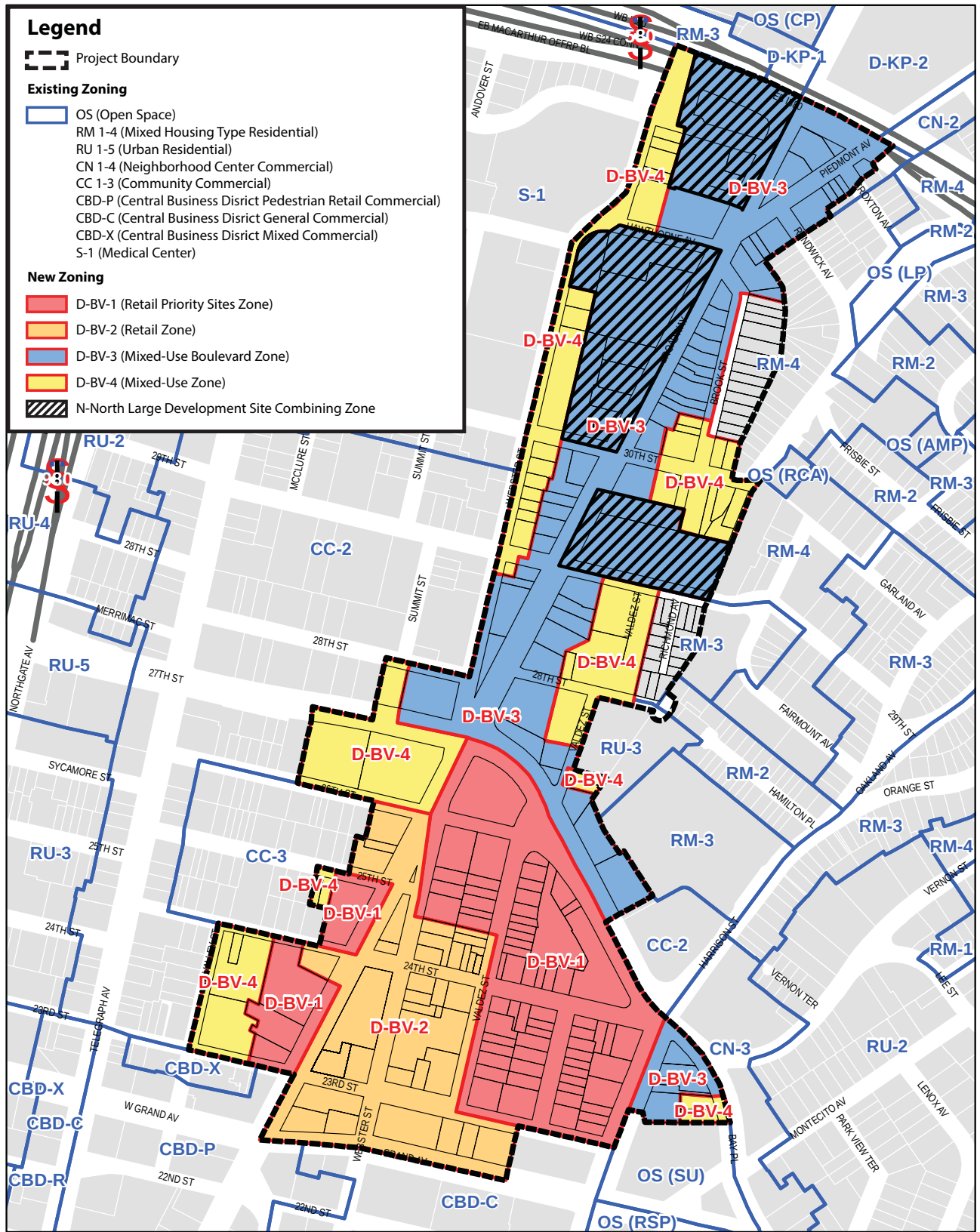


B2 | PUBLIC REVIEW DRAFT SPECIFIC PLAN SEPTEMBER 2013

APPENDIX B: ZONING



Broadway Valdez District Specific Plan

Proposed Zoning

FIGURE B.2: PROPOSED ZONING

APPENDIX B: ZONING

Draft Concept

Proposed Broadway Valdez District Specific Plan Zone Description

- A. Intent.** The intent of the Broadway Valdez District Commercial (D-BV) Zones is to implement the Broadway Valdez District Specific Plan (BVDSP) and to create a “complete” neighborhood that includes a destination retail district, as well as a mix of retail, entertainment, office and residential uses to allow residents to live within a short walk or transit ride to work, shop, and play. The neighborhood is intended to be a pedestrian, bicycle, and transit friendly district that still accommodates automobiles in a managed way. The area is divided into two subareas: the Valdez Triangle and the North End.
1. The intent for the Valdez Triangle regulations is to:
 - a. Create a recognized authentic Oakland destination that provides a mix of uses that contributes to around-the-clock activity with people present both day and night, and on weekdays and weekends.
 - b. Create a destination retail district that addresses the City’s need for comparison goods shopping complemented with local-serving retail, dining, entertainment, office, and service uses.
 - c. Encourage, support, and enhance a mix of major, mid, and junior size anchor stores; small scale retail, commercial, dining, entertainment, arts, cultural, offices, urban mid/high-rise residential, services, public plazas, and visitor uses.
 - d. Create an extension of the Downtown retail, entertainment and office districts by extending the Central Business District General Plan boundary to incorporate the Valdez Triangle.
 - e. Encourage and enhance a pedestrian-oriented streetscape with street-fronting retail and complementary dining and entertainment on the ground level of buildings.
 - f. Establish a pedestrian, bicycle, and transit oriented district that accommodates vehicular access but is not dependent on, nor generates high volumes of pass-through-traffic.
 - g. Allow for auto dealer showrooms incorporated into a larger retail shopping development or district.
 2. The intent for the North End regulations is to:
 - a. Create an attractive, mixed-use boulevard that links the Downtown to the Pill Hill, Piedmont and North Broadway areas and is integrated with the adjoining residential and health care-oriented neighborhoods.
 - b. Encourage urban mixed use development that is either horizontal or vertical with upper story residential or office and active ground-floor commercial uses that complement the Valdez Triangle and address the needs of adjoining and nearby neighborhoods with the potential of serving some regional needs with areas that are close to I-580.
 - c. Encourage uses that complement and support the adjoining medical centers, such as professional and medical office uses, medical supplies outlets, and visitor and workforce housing.
 - d. Encourage existing and new automotive sales that incorporate an urban format with a showroom and repair shop that provides car storage either in a structured garage or in an off-site location.

