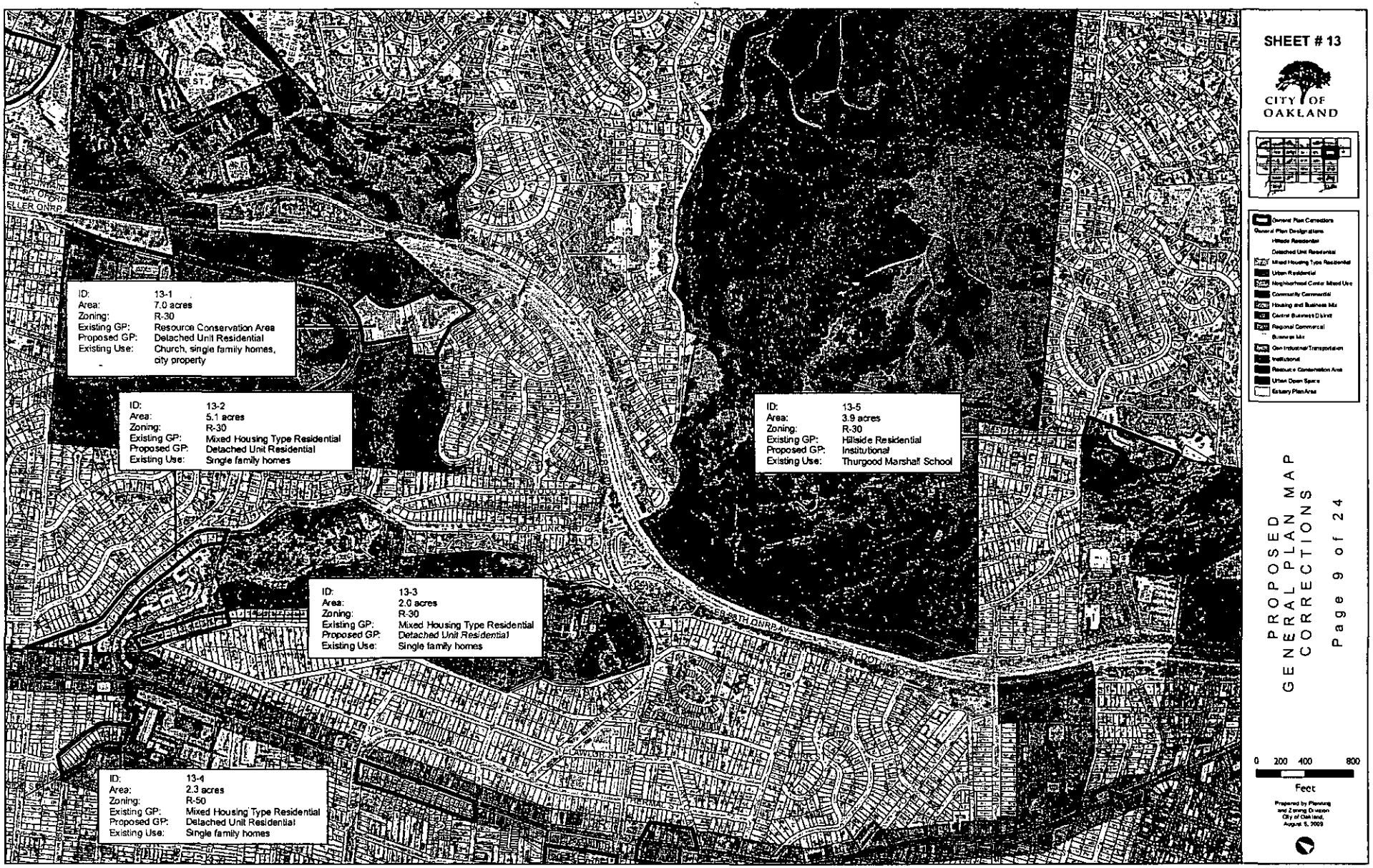

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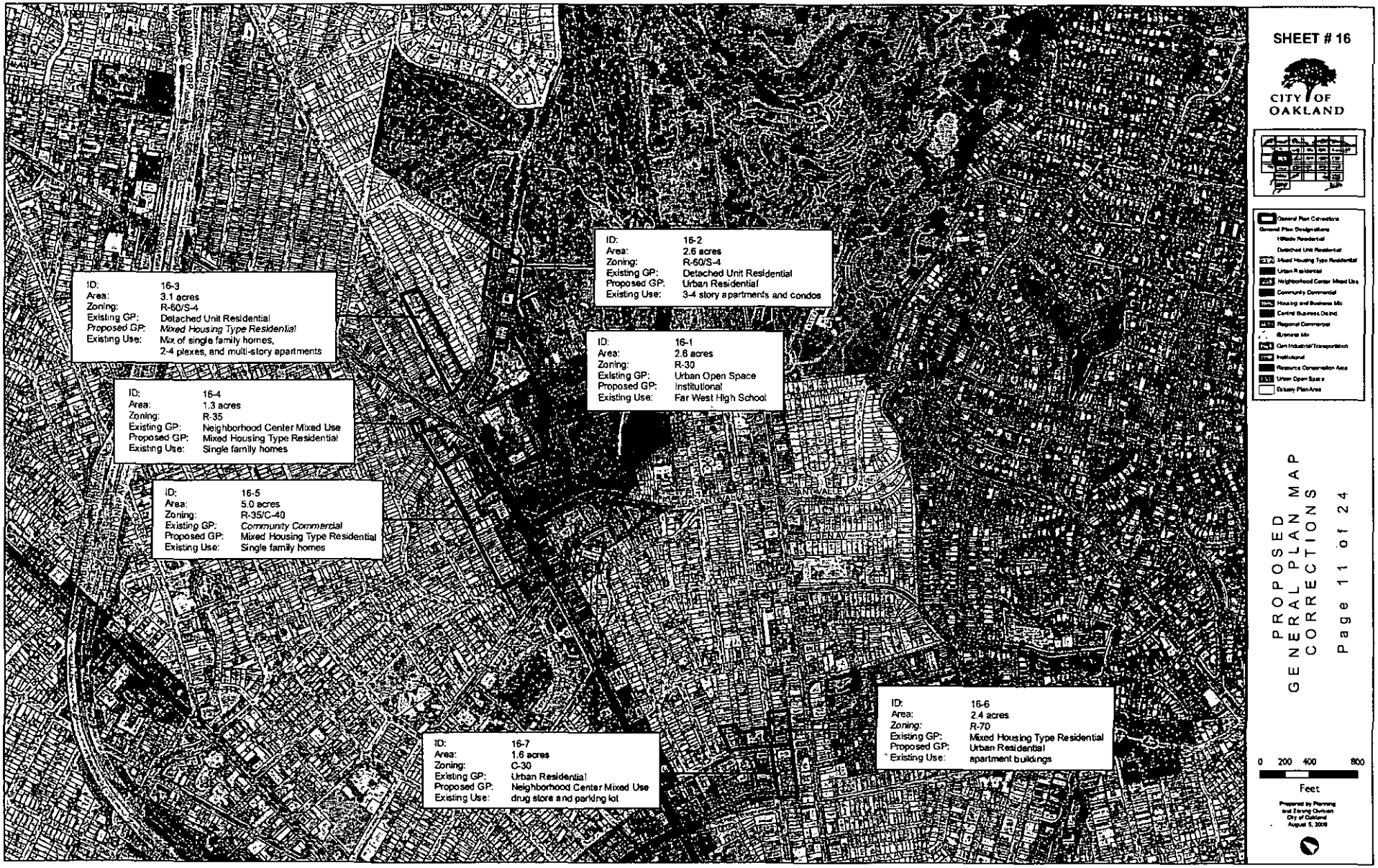

