

CITYWIDE ZONING UPDATE – Residential Zoning Technical Advisory Group Meeting #2

The approach to updating the City’s residential zones is comprised of the four components below. The information below focuses on the first component.

1. Zoning Framework
 - A. Overall organization, nomenclature and formatting
 - B. Structure of residential zones (e.g. minimum lot size, allowed density of each zone)
2. Permitted uses
3. Development standards (e.g. bulk, setbacks, etc.)
4. Design standards and guidelines

A. Overall Organization, Nomenclature and Formatting

	Existing	Proposed
Overall Organization	There are currently 12 residential zones that are mapped in the four residential General Plan land use designations. Each residential zone is its own chapter in the Planning Code (Chapters 17.11A through Chapter 17.40); height, yard and court regulations for all zones are found in a separate chapter (17.108).	Grouping zones into 4 chapters that correspond to the 4 General Plan residential land use designations <ul style="list-style-type: none"> ▪ For example, there will be one chapter for zones that relate to Hillside Residential, Detached Residential, Mixed Housing Type and Urban Residential. ▪ Each zoning chapter will have use tables and property development standards that allow for comparison across all of the zones in the chapter, similar to the more recently adopted HBX and industrial zones
Nomenclature	Names of certain zones are out of date and not descriptive of what is allowed in the zone (example: R-40 Garden Apartment Zone)	The names of zoning districts would be changed so that the connection between the zoning district and associated General Plan land use designation is more apparent. The names would also be more transparent of what is allowed in each zone by including minimum lot size and/or allowed density. All residential zoning district names would have four parts beginning with: <ol style="list-style-type: none"> 1. The word “Residential” to identify that it is a residential zone, followed by 2. The General Plan category of residential (e.g. Hillside, Detached Unit, Mixed Housing Type or Urban) 3. A number to indicate its order within a particular General Plan land use category, and; 4. Additional descriptive information which may be the minimum lot size and/or allowed density. <p>For example, if there were three zones to implement the Hillside Residential General Plan land use designation, they might be named “Residential Hillside-1 One-Acre Lot”, “Residential Hillside -2 XXX sqft lot” and “Residential Hillside -3 XXX sqft lot”.</p>
Formatting	Permitted activities are presented as lists	Permitted activities and property development standards would be organized in a table format similar to the format that has been used for the more recently adopted Housing and Business Mix and industrial zoning districts. See examples on following page.

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Excerpts of use tables from HBX and industrial chapters

Chapter 17.65

HBX HOUSING AND BUSINESS MIX COMMERCIAL ZONE REGULATIONS

17.65.030 Permitted, conditionally permitted and prohibited activities.

Activity	Regulations			Additional Regulations
	HBX-1	HBX-2	HBX-3	
Residential Activities				
Permanent Residential	P	P	P	
Residential Care occupying a One-Family Dwelling Residential Facility	P	P	P	17.102.212
Residential Care not occupying a One-Family Dwelling Residential Facility	C	C	C	17.102.212
Service-Enriched Permanent Housing	C	C	C	17.102.212

Chapter 17.73

CIX-1, CIX-2, IG AND IO INDUSTRIAL ZONES

17.73.20 Permitted and Conditionally Permitted Uses and Facilities

Uses	Zones				Additional Regulations
	CIX-1	CIX-2	IG	IO	
Residential Uses	All residential uses prohibited in each zone				
Civic Uses					
Essential Service	C	C	C	C	
Limited Child-Care	--	--	--	--	
Community Assembly	P	C	--	C	
Community Education	P	C	--	C	
Nonassembly Cultural	P	C	--	C	

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B. Residential Zoning Structure Options

A preliminary draft of residential zoning structure options is presented below *as a starting point for discussion only*; additional study of the implications of these proposals or modified proposals based on TAG and community feedback will be an on-going and iterative process.

Note: the exact names of the zones in each option have not been determined yet. For purposes of discussion, placeholder names are used that are sequentially numbered, and that correspond to the General Plan Land Use Designation (e.g. “Residential Hillside -1 ([description TBD])” or “RH-1_____”, “RH-2_____” etc.)