APPENDIX B: ZONING

- B. Description of Zones.** There are four (4) Broadway Valdez District Zones within D-BV-1 zone being the most restrictive and the D-BV-4 zone being the least restrictive with respect to uses, and in potential uses on the ground floor.
- 1. D-BV-1 Broadway Valdez District Retail Priority Sites Commercial Zone - 1.** The intent of the D-BV-1 zone is to encourage large retail facilities in the Retail Priority Sites of the Broadway Valdez District Specific Plan in order to provide a core of comparison goods retail with a combination of major, mid, and junior size anchor stores. There are five (5) Retail Priority Sites that comprise this zone. Priority Sites 3 and 5 are further divided into subareas a and b. Each Priority Site and subarea will have a specified minimum square footage of retail required prior to residential or transient habitation activities and facilities being permitted. The underlying General Plan is the Central Business District.
 - 2. D-BV-2 Broadway Valdez District Retail Commercial Zone - 2.** The intent of the D-BV-2 zone is to create, maintain, and enhance areas of the Broadway Valdez District for ground-level, retail, restaurants, entertainment, and art activities with pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities. The underlying General Plan is the Central Business District.
 - 3. D-BV-3 Broadway Valdez District Mixed Use Boulevard Commercial Zone - 3.** The D-BV-3 zone is intended to create, maintain, and enhance areas with direct frontage and access along the Broadway, 27th Street, Piedmont Avenue, and Harrison Street corridors and commercial areas. A wider range of ground-floor office and other commercial activities are allowed than permitted in the D-BV-2 zone with upper-story spaces intended to be available for a broad range of residential and office or other commercial activities. Mixed uses could either be vertical and/or horizontal in either a parcel or a block. The underlying General Plan is Community Commercial.
 - 4. D-BV-4 Broadway Valdez District Mixed Use Commercial Zone - 4.** The D-BV-4 zone is intended to create, maintain, and enhance areas that do not front Broadway, 27th Street, Piedmont Avenue, or Harrison Street and allows the widest range of uses on the ground floor including both residential and commercial businesses. Upper-story spaces are intended to be available for a broad range of residential and office or other commercial activities. The underlying General Plan is Community Commercial.
- C. Description of Combining Zone.** This Chapter establishes land use regulations for the following combining zone:
- 1. N North Large Development Site Combining Zone.** The intent of the N combining zone is to require larger depths of more active commercial uses on those sites that have deeper lots that front along Broadway along with more restrictions on ground floor uses. Incentives for large developments are included. When an above primary zone is combined with the N combining zone, the N Combining Zone permitted uses supersede those of the primary zone.

