

Comparison of Existing Permitted Activities with Proposed Permitted Activities

Proposed Zone ¹	Major Changes in Permitted Uses ²	Rationale
<p>Hillside Residential: RH-1 (R-1) RH-2 (R-10) RH-3 (R-20) RH-4 (R-30 hills)</p>	<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>
<p>Detached Unit Residential: RD-1 (R-30) RD-2 (R-35)</p>	<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.³</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 2009.⁴ Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p> <p>Administrative Commercial Activities would be permitted outright on the ground floor of an existing non-residential facility built prior to 2009⁴ 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, such as gas stations along freeways, will be rezoned to CN-4 (a proposed new commercial zone).</p>
<p>Mixed Housing Type Residential: RM-1 (R-35) RM-2 (R-40) RM-3 (“R-50 light”) RM-4 (“R-50 plus”) for areas along some corridors, existing commercially zoned parcels, and generally R-60, R-70, and R-80 parcels in neighborhoods (though some areas may be mapped with a lower density zone in certain circumstances)</p>	<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.³</p> <p>Numerous commercial activities would be conditionally permitted on the ground floor of existing non-residential facilities built prior to 2009.⁴ These activities include General Food Sales, Full Service Restaurants, Limited Service Restaurants and Cafes, Medical Service, General Retail Sales, Consumer Service, Consultative and Financial Service, Consumer Cleaning and Repair and Personal Instruction and Improvement.⁵ Business Communication and Media Services is not allowed in RM-1 or RM-2, but would be allowed in RM-3 and RM-4 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 outright on the ground floor of an existing non-residential facility built prior to 2009⁴ with hours between 7am to 10pm. Uses over 1,500 sq. ft. would require a CUP.</p>	<p>The desired character of areas designated as 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>
<p>Mixed Housing</p>	<p>Currently in the C-10 zone, General Food Sales, Convenience</p>	<p>The proposed RC Combining Zone</p>

¹The existing zone shown in parentheses after the proposed zone is intended to show the existing zone that most closely matches the permitted density of the proposed zone. It is not intended to indicate that the proposed zone will only be mapped to the existing zone shown.

²No changes are proposed at this time to the existing regulations for Non-conforming Activities – a non-conforming activity (an existing use that is not permitted where it is located by current zoning regulations) that has discontinued for a period of 6 months (for facilities less than 400 sq. ft.) or 1 year (for facilities over 400 sq. ft.) may only be replaced with outright permitted or conditionally permitted activities with the exception that the original non-conforming activity may be resumed upon the granting of a conditional use permit.

³The “Bed and Breakfast” Classification includes specific limitations such as the requirement for the home to be owner-occupied, a historically designated building, and a limit of no more than 12 guests at a time.

⁴An “existing non-residential facility built prior to 2009” means that buildings built after 2009 will not be allowed to contain commercial uses.

⁵The “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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<p>Type Residential: RC Combining Zone, Residential Commercial (C-10) along some corridors that are mostly commercially zoned today, and existing commercially zoned parcels in neighbor-hoods</p>	<p>Sales and Service, Medical Service, General Retail Sales, General Personal Service, Consultative and Financial Service commercial uses are outright permitted.</p> <p>Additionally, Convenience Market, Alcoholic Beverage Sales, Mechanical or Electronic Games (subject to the provisions of Section 17.102.210C), Consumer Laundry and Repair Service, and Group Assembly are conditionally permitted in the C-10 zone. Automotive Servicing and Automotive Fee Parking are conditionally permitted in C-10, but are prohibited by the General Plan category of Mixed Housing Type.</p> <p>In the RC Combining Zone, Bed & Breakfast Residential Activities would be outright permitted.³</p> <p>In the RC Combing Zone, the following commercial activities would be outright permitted on the ground floor of existing or new commercial facilities 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 Cafes, General Retail Sales, Consultative and Financial Service, Consumer Cleaning and Repair, Personal Instruction and Improvement,⁵ Administrative and Business Communication and Media Services.</p> <p>Medical Service, Consumer Service and Group Assembly would be conditionally permitted if they are located on the ground floor of an existing or new commercial facility in the RC Combining Zone. Additional Conditional Use Permit findings will limit the hours of operation to between 7am to 10pm.</p>	<p>would be mapped 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 (C-10). 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>Conditionally permitting the activities listed gives the Planning Department discretion when introducing such uses into a neighborhood and gives nearby neighbors the opportunity to comment on the proposal (through the Planning Department’s noticing process).</p>

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

<p>Urban Residential: RU-1 (“R-50 plus”) would be mapped in areas 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 conditionally permitted in this zone.³</p> <p>The following commercial activities would be outright permitted on the ground floor of an existing non-residential facility built prior to 2009⁴ 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 Cafes, Medical Service, General Retail Sales, Consultative and Financial Service, Consumer Cleaning and Repair, Personal Instruction and Improvement,⁵ Administrative, Business Communication & Media Services.</p> <p>Consumer Service would be conditionally permitted on the ground floor of an 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 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>
<p>Urban Residential: RU-2 (R-60) would be mapped in areas 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 conditionally permitted in this zone.³</p> <p>Outright 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>Urban Residential: RU-3 (R-70) would be mapped in areas 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 conditionally permitted in this zone.³</p> <p>Outright 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 an existing non-residential facility built prior to 2009.⁴ 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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