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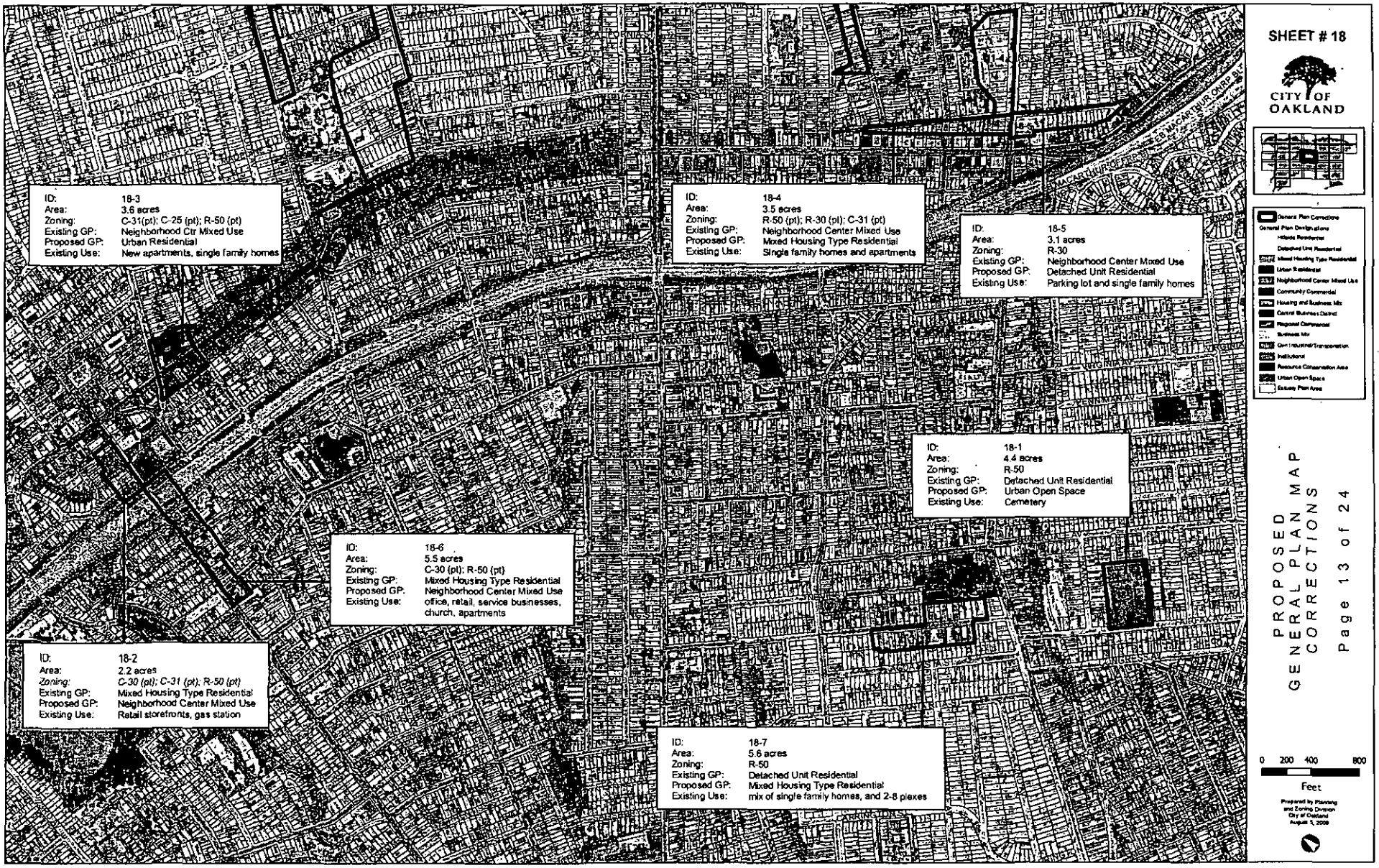

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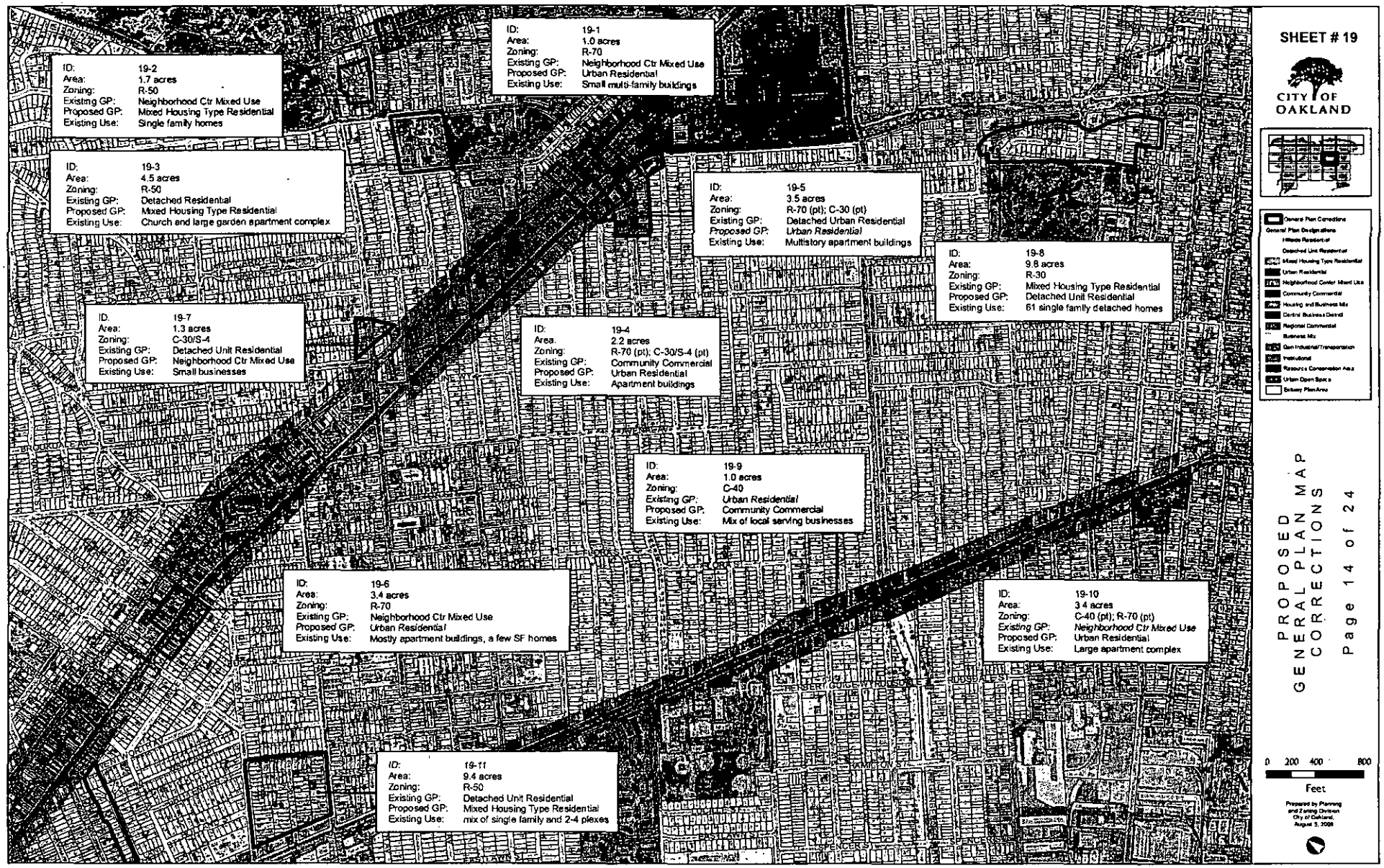