APPENDIX B: ZONING



Draft Concept: Summary of Permitted and Conditionally Permitted Activities for the Broadway Valdez District Specific Plan Zones

“P”: Permitted Activity

--: Prohibited Activity

“C”: Conditionally Permitted Activity

(L#): Subject to the limitation at the end of the table

Activities	Proposed Broadway Valdez District Specific Plan Zones					Existing Zones Within the Broadway Valdez District Specific Plan				
	D-BV-1	D-BV-2	D-BV-3	D-BV-4	N (combining)	CC-2	CN-2	D-BR	RU-4	RU-3
Residential Activities										
Permanent	C(L1)	P(L2)	P(L2)	P	P(L2)	P(L2)	P(L2)	C(L3)	P	P
Residential Care	--	P(L2)	P(L2)	P	P(L2)	P(L2)	P(L2)	C(L3)	C	C
Service-Enriched Permanent Housing	--	P(L2)	P(L2)	P	P(L2)	C	C	C(L3)	C	C
Transitional Housing	--	P(L2)	P(L2)	P	P(L2)	C	C	C(L3)	C	C
Emergency Shelter	--	--	--	--	--	C	C	--	C	C
Semi-Transient	--	--	--	--	--	--	--	--	C	--
Bed and Breakfast	--	C	C	C	C	C	C	C(L3)	C	C
Civic Activities										
Essential Service	P	P	P	P	P	P	P	P	P	P
Limited Child-Care Activities	P(L2)	P(L2)	P(L2)	P	P(L4)	P	P(L2)	P(L3)	P	P
Community Assembly	C(L3)	C(L3)	C	C	C(L3)	C	C	P(L3)	C	C
Recreational Assembly	P	P	P	P	P	P	P(L2)	P(L3)	P	P
Community Education	P(L2)	P(L2)	P(L2)	P	P(L4)	P	C	P(L3)	P	C
Nonassembly Cultural	P	P	P	P	P	P	P(L5)	P	P(L5)	P(L5)
Administrative	P(L2)	P(L2)	P(L2)	P	P(L4)	P	P(L2)	P(L3)	P(L5)(L6)	C
Health Care	C(L3)	P(L3)	P(L2)	P	P(L2)	P	C	C	P(L5)(L6)	C
Special Health Care	--	--	C(L3)	C	C(L3)	C	C	--	--	--
Utility Vehicular	C	C	C	C	C	C	C	--	C	C
Extensive Impact	C	C	C	C	C	C	C	--	C	C
Commercial Activities										
General Food Sales	P(L7)	P	P	P	P	P	P(L5)	P	P(L5)(L6)	C(L8)
Full Service Restaurant	P	P	P	P	P	P	P(L5)	P	P(L5)(L6)	C(L8)
Limited Service Restaurant and Café	P	P	P	P	P	P	P(L5)	P	P(L5)(L6)	C(L8)
Fast-Food Restaurant	C	C	C	C	C	C	C	C	--	--
Convenience Market	--	C	C	--	--	C	C	C	--	--
Alcoholic Beverage Sales	C	C	C	C	C	C	C	C	C(L6)	--
Mechanical or Electronic Games	--	--	--	--	--	C	C	--	--	--
Medical Service	C(L3)	P(L3)	P(L2)	P	P(L2)	P	P(L2)	P	P(L5)(L6)	P(L8)
General Retail Sales	P	P	P	P	P	P	P(L5)	P	P(L5)(L6)	P(L8)
Large-Scale Combined Retail and Grocery Sales	--	--	--	--	--	--	--	--	--	--
Consumer Service	C(L7)	P(L2)	P	P	P	P	P(L5)	P	P(L5)(L6)	P(L8)
Consultative and Financial Service	C(L3)	P(L3)	P	P	C	P	P(L2)	P	P(L5)(L6)	P(L8)
Check Cashier and Check Cashing	--	--	--	--	--	C	--	--	--	--
Consumer Cleaning and Repair Service	P(L2)	P	P	P	P(L2)	P	P(L5)	P	P(L5)(L6)	P(L8)
Consumer Dry Cleaning Plant	--	--	--	--	--	C	C	C	C(L6)	--
Group Assembly	C(L3)	C	C	C	C	C	C	C	C(L6)	C(L8)
Personal Instruction and Improvement Services	P(L2)	P(L2)	P	P	P(L2)	P	P(L5)	P(L2)	P(L5)(L6)	P(L8)
Administrative	C(L3)	P(L3)	P(L2)	P	P(L4)	P	P(L2)	P(L3)	P(L5)(L6)	P(L8)
Business, Communication, and Media Services	C(L3)	P(L2)	P	P	P(L2)	P	P(L2)	P	P(L5)(L6)	P(L8)
Broadcasting and Recording Services	C(L3)	P(L3)	P(L2)	P	P(L4)	P	P(L2)	P	P(L5)(L6)	--
Research Service	C(L3)	P(L3)	P(L2)	P	P(L4)	P	C	--	P(L5)(L6)	--
General Wholesale Sales	--	--	--	--	--	--	--	--	--	--
Transient Habitation	C(L1)	C	C	--	C	--	--	--	--	--
Wholesale and Professional Building Material Sales	--	--	--	--	--	--	--	--	--	--
Automobile and Other Light Vehicle Sales & Rental	C(L9)	C(L10)	C(L11)	C	C(L11)	P(L12)	--	C	--	--
Automobile and Other Light Vehicle Gas Station and Servicing	--(L13)	--(L13)	--(L13)	--(L13)	--(L13)	C	--	--(L13)	--	--

