

City of Oakland

*Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza, Room 201
Oakland, California 94612*



CITY OF OAKLAND

Meeting Agenda - FINAL

Tuesday, September 26, 2023

11:30 AM

City Council Chamber, 3rd Floor

Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council

*Oakland City Hall, 1 Frank H. Ogawa Plaza,
Oakland, California 94612*

City of Oakland Website: <http://www.oaklandca.gov>

PUBLIC PARTICIPATION

The Public May Observe And/Or Participate In This Meeting Many Ways.

OBSERVE:

- To observe, the public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP - Channel 10
- To observe the meeting online from the City's Agenda Meeting Calendar, at the noticed meeting time, please click on <https://oakland.legistar.com/calendar.aspx> and click on the "In Progress" link under "Video" for the corresponding meeting.
- To observe the meeting by video conference, please click on this link: <https://us02web.zoom.us/j/86140214403> at the noticed meeting time.
- To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location):US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) Meeting ID: 861 4021 4403
If asked for a participant ID or code, press #.

PUBLIC COMMENT WILL BE TAKEN ON EACH ACTION ITEM. ALL MEMBERS OF THE PUBLIC WISHING TO SPEAK MUST FILL OUT A SPEAKER CARD FOR EACH ITEM. SPEAKERS' CARDS MUST BE RECEIVED BY THE CITY CLERK BEFORE THE ITEM IS READ INTO THE RECORD. COMMENTS ON ITEMS NOT ON THE AGENDA WILL BE TAKEN DURING OPEN FORUM AT THE END OF THE MEETING.

ELECTRONIC SPEAKER CARDS/PUBLIC COMMENTS:

- eComment. To send your comment directly to Council members go to <https://oakland.legistar.com/calendar.aspx> and click on the "eComment" link for the corresponding meeting. Please note that eComment submission closes twenty-four (24) hours before meeting start time.
- To Comment In Person Members Of The Public Must Submit A Separate Speaker Card For Each Item On The Agenda To The City Clerk Before The Item Is Called.
- To Submit An Electronic Speaker Card, Members Of The Public Must (1) Visit The City Of Oakland Meeting Calendar Website At: <https://oakland.legistar.com/Calendar.aspx> (2) Click the hyperlink labeled 'eComment' in the far right column of the meeting you wish to participate, (You Will Be Redirected To The Specific Meeting Webpage); And (3) Register To 'Sign In To Speak' For Each Agenda Item(s) You Wish To Speak to.

***To Be Recognized To Speak Via ZOOM, Speaker Cards Must Be Submitted and Received Before The City Clerk Reads the Item Into the Record.**

• Once You Have Submitted Your Speaker Card - Your Zoom Profile Name Will Be Acknowledged To Speak When Public Comment Is Taken. When your name is called please raise your hand in zoom (By Pressing “*9”) and Unmute Your Self By Pressing *6. You Will Be Permitted To Speak During Your Turn. Instructions On How To “Raise Your Hand” Is Available At: <https://support.zoom.us/hc/en-us/articles/205566129-raise-hand-in-webinar>.

Agenda Management Unit at cityclerk@oaklandca.gov

- Office of the City Clerk

DEFINITION OF TERMS:

• **Action Item:** shall mean any resolution, ordinance, public hearing, motion or recommendation requiring official vote and approval of the City Council to be effective.

• **Informational Item:** shall mean an agenda item consisting only of an informational report that does not require or permit Council action.

• **Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that a Standing Committee has forwarded to the full Council with unanimous recommendation for approval, except: 1) any item having a high level of public interest or controversy as determined by the Rules and Legislation Committee; 2) any action item that the Rules and Legislation Committee has placed on the Consent Calendar in accordance with Rule 26; or 3), any item that requires a public hearing or that is otherwise ineligible by law as a Consent Item.

• **Non-Consent Item:** shall mean, for the purposes of the City Council agenda, any action or informational item that: 1) a Standing Committee has forwarded to the full Council without unanimous recommendation for approval; 2) has a high level of public interest or controversy as determined by the Rules and Legislation Committee or: 3) requires a public hearing or is otherwise ineligible by law as a Consent Item.

