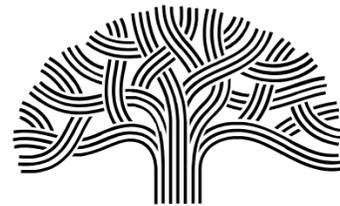


# Oakland 2045 General Plan Update | Phase 1 Zoning Amendments

Presentation to the Zoning Update  
Committee

**March 15, 2023**

Planning and Building Department



**CITY OF  
OAKLAND**



# Agenda

- Overview
- Missing Middle Housing Type Code Amendments
- Affordable Housing Overlay Zone
- Housing Sites Inventory Zone
- Industrial Lands Code Amendments
- Other Planning Code Amendments
- Next Steps

# Overview

# 2045 General Plan Update

- **Legal Basis** for development and conservation.
- Establishes citywide vision and supporting **goals, policies, and implementation measures**.
- **Eight** required Elements
- **Two Phase Approach to General Plan Update:**
- **Phase I (Winter 2021 – Summer 2023)**
  - 2023-2031 Housing Element (*Adopted January 31, 2023*)
  - Safety Element & Environmental Justice Element
  - Zoning Code Amendments for Phase 1
- **Phase II (From Fall 2023)**
  - Land Use and Transportation Element
  - Open Space, Conservation and Recreation Element
  - Capital Facilities and Infrastructure Element
  - Noise Element and Updates to the Zoning Code

# Proposed Planning Code Text Amendments – Purpose

- Implement actions in the 2023-2031 HAP
- Further fair housing
- Encourage a variety of multi-unit housing types in Oakland
- Incentivize affordable housing
- Add housing in areas well served by transit and resources
- Advance environmental justice by reducing pollution burden on communities
- Reduce constraints on housing development, processing entitlements

# Proposed Planning Code Text Amendments – Overview

## Missing Middle Housing Type Code Amendments

- Change development standards in single-family neighborhoods to allow for a range of small-scale multi-unit housing types + upzoning and height changes

## Affordable Housing Overlay Zone

- Ministerial approval + incentives for 100% affordable projects

## Housing Sites Overlay Zone

- Ministerial approval for identified sites in HE

## Industrial Land Zoning Amendments

- Reduce pollution impacts on communities

## Other Planning Code Amendments

- Facilitate special housing types, remove constraints on processing entitlements

# Timeline

- **September 2022- February 2023** - Laying the Groundwork
  - Preliminary zoning proposals as part of the Housing Element – Appendix J
  - Written and verbal comments received through the 2023-2031 Housing Element Update Process
  - Focus Groups on Affordable Housing Overlay and Missing Middle
- **March 3, 2023** - Draft Text Amendments Published
- **March 3, 2023 - May 5, 2023 - Public Review Period**
  - Community meetings
  - Public Hearings with ZUC, LPAB
- **Summer 2023** - Final Zoning Amendments Released
- **Summer – Fall 2023** – Adoption Hearings

**All Community Events and Public Meetings:** [oaklandca.gov/topics/meetings-and-events](https://oaklandca.gov/topics/meetings-and-events)

# Missing Middle Housing Type Code Amendments

# Missing Middle Proposed Changes – Defining "Missing Middle"

- A variety of small-scale multi-unit housing types that can range from **duplexes to townhouses to smaller apartment buildings** that are compatible with walkable neighborhoods.
  - Compatible in scale with single-family neighborhoods
  - Intended to meet the demand for walkable neighborhoods, Provide housing at different price points

# Missing Middle Proposal – Development Standards

- New RD zone combines RD-1 and RD-2
- All RD, RM, and RU zones now allow 4 or more units on lots <4,000 sf
- Max FAR and lot coverage increased to 55% in RD and RM Zones (applies to one and two residential units)
- New residential facility type: Two-to-Four Family Residential Zone
- Eliminate conditionally permitted densities

# Missing Middle Proposal – Development Standards

Revised density, maximum building heights, and minimum lot size standards in RH-4, RD, RM, RU-1, and RU-2 zones.