TABLE B.1: SUMMARY OF PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES

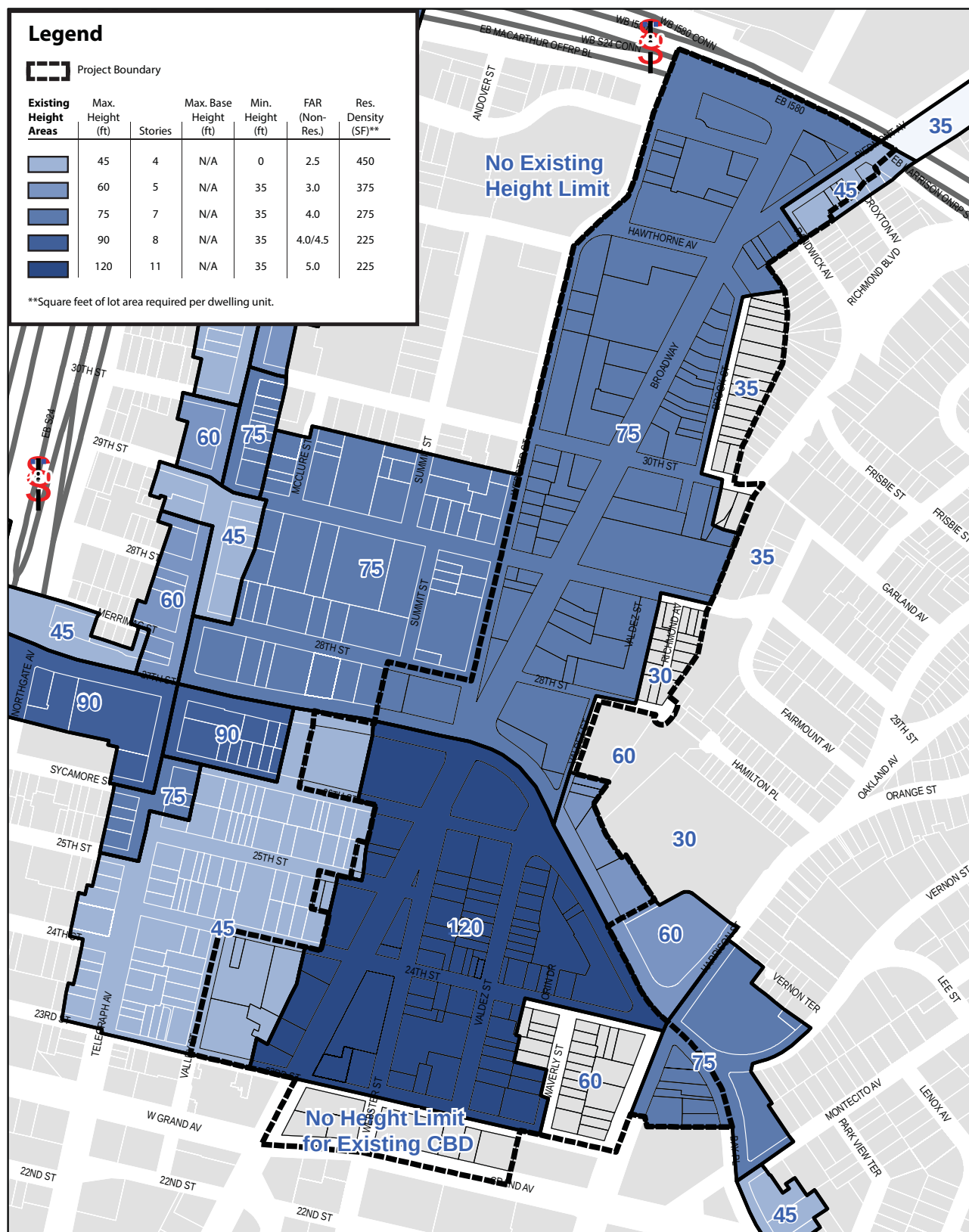
APPENDIX B: ZONING

Activities	Proposed Broadway Valdez District Specific Plan Zones					Existing Zones Within the Broadway Valdez District Specific Plan				
	D-BV-1	D-BV-2	D-BV-3	D-BV-4	N (combining)	CC-2	CN-2	D-BR	RU-4	RU-3
Automobile and Other Light Vehicle Repair and Cleaning	--(L13)	--(L13)	--(L13)	--(L13)	--(L13)	C	--	--(L13)	--	--
Taxi and Light Fleet-Based Services	--	--	--	--	--	--	--	--	--	--
Automotive Fee Parking	P(L14)	P(L14)	P(L14)	P(L14)	P(L14)	C	C	C	--	--
Animal Boarding	--	--	--	C	--	C	--	C	--	--
Animal Care	--	C(L3)	P(L2)	P	P(L3)	P	C	C	--	--
Industrial Activities										
Custom Manufacturing	--	--	P(L2)	P(L2)	P(L2)	C	C	--	--	--
Light Manufacturing	--	--	--	--	--	C	--	--	--	--
Agricultural and Extractive Activities										
Crop and Animal Raising	--	--	--	C	--	C	C	--	C	C
Plant Nursery	--	--	C	C	--	C	C	C	C	C

Limitations for Activities for the Proposed and Existing Zones

- L1 These activities are only permitted upon the granting of a Conditional Use Permit when the following conditions are met for new construction:
- A minimum square footage of a major retail is part of the overall project, see Tables 17.101C.05 and 17.101C.06.
 - The major retail encompasses all or majority of the first floor but can also be part of the second floor and third floor. Incidental pedestrian or auto entrances that lead to other activities elsewhere in the building are permitted.
 - A residential or transient habitation project that includes the ground floor can be incorporated into a large project with a minimum square footage of major retail as a horizontal mixed use development.
- L2 These activities are only permitted upon the granting of a Conditional Use Permit when located on the ground floor of a building.
- L3 These activities are only permitted above the ground floor.
- L4 In the D-BV-3 N combining zone, if located on the ground floor of a building these activities may not be located within sixty (60) feet from any street-abutting property line facing Broadway right of way,
