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OAKLAND

2014 JUN 26 PM 3:37

AGENDA REPORT

TO: HENRY L. GARDNER
INTERIM CITY ADMINISTRATOR

FROM: Rachel Flynn

SUBJECT: West Oakland Specific Plan and Related Actions

DATE: June 12, 2014

City Administrator
Approval

Date

6/25/14

COUNCIL DISTRICT: 3 and a portion of 1

RECOMMENDATION

Staff recommends that the City Council Conduct a Public Hearing and Upon Conclusion adopt:

A Resolution, As Recommended By the City Planning Commission, (A) Certifying The Environmental Impact Report And Making Related CEQA Findings; (B) Adopting the West Oakland Specific Plan And Design Guidelines; And (C) Authorizing the Installation of Bicycle Lanes on Adeline Street from Seventh (7th) Street to Thirty-Sixth (36th) Street, and on West Grand Avenue from Mandela Parkway to Market Street; and

An Ordinance, As Recommended By the City Planning Commission, Amending The Oakland Planning Code To Create The Commercial Industrial Mix CIX-1A Business Enhancement Zone, Commercial Industrial Mix CIX-1B Low Intensity Business Zone, Commercial Industrial Mix CIX-1C High Intensity Business Zone, Commercial Industrial Mix CIX-1D Retail Commercial Mix Zone, Housing and Business Mix HBX-4 Zone, and the "T" Combining Overlay Zone Regulations And Make Conforming Changes To Other Planning Code Sections, As Well As Mapping of a 'C' (Commercial) Overlay for the RM-2 Zoned Properties near the West Oakland BART Station Along the 5th Street and Chester Street Frontage Area, And Adopting Zoning And Height Area Maps.

In a separate but related report (specific to all General Plan Amendments to be processed at one time), staff will also request the City Council to consider adopting General Plan Amendments to support the development concepts recommended in the West Oakland Specific Plan.

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EXECUTIVE SUMMARY

The West Oakland Specific Plan ("WOSP," "Specific Plan" or "Plan") will be a 20 to 25-year planning document that provides a vision and planning framework for future growth and development within the Plan Area, which is generally bounded by Interstate-580 (MacArthur Freeway) to the north, Interstate-980 to the east, and the re-located Interstate-880 (Nimitz Freeway) wrapping around the south and west. A small portion of the Plan Area is above I-880 in the East Bay Bridge Shopping Center and below I-880 along the 3rd Street corridor. As described in the June 11, 2014 City Planning Commission report (*Attachment A*) the WOSP presents an extraordinary opportunity to guide West Oakland's future development in a land use direction that: (a) improves the quality of life for existing and future residents; (b) supports existing businesses and industry while encouraging new development, services and land uses that have significant job generation; (c) promotes Transit-Oriented Development (TOD) at the West Oakland BART Station; (d) encourages residential and commercial mixed-use development along major West Oakland corridors; (e) enhances and preserves West Oakland residential neighborhoods and historic resources; and (f) in recognition of considerable community concerns, offers strategies that minimize the impact of ongoing displacement and gentrification. To implement the vision of the WOSP, the Plan is accompanied by a number of Planning Code and General Plan Amendments, new Design Guidelines, and new Zoning and Height Area Maps ("Related Documents" and/or "Related Actions").

The Planning Area has a household median income of 60% of the City-wide median, which in turn is lower than the area median income. Compared to the rest of the City, West Oakland households are overwhelmingly renters - 78% versus 58% city-wide. It includes a mix of industrial and commercial activities and jobs, and of older and newer business types including custom manufacturing, construction, transportation, environmental services and recycling, arts and creative businesses, and professional service and related businesses typically in older industrial buildings. The Planning Area also contains many older, established residential neighborhoods - such as Acorn, Oak Center, South Prescott, Prescott, Ralph Bunche, Clawson, Hoover/Foster and McClymonds neighborhoods.

The West Oakland district contains a number of challenges to development. As delineated by the West Oakland Commerce Association (WOCA), the nine barriers to West Oakland economic development are:

1. An extremely substandard public infrastructure;
2. Abandoned rail lines in the middle of the streets (with large impassable potholes);
3. Excessive crime of all types, with a need for improved means of response, communication, reporting and prosecution;
4. Excessive amounts of illegal dumping;
5. Massive amounts of graffiti on public and private property;
6. Weeds and debris on public and private property;

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7. Homeless encampments;
8. Excessive blight of all types, with a need for improved means of response, communication, reporting and prosecution; and
9. Lack of immediate removal of hazardous material on public streets and sidewalks causing environmental damage.

The objectives and strategies outlined in the West Oakland Specific Plan directly address these and other long-standing barriers to achieving the full revitalization potential of the West Oakland area.

The WOSP contains over 350 recommendations for guiding future development patterns within the West Oakland district. It identifies actions required to implement the recommendations in the Plan and requires changes to the Oakland General Plan (text and map changes) and Zoning Code to reconcile conflicting land use priorities, the adoption of new design guidelines specifically tailored to West Oakland development issues, and the implementation of transportation and infrastructure improvements to address current development issues.

Although not required by Specific Plan law, the Specific Plan additionally includes recommendations for encouraging social equity and community health as these concerns are equally important in sustaining a vibrant community.

The City of Oakland's Bicycle Master Plan proposes bike lanes on two corridors within the WOSP Plan Area, West Grand Avenue and Adeline Street. Both projects will close gaps in the citywide bikeway network. Because of their relevance to WOSP circulation actions, these bike lane projects are submitted for Council consideration and described in greater detail later in this report.

A Statement of Overriding Considerations is proposed indicating that the Environmental Impact Report's findings that the WOSP could have significant and unavoidable impacts associated with Air Quality, Greenhouse Gas (GHG) Emissions, and Traffic and Transportation are acceptable in light of the significant benefits of the Project, and outweigh any significant and unavoidable impacts (see **Attachment B** and related Standard Conditions of Approval / Mitigation Monitoring and Reporting Program, **in Attachment C**).

On June 9, 2014 the Landmarks Preservation Advisory Board (LPAB) conducted a public hearing on the West Oakland Specific Plan (WOSP) and Related Actions and recommended approval of the WOSP with comments, which are included in this report.

On June 11, 2014 the City Planning Commission conducted a public hearing on the WOSP and Related Actions and recommended approval of the WOSP in accordance with Specific Plan Adoption Findings (**Attachment D**), with the following additional actions:

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- (1) That the City Council consider rezoning a residential area with the 'C' (Commercial) Combining Zone in the vicinity of 5th and Chester Streets near the West Oakland BART Station to allow commercial ventures on the ground floor of RM-2 zoned structures that have residential activities above;
- (2) That, related to the above, the mapping of a 'C' (Commercial) Overlay be considered for the RM-2 zoned properties near the West Oakland BART Station along the 5th Street and Chester Street frontage area;
- (3) That the City's prospective Affordable Housing Impact Fee Nexus Study be completed by the end of 2014;
- (4) That BART's West Oakland Noise Attenuation Study for the West Oakland BART Station be completed by the end of 2014 and that mitigations be identified to reduce noise from the overhead BART tracks along 7th Street;
- (5) That the WOSP include an additional implementation strategy that was recently prepared for the Broadway Valdez District Specific Plan to: "develop programs to support any residents who are displaced as a result of development in the Plan Area"; and
- (6) That in addition to the Planning Code amendments currently proposed, zoning text changes be made to:
 - i. Require a 5,000 square foot minimum lot size in the proposed new CIX-1A/B/C/D Zones;
 - ii. Allow Animal Boarding as a Conditionally Permitted use in all Housing and Business Mix (HBX) Zones in the West Oakland District; and
 - iii. Allow Plant Nursery as a Conditionally Permitted use in the proposed new CIX-1D Zone.

Copies of the WOSP, Planning Code and General Plan Amendments, new Design Guidelines, the Draft and Final EIR, Zoning and Height Area Maps are included in this report and are available to the public, through the City's website at www.oaklandnet.com/r/wosp.

The Draft Environmental Impact Report (DEIR) and Final Environmental Impact Report/Responses to Comments Document (FEIR) may be viewed on the City's "Current Environmental Review Documents" webpage:

<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

Information regarding the Project, including the Draft and Final Plan and other related documents, can be viewed online at:

<http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/OAK02833>

Documents are also available for review at the Oakland Main Public Library's Social Science and Documents section (125 14th Street), the West Oakland Public Library (1801 Adeline Street), and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

Limited copies of the FEIR, Final West Oakland Specific Plan, Design Guidelines, Planning Code and General Plan Amendments, and Responses to Comments documents are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

OUTCOME

The City Council's adoption of the West Oakland Specific Plan (WOSP), Planning Code Amendments, General Plan Amendments, Rezoning actions and New Design Guidelines would support the longstanding vision for a West Oakland that contains increased employment opportunities, provides needed goods and services to local residents, supports abundant and affordable housing resources and facilitates sustainable development. The Specific Plan provides guidelines and development standards that support this vision and includes an Implementation Program to systematically achieve the key objectives while minimizing the impact of market forces such as displacement and housing unaffordability. Growth that focuses on high job generation land uses would be promoted within strategic locations throughout the West Oakland district, thereby keeping employment opportunities close to area residents. Design Guidelines would be in place to ensure that the new development addresses the character of surrounding areas, and recognizes the historic character of West Oakland neighborhood and key historic structures. Development of a new Transit Village at the West Oakland BART Station would aid in lessening the competitive pressure on existing housing in the surrounding neighborhoods, thereby helping to maintain their current naturally affordable character. Infrastructure improvements and transportation enhancements would be prioritized and proceed in an orchestrated manner to support desired development patterns. Open space amenities would be better showcased. As is done with all Specific Plan efforts, the City intends to use the streamlining/tiering provisions of CEQA to the maximum feasible extent so that future environmental review of specific projects in the WOSP Area are expeditiously undertaken without the need for repetition and redundancy.

BACKGROUND/LEGISLATIVE HISTORY

Project History

In December 2010, the City of Oakland, through its former Redevelopment Agency, applied for federal TIGER (Transportation Investment Generating Economic Recovery) Grants to facilitate

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development of the former Oakland Army Base and planning for the adjacent West Oakland district. Approximately \$1.8 million was subsequently secured to conduct infrastructure master planning (and associated environmental review) efforts to support future development of the prospective Oakland Global Logistics Center at the former base property. An additional \$400,000 was secured to prepare a Specific Plan (and associated environmental review) to facilitate revitalization of the adjacent West Oakland district, focusing primarily on the future use of key 'Opportunity Sites' defined for purposes of this effort as large, vacant, underdeveloped or underutilized commercial and/or industrial properties that were strategically located, such that improvement of these sites would have a catalytic effect on the surrounding areas within the West Oakland district. After a competitive bidding process to secure consultant assistance, the West Oakland Specific Plan effort was formally initiated in July 2011 with an originally scheduled completion date of April 2013. The deadline was subsequently extended to provide for additional public input opportunities as there was significant community concerns regarding the accelerated pace of the project and community interest in exploring more topics (affordable housing, equitable economic development and community health) than originally scoped in the TIGER application.

Project Description

The WOSP is intended to serve as the road map for the physical development of the West Oakland district over the next 20-25 years to guide West Oakland's future in a direction that improves the quality of life for existing and future residents, and supports existing businesses and industry while encouraging new development, services and land uses that have significant opportunity for job generation. The WOSP contains recommendations that collectively aid the West Oakland area by:

- | | |
|--|--|
| ❖ <i>Attracting new, desired businesses & industries</i> | ❖ <i>Ensuring equitable economic development</i> |
| ❖ <i>Addressing Crime</i> | ❖ <i>Fostering community health</i> |
| ❖ <i>Combating blight</i> | ❖ <i>Enhancing residential neighborhoods</i> |
| ❖ <i>Improving area infrastructure</i> | ❖ <i>Remediating contaminated sites</i> |
| ❖ <i>Fostering the arts</i> | ❖ <i>Supporting affordable housing</i> |
| ❖ <i>Enhancing transit</i> | ❖ <i>Retaining educational resources</i> |
| ❖ <i>Attracting more retail establishments</i> | ❖ <i>Encouraging open space</i> |
| ❖ <i>Preserving historic resources</i> | ❖ <i>Increasing residential development</i> |

- ❖ *Retaining Industrial land and jobs*
- ❖ *Augmenting design guidelines*
- ❖ *Identifying preferred development concepts*
- ❖ *Establishing appropriate land use policies & regulations*

The Plan maximizes the advantages of West Oakland's combination of a rich cultural legacy in the very heart of an economically productive region and establishes a long-term vision for West Oakland, including the addition of up to 4.7 million square feet of new industrial and commercial space, over 28,000 new jobs throughout the Plan Area, and 5,000 new residential units accommodating 7,500 - 11,000 new residents.

The WOSP facilitates new growth and development that is most likely to occur on many longstanding dormant and / or underutilized properties, development sites available as a result of the relocated I-880 freeway, and additional sites expected to be vacated as their current uses relocate to the former Oakland Army Base. These sites are identified in the Plan as "Opportunity Sites."

The WOSP groups similar "Opportunity Sites" concentrated in a compact location into larger geographic units termed "Opportunity Areas." The Plan recommends a land use vision and strategies for guiding future development of four Opportunity Areas:

- **Opportunity Area 1:** consisting of the Opportunity Sites surrounding the West Grand and Mandela Parkway intersection;
- **Opportunity Area 2:** consisting of the Opportunity Sites along the 7th Street corridor, near the West Oakland BART Station, Oakland Main Post Office, and along Pine Street near the I-880 Frontage Road;
- **Opportunity Area 3:** consisting of the Opportunity Sites along the 3rd Street corridor, near the Port of Oakland; and
- **Opportunity Area 4:** consisting of the Opportunity Sites along the San Pablo Avenue corridor, between West Grand Avenue and the I-580 Freeway.

Opportunity Sites & Opportunity Areas

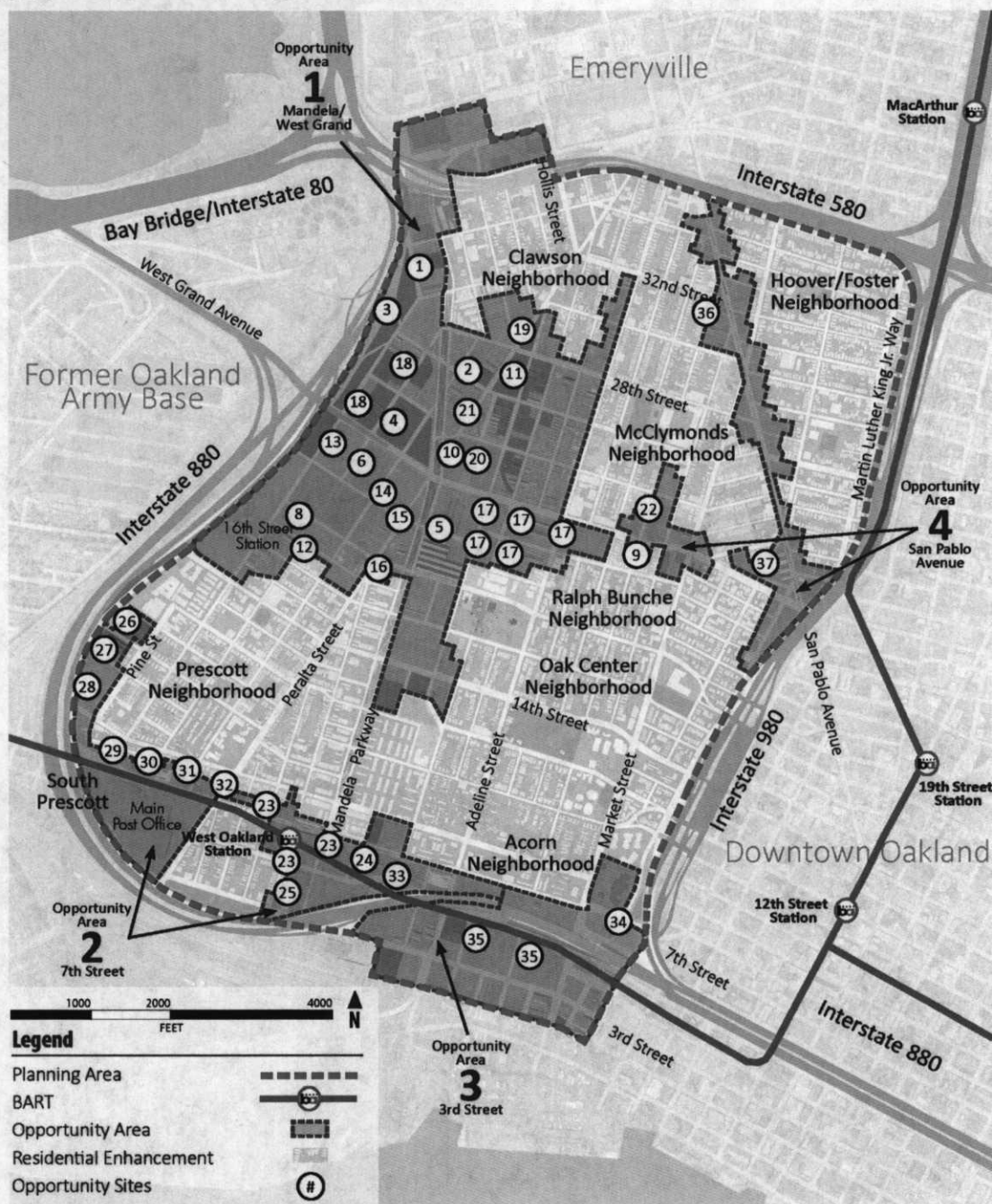


Table 1.1-1 West Oakland Opportunity Sites

Site #	Assessor's Parcel Number(s)	Address/Location/Descriptor	Area (acres)
Mandela/West Grand Opportunity Area			
1	7-059-900	1650 32nd Street	1.22
2	7-586-2	2601 Peralta Street	1.70
3		Upper Wood Street	5.37
4	7-576-1-11 and -15	2240 Wood Street (West Grand / Campbell)	3.54
5	5-402-4-2, -5-2 and -6; 5-419-1-4; 420-1-3 and -5	Pacific Pipe / American Steel	12.63
6	7-571-3-1	1699 West Grand Avenue	4.75
8	7-562-1; 7-563-1	Roadway Express	4.32
10	5-422-2-3	2300 Peralta Street (Mandela / Peralta / West Grand)	3.18
11	5-449-1-1	2701 Poplar (Custom Alloy Scrap Sales – CASS)	2.84
12	7-559-1-2; 7-559-4	Half block at Willow / Campbell / 17th Street	0.98
13	7-572-1-1; 7-572-1-2, 7-572-2-1, -2, -4 and -5	1700 Willow (Wood / Willow / W. Grand / 20th Street)	4.77
14	7-570-2	2001 Peralta (portion of block at Campbell / 20th / Peralta)	0.87
15	5-421-2-2; 5-421-3	Triangle – (Mandela / Peralta / 20 th Street)	0.81
16	5-399-1-3	North portion of block (Mandela / Peralta / 20th Street)	0.88
17	7-572-2-4	Poplar to Linden, West Grand to 20th Street	13.02
18A	7-576-1-12 and -14;	West Grand to 32nd, Campbell to Wood	17.79
18B	7-575-1, -2-3, -2-5, -4, -3-3;		
18C	7-579-4, -1-7, -1-8, -1-10, -2-2;		
18D	7-580-3-1, -5, -2-2, -1-1		
19	5-460-1, -2 and -6-2	Triangle (Peralta / Poplar / 28th Street)	0.76
20	5-423-1-1	Kirkham to Poplar, West Grand to 24th Street	3.48
21	5-441-1 and -2	Triangle (Peralta / Kirkham / 24th Street)	1.40
7th Street Opportunity Area			
23	4-49-1, -2-1, -2, -3 and -4; 4-51-18-2; 4-69-1, -2-1, -2-2, -3 and -4; 4-73-1, -2, -3, -4, -5, -6 and -7; 4-77-3	Caltrans/BART properties	9.44
24	18-390-10-7	Alliance Site	3.95
25	4-73-10-2; 4-73-9	EPA Site	0.92
26	6-29-3-2; 6-29-4-3	10 th to 11 th , Pine to Frontage	2.94
27	6-49-25 and -26	9 th to 10 th , Pine to Frontage	1.62
28	6-47-1	Phoenix Iron Works	5.49
29	6-19-8; 6-19-28-2	7th and Wood	0.42
30	6-19-22	7th and Willow	0.25
31	6-17-17, -18, -19, -20, -21 and -22	7th and Campbell	0.73
32	4-97-13, -14 and -15	7th and Peralta	0.17
33		South half block between Union and Magnolia	0.69
3rd Street Opportunity Area			
34	1-221-14-1	Brush and Castro	1.36
35	4-3-2	425 Market	2.67
San Pablo Avenue Opportunity Area			
36	5-467-1, -2-1 and -2-3	North portion of block, Filbert / 30th / San Pablo	0.91
37	3-21-10; 3-25-3; 3-25-5-1	San Pablo / W. Grand / 23rd / West	

Table 1.1-1 West Oakland Opportunity Sites

Site #	Assessor's Parcel Number(s)	Address/Location/Descriptor	Area (acres)
9	5-411-1-4; 5-411-2-5	West Grand Avenue / Market Street	1.89
22	5-490-13-4; 5-430-17-2	West Grand / Filbert / Myrtle / 24 th Street	2.92

To support the need for employment opportunities, the Plan recommends the Mandela Parkway and West Grand Avenue area (Opportunity Area 1) be promoted as the major business and employment center for West Oakland. Land use recommendations here encourage a mix of business activities that will generate a range of jobs at varying skill and educational levels.

To capitalize on the area's proximity and access to the West Oakland BART Station, the Plan recommends that the 7th Street area (Opportunity Area 2) support development of a Transit-Oriented Development (TOD) project on the surface parking lots surrounding the BART Station, and integrates the cultural history of West Oakland's storied 7th Street corridor.

To enhance the current industrial and commercial areas adjacent to the Port of Oakland, the Specific Plan recommends that the 3rd Street area (Opportunity Area 3) promote uses that continue to support business activities and jobs, capitalizing on its proximity to the Port of Oakland, the adjacent regional freeway network, as well as Downtown Oakland and Jack London Square.

To acknowledge the potential infill opportunities for one of West Oakland's major commercial corridors, the West Oakland Specific Plan recommends that a mix of residential and commercial uses be encouraged along San Pablo Avenue (Opportunity Area 4).

Additionally:

- Existing open space resources are encouraged to be enhanced.
- Existing residential neighborhoods are expected to retain their current character.
- For the most part, existing commercial/industrial uses are expected to remain (some are expected to relocate to the former Oakland Army Base).
- Future manufacturing activities are to operate under provisions that minimize conflict with nearby sensitive uses.
- Major development actions already in process, such as redevelopment of the former Oakland Army Base for civilian use and restoration of the historic 16th Street Train Station, are also supported by WOSP recommendations designed to work in conjunction with these ongoing efforts.

The WOSP includes policies and actions for reducing blight, attracting new industry, maintaining and supporting existing compatible businesses and industry, promoting smart growth and Transit-Oriented Development (TOD) that serves a range of incomes, encouraging mass transit and creating living wage jobs for West Oakland residents.

A key element of the WOSP is the identification of important community assets, an acknowledgement of their critical importance, and inclusion of strategies to ensure their retention. The existing assets for which this Plan sets forth objectives and strategies to ensure retention and preservation include:

- **Jobs & Industrial Lands:** Recognizing West Oakland's industrial lands as a vital, fundamental basis for future economic growth and retaining the area's current solid and diversified jobs base, which provide wages that support and sustain middle-class incomes;
- **Residential Neighborhoods:** Preserving West Oakland's residential neighborhoods, which need only enhancement of their existing strengths;
- **Historic Resource Preservation:** Preserving Oakland's oldest and most historic neighborhoods and industrial areas, ensuring their legacy of cultural, educational, aesthetic and inspirational benefits for future generations;
- **Arts & Culture:** Fostering West Oakland's fully-emerged arts and culture movement; and
- **Plan Area Schools:** Acknowledging the importance of retaining educational resources for Plan Area residents.

Previous Review by City Advisory Boards and Commissions

Since the project's July 2011 initiation date periodic status reports were provided to the Oakland City Planning Commission on October 5, 2011, and May 16, 2012, and to the Landmarks Preservation Advisory Board (LPAB) on September 19, 2011 and April 9, 2012. Both the Landmarks Preservation Advisory Board and Planning Commission reviewed the project again during the Draft EIR Notice of Preparation Scoping Sessions, held November 5, 2012 and November 14, 2014, respectively.

Formal review of the Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR) occurred during the 45-day public comment period which began on January 29, 2014 and concluded on March 17, 2014. During this period, three duly noticed public hearings were held on the Draft Plan and Draft EIR by the Landmarks Preservation Advisory Board on February 10, 2014, City Planning Commission on February 24, 2014, and the City Parks and Recreation Advisory Commission on March 12, 2014. Staff made revisions to the Draft Specific Plan and Draft EIR based upon public, Planning Commission and Advisory Board comments. On May 30, 2014 the Final Specific Plan and Related Documents and Final EIR was published.

On June 9, 2014 the Landmarks Preservation Advisory Board conducted a duly noticed public hearing on the WOSP and Related Documents and recommended approval with comments relating to the Design Guidelines, and Plan implementation in general (see **Attachment E** for

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LPAB Comment Letter). Staff intends to accommodate the LPAB's requests during implementation of the Plan should it be adopted by City Council.

- i. On June 11, 2014 the Planning Commission conducted a duly noticed public hearing on the WOSP and Related Documents and recommended approval. Specifically, the Commission recommended:
 1. Adopt the CEQA findings for the West Oakland Specific Plan in **Attachment B**, which include certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
 2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment C**;
 3. Recommend the City Council adopt the West Oakland Specific Plan, Design Guidelines and General Plan and Planning Code Amendments based, in part, upon the WOSP Adoption Findings in **Attachment D**;
 4. Recommend the City Council adopt the General Plan and Zoning Amendments in **Attachment G**;
 5. Recommend the City Council adopt the Zoning Heights Amendments Map (**Attachment H**);
 6. Recommend the City Council adopt the West Oakland Specific Plan Design Guidelines in **Attachment I**. Once the Design Guidelines are adopted, the Planning Commission is being asked to authorize staff to make minor updates to the new Guidelines administratively as needed (consistent with Oakland Planning Code Section 17.03.030 which states: "The Commission may adopt, or may authorize the director of City Planning to adopt, reasonable guidelines for the administration, interpretation, or requirements or this code or portions of this code");
 7. Authorize staff to make minor ongoing revisions to the adopted Design Guidelines for the West Oakland Specific Plan and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new West Oakland Specific Plan Regulations (which are essentially correction of typographical and/or clerical errors), and to return to the Planning Commission for major revisions only; and
 8. Authorize staff to make minor ongoing revision to the West Oakland Specific Plan Implementation Program (Chapter 11) to reflect changes in market conditions and the

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availability of City and other funding sources, which could potentially affect timeframes, responsibilities and potential funding mechanisms; and to make minor, non-substantive, technical conforming edits (which are essentially correction of any existing typographical and/or clerical errors) to the West Oakland Specific Plan that may have been overlooked during printing of the Final Plan, and to return to the Planning Commission for major revisions only.

In addition to the above actions that were initially proposed by staff, the Commission additionally recommended:

9. That the City Council consider rezoning a residential area in the vicinity of 5th Street near the West Oakland BART with the 'C' (Commercial) Combining Zone to allow commercial ventures on the ground floor of structures that have residential activities above;
10. That, related to the above, the mapping of a 'C' (Commercial) Overlay be considered for the RM-2 zoned properties along 5th Street and Chester Street facing the West Oakland BART Station;
11. That the City's prospective Affordable Housing Impact Fee Nexus Study be completed by end of 2014;
12. That BART's West Oakland Noise Attenuation Study for the West Oakland BART Station be completed by the end of 2014 and that mitigations be identified to reduce noise from the overhead BART tracks along 7th Street;
13. That the WOSP include an additional displacement strategy that was recently prepared for the Broadway Valdez District Specific Plan to provide assistance for displaced residents; and
14. That in addition to the Planning Code amendments currently proposed, zoning text changes be made to:
 - i. Require a 5,000 square foot minimum lot size in the proposed new CIX1A/B/C/D Zones;
 - ii. Allow Animal Boarding as a Conditionally Permitted use in all Housing and Business Mix (HBX) Zones in the West Oakland District; and
 - iii. Allow Plant Nursery as a Conditionally Permitted use in the proposed new CIX-1D Zone.

Item #12 will be added to the WOSP as new recommendation AH-13 to read as follows:

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AH-13: Develop programs to support residents who are displaced as a result of development in the Plan Area.

Items #13 has been incorporated into the proposed WOSP Planning Code Amendments (*Attachment G*)

ANALYSIS

Consistency of Project with General Plan Policies

The Specific Plan establishes a link between policies of the City's General Plan and implementation action for individual development proposals, focusing on the physical development of West Oakland's various subareas. The Specific Plan also includes objectives and strategies that support and facilitate desired development as indicated in the General Plan, and as such:

- Promotes high density, transit-oriented development near the West Oakland BART station;
- Identifies a development vision for other major locations throughout the Specific Plan area;
- Encourages residential and neighborhood-serving commercial establishments on major corridors such as San Pablo Avenue;
- Redirects more intensive commercial activities to locations closer to the Port of Oakland and away from residential areas;
- Protects and enhancing West Oakland's residential neighborhoods; and
- Encourages an enhanced multimodal transportation system to better link residents and businesses.

It accomplishes these objectives and strategies through a variety of actions, including creation of distinct land use strategies to guide future development of key parcels throughout the Specific Plan area and through a limited number of recommended General Plan and Zoning amendments.

Land Use and Transportation Element (LUTE)

The Land Use and Transportation Element (LUTE) is the "heart" of the City of Oakland General Plan. The LUTE presents a Strategy Diagram that shows areas of expected growth and change, a Transportation Diagram that lays out the basic transportation network, planned Transportation Improvements to support the growth and change recommended in the Strategy Diagram, and a Land Use Diagram and land use designations that guide the location, types and character of the various land uses throughout the city. For West Oakland, the General Plan LUTE encourages maintaining and enhancing established neighborhood areas, business expansion to take advantage of the I-880 alignment, resolving land use conflicts between business and residents, access to the waterfront, better transportation linkages, and overall improvements to the

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appearance of the community. The General Plan LUTE seeks to resolve land use conflicts through the use of "good neighbor" policies, encourage commercial activity and urban density housing along West Grand Avenue, retain general industrial areas toward the core of the Mandela/West Grand industrial area away from residential areas, develop a transit village at the West Oakland BART Station, and revitalize 7th Street and Jack London Gateway Shopping Center. The General Plan LUTE includes direction to support the character of established neighborhoods and guide development of housing with ground floor commercial along major corridors such as San Pablo Avenue, 7th Street, and West Grand Avenue.

The Specific Plan supports and helps to implement these strategies in West Oakland, focusing on both public and private investment opportunities. Many of the LUTE's "target areas" for growth and change are encompassed within the Specific Plan's Opportunity Areas and include many of its Opportunity Sites, including the West Oakland BART station, 7th Street, Wood Street, Pine Street, San Pablo Avenue, and West Grand Avenue. This Specific Plan supports specific LUTE recommendations for West Oakland, including:

- Creating a more clearly defined boundary between industrial and residential land uses at the edge of existing residential and industrial areas;
- Directing locations of new industrial and commercial development to provide flexibility and adaptability over time and minimize inconsistent development patterns and address longstanding land use conflicts and, relatedly, by directing more intensive development to strategically located parcels;
- Supporting long-desired Transit-Oriented Development (TOD) at the West Oakland BART Station, in particular among other features, providing for transition in TOD building heights for developments immediately adjacent to surrounding residential communities;
- Emphasizing and facilitate revitalization of the Plan Area's major commercial corridors;
- Clarifying the boundaries between the General Plan's Business Mix and Housing & Business Mix land use designations;
- Increasing opportunities for mixture of businesses by applying Business Mix land use designations and Commercial Industrial Mix Zoning (CIX) to appropriate locations;
- Protect existing residential areas from incompatible land uses;

- Applying Open Space General Plan land use and zoning designations to selected City-owned parks and medians where necessary to ensure these areas remain open space resources;
- Creating new Design Guidelines to address specific West Oakland development and aesthetic characteristics; and
- Promoting development of economically viable market sectors that the City has desired to attract.

Housing Element

The 2007-2014 Housing Element of the City of Oakland General Plan was adopted by the City Council on December 21, 2010. California law requires that each city and county periodically adopt a housing element that includes an assessment of housing needs; a statement of the community's goals, objectives and policies related to housing; a schedule of actions to implement the goals and objectives; and City-identified opportunity sites for new housing.

The Housing Element opportunity sites include a number of the West Oakland Opportunity Sites identified in the Specific Plan, specifically within the 7th Street Opportunity Area and San Pablo Avenue Opportunity Area, which are identified in this Specific Plan for residential or mixed-use.

Estuary Policy Plan

The Estuary Policy Plan is part of the Oakland General Plan and establishes land use designations and policy for the Estuary shoreline, which currently consists of all lands west of Interstate 880 that are within City or Port of Oakland jurisdiction - extending from Adeline Street to 66th Avenue, including portions of the 3rd Street Opportunity Area.

The General Plan amendments associated with the West Oakland Specific Plan would change the General Plan designation of the Adeline Street to Castro Street portion of the 3rd Street Opportunity Area from Light "Industry 1" in the Estuary Policy Plan to "Business Mix" in the Land Use and Transportation Element (LUTE). The proposed redesignation of the 3rd Street area to "Business Mix" in the LUTE would remain consistent with the intent of the following Estuary Policy Plan policy:

- Policy JL-7: Maintain light industrial and warehousing uses west of Martin Luther King, Jr. Boulevard. The Estuary Policy Plan recommends maintaining light industrial activities, including warehousing and distribution uses west of Martin Luther King, Jr. Boulevard, where a concentration of industrial activities exist. Office and retail uses should be encouraged within this area as well, to promote economic diversity. These uses should be carefully screened to ensure that they are compatible with existing industrial activities and with the adjacent West Oakland neighborhood north of the I-880 freeway.

The West Oakland Specific Plan's land use and development strategy for the 3rd Street Opportunity Area (similar to the above strategy established by the Estuary Policy Plan), is for a mix of light industrial activities, including warehousing and distribution uses. Mixed-use commercial, dining and entertainment uses are encouraged in attractive, older warehouse buildings near dead-end streets.