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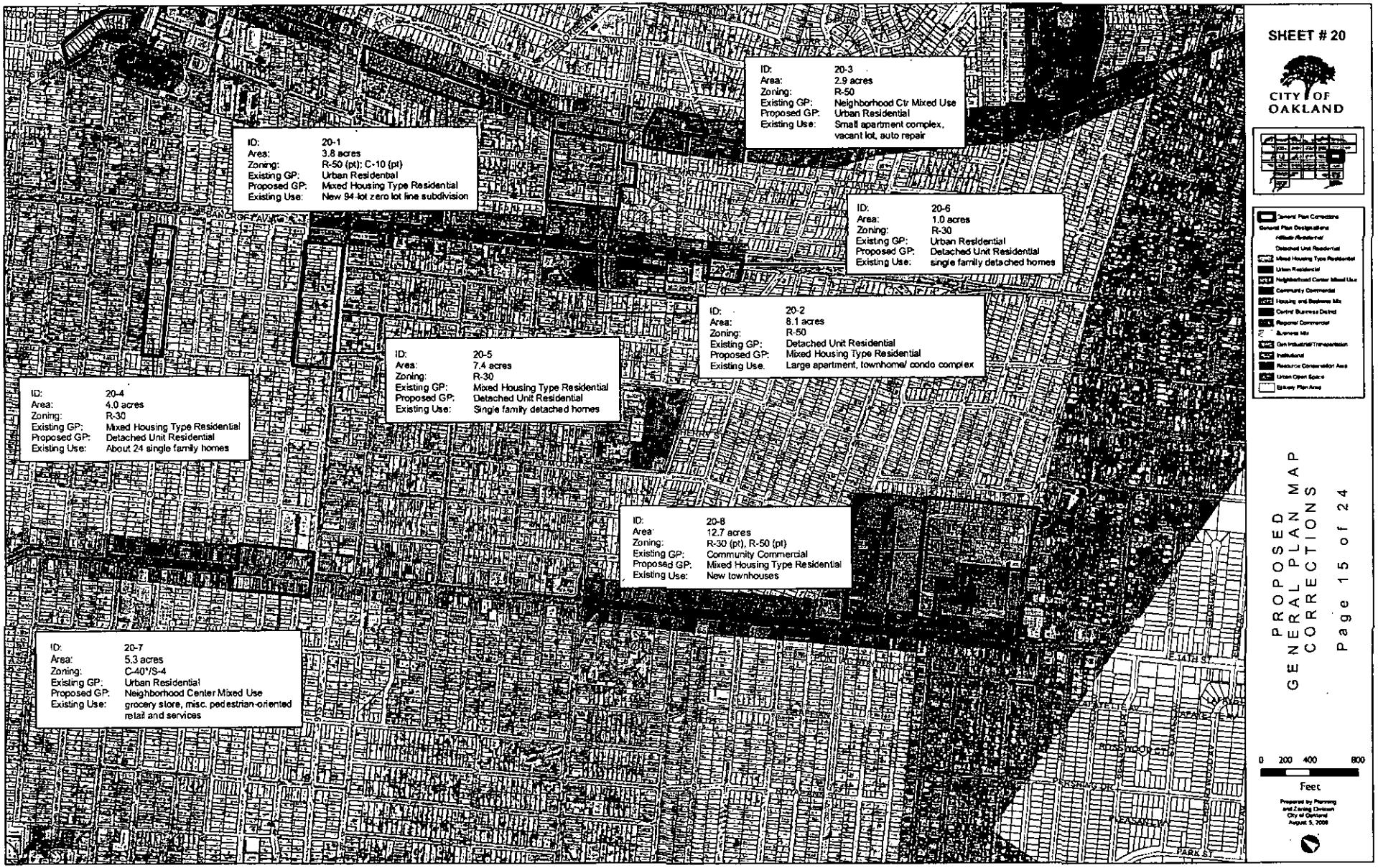

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