



Community and  
Economic  
Development Agency

## Comparison of Existing and Proposed Zoning Standards for One-Family and Two-Family Zones

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**Note:** This is a revision of the chart dated July 25, 2001. New or modified provisions are underlined.

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### Introduction

This document summarizes the new proposed rules for single-family homes and duplexes in the City of Oakland. The purpose of these new rules is to address issues of concern, such as

- Houses that are too tall and bulky
- Blocking of views and sun access
- Lack of open space around houses
- Excessive paving in the front yard.

**The number of units allowed on each lot for each of these zoning districts would not change.** Existing zones and their densities are summarized to the right.:

Zoning District	Allowed Density
R-1 One-Acre Residential Zone	One unit per acre (43,560 SF)
R-10 Estate Residential Zone	One unit per 25,000 SF
R-20 Low-Density Residential Zone	One unit per 12,000 SF
R-30 One-Family Residential Zone	One unit per 5,000 SF
R-35 Special One-Family Residential Zone	One-two units per 5000 SF Second unit requires Conditional Use Permit
R-36 Small Lot Residential Zone	Two units per 4000 SF
R-40 Garden Apartment Residential Zone	Two units on a 5000 SF lot
R-50 Medium Density Residential Zone	Two unit on a 4000 SF lot
S-14 Community Restoration Development Zone (Fire Area)	One unit per lot
S-11 North Hill Area Design Review Zone	

Zoning Districts	Existing	Proposed
<b>1. Height Limits</b>		
1.1 Height Limits: Flat and Low Slope Lots (Less than 20% slope)		
R-1, R-10, R-20, R-30, R-35, R-40, R-50, S-14	30 feet	25 feet by right <u>30 feet</u> for pitched roofs  <b>One Story Context:</b> 15 feet within front 12 feet of buildable area, only if at least 60% of the five closet buildings on each side and ten across the street are one story.
R-36	30 feet by right, 35 feet for pitched roofs with Use Permit	Same as existing, but with "One Story Context" provision described above.

<b>Zoning Districts</b>	<b>Existing</b>	<b>Proposed</b>
<b>1.2 Height Limits—Sloped Lots (greater than 20% slope)</b>		
R-1, R-10, R-20, R-30, R-35, R-36, R-40, R-50, S-14	<i>Downslope:</i> 40 feet, but no higher than 20 feet above finished grade at mid-point of the front lot line	<i>20-40% Downslope:</i> 30 feet at side setback; 32 feet for pitched roof (36 feet w/ Use Permit) <i>40%+ Downslope:</i> 30 feet at side setback; 36 feet for pitched roof (40 feet w/ Use Permit)
	<i>Upslope:</i> 35 feet	<i>Upslope:</i> 30 feet; 35 feet for pitched roof
	<i>Downslope — Street-Side Height:</i> No higher than 20 feet above any point along edge of pavement next to front lot line (18 feet in S-14 District)	<i>Downslope:</i> 18 feet above any point along the edge of pavement (R-1 through R-50 and S-14)
	<i>Upslope — Street-Side Height (applied only in S-14):</i> No higher than 24 feet	<i>Upslope —Street-Side Height (Applicable to R-1 through R-50 and S-14)</i> No higher than 24 feet.  <i>Upslope Rear Yard:</i> 24 feet maximum at rear setback line.
Exceptions for Garages	None	Allowed
<b>1.3 Height Limits—Accessory Structures</b>		
All zones.	<i>Required Front Yards:</i> Accessory structures not permitted	No change.
	<i>Required Side and Rear Yards:</i> 12'	<i>Required side and rear yards:</i> Wall height: 9' Roof height: 12'
	<i>Other Locations:</i> 15'; 18' in S-14 if over 20% slope.	<i>Other locations:</i> 15' in all cases
<b>2. Side Yards</b>		
R-1, R-10, R-20	6 feet	6 feet or 15% of lot width, whichever is greater
R-30	5 feet	5 feet On slopes over 20%, 5 feet or 10% of lot width, whichever is greater
S-14	5 feet, with combined side yards equal to 20% of lot width	Same as proposed for R-1, R-10, R-20 and R-30.
R-35, R-40	5 feet	Same
R-36	3 feet if less than 4000 SF or 45' wide. 5 feet if more than 4000 SF or 45' wide.	Same
R-50	4 feet	Same

