

Comparison of *Existing* Permitted Activities with *Proposed* Permitted Activities

| Proposed Zone | Major Changes in Permitted Uses ¹ | Rationale |
|---|--|--|
| RH-1 (R-1) RH-2 (R-10) RH-3 (R-20) RH-4 (R-30 hills) | <p>Currently, no commercial uses are outright permitted or conditionally permitted in the corresponding existing zones. However, General Food Sales and General Retail Sales are currently allowed with an Interim CUP.</p> <p>No commercial uses are proposed for zones in this Classification.</p> | <p>Commercial uses are not envisioned for this Classification.</p> <p>Existing commercial zones in the Hillside Residential Classification will be re-zoned to CN-4 (a proposed new commercial zone).</p> |
| RD-1 (R-30) RD-2 (R-35) | <p>Currently, no commercial uses are outright permitted or conditionally permitted in the corresponding existing zones. However, General Food Sales and General Retail Sales are currently allowed with an Interim CUP.</p> <p>Bed & Breakfasts would be conditionally permitted in these zones.²</p> <p>General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafés and General Retail Sales would be conditionally permitted on the ground floor of existing non-residential facilities built prior to 2009.³ Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p> <p>Administrative Commercial Activities would be permitted out-right on the ground floor of existing non-residential facility built prior to 2009³ with hours of operation between 7am to 10pm. Uses over 1,500 sq. ft. would require a CUP.</p> | <p>The policy intent of this Classification in the General Plan is to preserve single-family neighborhoods while allowing smaller-scale neighborhood serving businesses. Conditionally permitting commercial activities in existing non-residential facilities (such as storefronts) provides a viable alternative for these existing buildings.</p> <p>Some of the existing commercial zones in the Detached Residential Classification (for instance, gas stations along freeways) will be rezoned to CN-4 (a proposed new commercial zone).</p> |
| RM-1 (R-35) RM-2 (R-40) RM-3 (R-50 “light”) | <p>Currently, no commercial uses are outright permitted or conditionally permitted in the corresponding existing zones. However General Food Sales and General Retail Sales are currently allowed with an Interim CUP.</p> <p>Bed & Breakfast Residential Activities would be conditionally permitted in these zones.²</p> <p>Numerous commercial activities would be conditionally permitted on the ground floor of existing non-residential facilities built prior to 2009.³ These activities include General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafés, Medical Service, General Retail Sales, Consumer Service, Consultative and Financial Service, Consumer Cleaning and Repair and Personal Instruction Improvement.⁴ Business Communication and Media Services is not allowed in RM-1 or RM-2, but would be allowed in RM-3 with a CUP.</p> <p>Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p> <p>Administrative Commercial Activities would be permitted out-right on the ground floor of existing non-residential</p> | <p>The desired character of Mixed Housing Type is predominately residential, with small neighborhood serving businesses. Conditionally permitting limited impact commercial activities in existing non-residential facilities (such as storefronts) provides a viable alternative for these existing buildings.</p> |

¹Existing regulations for Non-conforming Activities – a non-conforming activity (not permitted where it is located) that has discontinued for a period of 6 months (facilities less than 400 sq. ft.) or 1 year (facilities over 400 sq. ft.) may be replaced only with normally permitted or conditionally permitted activities, except the original non-conforming activity may be resumed upon the granting of a conditional use permit. 1

²The “Bed and Breakfast” Classification has very specific limitations such as the requirement for the home to be owner-occupied, a historically designated building and limiting the number of guests to 12.

³An “existing non-residential facility built prior to 2009” means that buildings built after 2009 will not be allowed to contain commercial uses.

⁴The “Personal Instruction and Improvement” Classification limits the size of such activities to less than 2,000 sq. ft. of floor area.