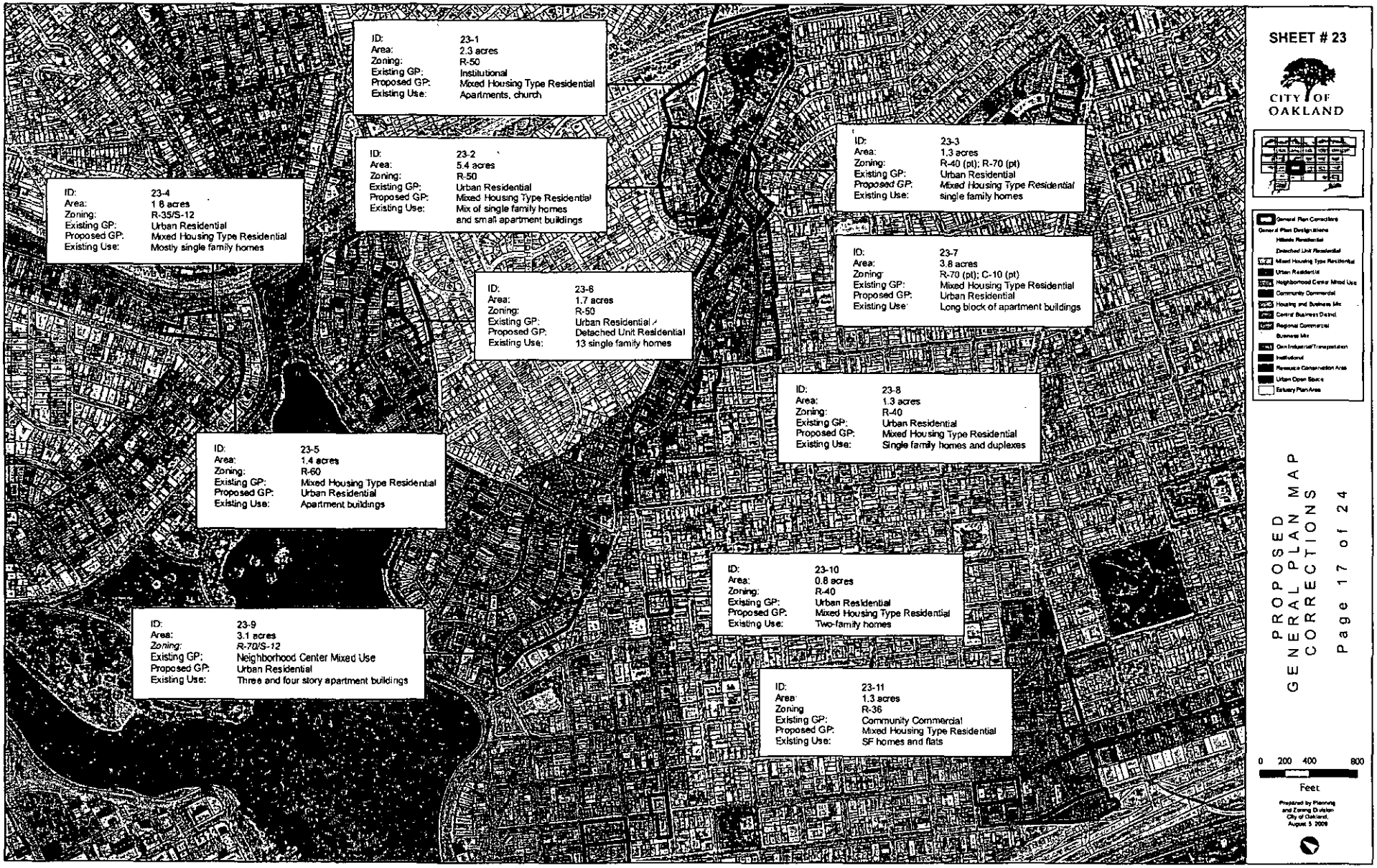

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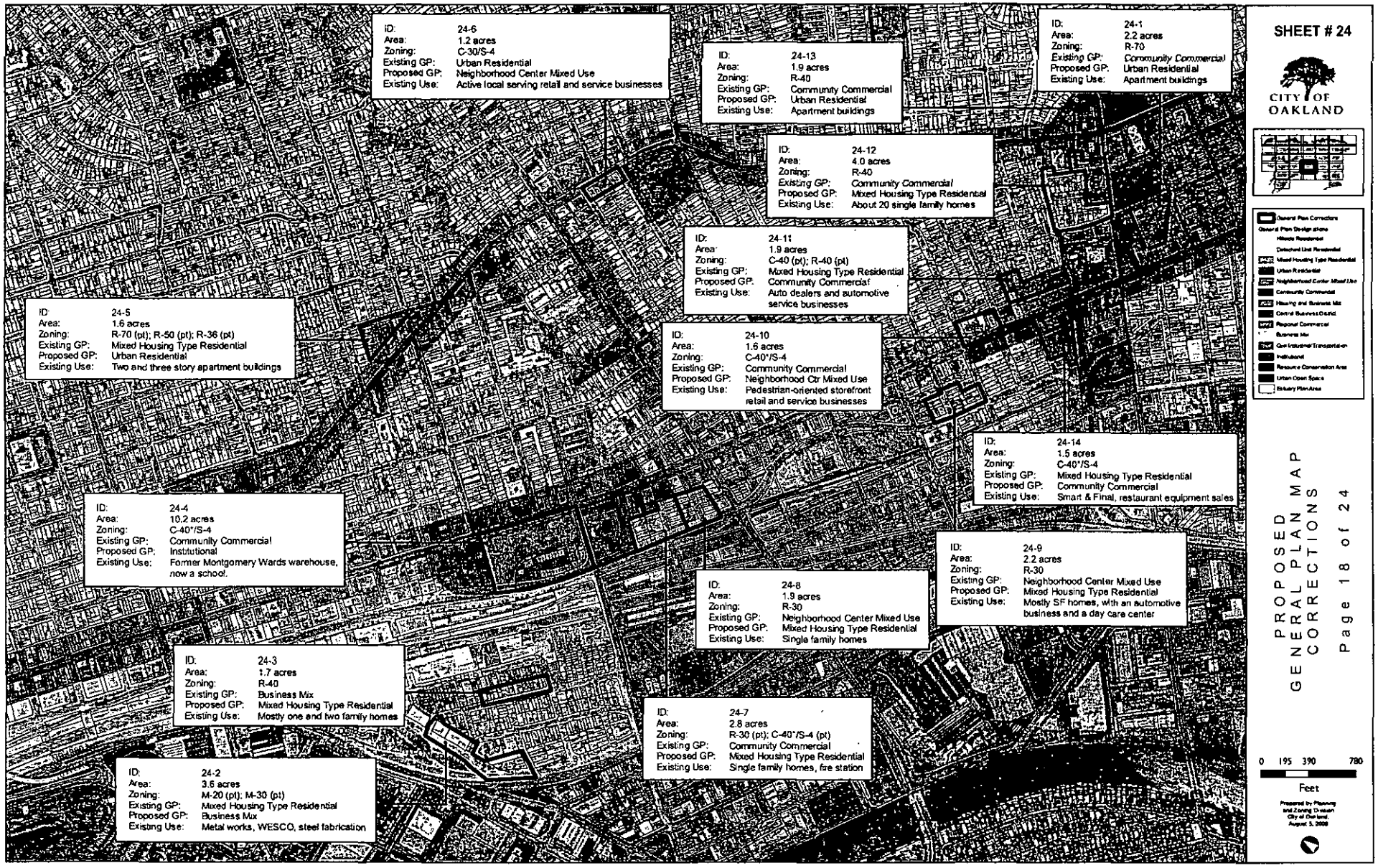

