

*Zoning Update Committee*

**December 17, 2003**

*Michael Lighty, Chair*

*Nicole Franklin*

*Anne E. Mudge*

<b>#2.</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Proposal:</b>	Zoning Text Amendment regarding Joint Work Live Quarters
<b>Applicant:</b>		City Planning Commission
<b>Case File Number:</b>		<b>ZT03-613</b>
<b>Action to be Taken:</b>		Recommendation to the Planning Commission
<b>Finality of Decision:</b>		Recommendation to the Planning Commission
<b>For Further Information:</b>		Contact Margot Lederer Prado, Strategic Planning, at (510) 238-6766 or by email at <a href="mailto:mprado@oaklandnet.com">mprado@oaklandnet.com</a>

**SUMMARY**

At the November 19<sup>th</sup> meeting for Housing and Business Mix, the ZUC considered zoning text amendments to the Joint Work Live Quarters regulations. The proposed text amendments, which establish two types of such facilities: Live Work Category I/ Residential facilities; and Work Live Category II/ Commercial facilities, were accepted with a suggestion made that the further clarification that both new construction and conversions are both potential forms of either facility type. In addition, staff clarified that conversions to Live Work Category I would be considered consistent with the present building code policy towards “Residentially-Oriented Living Working Quarters” (currently the Code recognizes these units only in the Downtown and Jack London area per Ordinance CMS 12546, adopted by City Council on October 21, 2003; and which was originally adopted by the City as CMS 12148 on June 22, 1999. The ZUC also directed staff to allow an exception to the prohibition of conversions for Historically-rated (A and B). The following provides further background for this amendment, and the final draft zoning text language is attached.

In today’s world of shipping containers, free trade zones and mechanized industry and warehousing, the upper stories of multi-story industrial buildings are no longer commercially viable and often sit vacant for long periods of time, suggesting that a higher and better use of the land would be made by demolishing that structure and building a new single story, high bay structure with long spans and therefore few columns, easily navigable by forklifts, transporters, etc. Buildings classified under the Oakland Cultural Heritage Survey as A rated or B rated are, by definition, considered valuable components of Oakland’s Cultural Heritage. As such they are generally not permitted to be demolished, ever. Therefore the owner of an A or B historically rated multi-story building in the IG zones finds herself (or himself) in the untenable situation of being unable to demolish and replace the structure with a more suitable one, and unable to rent out the upper stories. To remedy this inequity it is proposed that an exception to the prohibition on work/live or joint living and working quarters in IG zones be made so that work/live conversion can be permitted within an existing building envelope above the first floor in a building classified under the Oakland Cultural Heritage Survey as A or B rated. This exception shall not limit the addition of floor area within the building’s envelope.

## **RECOMMENDATION**

Review the proposed Joint Work Live Quarters Section 17.102.090 and provide comments and direction to staff.

Prepared by:

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MARGOT LEDERER PRADO  
Planner, AICP

## **ATTACHMENT**

Proposed Section 17.102.090 Joint Work Live Quarters