How the WOSP Implements the General Plan

The WOSP implements the Oakland General Plan by refining General Plan policies through selected General Plan Amendments tailored to West Oakland concerns. It further implements the General Plan by creating six (6) new zoning designations and instituting various zoning text amendments for the West Oakland area that collectively refine the City's preferred development pattern for the West Oakland area, generally by:

- Creating a more clearly defined boundary between industrial and residential land uses at the edge of existing residential and industrial areas;
- Directing locations of new industrial and commercial development to provide flexibility and adaptability over time and minimize inconsistent development patterns and address longstanding land use conflicts and, relatedly, by directing more intensive development to strategically located parcels;
- Supporting long-desired transit-oriented development (TOD) at the West Oakland BART Station, in particular among other features, providing for transition in TOD building heights for developments immediately adjacent to surrounding residential communities;
- Protecting existing residential areas from incompatible land uses; and
- Applying Open Space General Plan land use and zoning designations to selected City-owned parks and medians where necessary to ensure these areas remain open space resources;

Public Comments on Draft Specific Plan

Staff received 24 comment letters and heard oral testimonials from over 50 speakers during the comment period for the Public Review Draft Specific Plan. The comments reflected a wide variety of topics; however, the more prevalent / recurring topics related to:

- (1) The length and organization of the Plan;
- (2) The proposed land use Overlays, proposed rezoning of certain sites, and other related zoning issues;
- (3) Proposed lane reductions (road diets), roundabouts and other traffic-related recommendations;
- (4) The need for additional information in selected chapters;

- (5) The Specific Plan's lack of recommendations specifically geared towards West Oakland's African American population and other specific populations;
- (6) The opinion that the Plan did not adequately address West Oakland social concerns such as displacement, gentrification, access to future jobs and community benefits;
- (7) The opinion that the Plan was not providing benefits to existing residents;

These topics and the manner by which they were addressed are highlighted below (*Refer also to Attachment F for a detailed description of the responses to all Specific Plan comments*).

(1) Plan Length and Organization

The WOSP addresses all of the topics required by California State Law governing Specific Plans:

- Text and diagrams showing the distribution, location and extent of all land uses;
- Proposed distribution, location, extent and intensity of major components of public and private transportation and other essential public facilities needed to support the land uses;
- Standards and guidelines for development, and standards for the conservation, development and utilization of natural resources, where applicable;
- Program of implementation measures including regulations, programs, public works projects and financing measures; and
- Statement of the Specific Plan's relationship to the General Plan.

It also includes substantial sections on topics not required by law but of particular interest to West Oakland stakeholders (Equitable Economic Development, Community Health). WOSP contents speak to combatting blight, addressing crime, securing infrastructure, addressing brownfields, preserving historic resources, fostering the arts and art-related industries, retaining educational resources, targeting key business/market sectors, increasing retail opportunities and residential facilities, identifying and facilitating street and transit enhancements, increasing affordable housing and encouraging open space resources. Commenters indicated that while these topics merited attention, the resulting Draft Specific Plan document itself was too lengthy, that it was difficult to find particular material, and that by including this variety of topics the Draft Plan might have veered away from its mandated, prescribed purpose of being a planning document designed to regulate physical development and implement the issues under General Plan purview since many of the topics covered are not controlled by a General Plan. Staff has responded to these concerns as follows:

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- (a) The Final Specific Plan has been reorganized to now follow the more traditional format of other Specific Plans, making information easier to locate. The organizational format of the Draft Specific Plan and Final Specific Plan is presented below for comparison:

Public Review Draft Specific Plan Organization		Final Specific Plan Organization	
1.0	Executive Summary	1.0	Introduction
2.0	Introduction	2.0	Vision & Goals
3.0	Vision Statement	3.0	Market Analysis
4.0	Removing Barriers to Economic & Community Development	4.0	Land Use
5.0	Retaining Existing Assets	5.0	Circulation
6.0	Identifying the Opportunities	6.0	Public Infrastructure
7.0	Building to the Plan's Potential	7.0	Obstacles to Community & Economic Development
8.0	Supporting the Plan	8.0	Cultural Assets
9.0	Tending to a Broader Vision	9.0	Open Space
10.0	Implementation Program	10.0	Social Equity
		11.0	Implementation Program

- (b) The *Executive Summary* has been eliminated to avoid redundancy of information.
- (c) The level of detail previously included in many of the prior Public Review Draft chapters (i.e., the '*Residential Development Potential*,' '*Crime*,' and '*Brownfields*' chapters) has been reduced to shorten the overall Plan document.
- (d) The land use discussion - one of the major elements of a Specific Plan - previously located in the second half of the document has been relocated closer to the front of the document.
- (e) The text of other required Specific Plan topics (infrastructure, circulation, open space) has been edited so that information is presented in a more streamlined, 'tighter' format.
- (f) '*Community Health*' and other supplementary sections have been relocated to the Appendices.
- (g) Superfluous graphics have been eliminated.

Although there are now eleven chapters instead of the prior ten of the Public Review Draft Specific Plan, the overall Final Specific Plan document is shorter in length. It is intended that these changes now result in a Plan document that is easier for readers to follow and locate information.

(2) Proposed Land Use Overlays / Proposed Rezoning of Certain Sites & Other Zoning Concerns

In the period since the Commission's February 24, 2014 consideration of the Plan staff conducted three subsequent Joint WOSP Steering Committee/TAC meetings with other Community stakeholders regarding the zoning recommendations on March 25, 2014, May 13, 2014 and May 20, 2014. The Public Review Draft Plan included recommendations for creating various land use Overlays that would be mapped over the existing Commercial Industrial Mix-1 (CIX-1) Zone in order to direct preferred future land uses and enhance operation of existing commercial and industrial businesses. Commenters expressed concerns over potential conflicts that could result between the provisions of the new Overlays and those of the underlying CIX base zone.

Staff has responded to these concerns as follows:

- (a) The former proposed Overlays have been replaced with the following recommended four new CIX Zoning designations:
 - i. CIX-1A (Business Enhancement) Zone, intended to create, preserve and enhance industrial areas in West Oakland that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small space for start-up businesses.
 - ii. CIX-1B (Low Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.
 - iii. CIX-1C (High Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of higher intensity commercial, retail, office and advanced manufacturing –type uses. This zone will be applied to areas with strong locational advantages that make possible the attraction of high intensity commercial and light industrial land uses and development types.
 - iv. CIX-1D (Retail Commercial Mix) Zone, intended to create, preserve, and enhance industrial areas in West Oakland that are appropriate for a broad range of large-scale retail and commercial uses. This district will be applied to certain areas with a prominent street location.

In addition, new zoning provisions would be implemented to improve air quality and decrease truck traffic in the neighborhoods. These restrictions would be implemented through the creation and mapping of a new "T" (for 'Trucks') Combining Zone Overlay to indicate designated areas outside of the West Oakland "freeway ring" (defined as I-980 to the east, I-880 to the south and west, and I-580 to the north) for the allowed location of certain heavy impact land uses such as freight/truck terminals, truck yards, and primary waste collection centers:

- The proposed "T" Combining Zone Overlay can be combined with any of the new CIX-1A, CIX-1B, CIX-1C, or CIX-1D base zones in order to designate the allowed areas for heavy impact land uses (e.g., 'CIX-1C/T'). The "T" Overlay will primarily be applied within the 3rd Street Opportunity Area below the I-880 freeway.
- (b) The prior proposed High Density Mixed Use Transit-Oriented Development (TOD) Overlay has been replaced by the new recommended S-15W Zoning designation intended to maximize the locational asset of the West Oakland BART Station by promoting commercial and high-density housing near this major transit resource, while additionally mandating reductions in TOD building heights near the adjacent South Prescott neighborhood among other features, to better direct development of the prospective BART TOD project in accordance with WOSP objectives.
- (c) Several parcels were previously recommended to change from CIX Zoning to Housing and Business Mix (HBX) in order to better reflect existing land use patterns and establish more clearly defined buffers in West Oakland between existing residential neighborhoods and less compatible commercial and industrial areas. However, some commenters expressed concern regarding the proposed rezoning of the Coca Cola/Mayway site on 12th Street. This site has been eliminated from rezoning consideration.
- (d) Many of the new HBX-zoned sites would be designated with a new type of HBX zone: Housing and Business Mix Zone-4 (HBX-4), intended to provide standards that allow live/work, work/live, and housing to compatibly co-exist in areas with a strong presence of industrial and heavy commercial activities. 'Live/work' and 'Work/Live' developments would be outright permitted, but 'Residential' developments would only be conditionally permitted.
- (e) A proposed clarifying text amendment has been added to Chapter 17.35, Community Commercial Zones Regulations, to indicate that the prohibition on residential uses on the ground floor does not apply to buildings within 20 feet of the principal street frontage.

(3) Lane Reductions (Road Diets), Roundabouts & Other Traffic-Related Recommendations

Commenters expressed concerns regarding the proposed lane reduction recommendations for narrowing Adeline Street from existing four travel lanes to two travel lanes, and well as the proposed lane reduction on 12th Street, 14th Street, and 18th Street. Commenters also expressed concerns regarding the proposed roundabouts on Adeline Street, as well as any truck restrictions in the areas near the Schnitzer Steel business located in the vicinity of the 3rd Street Opportunity Area.

Staff has responded to these concerns as follows:

- (a) As confirmed by the City's Public Works Agency, certain lane reductions are needed to facilitate creation of bike lanes pursuant to the City's adopted Bicycle Master Plan. Additionally, both Public Works Agency engineers and the WOSP traffic consultant have confirmed that the potential for the lane reduction's negative impact on economic development and safety concerns is not significant. Thus the conversion of certain travel lanes to bike lanes is still recommended in the Final Specific Plan (more information regarding bike lanes is presented later in this report).
- (b) All previously recommended roundabouts have been eliminated in the Final Specific Plan because they do pose logistic circulation concerns, particularly for buses.
- (c) To acknowledge and support the reliance many businesses have for significant truck use in selected areas of the Plan Area, the Specific Plan has been amended to recommend the creation and mapping of the majority of the 3rd Street Opportunity Area with the new "T" (Truck) Zone Overlay discussed earlier in this staff report. Per above, areas within the "T" Zone Overlay allows for land uses that have heavy truck activities. The proposed "T" Zone Overlay would encompass areas in the vicinity of 3rd Street, a major arterial for Port-related traffic and near I-880 Freeway access.

(4) Additional Information in Selected Chapters

Various comments reflected the need to clarify and/or expand the information contained in the Specific Plan. Staff has revised text and maps in the Final Specific Plan as necessary to respond to comments as follows

- a) Augmented the Infrastructure Improvements map to add additional locations where rail lines were in the streets;

- b) Refined the Cultural Resources chapter to better describe historic buildings & areas, incorporate references to the Secretary of Interior where necessary, and make other related edits;
- c) Revised the Truck Routes Map to add selected streets as necessary as 'Truck Routes;
- d) Added neighborhood information to the Opportunity Area discussions to better emphasize the relationship between development of the Opportunity Areas and the benefits to the adjacent neighborhoods;
- e) Remove miscellaneous text references to Emeryville to emphasize the WOSP's longstanding premise that future growth is intended to benefit West Oakland and the City of Oakland as a whole and not be viewed as an attempt to redefine the West Oakland as an extension of Emeryville;
- f) Updated the information regarding the proposed Gateway Park project;
- g) Included additional park facilities on Public Facilities Map;
- h) Included a recommendation for formation of a citizen and stakeholder-based committee, similar to the former West Oakland Redevelopment Plan Project Area Committee (WOPAC). This committee could be comprised of current Steering Committee / TAC members and new volunteers willing and interested to serve on a fixed-term basis to help select and guide the priority and timing of the Plan's implementation strategies, providing advice and recommendations through City staff to the City Council.

(5) Lack of Recommendations Specifically Geared towards West Oakland's African American population and other Specific Populations

The West Oakland district has historically maintained a large African American population since the 1940s and 1950s. Although it has declined in recent years, the percentage of African American residents still represents a significant percentage of West Oakland's demographic composition. Staff received several comments stating that the Specific Plan did not contain recommendations specifically geared towards the African American population; for example, commenters noted the absence of strategies that help elderly African Americans retain their homes, that support African American business ventures, and that require African American themes be reflected in future development projects and in the type of business establishments allowed on 7th Street in particular.

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Although the Specific Plan acknowledges the historic and current demographic composition of African Americans vis-à-vis the total West Oakland population, and the contribution of this ethnicity in establishing a vibrant, cultural atmosphere along 7th Street which the Plan's recommendations seek to reestablish, it does not contain recommendations specifically for this (or any other) particular segment of the West Oakland community, because of the legal prohibitions against specifying that housing, businesses or other community resources be focused to a particular ethnic group. The Specific Plan's recommendations are intended to support development that benefits all West Oakland cultural groups. With reference to future development projects, public art and similar installations, should decision-makers wish to recognize or reflect a particular cultural group, the Specific Plan does not contain language that prohibits such representation; in this manner it provides flexibility on the part of the designers to reflect whatever is deemed important given the nature, location and other characteristics of the project.

(6) Displacement, Gentrification, Access to Anticipated Future Jobs, and Community Benefits

It is important to note that demographic statistics reveal that West Oakland has increasingly been experiencing gentrification, and possibly displacement of some residents, over the past two decades; hence the Specific Plan process cannot be attributed with creating the circumstances of concern to so many community and other parties. There are also related social equity concerns regarding a perceived lack of future participation of existing residents in future employment opportunities unless the Specific Plan includes definitive requirements for local hiring programs at specific wage levels. An examination of how the Plan addresses these critical concerns is discussed below.

Displacement. Implementation of the Specific Plan would not result in the direct displacement of housing or people. No housing is proposed to be removed or changed to a non-residential use. The Specific Plan does not propose significant development outside the identified Opportunity Areas. The existing residential neighborhoods of West Oakland are identified in the Specific Plan as "Enhancement Areas," where only minor land use changes are proposed. However, as development proceeds in accordance with the Specific Plan, there may be a renewed interest in investment in the West Oakland district. As a result, property prices may rise. While existing West Oakland homeowners can benefit financially from the increase in the value of their properties, renters and prospective owners could face challenges, such as renters facing higher rents and potential homebuyers trying to compete with outside investors for single-family homes. This type of displacement is likely to be more indirect and is different from the broad scale displacement of communities that was commonly associated with the redevelopment projects in the 1960s. However, because it is likely to be more incremental and dispersed in nature, indirect displacement is difficult to counteract and control with City actions alone. To further protect existing residents from the indirect

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displacement that might result over time, staff has responded to these concerns as follows:

- a) Staff has added the following new recommendations from Just Cause's 'Development Without Displacement Report' to the new Chapter 10 Social Equity Chapter in the West Oakland Specific Plan (formerly Chapter 9 Tending to a Broader Vision) [added text shown in underline; deleted text in ~~strikethrough~~ font]:
- Consider creating set-asides in low-home ownership districts to increase the rate of ownership in these districts, especially by low income households.
 - Help existing low to moderate income homeowners use the City's programs for rehabilitating units, take Unity Council classes on budgeting and maintenance, and if needed seek out assistance to avoid foreclosure in the event of financial crises.
 - Increase coordination between rent adjustment and code enforcement to advise tenants regarding landlord anti-harassment policies. Consider strengthening to cover current and educating tenants.
 - Strengthen local relocation policies to ensure that any resident displaced as a result of a no-fault eviction, including building closure due to uninhabitable conditions, or publicly funded development activity receives just compensation and comprehensive relocation assistance.
 - Explore legal mechanisms for getting non-responsive owners to address code violations.
 - Study the feasibility to enact a "right of first refusal" policy, where not in place, to require that housing units that are renovated through redevelopment, rehabilitation (including due to code enforcement activities), to be offered to existing tenants first, before being sold or re-rented on the private market.
 - Consider establishing a forum to support community-based training for residents to participate in planning and development processes.
 - Explore ways to evaluate and mitigate displacement by individual development projects.

These additional recommendations, in conjunction with the prior recommendations, are anticipated to further strengthen existing residents' ability to remain in their community as the area continues to revitalize.

Gentrification. Gentrification is typically defined as a shift in an urban community toward wealthier residents and/or businesses and increasing property values, sometimes at the expense of the poorer residents of the community; and in studies has been associated with increases in educational attainment and household incomes as well as an appreciation in housing prices. It is also often associated, but not directly linked to, an overall change in the racial or ethnic makeup of a community. The Specific Plan's original intent has always been to facilitate the increased use of underutilized properties as a means of increasing access to jobs and services for the benefit of both existing and future residents of West Oakland. In order to help maintain a desired level of stability as this growth occurs over time, the Specific Plan contains several goals and recommended actions regarding assisting and sustaining existing residents, neighborhoods and businesses.

Access to Anticipated Future Jobs. The WOSP anticipates creation of approximately 28,000 new jobs throughout the Plan Area over the 20 to 25 year Plan horizon; and targets in particular, a variety of business market sectors that offer a wide range of positions at varying educational and skills levels. The WOSP includes a number of strategies for empowering existing residents and businesses to participate in and benefit from the new development and economic activity planned for West Oakland by building on and connecting existing governmental and community-based equitable economic development programs. It includes strategies that seek to empower residents at a range of education and skill levels to find high quality and well-paying jobs, either in West Oakland or elsewhere in the region; to support, develop and retain small businesses including locally-owned neighborhood-serving businesses, as well as the growing industrial arts and urban manufacturing sectors; to cultivate a business environment that contributes to West Oakland's overall economic competitiveness; and to ensure that households have access to neighborhood-serving retail and other goods and services to support a high quality of life.

To further enhance existing residents' ability to access the jobs expected to result from development in accordance to the Plan, Staff has responded to these concerns as follows:

- b) Staff has added the following new language and /or recommendations to the Plan's Chapter 11 'Social Equity' [added text shown in underline; deleted text in ~~strikethrough~~ font]:
 - o Encouraging a mix of land uses that will generate a range of jobs—retail, medical, office and other professional service uses, as well as short term

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construction jobs—and a range of housing types is a key component of the Plan. The City imposes a number of employment and contracting programs and requirements on City public works projects, as well as private development projects that receive a City subsidy. These include the Local and Small Local Business Enterprise Program, the Local Employment/Apprenticeship Program, Living Wage requirements, and prevailing wage requirements. However, the City of Oakland has very limited legal authority to apply these programs to private projects, including sites sold by the City for fair market value, or public works-type projects funded by private parties, including street or sidewalk improvements built as part of a new development. The City also has very limited legal authority to impose its employment and contracting programs and requirements on projects that do not involve City funding and/or other City participation. As such, the Plan supports continuing to provide private developers and business owners with information about workforce development programs, including those administered by the City or other organizations, in order to encourage opportunities for the creation of high quality, local jobs and job training programs.

- EED-18: Encourage a mix of land uses and development that will generate a range of job and career opportunities, including permanent, well-paying, and green jobs (including short-term, prevailing wage construction jobs and living wage-permanent jobs) that could provide work for local residents.
 - EED-19: Encourage consideration of Project Labor Agreements (PLAs) for projects that involve City subsidy.
- c) Existing text in this chapter was revised as follows [added text shown in underline; deleted text in ~~strikethrough~~ font]:
- **Workforce and Economic Development:** The City plays a role in supporting and attracting businesses and helping job seekers gain employment. The City of Oakland directly operates or serves as a key partner in offering a number of economic development resources, including the Department of Economic & Workforce Development, the Workforce Investment Board, the Oakland Business Assistance Center, the Oakland Business Development Corporation, the West Oakland Job Resource Center, and the West Oakland Public Library. In general, these agencies tend to connect job seekers and businesses with funding and referrals for services, rather than directly providing job training, business technical support, or other programming. These services should be

publicized and in a manner that is accessible to Planning Area Oakland residents.

- **EED-2:** Continue to work with local job readiness, training, and placement organizations to establish career pathways in construction and operations; and support the provision of local job training opportunities for jobs being developed both in the Planning Area and the region, particularly those accessible via the transit network.
- **EED-56:** Work with regional employers, Community-Based Organizations, educational institutions to establish career pathways for residents in a range of industries at the regional level.

In addition to better connecting West Oakland residents to jobs within the neighborhood, the City should explore long-term opportunities to partner with regional employers, Community-Based Organizations, and educational institutions throughout the East Bay and other parts of the Bay Area. This should include opportunities in industries that also exist in West Oakland, such as construction and manufacturing, as well as sectors projected to experience growth at the regional level, such as professional services, healthcare and educational services, and leisure and hospitality. These sectors are expected to create employment opportunities at a range of wage and training levels. For example, jobs in the professional services will range from management positions to entry-level administrative support jobs that could start workers on a career pathway; occupations in the healthcare sector can include everything from doctors and nurse practitioners, to medical assistants and home health care aids.

Local businesses should be encouraged to offer internship, mentoring and apprenticeship programs to high school and college students.

Community Benefits: Several commenters expressed the need to incorporate a Community Benefits package in the Specific Plan. It should be noted that the imposition of community benefit requirements on private development projects generally requires that the City demonstrate a nexus between the burdens created by the proposed development and the benefits to be obtained through the program. For example, the City does not have the authority to impose affordable housing requirements on private development without having first conducted a study demonstrating the nexus between potential impacts of the new development and the proposed impact fee or inclusionary requirement. Staff has responded to these concerns as follows:

- a) Staff has added the following new language in the Specific Plan Chapter 11 'Social Equity' [added text shown in underline; deleted text in ~~strikethrough~~ font]:

Affordable Housing and Community Benefits:

The City will analyze, as part of a citywide policy, to require large developments in those areas throughout the city that are most prime for development, such as Priority Development Areas (PDAs), to make contributions to assist in the development of affordable housing and other community benefits, such as open space. Options that may be included, but not limited to, are: impact fees, land dedication, and a Housing Overlay Zone (HOZ). Among other actions, the City will conduct a nexus study and an economic feasibility study to evaluate new programs to achieve this objective, including inclusionary zoning and impact fees for new housing development.

Criteria to consider as part of this analysis are:

- Study and selection of appropriate policy mechanism(s) to provide the public benefits. The City will conduct a nexus study for the target public benefits mechanism.
- Quantification of the costs of providing the desired benefits as well as the value of corresponding bonuses and incentives.
- Creating a potential system of "tiers" of bonuses and incentives given and benefits provided, that could effectively phase requirements, prioritize benefits, and create effective evaluation criteria to improve the program delivery over time.
- Increasing benefit to developer as more benefits and amenities are added.
- Numerically linking the financial value of the bonus or incentive given (defined by value of gross floor area added) to the cost of benefit or amenity provided.
- Establishing a potential "points" system to link incentives and benefits. For example, the City may devise a menu of community benefits and amenities and assign points to each item. The points earned then determine the amount of bonus and/or incentive a development may claim.

- Identifying the economic feasibility of development to inform the amount of community benefits and amenities to be provided by a particular project in exchange for additional height or density.
- Clear direction on the relationship between city-wide mechanisms and the implementation in specific plans

(6) Specific Plan's Benefit to Existing Residents

Several commenters expressed concerns that the Specific Plan does not benefit existing residents, in particular, related to the gentrification concerns previously noted, that the Plan was attempting to attract a new population to West Oakland and to displace existing residents.

In fact, the Specific Plan contained several chapters of recommendations geared to acknowledge and protect existing populations, as examples:

- The former '*Chapter 5 Retaining Existing Assets*,' contained a number of strategies for retaining existing industrial jobs. (This information is now in Final Specific Plan Chapter 3 Market Analysis, in section 3.1: '*Targeting Selected Business Types*').
- Former Chapter 5 included strategies for retaining and enhancing existing residential neighborhoods (the WOSP includes no recommendations for changing the location, scale or development character of the existing residential areas). (This information is now in Final Specific Plan Chapter 8 Cultural Assets, in section 8.1 '*Neighborhood Enhancement*').
- Former Chapter 5 included strategies for retaining historic resources which includes the current historically designated neighborhoods within which many of West Oakland's existing population live. (This information is now in Final Specific Plan Chapter 8 Cultural Assets, in section 8.2 '*Preservation of Historic Resources*').
- Former Chapter 5 spoke to the need for retaining adequate educational resources for the existing population and the DEIR noted that the existing school facilities could accommodate the existing population as well as future anticipated additional populations that might result from the new development envisioned in the Plan. (This information is now in Final Specific Plan Chapter 7 Obstacles to Community & Economic Development, in section 7.4 '*Educational Resources*').
- None of the Opportunity Sites /Opportunity Areas where the major growth and development is anticipated to occur are designated in residential neighborhoods, hence

the Plan does not promote change to these areas that would result in direct displacement of existing residents.

- Former *Chapter 7 Building to the Plan's Potential* promotion of the West Oakland BART TOD project is intended to not only encourage and support intensive mixed-use development, but also to redirect development pressure away from the existing residential neighborhoods, lessening an incentive property owners might have to remove existing residential resources (and displace current residents) and replace with other types of developments. (This information is now in Final Specific Plan Chapter 4 Land Use, in section 4.4 '*7th Street Opportunity Area*').
- Former Chapter 9 additionally included recommendations for maximizing existing resident's participation in current and future economic development and employment opportunities expected from development envisioned in the Specific Plan. (This information is now in Final Specific Plan Chapter 10 Social Equity, in section 10.2 '*Equitable Economic Development*').
- Former Chapter 9 (and the Air Quality section of the DEIR) additionally included recommendations and mitigation measures, respectively to ensure that existing residents would not be subjected to worsening air quality impacts from future development envisioned in the Specific Plan. (This information is now in Final Specific Plan Appendix E '*Community Health*').

Each of these recommendations – as well as the new recommendations added per the above 'Gentrification and Displacement' discussion -is retained in the Final Specific Plan to benefit existing residents. As further benefits to existing residents staff has responded by adding the recommendations as follows:

- (a) The Secondary Unit regulations for West Oakland will be relaxed to eliminate the existing requirement for a separate non-tandem parking space. The new zoning changes will also remove the current prohibition against Secondary Units in the side and rear setback, as long as the Secondary Unit doesn't exceed existing size limits and can meet all the same standards that allow a garage or accessory structure in the same location.

This code amendment is intended to provide West Oakland homeowners with expanded opportunities for an accessory unit on their lot if desired, as a means of generating additional income to support their mortgages.

- (b) Additionally, staff has recommended adding new zoning regulations for home-based businesses or "Home Occupations."

The Home Occupation regulations will be modified for properties within the West Oakland Specific Plan area to allow (unlike in the rest of the city) business operations in detached garages or accessory structures, and up to one (1) non-resident employee.

This amendment is intended to facilitate West Oakland residents who wish to operate home-based businesses as a means of augmenting their income.

Public Comments on Final Specific Plan

The majority of public comments on the Final Specific Plan echoed earlier sentiments regarding the potential for displacement and gentrification in West Oakland. Although many public speakers acknowledged that gentrification and possibly displacement have already been occurring over the last few years and thus cannot be attributed to the Specific Plan, and despite the inclusion of new, additional measures in the Final Specific Plan to combat potential indirect displacement, there is still considerable concern that current West Oakland residents will be displaced as improvement are made to West Oakland through implementation of the Specific Plan.

Other Related Actions.

In addition to the above-noted and other recommendations identified in the WOSP Implementation Matrix, the following three other related actions have bearing on future activity within the WOSP Plan Area and are being transmitted for City Council consideration along with the Specific Plan and EIR.

Bicycle Master Plan Implementation Action.

The City of Oakland's Bicycle Master Plan proposes bike lanes on Adeline Street from 3rd Street to 36th Street at the Emeryville city limit line, and on West Grand Avenue from Mandela Parkway to Market Street. Both projects will close gaps in the citywide bikeway network. Although the Bicycle Master Plan focuses on the area between 3rd Street to 36th Street, the project currently under consideration for on Adeline Street will create a continuous bikeway from 7th Street to 36th Street. The project will intersect with existing bikeways on 8th Street, 14th Street, and 32nd Street and connect to existing bike lanes on Adeline St in Emeryville. A separate bike lane project is pending installation in North Oakland with the end result being continuous bike lanes on Adeline Street from 7th Street to 61st Street. The West Grand Avenue project will close a key gap from Mandela Parkway to Market Street and connect to the existing bikeway on Grand Avenue between Market Street and El Embarcadero in the Grand Lake neighborhood. In conjunction with the proposed

Gateway Park project, the West Grand Avenue bike lanes will provide direct access to the Eastern Span of the San Francisco - Oakland Bay Bridge from West Oakland, downtown, and the Lake Merritt neighborhoods.

The Adeline Street project will reconfigure sections of the roadway from two travel lanes in each direction to one travel lane and one bike lane in each direction plus a two-way center turn lane. The West Grand Avenue project will reconfigure sections of the roadway from three travel lanes in each direction to two travel lanes and one bike lane in each direction. The projects will be implemented in coordination with the City's Pavement Management Program through the City's update to the Five Year Paving Plan. If the roadways are not part of the updated Five Year Paving Plan, the projects will be implemented as restriping projects funded by the City's Capital Improvement Program for Bicycle Master Plan Implementation.

BART West Oakland Noise Attenuation Study

BART has initiated a West Oakland Noise Attenuation Study, consistent with recommendations in the West Oakland Specific Plan. The study will review current best practice (domestic and international), assess the current BART noise baseline in the West Oakland neighborhood, and evaluate a range of noise control measures in terms of effectiveness, cost, and feasibility. Noise control measures evaluated will be both physical (i.e. sound walls, enclosure) and treatment measures (rail grinding, vibration absorbers). The study is underway, and is expected to be complete this fall.

City of Oakland Affordable Impact Fee Housing Nexus Study

The Affordable Impact Fee Housing Nexus Study will focus on the impact of new development on housing, infrastructure and transportation. The Study is coordinated by the Department of Planning & Building in coordination with Department of Housing & Community Development and the Public Works Agency. A Request for Proposals is being prepared and is expected to be released this summer. The Study is expected to be completed by end of this year.

Each of these separate actions further the principles of WOSP with respect to ensuring the future West Oakland development patterns maximize benefit for current residents.

West Oakland Specific Plan Implementation

Chapter 11 of the WOSP contains an Implementation Matrix listing all recommendations discussed throughout the Specific Plan, the time period during which the action is best implemented, and the parties responsible for the action. Implementation of Plan

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recommendations will be most successful when undertaken as part of an overall strategy that involves five key components:

1. *Removal of Removal of Constraints that are Barriers to Community and Economic Development*

While there is potential for increased activity and new development in West Oakland, there also are obstacles to realizing the potential growth and revitalization envisioned in the Plan. Thus early efforts should focus on improving conditions in the area that constrain revitalization. The Implementation Matrix summarizes actions and capital improvement projects for removal of existing obstacles so as to encourage the desired growth and development. The recommendations include those to abate blight, address crime and safety concerns, invest in basic infrastructure improvements, and identify mechanisms for addressing brownfield sites.

2. *Ensuring that existing residents, local workers, households, and businesses can participate in, and benefit from, future development in West Oakland*

The chapter on Social Equity provides information about existing resources and future strategies for softening negative impacts of development on the existing West Oakland population. It is important to note that this issue is not limited to West Oakland and the City is therefore interested in focusing on it from a city-wide perspective. The strategies listed in the Social Equity chapter and the same part of the Implementation Matrix can therefore be seen as becoming part of a larger effort on the part of the City of Oakland and will include participation from the community.

3. *Actions to Provide the Regulatory, Economic Development, and Administrative Foundation for Plan Implementation*

Many of the recommendations in the Implementation Matrix identify policy changes, regulatory actions, planning efforts, new procedures, and outreach and marketing efforts. The land use policy and regulatory planning actions identified earlier in this staff report and in Chapter 4: "Land Use", are included in this category as are recommendations for policies and procedures to protect important existing assets as described in Chapter 8: "Cultural Assets." The marketing and outreach strategies for economic development from Chapter 3: "Market Analysis," also are included in this component. All of these recommendations require City actions and efforts for implementation. They establish new policies, regulations, plans, and outreach efforts that will provide the foundation for Plan implementation.

4. *Leadership and Priority Setting*

Achievement of the Plan's vision for West Oakland goes well beyond approval of the Plan. Over time, there will be ongoing needs for prioritizing actions and capital improvements, identifying and organizing resources, and managing implementation efforts. These will require commitment by and leadership from City decision-makers and high-level staff, coordination across city departments, identification of City staff to manage efforts, priority given to allocating adequate staff resources for ongoing support, and priority to securing public funding for important catalyst improvements. It also requires close coordination with the community and property owners in the area, and outreach efforts to the broader business and development communities. Actions in this category are ongoing through the life of the Specific Plan.

5. *Improvements to Support Plan Development Over Time*

As growth and revitalization occur as envisioned under the Plan, improvements to the transportation and open space systems will be needed, as well as additional infrastructure improvements beyond those completed under the early phase removal of constraints (see first item above). Although the timing varies, many of the improvements under this category are identified for the mid-and longer-term futures, to support the growth that occurs over time. A joint public/private funding approach for improvements is envisioned, with public funding and implementation likely for improvements of area-wide benefit (such as transit enhancements) and private funding and implementation for improvements done as part of new development (such as urban green spaces or sidewalk and streetscape improvements). The responsibility and funding for improvements to support growth and development will gradually shift over time, from (a) the need for public investments in the early years to remove constraints and attract growth to the area, to (b) a stronger market context that will enhance the private sector's ability to provide improvements over time, both as part of development projects and through area wide funding mechanisms supported by the private sector

PUBLIC OUTREACH/INTEREST

An intensive community-based planning process has been a crucial component in WOSP's development; preparation of the Plan benefited from the guidance of a 14-member Steering Committee comprised of volunteers representing West Oakland community organizations, residential neighborhoods and businesses. The WOSP Steering Committee's role has been to:

- Provide guidance to the Specific Plan regarding key community issues and concerns relating to the Opportunity Sites;

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- Suggest recommendations and approaches that should be considered for the Plan;
- Identify community concerns regarding the analyses leading up to this Plan and its recommendations;
- Receive information for review and discussion prior to dissemination to the larger West Oakland community;
- Serve as a “sounding board” for Specific Plan recommendations;
- Recommend approaches and locations for communicating information to the larger West Oakland community, and approaches for receiving feedback from the community at large throughout the process; and
- Provide feedback on the preliminary versions of the Specific Plan.

The Steering Committee provided guidance regarding key community issues and concerns, and made recommendations on strategies and actions that should be considered in the Plan.