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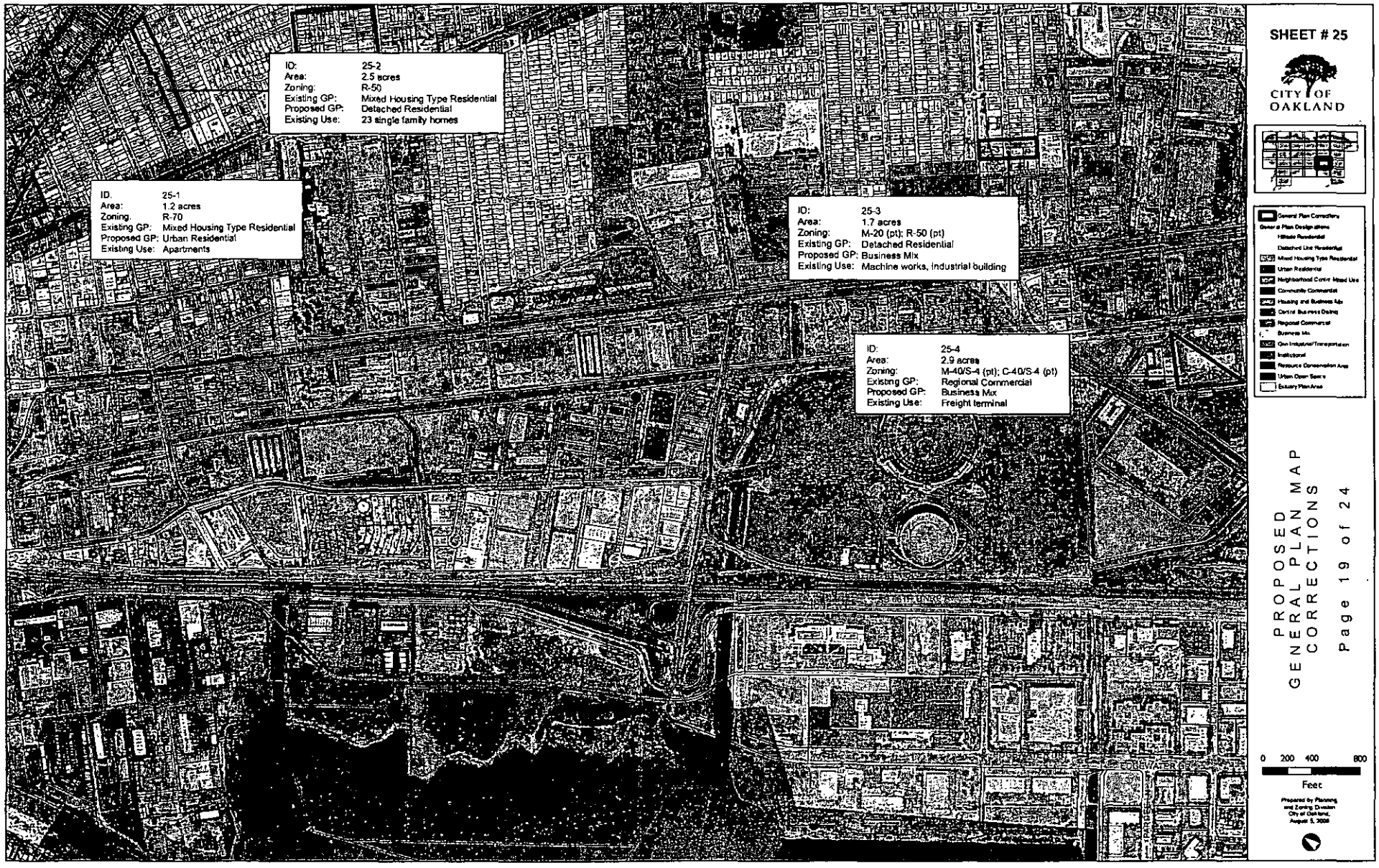

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