Table 1: Oakland's Missing Middle Zones

Zoning Districts	Existing Permitted Densities	Proposed Permitted Densities	Existing Max. Bldg. Height	Proposed Max. Bldg. Height	Existing Min. Lot Size and Frontage	Proposed Min. Lot Size and Frontage	Existing Setbacks	Proposed Setbacks
<b>RH-4</b>	1 unit per lot	<ul style="list-style-type: none"> <li>1 unit on any legal lot;</li> <li>2 units on any lot (with limitation that the project is not located within the Very High Fire Hazard Severity Zone)</li> </ul>	For Lots with Footprint Slope of $\leq 20\%$ : Max. Wall Ht.: <u>25 ft.</u> Max. Roof Ht.: <u>30 ft.</u>	(Same - No Change)	6,500 sf. or 8,000 sf.	(Same - No Change)	For Lots with Footprint Slope of $\leq 20\%$ : Front - <u>20 ft.</u> St. Side - <u>5 ft.</u> Int. Side - <u>5 ft.</u> Rear - <u>20 ft.</u>	(Same - No Change)
<b>RD</b> (new zone to replace RD-1 & RD-2)	<b>RD-1:</b> 1 unit per lot	<b>New RD:</b> <ul style="list-style-type: none"> <li>1-2 units on any legal lot;</li> <li>3 units on lots 3,000 sf. or greater;</li> <li>4 units on lots 4,000 sf. or greater</li> </ul>	<b>RD-1:</b> For Lots with Footprint Slope of $\leq 20\%$ : Max. Wall Ht.: <u>25 ft.</u> Max. Roof Ht.: <u>30 ft.</u>	<b>New RD:</b> For Lots with Footprint Slope of $\leq 20\%$ : Max. Wall Height: <u>30 ft.</u> Max. Roof Height: <u>35 ft.</u>	<b>RD-1:</b> Min. Lot Size: <u>5,000 sf.</u>  Min. Lot Frontage: <u>25 ft.</u>	<b>New RD:</b> Min. Lot Size: <u>2,000 sf.</u>  Min. Lot Frontage: <u>20 ft.</u>	<b>RD-1:</b> For Lots $\geq 4,000$ sf, w/ Footprint slope of $\leq 20\%$ : Front: <u>20 ft.</u> St. Side: <u>5 ft.</u> Int. Side: <u>5 ft.</u> Rear: <u>20 ft.</u>  For Lots $< 4,000$ sf, w/ Footprint slope of $\leq 20\%$ : Front: <u>20 ft.</u> St. Side: <u>4 ft.</u> Int. Side: <u>4 ft.</u> Rear: <u>15 ft.</u>  For Lots $< 3,000$ sf, w/ Footprint slope of $\leq 20\%$ : Front: <u>20 ft.</u> St. Side: <u>3 ft.</u> Int. Side: <u>3 ft.</u> Rear: <u>15 ft.</u>	<b>New RD:</b> For Lots $\geq 3,000$ sf., w/ Footprint slope of $\leq 20\%$ : Front: <u>15 ft.</u> St. Side: <u>4 ft.</u> Int. Side: <u>4 ft.</u> Rear: <u>10 ft.</u>  For Lots $< 3,000$ sf., w/ Footprint slope of $\leq 20\%$ : Front: <u>15 ft.</u> St. Side: <u>3 ft.</u> Int. Side: <u>3 ft.</u> Rear: <u>10 ft.</u>