- L5 The floor area devoted to these activities on the ground floor by any single establishment may only exceed 5,000 square feet upon the granting of a Conditional Use Permit.
- L6 In the RU-4 zone, these activities may only be located on the ground floor of a corner parcel or in an existing nonresidential facility that was built prior to the effective date of the new regulations.
- L7 If greater than 5,000 square feet, these activities are not allowed in new construction unless combined within a major retail project that meets the requirements of Tables 17.101C.05 and 17.101C.06.
- L8 These activities may only be located in an existing ground floor of a nonresidential facility.
- L9 These activities are only allowed as part of a large retail project that meets the requirements of Tables 17.101C.05 and 17.101C.06 and can only include an enclosed showroom and an accessory auto repair of a limited size, inventory shall be located at an offsite location that is outside of the D-BV-1 and D-BV-2 zones.
- L10 These activities can only include an enclosed showroom and an accessory auto repair, inventory shall be located at an offsite location that is outside of the D-BV-1 and D-BV-2 zones.
- L11 These activities can include an enclosed showroom and an accessory auto repair, inventory shall be non-surface or located at an offsite location that is outside of the D-BV-1, D-BV-2, or D-BV-3 zones.
- L12 These activities are only permitted upon the granting of a Conditional Use Permit when located on Telegraph Avenue between 28th St and I-580.
- L13 Reestablishment of a discontinued, legal non-conforming Automobile and Other Light Vehicle Gas Station and Servicing activity and/or an Automobile and Other Light Vehicle Repair and Cleaning activity may only occur no later than six (6) months after discontinuation of such a activity.
- L14 Automotive Fee Parking is allowed as a shared use when it is accessory to the principal use. Automotive Fee Parking is allowed as a primary use to serve nearby businesses when an Administrative Permit is approved with limitations and shall be renewed on a yearly basis.