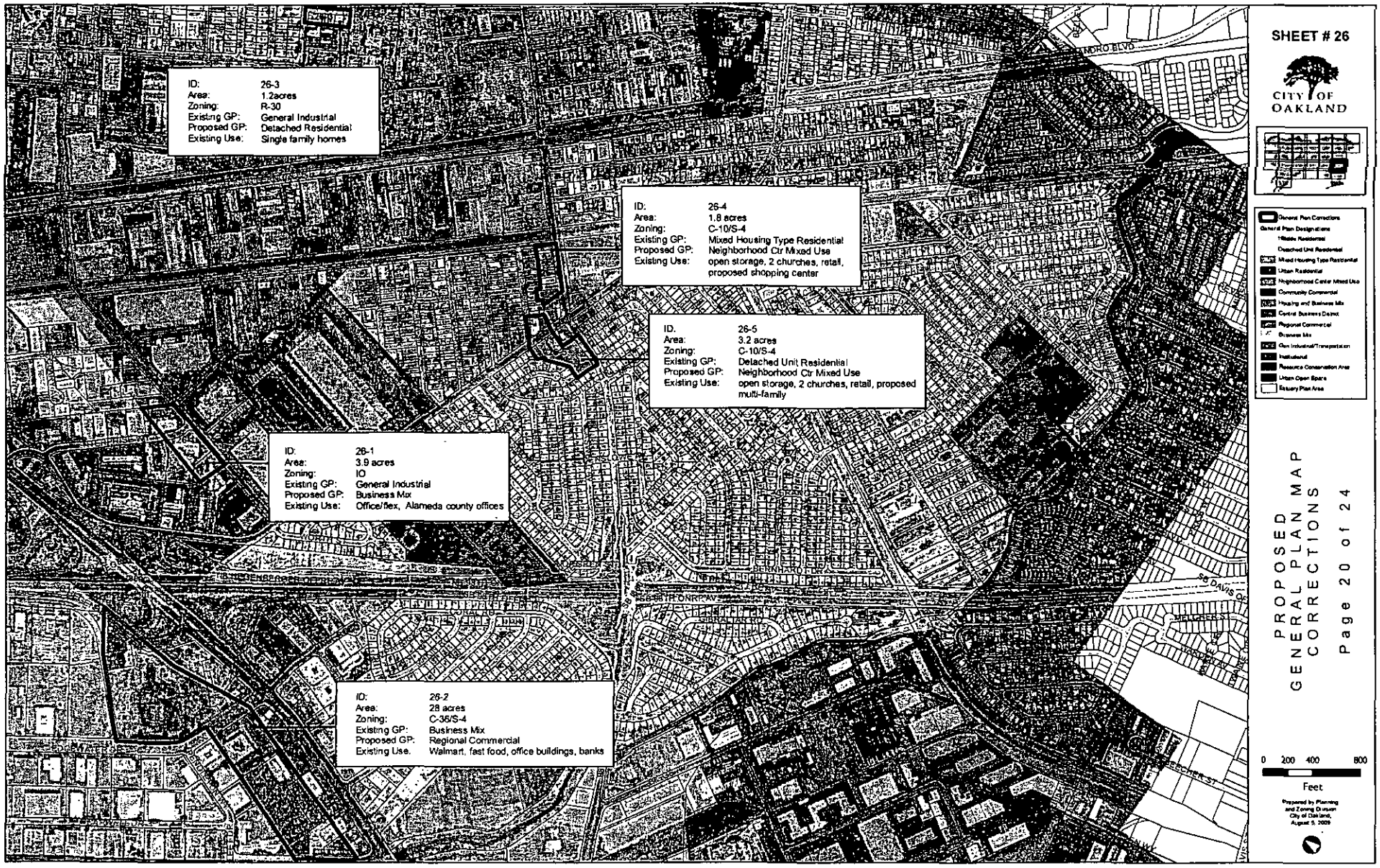

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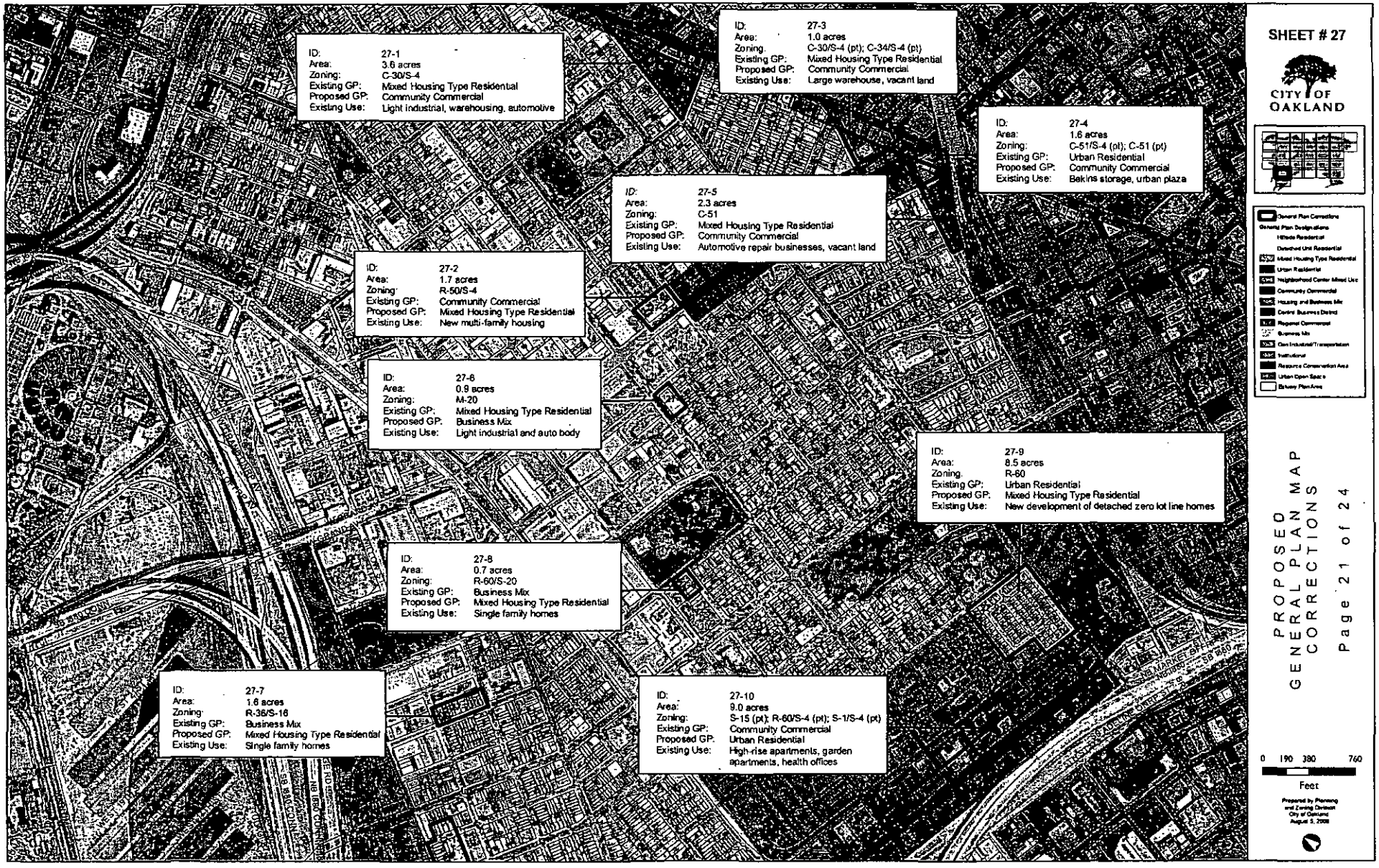

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