



Zoning Update Committee

*Viola Gonzales, Chair
Nicole Franklin
Glen Jarvis*

**April 17, 2002
Regular Meeting**

Notice – Staff reports are available on-line. See web site and download instructions below.

CONVENE

**4:20 P.M.
Hearing Room 1, City Hall,
One Frank H. Ogawa Plaza**

ROLL CALL

Present: Gonzales, Franklin, Jarvis
Staff: Gould, Stanzione, Ralston - CEDA, Planning and Zoning

WELCOME BY THE CHAIR

Chair Gonzales welcomed all to the meeting and explained the conduct of the meeting.

APPROVAL OF MINUTES None

DISCUSSION None

CORRESPONDENCE The Committee was provided with copies of all correspondence received. All correspondence related to the items on the agenda.

OPEN FORUM

No one addressed the Commission

AGENDA ITEM

1. Land Use Comparison Table

Margaret Stanzione, Strategic Planning, reviewed the format of the zoning code and presented the Committee with a land use comparison table showing the existing land uses and where those land uses fall within the new land use classifications. This comparison between land uses was requested at the last Zoning Update Committee meeting.

She also introduced the Committee to the new zoning code format and explained how the land uses would be regulated (P, C, L, --). She explained that the new Limited (L) designation makes the code more flexible. This designation means that a land use is permitted up to a certain threshold (e.g., size, location) and may be subject to other standards after reaching the threshold. For example, a building less than 10,000 square feet in size may be appropriate in a certain zoning district, but a building larger than 10,000 in the same location may need to be approved with a Conditional Use Permit. She further explained that there are regulations in other parts of

the zoning code specific to certain land uses. These are noted in the Additional Regulations column.

2. Industrial Land Uses and Proposed Zoning Districts

David Ralston, Strategic Planning, presented the staff report. He explained the intent and purpose of each of the four districts and highlighted what was different from the current M-10, M-20, M-30 and M-40 districts.

George Burt, West Oakland Commerce Association (WOCA), commented that IBX is the likely zoning designation for West Oakland. He also commented that it was necessary to know what land uses would be made non-conforming and what rules would apply to the non-conforming uses. He was concerned because existing properties could not meet some of the property development standards and some properties would have problems obtaining insurance if they were non-conforming. He also questioned how the proposed zoning uses and standards fit with the proposed Redevelopment Plan.

Drew Detsch stated that West Oakland has some beautiful buildings and he was concerned that the zoning standards were encouraging industrial parks in West Oakland.

David Johnson, Oakland Commerce Corporation, believes that the rezoning process is backwards. He believes that the City should conduct an inventory of existing industrial businesses. He also expressed concerns about non-conforming uses and structures.

Bob Tuck, WOCA, spoke about the S-16 overlay zone and how that has restricted the way certain businesses could operate. He expressed concern about shrinking the physical area by additional regulatory controls. He noted that the height limits and the floor area ratios were changed from the consultant's report. He also questions why the density and the "development flexibility" have been reduced. He supported higher FARs in the Mandela/West Grand area.

Rick Wiederhorn, Port of Oakland, reminded the Committee that the City could not regulate land uses in the areas designated "Seaport" and "Airport" and that the policies in the 1998 *Land Use and Transportation Element* guide development in those areas. He expressed concern that some businesses considered ancillary to port activities were proposed as Conditionally Permitted and should be Permitted by right in IG and IE zones.

Marianne Dreisbach, Industrial and Labor Alliance Organization (ILAO), showed a PowerPoint presentation about industrial lands and the proposed zoning district regulations. Emphasis was placed on the preservation of Industrial lands in East Oakland. She expressed concern about the Business Mix and Industrial/Residential overlay Zone. She further stated that zoning should consider property attributes such as access to rail, proximity to highways, proximity to the container belt leading to the Port, and employment centers next to working class neighborhoods. Properties with businesses that support port activities should not be overly regulated. Concern was expressed about creating non-conforming uses by eliminating some of the businesses currently allowed in the M-30 zone. She gave a number of examples on how the proposed zoning would affect certain properties.

Committee members commented that more work needed to be done involving industrial land issues. They directed staff to meet with interested parties and return to the Committee at a later

date. Commissioner Jarvis added that we are in a different economy now than back in the 1990s when the General Plan was adopted. There were more vacant buildings then and more conflicts with trucking activities.

Leslie Gould, Director of Planning and Zoning, stated that staff was following the direction of the General Plan and the consultant's recommendations in the issue paper prepared for the preparation of the zoning code. She indicated that the FARs reflect what is currently on the ground and that increasing the FARs could increase the land values, contrary to protecting industrial land. She commented that the setbacks were reasonable and allowed room for physical buffering between zoning districts. The non-conforming use analysis will be conducted by the consultant. Land uses are not necessarily being zoned out; they can remain as legal, non-conforming uses and can request a conditional use permit if they want to expand under the current non-conforming requirements.

ADJOURNMENT 6:07 p.m.

MARGARET STANZIONE
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Zoning Code Update Project