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| | facility built prior to 2009 ³ with hours of operation between 7am to 10pm. Uses over 1,500 sq. ft. would require a CUP. | |
| RM-4 (R-50 “plus”) along corridors, and encompassing existing commercially zoned parcels in neighborhoods | <p>Currently, no commercial uses are outright permitted or conditionally permitted in the corresponding existing zone. However General Food Sales and General Retail Sales are currently allowed with an Interim CUP.</p> <p>Bed & Breakfast Residential Activities would be outright permitted in this zone.²</p> <p>In a RM-4 zone the following commercial activities would be out-right permitted on the ground floor of an existing non-residential facility built prior to 2009³ with hours of operation between 7am to 10pm (over 3,000 sq. ft. would require CUP): General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafés, General Retail Sales, Consultative and Financial Service, Consumer Cleaning and Repair, Personal Instruction and Improvement,⁴ Administrative and Business Communication and Media Services. Additionally, in the RM-4 zone with the CR Overlay the above activities would be out-righted permitted on the ground floor of new commercial facilities.</p> <p>Medical Service, Consumer Service and Group Assembly would be conditionally permitted if they are located on the ground floor of an existing non-residential facility built prior to 2009³ or a new commercial facility in the CR Overlay Zone. Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p> | <p>The proposed CR Overlay zone would apply to areas with established concentrations of active commercial uses in non-residential facilities (such as storefronts) and/or located on secondary corridors (examples include High, Market and 98th Streets, Shattuck, Fruitvale and Seminary Avenues, among others). Most of these areas are presently zoned Commercial. In the future, many commercial uses will continue to be permitted outright in these areas to reduce the creation of new non-conforming uses, as well as to provide neighborhood serving commercial uses.</p> <p>Outside the CR Overlay Zone, permitting limited commercial activities in neighborhoods with facilities originally built as storefronts provides a viable alternative for these existing buildings.</p> <p>Conditionally permitting the activities listed gives the Planning Department discretion when introducing such uses while giving nearby neighbors the opportunity to comment on the proposal (through the Planning Department’s noticing process).</p> |
| RU-1 (R-50 “plus”) mapped near Lake Merritt, in West Oakland, near Piedmont Avenue, and along Park Boulevard | <p>Currently, no commercial uses are outright permitted or conditionally permitted in the corresponding existing zone. However General Food Sales, General Retail Sales and Convenience Markets are currently allowed with an Interim CUP.</p> <p>Bed & Breakfast Residential Activities would be outright permitted in this zone.²</p> <p>The following commercial activities would be out-right permitted on the ground floor of existing non-residential facility built prior to 2009³ with hours of operation between 7am to 10pm (over 3,000 sq. ft. would require a CUP): General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafés, Medical Service, General Retail Sales, Consultative and Financial Service, Consumer Cleaning and Repair, Personal Instruction and Improvement,⁴ Administrative, Business Communication and Media</p> | <p>Ground floor commercial uses are envisioned for this Classification in limited locations, consistent with the General Plan. Permitted commercial uses are limited to existing non-residential facilities only (such as storefronts) because RU-1 is found mostly on local streets rather than corridors. Furthermore, there are some established businesses in areas with this proposed zoning designation.</p> |

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| | <p>Services.</p> <p>Consumer Service would be conditionally permitted on the ground floor of existing non-residential facility built prior to 2009.³ Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p> | |
| <p>RU-2 (R-60) mapped near Lake Merritt, in West Oakland, near Piedmont Avenue, and along Park Boulevard</p> | <p>Currently, no commercial uses are outright permitted or conditionally permitted in the corresponding existing zone. However General Food Sales, General Retail Sales and Convenience Markets are currently allowed with an Interim CUP.</p> <p>Bed & Breakfast Residential Activities would be outright permitted in this zone.²</p> <p>Out-right permitted commercial activities (and limitations) are the same as those for RU-1 with the addition of Consumer Service.</p> | <p>Some ground floor commercial uses are envisioned for this Classification. Permitting commercial uses on the ground floor of existing non-residential facilities (such as storefronts) provides a viable alternative for these existing buildings.</p> |
| <p>RU-3 (R-70) mapped near Lake Merritt, in West Oakland, near Piedmont Avenue, and along Park Boulevard</p> | <p>Currently, no commercial uses are outright permitted. Medical Service and a limited amount of Consultative and Financial Services are conditionally permitted in the corresponding existing zone. General Food Sales, General Retail Sales and Convenience Markets are currently allowed with an Interim CUP.</p> <p>Bed & Breakfast Residential Activities would be outright permitted in this zone.²</p> <p>Out-right permitted commercial activities (and limitations) are the same as those for RU-2.</p> <p>Consumer Cleaning and Repair Service and Group Assembly would be conditionally permitted on the ground floor of existing non-residential facility built prior to 2009.³ Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p> | <p>Ground floor commercial uses are envisioned for this Classification. Permitting commercial uses on the ground floor of existing non-residential facilities (such as storefronts) provides a viable alternative for these existing buildings. Furthermore, there are established businesses in areas with this proposed zoning designation.</p> |

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