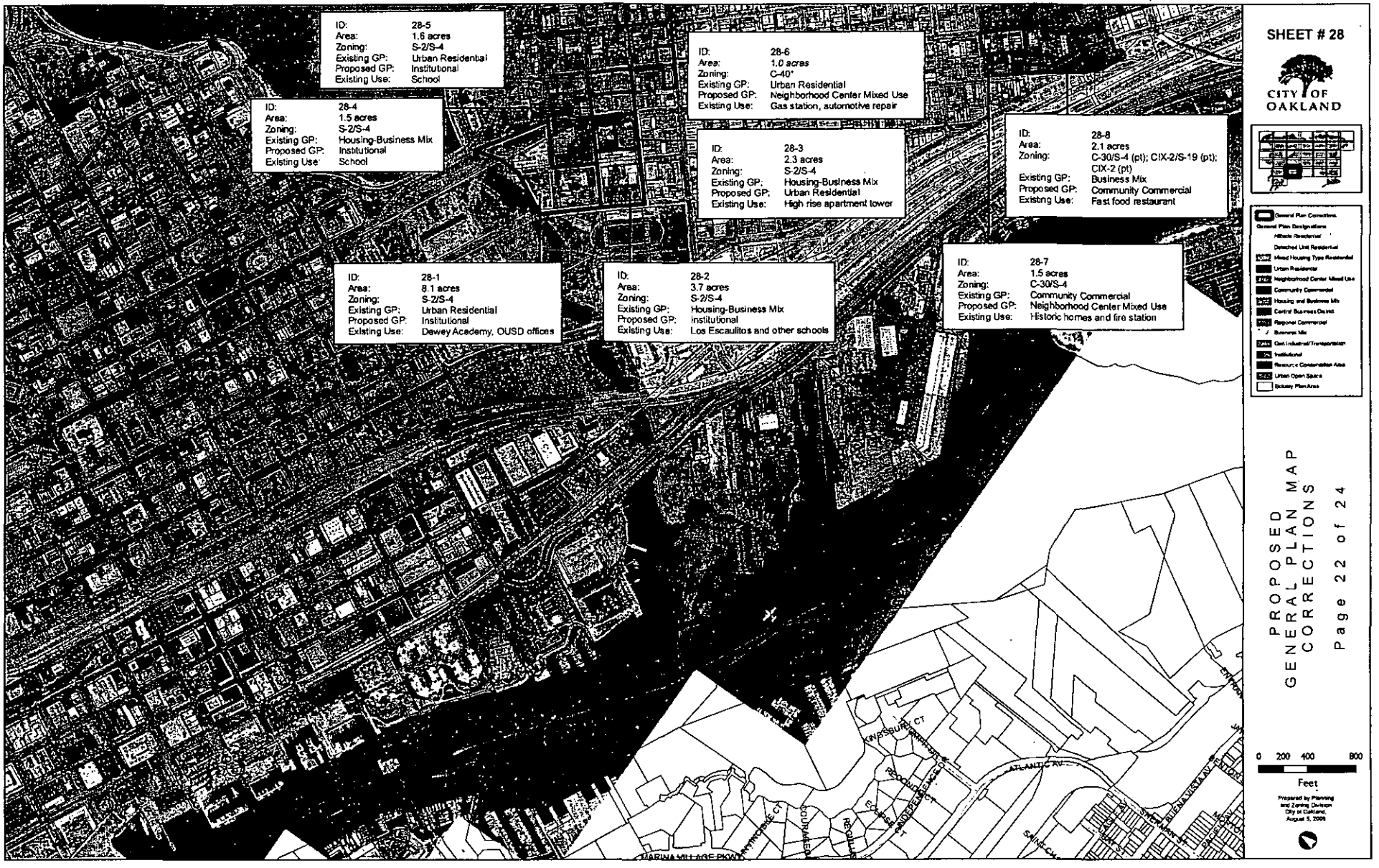

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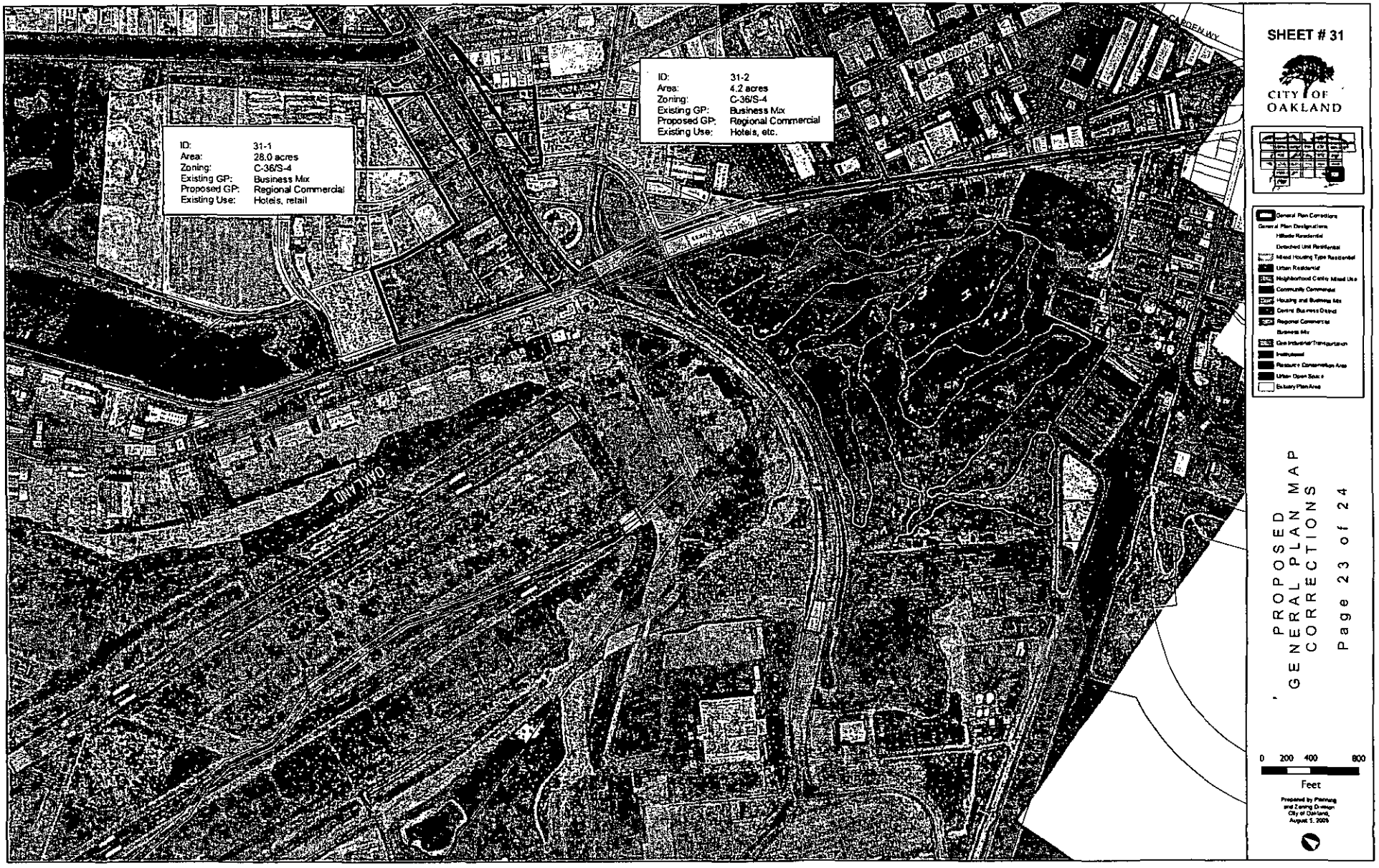