Additionally, the community participation process included a very robust public outreach effort highlighted by six Community Workshops / Community Meetings where the Steering and Technical Advisory Committees’ ideas were shared with the general public, additional public input and suggestions were solicited, and community consensus achieved through a facilitated public process. Approximately 100-200 West Oakland stakeholders attended each workshop. Periodic presentations were also made to the former West Oakland Project Area Committee, West Oakland Community Advisory Group, Neighborhood Crime Prevention Councils, Oakland Metropolitan Chamber of Commerce Committees, and various neighborhood associations and community groups to offer these bodies opportunities to shape the Specific Plan.

To ensure continued community involvement in shaping the results of the Specific Plan should it be adopted by the City Council, the WOSP includes a recommendation for a citizen and stakeholder process to help select and guide the priority and timing of this Plan’s implementation strategies, providing advice and recommendations through City staff to the City Council.

COORDINATION

The ideas and strategies contained in the Specific Plan were also vetted through a 23-member Technical Advisory Committee (TAC) comprised of several City departments and key public agency representatives and advocacy groups. :

- Bay Area Rapid Transit (BART);
- AC Transit;
- Alameda County Public Health;

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- San Pablo Avenue neighborhood;
- Bay Area Air Quality Management District;
- Oakland Housing Authority;
- Amicus Environmental;
- Port of Oakland;
- City of Oakland Planning Division (Department of Planning & Building);
- Oakland Heritage Alliance;
- City of Oakland Army Base Project Team;
- City of Oakland Transportation Services Division;
- City of Oakland Economic Development Department;
- City of Oakland Housing & Community Development Department;
- City of Oakland Environmental Services Department;
- City of Oakland Office of Parks & Recreation;
- U.S. Environmental Protection Agency;
- Oakland Unified School District;
- Office of former City Council Member Nancy Nadel, and current City Council member Lynette Gibson McElhaney.

As a complement to the Steering Committee, the TAC provided guidance, review and input vis-à-vis institutional and/or regulatory development issues that warranted special attention during the Specific Plan process.

In total, twelve (12) Steering Committee meetings, seven (7) TAC meetings and ten (10) joint Steering Committee and TAC meetings have been held to date in shaping the Plan.

This report and legislation have also been reviewed by the Office of the City Attorney and by the Budget Office.

COST SUMMARY/IMPLICATIONS

Application of the new zoning standards and design guidelines will be routine components of project review administered by the Department of Planning and Building, which collects fees for such as established by in the Master Fee Schedule. As an adopted Plan, with recommended transportation improvements for which environmental analysis has been prepared, the City will be in a better position to apply for and potentially receive grant funding for such projects.

SUSTAINABLE OPPORTUNITIES

Economic: The development program contemplated as part of the West Oakland Specific Plan would allow for an increase of up to 4.7 million square feet of new industrial and commercial space, 28,000 new jobs throughout the Plan Area, and 5,000 new residential units

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accommodating 7,500 - 11,000 new residents. The recommended land uses would create employment opportunities, increase revenues (sales, property and other taxes), and promote spin-off activities as workers and residents, and patrons of the West Oakland BART station spend some of their income on goods and services within the Plan Area.

Environmental: While most of the environmental impacts associated with the Specific Plan are either less than significant or would be reduced to less than significant as the City's standard conditions of approval and mitigation measures are implemented on various individual projects, a Statement of Overriding Considerations is proposed indicating that the Environmental Impact Report's findings that the WOSP could have significant and unavoidable impacts associated with *Air Quality, Greenhouse Gas (GHG) Emissions, and Traffic and Transportation* are acceptable in light of the significant benefits of the Project, and outweigh any significant and unavoidable impacts. (See discussion of CEQA impacts below.)

Social Equity: the West Oakland contains a considerable discussion of Social Equity in Chapter 10.2 'Equitable Economic Development' as well as in the Chapter 10.1 'Affordable Housing' where strategies to minimize indirect displacement strategies are listed (the Specific Plan contains no recommendations that would result in direct displacement of residents and/or businesses.). The many strategies contained in these chapters will maximize social equity opportunities for area residents.

CEQA

An EIR has been prepared for the West Oakland Specific Plan which was certified by the City Planning Commission at its June 11, 2014 hearing. The EIR was provided to the City Council under separate cover, and is available to the public, through the City's website: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>.

Documents are also available for review at the Oakland Main Public Library's Social Science and Documents section (125 14th Street), the West Oakland Public Library (1801 Adeline Street), and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

Limited copies of the FEIR, Final West Oakland Specific Plan, Design Guidelines, Planning Code and General Plan Amendments, and Responses to Comments documents are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

The June 11, 2014 Planning Commission staff report (*Attachment A*, pages 28 through 33) includes a detailed summary of the CEQA process, timelines, findings and overall summary of the environmental review for the project. Below are highlights of the environmental conclusions:

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Less-than-Significant Impacts

As detailed in Chapter 4 of the West Oakland Specific Plan Draft Environmental Impact Report, the following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures or through the implementation of Standard Conditions of Approval (which are an integral part of the SCAMMRP) (see **Attachment B** – the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program):

- Aesthetics: Impact Aesth-4.
- Air Quality: Project Level Impact Air-4, Project Level Impact Air-5, Project Level Impact Air-6, Project Level Impact Air-7, Project Level Impact Air-9, Air-10.
- Cultural Resources: Impact CR-1, Impact CR-2.
- Greenhouse Gas Emissions: Impact GHG-3, Impact GHG-4.
- Hazards and Hazardous Materials: Impact Haz-1, Impact Haz-2, Impact Haz-3, Impact Haz-4, Impact Haz-6.
- Noise: Impact Noise-1, Impact Noise-2, Impact Noise-4, Impact Noise-7.
- Public Services and Recreation: Impact PSR-1.
- Traffic: Existing Plus Project: Impact Trans-1, Impact Trans-2.
- Year 2035 Cumulative Intersection Impacts: Impact Trans-3, Impact Trans-4, Impact Trans-6, Impact Trans-7, Impact Trans-8, Impact Trans-16.
- Utilities and Service Systems: Impact Util-1, Impact Util-2, Impact Util-3, Impact Util-4.
- Other Less than Significant Effects: Impact Bio-1, Impact Bio-4, Impact Bio-5, Impact Geo-2, Impact Geo-4, Impact Geo-5, Impact Hydro-3, Impact Hydro-4.

Significant and Unavoidable Environmental Impacts

As detailed in Chapter 4 of the West Oakland Specific Plan Draft Environmental Impact Report, implementation of the proposed WOSP will result in significant and unavoidable impacts associated with the environmental topics (Air Quality, Greenhouse Gas Emissions, and Transportation/Traffic), as discussed below:

- *Air Quality*: Air-3(Odor Impact), Air-5 (Construction-Period Emissions of Criteria Pollutants), Air-7(Operational Criteria Pollutant Emissions), Air-9 (Operational Toxic Air Contaminant Emissions), Air-10 (Toxic Air Contaminant Exposure);

- *Greenhouse Gas (GHG) Emissions:* GHG-3: (GHG Emissions);
- *Traffic and Transportation:* Trans-1 (Existing plus Project), Trans-3 (Cumulative plus Project): Intersection LOS at Hollis and 40th Streets, Trans-2 (Existing plus Project) and Trans-4 (Cumulative plus Project): Intersection LOS at San Pablo Avenue and 40th Streets, Trans-5 (Cumulative plus Project) Intersection LOS at Mandela Parkway and West Grand Avenue.

CEQA Alternatives

Chapter 5 of the Draft EIR includes the analysis of four alternatives to the proposed project that meet the requirements of CEQA, which include a reasonable range of alternatives to the Project that would feasibly attain most of the Project's basic objectives, and avoid or substantially lessen many of the Project's significant environmental effects. Other than the No Project Alternative, neither of the other alternatives would fully avoid all of the significant and unavoidable impacts identified for the Project. These alternatives include:

- Alternative 1: No Project
- Alternative 2: Reduced Project
- Alternative 3: Commercial and Jobs-Focused Alternative
- Alternative #4: Maximum Theoretical Buildout Alternative

Alternative 1: No Project

CEQA Guidelines Section 15126.6(e)(3)(A) states that; "When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Typically this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan." Under Alternative 1: No Project, the West Oakland Specific Plan would not be approved, no changes in current General Plan land use designations, zoning or other regulatory measures would occur, and all new development within West Oakland would continue to occur under existing regulations. The pace of new development within West Oakland would be expected to occur at a rate commensurate with building permit activity which has occurred over the past 10 to 15 years.

Alternative 2: Reduced Project

Throughout the time period during which the West Oakland Specific Plan has been developed, the major development concepts for each Opportunity Area have been presented at community workshops and other public venues as both a "mid-range" and a "high intensity" scenario. For purposes of defining the Project, each of the high intensity scenarios for each Opportunity Area has been relied upon, thereby presenting the "worst case" (or greatest development potential) for

environmental review. Under Alternative 2: Reduced Project, each of the mid-range development scenarios have been aggregated as one overall development alternative. This Reduced Project alternative explores the extent to which less intense development within West Oakland may result in reduced environmental effects, particularly in regards to traffic, air quality and noise. It is also consistent with the Planning Commission's direction during the Notice of Preparation of this EIR to examine a less aggressive or less optimistic development scenario over the next 20 to 25 year planning period. Whereas the Specific Plan (the Project) envisions an ultimate buildout that would include up to approximately 5,000 new dwelling units and approximately 4 million square feet of new business, industrial and commercial building space, the Reduced Alternative would accommodate a buildout of approximately 3,400 new dwelling units and approximately 775,000 square feet of new business, industrial and commercial building space. The Reduced Project Alternative is generally consistent with Association of Bay Area Governments (ABAG) housing projections for the year 2020, and generally consistent with employment projections for a period between year 2020 and 2035.

Alternative 3: Scenario with Commercial and Jobs Emphasis

In written responses to the Notice of Preparation (NOP) for this EIR, it was suggested by numerous commenters that the EIR should consider an alternative to the Project whereby: a) no changes or conversions of industrial lands to residential use would occur, b) commercial or business uses (rather than residential use) would be located in proximity to the freeways, c) the West Oakland BART station Transit Oriented Development (TOD) would include a mix of uses that would include a substantial component of commercial/institutional office space, and d) retail uses would extend southward from the current West Oakland/Emeryville border to West Grand Avenue.

Alternative 3: Scenario with Commercial and Jobs Emphasis includes a mix of land uses that emphasize the retention of commercial and industrial lands, that provide a greater emphasis on business development over new residential use, and that includes a substantial component of commercial/institutional office space within the West Oakland BART station TOD development plan. Whereas the Specific Plan (the Project) envisions an ultimate buildout of up to approximately 5,000 new dwelling units and approximately 4 million square feet of new business, industrial and commercial building space, Alternative 3 would accommodate a buildout of approximately 3,500 new dwelling units and approximately 4,170,000 square feet of new business, industrial and commercial building space, emphasizing a substantial increase of nearly three-quarters of a million square feet of retail and commercial space as compared to the Project.

Alternative 4: Maximum Theoretical Buildout Alternative

Because the Specific Plan's regulations would apply to every parcel within the Plan Area, the Maximum Theoretical Buildout Alternative evaluates the theoretical possibility that every parcel would be built out to the new maximum level permissible under the General Plan and Planning Code regulations as revised through adoption of the Specific Plan. Under the Maximum Theoretical Buildout Alternative, overall development would be substantially greater than the

Project's land use development program (roughly 3.3 times as much non-residential development and an approximately 8% increase in residential development as compared to the Project. The likelihood of "maximum buildout" occurring is considered highly unlikely, and is referred to as theoretical.

A full discussion of the Alternatives is provided in the CEQA Findings (see **Attachment B**) and Draft EIR.

A Statement of Overriding Considerations is recommended for adoption despite the Project's significant and unavoidable environmental impacts (see **Attachment B**) as the specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh the remaining significant unavoidable adverse impacts, and is an overriding consideration independently warranting approval.

Streamlining Future Environmental Review

The City intends to use the streamlining/tiering provisions of CEQA to the maximum feasible extent, so that future environmental review of specific projects are expeditiously undertaken without the need for repetition and redundancy, as provided in CEQA Guidelines Section 15152 and elsewhere. Specifically, pursuant to CEQA Guidelines Section 15183, streamlined environmental review is allowed for projects that are consistent with the development density established by zoning, community plan, specific plan, or general plan policies for which an EIR was certified, unless such a project would have environmental impacts peculiar/unique to the project or the project site. Likewise, Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 also provides for streamlining of certain qualified, infill projects. In addition, CEQA Guidelines Sections 15162-15164 allow for the preparation of a Subsequent (Mitigated) Negative Declaration, Supplemental or Subsequent EIR, and/or Addendum, respectively, to a certified EIR when certain conditions are satisfied. Moreover, California Government Code Section 65457 and CEQA Guidelines Section 15182 provide that once an EIR is certified and a specific plan adopted, any residential development project, including any subdivision or zoning change that implements and is consistent with the specific plan is generally exempt from additional CEQA review under certain circumstances. The above are merely examples of possible streamlining/tiering mechanisms that the City may pursue and in no way limit future environmental review of specific projects.

CONCLUSIONS

Staff recommends that the City Council take public testimony, close the public hearing, and:

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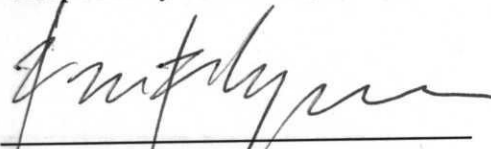
- a) **Adopt a Resolution, As Recommended By the City Planning Commission, (A) Certifying The Environmental Impact Report And Making Related CEQA Findings; (B) Adopting the West Oakland Specific Plan And Design Guidelines; And (C) Authorizing the Installation of Bicycle Lanes on Adeline Street from Seventh (7th) Street to Thirty-Sixth (36th) Street, and on West Grand Avenue from Mandela Parkway to Market Street;**
- b) **Adopt an Ordinance, As Recommended By the City Planning Commission, Amending The Oakland Planning Code To Create The Commercial Industrial Mix CIX-1A Business Enhancement Zone, Commercial Industrial Mix CIX-1B Low Intensity Business Zone, Commercial Industrial Mix CIX-1C High Intensity Business Zone, Commercial Industrial Mix CIX-1D Retail Commercial Mix Zone, Housing and Business Mix HBX-4 Zone, and the "T" Combining Overlay Zone Regulations And Make Conforming Changes To Other Planning Code Sections, As Well As Mapping of a 'C' (Commercial) Overlay for the RM-2 Zoned Properties near the West Oakland BART Station Along the 5th Street and Chester Street Frontage Area, And Adopting Zoning And Height Area Maps;**

In a separate but related report (specific to all General Plan Amendments to be processed at one time), staff will also request the City Council to consider adopting General Plan Amendments to support the development concepts recommended in West Oakland Specific Plan.

- c) Authorize the City Administrator or designee to make ongoing minor revisions to the adopted Design Guidelines for the West Oakland Specific Plan Area and to return to the Planning Commission for major revisions only; and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new West Oakland Specific Plan Regulations (which are essentially correction of typographical and/or clerical errors) without returning to the City Council or City Planning Commission; and to make nonsubstantive, technical conforming changes (essentially correction of typographical and clerical errors and minor clarifications) to the West Oakland Specific Plan prior to formal publication, without returning to the City Council or City Planning Commission;
- d) Authorize the City Administrator or designee to make ongoing revision to the West Oakland Specific Plan Implementation Program (Chapter 11) to reflect changes in market conditions and the availability of City and other funding sources, which could potentially affect timeframes, responsibilities and potential funding mechanisms without returning to the City Council or Planning Commission.

For questions regarding this report, please contact Elois A. Thornton, Planner IV at (510) 238-6284 or Ulla-Britt Jonsson, Planner II, at (510) 238-3322.

Respectfully submitted,



RACHEL FLYNN
Director, Department of Planning and Building

Reviewed by:

Ed Manasse, Strategic Planning Manager

Prepared by:

Elois A. Thornton, Planner IV and
Ulla-Britt Jonsson, Planner II
Strategic Planning Division

Attachments

- A. June 11, 2014 Planning Commission Staff Report without attachments
- B. CEQA Findings: Certification of the EIR, Rejection of Alternatives and Statement of Overriding Considerations
- C. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCAMMRP)
- D. West Oakland Specific Plan Adoption Findings
- E. Comment Letter from the Landmarks Preservation Advisory Board (June 10, 2014
- F. Summary of Responses to Specific Plan Comments Up Until the June 6, 2014 Publication off the Planning Commission Staff Report
- G. General Plan and Zoning Amendments
- H. Zoning Heights Amendments map
- I. Design Guidelines

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Location:	West Oakland Specific Plan Area is generally bounded by Interstate-580 (MacArthur Freeway) to the north, Interstate-980 to the east, and the re-located Interstate-880 (Nimitz Freeway) wrapping around the south and west. A small portion of the Plan Area is in the East Bay Bridge Shopping Center and below I-880 near Linden Street.
Proposal:	Conduct a Public Hearing to consider certifying the Final Environmental Impact Report (FEIR) for the West Oakland Specific Plan, and recommending to the City Council adoption of the Final West Oakland Specific Plan and Associated General Plan Amendments, Planning Code Amendments, Zoning Maps, Height Maps, and Design Guidelines (collectively called "Related Actions").
Applicant:	City of Oakland
Case File Numbers:	ER12-0018, GP14-010, RZ14-011, ZS14-012, ZT14-013
General Plan:	Neighborhood Center, Mixed Housing Type, Institutional, Urban Open Space, Urban Residential, Business Mix, Community Commercial, Housing and Business Mix, Regional Commercial, Light Industry 1 (Estuary Plan Area).
Zoning:	RM-1, RM-2, RM-3, RM-4, RM-4/C, RU-1, RU-2, RU-3, RU-5, OS-(LP), OS-(NP), OS-(AMP), OS-(AF), OS-(CP), CC-1, CC-2, CC-3, C-40, HBX-2, CR-1, M-30, IG, CIX-1, S-4, S-7, S-S-15, S-19, S-20, Wood Street.
Environmental Determination:	All comments that were received during the Draft Environmental Impact Report (DEIR) public comment period have been compiled and responded to in the Response to Comments (RTC) Document, along with changes and clarifications to the DEIR. The RTC Document, together with the DEIR, constitutes the Final EIR (FEIR) for the Specific Plan.
Historic Status:	The Plan Area includes cultural/historic resources that may be eligible for, or are on an historical resource list (including the California Register of Historic Resources, the National Register of Historical Resources, and/or the Local Register); and many cultural/historic resources designated locally as Areas of Primary Importance (API); Areas of Secondary Importance (ASI); properties individually rated A, B, C, or D; and Landmark properties.
Service Delivery District:	1, 2
City Council District:	3, and a small portion of 1
Status:	The Final Specific Plan and RTC/FEIR is scheduled to be released on May 29, 2014.
Action to be Taken:	Receive public comments, close the hearing and consider certifying the FEIR, and recommending to the City Council adoption of the Final Specific Plan and Related Actions. Contact project planner Ulla-Britt Jonsson at 510-238-3322 or ujonsson@oaklandnet.com
Further Information:	Project message line: 510-238-3322 Project email address: westoaklandspecificplan@oaklandnet.com Project website: www.oaklandnet.com/r/wosp

SUMMARY

The West Oakland Specific Plan (WOSP) provides the guiding framework for realizing the vision of a healthy, vibrant West Oakland. It reflects the desires and aspirations of a wide range of community members, stakeholders, steering committee participants, City staff, and the Planning Commission and City Council. The objectives of the Specific Plan are to bring to life the community's longstanding vision for a West Oakland that contains viable employment opportunities, provides needed goods and services, supports abundant and affordable housing resources, and facilitates sustainable development. The Specific Plan provides guidelines and development standards that support this vision; and includes an implementation action plan to achieve its key objectives. The Plan provides comprehensive, consistent and multi-faceted strategies for the reuse of vacant and/or underutilized properties in West Oakland. Toward that end, this Specific Plan establishes a land use framework, identifies needed transportation and infrastructure improvements, and recommends strategies needed to implement those improvements.

The WOSP contains over 350 recommendations for guiding future development patterns within the West Oakland district. It identifies actions required to implement the recommendations in the Plan and requires changes to the Oakland General Plan (text and map changes) and Zoning Code to reconcile conflicting land use priorities, the development of new design guidelines specifically tailored to West Oakland development issues, and the implementation of transportation and infrastructure improvements to address current development issues. Although not required by Specific Plan law, the WOSP additionally includes recommendations for encouraging social equity and community health as these concerns are equally important in sustaining a vibrant community. The purpose of this Planning Commission hearing is to receive comments from the Commission and the public, before considering the following actions:

- Adoption of the CEQA findings for the WOSP and FEIR in **Attachment A** of this report, which include certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
- Adoption of the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment B**;
- Recommend the City Council adopt the WOSP, new Design Guidelines and General Plan and Planning Code Amendments based, in part, upon the WOSP Adoption Findings in **Attachment C**; and
- Authorize staff to make minor ongoing revisions to the adopted West Oakland Specific Plan Design Guidelines and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new West Oakland Specific Plan Zones Regulations (which are essentially correction of typographical and/or clerical errors).

Staff recommends that the City Planning Commission recommend to the City Council the adoption of the West Oakland Specific Plan (WOSP), associated General Plan and Planning Code Amendments, new West Oakland Specific Plan Design Guidelines, and certification of the associated Final Environmental Impact Report.

This staff report includes the draft General Plan and Zoning Amendment Map as **Attachment D**; Planning Code Amendment (Key Concepts) as **Attachment E1**; Specific Amended Text and Zoning as **Attachment E2**; Heights Amendment Map as **Attachment E3**; and Design Guidelines as **Attachment F**. These documents are also available for review on the City's website at: www.oaklandnet.com/r/wosp.

Numerous comments were received on the Public Review Draft Specific Plan during the public comment period. A 'Response to Specific Plan Comments' is included in this staff report as **Attachment G**. Responses to comments on the Draft Environmental Impact Report are included in the FEIR.

The WOSP and associated materials were previously furnished separately to the Planning Commission (e.g., Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR)) and are available to the public, through the City's website at: www.oaklandnet.com/r/wosp.

The Final Environmental Impact Report (FEIR) may be viewed on the City's "Current Environmental Review Documents" webpage:

<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

Information regarding the Project, including the Draft Plan and other related draft documents, can be viewed online at:

<http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/OAK028334>

(under the section called 'Documents and Presentations'). Documents are also available for review at the Oakland Main Public Library's Social Science and Documents section (125 14th Street), the West Oakland Public Library (1801 Adeline Street), and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

Limited copies of the FEIR, Final West Oakland Specific Plan, Design Guidelines, Planning Code and General Plan Amendments, and Responses to Comments documents are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

PLANNING CONTEXT

The West Oakland Specific Plan Area (Planning Area) comprises approximately 1,900 acres, subdivided into 6,340 parcels. It has a current population of approximately 25,000 people, and contains employment opportunities for more than 15,000 current employees. Residential uses occupy approximately 60 percent of the land in West Oakland, generally concentrated in the northern, eastern and southwestern portions of the area. Industrial, commercial and truck-related uses occupy about 23 percent of the land area. Industrial uses are concentrated primarily around Mandela Parkway and West Grand Avenue and in the vicinity of 3rd Street. Commercial activities primarily occur at the northern end of the Planning Area near Emeryville, along San Pablo Avenue, at the eastern end of West Grand Avenue on Market Street, and on 7th Street. Government/institutional and utilities uses occupy the remaining 17 percent of the Planning Area. Lands devoted to government, institutional and utilities uses include properties owned by Caltrans, Union Pacific Railroad, U.S. Postal Service, Bay Area Rapid Transit District (BART), East Bay Municipal Utility District (EBMUD), Oakland Unified School District, Oakland Housing Authority, and City of Oakland (see *Plan Area Map below*).

West Oakland Specific Plan Area Map



The Planning Area has a household median income of 60% of the City-wide median, which in turn is lower than the area median income. Compared to the rest of the City, West Oakland households are overwhelmingly renters - 78% versus 58% city-wide.

West Oakland includes a mix of industrial and commercial activities and jobs. It has a mix throughout the district of older and newer business types including custom manufacturing, construction, transportation, environmental services and recycling, arts and creative businesses, and professional service and related businesses typically in older industrial buildings. The Planning Area also contains many older, established residential neighborhoods - such as Acorn, Oak Center, South Prescott, Prescott, Ralph Bunche, Clawson, Hoover/Foster and McClymonds neighborhoods.

The Planning Area contains a number of challenges to development. As delineated by the West Oakland Commerce Association (WOCA), the nine barriers to West Oakland economic development are:

1. An extremely substandard public infrastructure;
2. Abandoned rail lines in the middle of the streets (with large impassable potholes);
3. Excessive crime of all types, with a need for improved means of response, communication, reporting and prosecution;
4. Excessive amounts of illegal dumping;
5. Massive amounts of graffiti on public and private property;
6. Weeds and debris on public and private property;
7. Homeless encampments;
8. Excessive blight of all types, with a need for improved means of response, communication, reporting and prosecution; and
9. Lack of immediate removal of hazardous material on public streets and sidewalks causing environmental damage.

The objectives and strategies outlined in the West Oakland Specific Plan directly address many of these long-standing barriers to achieving the full revitalization potential of the West Oakland area.

PROJECT DESCRIPTION

The WOSP is intended to serve as the road map for the physical development of the West Oakland district over the next 20-25 years and presents an extraordinary opportunity to guide West Oakland's future development in a direction that improves the quality of life for existing and future residents, and supports existing businesses and industry while encouraging new development, services and land uses that have significant job generation. Created over a 2 ½-year planning process that included more than 90 meetings with various community stakeholders, the WOSP contains recommendations that collectively aid the West Oakland area by:

- | | |
|--|--|
| ❖ <i>Attracting new, desired businesses & industries</i> | ❖ <i>Ensuring equitable economic development</i> |
| ❖ <i>Addressing Crime</i> | ❖ <i>Fostering community health</i> |
| ❖ <i>Combating blight</i> | ❖ <i>Enhancing residential neighborhoods</i> |
| ❖ <i>Improving area infrastructure</i> | ❖ <i>Remediating contaminated sites</i> |

- | | |
|---|---|
| ❖ <i>Fostering the arts</i> | ❖ <i>Supporting affordable housing</i> |
| ❖ <i>Enhancing transit</i> | ❖ <i>Retaining educational resources</i> |
| ❖ <i>Attracting more retail establishments</i> | ❖ <i>Encouraging open space</i> |
| ❖ <i>Preserving historic resources</i> | ❖ <i>Increasing residential development</i> |
| ❖ <i>Retaining Industrial land and jobs</i> | ❖ <i>Augmenting design guidelines</i> |
| ❖ <i>Identifying preferred development concepts</i> | ❖ <i>Establishing appropriate land use policies & regulations</i> |

The West Oakland Specific Plan

- establishes a land use and development framework and serves as a tool for attracting developers to key sites and for encouraging new, targeted economic development;
- identifies transportation and infrastructure improvements, and recommends implementation strategies needed to develop parcels,
- includes strategies for reducing blight, maintaining and supporting existing compatible businesses and industry, while additionally attracting new industry and promoting smart growth that serves a range of incomes,
- encourages mass transit and the creation of living wage jobs in new construction, new retail, and new industry and businesses for West Oakland residents,
- recommends approaches for minimizing displacement of existing residents and for developing training and career pathways to help West Oakland youth move from educational and training programs into paid positions, and
- promotes healthy environmental conditions in West Oakland that foster healthy individuals, families, and institutions.

It maximizes the advantages of West Oakland's combination of a rich cultural legacy in the very heart of an economically productive region and establishes a long-term vision for West Oakland, including the addition of up to 4.7 million square feet of new industrial and commercial space, over 28,000 new jobs throughout the Plan Area, and 5,000 new residential units accommodating 7,500 - 11,000 new residents.

The WOSP facilitates new growth and development that is most likely to occur on many longstanding dormant and /or underutilized properties, development sites available as a result of the relocated I-880 freeway, and additional sites expected to be vacated as their current uses relocate to the former Oakland Army Base. These sites are identified in the Plan as "Opportunity Sites."

The WOSP groups similar "Opportunity Sites" concentrated in a compact location into larger geographic units termed "Opportunity Areas." The Plan recommends a land use vision and strategies for guiding future development of four Opportunity Areas:

- **Opportunity Area 1:** consisting of the Opportunity Sites surrounding the West Grand and Mandela Parkway intersection;
- **Opportunity Area 2:** consisting of the Opportunity Sites along the 7th Street corridor, near the West Oakland BART Station, Oakland Main Post Office, and along Pine Street near the I-880 Frontage Road;
- **Opportunity Area 3:** consisting of the Opportunity Sites along the 3rd Street corridor, near the Port of Oakland; and
- **Opportunity Area 4:** consisting of the Opportunity Sites along the San Pablo Avenue corridor, between West Grand Avenue and the I-580 Freeway.

Opportunity Sites & Opportunity Areas

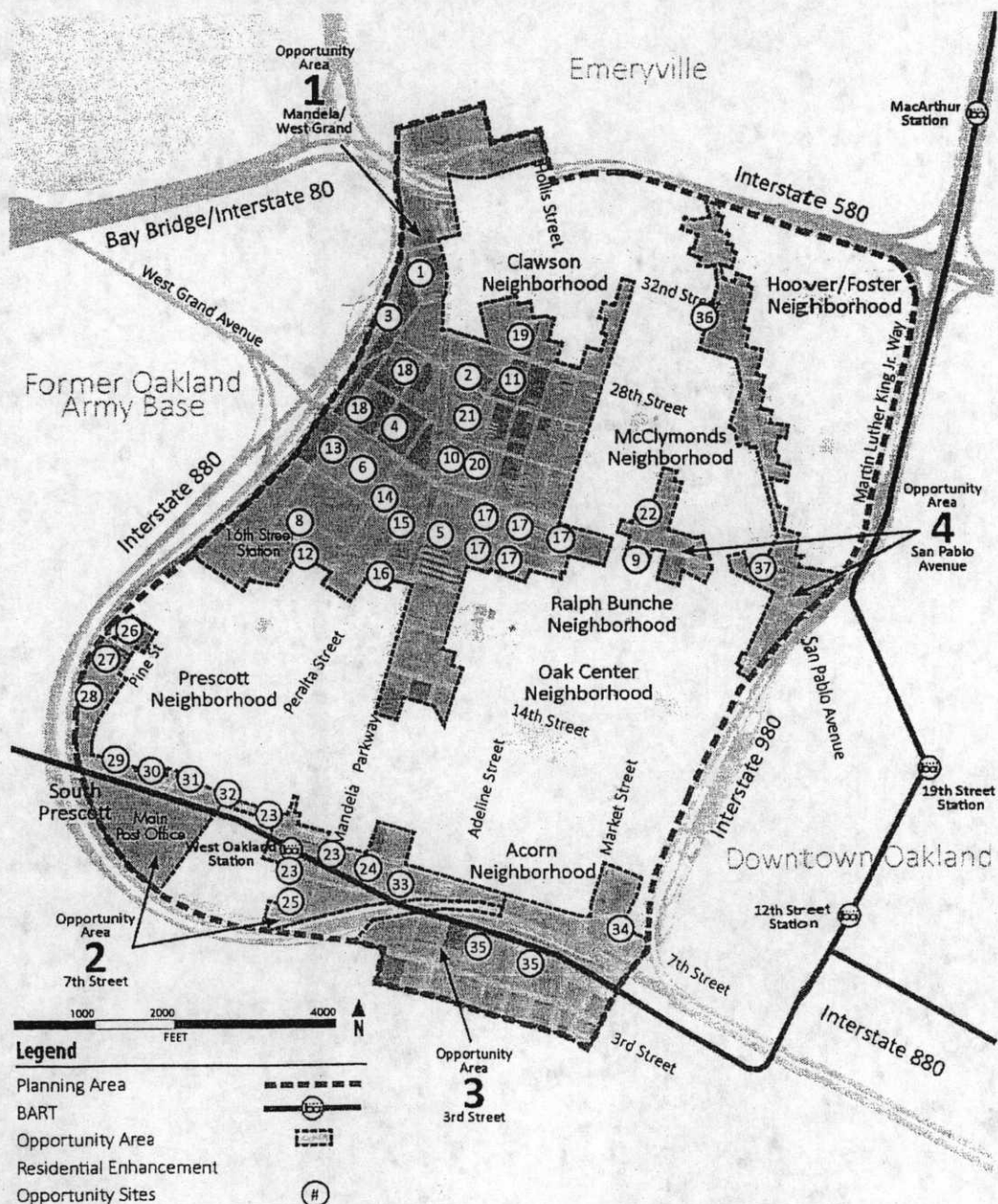


Table 1.1-1 West Oakland Opportunity Sites

Site #	Assessor's Parcel Number(s)	Address/Location/Descriptor	Area (acres)
Mandela/West Grand Opportunity Area			
1	7-059-900	1650 32nd Street	1.22
2	7-586-2	2601 Peralta Street	1.70
3		Upper Wood Street	5.37
4	7-576-1-11 and -15	2240 Wood Street (West Grand / Campbell)	3.54
5	5-402-4-2, -5-2 and -6; 5-419-1-4; 420-1-3 and -5	Pacific Pipe / American Steel	12.63
6	7-571-3-1	1699 West Grand Avenue	4.75
8	7-562-1; 7-563-1	Roadway Express	4.32
10	5-422-2-3	2300 Peralta Street (Mandela / Peralta / West Grand)	3.18
11	5-449-1-1	2701 Poplar (Custom Alloy Scrap Sales - CASS)	2.84
12	7-559-1-2; 7-559-4	Half block at Willow / Campbell / 17th Street	0.98
13	7-572-1-1; 7-572-1-2, 7-572-2-1, -2, -4 and -5	1700 Willow (Wood / Willow / W. Grand / 20th Street)	4.77
14	7-570-2	2001 Peralta (portion of block at Campbell / 20th / Peralta)	0.87
15	5-421-2-2; 5-421-3	Triangle - (Mandela / Peralta / 20th Street)	0.81
16	5-399-1-3	North portion of block (Mandela / Peralta / 20th Street)	0.88
17	7-572-2-4	Poplar to Linden, West Grand to 20th Street	13.02
18A	7-576-1-12 and -14;		
18B	7-575-1, -2-3, -2-5, -4, -3-3;		
18C	7-579-4, -1-7, -1-8, -1-10, -2-2;	West Grand to 32nd, Campbell to Wood	17.79
18D	7-580-3-1, -5, -2-2, -1-1		
19	5-460-1, -2 and -6-2	Triangle (Peralta / Poplar / 28th Street)	0.76
20	5-423-1-1	Kirkham to Poplar, West Grand to 24th Street	3.48
21	5-441-1 and -2	Triangle (Peralta / Kirkham / 24th Street)	1.40
7th Street Opportunity Area			
23	4-49-1, -2-1, -2, -3 and -4; 4-51-18-2; 4-69-1, -2-1, -2-2, -3 and -4; 4-73-1, -2, -3, -4, -5, -6 and -7; 4-77-3	Caltrans/BART properties	9.44
24	18-390-10-7	Alliance Site	3.95
25	4-73-10-2; 4-73-9	EPA Site	0.92
26	6-29-3-2; 6-29-4-3	10th to 11th, Pine to Frontage	2.94
27	6-49-25 and -26	9th to 10th, Pine to Frontage	1.62
28	6-47-1	Phoenix Iron Works	5.49
29	6-19-8; 6-19-28-2	7th and Wood	0.42
30	6-19-22	7th and Willow	0.25
31	6-17-17, -18, -19, -20, -21 and -22	7th and Campbell	0.73
32	4-97-13, -14 and -15	7th and Peralta	0.17
33		South half block between Union and Magnolia	0.69
3rd Street Opportunity Area			
34	1-221-14-1	Brush and Castro	1.36
35	4-3-2	425 Market	2.67
San Pablo Avenue Opportunity Area			
36	5-467-1, -2-1 and -2-3	North portion of block, Filbert / 30th / San Pablo	0.91
37	3-21-10; 3-25-3; 3-25-5-1	San Pablo / W. Grand / 23rd / West	
9	5-411-1-4; 5-411-2-5	West Grand Avenue / Market Street	1.89
22	5-490-13-4; 5-430-17-2	West Grand / Filbert / Myrtle / 24th Street	2.92

To support the need for employment opportunities, the Plan recommends the Mandela Parkway and West Grand Avenue area (Opportunity Area 1) be promoted as the major business and employment center for West Oakland. Land use recommendations here encourage a mix of business activities and development that will generate a range of jobs at varying skill and educational levels.