APPENDIX B: ZONING



Prepared by: City of Oakland, Department of Planning and Building, August 2013.

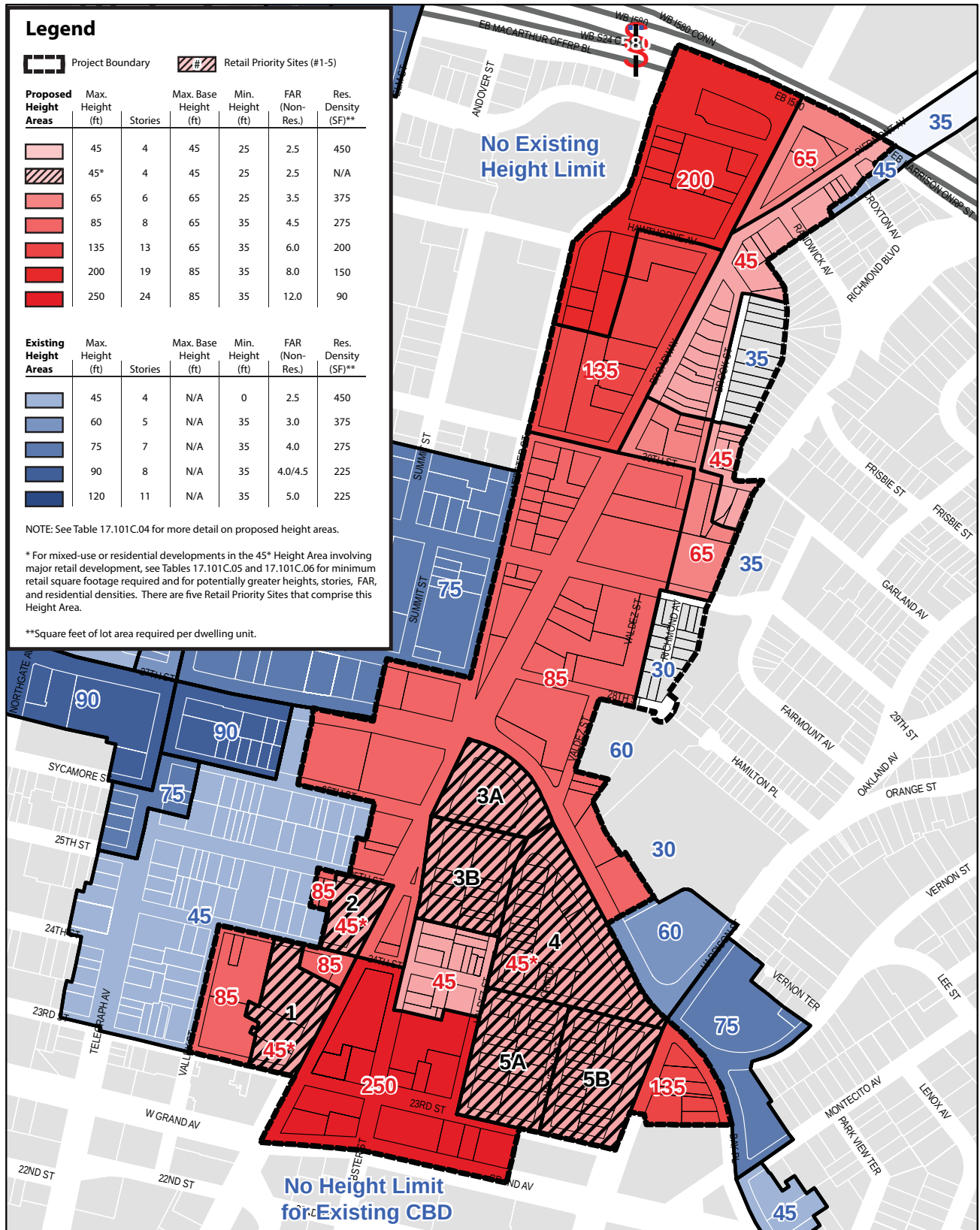


Broadway Valdez District Specific Plan

Existing Height Areas

FIGURE B.3: EXISTING HEIGHT AREAS

APPENDIX B: ZONING



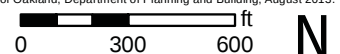
Prepared by: City of Oakland, Department of Planning and Building, August 2013.



Broadway Valdez District Specific Plan

Proposed Height Areas

FIGURE B.4: PROPOSED HEIGHT AREAS



APPENDIX B: ZONING

Draft Concept

Broadway Valdez District Specific Plan Height Tables

A. Height, Floor Area Ratio (FAR), Density, and Open Space. Table 17.101C.04 below prescribes height, FAR, density, and open space standards associated with the Height Areas described in the Zoning Maps. The number designations in the "Additional Regulations" column refer to regulations below the table.

Table 17.101C.04 Height, Floor Area Ratio (FAR), Density, and Open Space Regulations								
Regulation	Height Area							Additional Regulations
	45	45*	65	85	135	200	250	
Maximum Height								
Building Base Max. Height	45 ft	45 ft	65 ft	65 ft	65 ft	85 ft	85 ft	1, 2, 3
Maximum Height Total	45 ft	45 ft	65 ft	85 ft	135 ft	200 ft	250 ft	1, 2, 3
Height Minimum	25 ft	25 ft	25 ft	35 ft	35 ft	35 ft	35 ft	3, 4
Conditionally permitted height minimum	N/A	N/A	N/A	25 ft	25 ft	25 ft	25 ft	3
Maximum Residential Density (square feet of lot area required per dwelling unit)								
Regular units	450	N/A	375	275	200	150	90	3, 5
Rooming units	225	N/A	185	135	100	75	45	3, 5
Maximum Nonresidential FAR	2.5	2.5	3.5	4.5	6.0	8.0	12.0	3, 5
Maximum number of stories (not including underground construction)	4	4	6	8	13	19	24	3
Minimum Usable Open Space								
Group usable open space per regular unit	150	N/A	150	100	100	100	75	6
Group usable open space per regular unit when private open space substituted	30	N/A	30	20	20	20	20	6
Group usable open space per rooming unit	75	N/A	75	50	50	50	35	6
Group usable open space per rooming unit when private open space is substituted	15	N/A	15	10	10	10	10	6

