

2003 MAY 15 PM 4:33
Mark Wald
CITY ATTORNEY

INTRODUCED BY COUNCIL MEMBER _____

ORDINANCE No. 12513 C. M. S.

AN ORDINANCE CREATING THE S-20 HISTORIC PRESERVATION DISTRICT COMBINING ZONE, REZONING THE OAK CENTER HISTORIC DISTRICT (COMPRISING THE RESIDENTIAL SECTION OF THE OAK CENTER REDEVELOPMENT AREA, GENERALLY BOUNDED BY 10TH, BRUSH, 18TH/20TH, AND UNION STREETS) BY ADDING THE S-20 HISTORIC PRESERVATION DISTRICT COMBINING ZONE, AND MAKING RELATED CHANGES TO THE OAKLAND PLANNING CODE RELATING TO DESIGN REVIEW FOR HISTORIC RESOURCES.

WHEREAS, the Oak Center Neighborhood Association has been working toward historic district designation for several years, and submitted a nomination to the Landmarks Preservation Advisory Board requesting historic district designation for the residential section of the Oak Center Redevelopment Area, generally bounded by 10th, Brush, 18th/20th, and Union Streets; and

WHEREAS, the Oak Center Neighborhood Association, Landmarks Board, and staff found that the regulations of the existing S-7 Historic Preservation Combining Zone, heretofore used only for small historic districts, could be unduly cumbersome for review of normal work in a large residential district like Oak Center; and

WHEREAS, a new S-20 Historic Preservation District Combining Zone has been drafted which makes use of Special Residential Design Review for alterations to one- and two-unit homes while providing the option of Landmarks Board review and public notice where the historic character of the building or district is affected; and

WHEREAS, the proposal has been presented to neighborhood property owners and residents by the Oak Center Neighborhood Association and Planning Department staff at a series of informational community meetings; and

WHEREAS, the Landmarks Preservation Advisory Board at its meeting of September 16, 2002, recommended creation of the S-20 Historic Preservation District Combining Zone and applying that zone to the residential section of the Oak Center Redevelopment Area, generally bounded by 10th, Brush, 18th/20th, and Union Streets and nominated by the Oak Center Neighborhood Association as the Oak Center Historic District; and

WHEREAS, although the industrial area at the west edge of Oak Center is not proposed for historic district designation along with the Victorian and early 20th century residential area, its importance as an integral part of the Oak Center Redevelopment Area is hereby affirmed, as is the importance of neighborhood consultation on design and development issues throughout Oak Center as established in the Oak Center Urban Renewal Plan; and

WHEREAS, after a duly noticed public hearing, the City Planning Commission voted unanimously on December 4, 2002, to recommend the proposed rezoning; and

WHEREAS, the provisions of the California Environmental Quality Act (CEQA) and the guidelines as prescribed by the Secretary for Resources, as amended, have been satisfied, and pursuant to Section 15308 of the California Code of Regulations, this designation is exempt from CEQA; and

WHEREAS, the City Council has determined that the proposed S-20 Historic Preservation Combining Zone is an appropriate designation for large historic residential areas, and that the proposed Oak Center Historic District has historical and architectural significance as described and presented in Landmarks Preservation Advisory Board Resolution 2002-1 and Case File RZ 02-463 and is a unique asset to the City; and that for these reasons the district is worthy of preservation; now therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The Oakland Planning Code is hereby amended to add a new Chapter 17.101D, S-20 Historic Preservation Combining Zone Regulations and to make other related changes to the Oakland Planning Code relating to design review for historic resources, as detailed in Attachment A, hereby incorporated by reference.

SECTION 2. The Oak Center Historic District, being the residential section of the Oak Center Redevelopment Area, generally bounded by 10th, Brush, 18th/20th, and Union Streets (as described and presented in Landmarks Preservation Advisory Board Resolution 2002-2, incorporated herein by reference), is hereby rezoned to add the S-20 Historic Preservation District Combining Zone pursuant to Chapter 17.101D of the Oakland Planning Code.

SECTION 3. The list of contributing, noncontributing, and potentially contributing properties identified in the historic district nomination is considered accurate as of the date of recommendation by the Landmarks Preservation Advisory Board; however, each property's contributor status shall be verified by City staff when future project applications are submitted, and is subject to the right of appeal pursuant to the administrative appeal procedure in Chapter 17.132 of the Oakland Planning Code.

SECTION 4. The designation and location of zones and zone boundaries on section maps 219, 220, 236, and 237 in Chapter 17.154 of the Oakland Planning Code are hereby amended as indicated in Attachment B.

SECTION 5. The Director of City Planning is hereby directed to execute and cause to be recorded in the Recorder's Office of the County of Alameda a notice of this rezoning.

SECTION 6. This ordinance complies with the California Environmental Quality Act.

SECTION 7. This Ordinance shall be effective upon adoption, subject to the provisions of Section 216 of the Charter of the City of Oakland, but shall not apply to construction-related permits already issued and not yet expired or to zoning applications approved by the City and not yet expired for which construction-related permits have not yet been issued.

SECTION 8. If any provisions of this Ordinance or application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of provisions to other persons or circumstances shall not be affected thereby.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 15 2003, 20


PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, NADEL, REID, WAN, QUAN, BROOKS AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date: JUN 17 2003