To capitalize on the area's proximity and access to the West Oakland BART station, the Plan recommends that the 7th Street area (Opportunity Area 2) support development of a Transit-Oriented Development (TOD) project on the surface parking lots surrounding the BART Station, and integrates the cultural history of West Oakland's storied 7th Street corridor.

To enhance the current industrial and commercial areas adjacent to the Port of Oakland, the Specific Plan recommends that the 3rd Street area (Opportunity Area 3) promote uses that continue to support business activities and jobs, capitalizing on its proximity to the Port of Oakland, the adjacent regional freeway network, as well as Downtown Oakland and Jack London Square.

To acknowledge the potential development opportunity for one of West Oakland's major commercial corridors, the West Oakland Specific Plan recommends that the San Pablo Avenue area (Opportunity Area 4) be developed with additional residential and commercial mixed-used development.

Additionally:

- Existing open space resources are encouraged to be enhanced.
- Existing residential neighborhoods are expected to retain their current character.
- For the most part, existing commercial/industrial uses are expected to remain (some are expected to relocate to the former Oakland Army Base).
- Future manufacturing activities are to operate under provisions that minimize conflict with nearby sensitive uses.
- Major development actions already in process, such as redevelopment of the former Oakland Army Base for civilian use and restoration of the historic 16th Street Train Station, are also supported by WOSP recommendations designed to work in conjunction with these ongoing efforts.

Plan's Vision and Goals

The WOSP includes policies and actions for reducing blight, attracting new industry, maintaining and supporting existing compatible businesses and industry, promoting smart growth and Transit-Oriented Development (TOD) that serves a range of incomes, encouraging mass transit and creating living wage jobs for West Oakland residents. Its vision and goals provide an important framework for its policies and actions, and are summarized in the form of future intent statements below:

- Industrial areas have been preserved and contribute to economic vitality, supporting clean, low-impact industries that provide living wage jobs for local residents;
- Housing continues to be affordable and the character of historic neighborhoods has been maintained. Successful new mixed income neighborhoods provide a range of housing options, and new housing development is transit-oriented and transit served;
- Transit connections between the West Oakland BART station, residential neighborhoods and existing and new employment, cultural and commercial centers are improved, and street and transit better connect West Oakland to surrounding areas;

- Neighborhood commercial areas (particularly 7th Street and San Pablo Avenue) have been revitalized with vibrant small businesses that provide the daily goods and services needed by local residents;
- Environmental quality and community health have been improved, and contaminated sites have been remediated. New development and new land uses are designed to encourage physical activity and healthy lifestyles for residents;
- West Oakland continues to be a socially and culturally diverse area with a strong sense of community, and West Oakland's thriving artist community has been preserved; and
- Safety has been improved through a reduction in crime and the provision of safe and attractive new private and public spaces.

A key element of the WOSP is the identification of important community assets, an acknowledgement of their critical importance, and inclusion of strategies to ensure their retention. The existing assets for which this Plan sets forth objectives and strategies to ensure retention and preservation include:

- **Jobs & Industrial Lands:** Recognizing West Oakland's industrial lands as a vital, fundamental basis for future economic growth and retaining the area's current solid and diversified jobs base, which provide wages that support and sustain middle-class incomes;
- **Residential Neighborhoods:** Preserving West Oakland's residential neighborhoods, which need only enhancement of their existing strengths;
- **Historic Resource Preservation:** Preserving Oakland's oldest and most historic neighborhoods and industrial areas, ensuring their legacy of cultural, educational, aesthetic and inspirational benefits for future generations;
- **Arts & Culture:** Fostering West Oakland's fully-emerged arts and culture movement; and
- **Plan Area Schools:** Acknowledging the importance of retaining educational resources for Plan Area residents.

Public Participation and Planning Process

An intensive community-based planning process has been a crucial component in WOSP's development; preparation of the Plan benefited from the guidance of a 14-member Steering Committee comprised of volunteers representing West Oakland community organizations, residential neighborhoods and businesses. The WOSP Steering Committee's role has been to:

- Provide guidance to the Specific Plan regarding key community issues and concerns relating to the Opportunity Sites;
- Suggest recommendations and approaches that should be considered for the Plan;
- Identify community concerns regarding the analyses leading up to this Plan and its recommendations;
- Receive information for review and discussion prior to dissemination to the larger West Oakland community;
- Serve as a "sounding board" for Specific Plan recommendations;
- Recommend approaches and locations for communicating information to the larger West Oakland community, and approaches for receiving feedback from the community at large throughout the process; and
- Provide feedback on the preliminary versions of the Specific Plan.

The Steering Committee provided guidance regarding key community issues and concerns, and made recommendations on strategies and actions that should be considered in the Plan.

The ideas and strategies contained in the Specific Plan were also vetted through a 23-member Technical Advisory Committee (TAC) made up of public agency representatives and advocacy groups. Membership in the TAC included representatives from the following organizations and agencies:

- Bay Area Rapid Transit (BART);
- AC Transit;
- Alameda County Public Health;
- San Pablo Avenue neighborhood;
- Bay Area Air Quality Management District;
- Oakland Housing Authority;
- Amicus Environmental;
- Port of Oakland;
- City of Oakland Planning Division (Department of Planning & Building);
- Oakland Heritage Alliance;
- City of Oakland Army Base Project Team;
- City of Oakland Transportation Services Division;
- City of Oakland Economic Development Department;
- City of Oakland Housing & Community Development Department;
- City of Oakland Environmental Services Department;
- City of Oakland Office of Parks & Recreation;
- U.S. Environmental Protection Agency;
- Oakland Unified School District;
- Office of former City Council Member Nancy Nadel, and current City Council member Lynette Gibson McElhaney.

As a complement to the Steering Committee, the TAC provided guidance, review and input vis-à-vis institutional and/or regulatory development issues that warranted special attention during the Specific Plan process. In total, twelve (12) Steering Committee meetings, seven (7) TAC meetings and ten (10) joint Steering Committee and TAC meetings have been held to date in shaping the Plan. To ensure continued community involvement in shaping the results of the Specific Plan should it be adopted by the City Council, the WOSP includes a recommendation for a citizen and stakeholder process to help select and guide the priority and timing of this Plan's implementation strategies, providing advice and recommendations through City staff to the City Council.

Additionally, the community participation process included a very robust public outreach effort highlighted by six Community Workshops / Community Meetings where the Steering and Technical Advisory Committees' ideas were shared with the general public, additional public input and suggestions were solicited, and community consensus achieved through a facilitated public process. Approximately 100-200 West Oakland stakeholders attended each workshop.

Previous Review by Advisory Boards and the Planning Commission

Since the project's July 2011 initiation date periodic status reports were provided to the Oakland City Planning Commission on October 5, 2011, and May 16, 2012, and to the Landmarks Preservation

Advisory Board (LPAB) on September 19, 2011 and April 9, 2012. Both the Landmarks Preservation Advisory Board and Planning Commission reviewed the project again during the Draft EIR Notice of Preparation Scoping Sessions, held November 5, 2012 and November 14, 2014, respectively. Periodic presentations were also made to the former West Oakland Project Area Committee, West Oakland Community Advisory Group, Neighborhood Crime Prevention Councils, Oakland Metropolitan Chamber of Commerce Committees, and various neighborhood associations and community groups to offer these bodies opportunities to shape the Specific Plan.

Formal review of the Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR) occurred during the 45-day public comment period which began on January 29, 2014 and concluded on March 17, 2014. During this period, the Plan and DEIR was considered by the Landmarks Preservation Advisory Board on February 10, 2014, City Planning Commission on February 24, 2014, and the City Parks and Recreation Advisory Commission on March 12, 2014.

Addressing Comments Received during the Previous Public Review Period

Staff received numerous comments on the WOSP, its associated General Plan and Zoning Amendments and Design Guidelines, and on the DEIR during the public review period. Many of the comments have resulted in minor revisions to the DEIR and reorganization of the Plan itself to help readers better locate information, and refinements the Plan's major concepts (such as shifting from the original land use Overlays format for proposed new zones to a new CIX base zones format); however no departure from the original themes presented in the Public Review Draft Plan has occurred. A summary of the comments on the DEIR is contained in the Final EIR/Response to Comments document; a summary of the Specific Plan-related comments and staff's responses is presented in **Attachment G** with staff's responses to a few of the more recurring, universal themes reflected in the comments discussed in greater detail under the section titled **'KEY ISSUES / COMMENTS ON THE SPECIFIC PLAN AND REVISIONS TO THE PLAN'** later in this staff report.

General Plan Conformity Analysis

Consistency of Project with General Plan Policies

The Specific Plan establishes a link between policies of the City's General Plan and implementation action for individual development proposals, focusing on the physical development of West Oakland's various subareas. The Specific Plan also includes objectives and strategies that support and facilitate desired development as indicated in the General Plan, and as such:

- o promoting high density development near the West Oakland BART station;
- o identifying a development vision for other major locations throughout the Specific Plan area;
- o encouraging residential and neighborhood-serving commercial establishments on major corridors such as San Pablo Avenue;
- o redirecting more intensive commercial activities to locations closer to the Port of Oakland and away from residential areas;
- o protecting and enhancing West Oakland's residential neighborhoods; and
- o encouraging an enhanced multimodal transportation system to better link residents and businesses.

It accomplishes these objectives and strategies through a variety of actions, including creation of distinct land use strategies to guide future development of key parcels throughout the Specific Plan area and through a limited number of recommended General Plan and Zoning amendments.

Land Use and Transportation Element (LUTE)

The Land Use and Transportation Element (LUTE) is the “heart” of the City of Oakland General Plan. The LUTE presents a Strategy Diagram that shows areas of expected growth and change, a Transportation Diagram that lays out the basic transportation network, planned Transportation Improvements to support the growth and change recommended in the Strategy Diagram, and a Land Use Diagram and land use designations that guide the location, types and character of the various land uses throughout the city. For West Oakland, the LUTE encourages maintaining and enhancing established neighborhood areas, business expansion to take advantage of the I-880 alignment, resolving land use conflicts between business and residents, access to the waterfront, better transportation linkages, and overall improvements to the appearance of the community. The LUTE seeks to resolve land use conflicts through the use of “good neighbor” policies, encourage commercial activity and urban density housing along West Grand Avenue, retain general industrial areas toward the core of the Mandela/West Grand industrial area away from residential areas, develop a transit village at the West Oakland BART Station, and revitalize 7th Street and Jack London Gateway Shopping Center. The LUTE includes direction to support the character of established neighborhoods and guide development of housing with ground floor commercial along major corridors such as San Pablo Avenue, 7th Street, and West Grand Avenue.

The Specific Plan supports and helps to implement these strategies in West Oakland, focusing on both public and private investment opportunities. Many of the LUTE’s “target areas” for growth and change are encompassed within the Specific Plan’s Opportunity Areas and include many of its Opportunity Sites, including the West Oakland BART station, 7th Street, Wood Street, Pine Street, San Pablo Avenue, and West Grand Avenue. This Specific Plan supports specific LUTE recommendations for West Oakland, including:

- maintaining and enhancing established neighborhood areas;
- retaining industrial uses toward the core of the Mandela/West Grand industrial area and away from residential areas;
- locating new trucking services away from residential neighborhoods;
- encouraging business expansion;
- reducing land use incompatibilities between industrial and residential uses;
- improving transportation linkages;
- enhancing the overall appearance of the community;
- developing housing with ground floor commercial along San Pablo Avenue, 7th Street, and West Grand Avenue; and
- promoting a transit village at the West Oakland BART Station; and revitalizing 7th Street.

Housing Element

The 2007-2014 Housing Element of the City of Oakland General Plan was adopted by the City Council on December 21, 2010. California law requires that each city and county periodically adopt a housing element that includes an assessment of housing needs; a statement of the community’s goals, objectives and policies related to housing; a five-year schedule of actions to implement the goals and objectives; and City-identified opportunity sites for new housing.

The Housing Element opportunity sites include a number of the West Oakland Opportunity Sites identified in the Specific Plan, specifically within the 7th Street Opportunity Area and San Pablo Avenue Opportunity Area, which are identified in this Specific Plan for residential or mixed-use.

How the WOSP Implements the General Plan

The WOSP implements the Oakland General Plan by refining General Plan policies through selected General Plan Amendments tailored to West Oakland development concerns. It further implements the General Plan by creating six (6) new zoning designations and instituting various zoning text amendments for the West Oakland area that collectively refine the City's preferred development pattern for the West Oakland area, generally by:

- creating a more clearly defined boundary between industrial and residential land uses at the edge of existing residential and industrial areas;
- directing locations of new industrial and commercial development to provide flexibility and adaptability over time and minimize inconsistent development patterns and address longstanding land use conflicts and, relatedly, by directing more intensive development to strategically located parcels;
- supporting long-desired transit-oriented development (TOD) at the West Oakland BART Station, in particular among other features, providing for transition in TOD building heights for developments immediately adjacent to surrounding residential communities;
- emphasizing and facilitate revitalization of the Plan Area's major commercial corridors;
- conforming selected areas within the Plan Area to existing land use planning policies and regulations, in particular clarifying the boundaries between Business Mix and Housing & Business Mix land use designations;
- increasing opportunities for mixture of businesses by applying Business Mix land use designations and Commercial Industrial Zoning (CIX) to appropriate locations;
- protect existing residential areas from incompatible land uses;
- applying Open Space General Plan land use and zoning designations to selected City-owned parks and medians where necessary to ensure these areas remain open space resources;
- creating new Design Guidelines to address specific West Oakland development and aesthetic characteristics; and
- promoting development of economically viable market sectors that the City has desired to attract.

The specific draft General Plan and Zoning Amendment Map is included as **Attachment D**; Planning Code Amendments (Key Concepts) as **Attachment E1**; Specific Amended Text and Zoning as **Attachment E2**; Heights Amendment Map as **Attachment E3**; and Design Guidelines as **Attachment F**.

KEY ISSUES / COMMENTS ON THE SPECIFIC PLAN AND REVISIONS TO THE PLAN

Staff received 24 comment letters and heard oral testimonials from over 50 speakers during the public review period. As indicated in **Attachment G** the comments reflected a wide variety of topics. The more prevalent / recurring topics related to:

- (1) the length and organization of the Plan;
- (2) the proposed land use Overlays, proposed rezoning of certain sites, and other related zoning issues;

- (3) the opinion that the Plan did not adequately address West Oakland social concerns such as displacement, gentrification, access to future jobs and community benefits;
- (4) proposed lane reductions (road diets), roundabouts and other traffic-related recommendations;
- (5) the opinion that the Plan was not providing benefits to existing residents;
- (6) the Specific Plan's lack of recommendations specifically geared towards West Oakland's African American population and other specific populations; and
- (7) the need for additional information in selected chapters.

These topics and the manner by which they were addressed are highlighted below. *(Refer also to Attachment G for a detailed description of the responses to Specific Plan comments.)*

(1) Plan Length and Organization

The WOSP addresses all of the topics required by California State Law governing Specific Plans:

- o Text and diagrams showing the distribution, location and extent of all land uses;
- o Proposed distribution, location, extent and intensity of major components of public and private transportation and other essential public facilities needed to support the land uses;
- o Standards and guidelines for development, and standards for the conservation, development and utilization of natural resources, where applicable;
- o Program of implementation measures including regulations, programs, public works projects and financing measures; and
- o Statement of the Specific Plan's relationship to the General Plan.

It also includes substantial sections on topics not required by law but of particular interest to West Oakland stakeholders (Equitable Economic Development, Community Health). WOSP contents speak to combatting blight, addressing crime, securing infrastructure, addressing brownfields, preserving historic resources, fostering the arts and art-related industries, retaining educational resources, targeting key business/market sectors, increasing retail opportunities and residential facilities, identifying and facilitating street and transit enhancements, increasing affordable housing and encouraging open space resources. Commenters indicated that while these topics merited attention, the resulting Draft Specific Plan document itself was too lengthy, that it was difficult to find particular material, and that by including this variety of topics the Draft Plan might have veered away from its mandated, prescribed purpose of being a planning document designed to regulate physical development and implement the issues under General Plan purview since many of the topics covered are not controlled by a General Plan. Staff has responded to these concerns as follows:

- (a) The Final Specific Plan has been reorganized to now follow the more traditional format of other Specific Plans, making information easier to locate. The organizational format of the Draft Specific Plan and Final Specific Plan is presented below for comparison:

Public Review Draft Specific Plan Organization		Final Specific Plan Organization	
1.0	Executive Summary	1.0	Introduction
2.0	Introduction	2.0	Vision & Goals
3.0	Vision Statement	3.0	Market Analysis
4.0	Removing Barriers to Economic & Community Development	4.0	Land Use
5.0	Retaining Existing Assets	5.0	Circulation
6.0	Identifying the Opportunities	6.0	Public Infrastructure
7.0	Building to the Plan's Potential	7.0	Obstacles to Community & Economic Development
8.0	Supporting the Plan	8.0	Cultural Assets
9.0	Tending to a Broader Vision	9.0	Open Space
10.0	Implementation Program	10.0	Social Equity
		11.0	Implementation Program

- (b) The *Executive Summary* has been eliminated to avoid redundancy of information.
- (c) The level of detail previously included in many of the prior Public Review Draft chapters (i.e., the '*Residential Development Potential*,' '*Crime*,' and '*Brownfields*' chapters) has been reduced to shorten the overall Plan document.
- (d) The land use discussion - one of the major elements of a Specific Plan - previously located in the second half of the document has been relocated closer to the front of the document.
- (e) The text of other required Specific Plan topics (infrastructure, circulation, open space) has been edited so that information is presented in a more streamlined, 'tighter' format.
- (f) '*Community Health*' and other supplementary sections have been relocated to the Appendices.
- (g) Superfluous graphics have been eliminated.

Although there are now eleven chapters instead of the prior ten of the Public Review Draft Specific Plan, the overall Final Specific Plan document is less pages in length. It is intended that these changes now result in a Plan document that is easier for readers to follow and locate information.

(2) Proposed Land Use Overlays / Proposed Rezoning of Certain Sites & Other Zoning Concerns

In the period since the Commission's February 24, 2014 consideration of the Plan staff conducted three subsequent Joint WOSP Steering Committee/TAC meetings with other Community stakeholders regarding the zoning recommendations on March 25, 2014, May 13, 2014 and May 20, 2014. The Public Review Draft Plan included recommendations for creating various land use Overlays that would be mapped over the existing Commercial Industrial Mix-1 (CIX-1) Zone in order to direct preferred future land uses and enhance operation of existing commercial and industrial businesses. Commenters expressed concerns over potential conflicts that could result between the provisions of the new Overlays and those of the underlying CIX base zone.

Staff has responded to these concerns as follows:

- (a) The former five proposed Overlays (Large Format Retail, High Intensity Business, Low Intensity Business, Business Enhancement, and High Density Mixed-Use Transit Oriented Development) have been replaced with the following recommended four new CIX Zoning designations:
 - a) CIX-1A (Business Enhancement) Zone, intended to create, preserve and enhance industrial areas in West Oakland that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small space for start-up businesses.
 - b) CIX-1B (Low Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.
 - c) CIX-1C (High Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of higher intensity commercial, retail, office and advanced manufacturing –type uses. This zone will be applied to areas with strong locational advantages that make possible the attraction of high intensity commercial and light industrial land uses and development types.
 - d) CIX-1D (Retail Commercial Mix) Zone, intended to create, preserve, and enhance industrial areas in West Oakland that are appropriate for a broad range of large-scale retail and commercial uses. This district will be applied to certain areas with a prominent street location.

In order to improve air quality and decrease truck traffic in the neighborhoods, the draft zoning provisions would restrict the allowed location of certain heavy impact land uses such as freight/truck terminals, truck yards, and primary waste collection centers, to designated areas outside of the West Oakland “freeway ring” (defined as I-980 to the east, I-880 to the south and west, and I-580 to the north). These new restrictions would be implemented through the creation and mapping of a new “T” (for ‘Trucks’) Combining Zone Overlay to indicate areas where such heavy impact land uses would not be problematic:

- o The proposed “T” Combining Zone Overlay can be combined with any of the new CIX-1A, CIX-1B, CIX-1C, or CIX-1D base zones in order to designate the allowed areas for heavy impact land uses (e.g., ‘CIX-1C/T’). The “T” Overlay will primarily be applied within the 3rd Street Opportunity Area below the I-880 freeway.
- (b) The prior proposed High Density Mixed Use Transit-Oriented Development (TOD) Overlay has been replaced by the new recommended S-15W Zoning designation intended to maximize the locational asset of the West Oakland BART Station by promoting commercial and high-density housing near this major transit resource, while additionally mandating reductions in TOD building heights near the adjacent South Prescott neighborhood among other features, to better direct development of the prospective BART TOD project in accordance with WOSP objectives.
- (c) Several parcels were previously recommended to change from CIX Zoning to Housing and Business Mix (HBX) in order to better reflect existing land use patterns and establish more

clearly defined buffers in West Oakland between existing residential neighborhoods and less compatible commercial and industrial areas. However, some commenters expressed concern regarding the proposed rezoning of the Coca Cola/Mayway site on 12th Street. This site has been eliminated from rezoning consideration.

- (d) Many of the new HBX-zoned sites would be designated with a new type of HBX zone: Housing and Business Mix Zone-4 (HBX-4), intended to provide standards that allow live/work, work/live, and housing to compatibly co-exist in areas with a strong presence of industrial and heavy commercial activities. 'Live/work' and 'Work/Live' developments would be outright permitted, but 'Residential' developments would only be conditionally permitted.

(3) Displacement, Gentrification, Access to Anticipated Future Jobs, and Community Benefits

Staff has received numerous comments relating to the effect of the Plan on causing future gentrification of the West Oakland district and displacement of existing residents. *It is important to note that demographic statistics reveal that West Oakland has increasingly been experiencing gentrification, and possibly displacement of some residents, over the past two decades; hence the Specific Plan cannot be attributed with creating the circumstances cited in commenters' remarks.* There were also related social equity concerns regarding a perceived lack of future participation of existing residents in future employment opportunities unless the Specific Plan included definitive requirements for local hiring programs at specific wage levels. Each concern is discussed below.

Displacement. Implementation of the Specific Plan would not result in the direct displacement of housing or people. No housing is proposed to be removed or changed to a non-residential use. The Specific Plan does not propose significant development outside the identified Opportunity Areas. The existing residential neighborhoods of West Oakland are identified in the Specific Plan as "Enhancement Areas," where only minor land use changes are proposed. The Specific Plan also proposes to retain the limited number of existing housing units located within the Opportunity Areas. However, as development proceeds in accordance with the Specific Plan, there may be a renewed interest in investment in the district. As a result, property prices are expected to rise. While existing West Oakland homeowners can benefit financially from the increase in the value of their properties, renters and prospective owners could face challenges, such as renters facing higher rents and potential homebuyers trying to compete with outside investors for single-family homes. This type of displacement is likely to be more indirect and is different from the broad scale displacement of communities that was commonly associated with the redevelopment projects in the 1960s. However, because it is likely to be more incremental and dispersed in nature, indirect displacement is difficult to track and counteract and control with City actions alone. To further protect existing residents from the indirect displacement that might result over time, staff has responded to these concerns as follows:

- a) Staff has added the following new recommendations from Just Cause's 'Development Without Displacement Report' to new WOSP Chapter 10 Social Equity Chapter (Affordable Housing section, formerly Chapter 9 Tending to a Broader Vision) [added text shown in underline; deleted text in strikethrough (~~strikethrough~~) font]:
 - o Consider creating set-asides in low-home ownership districts to increase the rate of ownership in these districts, especially by low income households.

- Help existing low to moderate income homeowners use the City's programs for rehabilitating units, take Unity Council classes on budgeting and maintenance, and if needed seek out assistance to avoid foreclosure in the event of financial crises.
- Increase coordination between rent adjustment and code enforcement to advise tenants regarding landlord anti-harassment policies. Consider strengthening to cover current and educating tenants.
- Strengthen local relocation policies to ensure that any resident displaced as a result of a no-fault eviction, including building closure due to uninhabitable conditions, or publicly funded development activity receives just compensation and comprehensive relocation assistance.
- Explore legal mechanisms for getting non-responsive owners to address code violations.
- Study the feasibility to enact a "right of first refusal" policy, where not in place, to require that housing units that are renovated through redevelopment, rehabilitation (including due to code enforcement activities), to be offered to existing tenants first, before being sold or re-rented on the private market.
- Consider establishing a forum to support community-based training for residents to participate in planning and development processes.
- Explore ways to evaluate and mitigate displacement by individual development projects.

These additional recommendations, in conjunction with the prior recommendations, are anticipated to further strengthen existing residents' ability to remain in their community as the area continues to revitalize.

Gentrification. Gentrification is typically defined as a shift in an urban community toward wealthier residents and/or businesses and increasing property values, sometimes at the expense of the poorer residents of the community; and in studies has been associated with increases in educational attainment and household incomes as well as an appreciation in housing prices. It is also often associated, but not directly linked to, an overall change in the racial or ethnic makeup of a community. The Specific Plan's original, underlying intent has always been to facilitate development of underutilized properties as a means of furthering continued revitalization of the West Oakland district as a whole, for both existing and future residents. The Specific Plan contains several goals and recommended actions regarding assisting and sustaining existing residents, neighborhoods and businesses; however, it is limited in its ability to curtail gentrification: a planning document cannot legally dictate the characteristics of new residents that would be allowed to live, work, purchase property, or participate in any other way in the community of their choice.

Access to Anticipated Future Jobs. The WOSP anticipates creation of approximately 28,000 new jobs throughout the Plan Area over the 20 to 25 year Plan horizon; and targets in particular, a variety of business market sectors that offer a wide range of positions at varying educational and

skills levels. The WOSP includes a number of strategies for empowering existing residents and businesses to participate in and benefit from the new development and economic activity planned for West Oakland by building on and connecting existing governmental and community-based equitable economic development programs. It includes strategies that seek to empower residents at a range of education and skill levels to find high quality and well-paying jobs, either in West Oakland or elsewhere in the region; to support, develop and retain small businesses including locally-owned neighborhood-serving businesses, as well as the growing industrial arts and urban manufacturing sectors; to cultivate a business environment that contributes to West Oakland's overall economic competitiveness; and to ensure that households have access to neighborhood-serving retail and other goods and services to support a high quality of life.

To further enhance existing residents' ability to access the jobs expected to result from development in accordance to the Plan, Staff has responded to these concerns as follows:

- b) Staff has added the following new language and /or recommendations to the Plan's Chapter 11 'Social Equity' [added text shown in underline; deleted text in ~~strikethrough~~ font]:

- o Encouraging a mix of land uses that will generate a range of jobs—retail, medical, office and other professional service uses, as well as short term construction jobs—and a range of housing types is a key component of the Plan. The City imposes a number of employment and contracting programs and requirements on City public works projects, as well as private development projects that receive a City subsidy. These include the Local and Small Local Business Enterprise Program, the Local Employment/ Apprenticeship Program, Living Wage requirements, and prevailing wage requirements. However, the City of Oakland has very limited legal authority to apply these programs to private projects, including sites sold by the City for fair market value, or public works-type projects funded by private parties, including street or sidewalk improvements built as part of a new development. The City also has very limited legal authority to impose its employment and contracting programs and requirements on projects that do not involve City funding and/or other City participation. As such, the Plan supports continuing to provide private developers and business owners with information about workforce development programs, including those administered by the City or other organizations, in order to encourage opportunities for the creation of high quality, local jobs and job training programs.
- o EED-18: Encourage a mix of land uses and development that will generate a range of job and career opportunities, including permanent, well-paying, and green jobs (including short-term, prevailing wage construction jobs and living wage-permanent jobs) that could provide work for local residents.
- o EED-19: Encourage consideration of Project Labor Agreements (PLAs) for projects that involve City subsidy.

- c) Existing text in this chapter was revised as follows [added text shown in underline; deleted text in ~~strikethrough~~ font]:

- o **Workforce and Economic Development:** The City plays a role in supporting and attracting businesses and helping job seekers gain employment. The City of Oakland

directly operates or serves as a key partner in offering a number of economic development resources, including the Department of Economic & Workforce Development, the Workforce Investment Board, the Oakland Business Assistance Center, the Oakland Business Development Corporation, the West Oakland Job Resource Center, and the West Oakland Public Library. In general, these agencies tend to connect job seekers and businesses with funding and referrals for services, rather than directly providing job training, business technical support, or other programming. These services should be publicized and in a manner that is accessible to Planning Area Oakland residents.

- **EED-2:** Continue to work with local job readiness, training, and placement organizations to establish career pathways in construction and operations; and support the provision of local job training opportunities for jobs being developed both in the Planning Area and the region, particularly those accessible via the transit network.
- **EED-56:** Work with regional employers, Community-Based Organizations, educational institutions to establish career pathways for residents in a range of industries at the regional level.

In addition to better connecting West Oakland residents to jobs within the neighborhood, the City should explore long-term opportunities to partner with regional employers, Community-Based Organizations, and educational institutions throughout the East Bay and other parts of the Bay Area. This should include opportunities in industries that also exist in West Oakland, such as construction and manufacturing, as well as sectors projected to experience growth at the regional level, such as professional services, healthcare and educational services, and leisure and hospitality. These sectors are expected to create employment opportunities at a range of wage and training levels. For example, jobs in the professional services will range from management positions to entry-level administrative support jobs that could start workers on a career pathway; occupations in the healthcare sector can include everything from doctors and nurse practitioners, to medical assistants and home health care aids.

Local businesses should be encouraged to offer internship, mentoring and apprenticeship programs to high school and college students.

Community Benefits: Several commenters expressed the need to incorporate a Community Benefits package in the Specific Plan. It should be noted that the imposition of public requirements on private development projects generally requires that the City demonstrate a nexus between the burdens created by the proposed development and the benefits to be obtained through the program. For example, the City does not generally have the authority to impose inclusionary affordable housing requirements on private development without having first conducted a study demonstrating the nexus between the new development and the inclusionary requirement. Staff has responded to these concerns as follows:

- a) Staff has added the following new language in the Specific Plan Chapter 11 'Social Equity' [added text shown in underline; deleted text in ~~strikethrough~~ font]:

Affordable Housing and Community Benefits:

The City will analyze, as part of a citywide policy, to require large developments in those areas throughout the city that are most prime for development, such as Priority Development Areas (PDAs), to make contributions to assist in the development of affordable housing and other community benefits, such as open space. Options that may be included, but not limited to, are: impact fees, land dedication, and a Housing Overlay Zone (HOZ). Among other actions, the City will conduct a nexus study and an economic feasibility study to evaluate new programs to achieve this objective, including inclusionary zoning and impact fees for new housing development.

Criteria to consider as part of this analysis are:

- Study and selection of appropriate policy mechanism(s) to provide the public benefits. The City will conduct a nexus study for the target public benefits mechanism.
- Quantification of the costs of providing the desired benefits as well as the value of corresponding bonuses and incentives.
- Creating a potential system of "tiers" of bonuses and incentives given and benefits provided, that could effectively phase requirements, prioritize benefits, and create effective evaluation criteria to improve the program delivery over time.
- Increasing benefit to developer as more benefits and amenities are added.
- Numerically linking the financial value of the bonus or incentive given (defined by value of gross floor area added) to the cost of benefit or amenity provided.
- Establishing a potential "points" system to link incentives and benefits. For example, the City may devise a menu of community benefits and amenities and assign points to each item. The points earned then determine the amount of bonus and/or incentive a development may claim.
- Identifying the economic feasibility of development to inform the amount of community benefits and amenities to be provided by a particular project in exchange for additional height or density.
- Clear direction on the relationship between city-wide mechanisms and the implementation in specific plans

Please also refer to **Attachment G: Responses to Specific Plan Contents** for more detailed discussion of these important social equity issues.

(4) Lane Reductions (Road Diets), Roundabouts & Other Traffic-Related Recommendations

Commenters expressed concerns regarding the proposed lane reduction recommendations for narrowing Adeline Street from existing four travel lanes to two travel lanes, and well as the proposed lane reduction on 12th Street, 14th Street, and 18th Street. Commenters also expressed concerns regarding the proposed roundabouts on Adeline Street, as well as any truck restrictions in the areas near the Schnitzer Steel business located in the vicinity of the 3rd Street Opportunity Area.