See Tables 17.101C.05 and 17.101C.06 for minimum retail square footage required and for potentially greater heights, stories, FAR, and residential density for mixed use or residential developments in the Height Area 45 when part of a large project that involves major retail development.

Additional Regulations for Table 17.101C.04:

1. The maximum height within ten (10) feet of the front property line is either the height limit on the subject lot shown in the above table or the height maximum for the height area of the parcel directly across the principal street, whatever is less.
2. Buildings shall have a thirty (30) foot maximum height at the setback line associated with any rear or interior side lot line that abut a lot in an RH, RD, RM, or RU-1 zone; this maximum height shall increase one foot for every foot of distance away from this setback line. Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.
3. See Tables 17.101C.05 and 17.101C.06 for minimum retail square footage required and for potentially greater heights, stories, FAR, and residential density for mixed use or residential developments in the Height Area 45* when part of a large project that involves major retail development. There are five (5) Retail Priority Sites that comprise Height Area 45*. Priority Sites 3 and 5 are further divided into subareas a and c. Each Priority Site and subarea will have a specified minimum square footage of retail required prior to residential activities and facilities being permitted.
4. The allowed projections into the height limits contained in Section 17.108.030 are not counted towards the height minimum.
5. See Chapter 17.107 for affordable and senior housing incentives. A Secondary Unit may be permitted when there is no more than one unit on a lot, subject to the provisions of Section 17.102.360. Also applicable are the provisions of Section 17.102.270 with respect to additional kitchens for a dwelling unit, and the provisions of Section 17.102.300 with respect to dwelling units with five or more bedrooms.
6. Each square foot of private usable open space equals two square feet towards the total usable open space requirement, except that actual group space shall be provided in the minimum amount specified in the table per dwelling unit. All usable open space shall meet the standards contained in Chapter 17.126.