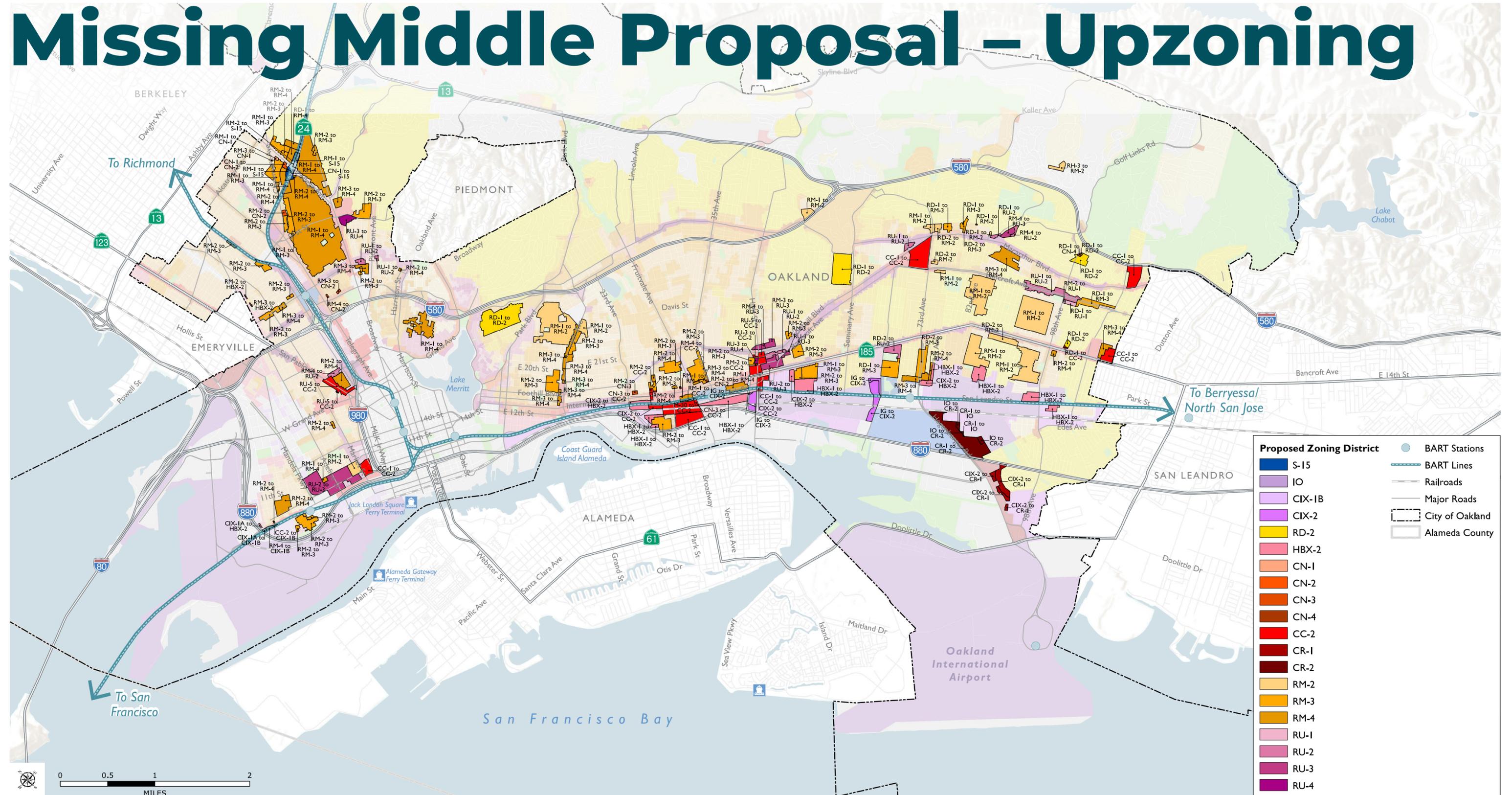
# Missing Middle Proposal – Setbacks

- Side setbacks: reduced to 3 ft for lots less than 3,000 sf and 4 ft for lots >3,000 sf in RD and RM zones
- Rear setbacks: reduced from 20 ft to 10 ft in RD zones, and 15 ft to 10 ft in RM zones
- Front setbacks: 20 ft to 15 ft in RD, RM-1, and RM-2 zones
- Allow for encroachments of regular units into rear setback, similar to ADUs