Staff has responded to these concerns as follows:

- (a) As confirmed by the City's Public Works Agency, the lane reductions are needed to facilitate creation of bike lanes pursuant to the City's adopted Bicycle Master Plan. Additionally, both Public Works Agency engineers and the WOSP traffic consultant have confirmed that the potential for the lane reduction's negative impact on economic development and safety concerns is not as prevalent as some commenters may expect. Thus the conversion of travel lanes to bike lanes is still recommended in the Final Specific Plan. (More information regarding bike lanes is presented later in this report.)
- (b) All previously recommended roundabouts have been eliminated in the Final Specific Plan because they do pose logistic circulation concerns, particularly for buses.
- (c) To acknowledge and support the reliance many businesses have for significant truck use in selected areas of the Plan Area, the Specific Plan has been amended to recommend the creation and mapping of the majority of the 3rd Street Opportunity Area with the new "T" (Truck) Zone Overlay discussed earlier in this staff report (refer to the map in **Attachment D**). Per above, areas within the "T" Zone Overlay allows for land uses that have heavy truck activities. The proposed "T" Zone Overlay would encompass areas in immediate vicinity of Adeline Street / Middle Harbor Road, a major arterial for Port-related traffic and near I-880 Freeway access and an area where lane reductions to accommodate bike traffic would not occur.

(5) Specific Plan's Benefit to Existing Residents

Several commenters expressed concerns that the Specific Plan does not benefit existing residents, in particular, related to the gentrification concerns previously noted, that the Plan was attempting to attract a new population to West Oakland and to displace existing residents. The Public Review Draft Specific Plan contained several chapters of recommendations geared to acknowledge and protect existing populations, as examples:

- The former '*Chapter 5 Retaining Existing Assets*,' contained a number of strategies for retaining existing industrial jobs;
- Former Chapter 5 included strategies for retaining and enhancing existing residential neighborhoods (the WOSP includes no recommendations for changing the location, scale or development character of the existing residential areas);
- Former Chapter 5 included strategies for retaining historic resources which includes the current historically designated neighborhoods within which many of West Oakland's existing population live;

- Former Chapter 5 spoke to the need for retaining adequate educational resources for the existing population and the DEIR noted that the existing school facilities could accommodate the existing population as well as future anticipated additional populations that might result from the new development envisioned in the Plan;
- None of the Opportunity Sites /Opportunity Areas where the major growth and development is anticipated to occur are designated in residential neighborhoods, hence the Plan does not promote change to these areas that would result in direct displacement of existing residents;
- Former *Chapter 7 Building to the Plan's Potential* promotion of the West Oakland BART TOD project for intensive mixed-use development is intended to not only encourage and support TOD projects, but also to redirect development pressure away from the existing residential neighborhoods, lessening an incentive property owners might have to remove existing residential resources (and displace current residents) and replace with other types of developments;
- Per the discussion above regarding gentrification and displacement, the former *Chapter 9 Tending to the Broader Vision* contained numerous strategies for keeping existing housing resources affordable for current residents;
- Former Chapter 9 additionally included recommendations for maximizing existing resident's participation in current and future economic development and employment opportunities expected from development envisioned in the Specific Plan;
- Former Chapter 9 (and the Air Quality section of the DEIR) additionally included recommendations and mitigation measures, respectively to ensure that existing residents would not be subjected to worsening air quality impacts from future development envisioned in the Specific Plan. As an aside, parking garage that was illustrated on the edge of the proposed West Oakland BART TOD project, immediately adjacent to the I-880 freeway was recommended to not only reduce BART-related parking within the adjacent residential areas, but also to serve as a physical buffer between freeway impacts and adjacent neighborhoods and existing residents.

Each of these recommendations – as well as the new recommendations added per the above 'Gentrification and Displacement' discussion - are retained in the Final Specific Plan to benefit existing residents. As further benefits to existing residents staff has responded by adding the recommendations as follows:

- (a) The Secondary Unit regulations for West Oakland will be relaxed to eliminate the existing requirement for a separate non-tandem parking space. The new zoning changes will also remove the current prohibition against Secondary Units in the side and rear setback, as long as the Secondary Unit doesn't exceed existing size limits and can meet all the same standards that allow a garage or accessory structure in the same location.

This code amendment is intended to provide West Oakland homeowners with expanded opportunities for an accessory unit on their lot if desired, as a means of generating additional income to support their mortgages.

- (b) Additionally, staff has recommended adding new zoning regulations for home-based businesses or "Home Occupations."

The Home Occupation regulations will be modified for properties within the West Oakland Specific Plan area to allow (unlike in the rest of the city) business operations in detached garages or accessory structures, and up to one (1) non-resident employee.

This amendment is intended to facilitate West Oakland residents who wish to operate home-based businesses as a means of augmenting their income.

(6) Lack of Recommendations Specifically Geared towards West Oakland's African American population and other Specific Populations

The West Oakland district has historically maintained a large African American population since the 1940s and 1950s. Although it has declined in recent years, the percentage of African American residents still represents a significant percentage of West Oakland's demographic composition. Staff received several comments stating that the Specific Plan did not contain recommendations specifically geared towards the African American population; for example, commentors noted the absence of strategies that help elderly African Americans retain their homes, that support African American business ventures, and that require African American themes be reflected in future development projects and in the type of business establishments allowed on 7th Street in particular.

Although the Specific Plan acknowledges the historic and current demographic composition of African Americans vis-à-vis the total West Oakland population, and the contribution of this ethnicity in establishing a vibrant, cultural atmosphere along 7th Street which the Plan's recommendations seek to reestablish, it does not contain recommendations specifically for this (or any other) particular segment of the West Oakland community, because of the legal prohibitions against specifying that housing, businesses or other community resources be focused to a particular ethnic group. The Specific Plan's recommendations are intended to support development that benefits all West Oakland ethnic groups. With reference to future development projects, public art and similar installations, should decision-makers wish to recognize or reflect a particular cultural group, the Specific Plan does not contain language that prohibits such representation; in this manner it provides flexibility on the part of the designers to reflect whatever is deemed important given the nature, location and other characteristics of the project.

(7) Additional Information in Selected Chapters

Various comments reflected the need to clarify and/or expand the information contained in the Specific Plan. Staff has revised text and maps in the Final Specific Plan as necessary to respond to comments as follows

- a) Augmented the Infrastructure Improvements map to add additional locations where rail lines were in the streets;
- b) Refined the Cultural Resources chapter to better describe historic buildings & areas, incorporate references to the Secretary of Interior where necessary, and make other related edits;
- c) Revised the Truck Routes Map to add selected streets as necessary as 'Truck Routes;

- d) Added neighborhood information to the Opportunity Area discussions to better emphasize the relationship between development of the Opportunity Areas and the benefits to the adjacent neighborhoods. The intent is for future development to be viewed not only as an Opportunity Area issue, but also as an issue for the surrounding West Oakland neighborhood;
- e) Remove miscellaneous text references to Emeryville to emphasize the WOSP's longstanding premise that future development is intended to benefit West Oakland and the City of Oakland as a whole and not be viewed as an attempt to redefine the West Oakland as an extension of Emeryville;
- f) Updated the information regarding the proposed Gateway Park project;
- g) Included additional park facilities on Public Facilities Map;
- h) Included a recommendation for formation of a citizen and stakeholder-based committee, similar to the former West Oakland Redevelopment Plan Project Area Committee (WOPAC). This committee could be comprised of current Steering Committee / TAC members and new volunteers willing and interested to serve on a fixed-term basis to help select and guide the priority and timing of this Plan's implementation strategies, providing advice and recommendations through City staff to the City Council.

The discussion in this **KEY ISSUES / COMMENTS ON THE SPECIFIC PLAN AND REVISIONS TO THE PLAN** section highlights some of the more recurring comments. A more complete summary of Specific Plan comments and staff's responses is contained in *Attachment G*.

WEST OAKLAND SPECIFIC PLAN IMPLEMENTATION

Chapter 10 of the WOSP contains an Implementation Matrix listing all recommendations discussed throughout the Specific Plan, the time period during which the action is best implemented, and the parties responsible for the action. Implementation of Plan recommendations will be most successful when undertaken as part of an overall strategy that involves five key components:

1. *Removal of Removal of Constraints that are Barriers to Community and Economic Development*

While there is potential for increased activity and new development in West Oakland, there also are obstacles to realizing the potential growth and revitalization envisioned in the Plan. Thus early efforts should focus on improving conditions in the area that constrain revitalization. The Implementation Matrix summarizes actions and capital improvement projects for removal of existing obstacles so as to encourage the desired growth and development. The recommendations include those to abate blight, address crime and safety concerns, invest in basic infrastructure improvements, and identify mechanisms for addressing brownfield sites.

2. *Ensuring that existing residents, local workers, households, and businesses can participate in, and benefit from, future development in West Oakland*

The chapter on Social Equity provides information about existing resources and future strategies for softening negative impacts of development on the existing West Oakland population. It is important to note that this issue is not limited to West Oakland and the City is therefore interested

in focusing on it from a city-wide perspective. The strategies listed in the Social Equity chapter and the same part of the Implementation Matrix can therefore be seen as becoming part of a larger effort on the part of the City of Oakland and will include participation from the community.

3. *Actions to Provide the Regulatory, Economic Development, and Administrative Foundation for Plan Implementation*

Many of the recommendations in the Implementation Matrix identify policy changes, regulatory actions, planning efforts, new procedures, and outreach and marketing efforts. The land use policy and regulatory planning actions identified earlier in this staff report and in Chapter 4: "Land Use," are included in this category as are recommendations for policies and procedures to protect important existing assets as described in Chapter 8: "Cultural Assets." The marketing and outreach strategies for economic development from Chapter 3: "Market Analysis," also are included in this component. All of these recommendations require City actions and efforts for implementation. They establish new policies, regulations, plans, and outreach efforts that will provide the foundation for Plan implementation.

4. *Leadership and Priority Setting*

Achievement of the Plan's vision for West Oakland goes well beyond approval of the Plan. Over time, there will be ongoing needs for prioritizing actions and capital improvements, identifying and organizing resources, and managing implementation efforts. These will require commitment by and leadership from City decision-makers and high-level staff, coordination across city departments, identification of City staff to manage efforts, priority given to allocating adequate staff resources for ongoing support, and priority to securing public funding for important catalyst improvements. It also requires close coordination with the community and property owners in the area, and outreach efforts to the broader business and development communities. Actions in this category are ongoing through the life of the Specific Plan.

5. *Improvements to Support Plan Development Over Time*

As growth and revitalization occur as envisioned under the Plan, improvements to the transportation and open space systems will be needed, as well as additional infrastructure improvements beyond those completed under the early phase removal of constraints (see first item above). Although the timing varies, many of the improvements under this category are identified for the mid-and longer-term futures, to support the growth that occurs over time. A joint public/private funding approach for improvements is envisioned, with public funding and implementation likely for improvements of area-wide benefit (such as transit enhancements) and private funding and implementation for improvements done as part of new development (such as urban green spaces or sidewalk and streetscape improvements). The responsibility and funding for improvements to support growth and development will gradually shift over time, from (a) the need for public investments in the early years to remove constraints and attract growth to the area, to (b) a stronger market context that will enhance the private sector's ability to provide improvements over time, both as part of development projects and through area wide funding mechanisms supported by the private sector

In addition to the actions identified in the Implementation Matrix, an immediate implementation action relating to West Oakland area bike lanes is being transmitted for City Council consideration along with the Specific Plan and FEIR. The City of Oakland's Bicycle Master Plan proposes bike lanes on Adeline

Street and on West Grand Avenue. Both projects will close gaps in the citywide bikeway network. The project on Adeline Street will create a continuous bikeway through Oakland and Emeryville. The project will intersect with existing bikeways on West Oakland streets. The West Grand Avenue project will close a key gap and connect to the existing bikeway on Grand Avenue between Market Street and El Embarcadero in the Grand Lake neighborhood. In conjunction with the proposed Gateway Park project, the West Grand Avenue bike lanes will provide direct access to the Eastern Span of the San Francisco - Oakland Bay Bridge from West Oakland, downtown, and the Lake Merritt neighborhoods.

The Adeline Street project will reconfigure the roadway from two travel lanes in each direction to one travel lane and one bike lane in each direction plus a two-way center turn lane. The West Grand Avenue project will reconfigure the roadway from three travel lanes in each direction to two travel lanes and one bike lane in each direction. The projects will be implemented in coordination with the City's Pavement Management Program through the City's update to the Five Year Paving Plan. If the roadways are not part of the updated Five Year Paving Plan, the projects will be implemented as restriping projects funded by the City's Capital Improvement Program for Bicycle Master Plan Implementation.

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) has been prepared for the WOSP. The EIR was provided to the Planning Commission under separate cover, and is available to the public, through the City's website:

<http://www2.oaklandnet.com/oakcal/groups/ceda/documents/report/oak047431.pdf>. The EIR is also available at no charge at the Oakland Planning Department, Strategic Planning Division, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

A summary of the environmental review for the project is as follows:

- The Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) was published on October 22, 2012;
- An EIR Scoping meeting was held before the Landmarks Board on November 5, 2012;
- An EIR Scoping meeting was held before the Planning Commission on November 14, 2012;
- The public comment period on the NOP closed on November 21, 2012;
- A "Notice of Availability / Notice of Release of a Draft EIR" was issued on January 29, 2014;
- The Draft EIR was published on January 29, 2014;
- A Landmarks Preservation Advisory Board Meeting on the Draft EIR was held on February 10, 2014;
- A Planning Commission hearing on the Draft EIR was held on February 24, 2014;
- A Public Hearing before the City of Oakland Parks and Recreation Advisory Commission on the Draft EIR was held on March 12, 2014;
- The public comment period on the Draft EIR closed on March 17, 2014;
- A "Notice of Availability/Release of a Final EIR" and the Final EIR was published on May 30, 2014;
- A Landmarks Preservation Advisory Board Meeting on the Final EIR was held on June 9, 2014;
- Planning Commission certification of the Final EIR is recommended at this June 11, 2014 public hearing.

CEQA Threshold Effects of Concern

The following CEQA topic issues are among the issues of concern as expressed in letters commenting on the Draft EIR and from public comments made at hearings on the Draft EIR:

- emissions of diesel PM and other toxic air contaminants during construction and operation of new development pursuant to the Specific Plan;
- the contribution of Project-related traffic to local and regional traffic congestion;
- the potential adverse health and safety effects that may result from new development occurring in proximity to contaminated and toxic soil and groundwater conditions;
- additional demands on public infrastructure (especially water supply and wastewater collection facilities) associated with new growth and development.

Less-than-Significant Impacts

The WOSP Draft EIR has been prepared to evaluate environmental impacts of development of the program of land use changes that would allow for up to 4.7 million square feet of new industrial and commercial space, 28,000 new jobs throughout the Plan Area, and 5,000 new residential units accommodating 7,500 - 11,000 new residents. The following environmental topics were evaluated: aesthetics; air quality; cultural and historic resources; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use, plans and policies; noise and vibration; transportation, circulation and parking; utilities and public services.

Additionally, the following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures or through the implementation of Standard Conditions of Approval (which are an integral part of the SCAMMRP) (see **Attachment B** – the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program):

Aesthetics: Impact Aesth-4.

Air Quality: Project Level Impact Air-4, Project Level Impact Air-5, Project Level Impact Air-6, Project Level Impact Air-7, Project Level Impact Air-9, Air-10.

Cultural Resources: Impact CR-1, Impact CR-2.

Greenhouse Gas Emissions: Impact GHG-3, Impact GHG-4.

Hazards and Hazardous Materials: Impact Haz-1, Impact Haz-2, Impact Haz-3, Impact Haz-4, Impact Haz-6.

Noise: Impact Noise-1, Impact Noise-2, Impact Noise-4, Impact Noise-7.

Public Services and Recreation: Impact PSR-1.

Traffic: Existing Plus Project: Impact Trans-1, Impact Trans-2.

Year 2035 Cumulative Intersection Impacts: Impact Trans-3, Impact Trans-4, Impact Trans-6, Impact Trans-7, Impact Trans-8, Impact Trans-16.

Utilities and Service Systems: Impact Util-1, Impact Util-2, Impact Util-3, Impact Util-4.

Other Less than Significant Effects: Impact Bio-1, Impact Bio-4, Impact Bio-5, Impact Geo-2, Impact Geo-4, Impact Geo-5, Impact Hydro-3, Impact Hydro-4.

Significant and Unavoidable Environmental Impacts

The proposed WOSP will result in significant and unavoidable impacts associated with the environmental topics (Air Quality, Greenhouse Gas Emissions, and Transportation/Traffic), as discussed below. Therefore, in order to approve the Final Specific Plan, the City will have to adopt Statements of Overriding Consideration for these significant unavoidable impacts, finding that the benefits of the Project outweigh any significant unavoidable impacts (see **Attachment A: CEQA Findings**). A discussion of significant and unavoidable environmental impacts is provided below.

Air Quality

- Air-3: Odor Impacts.** Development in accordance with the Specific Plan could expose a substantial number of new people to existing and new objectionable odors. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. This EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing and potential new odor sources) in order to provide information to the public and decision-makers.
- Air-5: Construction-Period Emissions of Criteria Pollutants.** During construction, individual development projects pursuant to the Specific Plan will generate regional ozone precursor emissions from construction equipment exhaust. For most individual development projects, construction emissions will be effectively reduced to a level of Less Than Significant with implementation of required City of Oakland Standard Conditions of Approval (SCA). However, larger individual construction projects could generate emissions of criteria air pollutants that would exceed the City's thresholds of significance.
- Air-7: Operational Criteria Pollutant Emissions.** Once buildout of the Specific Plan is complete and all of the expected new development is fully occupied, new development pursuant to the Specific Plan will generate emissions of criteria pollutants (ROG, NOx PM10 and PM2.5) as a result of increased motor vehicle traffic and area source emissions. Traffic emissions combined with anticipated area source emissions would generate levels of criteria air pollutants that would exceed the City's project-level thresholds of significance.
- Air-9: Operational Toxic Air Contaminant Emissions.** Development pursuant to the West Oakland Specific Plan would include new light industrial, custom manufacturing and other similar land uses, as well as the introduction of new diesel generators that could emit toxic emissions resulting in (a) a cancer risk level greater than 10 in one million, (b) a chronic or acute hazard index greater than 1.0, or (c) an increase of annual average PM2.5 concentration of greater than 0.3 micrograms per cubic meter; or under cumulative conditions, resulting in a) a cancer risk level greater than 100 in a million, b) a chronic or acute hazard index greater than 10.0, or c) annual average PM2.5 of greater than 0.8 micrograms per cubic meter.
- Air-10: Toxic Air Contaminant Exposure.** Certain future development projects in accordance with the West Oakland Specific Plan could result in new sensitive receptors exposed to existing levels of toxic air contaminants (TACs) or concentrations of PM2.5 that could result in increased cancer risk or other health hazards. CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing TAC sources) in order to provide information to the public and decision-makers.

Greenhouse Gas (GHG) Emissions

GHG-3: GHG Emissions. It is possible that on an individual basis, certain development projects envisioned and enabled under the Specific Plan could exceed, on an individual and project-by-project basis, the project-level GHG threshold. Under the City's required SCAs, individual development projects exceeding project-level screening criteria are required to undergo project-specific GHG emissions forecasts and, as appropriate, implement project-specific GHG reduction plans with the goal of increasing energy efficiency and reducing GHG emissions to the greatest extent feasible below both applicable numeric City of Oakland CEQA Thresholds. However, not until these tiered projects are proposed and evaluated can the efficacy of each individual project's design characteristics, applicable SCAs and other City policies (particularly SCA 'F') in reducing GHG emissions to below relevant thresholds be determined.

Traffic and Transportation

Trans-1: (Existing plus Project) and -3: (Cumulative plus Project): Intersection LOS at Hollis and 40th Streets. The addition of traffic generated by the full development of the proposed Project to both Existing conditions and Cumulative 2035 conditions would cause PM peak hour southbound left turn 95th percentile queue length at the signalized intersection of Hollis and 40th Street (#1) located in Emeryville to exceed the available queue storage. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed.

Trans-2: (Existing plus Project) and -4: (Cumulative plus Project): Intersection LOS at San Pablo Avenue and 40th Streets. The addition of traffic generated by the full development of the proposed Project to both Existing Conditions and Cumulative 2035 Conditions would cause PM peak hour traffic operations at the signalized intersection of San Pablo Avenue and 40th Street (#2) located in Emeryville to degrade from Level of Service (LOS) D to LOS E under Existing plus Project conditions. Additionally, the eastbound left and northbound left turn 95th percentile queue length would exceed the available queue storage in the AM peak hour. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed.

Trans-5: (Cumulative plus Project) Intersection LOS at Mandela Parkway and West Grand Avenue. The addition of traffic generated by the full development of the Specific Plan under Cumulative 2035 conditions would degrade operation from LOS D to LOS F in the AM peak hour, and from LOS E to LOS F in the PM peak hour at the signalized intersection at Mandela Parkway and West Grand Avenue (#7) located outside the Downtown Area and would increase the volume-to-capacity ratio beyond the threshold of significance. The recommended mitigation measures would encroach into Memorial Park within the Mandela Parkway median, and the provision of four westbound lanes would preclude planned installation of a bicycle facility on West Grand Avenue which is a City priority (Resolution 84197, Nov 2012). Therefore, these additional improvements are not recommended.

CEQA Alternatives

Chapter 5 of the Draft EIR includes the analysis of four alternatives to the proposed project that meet the requirements of CEQA, which include a reasonable range of alternatives to the Project that would feasibly

attain most of the Project's basic objectives, and avoid or substantially lessen many of the Project's significant environmental effects. Other than the No Project Alternative, neither of the other alternatives would fully avoid all of the significant and unavoidable impacts identified for the Project. These alternatives include:

- Alternative 1: No Project
- Alternative 2: Reduced Project
- Alternative 3: Commercial and Jobs-Focused Alternative
- Alternative #4: Maximum Theoretical Buildout Alternative

Alternative 1 – No Project Alternative – CEQA requires a “no Project” alternative to be considered in the EIR. Alternative 1 would be the environmentally superior alternative due to its substantially lower expectation of population growth and new job opportunities as compared to the Project and other alternatives.

Alternative 2 – Reduced Project Alternative. This alternative would be considered environmentally superior in the absence of the *No Project alternative* because it, too, would substantially lower expectations of population growth and new job opportunities as compared to the Project or Alternative #3, resulting in fewer vehicle trips. However, the Reduced Alternative would also not achieve as many of the basic Project objectives as would the Project or Alternative #3.

A full discussion of the Alternatives are provided in the CEQA Findings (see **Attachment A**) and Draft EIR.

A Statement of Overriding Considerations is recommended for adoption despite the Project's significant and unavoidable environmental impacts (see **Attachment A**) as the specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh the remaining significant unavoidable adverse impacts, and is an overriding consideration independently warranting approval.

Responses to Draft EIR Comments (Final EIR)

City staff received comments on the Draft EIR from nine public agencies and several individuals and organizations. Additional oral comments were provided at the Planning Commission hearing on February 24, 2014. Responses to all of the comments provided by these agencies and individuals are provided in the Final EIR document, including certain revisions and changes to text in the Draft EIR. None of these changes to the Draft EIR involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from that presented in the Draft EIR. Recirculation of the Draft EIR is not warranted.

Level of Analysis and Streamlining Future Environmental Review

The degree of specificity in an EIR corresponds to the degree of specificity in the underlying activity described in the EIR. As CEQA specifies, a Program EIR is appropriate for a Specific Plan, under which there will be future development proposals that are: 1) related geographically, 2) logical parts in a chain of contemplated actions, 3) connected as part of a continuing program, and 4) carried out under the same authorizing statute or regulatory authority and have similar environmental impacts that can be mitigated in similar ways (CEQA Guidelines Section 15168). For some site-specific purposes, a program-level environmental document may provide sufficient detail to enable an agency to make informed site-specific decisions within the program. This approach would allow agencies the ability to consider program-wide

mitigation measures and cumulative impacts that might be slighted in a case-by-case analysis approach, and to carry out an entire program without having to prepare additional site-specific environmental documents. In other cases, the formulation of site-specific issues is unknown until subsequent design occurs leading to the preparation of later project-level environmental documentation. Preparation of a program-level document simplifies the task of preparing subsequent project-level environmental documents for future projects under the Specific Plan for which the details are currently unknown. This EIR presents an analysis of the environmental impacts of adoption and implementation of the Specific Plan. Specifically, it evaluates the physical and land use changes from potential development that could occur with adoption and implementation of the Specific Plan.

Further, where feasible, and where an adequate level of detail is available such that the potential environmental effects may be understood and analyzed, this EIR provides a project-level analysis to eliminate or minimize the need for subsequent CEQA review of projects that could occur under the Specific Plan. Although not required under CEQA, some "project-level" impacts of reasonably foreseeable level of build-out of the Specific Plan are discussed to the extent that such impacts are known. The West Oakland Specific Plan includes physical development plans for certain Opportunity Areas and Opportunity sites, and it provides a prescribed development envelope in terms of density and intensity, height and bulk, and location of specific anticipated future development and public infrastructure and transportation improvements. Where specific details are not available, the analysis of potential physical environmental impacts is based on reasonable assumptions about future development that could occur in the Plan Area. The assumed future development is described in Chapter 3: Project Description. Pursuant to CEQA Guidelines Sections 15162-15164, 15168, 15183 and 15183.5, future program- and project-level environmental analyses may be tiered from this EIR.

The City intends to use the streamlining/tiering provisions of CEQA to the maximum feasible extent, so that future environmental review of specific projects are expeditiously undertaken without the need for repetition and redundancy, as provided in CEQA Guidelines Section 15152 and elsewhere. Specifically, pursuant to CEQA Guidelines Section 15183, streamlined environmental review is allowed for projects that are consistent with the development density established by zoning, community plan, specific plan, or general plan policies for which an EIR was certified, unless such a project would have environmental impacts peculiar/unique to the project or the project site. Likewise, Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 also provides for streamlining of certain qualified, infill projects. In addition, CEQA Guidelines Sections 15162-15164 allow for the preparation of a Subsequent (Mitigated) Negative Declaration, Supplemental or Subsequent EIR, and/or Addendum, respectively, to a certified EIR when certain conditions are satisfied. Moreover, California Government Code Section 65457 and CEQA Guidelines Section 15182 provide that once an EIR is certified and a specific plan adopted, any residential development project, including any subdivision or zoning change that implements and is consistent with the specific plan is generally exempt from additional CEQA review under certain circumstances. The above are merely examples of possible streamlining/tiering mechanisms that the City may pursue and in no way limit future environmental review of specific projects.

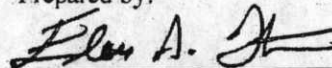
CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of "the environment on the project" in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

RECOMMENDATIONS:

Staff recommends that the Planning Commission take public testimony, close the public hearing, and:

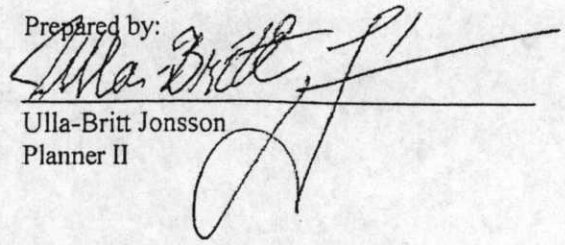
1. Adopt the CEQA findings for the West Oakland Specific Plan in **Attachment A**, which include certification of the EIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment B**;
3. Recommend the City Council adopt the West Oakland Specific Plan, Design Guidelines and General Plan and Planning Code Amendments based, in part, upon the WOSP Adoption Findings in **Attachment C**;
4. Recommend the City Council adopt the General Plan and Zoning Amendments (**Attachment D**);
5. Recommend the City Council adopt the Zoning Code Amendments (**Attachment E2**) and Zoning Heights Amendments Map (**Attachment E3**);
6. Recommend the City Council adopt the West Oakland Specific Plan Design Guidelines in **Attachment F**. Once the Design Guidelines are adopted, the Planning Commission is being asked to authorize staff to make minor updates to the new Guidelines administratively as needed (consistent with Oakland Planning Code Section 17.03.030 which states: "The Commission may adopt, or may authorize the director of City Planning to adopt, reasonable guidelines for the administration, interpretation, or requirements of this code or portions of this code");
7. Authorize staff to make minor ongoing revisions to the adopted Design Guidelines for the West Oakland Specific Plan and to make non-substantive, technical conforming edits to the Planning Code that may have been overlooked in deleting old sections and cross-referencing new sections to the new West Oakland Specific Plan Regulations (which are essentially correction of typographical and/or clerical errors), and to return to the Planning Commission for major revisions only; and
8. Authorize staff to make minor ongoing revision to the West Oakland Specific Plan Implementation Program (Chapter 11) to reflect changes in market conditions and the availability of City and other funding sources, which could potentially affect timeframes, responsibilities and potential funding mechanisms; and to make minor, non-substantive, technical conforming edits (which are essentially correction of any existing typographical and/or clerical errors) to the West Oakland Specific Plan that may have been overlooked during printing of the Final Plan, and to return to the Planning Commission for major revisions only.

Prepared by:

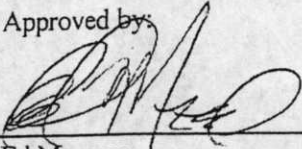


Elois A. Thornton
Planner IV

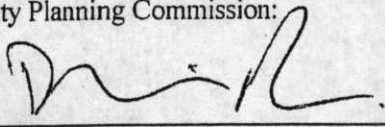
Prepared by:


Ulla-Britt Jonsson
Planner II

Approved by:


Ed Manasse
Strategic Planning Manager

Approved for forwarding to the
City Planning Commission:


Darin Ranelletti, Deputy Director
Bureau of Planning

NOTE: The WOSP and associated materials were previously furnished separately to the Planning Commission (e.g., Public Review Draft Specific Plan and Draft Environmental Impact Report (DEIR)) and are available to the public, through the City's website at: www.oaklandnet.com/r/wosp.

The Final Environmental Impact Report (FEIR) may be viewed on the City's "Current Environmental Review Documents" webpage:
<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

Information regarding the Project, including the Draft Plan and other related draft documents, can be viewed online at:
<http://www2.oaklandnet.com/Government/o/PBN/OurOrganization/PlanningZoning/OAK028334>

(under the section called 'Documents and Presentations'). Documents are also available for review at the Oakland Main Public Library's Social Science and Documents section (125 14th Street), the West Oakland Public Library (1801 Adeline Street), and the City of Oakland Planning Department (250 Frank Ogawa Plaza, Suite 3315).

Limited copies of the FEIR, Final West Oakland Specific Plan, Design Guidelines, Planning Code and General Plan Amendments are also available, at no charge, at the Oakland Planning Division office, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612.

ATTACHMENTS

- A. CEQA Findings: Certification of the FEIR, Rejection of Alternatives and Statement of Overriding Considerations For the West Oakland Specific Plan
- B. Standard Conditions of Approval/Mitigation Monitoring and Reporting Program (SCA/MMRP)

- C. WOSP Adoption Findings
- D. General Plan & Zoning Amendment Map
- E. (1) Planning Code Amendments (Key Concepts)
(2) Planning Code Amendments (Specific Amended Text)
(3) Zoning Heights Amendments Map
- F. Design Guidelines
- G. Summary of Specific Plan Comments and Responses
- H. The West Oakland Specific Plan and related documents, herein incorporated by reference

CEQA FINDINGS:

Certification of the EIR, Rejection of Alternatives and Statement of Overriding Considerations for the West Oakland Specific Plan

I. INTRODUCTION

1. These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland Planning Commission in connection with the Environmental Impact Report (EIR) prepared for the West Oakland Specific Plan (WOSP or Project), a 25-year planning document that provides goals, policies and development regulations to guide the Plan Area's future development and serves as the mechanism for insuring that future development is coordinated and occurs in an orderly and well-planned manner.

2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval of the Project.

3. These findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION

4. The West Oakland Specific Plan encompasses the West Oakland district generally bounded by Interstate-580 (MacArthur Freeway) to the north, Interstate-980 to the east, and the re-located Interstate-880 (Nimitz Freeway) wrapping around the south and west. A small portion of the plan area is above I-880 in the East Bay Bridge Shopping Center and below I-880 near Linden Street. The Plan Area comprises approximately 1,900 acres, subdivided into 6,340 parcels. The WOSP provides a comprehensive vision for the Plan Area along with goals, policies and development regulations to guide the Plan Area's future development and serves as the mechanism for insuring that future development is coordinated and occurs in an orderly and well-planned manner. The WOSP facilitates new development on sites that are identified in the Draft Plan as "Opportunity Sites." The identified "Opportunity Sites" are primarily longstanding dormant and /or underutilized properties, development sites available as a result of the relocated I-880 freeway, and additional sites expected to be vacated as their current uses relocate to the former Oakland Army Base. The WOSP groups similar "Opportunity Sites" concentrated in a compact location into larger geographic units termed "Opportunity Areas." The WOSP identifies four distinct Opportunity Areas where the majority of growth and development is expected to occur (the Mandela/West Grand Opportunity Area, the 7th Street Opportunity Area, the 3rd Street Opportunity Area, and the San Pablo Avenue Opportunity Area). Each of the Opportunity Areas has a different land use focus that responds to specific site conditions and development contexts in order to promote various revitalization objectives and provide variety to development within the West Oakland district. The WOSP would promote projects that generate significant job generation in the Mandela/West Grand Opportunity Area; Transit-Oriented Development (TOD) at the West Oakland BART Station in the 7th Street Opportunity Area; commercial and industrial uses that benefit from adjacent Port of Oakland in the 3rd Street Opportunity Area; and mixed use residential and commercial developments along major corridors of San Pablo Avenue and West Grand Avenue. The WOSP would preserve and enhance the existing West Oakland Residential Areas. In order to achieve this vision, the WOSP proposes a series of improvements related to land use, circulation, transportation, streetscape, utilities, infrastructure, blight, crime, brownfields, neighborhood enhancement, historic preservation, the creative economy/arts, open

ATTACHMENT B

space, affordable housing, and equitable economic development. These recommended plan improvements are summarized in Chapter 11, Implementation Matrix of the WOSP.

Concurrent, but separately, the project also includes changes to the General Plan (text and map changes); Planning Code amendments; Zoning Maps and Height Maps; and new design guidelines (collectively called "Related Actions") to help implement the WOSP vision and goals.

General Plan Changes: With respect to the General Plan, proposed General Plan Amendments include actions which:

- Clarify the industrial/residential interface of developments where land use conflicts exist
- Emphasize commercial development patterns along important West Oakland corridors
- Better define the boundaries of Housing and Business Mix areas
- Adjust the land use designations as appropriate for existing parks to ensure these parcels continue to serve as urban open space
- Make ministerial General Plan corrections that were inadvertently omitted from past General Plan amendment efforts.