General Plan Land Use Designation	Options (Density is expressed as minimum square feet per unit)	Rationale/ Issues
R-Hillside	3 Zones <ul style="list-style-type: none"> ▪ RH – 1 _____ (R-1; one acre) ▪ RH – 2 _____ (~R-10 + R-20; lot sizes?) ▪ RH – 3 _____ (~R-30; 8,000 sq. ft. – hillside – as LUTE states – Hillside residential minimum lot size can’t be smaller than 8,000 sq. ft.) ▪ Slope-density formula (which would be required if combine R-10 and R-20) 	<p>Under this option, the existing R-1 zone standards would be preserved; the only change would be a change in nomenclature to RH – 1. The proposed RH-2 zone would consolidate the existing R-10 and R-20 zones. These zones may be appropriate for consolidation because there are a limited number of parcels and there are similarities in the existing regulations, median lot size and geographic location. Staff is currently analyzing the number of parcels that would be affected and the implications of consolidation. A slope density¹ formula may be developed as part of this option. The proposed RH-3 zone would essentially replace the existing R-30 zone in the hills. The proposed minimum lot size would be 8,000 sq. ft. consistent with the policy direction of the General Plan LUTE.</p>
	4 Zones (“limited change”) <ul style="list-style-type: none"> ▪ RH – 1 _____ (R-1; one acre) ▪ RH – 2 _____ (R-10; 25,000 sq. ft.) ▪ RH – 3 _____ (R-20; 12,000 sq. ft.) ▪ RH – 4 _____ (~R-30 – 8,000 sq. ft.) 	<p>This is the limited change option. The four proposed zones, RH-1, RH-2, RH-3 and RH-4 are similar to the existing zones that are analogous to the Hillside Residential Classification. The format and nomenclature of the zones would be updated as well. A slope-density formula may be created as part of this option.</p>
R-Detached	2 zones <ul style="list-style-type: none"> ▪ RD – 1 _____ (~ R-30; “flatlands” SFH – 5,000 sq. ft. lot) ▪ RD – 2 _____ (~ R-35 – SFH/duplex) 	<p>These proposed new zones would replace the R-30 (One-Family) and R-35 (Special One-Family) zones currently mapped in typical detached unit single-family neighborhoods in Oakland. RD-1, which contains the majority of residentially zoned parcels in Oakland, would replace R-30. RD-2 would replace R-35 to provide regulations for neighborhoods with a mix of single-family homes and duplexes. The regulations of the new zones would be similar; however RD-2 would allow greater density to accommodate duplexes.</p> <p>Some areas within the Detached Unit Residential Classification are currently zoned R-50 or higher, so apartments and other forms of higher density development located in these zones do not typically conform to this residential classification. Staff is analyzing ways to address this issue.</p>

¹ Slope Density – Reduces the density of homes as the steepness of the hillside increases. In other words, the steeper the hillside, the farther apart houses must be.

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General Plan Land Use Designation	Options (Density is expressed as minimum square feet per unit)	Rationale/ Issues
R-Mixed Housing	2 (or 3) zones <ul style="list-style-type: none"> ▪ RMH – 1 ____ (~R-35 + R-36 + R-40) ▪ RMH – 2 ____ (~R-50; more restrictive than current R-50) ▪ RMH – 3 ____ (~R-50 along corridors + R-60 + R-70+ R-80; or just add CUP option to RMH – 2 that allows units up to GP MHT maximum) 	<p>These proposed new zones would replace the existing R-20 through R-80 zones mapped in the Mixed Housing Type Land Use Classification. RMH-1 would be the lower-density zone in this classification, replacing the existing R-35, R-36 and R-40 zones. A sliding scale for setbacks could be included, whereby substandard lots would have the option of reduced setbacks while other lots would need to meet existing setback requirements. RMH-2 would slightly more restrictive than the current R-50 zone, the most prevalent zone in this classification. RMH-3 would account for the R-50 zone mapped along secondary corridors, and other higher-density zones. As an alternative to the RMH-3 zone, a Conditional Use Permit provision could be added to RMH-2 that would allow for density up to the Mixed Housing Type maximum (1,089 sq. ft. per unit) if the project meets criteria such as close proximity to transit or located along major corridors.</p>
	3 or 4 zones (“limited change”) <ul style="list-style-type: none"> ▪ RMH – 1 ____ (R-35; 5,000 sq. ft.) ▪ RMH – 2 ____ (~R-36 + R-40) ▪ RMH – 3 ____ (~R-50; more restrictive than current R-50) ▪ RMH – 4 ____ (~R-50 along corridors + R-60 + R-70+ R-80; or just add CUP option to RMH – 3 that allows units up to GP MHT maximum) 	<p>This option would involve less change from existing than the previous option. RMH-1 would be analogous to the R-35 zone in the “flatland” areas. RMH-2 would combine the R-36 and R-40 zones, which currently allow the same density of units; this option could also include a sliding scale for setbacks as described above.</p> <p>RMH-3 and RMH-4 would be the same as RMH-2 and RMH-3, respectively, in the above option.</p>
R-Urban	2 zones (4 total if include Commercial Corridor RU zones) <ul style="list-style-type: none"> ▪ RU – 1 ____ (maximum density could range between 1,000 sq. ft./unit. to 1,200 sq. ft./unit, which is between R-50 and R-60) ▪ RU – 2 ____ (~R-60 + R-70 + R-80; sq. ft. required /unit TBD – something between 450 sq. ft. – 800 sq. ft.) 	<p>The Urban Residential Land Use Classification has been designated along major corridors that are zoned for commercial uses, as well as higher density residentially zoned areas. These options focus on the residentially zoned areas in Urban Residential found clustered around Lake Merritt, in West Oakland, near Piedmont Ave., and along Park Blvd. The Commercial Corridor TAG will address the commercially zoned areas of Urban Residential.</p> <p>Two zones are proposed under this option: RU-1 and RU-2. RU-1 would replace the existing lower-density zones (R-30 through R-50) mapped in neighborhoods in the Urban Residential Land Use Classification. The maximum density could range from 1,000 to 1,200 sq. ft. per unit. Staff is conducting analysis to support the proposal.</p> <p>RU-2 would be applied to Urban Residential lots currently zoned as R-60, R-70 and R-80. This zone would have a lower square foot per unit requirement relative to RU-1 to allow greater density and would be mapped around Lake Merritt, in West Oakland, near Piedmont Ave., and along Park Blvd. and along major corridors with existing residential zoning designations.</p> <p>RU-1 and RU-2 will not achieve the maximum density allowable in the Urban Residential Classification because 261 sq. ft. per unit would be out of character with the existing neighborhoods where Urban Residential is mapped. Further, the commercially oriented zones in Urban Residential will be able to achieve the maximum density.</p>