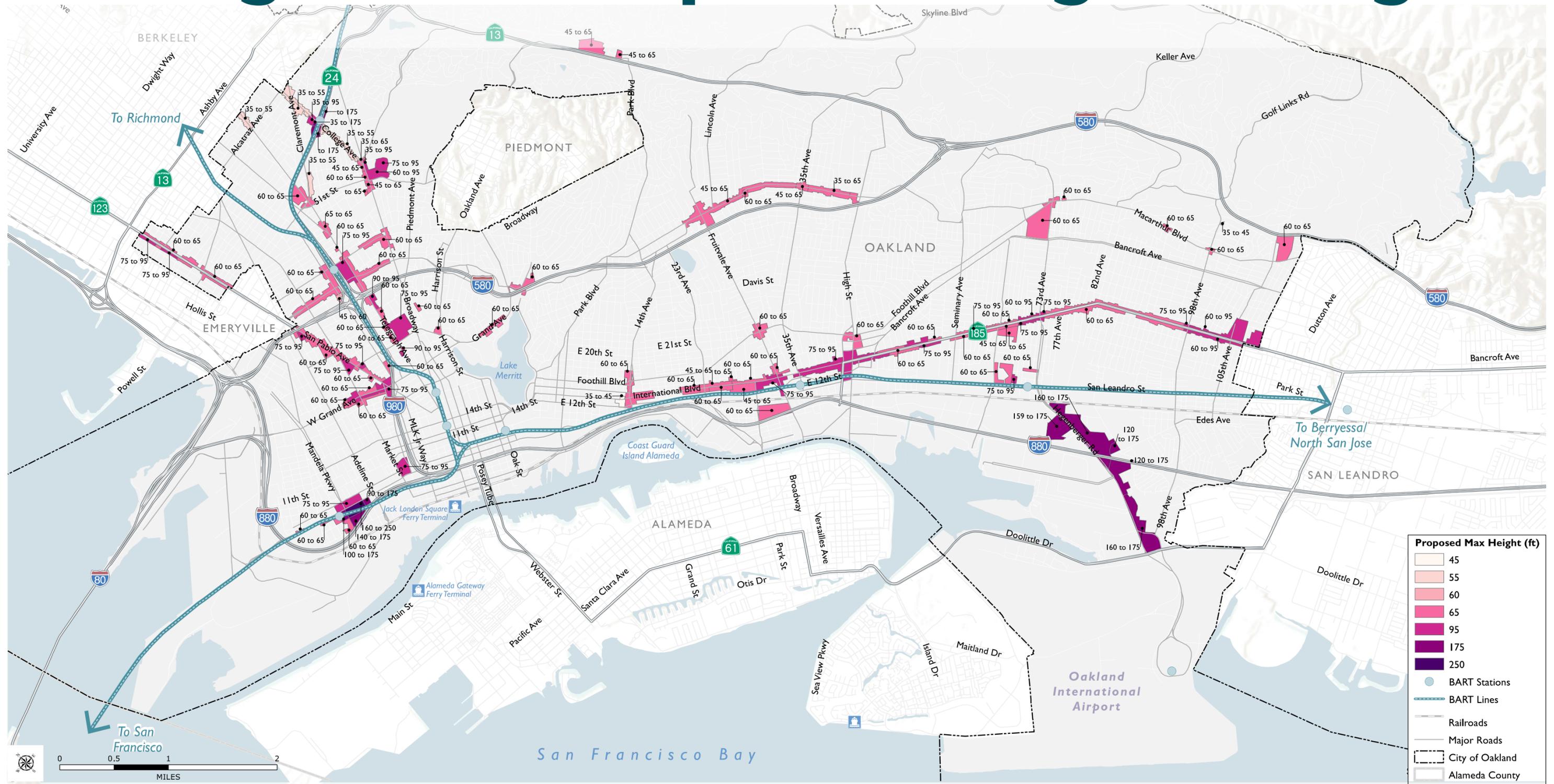
# Missing Middle Proposal – Other Changes

- No minimum parking requirements for residential types within ½ mi of major transit stop; otherwise, 0.5 spaces per unit required.
  - No minimum parking requirements within S-15, D-CO-1 zones
  - No minimum parking requirements for 100% affordable projects
  - No min. parking requirements for rooming houses, with exception of those in Very High Fire Hazard Severity Zone