Planning Code and Map Changes: The WOSP proposes four new CIX base zones that would replace the existing CIX-1 Zone designation in selected West Oakland areas:

- a) CIX-1A (Business Enhancement) Zone, intended to create, preserve and enhance industrial areas in West Oakland that are appropriate for incubator space for specific industry groups, adaptable space for artisans and craftspeople, and flexible small space for start-up businesses.
- b) CIX-1B (Low Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of new custom and light manufacturing, light industrial, warehouse, research and development, and service commercial uses.
- c) CIX-1C (High Intensity Business) Zone, intended to support industrial areas in West Oakland that are appropriate for a broad range of higher intensity commercial, retail, office and advanced manufacturing –type uses. This zone will be applied to areas with strong locational advantages that make possible the attraction of high intensity commercial and light industrial land uses and development types.
- d) CIX-1D (Retail Commercial Mix) Zone, intended to create, preserve, and enhance industrial areas in West Oakland that are appropriate for a broad range of large-scale retail and commercial uses. This district will be applied to certain areas with a prominent street location.

In order to improve air quality and decrease truck traffic in the neighborhoods, the WOSP proposes a new "T" Combining Zone Overlay that can be combined with any of the new CIX-1A, CIX-1B, CIX-1C, or CIX-1D base zones above in order to designate the allowed areas for heavy impact land uses (e.g., 'CIX-1C/T'). The "T" Overlay will primarily be applied within the 3rd Street Opportunity Area below the I-880 freeway.

The creation and mapping of the new "T" (for 'Trucks') Combining Zone Overlay is intended to indicate areas where significant truck traffic would not be problematic, since the new CIX-1A, CIX-1B, CIX-1C, or CIX-1D base zones would restrict the allowed location of certain heavy impact land uses such as freight/truck terminals, truck yards, and primary waste collection centers, to designated areas outside of

the West Oakland "freeway ring" (defined as I-980 to the east, I-880 to the south and west, and I-580 to the north).

Additional new Plan Area-wide designations would be created and mapped: a 'Home Craft Production District,' a '7th Street Cultural District,' and an 'Arts and Culture District.'

Revisions to the existing S-15 Transit-Oriented Development (TOD) Zone regulations are recommended to create a new mixed use TOD Zone exclusively for the West Oakland BART Station area within the WOSP Plan Area. Relatedly, the Heights Map is proposed to be revised for parcels within the TOD Area to allow for lower TOD building heights for developments nearest the adjacent the South Prescott neighborhood.

A new type of Housing and Business Mix (HBX) zone is recommended to be created and mapped on selected parcels: Housing and Business Mix Zone-4, intended to provide standards that allow live/work, work/live, and housing to compatibly co-exist in areas with a strong presence of industrial and heavy commercial activities. 'Live/work' and 'Work/Live' developments would be outright permitted, but 'Residential' developments would only be conditionally permit

In addition, the Floor Area Ratio is proposed to be reduced from 4.0 to 2.0 throughout the Plan Area.

Design Guidelines: The WOSP includes detailed design guidelines for future development in the Plan Area. In general, these design guidelines aim to influence the pattern, scale, character and quality of future development. The WOSP includes guidelines for each of the Opportunity Areas in particular, the residential Enhancement Areas, and for commercial and industrial developments in general. The WOSP Design Guidelines provide qualitative guidance and graphic and photographic examples that will complement the development regulations included in the new WOSP zoning districts. The WOSP Design Guidelines are one component of a full menu of implementation mechanisms (described in more detail in Chapter 11 of the Final Specific Plan) that together will help achieve the WOSP goals and policies. They will complement other regulatory mechanisms to give residents, building designers, property owners, and business owners a clear guide to achieving high quality development.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

4. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (NOP) of an EIR was published on **October 30, 2012**. The NOP, which included notice of the EIR scoping sessions mentioned below, was distributed to state and local agencies, published in the Oakland Tribune, mailed and emailed to individuals and neighborhood and community organizations that have requested to specifically be notified of official City action on the project, posted at the West Oakland Branch Public Library (1801 Adeline Street) and the Oakland Main Public Library (125 14th Street) and posted on the City of Oakland's website. On **November 5, 2012**, the Landmarks Preservation Advisory Board conducted a duly noticed EIR scoping session concerning the scope of the EIR. On, **November 14, 2012**, the Planning Commission conducted a duly noticed EIR scoping session concerning the scope of the EIR. The public comment period on the NOP ended on **November 21, 2012**.

5. A Draft EIR was prepared for the Project to analyze its environmental impacts. Pursuant to CEQA and the CEQA Guidelines, a Notice of Availability/Notice of Release and the Draft EIR was published on **January 29, 2014**. The Notice of Availability/Notice of Release of the Draft EIR was distributed to appropriate state and local agencies, published in the Oakland Tribune, mailed and e-mailed to individuals and neighborhood and community organizations that who have requested to specifically be notified of official City actions on the project, and posted on the City of Oakland's website. Copies of the Draft EIR were also distributed to appropriate state and local agencies, City officials including the Planning

Commission, and made available for public review at the Planning and Building Department (250 Frank H. Ogawa Plaza, Suite 3315), at the West Oakland Branch Public Library (1801 Adeline Street) and the Oakland Main Public Library (125 14th Street), and on the City's website. A duly noticed Public Hearing on the Draft EIR was held at the February 10 2014 meeting of the Landmarks Preservation Advisory Board, at the **February 24, 2014** meeting of the Planning Commission, and at the March 12, 2014 meeting of the Oakland Parks and Recreation Advisory Commission. The Draft EIR was properly circulated for the required 45-day public review period. The public comment period on the Draft EIR closed on **March 17, 2014**.

6. The City received written and oral comments on the Draft EIR. The City prepared responses to comments on environmental issues and made changes to the Draft EIR. The responses to comments, changes to the Draft EIR, and additional information were published in a Final EIR/Response to Comment document on **May 30, 2014**. The Draft EIR, the Final EIR and all appendices thereto constitute the "EIR" referenced in these findings. The Final EIR was made available for public review on **May 30, 2014**, eleven (11) days prior to the duly noticed **June 11, 2014**, Planning Commission public hearing. The Notice of Availability/Notice of Release of the Final EIR was distributed on **May 30, 2014** to those state and local agencies who commented on the Draft EIR, mailed and e-mailed to individuals and neighborhood and community organizations that have requested to specifically be notified of official City actions on the project, and posted on the City of Oakland's website. Copies of the Draft EIR and Final EIR were also distributed to those state and local agencies who commented on the Draft EIR, City officials including the Planning Commission and Landmarks Preservation Advisory Board, and made available for public review at the Planning and Building Department (250 Frank H. Ogawa Plaza, Suite 3315), at the West Oakland Branch Public Library (1801 Adeline Street) and the Oakland Main Public Library (125 14th Street), and on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies-- through notice, publication and distribution of the Final EIR/Response to comments Document -- at least 10 days prior to the public hearing considering certification of the EIR and the Project. The Planning Commission has had an opportunity to review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the proposed Project.

IV. THE ADMINISTRATIVE RECORD

7. The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:

- a. The EIR and all documents referenced in or relied upon by the EIR.
- b. All information (including written evidence and testimony) provided by City staff to the Planning Commission and Landmarks Preservation Advisory Board relating to the EIR, the approvals, and the Project.
- c. All information (including written evidence and testimony) presented to the Planning Commission and Landmarks Preservation Advisory Board by the environmental consultant and sub-consultants who prepared the EIR or incorporated into reports presented to the Planning Commission and Landmarks Preservation Advisory Board.
- d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
- e. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
- f. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
- g. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project.

h. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

8. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of the Planning and Building Department, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612.

V. CERTIFICATION OF THE EIR

9. In accordance with CEQA, the Planning Commission certifies that the EIR has been completed in compliance with CEQA. The Planning Commission has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the Planning Commission confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City and the Planning Commission.

10. The Planning Commission recognizes that the EIR may contain clerical errors. The Planning Commission reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.

11. The Planning Commission certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the **June 11, 2014**, Planning Commission staff report and exhibits/attachments. The Planning Commission certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the Project or variants described in the EIR and the components of the Project.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

12. The Planning Commission recognizes that the Final EIR incorporates information obtained and produced after the DEIR was completed, and that the Final EIR contains additions, clarifications, and modifications. The Planning Commission has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of a previously identified significant environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the City declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required.

13. The Planning Commission finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

14. Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the

Project identified in the EIR are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program ("SCAMMRP") is attached and incorporated by reference into the June 11, 2014 Planning Commission staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the Planning Commission. The SCAMMRP satisfies the requirements of CEQA.

15. The standard conditions of approval (SCA) and mitigation measures set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Oakland, the applicant, and/or other identified public agencies of responsibility. As appropriate, some standard conditions of approval and mitigation measures define performance standards to ensure no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted standard conditions of approval and mitigation measures.

16. The Planning Commission will adopt and impose the feasible standard conditions of approval and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.

17. The standard conditions of approval and mitigation measures incorporated into and imposed upon the Project approval will not themselves have new significant environmental impacts or cause a substantial increase in the severity of a previously identified significant environmental impact that were not analyzed in the EIR. In the event a standard condition of approval or mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the SCAMMRP, that standard condition of approval or mitigation measure is adopted and incorporated from the EIR into the SCAMMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

18. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the Planning Commission adopts the findings and conclusions regarding impacts, standard conditions of approval and mitigation measures that are set forth in the EIR and summarized in the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, mitigation measures, standard conditions of approval, and related explanations contained in the EIR. The Planning Commission ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Planning Commission adopts the reasoning of the EIR, staff reports, and presentations provided by the staff as may be modified by these findings.

19. The Planning Commission recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The Planning Commission acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. The Planning Commission has, through review of the evidence and analysis presented in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the Planning Commission to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

20. As a separate and independent basis from the other CEQA findings, pursuant to Public Resources Code section 21083.3 and Guidelines section 15183, the Planning Commission finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan (EIR certified in March 1998); (b) the Housing Element of the General Plan (EIR certified in January 2011); (c) the Estuary Policy Plan (EIR certified in November 1998); and (d) the Historic Preservation Element of the General Plan (EIR certified in May 1998); (e) feasible mitigation measures identified in the foregoing were adopted and have been, or will be, undertaken; (f) this EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (g) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Planning Commission hereby finds and determines that the Standard Conditions of Approval (or "SCA") substantially mitigate environmental impacts (as detailed below); and (h) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate project and cumulative impacts.

IX. SIGNIFICANT BUT MITIGABLE IMPACTS

21. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the SCAMMRP, and the City's Standard Conditions of Approval, the Planning Commission finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures, or where indicated, through the implementation of Standard Conditions of Approval (which are an integral part of the SCAMMRP).

22. Aesthetics AESTH-4: Implementation of the Specific Plan and Related Actions proposed as part of the project would create new sources of light and glare, but these new sources would be consistent with typical light and glare conditions. Subsequent individual projects would not substantially and adversely affect day or nighttime views in the area. However, application of SCA 39, Lighting Plan would reduce the project's potential impacts to a less than significant level. Any potential impact of new lighting will be reduced to a less than significant level through implementation of SCA 40 which requires new light to meet the lighting power allowances for the applicable lighting zone for newly installed outdoor lighting equipment required by Title 24, Parts 1 and 6, Building Energy Efficiency Standards.

23. Air Quality AIR-4: Implementation of the Specific Plan and Related Actions proposed as part of the project would, during construction, cause individual development projects to generate fugitive dust from demolition, grading, hauling and construction activities. However, application of Supplemental SCA A: Construction-Related Air Pollution Controls for Dust and Equipment Emissions would reduce the project's potential impacts to a less than significant level.

24. Air Quality AIR-6: Implementation of the Specific Plan and Related Actions proposed as part of the project would, during construction, cause individual development projects to generate construction-related toxic air contaminant (TAC) emissions from fuel combusting construction equipment and mobile sources that could exceed thresholds for cancer risk, chronic health index, acute health index or annual average PM2.5 concentration levels. However, application of SCA 40 Asbestos Removal in Structures and Supplemental SCA A: Construction-Related Air Pollution Controls for Dust and Equipment Emissions would reduce the project's potential impacts to a less than significant level.

25. Air Quality AIR-10: Implementation of the Specific Plan and Related Actions proposed as part of the project would cause certain future development projects to result in new sensitive receptors exposed to existing levels of toxic air contaminants (TACs) or concentrations of PM2.5 that could result

in increased cancer risk or other health hazards. CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing TAC sources) in order to provide information to the public and decision-makers. However, application of SCA Supplemental SCA B Exposure to Air Pollution (Toxics Air Contaminates would reduce the project's potential impacts to a less than significant level.

26. Hazardous Materials HAZ-1: The Planning Area contains numerous sites which are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Implementation of the Specific Plan and Related Actions proposed as part of the project could create a significant hazard to the public or environment. However, application of the following SCAs and required compliance with local, state and federal regulations for treatment, remediation or disposal of contaminated soil or groundwater would reduce the project's potential impacts to a less than significant level:

- SCA 61: Site Review by the Fire Services Division Fire Prevention Bureau Hazardous Materials Unit
- SCA 62: Phase I and/or Phase II Reports
- SCA 63: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment
- SCA 64: Environmental Site Assessment Reports Remediation
- SCA 65: Lead-Based Paint Remediation
- SCA 66: Other Materials Classified as Hazardous Waste
- SCA 67: Health and Safety Plan per Assessment
- SCA 68: Best Management Practices for Soil and Groundwater Hazards
- SCA 69: Radon or Vapor Intrusion from Soil or Groundwater Sources

27. Hazardous Materials HAZ-2: Implementation of the Specific Plan and Related Actions proposed as part of the project would result in asbestos or lead based paint present within older structures in the Planning Area being released into the environment during demolition or construction activities, which could result in soil contamination or pose a health risk to construction workers or future occupants. However, application of the following SCAs and required compliance with local, state and federal regulations would reduce the project's potential impacts to a less than significant level:

- SCA 41: Asbestos Removal in Structures
- SCA 63: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment
- SCA 65: Lead-Based Paint Remediation

28. Hazardous Materials HAZ-3: Implementation of the Specific Plan and Related Actions proposed as part of the project would create a significant hazard to the public or the environment through transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, application of the following SCAs and required compliance with local, state and federal regulations would reduce the project's potential impacts to a less than significant level:

- SCA 35: Best Management Practices
- SCA 67: Health and Safety Plan per Assessment
- SCA 68: Best Management Practices for Soil and Groundwater Contamination
- SCA 74: Hazardous Materials Business Plan

29. Hazardous Materials HAZ-4: All schools within the Planning Area are located within ¼ mile of an existing permitted hazardous materials use or an identified environmental case. Implementation of the Specific Plan and Related Actions proposed as part of the project would facilitate the addition of new businesses that emit hazardous emissions or handle hazardous or acutely hazardous materials, substances

or waste within one-quarter mile of a school. However, application of SCA 74 Hazardous Materials Business Plan and required compliance with local, state and federal regulations would reduce the project's potential impact to a less than significant level.

30. Hazardous Materials HAZ-6: Many of the development Opportunity Sites are located along streets identified as Emergency Evacuation Routes. Implementation of the Specific Plan and Related Actions proposed as part of the project could potentially interfere with an emergency response plan or emergency evacuation plan. However, application of SCA 33 Construction Traffic and would reduce the project's potential impact to a less than significant level.

31. Noise NOISE-1: Implementation of the Specific Plan and Related Actions proposed could result in construction activities, including pile drilling and other extreme noise generating construction activities temporarily increasing noise levels in the vicinity of individual project sites. However, application of the following SCAs would reduce the project's potential impacts to a less than significant level:

- o SCA 28: Days/Hours of Construction Operation
- o SCA 29: Noise Control
- o SCA 30: Noise Complaint Procedures, and
- o SCA 39: Pile Driving and Other Extreme Noise Generators

32. Noise NOISE-2: Implementation of the Specific Plan and Related Actions proposed could result in ongoing operational noise by stationary sources generating noise in violation of the City of Oakland Noise Ordinance regarding operational noise. However, application of the following SCAs would reduce the project's potential impacts to a less than significant level:

- o SCA 32: Operational Noise – General (Ongoing)
- o Section 17.120 of the Oakland Planning Code
- o Section 8.18 of the Oakland Municipal Code.

33. Noise NOISE-4: Implementation of the Specific Plan and Related Actions proposed could result in construction activities that generate excessive ground-borne vibration during the construction period. However, application of the following SCAs would reduce the project's potential impacts to a less than significant level:

- o SCA 38: Vibration
- o SCA 57: Vibrations Adjacent to Historic Structures
- o SCA 28: Days/Hours of Construction Operation
- o SCA 29: Noise Control
- o SCA 30: Noise Complaint Procedures, and
- o SCA 39: Pile Driving and Other Extreme Noise Generators

34. Noise NOISE-5: Implementation of the Specific Plan and Related Actions proposed could generate operational ground-borne vibration at levels that would be perceptible beyond the property boundary, which would violate City of Oakland standards for operational vibration. However, application of Section 17.120.060 of the Planning Code relating to City of Oakland Performance Standards would reduce the project's potential impacts to a less than significant level.

35. Public Services and Recreation PSR-1: Implementation of the Specific Plan and Related Actions proposed could result in an increase in OFD service calls and a commensurate need for additional staffing, equipment and facilities to maintain the City's response time goals and staffing ratios. However, application of the following SCAs would reduce the project's potential impacts to a less than significant level:

- o SCA 4, Conformance with other Requirements, requires building plans for development projects to be submitted to the OFD for review and approval.
- o SCA 61, Site Review by the Fire Services Division,
- o SCA 71, Fire Safety Phasing Plan,
- o SCA 73, Fire Safety

36. Public Services and Recreation PSR-3: Implementation of the Specific Plan and Related Actions proposed could generate additional students attending the Oakland Unified School District (OUSD) incrementally through 2035 or longer. Therefore, the impact of the Specific Plan would be less than significant with the following action: The OUSD collects school impact fees from residential and non-residential development. Under California Government Code Sections 65995, 65996(a) and 65996(b), payment of these fees is deemed to be full and complete mitigation.

37. Traffic TRANS-6: Implementation of the Specific Plan and Related Actions proposed could degrade the PM peak hour operations from LOS E to LOS F at the signalized intersection of Broadway and West Grand Avenue (#13) located within the Downtown Area. However, application of the following Mitigation Measure would reduce the project's potential impacts to a less than significant level:

- o Implement the following measure at Broadway and West Grand Avenue (#13):
 - a) Modify the traffic signal to provide protected/permitted signal phasing for the northbound left-turn movement

To implement this measure, individual project applicants shall submit Plans, Specifications, and Estimates (PS&E) to modify the intersection to the City of Oakland for review and approval. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction.

Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, the individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.

38. Traffic TRANS-7: Implementation of the Specific Plan and Related Actions proposed could degrade the PM peak hour operations from LOS B to LOS E at the intersection of Adeline Street and 18th Street (#15) located outside the Downtown Area. However, application of the following Mitigation Measure would reduce the project's potential impacts to a less than significant level:

Implement the following measures at the Adeline Street and 18th Street (#15) intersection:

- a) Retain the existing traffic signal control at the intersection and upgrade it to an actuated signal rather than converting to a single-lane roundabout as proposed as a part of the project

To implement this measure, the individual project applicants shall submit Plans, Specifications, and Estimates (PS&E) to modify the intersection to the City of Oakland for review and approval.

All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards

and ADA standards (according to Federal and State Access Board guidelines) at the time of construction.

Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.

39. Traffic TRANS-8: Implementation of the Specific Plan and Related Actions proposed could degrade the PM peak hour operations from LOS D to LOS F at the signalized intersection of Adeline Street and 5th Street (#24) located outside the Downtown Area. However, application of the following Mitigation Measure would reduce the project's potential impacts to a less than significant level:

Implement the following measure at Adeline Street and 5th Street (#24):

- a) Modify the traffic signal to remove split phasing and provide protected permitted left turn phasing for the northbound and southbound left-turn movements

To implement this measure, individual project applicants shall submit Plans, Specifications, and Estimates (PS&E) to modify the intersection to the City of Oakland for review and approval. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction.

Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.

40. Utilities and Service Systems UTIL-1: Future development in accordance with the Specific Plan would consist of redevelopment of previously developed properties so there would be limited change in impervious surface area stormwater runoff. Development facilitated by the Specific Plan would not result in an increase in stormwater runoff. However, application of the following SCAs and recommendations would reduce the project's potential impacts to a less than significant level:

- o SCA 75: Stormwater Pollution Prevention Plan
- o SCA 80: Post-construction Stormwater Pollution Prevention Plan
- o SCA 91: Stormwater and Sewer
- o **Recommendation Util-1a**: As the area improves, underground storm drain lines should be added to several of the Opportunity Areas' street sections where such lines do not exist. Additional storm drainage structures, including conduit, would be a way to address both ponding and adequate conveyance of storm runoff.

41. Utilities and Service Systems UTIL-3: With the City's sub-basin allocation system, construction of needed sewer improvements pursuant to SCA 91, Stormwater and Sewer, payment of improvement and hook-up fees, the wastewater collection and treatment system would have adequate capacity to serve future development in accordance with the Specific Plan. However, application of the following SCA and recommendations would reduce the project's potential impacts to a less than significant level:

- SCA 91: Stormwater and Sewer
- **Recommendation Util-3a:** Underground utility improvements should be installed prior to final streetscape improvements to prevent damage and the need for patching such improvements during trenching operations.
- **Recommendation Util-3b:** Properties to be redeveloped and/or reused should abandon existing sewer laterals and install new laterals, and verify that there are no cross-connections from the downspouts to the sewer lateral. This would result in much lower I/I flow into the main sewer lines.

42. Utilities and Service Systems UTIL-4: The Altamont Landfill and Vasco Road Landfill have sufficient permitted capacity to accommodate the solid waste disposal needs of future development under the Specific Plan. The Specific Plan would not violate applicable federal, state, and local statutes and regulations related to solid waste. However, application of SCA 36 Waste Reduction and Recycling would reduce the project's potential impacts to a less than significant level.

43. Biology BIO-1: Implementation of the Specific Plan and Related Actions proposed would not have a substantial direct adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.W. Fish and Wildlife Service. However, tree removal, building demolition and other construction activities can cause disturbance, noise, or loss of habitat for resident or migratory birds and mammals, including special-status species potentially occurring within the Planning area. However, application of SCA 44 Tree Removal During Breeding Season, and SCA D Bird Collision Reduction would reduce the project's potential impacts to a less than significant level.

44. Biology BIO-4: Implementation of the Specific Plan and Related Actions proposed relating to construction activities would not have substantially interfere with the fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, but could temporarily reduce nesting opportunities for resident and migratory bird species that are protected by the federal Migratory Bird Treaty Act or California Fish and Game Code Sections 3503, 3505.5, and 3800, could also eliminate bat roosts and, if construction were to occur during the maternal roosting season, young bats incapable of flight could be destroyed. However, application of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3800 would reduce the project's potential impacts to a less than significant level.

45. Biology BIO-5: Implementation of the Specific Plan and Related Actions proposed may require the removal of trees that are protected by the City of Oakland tree Protection Ordinance. However, application of the following SCAs would reduce the project's potential impacts to a less than significant level:

- SCA 45, Tree Removal Permit
- SCA 46, Tree Replacement Plantings, and
- SCA 47, Tree Protection During Construction

46. Geology GEO-2: Implementation of the Specific Plan and Related Actions proposed could expose people or structures to substantial adverse effects, including the risk of loss, injury or death, due to strong seismic ground shaking and seismic-related ground failure, including liquefaction. However, application of SCA 60 Geotechnical Report would reduce the project's potential impacts to a less than significant level.

47. Geology GEO-4: Implementation of the Specific Plan and Related Actions proposed could result in the loss of topsoil through erosion. However, application of the following would reduce the project's potential impacts to a less than significant level:

- SCA 34: Erosion and Sedimentation Control
- SCA 55: Erosion and Sedimentation Control Plan
- SCA 75/76: Erosion, Sedimentation, and Debris Control Measures

48. Geology GEO-5: Portions of the Planning Area are underlain by unstable geologic conditions and soils, and potentially wells, pits, tank vaults or unmarked sewer lines, creating substantial risks to life or property. Implementation of the Specific Plan and Related Actions proposed could expose people or structures to substantial adverse effects. However, application of SCA 58 Soils Report and SCA 60 Geotechnical Report would reduce the project's potential impacts to a less than significant level.

49. Hydrology HYDRO-1: Implementation of the Specific Plan and Related Actions proposed would not be subject to waste discharge requirements and would not violate any water quality standards or waste discharge requirements. However, application of the following actions would reduce the project's potential impacts to a less than significant level:

- Required compliance with applicable NPDES permits, which also serve as Waste Discharge Requirements (WDRs), including:
 - the Municipal NPDES permit for stormwater discharges (Alameda Countywide NPDES Municipal Stormwater Permit Water Quality Order No.R2-2003-0021, NPDES No. CAS0029831);
 - the Construction General Permit for construction activities associated with land disturbance of more than one acre (WDRs) for Discharges of Storm Water Associated with Construction Activity Water Quality (Order No.99-08-DWQ, NPDES No. CAS000002);
 - individual NPDES permits/WDRs for discharges that do not fall under the above categories;
 - discharges from the municipal wastewater treatment facilities (e.g., Waste Discharge Requirements for the East Bay Municipal Utility District, Special District No. 1 Wet Weather Facilities (Alameda and Contra Costa Counties Water Quality Order No.R2-2009-0004, NPDES No. CA0038440); US HUD/Oakland City of Housing Authority NPDES No. CA0038512);
 - as well as Industrial General Permits.

50. Hydrology HYDRO-3: Grading and excavations associated with future development pursuant to or consistent with the Specific Plan could expose underlying soils to erosion or siltation, leading to downstream sedimentation in stormwater runoff. However, application of SCA 75 Stormwater Pollution Prevention Plan would reduce the project's potential impacts to a less than significant level.

51. Hydrology HYDRO-4: Operational activities such as increase vehicular use, landscaping maintenance and industrial operations could potentially introduce pollutants into stormwater runoff, resulting in degradation of downstream water quality. Implementation of the Specific Plan and Related Actions proposed could create or contribute to substantial runoff which would exceed the capacity or existing or planned stormwater drainage systems, create or contribute substantial runoff which would be an additional source of polluted runoff, or otherwise substantially degrade water quality. However, application of SCA 80 Post-Construction Stormwater Management Plan and SCA 81 Maintenance Agreement for Stormwater Treatment Measures would reduce the project's potential impacts to a less than significant level.

X. SIGNIFICANT AND UNAVOIDABLE IMPACTS

52. Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the Planning

Commission finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible Standard Conditions of Approval and mitigation measures as set forth below.

53. Air Quality AIR-3: ODOR IMPACTS: The development under the Specific Plan could result in exposing a substantial number of new people to existing and new objectionable odors. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. This EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing and potential new odor sources) in order to provide information to the public and decision-makers. Therefore, the impact conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
54. Air Quality AIR-5: The development under the Specific Plan could result in, during construction, individual development projects generating regional ozone precursor emissions from construction equipment exhaust. For most individual development projects, construction emissions will be effectively reduced to a level of less than significant with implementation of required City of Oakland Standard Conditions of Approval. However, larger individual construction projects could generate emissions of criteria air pollutants that would exceed the City's thresholds of significance. Therefore, the impact is conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
55. Air Quality AIR-7: The development under the Specific Plan could result in emissions of criteria pollutants (ROG, NO_x, PM₁₀ and PM_{2.5}) as a result of increased motor vehicle traffic and area source emissions. Traffic emissions combined with anticipated area source emissions would generate levels of criteria air pollutants that would exceed the City's project-level thresholds of significance. Therefore, the impact is conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
56. Air Quality AIR-9: The development under the Specific Plan could result in new light industrial, custom manufacturing and other similar land uses, as well as the introduction of new diesel generators that could emit toxic emissions resulting in (a) a cancer risk level greater than 10 in one million, (b) a chronic or acute hazard index greater than 1.0, or (c) an increase of annual average PM_{2.5} concentration of greater than 0.3 micrograms per cubic meter; or under cumulative conditions, resulting in a) a cancer risk level greater than 100 in a million, b) a chronic or acute hazard index greater than 10.0, or c) annual average PM_{2.5} of greater than 0.8 micrograms per cubic meter. Therefore, the impact is conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
57. Air Quality AIR-10: The development under the Specific Plan could result in new sensitive receptors exposed to existing levels of toxic air contaminants (TACs) or concentrations of PM_{2.5} that could result in increased cancer risk or other health hazards. CEQA requires the analysis of potential adverse effects of a project on the environment. Potential effects of the environment on a project are legally not required to be analyzed or mitigated under CEQA. However, this EIR nevertheless analyzes potential effects of the environment on the project (i.e. siting new receptors near existing TAC sources) in order to provide information to the public and decision-makers. Therefore, the impact is conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.
58. Greenhouse Gas Emissions GHG-3: The development under the Specific Plan could result in exceeding, on an individual and project-by-project basis, the project-level GHG threshold. Under the

City's required SCAs, individual development projects exceeding project-level screening criteria are required to undergo project-specific GHG emissions forecasts and, as appropriate, implement project-specific GHG reduction plans with the goal of increasing energy efficiency and reducing GHG emissions to the greatest extent feasible below both applicable numeric City of Oakland CEQA Thresholds. However, not until these tiered projects are proposed and evaluated can the efficacy of each individual project's design characteristics, applicable SCAs and other City policies (particularly SCA F) in reducing GHG emissions to below relevant thresholds be determined. Therefore, the impact is conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

59. Traffic and Transportation TRANS-1 (Existing plus Project) and TRANS--3 (Cumulative plus Project) at Hollis and 40th Street: The development under the Specific Plan could result in both Existing conditions and Cumulative 2035 conditions in causing PM peak hour southbound left turn 95th percentile queue length at the signalized intersection of Hollis and 40th Street (#1) located in Emeryville to exceed the available queue storage. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed. Therefore, these impacts are conservatively deemed significant and unavoidable. These significant and unavoidable impacts are overridden as set forth below in the Statement of Overriding Considerations.
60. Traffic and Transportation TRANS-2 (Existing plus Project) and TRANS--4 (Cumulative plus Project) at San Pablo Avenue and 40th Street: The development under the Specific Plan could result in both Existing Conditions and Cumulative 2035 Conditions in causing PM peak hour traffic operations at the signalized intersection of San Pablo Avenue and 40th Street (#2) located in Emeryville to degrade from LOS D to LOS E under Existing plus Project conditions. Additionally, the eastbound left and northbound left turn 95th percentile queue length would exceed the available queue storage in the AM peak hour. Because this intersection is within the City of Emeryville's jurisdiction, the timing and implementation of the improvements are not under the City of Oakland's control. Therefore, the improvement cannot be assured to be completed. Therefore, these impacts are conservatively deemed significant and unavoidable. These significant and unavoidable impacts are overridden as set forth below in the Statement of Overriding Considerations.
61. Traffic and Transportation TRANS-5 (Cumulative plus Project) at Mandela Parkway and West Grand Avenue: The development under the Specific Plan could result in under Cumulative 2035 conditions that would degrade operation from LOS D to LOS F in the AM peak hour, and from LOS E to LOS F in the PM peak hour at the signalized intersection *at Mandela Parkway and West Grand Avenue* (#7) located outside the Downtown Area and would increase the volume-to-capacity ratio beyond the threshold of significance. The recommended mitigation measures would encroach into Memorial Park and the street medians, and the provision of four westbound lanes would preclude planned installation of a bicycle facility on West Grand Avenue which is a City priority (Resolution 84197, Nov 2012). Therefore, these additional improvements are not recommended. Therefore, this impact is conservatively deemed significant and unavoidable. This significant and unavoidable impact is overridden as set forth below in the Statement of Overriding Considerations.

XI. FINDINGS REGARDING ALTERNATIVES

62. The Planning Commission finds that specific economic, social, environmental, technological, legal and/or other considerations make infeasible the alternatives to the Project described in the EIR for the reasons stated below. And that despite the remaining significant unavoidable impacts, the Project should nevertheless be approved, as more fully set forth in Section XII below, Statement of Overriding Considerations.

63. The EIR evaluated a reasonable range of alternatives to the project that was described in the Draft EIR. Of the six alternatives considered, two were not analyzed in detail as explained in the Draft EIR. The two alternatives that were not analyzed in detail in the Draft EIR include a) Alternative Site Alternative and b) Fully Mitigated Alternative. The Planning Commission adopts the EIR's analysis and conclusions eliminating these two alternatives from further consideration. Each reason given in the EIR for rejecting an alternative constitutes a separate and independent basis for finding that particular alternative infeasible, and, when the reasons are viewed collectively, provides an overall basis for rejecting an alternative as being infeasible. The four potentially feasible alternatives analyzed in detail in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project or provide decision makers with additional information. These alternatives include: Alternative 1: the No Project Alternative, Alternative 2: the Reduced Project Alternative, Alternative 3: the Scenario with Commercial and Jobs Emphasis Alternative, and Alternative 4: the Maximum Theoretical Buildout Alternative. As presented in the EIR, the alternatives were described and compared with each other and with the proposed project. After the No Project Alternative (1), the Reduced Project Alternative (2) was identified as the environmentally superior alternative.
64. The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the EIR and in the record. The EIR reflects the Planning Commission's independent judgment as to alternatives. The Planning Commission finds that the Project provides the best balance between the City's goals and objectives and the Project's benefits as described in the Staff Report and in the Statement of Overriding Considerations below. While the Project may cause some significant and unavoidable environmental impacts, mitigation measures and the City's SCAs identified in the EIR mitigate these impacts to the extent feasible. The four potentially feasible alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.
65. Alternative 1: No Project: Under the No Project Alternative, the Specific Plan would not be adopted, the West Oakland Development Program would not occur, and no changes in current General Plan land use designations, zoning or other regulatory measures would occur (i.e., no conversions of industrial lands to residential use and no new land use overlays). However, the No Project Alternative does include reasonably foreseeable development that could occur even without adoption and development under the Specific Plan. This includes certain already approved but not built projects in the Plan Area, as well as development that would reasonably be expected to occur in the Plan Area in accordance with existing plans, zoning, and regulatory framework. The pace of new development within West Oakland would be expected to occur at a rate commensurate with development and building permit activity which has occurred over the past 10 to 15 years. The No Project Alternative was rejected as infeasible because it does not meet most of the basic project objectives including:
- a. Providing for the revitalization of existing land uses and enhancing the West Oakland district.
 - b. Recommending design standards and guidelines to allow a diverse range of land uses in the West Oakland area to continue to co-exist and thrive, including existing and new higher density residential developments, commercial and industrial developments and live-work developments.
 - c. Further, the No Project Alternative would not increase the variety of development, ignoring the needs of area residents and businesses; it would not update the zoning to create harmonious transitions in land uses and streamline the installation of development amenities.
 - d. Facilitating the transformation of the Plan Area into an attractive, area for existing residences and businesses and destination for future retailers, shoppers, employers and visitors that

serves in part the region's shopping needs and captures sales tax revenue for reinvestment in Oakland;

- f. Recommending design standards and guidelines to promote a well-designed areas that integrates high quality design of the public and private realms to establish a socially and economically vibrant, and visually and aesthetically distinctive identity for the West Oakland District;
- e. Providing a framework and identifying potential funding mechanisms to realize needed transportation, streetscape and infrastructure improvements in the West Oakland area to achieve a balanced and complete circulation network of "complete streets" that accommodates the internal and external transportation needs of the Plan Area by promoting walking, biking, and transit while continuing to serve automobile traffic, and remove barriers to community and economic development;
- g. It would result in a reduced development program thus reducing employment opportunities (both short-term construction jobs as well as permanent jobs) and revenues (sales, property and other taxes), lessening economic spin off activities and not promoting an appropriate jobs/housing balance.