<b>Zoning Districts</b>	<b>Existing</b>	<b>Proposed</b>
<b>3. Front Yard</b>		
3.1 Front Yard—Flat/Low Slope Lots (Less than 20% slope)		
R-1, R-10	25 feet	Same
R-20, R-30, R-35, R-40, S-14	20 feet	Same
R-36	10 feet, for lots less than 4000 SF or less than 45' wide	Same
R-50	15 feet	Same
R-30, R-35, R-36, R-40, R-50— Adjoining properties have less than required setbacks	No provisions	Allow reduced front yard setback equal to the deeper of the two buildings on either side.
S-14	25 feet if combined with R-1 or R-20; 20 feet if combined with R-20 or R-30.	Same.
3.2 Front Yard — Sloped Lots (more than 20% slope)		
R-1 through R-50	5 feet	5 feet for building widths up to 60% of lot width; 20 feet for portions of building exceeding 60% of lot width 20 feet at garage/carport vehicular entries
<b>4. Rear Yard</b>		
R-1 and R-10 R-20 R-30	35 feet 25 feet 20 feet	20 feet, plus an additional 0.5 feet for each additional foot of lot depth, up to a maximum requirement of 80 feet
R-35, R-36, R-40, R-50	15 feet	Same
S-14	20 feet, plus an additional 0.5 feet for each additional foot of lot depth over 100 feet, up to a maximum requirement of 80 feet	Apply this “deep lot” rule to R-1, R-10, R-20, R-30, as described above.
<b>5. Building Length Along Sides</b>		
R-1, R-10, R-20, R-30	None	On slopes over 20%, limit the length of buildings facing side lot line to 35 feet if within the greater of: <ul style="list-style-type: none"> <li>• 10 feet of a side lot line; or</li> <li>• the distance from the side lot line equal to 20% of lot width</li> </ul>
<b>6. Lot Coverage Limits</b>		
R-1 through R-50	None	<b>R-1: 15%; R-10: 20%; R-20: 25%; R-30: 40%; R-35 through R-50: 40%; 50% for duplexes with Use Permit.</b> <u>Applies only to slopes less than 20%.</u>

<b>Zoning Districts</b>	<b>Existing</b>	<b>Proposed</b>
<b>7. Front Yard Paving</b>		
R-1 through R-50	None	Maximum percentages of paved surface areas in street fronting yards, including any unimproved rights-of-way 50% (Corner lots 30%; through lots 25%)  Paved surfaces include driveways, walkways, patios, and structures.
<b>8. Parking and Driveways</b>		
8.1 Number of Parking Spaces (Note: Except where indicated otherwise, 50% of all required spaces may be tandem. See Section 8.3)		
R-1, R-10, R-20, R-30	2 spaces per primary unit.  1 nontandem space per secondary unit. No spaces allowed in right-of-way.	2 spaces for lots with parking on one or both sides of the street, for lots with an average width of 55 feet or less, or for steep lots meeting certain criteria.  3 spaces for all other lots.  Allow parking in the public right of way if meeting certain standards, as currently in S-14 district.
R-35, R-36, R-40, R-50, S-11		No change.
8.2 Garage and Carport Width		
All residential zones.	None.	If within 30 feet of a street line: <ul style="list-style-type: none"> <li>• 22 foot maximum width; and</li> <li>• If attached to the primary residence, no more than 50% of the residence width.</li> </ul> Exceptions allowed with Regular Design Review.
8.3 Tandem Parking		
All residential zones.	Up to 50% of required offstreet parking may be tandem.	No change

<b>Zoning Districts</b>	<b>Existing</b>	<b>Proposed</b>
<b>8.4 Parking in Front Yards</b>		
All zones.	Open nontandem required spaces are permitted within required front yards, but not garages or carports.	Limit front yard parking to tandem parking on allowed driveways.
<b>8.5 Location of Parking to Side or Rear</b>		
All residential zones.	None, but existing Special Residential Review New Construction Checklist encourages parking at the side or rear if consistent with neighborhood context.	Require garages, carports, and any open required parking spaces to be at the side or rear of the primary residence and at least 25' from the front lot line, when at least 60% of the residences on the five closest lots on each side and the ten closest lots across the street have garages, carports, and open required parking spaces which are:  (a) Located to the side or rear; and, (b) At least 25' back from the front lot line.  Does not apply to lots with less than 35' of street frontage if garage is less than 50% of building width.
<b>8.6 Additional Setbacks for Garages in Front Yard</b>		
All residential zones.	None.	Require attached or detached garages or carports within 25' of front lot line to be either: (a) set back at least 4' from face of residence closest to street; or (b) Located below living space and set back at least 1.5' from upper level  Does not apply to slopes over 20%.  Exceptions are allowed with Regular Design Review.
<b>8.7 Driveways</b>		
All residential zones.	9' minimum, no maximum (however, Building Services limits curb cut widths to 19')	Incorporate Building Services' standard into Zoning Regulations.  Retain 9' minimum. Add 19' maximum.
<b>8.8 Multiple Driveways</b>		
All residential zones.	None in Zoning Regulations, but the Building Services Division requires 25' minimum separation of curb cuts on same lot.	Limit driveways to one per lot in all cases.