# Missing Middle Proposal – Upzoning



# Missing Middle Proposal – Height Changes

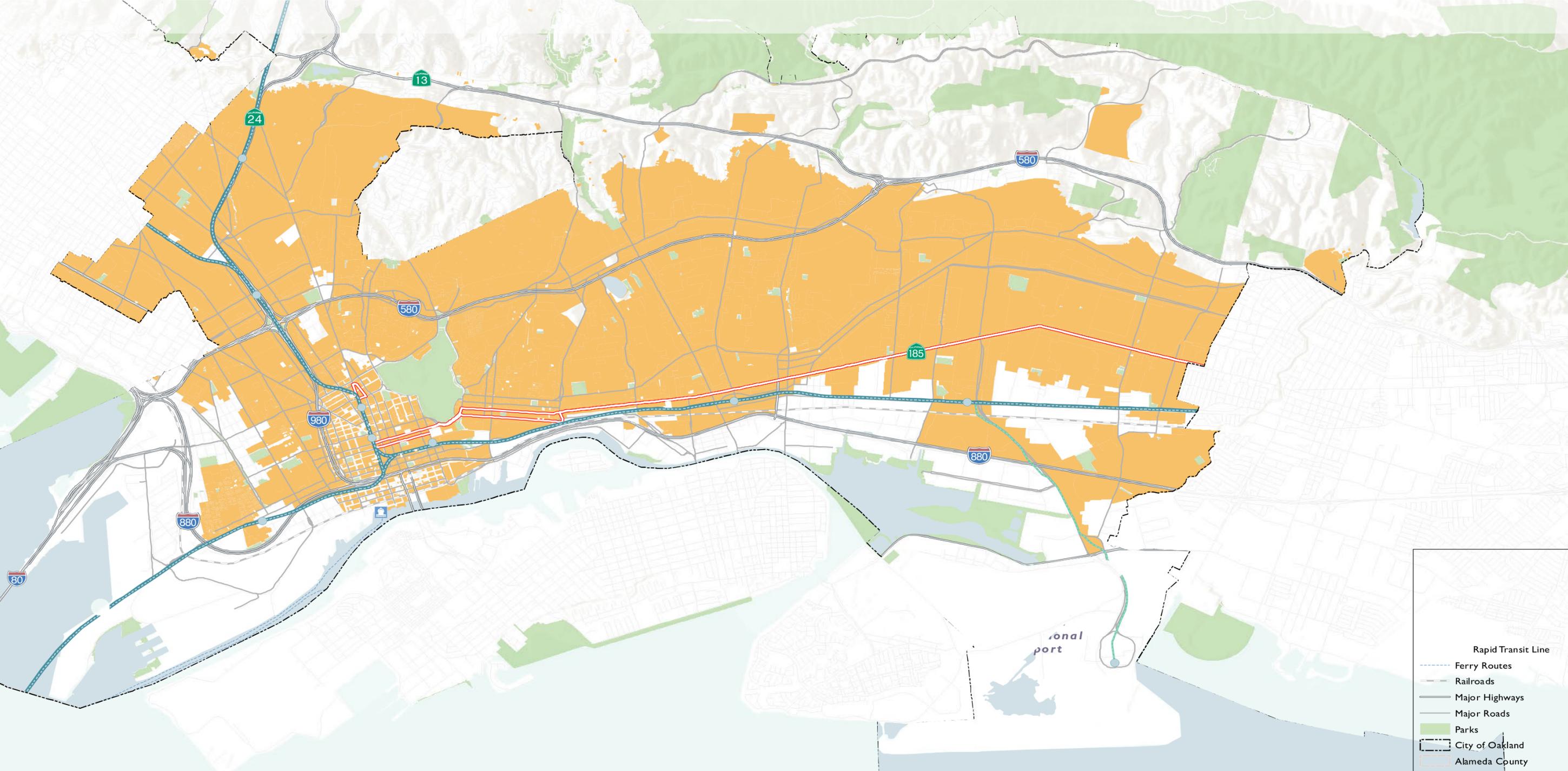


# **Affordable Housing Overlay (AHO) Zone**

# Affordable Housing Overlay (AHO) Zone – Overview

- **Purpose:** create affordable housing restricted for extremely low, very low, low, and/or moderate-income households
- **Components:**
  - By-Right (Ministerial) approval, CEQA exemption, and non-appealable
    - Possibility of extending streamlined approval provisions for qualifying mixed-income projects
  - Bonus height, relaxed development standards, and elimination of density maximums within envelope