66. Alternative 2: Reduced Project Alternative: Under the Reduced Project Alternative, the Plan Area would be developed at a reduced intensity. Buildout of new non-residential space under the Reduce Alternative would be substantially less than produced under the Project. New residential and live/work development would occur generally at the same selected sites as proposed pursuant to the Project. The Reduced Project Alternative was rejected as infeasible because:

- a. The reduction in commercial and industrial development would defeat the primary objectives of facilitating the transformation of the Plan Area into an attractive, destination for existing residents and businesses as well as future retailers, shoppers, employers and visitors that serves in part the region's shopping needs and captures sales tax revenue for reinvestment in Oakland;
- b. It would result in a reduced development program as described above, thus reducing employment opportunities (both short-term construction jobs as well as permanent jobs) and revenues (sales, property and other taxes), lessening economic spin off activities and not promoting an appropriate jobs/housing balance; and/or
- c. Even with the reduced development, a number of air and transportation impacts still remain significant and unavoidable.

67. Alternative 3: The Scenario with Commercial and Jobs Emphasis Alternative. Under the Scenario with Commercial and Jobs Emphasis Alternative, development would occur similar to that indicated for the project, this alternative would result in a reduction of between 533 residential units and up to 950 residential units due to developing a substantial component of commercial office space rather than housing at the west Oakland BART Station. The Scenario with Commercial and Jobs Emphasis Alternative. Under the Scenario with Commercial and Jobs Emphasis Alternative was rejected as infeasible because:

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68. Alternative 4: Maximum Theoretical Buildout: The Maximum Theoretical Buildout Alternative evaluates the theoretical possibility that every parcel would be built out to the new maximum level permissible under the General Plan and Planning Code regulations as revised through adoption of the Specific Plan. Under this alternative, the overall development program would be substantially greater than the Project's land use development program (roughly 3.3 times as much non-residential development and an approximately 8 percent increase in residential development as compared to the Project. Most of the Project's significant and unavoidable impacts would be substantially increased in

intensity under this Alternative when compared to the Project. The Maximum Theoretical Buildout Alternative 4 is rejected as infeasible because:

- a. All environmental impacts were significantly more severe than the Project under Alternative 4;
- b. Build-out of each site to the maximum intensity is unrealistic given historical and projected development patterns; and/or
- c. The infrastructure necessary to support development would be cost prohibitive and have secondary impacts themselves.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

69. The Planning Commission finds that each of the following specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh the remaining significant unavoidable adverse impacts discussed above in Section X, and is an overriding consideration independently warranting approval. The remaining significant unavoidable adverse impacts identified above are acceptable in light of each of the overriding considerations that follow. Each individual benefit/reason presented below constitutes a separate and independent basis to override each and every significant unavoidable environmental impact, and, when the benefits/reasons are viewed collectively, provide an overall basis to override each and every significant unavoidable environmental impact.
70. The WOSP updates the goals and policies of the General Plan, and provides more detailed guidance for specific areas within the West Oakland area.
71. The WOSP builds upon existing Redevelopment Plan efforts as well as supports development of prospective desirable developments at the West Oakland BART Station, the 16th Street Train Station and the Global Logistics Center (former Oakland Army Base).
72. The WOSP provides for the revitalization of existing land uses and incentivizes prospective developments to enhance the amenities in the West Oakland area. The WOSP contains vision statements for each Opportunity Area and the recommended General Plan and Zoning amendments provide a contemporary regulatory framework to facilitate continued development of the area into an attractive location for traditional and modern commercial and industrial businesses.
73. The WOSP provides a policy and regulatory framework to achieve one of the primary objectives to enhance the Plan Area for both existing and future residents and businesses.
74. The WOSP would create employment opportunities (both short-term construction jobs as well as permanent jobs), increase revenues (sales, property and other taxes), and promote spin off activities (as Plan workers spend some of their income on goods in the Plan area).
75. The WOSP Development Program promotes increased densities housing in close proximity to employment generating land uses supports the City and regional objectives for achieving a jobs/housing balance and transit-oriented development.
76. The WOSP design guidelines will ensure that future development contributes to the creation of an attractive, pedestrian-oriented district characterized by high quality design and a distinctive sense of place.
77. The WOSP identifies a series of needed and desired improvements related to transportation, affordable housing, historic resource preservation and enhancement, streetscape, plaza, parking and

utility infrastructure and regulatory tools, policies and potential funding mechanisms to realize those improvements.

WEST OAKLAND SPECIFIC PLAN - STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING & REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring & Reporting Program (SCAMMRP) is based on the Environmental Impact Report (EIR) prepared for the West Oakland Specific Plan.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures ("MM") recommended in the EIR and identifies mitigation monitoring requirements, as well as the City's Standard Conditions of Approval ("SCA") identified in the EIR as measures that would minimize potential adverse effects that could result from implementation of the project, to ensure the conditions are implemented and monitored. In addition, "recommended measures," not required by CEQA are also included in this SCAMMRP.

All MM, SCA, and recommended measures identified in the West Oakland Specific Plan EIR are included herein.¹ Those SCAs or mitigation measures indicated in this SCAMMRP table with underline text indicates additions to the SCAs and/or mitigation measures that have been added post-circulation of the Draft EIR, and as incorporated in the Final EIR. To the extent that there is any inconsistency between the SCA and MM, the more restrictive conditions shall govern; to the extent any MM, recommended measures and/or SCA identified in the West Oakland Specific Plan EIR were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column indicates the environmental impact as identified in the West Oakland Specific Plan EIR;
- The second column identifies the SCA, MM or recommended measure applicable to that impact in the West Oakland Specific Plan EIR;
- The third column identifies the monitoring schedule or timing applicable the Project; and
- The fourth column names the party responsible for monitoring the required action for the Project.

¹ The City of Oakland's SCA may be refined and updated subsequent to adoption of the West Oakland Specific Plan SCAMMRP. The most current applicable SCA should be applied to any individual project when an application for development is approved by the City.

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
Aesthetics			
Impact Aesth-4: Development facilitated by the Specific Plan would create new sources of light and glare, but these new sources would be consistent with typical light and glare conditions. Subsequent individual projects would not substantially and adversely affect day or nighttime views in the area.	<p>SCA 39: Lighting Plan. The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.</p> <p>New light would also be required to meet the lighting power allowances for the applicable lighting zone for newly installed outdoor lighting equipment required by Title 24, Parts 1 and 6, Building Energy Efficiency Standards.</p>	Prior to the issuance of an electrical or building permit.	City of Oakland Planning and Building Department City of Oakland – Building Services Division, Zoning Inspection City of Oakland Public Works Department, Electrical Services Division
Air Quality			
Project Level Impact Air-4: During construction, individual development projects pursuant to the Specific Plan will generate fugitive dust from demolition, grading, hauling and construction activities.	<p>Supplemental SCA A: Construction-Related Air Pollution Controls for Dust and Equipment Emissions. During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD):</p> <p>BASIC (Applies to ALL construction sites)</p> <p>a. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.</p> <p>b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).</p> <p>c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>d. Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition,</p>	Ongoing throughout demolition, grading, and/or construction Prior to starting operations	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection.

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</p> <p>f. Limit vehicle speeds on unpaved roads to 15 miles per hour.</p> <p>g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.</p> <p>h. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>i. Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.</p> <p>ENHANCED: All "Basic" controls listed above plus the following controls if the project involves: 114 or more single-family dwelling units; 240 or more multi-family units; non-residential uses that exceed the applicable screening size listed in the Bay Area Air Quality Management District's CEQA Guidelines; demolition permit; simultaneous occurrence of more than two construction phases (e.g., grading and building construction occurring simultaneously); extensive site preparation (i.e., the construction site is four acres or more in size); or extensive soil transport (i.e., 10,000 or more cubic yards of soil import/export).</p> <p>j. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.</p> <p>k. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p> <p>l. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p> <p>m. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>(previously graded areas inactive for one month or more).</p> <p>n. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.</p> <p>o. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.</p> <p>p. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</p> <p>q. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</p> <p>r. All trucks and equipment, including tires, shall be washed off prior to leaving the site.</p> <p>s. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.</p> <p>t. Minimize the idling time of diesel-powered construction equipment to two minutes.</p> <p>u. The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available.</p> <p>v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).</p> <p>w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.</p> <p>x. Off-road heavy diesel engines shall meet the CARB's most recent certification standard.</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation/Implementation/ Monitoring	
		Schedule	Responsibility
Project Level Impact Air-5: During construction, individual development projects pursuant to the Specific Plan will generate regional ozone precursor emissions and regional particulate matter emissions from construction equipment exhaust.	Supplemental SCA A: Construction-Related Air Pollution Controls for Dust and Equipment Emissions: Refer to Supplemental SCA A under Impact AIR-4.		
Project Level Impact Air-6: During construction, individual development projects pursuant to the Specific Plan will generate construction-related toxic air contaminant (TAC) emissions from fuel-combusting construction equipment and mobile sources that could exceed thresholds for cancer risk, chronic health index, acute health index or annual average PM2.5 concentration levels.	SCA 40: Asbestos Removal in Structures. These Development Standards apply to projects with Asbestos in Structures. If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.	Prior to issuance of a demolition permit	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspections Oakland Fire Prevention Bureau, Hazardous Materials Unit
	Supplemental SCA A: Construction-Related Air Pollution Controls for Dust and Equipment Emissions Refer to Supplemental SCA A under Impact AIR-4, <u>as supplemented by the following additional measure:</u> a) <u>At all construction sites where access to grid power is available, grid power electricity shall be used. If grid power is not available, then propane or natural gas generators may be used, as feasible. Only if propane or natural gas generators prove infeasible shall portable diesel engines be allowed.</u>	Ongoing throughout demolition, grading, and/or construction Prior to starting operations	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection.
Project Level Impact Air-7: New development pursuant to the Specific Plan will generate emissions of criteria pollutants (ROG, NOx PM10 and PM2.5) as a result of increased motor vehicle traffic and area source emissions. Traffic emissions combined with anticipated area source emissions would generate levels of	SCA 24: Parking and Transportation Demand Management. These development standards apply to ALL projects involving 50 or more new residential units or 50,000 sq. ft. or more of new non-residential space. The applicant shall submit for review and approval by the Planning and Zoning Division a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The applicant shall implement the approved TDM plan. The TDM shall include strategies to increase bicycle, pedestrian, transit, and	Prior to issuance of a final inspection of the building permit Implementation: Ongoing e.g. submittal of	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning

Potential Environmental Impacts	Mitigation Measures/ Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
criteria air pollutants that would exceed the City's project-level thresholds of significance.	<p>carpools/vanpool use. All four modes of travel shall be considered. Strategies to consider include the following:</p> <ol style="list-style-type: none"> Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement Construction of bike lanes per the Bicycle Master Plan; Priority Bikeway Projects Signage and striping onsite to encourage bike safety Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient crossing at arterials Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. Direct transit sales or subsidized transit passes Guaranteed ride home program Pre-tax commuter benefits (checks) On-site car-sharing program (such as City Car Share, Zip Car, etc.) On-site carpooling program Distribution of information concerning alternative transportation options Parking spaces sold/leased separately Parking management strategies; including attendant/valet parking and shared parking spaces 	additional approved TDM reports as needed per approved TDM plan	Inspection City of Oakland Public Works Department, Traffic Services Division
Project Level Impact Air-9: Development pursuant to the West Oakland Specific Plan would include new light industrial, custom manufacturing and other similar land uses, as well as the introduction of new diesel generators that could emit toxic emissions.	<p>Supplemental SCA B: Exposure to Air Pollution (Toxic Air Contaminants)</p> <ol style="list-style-type: none"> <u>Health Risk Reduction Measures.</u> Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods: <ol style="list-style-type: none"> The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with the California Air Resources Board (CARB) and the Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk 	<p>Incorporation of measures: Prior to approval of construction-related permit</p> <p>Maintenance: Ongoing</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.</p> <p>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:</p> <ul style="list-style-type: none"> • Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents, and other sensitive populations, in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. • The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods, if feasible. • Sensitive receptors shall not be located on the ground floor, if feasible. • Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (<i>Pinus nigra</i> var. <i>maritima</i>), Cypress (<i>X Cupressocyparis leylandii</i>), Hybrid poplar (<i>Populus deltoids</i> X <i>trichocarpa</i>), and Redwood (<i>Sequoia sempervirens</i>). • Within the project site, sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Within the project site, existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. • Within the project site, emissions from diesel trucks shall be reduced through 		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>implementing the following measures, if feasible:</p> <ul style="list-style-type: none"> ▪ Installing electrical hook-ups for diesel trucks at loading docks. ▪ Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. ▪ Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. ▪ Prohibiting trucks from idling for more than two minutes. ▪ Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. <p>b. <u>Maintenance of Health Risk Reduction Measures - Requirement:</u> The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.</p>		
	<p>Mitigation Measure AIR-9: Risk Reduction Plan. Applicants for projects that would include backup generators or other stationary sources of toxic air contaminants shall prepare and submit to the City, a Risk Reduction Plan for City review and approval. The applicant shall implement the approved plan. This Plan shall reduce cumulative localized cancer risks to the maximum feasible extent. The Risk Reduction Plan may contain, but is not limited to the following strategies:</p> <ul style="list-style-type: none"> a. Demonstration using screening analysis or a health risk assessment that all project sources of toxic air contaminants, when combined with local cancer risks from cumulative sources with 1,000 feet would be less than 100 in one million. b. Installation of non-diesel fueled generators. c. Installation of diesel generators with an EPA-certified Tier 4 engine or Engines that are retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. 		
	<p>Mitigation Measure Air-9B: Place loading docks as far from residences as feasible.</p>	Incorporation of measures: Prior to approval of	City of Oakland Planning and Building

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation/Implementation/ Monitoring	
		Schedule	Responsibility
		construction-related permit	Department City of Oakland - Building Services Division, Zoning Inspection
	<u>Mitigation Measure Air-9C: If the project includes a truck fleet of any size that is registered to the project applicant, the truck fleet must comply with all applicable CARB requirements to control emissions from diesel engines, and demonstrate compliance at the time building permits are issued. Means by which compliance may be achieved may include, but are not limited to new clean diesel trucks, lower-tier diesel engine trucks with added PM filters, hybrid trucks, alternative energy trucks, or another method that achieves the CARB emission standards. Compliance with this requirement shall be verified through CARB's Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines.</u>	Incorporation of measures: Prior to approval of construction-related permit Maintenance: Ongoing	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
Air-10: Certain future development projects could result in new sensitive receptors exposed to existing levels of toxic air contaminants (TACs) or concentrations of PM2.5 that could result in increased cancer risk or other health hazards.	Supplemental SCA B: Exposure to Air Pollution (Toxic Air Contaminants). Refer to Impact AIR-9.		
	<u>Mitigation Measure Air-10: In addition to the City's Standard Conditions of Approval (Supplemental SCA B and C), require future discretionary development projects that would place new sensitive receptors in areas subject to cancer risks and exposure to diesel PM concentrations that exceed applicable thresholds to incorporate the following additional (i.e., in addition to the SCAs) best management practices (BMPs) for air quality:</u> a) <u>Air filtration units shall be installed to achieve BAAQMD effectiveness performance standards in removing PM2.5 from indoor air. The system effectiveness requirement shall be determined during final design when the exact level of exposure is known, based on proximity to emission sources. According to recent BAAQMD recommendations, air filtration systems rated MERV 16 or higher protect sensitive receptors from toxic air containments and PM2.5 concentrations while inside a building. This measure is effective for reducing exposure from TACs and PM2.5 emissions from diesel engines, highways and roadways.</u> b) <u>When locating sensitive receptors near at-grade highways, to the extent feasible, encourage uses that serve sensitive receptors to locate on the upper</u>	Incorporation of measures: Prior to approval of construction-related permit Maintenance: Ongoing	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>floors of buildings. PM2.5 concentrations generally decrease with elevation.</p> <p>c) <u>Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).</u></p>		
Cultural Resources			
<p>Impact CR-1: There are about a dozen Local Register properties within the Opportunity Areas. The Specific Plan does not propose demolition of any of these properties to allow for new development, and requires that any changes to these properties adhere to the Secretary of the Interior's Standards for the Treatment of Historic Properties. Implementation of the Specific Plan would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.</p>	<p>SCA 57: Vibrations Adjacent to Historic Structures. The project applicant shall retain a structural engineer or other appropriate professional to determine threshold levels of vibration and cracking that could damage the adjacent historic structures at the California College of the Arts and design means and methods of construction that shall be utilized to not exceed the thresholds.</p>	Prior to issuance of a demolition, grading or building permit.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>
	<p>SCA 56: Compliance with Policy 3.7 of the Historic Preservation Element. The project applicant shall make a good faith effort to relocate the building to a site acceptable to the Planning and Zoning Division and the Oakland Cultural Heritage Survey. Good faith efforts include, at a minimum, the following:</p> <ol style="list-style-type: none"> Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3'x 6' size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations; Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the Planning and Zoning Division; Maintaining the signs and advertising in place for a minimum of 90 days; and Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement. 	Prior to issuance of a demolition permit	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
Impact CR-2: Development in accordance with the Specific Plan could cause a substantial adverse change in the significance of an archaeological resource or destroy a unique paleontological resource or site or unique geologic feature.)	<p>SCA E: Archaeological Resources – Sensitive Areas. The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision D (Construction ALERT Sheet). However, if in either case a high potential presence of historic-period archaeological resources on the project site is indicated, or a potential resource is discovered, the project applicant shall also implement all of the following provisions:</p> <ul style="list-style-type: none"> a. Provision B (Construction-Period Monitoring), b. Provision C (Avoidance and/or Find Recovery), and c. Provision D (to establish a Construction ALERT Sheet if the Intensive Pre-Construction Study was originally implemented per Provision A, or to update and provide more specificity to the initial Construction ALERT Sheet if a Construction Alert Sheet was originally implemented per Provision D). <p>Provisions A through Provisions D are detailed as follows:</p> <ul style="list-style-type: none"> d. Provision A: Intensive Pre-Construction Study - The project applicant, upon approval from the City Planning and Zoning Division, may choose to complete a site-specific, intensive archaeological resources study prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. If that approach is selected, the study shall be conducted by a qualified archaeologist approved by the City Planning and Zoning Division. If prepared, at a minimum, the study shall include: <ul style="list-style-type: none"> i. An intensive cultural resources study of the project site, including subsurface presence/absence studies, of the project site. Field studies conducted by the approved archaeologist(s) may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources; ii. A report disseminating the results of this research; iii. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. iv. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, below), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find 	Prior to issuance of a demolition, grading, or building permit.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures/ Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
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	<p>Recovery, below), and prepare an ALERT Sheet that details what could potentially be found at the project site (see Provision D, Construction ALERT Sheet, below).</p> <p>e. Provision B: Construction-Period Monitoring - Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT Sheet, require per Provision D, Construction ALERT Sheet, below) and the procedures to follow if any are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, or preparing a report to document negative findings after construction is completed. If a significant archaeological resource is discovered during the monitoring activities, adherence to Provision C, Avoidance and/or Find Recovery, discussed below), would be required to reduce the impact to less than significant. The project applicant shall hire a qualified archaeologist to monitor all ground-disturbing activities on the project site throughout construction.</p> <p>f. Provision C: Avoidance and/or Find Recovery - If a significant archaeological resource is present that could be adversely impacted by the proposed project, the project applicant of the specific project site shall either:</p> <ol style="list-style-type: none"> Stop work and redesign the proposed project to avoid any adverse impacts on significant archaeological resource(s); or, If avoidance is determined infeasible by the City, design and implement an Archaeological Research Design and Treatment Plan (ARDTP). The project applicant shall hire a qualified archaeologist who shall prepare a draft ARDTP that shall be submitted to the City Planning and Zoning Division for review and approval. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical. The project applicant shall implement the ARDTP. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including 		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
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	<p>moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant.</p> <p>g. Provision D: Construction ALERT Sheet - The project applicant, upon approval from the City Planning and Zoning Division, may choose to prepare a construction ALERT sheet prior to soil-disturbing activities occurring on the project site, instead of conducting site-specific, intensive archaeological resources pursuant to Provision A, above. The project applicant shall submit for review and approval by the City prior to subsurface construction activity an "ALERT" sheet prepared by a qualified archaeologist with visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor; any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving); and/or utilities firm involved in soil-disturbing activities within the project site.</p> <p>i. The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, that in the event of discovery of the following cultural materials, all work must be stopped in the area and the City's Environmental Review Officer contacted to evaluate the find: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones.</p> <p>ii. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel.</p> <p>iii. If the project applicant chooses to implement Provision D, Construction ALERT Sheet, and a potential resource is discovered on the project site during ground disturbing activities during construction, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, above), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, above), and prepare an updated ALERT Sheet that addresses the potential resource(s) and other possible resources based on</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
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	the discovered find found on the project site.		
	<p>SCA 52: Archaeological Resources. Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted.</p> <p>a. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.</p> <p>b. In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measures for historical resources or unique archaeological resources are carried out.</p> <p>c. Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.</p>	Ongoing throughout demolition, grading, and/or construction	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
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	<p>SCA 53: Human Remains. In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.</p>	Ongoing throughout demolition, grading, and/or construction.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
	<p>SCA 54: Paleontological Resources. In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.</p>	Ongoing throughout demolition, grading, and/or construction.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
Greenhouse Gas Emissions			
Impact GHG-3: New industrial and commercial growth facilitated by the Specific Plan could introduce new stationary sources of greenhouse gases. It is possible that on an individual basis, certain development project envisioned and	<p>SCA 24: Parking and Transportation Demand Management. Refer to SCA 24 under Impact Air-7</p>		
	<p>SCA 36: Waste Reduction and Recycling. Refer to SCA 36 under Impact Util-4</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
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enabled under the Specific Plan could exceed, on an individual and project-by-project basis, the project-level GHG threshold.	<p>SCA 44, Tree Removal During Breeding Season</p> <p>SCA 45, Tree Removal Permit</p> <p>SCA 46, Tree Replacement Plantings Several SCAs Regarding Landscape Requirements and Tree Replacement.</p> <p>Refer to SCAs 44 through 46 under Impact Bio-4 and Bio-5</p>		
	<p>SCA 75: Stormwater Pollution Prevention Plan.</p> <p>SCA 80: Post-construction Stormwater Pollution Prevention Plan</p> <p>Refer to SCA 75 and 80 under Impact Hydro-3</p>		
	<p>The following SCA F would apply to subsequent projects pursuant to the Specific Plan under any of the following scenarios: a)</p> <p><u>Scenario A:</u> Projects which (a) involve a land use development (i.e., a project that does not require a permit from the Bay Area Air Quality Management District (BAAQMD) to operate), (b) exceed the greenhouse gas (GHG) emissions screening criteria contained in the BAAQMD CEQA Guidelines, AND (c) after a GHG analysis is prepared would produce total GHG emissions of more than 1,100 metric tons of CO₂e annually AND more than 4.6 metric tons of CO₂e per service population annually (with "service population" defined as the total number of employees and residents of the project).</p> <p><u>Scenario B:</u> Projects which (a) involve a land use development, (b) exceed the GHG emissions screening criteria contained in the BAAQMD CEQA Guidelines, (c) after a GHG analysis is prepared would exceed at least one of the BAAQMD Thresholds of Significance (more than 1,100 metric tons of CO₂e annually OR more than 4.6 metric tons of CO₂e per service population annually), AND (d) are considered to be "Very Large Projects."</p> <p><u>Scenario C:</u> Projects which (a) involve a stationary source of GHG (i.e., a project that requires a permit from BAAQMD to operate) AND (b) after a GHG analysis is prepared would produce total GHG emissions of more than 10,000 metric tons of CO₂e annually.</p> <p>SCA F: Greenhouse Gas (GHG) Reduction Plan. The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval. The applicant shall implement the approved GHG Reduction Plan. The goal of the GHG Reduction Plan shall be to increase energy efficiency and reduce GHG emissions to below [INCLUDE IF SCENARIO A OR B] at least one of the Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance (1,100 metric tons of CO₂e per year or 4.6 metric tons of CO₂e per year per service population) [INCLUDE IF SCENARIO C] the Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance (10,000 metric tons of CO₂e per year)</p>	Prior to issuance of a construction-related permit and ongoing as specified.	City of Oakland, Building Services Division

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
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	<p>[INCLUDE IF SCENARIO B] AND to reduce GHG emissions by 36 percent below the project's "adjusted" baseline GHG emissions (as explained below) to help achieve the City's goal of reducing GHG emissions. The GHG Reduction Plan shall include, at a minimum, (a) a detailed GHG emissions inventory for the project under a "business-as-usual" scenario with no consideration of project design features, or other energy efficiencies, (b) an "adjusted" baseline GHG emissions inventory for the project, taking into consideration energy efficiencies included as part of the project (including the City's Standard Conditions of Approval, proposed mitigation measures, project design features, and other City requirements), (c) a comprehensive set of quantified additional GHG reduction measures available to further reduce GHG emissions beyond the adjusted GHG emissions, and (d) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. If the project is to be constructed in phases, the GHG Reduction Plan shall provide GHG emission scenarios by phase. Specifically, the applicant/sponsor shall adhere to the following:</p> <p>a. GHG Reduction Measures Program. Prepare and submit to the City Planning Director or his/her designee for review and approval a GHG Reduction Plan that specifies and quantifies GHG reduction measures that the project will implement by phase.</p> <p>Potential GHG reduction measures to be considered include, but are not be limited to, measures recommended in BAAQMD's latest CEQA Air Quality Guidelines, the California Air Resources Board Scoping Plan (December 2008, as may be revised), the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures Document (August 2010, as may be revised), the California Attorney General's website, and Reference Guides on Leadership in Energy and Environmental Design (LEED) published by the U.S. Green Building Council.</p> <p>The proposed GHG reduction measures must be reviewed and approved by the City Planning Director or his/her designee. The types of allowable GHG reduction measures include the following (listed in order of City preference): (1) physical design features; (2) operational features; and (3) the payment of fees to fund GHG-reducing programs (i.e., the purchase of "offset carbon credits," pursuant to item "b" below).</p> <p>The allowable locations of the GHG reduction measures include the following (listed in order of City preference): (1) the project site; (2) off-site within the City of Oakland; (3) off-site within the San Francisco Bay Area Air Basin; (4) off-site within the State of California; then (5) elsewhere in the United States.</p>		

Potential Environmental Impacts	Mitigation Measures/ Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
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	<p>b. Offset Carbon Credits Guidelines. For GHG reduction measures involving the purchase of offset carbon credits, evidence of the payment/purchase shall be submitted to the City Planning Director or his/her designee for review and approval prior to completion of the project (or prior to completion of the project phase, if the project includes more one phase).</p> <p>As with preferred locations for the implementation of all GHG reductions measures, the preference for offset carbon credit purchases include those that can be achieved as follows (listed in order of City preference): (1) within the City of Oakland; (2) within the San Francisco Bay Area Air Basin; (3) within the State of California; then (4) elsewhere in the United States. The cost of offset carbon credit purchases shall be based on current market value at the time purchased and shall be based on the Project's operational emissions estimated in the GHG Reduction Plan or subsequent approved emissions inventory, which may result in emissions that are higher or lower than those estimated in the GHG Reduction Plan.</p> <p>c. Plan Implementation and Documentation. For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits. For operational GHG reduction measures to be incorporated into the project, the measures shall be implemented on an indefinite and ongoing basis beginning at the time of project completion (or at the completion of the project phase for phased projects).</p> <p>For physical GHG reduction measures to be incorporated into off-site projects, the measures shall be included on drawings and submitted to the City Planning Director or his/her designee for review and approval and then installed prior to completion of the subject project (or prior to completion of the project phase for phased projects). For operational GHG reduction measures to be incorporated into off-site projects, the measures shall be implemented on an indefinite and ongoing basis beginning at the time of completion of the subject project (or at the completion of the project phase for phased projects).</p> <p>d. Compliance, Monitoring and Reporting. Upon City review and approval of the GHG Reduction Plan program by phase, the applicant/sponsor shall satisfy the following requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. The GHG Reduction Plan requires regular periodic evaluation over the life of the Project (generally estimated to be at least 40 years) to determine how the Plan is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan.</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
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	<p>Implementation of the GHG reduction measures and related requirements shall be ensured through the project applicant/sponsor's compliance with Conditions of Approval adopted for the project. Generally, starting two years after the City issues the first Certificate of Occupancy for the project, the project applicant/sponsor shall prepare each year of the useful life of the project an Annual GHG Emissions Reduction Report (Annual Report), subject to the City Planning Director or his/her designee for review and approval. The Annual Report shall be submitted to an independent reviewer of the City Planning Director's or his/her designee's choosing, to be paid for by the project applicant/sponsor (see Funding, below), within two months of the anniversary of the Certificate of Occupancy.</p> <p>The Annual Report shall summarize the project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions of the Plan, and include a brief summary of the previous year's Annual Report results (starting the second year). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Plan.</p> <p>The GHG Reduction Plan shall be considered fully attained when project emissions are less than either applicable numeric BAAQMD CEQA Thresholds [INCLUDE IF SCENARIO B] AND GHG emissions are 36 percent below the project's "adjusted" baseline GHG emissions, as confirmed by the City Planning Director or his/her designee through an established monitoring program. Monitoring and reporting activities will continue at the City's discretion, as discussed below.</p> <p>e. Funding. Within two months after the Certificate of Occupancy, the project applicant/sponsor shall fund an escrow-type account or endowment fund to be used exclusively for preparation of Annual Reports and review and evaluation by the City Planning Director or his/her designee, or its selected peer reviewers. The escrow-type account shall be initially funded by the project applicant/sponsor in an amount determined by the City Planning Director or his/her designee and shall be replenished by the project applicant/sponsor so that the amount does not fall below an amount determined by the City Planning Director or his/her designee. The mechanism of this account shall be mutually agreed upon by the project applicant/sponsor and the City Planning Director or his/her designee, including the ability of the City to access the funds if the project applicant/sponsor is not complying with the GHG Reduction Plan requirements, and/or to reimburse the City for its monitoring and enforcement costs.</p>		

Potential Environmental Impacts	Mitigation Measures/Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
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	<p>f. Corrective Procedure. If the third Annual Report, or any report thereafter, indicates that, in spite of the implementation of the GHG Reduction Plan, the project is not achieving the GHG reduction goal, the project applicant/sponsor shall prepare a report for City review and approval, which proposes additional or revised GHG measures to better achieve the GHG emissions reduction goals, including without limitation, a discussion on the feasibility and effectiveness of the menu of other additional measures (Corrective GHG Action Plan). The project applicant/sponsor shall then implement the approved Corrective GHG Action Plan.</p> <p>If, one year after the Corrective GHG Action Plan is implemented, the required GHG emissions reduction target is still not being achieved, or if the project applicant/owner fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City Planning Director or his/her designee may, in addition to its other remedies, (a) assess the project applicant/sponsor a financial penalty based upon actual percentage reduction in GHG emissions as compared to the percent reduction in GHG emissions established in the GHG Reduction Plan; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether the project's approvals should be revoked, altered or additional conditions of approval imposed.</p> <p>The penalty as described in (a) above shall be determined by the City Planning Director or his/her designee and be commensurate with the percentage GHG emissions reduction not achieved (compared to the applicable numeric significance thresholds) or required percentage reduction from the "adjusted" baseline.</p> <p>In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the project applicant/sponsor has made a good faith effort to comply with the GHG Reduction Plan.</p> <p>The City would only have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the GHG Reduction Plan.</p> <p>g. Timeline Discretion and Summary. The City Planning Director or his/her designee shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicant, to coincide with other related monitoring and reporting required for the project.</p> <p>i. Fund Escrow-type Account for City Review: Certificate of Occupancy plus 2</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>months</p> <p>ii. Submit Baseline Inventory of "Actual Adjusted Emissions": Certificate of Occupancy plus 1 year</p> <p>iii. Submit Annual Report #1: Certificate of Occupancy plus 2 years</p> <p>iv. Submit Corrective GHG Action Plan (if needed): Certificate of Occupancy plus 4 years (based on findings of Annual Report #3)</p> <p>v. Post Attainment Annual Reports: Minimum every 3 years and at the City Planning Director's or his/her designee's reasonable discretion. Under the City's required SCAs F: Greenhouse Gas Reduction Plan, individual development projects exceeding project-level screening criteria are required to undergo project-specific GHG emissions forecasts and, as appropriate, implement project-specific GHG reduction plans, with the goal of increasing energy efficiency and reducing GHG emissions to the greatest extent feasible below both applicable numeric City of Oakland CEQA Thresholds (i.e., total emissions and per service population) to help achieve the City's goal of reducing GHG emissions. As individual projects tiering off the Specific Plan occur, their specific design features and GHG reduction measures, including TDM programs, as well as specifics about project types, land use specific travel demand and the availability of transit access will be defined and factored into their GHG Reduction Plan prepared pursuant to SCA F. Not until these tiered projects are proposed and evaluated can the efficacy of each individual project's design characteristics, applicable SCAs and other City policies (particularly SCA F) in reducing GHG emissions to below relevant thresholds be determined.</p>		
	<p>SCA H: Compliance with the Green Building Ordinance, OMC Chapter 18.02. The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02.</p> <p>a. The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit:</p> <p>i. Documentation showing compliance with Title 24 of the 2008 California Building Energy Efficiency Standards.</p> <p>ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.</p> <p>iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.</p>	Prior to issuance of a demolition, grading, or building permit.	City of Oakland, Building Services Division