APPENDIX B: ZONING

B. Retail Priority Sites Minimum Square Footage of Retail Area for Residential Facilities. Table 17.101C.05 below prescribes the minimum square footage of retail area required for each Retail Priority Site before a residential or transient habitation activity or facility, or taller non-residential or mixed use facility is allowed. The number designations in the "Additional Regulations" column refer to regulations below the table.

Table 17.101C.05 Retail Priority Sites Minimum Square Footage of Retail Area for Residential Facilities		
Regulation	Minimum Retail Area (SF) Required to Develop Residential Facilities	Additional Regulations
Retail Priority Site 1	75,000 sf	1
Retail Priority Site 2	25,000 sf	1
Retail Priority Site 3		
3 (a)	35,000 sf	1
3 (b)	25,000 sf	1
3 (a) and (b)	60,000 sf	1
Retail Priority Site 4	80,000 sf	1
Retail Priority Site 5		
5 (a)	45,000 sf	1
5 (b)	80,000 sf	1
5 (a) and (b)	125,000 sf	1

Additional Regulations for Table 17.101C.05:

1. See additional regulations in Table 17.101C.06: Retail Priority Sites: Height, Floor Area Ratio (FAR), Density, Open Space, and Parking.

APPENDIX B: ZONING

- C. Retail Priority Sites: Height, Floor Area Ratio (FAR), Density, Open Space, and Parking.** Table 17.101C.06 below prescribes height, FAR, density, open space, and parking standards associated with the minimum retail area required in the Retail Priority Sites described in Table 17.101C.05 above. The number designations in the "Additional Regulations" column refer to regulations below the table.

Table 17.101C.06: Retail Priority Sites: Height, Floor Area Ratio (FAR), Density, Open Space, and Parking						
Regulation	Percentage (%) of Retail Area Equals the Square Footage of Large Retail Required from Table 17.101C.05 to Develop Residential Facilities*					
	100% of Min. Retail Area	125% of Min. Retail Area	150% of Min. Retail Area	175% of Min. Retail Area	200% of Min. Retail Area	Additional Regulations
Maximum Height	200 ft	200 ft	250 ft	250 ft	250 ft	1
Height Minimum	25 ft	25 ft	25 ft	25 ft	25 ft	
Maximum Residential Density (square feet of lot area required per dwelling unit)						
Regular Units	350	250	200	150	90	
Rooming Units	175	125	100	75	45	
Maximum Nonresidential FAR	8.0	8.0	10.0	10.0	10.0	
Maximum number of stories (not including underground construction)	21	21	24	24	24	
Minimum Usable Open Space						
Group Useable Open Space/regular unit	150	100	100	75	75	2
Group Useable Open Space when private open space is substituted/regular unit	30	30	30	20	20	2, 3
Group Useable Open Space/rooming unit	75	50	50	50	50	2
Group Useable Open Space when private substituted/rooming unit	15	10	10	10	10	2, 3
Minimum Required Parking						
Parking Spaces Required per regular unit	0.5	0.5	0.5	0.4	0	4
Parking Spaces Required per rooming unit	0.25	0.25	0.25	0	0	4

- The minimum retail area square footage required in Table 17.101C.05 for each Retail Priority Site is the basis for the percentage of retail area that the retail must equal. The retail square footage requirement includes the retail space, circulation, and open space within a retail development but does not include parking square footage.

Additional Regulations for Table 17.101C.06:

- Except for "Height Area 45*", the maximum height within ten (10) feet of the front property line is either the height limit on the subject lot shown in the above table or the height maximum for the height area of the parcel directly across the principal street, whatever is less.
- Required usable open space may be located anywhere on the lot except that not more than fifty percent (50%) of the required area may be located on the uppermost roof of any building. There is no limitation on rooftop open space on rooftop podiums that are not the uppermost roof of a building.
- Each square foot of private usable open space equals two (2) square feet towards the total usable open space requirement, except that actual group space shall be provided in the minimum amount specified in the table per dwelling unit. All usable open space shall meet the standards contained in Chapter 17.126.
- The minimum parking requirements in the D-BV zones supersede the minimums listed in the Oakland Planning Code Chapter 17.116, but all other parking requirements still apply.