# Draft AHO Map (Where it Applies)



# AHO Zone – Exceptions to Application

- The AHO zone would not apply in:
  - Areas of the Very High Fire Hazard Severity Zone. Some parts of VHFHSZ may be included pending analysis
  - Parcels with Designated City, State, and Federal Historic Landmarks
- The AHO height addition would not apply in:
  - Areas with established historical significance known as Areas of Primary Importance (API), if the site currently contains a structure that contributes to a designated API
  - Projects in these areas must meet certain design requirements and preserve structures that contribute to the Area of Primary Importance.

# AHO Zone – Proposed Development Standards

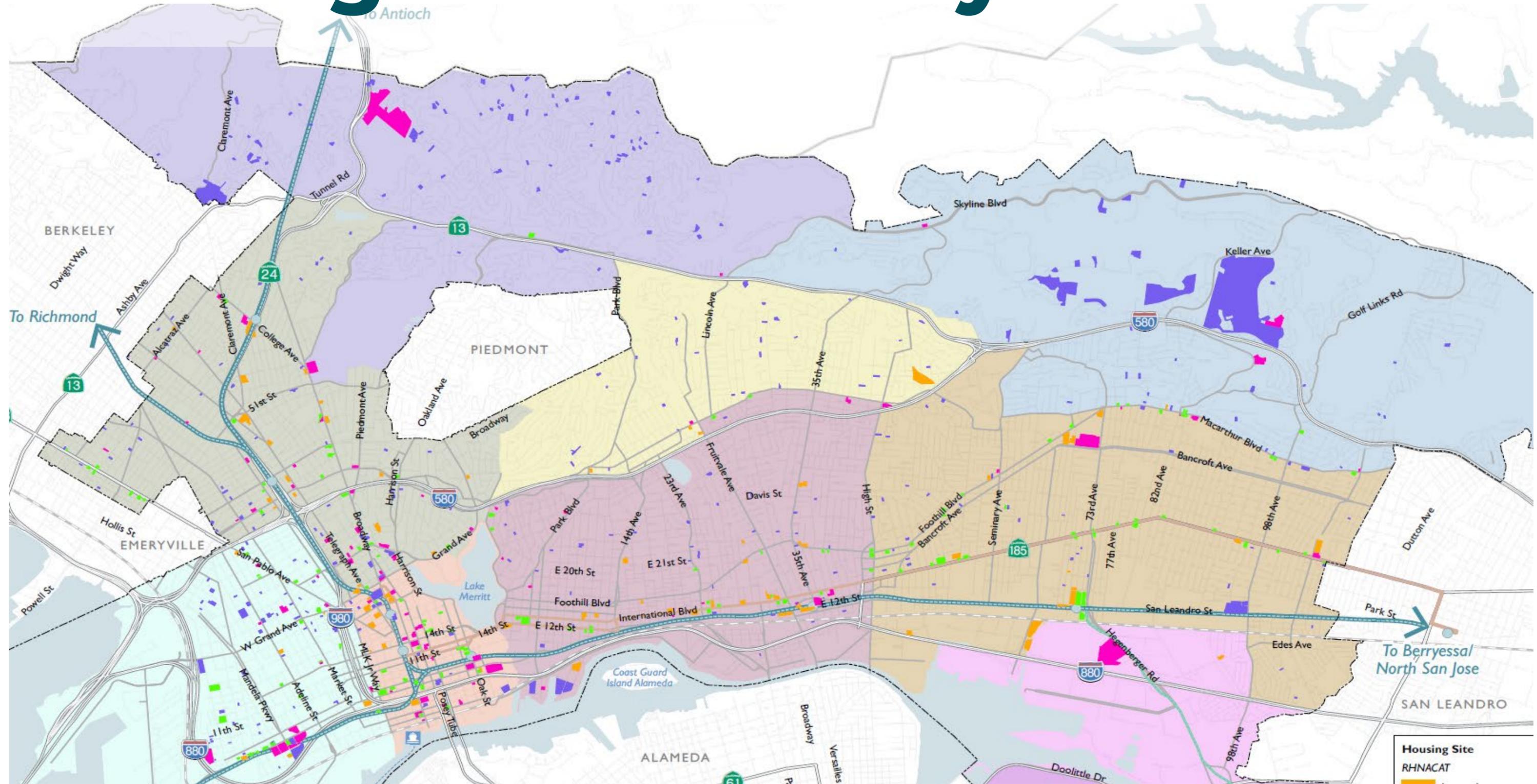
<b>Permitted density</b>	Unlimited density that fits within the allowed building envelope of new or existing structures
<b>Rear Setback</b>	Ten (10) feet.
<b>Maximum Lot Coverage</b>	Seventy percent (70%) or whatever is allowed in the base zone, whichever is higher
<b>Height Regulations for all lots with a footprint slope of ≤ 20%</b>	Two (2) additional stories above maximum permitted building height in the base zone
<b>Height Regulations for lots equal to or greater than 12,000 sf</b>	Sixty-five (65) feet or two (2) additional stories above maximum permitted building height in the base zone, whichever is higher.
<b>Minimum Parking</b>	No minimum parking requirements