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General Plan Land Use Designation	Options (Density is expressed as minimum square feet per unit)	Rationale/ Issues
(R-Urban continued)	3 zones <ul style="list-style-type: none"> ▪ RU – 1 ____ (maximum density could range between; same as option 1) ▪ RU – 2 ____ (~R-60; same as existing or slightly more dense) ▪ RU – 3 ____ (~R-70; same as existing or slightly more dense) 	<p>Three zones are proposed under this option: RU-1, RU-2 and RU-3 to allow for less dramatic density changes across each new zone, relative to the first option. RU-1 would have a maximum density of about 1,000 to 1,200 sq. ft. per unit. The RU-2 would have a maximum density similar to the R-60 zone. RU-3 would have a maximum density similar to R-70 or slightly higher to accommodate the R-80 density.</p>
	3 zones (“limited change”) <ul style="list-style-type: none"> ▪ RU – 1 ____ (R-60; 800 sq. ft./unit) ▪ RU – 2 ____ (R-70; 450 sq. ft./unit) ▪ RU – 3 ____ (R-80; 300 sq. ft./unit) 	<p>This is the limited change option. The three proposed zones RU-1, RU-2 and RU-3 are similar to the existing zones that are analogous to the Urban Residential classification. The format and nomenclature of the zones would be updated as well.</p>
Additional Issues	<p>Pockets of existing commercial uses in Residential General Plan Land Use designations and continuous commercial uses along arterial streets or “secondary commercial corridors” (High, Market, and 98th Streets, Shattuck, Fruitvale and Seminary Avenues, among others) that are in areas classified as Mixed Housing Type Residential.</p> <p>Options include:</p> <ul style="list-style-type: none"> ▪ Permit a limited number of commercial uses subject to certain criteria in residential zones. ▪ Retain existing structure of having small commercial zones in certain areas that are designated by General Plan as residential (e.g. existing C-10 zone). ▪ Develop a mixed use zone (e.g. “Residential Commercial (RC)” zone) that could be applied to secondary commercial corridors that primarily allows residential uses but also allows a limited amount of commercial uses. 	<p>Participants at the round 2 community meetings generally were in favor of allowing commercial uses in <u>existing buildings originally designed for commercial uses</u> subject to certain limitations such as regulation of hours of operation, enforcing building code standards, and making sure that the uses are compatible with the neighborhood and needed by the residents. Some participants also supported limited new commercial uses in predominantly residential areas based on certain criteria.</p> <p>Some criteria to use when determining whether to allow <u>new</u> commercial uses in predominantly residential areas could be:</p> <ul style="list-style-type: none"> ▪ Commercial uses that are local serving ▪ Commercial uses that have a neighborhood scale ▪ Close proximity to intersections (generally 100 ft. to 150 ft. from intersection) ▪ Limitations on size (i.e., less than 2,000 sq. ft.) ▪ Limited number/ kind of uses²

² Common themes in the types of acceptable commercial uses in neighborhoods discussed at the round 2 community meetings include grocery stores, barber shops, dry cleaners, pet shops, flower shops and after-school activities. Restaurants and cafes were also favored by some in neighborhoods.

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