Potential Environmental Impacts	Mitigation Measures/ Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
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	<p>iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below.</p> <p>v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.</p> <p>vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.</p> <p>vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</p> <p>b. The set of plans in subsection (a) shall demonstrate compliance with the following:</p> <p>i. CALGreen mandatory measures.</p> <p>ii. All pre-requisites per the LEED/GreenPoint Rated checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.</p> <p>iii. Insert green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 75 points for residential and LEED Gold for non-residential) per the appropriate checklist approved during the Planning entitlement process.</p> <p>iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted.</p> <p>v. The required green building point minimums in the appropriate credit categories.</p> <p>During construction: The applicant shall comply with the applicable requirements CALGreen and the Green Building Ordinance, Chapter 18.02.</p> <p>c. The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval:</p> <p>i. Completed copies of the green building checklists approved during the review of</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation/Implementation/ Monitoring	
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	<p>the Planning and Zoning permit and during the review of the building permit.</p> <p>ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.</p> <p>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</p> <p>d. After construction, as specified below. Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green/Green Building Certification Institute and attain the minimum certification/point level identified in subsection (a) above. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Planning and Zoning Division the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p> <p>e. The SCA below applies to the projects listed below AND that are rated using the Small Commercial or Bay Friendly Basic Landscape Checklists:</p> <p>i. New Construction of Non-Residential Buildings between 5,000 and 25,000 sq. ft. of total floor area.</p> <p>ii. Additions/Alterations 5,000 and 25,000 sq. ft. of total floor area to a Non-Residential Building</p> <p>iii. Additions/Alterations (not meeting the Major Alteration Definition) over 25,000 sq. ft. of total floor area to a Non-Residential Building</p> <p>iv. Additions/Alterations 5,000 and 25,000 sq. ft. of total floor area to a Historic Non-Residential Building</p> <p>v. Additions/Alterations (not meeting the Major Alteration Definition) over 25,000 sq. ft. of total floor area to a Historic Non-Residential Building</p> <p>vi. Construction projects with over 25,000 sq. ft. of total floor area of new construction requiring a landscape plan.</p>		
	<p>SCA I: Compliance with the Green Building Ordinance, OMC Chapter 18.02, for Building and Landscape Projects Using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist.</p> <p>a. The following information shall be submitted to the Building Services Division for review and approval with application for a Building permit:</p> <p>i. Documentation showing compliance with the 2008 Title 24, California Building</p>	<p>Prior to issuance of a building permit:</p> <p>The applicant shall comply with the requirements of</p>	<p>City of Oakland, Building Services Division</p>

Potential Environmental Impacts	Mitigation Measures/Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>Energy Efficiency Standards.</p> <p>ii. Completed copy of the green building checklist approved during the review of a Planning and Zoning permit.</p> <p>iii. Permit plans that show in general notes, detailed design drawings and specifications as necessary compliance with the items listed in subsection (b) below.</p> <p>iv. Other documentation to prove compliance.</p> <p>b. The set of plans in subsection (a) shall demonstrate compliance with the following:</p> <p>i. CALGreen mandatory measures.</p> <p>ii. All applicable green building measures identified on the StopWaste.Org checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted.</p> <p><u>During construction:</u> The applicant shall comply with the applicable requirements of CALGreen and Green Building Ordinance, Chapter 18.02 for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist.</p> <p>a. The following information shall be submitted to the Building Inspections Division for review and approval:</p> <p>i. Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit.</p> <p>ii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</p>	the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.) for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist.	
<p>Impact GHG-4: Portions of West Oakland would be subject to flooding due to predicted sea level rise associated with global climate change. With increased flooding potential in the future, development in accordance with the Specific Plan could place people, structures and other improvements in these areas at an increased risk of injury or loss from flooding.</p>	<p>SCA 89: Regulatory Permits and Authorizations. Prior to construction within the floodway or floodplain, the project applicant shall obtain all necessary regulatory permits and authorizations from the Alameda County Flood Control and Water Conservation District and shall comply with all conditions issued by that agency.</p>	Prior to issuance of a demolition, grading, or building permit	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>SCA 90: Structures within a Floodplain</p> <p>a) The project applicant shall retain the civil engineer of record to ensure that the project's development plans and design contain finished site grades and floor elevations that are elevated above the Base Flood Elevation (BFE) if established within a 100-year flood event.</p> <p>b) The project applicant shall submit final hydrological calculations that ensure that the structure will not interfere with the flow of water or increase flooding.</p>	Prior to issuance of a demolition, grading, or building permit	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>
Hazards and Hazardous Materials			
<p>Impact Haz-1: The Planning Area contains numerous sites which are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Continued occupancy and use or future development of these hazardous materials sites in accordance with the Specific Plan could create a significant hazard to the public or the environment.</p>	<p>SCA 61: Site Review by the Fire Services Division Fire Prevention Bureau Hazardous Materials Unit. The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.</p>	Prior to issuance of any demolition, grading or building permit.	Oakland Fire Prevention Bureau, Hazardous Materials Unit
	<p>SCA 62: Phase I and/or Phase II Reports. Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.</p> <p>SCA 63: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment. The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or federal law</p> <p>SCA 64: Environmental Site Assessment Reports Remediation. If the environmental site assessment reports recommend remedial action, the project applicant shall:</p> <p>a. Consult with the appropriate local, State, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits</p>	Prior to issuance of any demolition, grading or building permit.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspections</p> <p>Oakland Fire Prevention Bureau, Hazardous Materials Unit</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>and sumps.</p> <p>b. Obtain and submit written evidence of approval for any remedial action if required by a local, State, or federal environmental regulatory agency.</p> <p>c. Submit a copy of all applicable documentation required by local, State, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II environmental site assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.</p> <p>SCA 65: Lead-Based Paint Remediation. If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.</p> <p>SCA 66: Other Materials Classified as Hazardous Waste. If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.</p> <p>SCA 69: Radon or Vapor Intrusion from Soil or Groundwater Sources. The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.</p>		
	<p>SCA 67: Health and Safety Plan per Assessment. If the required lead-based paint/coatings, asbestos, or PCB assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal.</p>	Prior to issuance of any demolition, grading or building permit.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning</p>

Potential Environmental Impacts	Mitigation Measures/ Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
			Inspection
	<p>SCA 68: Best Management Practices for Soil and Groundwater Hazards. (Ongoing throughout demolition, grading, and construction activities.)The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards.</p> <p>a. Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (Water Board) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland.</p> <p>b. Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the Water Board and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources).</p> <p>c. Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the Water Board and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.</p>	Prior to issuance of any demolition, grading, or building permit, and ongoing.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>Oakland Fire Prevention Bureau, Office of Emergency Services</p>
Impact Haz-2: Asbestos or lead based paint	SCA 41: Asbestos Removal in Structures		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation Monitoring:	
		Schedule	Responsible
present within older structures in the Planning Area could be released into the environment during demolition or construction activities, which could result in soil contamination or pose a health risk to construction workers or future occupants.	Refer to SCA 41 under Impact Air-6.		
	SCA 63: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment. Refer to SCA 63 under Impact Haz-1.		
	SCA 65: Lead-Based Paint Remediation Refer to SCA 65 under Impact Haz-1. Plus required compliance with all other applicable federal, state and local laws, regulations, standards and oversight cur place.		
Impact Haz-3: Development allowed by the Specific Plan could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	SCA 35: Hazards Best Management Practices. The project applicant and construction contractor shall ensure that Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following: <ul style="list-style-type: none"> a. Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals. e. Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building. f. If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of 	Prior to the commencement of demolition, grading, or construction.	City of Planning Buildings Department City of Buildings Division Inspector

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.		
	SCA 67: Health and Safety Plan per Assessment. Refer to SCA 67 under Impact Haz-1.		
	SCA 68: Best Management Practices for Soil and Groundwater Contamination. Refer to SCA 68 under Impact Haz-1.		
	SCA 74: Hazardous Materials Business Plan. The project applicant shall submit a Hazardous Materials Business Plan for review and approval by Fire Prevention Bureau, Hazardous Materials Unit. Once approved this plan shall be kept on file with the City and will be updated as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle the materials and provides information to the Fire Services Division should emergency response be required. The Hazardous Materials Business Plan shall include the following: <ol style="list-style-type: none"> The types of hazardous materials or chemicals stored and/or used on site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. The location of such hazardous materials. An emergency response plan including employee training information A plan that describes the manner in which these materials are handled, transported and disposed. As well as required compliance with all other applicable federal, state and local hazardous materials laws, regulations, standards and oversight currently in place.	Prior to issuance of a business license	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection Oakland Fire Prevention Bureau, Hazardous Materials Unit
Impact Haz-4: All schools within the Planning Area are located within ¼ mile of an existing permitted hazardous materials use or an identified environmental case. The Specific Plan could facilitate the addition of new businesses that emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school.	SCA 74: Hazardous Materials Business Plan. Refer to SCA 74 under Impact Haz-3. As well as required compliance with all other applicable federal, state and local hazardous materials laws, regulations, standards and oversight currently in place.		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation/Implementation/ Monitoring	
		Schedule	Responsibility
Impact Haz-6: Many of the development Opportunity Sites under the proposed Specific Plan are located along these streets identified as Emergency Evacuation Routes, potentially interfering with an emergency response plan or emergency evacuation plan	SCA 33: Construction Traffic and Parking. Refer to SCA 33 under Impact Trans-16.		
Noise			
Impact Noise-1: Construction activities related to the Specific Plan, including pile drilling and other extreme noise generating construction activities would temporarily increase noise levels in the vicinity of individual project sites.	<p>SCA 28: Days/Hours of Construction Operation. The project applicant shall require construction contractors to limit standard construction activities as follows:</p> <ul style="list-style-type: none"> a. Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. b. Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division. c. Construction activity shall not occur on Saturdays, with the following possible exceptions: <ul style="list-style-type: none"> i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division. ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. 	Ongoing throughout demolition, grading, and/or construction.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>d. No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions.</p> <p>e. No construction activity shall take place on Sundays or Federal holidays.</p> <p>f. Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area.</p> <p>g. Applicant shall use temporary power poles instead of generators where feasible.</p>		
	<p>SCA 29: Noise Control. To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures:</p> <p>a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).</p> <p>b. Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.</p> <p>c. Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.</p> <p>d. If feasible, the noisiest phases of construction shall be limited to less than 10 days at a time.</p>	Control: Ongoing throughout demolition, grading, and/or construction.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
	<p>SCA 30: Noise Complaint Procedures. Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include:</p> <p>a. A procedure and phone numbers for notifying the Building Services Division staff</p>	Ongoing throughout demolition, grading, and/or construction.	City of Oakland Planning and Building Department City of Oakland -

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>and Oakland Police Department; (during regular construction hours and off-hours);</p> <p>b. A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours);</p> <p>c. The designation of an on-site construction complaint and enforcement manager for the project;</p> <p>d. Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and</p> <p>e. A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.</p>		Building Services Division, Zoning Inspection
	<p>SCA 39: Pile Driving and Other Extreme Noise Generators. To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of the following measures. These attenuation measures shall include as many of the following control strategies as feasible:</p> <p>a. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;</p> <p>b. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</p>	Ongoing throughout demolition, grading, and/or construction.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<ul style="list-style-type: none"> c. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; d. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example; and e. Monitor the effectiveness of noise attenuation measures by taking noise measurements. 		
Impact Noise-2: Ongoing operational noise generated by stationary sources could generate noise in violation of the City of Oakland Noise Ordinance regarding operational noise.	SCA 32: Operational Noise – General. Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.	Ongoing during Project operations	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
Impact Noise-4: Construction activities could generate excessive ground-borne vibration during the construction period.	<p>SCA 38: Vibration. A qualified acoustical consultant shall be retained by the project applicant during the design phase of the project to comment on structural design as it relates to reducing groundborne vibration at the project site. If required in order to reduce groundborne vibration to acceptable levels, the project applicant shall incorporate special building methods to reduce groundborne vibration being transmitted into project structures. The City shall review and approve the recommendations of the acoustical consultant and the plans implementing such recommendations. Applicant shall implement the approved plans. Potential methods include the following:</p> <ul style="list-style-type: none"> a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a "spring isolation" system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of ground-borne vibration to the residences above. b. Trenching, which involves excavating soil between the railway/freeway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project's structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, 	During the design phase of project.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets (i.e., Styrofoam) or low-density polyethylene).</p> <p>SCA 57: Vibrations Adjacent to Historic Structures. The project applicant shall retain a structural engineer or other appropriate professional to determine threshold levels of vibration and cracking that could damage nearby historic structures, and design means and methods of construction that shall be utilized to not exceed the thresholds. The engineer's analysis shall be submitted to the City of Oakland for review and approval. The applicant shall implement the approved plan.</p>		
	<p>SCA 28: Days/Hours of Construction Operation. Refer to SCA 28 under Impact Noise-1.</p>		
	<p>SCA 29: Noise Control. Refer to SCA 29 under Impact Noise-1.</p>		
	<p>SCA 30: Noise Complaint Procedures. Refer to SCA 30 under Impact Noise-1</p>		
	<p>SCA 39: Pile Driving and Other Extreme Noise Generators. Refer to SCA 39 under Impact Noise-1</p>		
<p>Noise-7: The occupants of new residential and other noise-sensitive development facilitated by the Specific Plan could be exposed to community noise in conflict with the Land Use Compatibility Guidelines of the Oakland General Plan, and to interior noise exceeding California Noise Insulation Standards.</p>	<p>SCA 31: Interior Noise. If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that:</p> <ol style="list-style-type: none"> Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and Demonstrates compliance with interior noise standards based upon performance 	<p>Prior to issuance of a building permit and Certificate of Occupancy</p>	<p>City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>testing of a sample unit.</p> <p>c. Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following:</p> <p>i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis.</p> <p>ii. Prohibition of Z-duct construction.</p>		
	<p>SCA 38: Vibration.</p> <p>Refer to SCA 38 under Impact Noise-4.</p>		
Public Services and Recreation			
<p>Impact PSR-1: Development under the Specific Plan would result in an increase in OFD service calls and a commensurate incremental need for additional staffing, equipment and facilities to maintain the City's response time goals and staffing ratios.</p>	<p>SCA 4, Conformance with other Requirements.</p> <p>a. The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in SCA 3, Scope of This Approval, Major and Minor Changes.</p> <p>b. The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.</p>	Prior to issuance of a demolition, grading, P-job, or other construction related permit	<p>City of Oakland Building Services Division</p> <p>City of Oakland Fire Marshal</p> <p>City of Oakland Public Works Agency</p>
	<p>SCA 61, Site Review by the Fire Services Division. The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.</p>	Prior to the issuance of demolition, grading or building permit	Oakland Fire Prevention Bureau, Hazardous Materials Unit

Potential Environmental Impacts	Mitigation Measures// Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	SCA 71, Fire Safety Phasing Plan. The project applicant shall submit a separate fire safety phasing plan to the Planning and Zoning Division and Fire Services Division for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. Fire Services Division may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase.	Prior to issuance of a demolition, grading, and/or construction and concurrent with any p-job submittal permit	City of Oakland Planning and Zoning Division City Oakland Fire Services Division
	SCA 73, Fire Safety. The project applicant and construction contractor will ensure that during project construction, all construction vehicles and equipment will be fitted with spark arrestors to minimize accidental ignition of dry construction debris and surrounding dry vegetation.	Prior to and ongoing throughout demolition, grading, and/or construction	City of Oakland Planning and Zoning Division City Oakland Fire Services Division
Traffic			
Existing Plus Project			
Impact Trans-1: The addition of traffic generated by the full development of the Specific Plan would cause PM peak hour southbound left turn 95th percentile queue length at the signalized intersection of Hollis and 40th Street (#1) located in Emeryville to exceed the available queue storage.	Mitigation Measure Trans-1: Implement the following measure at Hollis and 40th Street (#1): a) Extend the southbound left turn lane queue storage to 175 feet. To implement this measure, the City shall work with the City of Emeryville to determine the feasibility of the mitigation measure and enter into an agreement to fund the necessary improvement to alleviate the queue storage issue at this location. Individual project applicants shall fund the cost of preparing and implementing the above measures.	Investigation of the need for this mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland until the mitigation measure is implemented. If investigations show this mitigation is required, the Project Sponsor	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Transportation Services Division City of Emeryville

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
		will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.	
<p>Impact Trans-2: The addition of traffic generated by the full development of the Specific Plan would cause PM peak hour traffic operations at the signalized intersection of San Pablo Avenue and 40th Street (#2) located in Emeryville to degrade from LOS D to LOS E under Existing plus Project conditions. Additionally, the eastbound left and northbound left turn 95th percentile queue length would exceed the available queue storage in the AM peak hour.</p>	<p>Mitigation Measure Trans-2: Implement the following measure at San Pablo Avenue and 40th Street intersection (#2):</p> <ul style="list-style-type: none"> a) Add an additional eastbound left turn lane b) Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) <p>To implement this measure, the City shall work with the City of Emeryville to determine the feasibility of the mitigation measure and enter into an agreement to determine a fair-share portion of fund the necessary improvements to alleviate congestion at this location. Individual project applicants shall fund the cost of implementing the above measures.</p>	<p>Investigation of the need for this mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland until the mitigation measure is implemented.</p> <p>If investigations show this mitigation is required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p> <p>City of Emeryville</p>
Year 2035 Cumulative Intersection Impacts			

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
<p>Impact Trans-3: The addition of traffic generated by the full development of the Specific Plan would contribute to LOS F operations at the signalized intersection of Hollis Street and 40th Street (#1) located in Emeryville and would increase the average delay by more than four seconds.</p>	<p>Mitigation Measure Trans-3: Implement the following measure at Hollis Street and 40th Street intersection (#1):</p> <ul style="list-style-type: none"> a) Increase the actuated cycle length. b) Extend the westbound left turn queue storage to 425 feet c) Extend the southbound queue storage to 175 feet <p>To implement this measure, the City shall work with the City of Emeryville to determine the feasibility of the mitigation measure and enter into an agreement to fund the necessary improvement to alleviate congestion at this location. The funding would be collected from the developers of properties in the West Oakland Specific Plan area and would be used to implement mitigation measures to improve intersection operations</p>	<p>Investigation of the need for this mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland until the mitigation measure is implemented.</p> <p>If investigations show this mitigation is required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p> <p>City of Emeryville</p>
<p>Impact Trans-4: The addition of traffic generated by the full development of the Specific Plan would contribute to an increase in the eastbound left turn 95th percentile queue in the both peak hours that would exceed the available queue storage at the signalized intersection of San Pablo Avenue and 40th Street (#2) located in Emeryville.</p>	<p>Mitigation Measure Trans-3: Implement the following measure at San Pablo Avenue and 40th Street intersection (#2):</p> <ul style="list-style-type: none"> a) Optimize signal timing parameters (i.e., adjust the allocation of green time for each intersection approach) <p>Mitigation is projected to be required by the completion of the project. To implement this measure, the City shall work with the City of Emeryville to determine the feasibility of the mitigation measure and enter into an agreement to fund the necessary improvement to alleviate congestion at this location. The funding would be collected from the developers of properties in the West Oakland Specific Plan area and would be</p>	<p>Investigation of the need for this mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	used to implement mitigation measures to improve intersection operations	until the mitigation measure is implemented. If investigations show this mitigation is required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.	Transportation Services Division City of Emeryville
Impact Trans-6: The addition of traffic generated by the full development of the Specific Plan would degrade the PM peak hour operations from LOS E to LOS F at the signalized intersection of Broadway and West Grand Avenue (#13) located within the Downtown Area.	<p>Mitigation Measure Trans-6: Implement the following measure at Broadway and West Grand Avenue (#13):</p> <p>a) Modify the traffic signal to provide protected/permitted signal phasing for the northbound left-turn movement</p> <p>To implement this measure, individual project applicants shall submit Plans, Specifications, and Estimates (PS&E) to modify the intersection to the City of Oakland for review and approval. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction.</p> <p>Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, the individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.</p>	Investigation of the need for this mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland until the mitigation measure is implemented. If investigations show this mitigation is required, the Project Sponsor will submit Plans,	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Transportation Services Division

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
		Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.	
<p>Impact Trans-7: The addition of traffic generated by the full development of the Specific Plan would degrade PM peak hour operation from LOS B to LOS E at the intersection of Adeline Street and 18th Street (#15) located outside the Downtown Area.</p>	<p>Mitigation Measure Trans 7: Implement the following measures at the Adeline Street and 18th Street (#15) intersection:</p> <p>a) Retain the existing traffic signal control at the intersection and upgrade it to an actuated signal rather than converting to a single-lane roundabout as proposed as a part of the project</p> <p>To implement this measure, the individual project applicants shall submit Plans, Specifications, and Estimates (PS&E) to modify the intersection to the City of Oakland for review and approval. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.</p>	<p>Investigation of the need for this mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland until the mitigation measure is implemented.</p> <p>If investigations show this mitigation is required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>
<p>Impact Trans-8: The addition of traffic generated by the full development of the</p>	<p>Mitigation Measure Trans-8: Implement the following measure at Adeline Street and 5th Street (#24):</p>	<p>Investigation of the need for this</p>	<p>City of Oakland Planning and</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
Specific Plan would degrade the PM peak hour operation from LOS D to LOS F at the signalized intersection of Adeline Street and 5th Street (#24) located outside the Downtown Area.	<p>a) Modify the traffic signal to remove split phasing and provide protected permitted left turn phasing for the northbound and southbound left-turn movements</p> <p>To implement this measure, individual project applicants shall submit Plans, Specifications, and Estimates (PS&E) to modify the intersection to the City of Oakland for review and approval. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction.</p> <p>Individual project applicants shall fund the cost of preparing and implementing the above measures. However, if the City adopts a transportation fee program prior to implementation of this mitigation measure, individual project applicants shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant.</p>	<p>mitigation shall be studied by subsequent projects and submitted for review and approval to the City of Oakland until the mitigation measure is implemented.</p> <p>If investigations show this mitigation is required, the Project Sponsor will submit Plans, Specifications, and Estimates (PS&E) for review and approval by the City for implementation of this mitigation.</p>	<p>Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Transportation Services Division</p>
Impact Trans-16: The proposed Project would result in a substantial, though temporary adverse effect on the circulation system during construction of the Project.	<p>SCA Trans-2/SCA 33: Construction Traffic and Parking. The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements:</p> <p>a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access</p>	Prior to the issuance of a demolition, grading or building permit.	Planning and Zoning Division, the Building Services Division Transportation Services Division

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>routes.</p> <p>b. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.</p> <p>c. Location of construction staging areas for materials, equipment, and vehicles at an approved location.</p> <p>d. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.</p> <p>e. Provision for accommodation of pedestrian flow.</p> <p>Major Project Cases:</p> <p>f. Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.</p> <p>g. Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy.</p> <p>h. Any heavy equipment brought to the construction site shall be transported by truck, where feasible.</p> <p>i. No materials or equipment shall be stored on the traveled roadway at any time.</p> <p>j. Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.</p> <p>k. All equipment shall be equipped with mufflers.</p> <p>l. Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.</p>		
Utilities and Service Systems			

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
Impact Util-1: Future development in accordance with the Specific Plan would consist of redevelopment of previously developed properties so there would be limited change in impervious surface area and stormwater runoff. Development facilitated by the Specific Plan would not result in an increase in stormwater runoff	SCA 75: Stormwater Pollution Prevention Plan. Refer to SCA 75 under Impact Hydro-		
	SCA 80: Post-construction Stormwater Pollution Prevention Plan Refer to SCA 75 under Impact Hydro-		
	SCA 91: Stormwater and Sewer. Requires individual future development projects facilitated by the Specific Plan to show wastewater discharge calculations that confirm the capacity and state of repair of the local City sewer system, and to make any local sewer infrastructure improvements needed to accommodate that project. Construction of needed sewer improvements would generally occur along existing pipeline alignments and within existing rights-of-way, and would be required to comply with City of Oakland Standard Conditions of Approval regarding construction noise (SCA Noise-1 and SCA Noise-2), air quality and dust suppression (SCA Air-1 and SCA Air-2), erosion control (SCA Geo-1) and temporary construction traffic controls (SCA Trans-1) which would ensure that standard construction effects remain less than significant.	Prior to issuance of a demolition, grading, or building permit.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
	Recommendation Util-1a: As the area improves, underground storm drain lines should be added to several of the Opportunity Areas' street sections where such lines do not exist. Additional storm drainage structures, including conduit, would be a way to address both ponding and adequate conveyance of storm runoff.	Prior to issuance of a demolition, grading, or building permit.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection
Impact Util-2: The WSA prepared by EBMUD for the Specific Plan concluded that EBMUD has sufficient water supplies to meet current water demand and future water demand through 2035, including the increased water demand associated with the Specific Plan, during normal, single dry, and multiple dry years. Construction of needed water system improvements would typically occur within existing public rights-of-way.	Recommendation Util-2a: Because many of the parcels within West Oakland's industrial areas are very large, there are several streets that have no public water main. For projects that create a new parcel which fronts a street that does not have a water main, a new public water main constructed at the developer's expense will likely be required. Recommendation Util-2b: EBMUD block maps indicate that many of the lines in the area are cast iron and were installed in the 30's. These pipes have likely experienced significant corrosion and should be replaced. Recommendation Util-2c: Service to new development would likely require reassessment and upsizing of conduits, especially if the pipe length is greater than 1,000 feet to the nearest transmission line.	Prior to issuance of a demolition, grading, or building permit.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
<p>Impact Util-3: With the City's sub-basin allocation system, construction of needed sewer system improvements pursuant to SCA 91, Stormwater and Sewer, payment of improvement and hook-up fees, the wastewater collection and treatment system would have adequate capacity to serve future development in accordance with the Specific Plan.</p>	<p>SCA 91: Stormwater and Sewer. Refer to SCA 91 under Impact Util-1.</p> <p>Recommendation Util-3a: Underground utility improvements should be installed prior to final streetscape improvements to prevent damage and the need for patching such improvements during trenching operations.</p> <p>Recommendation Util-3b: Properties to be redeveloped and/or reused should abandon existing sewer laterals and install new laterals, and verify that there are no cross-connections from the downspouts to the sewer lateral. This would result in much lower I/I flow into the main sewer lines.</p> <p>Recommendation Util-3c: <u>Prior to the installation of underground utility improvements at properties to be redeveloped, sewage flow rates and I/I rates should be monitored to determine whether there is significant potential for I/I reduction.</u></p>	<p>Prior to issuance of a demolition, grading, or building permit.</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p>
<p>Impact Util-4: The Altamont Landfill and Vasco Road Landfill have sufficient permitted capacity to accommodate the solid waste disposal needs of future development under the Specific Plan. The Specific Plan would not violate applicable federal, state, and local statutes and regulations related to solid waste.</p>	<p>SCA 36: Waste Reduction and Recycling. The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.</p> <p>a. Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.</p> <p>a. The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.</p>	<p>Prior to issuance of a construction-related permit and ongoing as specified.</p>	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspections</p> <p>City of Oakland, Public Works, Environmental Services</p>

Potential Environmental Impacts	Mitigation Measures // Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
Other Less than Significant Effects			
Impact Bio-1: Future development pursuant to the Specific Plan would not have a substantial direct adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. However, tree removal, building demolition, and other construction activities can cause disturbance, noise, or loss of habitat for resident or migratory birds and mammals, including special-status species potentially occurring within the Planning Area.	<p>SCA 44, Tree Removal During Breeding Season. To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15.</p> <p>a. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency.</p> <p>b. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p>	Prior to issuance of a tree removal permit	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Public Works Department-Tree Services Division
	<p>SCA D, Bird Collision Reduction. The SCA applies to ALL new construction, including telecommunication towers, which include large uninterrupted expanses of glass that account for more than 40% of any one side of the building's exterior AND at least one of the following: (a) the project is located immediately adjacent to a substantial water body (i.e. Oakland Estuary, San Francisco Bay, Lake Merritt or other substantial lake, reservoir, or wetland); OR (b) the project is located immediately adjacent to a substantial recreation area or park (i.e. Region-Serving Park, Resource Conservation Areas, Community Parks, Neighborhood Parks, and Linear Parks and Special Use Parks and generally over 1 acre in size), which contains substantial vegetation, OR (c) the project includes a substantial vegetated or green roof (roofs with growing medium and plants taking the place of conventional roofing, such as asphalt, tile, gravel, or shingles), but excluding container gardens.</p> <p>The project applicant, or his or her successor, including the building manager or homeowners' association, shall submit plans to the Planning and Zoning Division, for review and approval, indicating how they intend to reduce potential bird collisions to</p>	Prior to issuance of a building permit and ongoing.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Public Works Department-Tree Services Division

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>the maximum feasible extent. The applicant shall implement the approved plan, including all mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent.</p> <p>a. Mandatory measures include all of the following:</p> <ul style="list-style-type: none"> i. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with three second flash instead of blinking red or rotating lights. ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures. iii. Monopole structures or antennas shall not include guy wires. iv. Avoid the use of mirrors in landscape design. v. Avoid placement of bird-friendly attractants (i.e. landscaped areas, vegetated roofs, water features) near glass. <p>b. Additional BMP strategies to consider include the following: Make clear or reflective glass visible to birds using visual noise techniques. Examples include:</p> <ul style="list-style-type: none"> i. Use of opaque or transparent glass in window panes instead of reflective glass. ii. Uniformly cover the outside clear glass surface with patterns (e.g., dots, decals, images, abstract patterns). Patterns must be separated by a minimum 10 centimeters (cm). iii. Apply striping on glass surface. If the striping is less than 2 cm wide it must be applied vertically at a maximum of 10 cm apart (or 1 cm wide strips at 5 cm distance). iv. Install paned glass with fenestration patterns with vertical and horizontal mullions of 10 cm or less. v. Place decorative grilles or louvers with spacing of 10 cm or less. vi. Apply one-way transparent film laminates to outside glass surface to make the window appear opaque on the outside. vii. Install internal screens through non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects. viii. Install windows which have the screen on the outside of the glass. ix. Use UV-reflective glass. Most birds can see ultraviolet light, which is invisible to humans. x. If it is not possible to apply glass treatments to the entire building, the 		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>treatment should be applied to windows at the top of the surrounding tree canopy or the anticipated height of the surrounding vegetation at maturity.</p> <p>c. Mute reflections in glass. Examples include:</p> <ol style="list-style-type: none"> Angle glass panes toward ground or sky so that the reflection is not in a direct line-of-sight (minimum angle of 20 degrees with optimum angle of 40 degrees). Awnings, overhangs, and sunshades provide birds a visual indication of a barrier and may reduce image reflections on glass, but do not entirely eliminate reflections. <p>d. Reduce Light Pollution. Examples include:</p> <ol style="list-style-type: none"> Turn off all unnecessary interior lights from 11 p.m. to sunrise. Install motion-sensitive lighting in lobbies, work stations, walkways, and corridors, or any area visible from the exterior and retrofitting operation systems that automatically turn lights off during after-work hours. Reduce perimeter lighting whenever possible. <p>e. Institute a building operation and management manual that promotes bird safety. Example text in the manual includes:</p> <ol style="list-style-type: none"> Donation of discovered dead bird specimens to authorized bird conservation organization or museums to aid in species identification and to benefit scientific study, as per all federal, state and local laws. Production of educational materials on bird-safe practices for the building occupants. Asking employees to turn off task lighting at their work stations and draw office blinds or curtains at end of work day. Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible. 		
Impact Bio-4: Future demolition and construction activities associated with development pursuant to the Specific Plan would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, but could temporarily reduce nesting	<p>SCA 44, Tree Removal During Breeding Season.</p> <p>Refer to SCA 44 under Impact Bio-1.</p>		

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
opportunities for resident and migratory bird species that are protected by the federal Migratory Bird Treaty Act or California Fish and Game Code Sections 3503, 3503.5, and 3800, could also eliminate bat roosts and, if construction were to occur during the maternal roosting season, young bats incapable of flight could be destroyed.			
Impact Bio-5: Future development pursuant to or consistent with the Specific Plan may require the removal of trees that are protected by the City of Oakland Tree Protection Ordinance.	SCA 45, Tree Removal Permit. Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.	Prior to issuance of a demolition, grading, or building permit.	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Public Works Department-Tree Services Division
	SCA 46, Tree Replacement Plantings. Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria: a. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. b. Replacement tree species shall consist of <i>Sequoia sempervirens</i> (Coast Redwood), <i>Quercus agrifolia</i> (Coast Live Oak), <i>Arbutus menziesii</i> (Madrone), <i>Aesculus californica</i> (California Buckeye) or <i>Umbellularia californica</i> (California Bay Laurel) or other tree species acceptable to the Tree Services Division. c. Replacement trees shall be at least of twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. d. Minimum planting areas must be available on site as follows:	Prior to issuance of a final inspection of the building permit	City of Oakland Planning and Building Department City of Oakland - Building Services Division, Zoning Inspection City of Oakland Public Works Department-Tree Services Division

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring:	
		Schedule	Responsibility
	<p>i. For Sequoia sempervirens, three hundred fifteen square feet per tree;</p> <p>ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.</p> <p>e. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.</p> <p>f. Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.</p>		
	<p>SCA 47, Tree Protection During Construction. Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>a. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>b. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>c. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy</p>	Prior to issuance of a demolition, grading, or building permit.	<p>City of Oakland Planning and Building Department</p> <p>City of Oakland - Building Services Division, Zoning Inspection</p> <p>City of Oakland Public Works Department-Tree Services Division</p>

Potential Environmental Impacts	Mitigation Measures / Standard Conditions of Approval (SCA)	Mitigation Implementation/ Monitoring	
		Schedule	Responsibility
	<p>construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>d. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>e. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>f. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p>		
<p>Impact Geo-2: Future development pursuant to the Specific Plan could expose people or structures to substantial adverse effects, including the risk of loss, injury or death, due to strong seismic ground shaking and seismic-related ground failure, including liquefaction.</p>	<p>SCA 60, Geotechnical Report.</p> <p>a. A site-specific, design level, landslide or liquefaction geotechnical investigation for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. Specifically:</p> <p>b. Each investigation shall include an analysis of expected ground motions at the site from identified faults. The analyses shall be accordance with applicable City ordinances and polices, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults.</p> <p>c. The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots, and sidewalks).</p> <p>d. The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Oakland.</p> <p>e. The geotechnical report shall include a map prepared by a land surveyor or civil</p>	<p>Required as part of the submittal of a tentative Tract Map or tentative Parcel Map.</p>	<p>City of Oakland, Building Services Division</p>