# Housing Sites Overlay Zone

# Housing Sites Overlay Zone – Overview

- **Purpose:** facilitate housing opportunities in Oakland and highlight the sites where City wants housing to be built
- **Components:**
  - Create by-right approval for sites in the Housing Element's Site Inventory with 20% affordable housing restricted for very low, low, and moderate incomes
    - 20% of housing units restricted for very low income households
    - 25% of housing units restricted for lower income households
    - 40% of housing units restricted to moderate income households

# Housing Sites Overlay



# **Industrial Land Code Amendments**

# Industrial Land Code Amendments – Overview

- **Purpose:** increase protection for sensitive receptors (schools, daycares, residential zones, hospitals, etc.)
- **Components:**
  - Reduce the allowed intensity of commercial and industrial activities permitted in the Housing and Business Mix (HBX) Commercial Zones
  - Require certain heavier industrial uses in the Commercial Industrial Mix (CIX), General Industrial (IG), and Industrial Office (IO) Zones to obtain a CUP if located within 500 feet of a Residential Zone
  - Require truck-intensive uses to obtain special Conditional Use Permits/application of special performance standards and standard conditions of approval
  - Reduce land-use conflicts in industrial zone
  - Amend expiration timelines for Nonconforming Uses and CUP termination timelines for truck-intensive uses

# Other Planning Code Amendments

# Other Planning Code Amendments – Overview

## Purpose:

- Comply with State regulations for special housing regulations;
- Improve public noticing to include building occupants;
- Remove constraints on staff's ability to process entitlements for housing projects; and
- Streamline the project approval process

# Other Planning Code Amendments – Components

- Revise public noticing requirements to include building occupants
- Change CUP requirements for certain activities
- Provide clarifications regarding specific activities, such as agricultural activities, sidewalk cafes, and other civic and commercial activities
- Remove or reduce limitations to construction of new ground floor residential facilities in commercial zones
- Create definitions for key terms
- Extend Planning entitlement periods to further support a project's ability to move forward into the building permit stage and ultimately into construction and completion.
- Amendments specific to special housing needs

# Next Steps

# Upcoming Meetings & Milestones

- **March 3, 2023 - May 5, 2023 - Public Review Period**
- LPAB Meeting - [April 3, 2023](#)
- ZUC Meeting – [April 12, 2023](#)
- Rockridge TOD Community Event with BART – [April 13, 2023](#)
- Zoning Amendments Townhall – [April 2023 \(Date TBD\)](#)
- Equity Working Group Meeting – [April 2023 \(Date TBD\)](#)
- Release Public Review Drafts of Environmental Justice, Safety Element, and Draft EIR - [Spring – Summer 2023](#)
- Final Zoning Amendments Released – [Summer 2023](#)
- Hearings – [Summer – Fall 2023](#)

# LEARN MORE

To learn more about the **General Plan Update**, visit the website below and sign up for updates:

[bit.ly/OaklandGPU](https://bit.ly/OaklandGPU)