



# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** William A. Gilchrist  
Director, Planning and  
Building

**SUBJECT:** SUPPLEMENTAL – Miscellaneous  
Planning Code Amendments

**DATE:** May 27, 2020

City Administrator Approval

Date: May 28, 2020

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt An Ordinance, As Recommended By The Planning Commission, Amending Oakland Planning Code Regulations Related To: The Appeals Process; Expiration Of A Variance; Home Occupation Regulations; Group Assembly Commercial Activities In The D-BV Zone; Front Setbacks On Small Lots In The RM Zones; Location Of Commercial Facilities Above Residential Facilities; Consideration Of Design Review And Conditional Use Permit Applications With Subdivisions; Use Of Barbed And Razor Wire At Construction Sites; Height And Distance Of Walls From Open Space Zones And The Right Of Way; Permit Requirements For A Change In Alcohol Licenses; Carshare Requirements In The Downtown Zones; Timeframe Required To Approve A Final Planned Unit Development Permit; Defining Small Project Design Review As A Discretionary Project Under The California Environmental Quality Act; And Parking Requirements For Group Assembly Commercial Activities; And Make Appropriate California Environmental Quality Act Determinations.**

## **SUMMARY**

At their May 26, 2020 meeting, the City Council unanimously voted (7-0 with one absent) in favor of a motion to adopt miscellaneous Planning Code amendments subject to certain amendments. Specifically, the motion included the following City Council amendments: (1) removing the part of the proposal that would allow appeals of General Plan Determinations to be heard by the Planning Commission instead of the current requirement for them to be heard by the City Council; (2) removing the proposal to limit sidewalk cafes to half the width of a sidewalk; and (3) adding an express exclusion of automotive repair as a home occupation.

Staff has revised the ordinance to reflect this motion.

City Council  
June 2, 2020

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt An Ordinance, As Recommended By The Planning Commission, Amending Oakland Planning Code Regulations Related To: The Appeals Process; Expiration Of A Variance; Home Occupation Regulations; Group Assembly Commercial Activities In The D-BV Zone; Front Setbacks On Small Lots In The RM Zones; Location Of Commercial Facilities Above Residential Facilities; Consideration Of Design Review And Conditional Use Permit Applications With Subdivisions; Use Of Barbed And Razor Wire At Construction Sites; Height And Distance Of Walls From Open Space Zones And The Right Of Way; Permit Requirements For A Change In Alcohol Licenses; Carshare Requirements In The Downtown Zones; Timeframe Required To Approve A Final Planned Unit Development Permit; Defining Small Project Design Review As A Discretionary Project Under The California Environmental Quality Act; And Parking Requirements For Group Assembly Commercial Activities; And Make Appropriate California Environmental Quality Act Determinations.

For questions regarding this report, please contact Neil Gray, Planner IV, at (510) 238-3878 or [ngray@oaklandca.gov](mailto:ngray@oaklandca.gov).

Respectfully submitted,



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Director, Department of Planning and Building

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Prepared by:

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Bureau of Planning  
Department of Planning and Building