1 ROLL CALL / CITY COUNCIL

COUNCILMEMBERS: Councilmember Carroll Fife, District 3; Councilmember Noel Gallo, District 5; Councilmember Kevin Jenkins, District 6; President Pro Tempore Dan Kalb, District 1; Councilmember Rebecca Kaplan, At Large; Councilmember Janani Ramachandran, District 4; Councilmember Treva Reid, District 7; Council President Nikki Fortunato Bas, District 2

THE FOLLOWING ITEM WAS CONTINUED BY THE CITY COUNCIL FROM THE SEPTEMBER 19, 2023 SPECIAL CITY COUNCIL MEETING

- 2 Subject: Oakland 2045 General Plan Update: Certification Of The Final Environmental Impact Report For Phase 1 Of The City Of Oakland 2045 General Plan Update And Adoption Of The Safety And, Environmental Justice Elements And The Planning Code Text And Map Amendments
From: Planning And Building Department
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) A Resolution (A) Certifying The Environmental Impact Report For Phase 1 Of The City Of Oakland 2045 General Plan Update And Making Related California Environmental Quality Act Findings; And (B) Adopting An Amendment To The Safety Element Of The City Of Oakland General Plan; And (C) Adopting The Environmental Justice Element As A New Element Of The City Of Oakland General Plan; And (D) Adopting Conforming Amendments To The Land Use And Transportation Element Of The City Of Oakland General Plan, Including General Plan Map Amendments, As Part Of Implementation Of The Recently Adopted 2023-2031 Housing Element; And [23-0535](#)

Attachments:

[View Report](#)

[View Attachment A - Planning Commission Staff Report](#)

[View Attachment B - CEQA Findings Exhibit](#)

[View Attachment C - MMRP_Oakland Phase I 2045 GPU FEIR_July 2023](#)

[View Attachment D - Board of Forestry & Fire Protection Com on City Safety Ele](#)

[View Attachment E - Final Oakland EJ & Safety and Housing Element Memo](#)

[View Attachment F - State HCD follow up, and HE actions credited for complian](#)

[View Attachment G - Letters from BTCA](#)

[View Resolution - GPU Phase 1](#)

[View Resolution Exhibit A - Safety Element Public Hearing Draft](#)

[View Resolution Exhibit B - EJ Element Public Hearing Draft and Appendices](#)

[View Resolution Exhibit C - Phase 1 LUTE Text Amendments](#)

[View Resolution Exhibit D - General Plan Land Use Map Amendments](#)

[View Supplemental Powerpoint - 9/7/2023](#)

[View Supplemental Attachment D - 9/7/2023](#)

[View Supplemental Presentation - 9/14/2023](#)

[View Supplemental Exhibit, Comment Letter From The Confederated Villages o](#)

ACTION ON THIS ITEM WILL RESULT IN INTRODUCTION (First Reading) OF THIS ORDINANCE.

FINAL PASSAGE (Second Reading) WILL OCCUR ON OCTOBER 3, 2023.

Legislative History

6/22/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
9/12/23	*Community & Economic Development Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>12 Speakers Spoke On This Item</i>	
	<i>As A Public Hearing</i>	
9/14/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council
	<i>As a Public Hearing</i>	
9/19/23	Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council	Continued to the Special Concurrent Meeting of the Oakland Redevelopment Successor Agency/City Council
	<i>At 12:33 P.M. Council President Bas made a motion to open the Public Hearing, Councilmember Kaplan seconded. The Motion Passed With 5 Ayes; 3 Excused: Gallo, Jenkins and Ramachandran</i>	
	<i>Upon the reading of Item 8.2 by the City Clerk, the Public Hearing was opened</i>	
	<i>9 individuals spoke on this item.</i>	
	<i>Councilmember Fife made a motion, seconded by Councilmember Kaplan, to continue this item to the September 26, 2023 Special City Council Agenda and by the same motion calling for a Special City Council Meeting to be held on Tuesday, September 26, 2023 at 11:30 A.M. and hearing no objections, the motion passed by 5 Ayes: Fife, Kalb, Kaplan, Reid, and Fortunato Bas; 3 Excused: Gallo, Jenkins, and Ramachandran</i>	

2) Adopt An Ordinance, As Recommended By The City Planning Commission, To Amend The Oakland Planning Code To:

(A) Incorporate Changes To Residential And Commercial Zones And Make Related Text Amendments And Amend The Zoning And Height Maps To Include The Updates To The Residential And Commercial Zones; And