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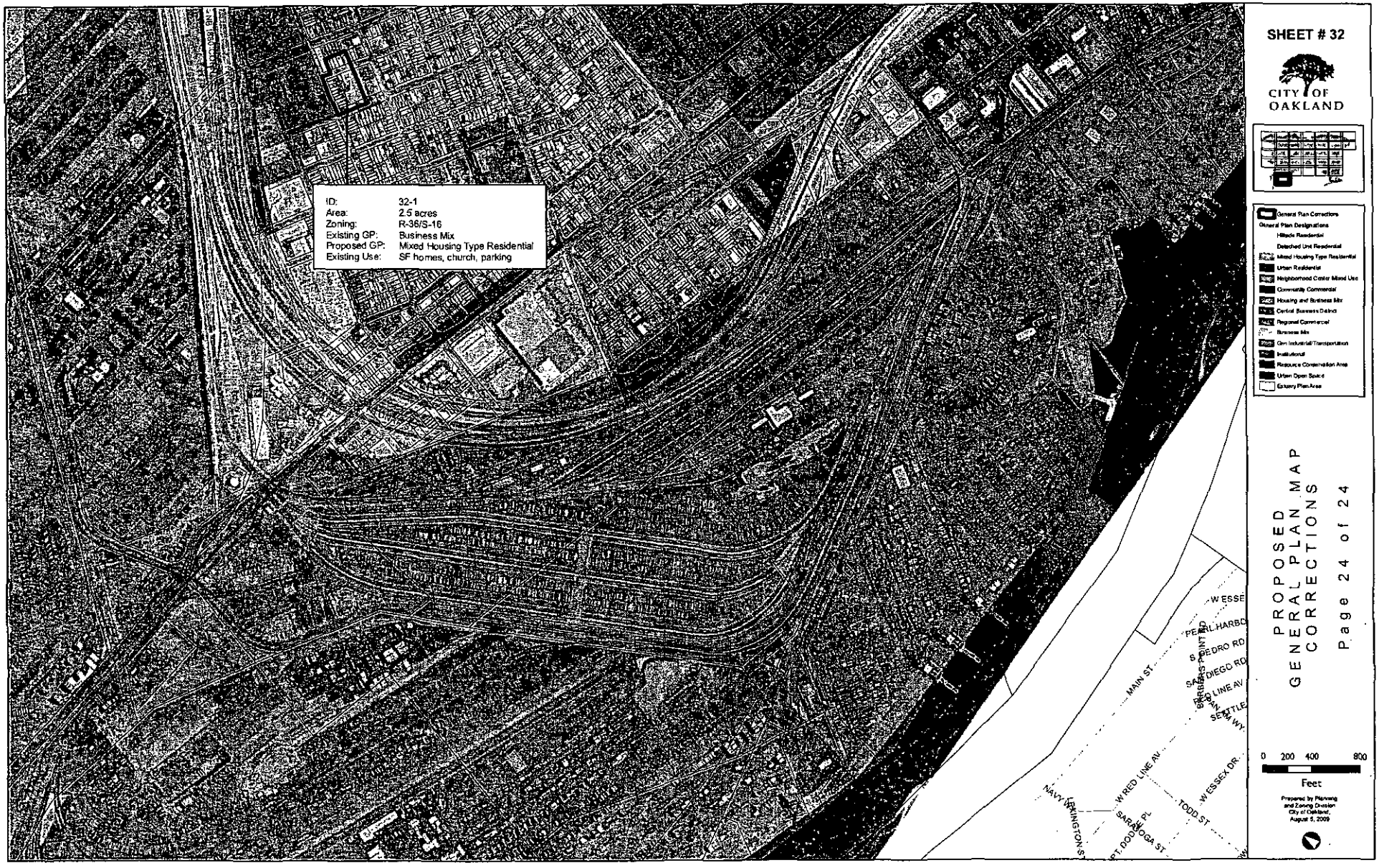

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