Zoning Districts	Existing	Proposed
<b>9. Fences and Retaining Walls</b>		
9.1 Front Yard Fences		
All Zones.	<p>6' height limit in front yards and street side yards of a corner lot; 8' height limit in other required yards.</p> <p>Heights can be increased to any level with Use Permit</p>	<p>Height Limits:</p> <ol style="list-style-type: none"> <li>1. <i>Street fronting yards and street sides of corner lots:</i> 42"; 6' with Use Permit.</li> <li>2. <i>Side and Rear Yards:</i> 8'</li> </ol> <p>Restricted Materials:</p> <ol style="list-style-type: none"> <li>a) <i>Barbed wire and razor wire:</i> Not permitted.</li> <li>b) <i>Chain link:</i> Not permitted if higher than 42 inches in street fronting yards.</li> <li>c) <i>Plain concrete block:</i> Not permitted unless capped and finished with stucco or other</li> </ol>
9.2 Retaining Walls		
S-14	<ol style="list-style-type: none"> <li>(a) <i>Maximum height:</i> 6'</li> <li>(b) <i>Separation of multiple walls:</i> Equal to height of lower wall.</li> <li>(c) <i>Walls visible from public street or alley:</i> Use architecturally treated surfaces.</li> </ol> <p>Exceptions to above allowed if approved under Administrative Review of Retaining</p>	<p><b>All Zones:</b> Same as for fences and walls if in street fronting yards; 6' maximum height and 4' minimum separation elsewhere.</p> <p>Height exceptions allowed in certain cases for retaining walls flanking upslope driveways.</p>
S-11	Retaining walls over 8' require Regular Design Review.	
R-1 through R-50	6' height limit in front yards and street side corner yards of a corner lot; 8' height limit in other required yards.	
<b>10. Utility Meters and Trash Containers</b>		
All zones.	None	<p>Utility Meters: Either</p> <ol style="list-style-type: none"> <li>A) Locate within a box set within the building</li> <li>B) Locate on a non-street fronting elevation; or</li> <li>C) Screen with vegetation</li> </ol> <p>Trash Containers: Provide storage area that is screened from street and adjacent properties by a wall, fence, or dense landscaping at least 4' high.</p>

Zoning Districts	Existing	Proposed
<b>11. Security Bars</b>		
All zones.	None.	<p>Exterior security bars and grills on street facing elevations not permitted.</p> <p>Exceptions allowed if consistent with building's architectural style, as defined.</p> <p>Require removal of nonconforming bars and grill for all variances, use permits, design review or other zoning permits.</p>
<b>12. Landscaping</b>		
<b>S-14</b>	<p>(a) <i>Street frontages:</i> Complete landscaping including one 15-gallon tree per 20' of frontage without sidewalks and per 25' of frontage with sidewalks. Frontages with sidewalks require street trees, subject to approval by the City's Tree and Sidewalk Section.</p> <p>(b) <i>Downhill lots:</i> If height of rear elevation exceeds 15' and slope is 20% or more, provide screening as follows: One 15-gallon tree or five 5-gallon shrubs for each 15' of lot width at rear face of residence that will screen lower 10' of structure at maturity.</p> <p>(c) <i>When required:</i> The above landscaping and a completed landscape plan is normally required for all new construction.</p> <p>(d) <i>Landscape bond:</i> If required landscaping is not installed, a \$2,500 bond must be posted prior to issuance of a Certificate of Occupancy.</p>	<p>Apply S-14 requirements with the following changes:</p> <p>(a) <i>When required:</i> Addition of a unit as well as new construction. Landscape plan needs to show only street fronting yards and unimproved right-of-way, except for:</p> <ol style="list-style-type: none"> <li>1. Projects adding a second unit, which must show entire site.</li> <li>2. Projects involving grading or exceptions to rear wall height limits on downhill lots, which must also show landscaping for these areas.</li> </ol> <p>(b) <i>Landscape bond:</i> Replace with either a cash deposit or letter of credit equal to the estimated cost of required landscaping, based on contractor's bid.</p> <p>(c) <i>Street frontages:</i> Expand S-14 tree requirements to second units and additions over 500 SF or on upper floors. On streets without sidewalks, leave 5' strip unplanted along edge of pavement, as required by Building Services.</p>
<b>Other zones:</b>	<p>(a) <i>Projects requiring Special Residential Design Review:</i> If new construction, landscape plan required for street fronting yards in order to receive landscaping points on New Construction Checklist or to make Discretionary Criteria findings.</p> <p>Landscape plan normally required for entire site for projects adding a second unit.</p> <p>(b) <i>Projects requiring Regular Design Review:</i> Landscape plan normally required for entire site.</p>	

<b>Zoning Districts</b>	<b>Existing</b>	<b>Proposed</b>
<b>13. Measurement Standards: Building Height, Slope and 20% Slope</b>		
13.1 Method for Measuring Height		
S-14	<p>Define height as the vertical distance from any point on top of the structure to a line directly below that connects the opposite exterior walls at finished grade.</p> <p>Measure height within 10' of a retaining wall from the lower of:</p> <ul style="list-style-type: none"> <li>a) finished grade at the base of the structure being measured; or</li> <li>b) finished grade at the base of the wall</li> </ul>	All zones: Use S-14 method.
All other zones	Define height as the vertical distance from any point on top of the structure to the finished grade directly below.	
13.2 Method for determining 20% slope		
S-14:	<p><i>For front setbacks:</i> Use <b>existing</b> gradient from edge of street pavement to 20' front setback line. Measure at midpoint of front lot line and perpendicular to edge of pavement.</p> <p><i>For height limits:</i> Use <b>existing</b> gradient of proposed building footprint, measuring perpendicular to topographic contours at the steepest point.</p>	All zones: Use S-14 method.
All other zones	Use <b>finished</b> gradient from midpoint of front lot line to farthest opposite point of lot depth.	