(B) Create A New S-13 Affordable Housing Combining Zone; And

(C) Create A New S-14 Housing Sites Combining Zone; And

(D) Amend Conditional Use Permit Requirements For Housing And Business Mix (HBX) Commercial Zones, Commercial Industrial Mix (CIX), General Industrial (IG), And Industrial Office (IO) Zones; And

(E) Amend Expiration Timelines For Nonconforming Uses And Cup Termination Timelines For Truck-Intensive Uses;

(F) Adopt Amendments To Facilitate The Production Of Special Housing Types Such As Rooming Units, Efficiency Units, Employee Housing, Residential Care Facilities, Transitional And Supportive Housing, Low Barrier Navigation Centers, And Emergency Shelters;

(G) Adopt Various Amendments Which Codify Administrative Practices, Update References, Clarify Language, And Other Conforming Changes; And

(H) Adopt Appropriate California Environmental Quality Act Findings
[23-0536](#)

- Attachments:**
- [View Legislation](#)
 - [View Exhibit A](#)
 - [View Exhibit B](#)
 - [View Exhibit C](#)
 - [View Exhibit D](#)
 - [View Exhibit E](#)
 - [View Exhibit F](#)
 - [View Exhibit G](#)
 - [View Exhibit H](#)
 - [View Exhibit I](#)
 - [View Exhibit J](#)
 - [View Exhibit K](#)
 - [View Exhibit L](#)
 - [View Exhibit M](#)
 - [View Exhibit N](#)
 - [View Exhibit P](#)
 - [View Supplemental Exhibit E - 9/14/2023](#)
 - [View Supplemental Exhibit I - 9/14/2023](#)

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Legislative History

6/22/23	*Rules & Legislation Committee	Scheduled to the *Community & Economic Development Committee
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9/12/23	*Community & Economic Development Committee	Approved as Amended the Recommendation of Staff, and Forward to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>The Committee approved the Recommendations of staff as amended and forward to the September 19, 2023 City Council Agenda As A Public Hearing. The Item was approved to be forwarded with the following amendments and directives:</i> <i>Of Exhibit E, On Page 4 Chapter 17.09 Definitions, Section 17.09.040 Definitions "By Right Residential Approval." striking subparagraph D. The City shall not impose any notice requirements on the project., Adding subparagraph D. to read Prior to submitting an application for By Right Residential Approval, the applicant shall give notice of intention to apply for By Right Residential Approval by mail or delivery to all owners and occupants of real property in the city within three hundred (300) feet of the property involved, using language provided by the Planning Bureau.</i> <i>Of Exhibit I, On Page 12 of Height Map 2.4, of 'Rockeridge BART Station' amending the area to reflect n/a to 100; 35 to 100; n/a 100; And</i> <i>On Page 14 of Height Map 2.6, on 'Clairemont Avenue' amending the North area to reflect 45 to 65; And n/a to 65; Of the Southern Area to reflect 45 to 65; And n/a to 65; And</i> <i>On Page 15 of Height Map 2.6, on 'Telegraph Avenue' amending the area to reflect 45 to 65; And n/a to 65; And</i> <i>With Directives, For Developments Of 100 Residential Units Or Over 100,000 Sq/Ft Of Industrial/Commercial, A Developer Would Be Required To Report Workforce Related Community Benefits That Would Include 1) The Percent Of The Local Construction Workforce Employed On The Project, 2) The Number Of Apprentices Per Trade Employed On The Project, And 3) Which Trades Were Paid Area Standard Wages And The Percent Of The Construction Workforce That Received Health Benefits".4 Reporting On Demographics Of The Workforce And The Utilization Of Small And Disadvantaged Local Contractors</i>
9/14/23	*Rules & Legislation Committee	Scheduled to the * Concurrent Meeting of the Oakland Redevelopment Successor Agency and the City Council <i>As a Public Hearing</i>

9/19/23

Special Concurrent Meeting
of the Oakland
Redevelopment Successor
Agency/City Council

Continued to the Special Concurrent Meeting
of the Oakland Redevelopment Successor
Agency/City Council

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Excused: Gallo, Jenkins and Ramachandran*

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OPEN FORUM

ADJOURNMENT

Americans With Disabilities Act

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Office of the City Clerk - Agenda Management Unit

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THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.

MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.

