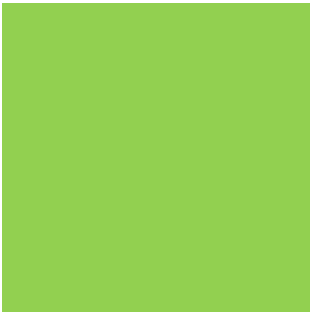


DOWNTOWN OAKLAND SPECIFIC PLAN ZONING

ZIP & Development Standards, September 13, 2022





City of Oakland

DOWNTOWN OAKLAND SPECIFIC PLAN

ZONING INCENTIVE PROGRAM (ZIP), DEVELOPMENT STANDARDS & TRANSFER OF DEVELOPMENT RIGHTS (TDR)

In the chat, please share:

- Your name (and pronouns if you would like)
- Your organization or neighborhood
- Which topic are you most excited to discuss?



INTRO
10 MIN
6:00-6:10

WELCOME

PRESENTATION
30 MIN
6:10-6:40

PRESENTATION

QUESTIONS
15 MIN
6:40-6:55

Q & A

DISCUSSION
25 MIN
6:55-7:20

SMALL GROUP DISCUSSION
(IF TIME PERMITS)

HIGHLIGHTS
5 MIN
7:20-7:25

LARGE GROUP REPORT-BACK

NEXT STEPS
5 MIN
7:25-7:30

NEXT STEPS & FEEDBACK OPTIONS



City of Oakland

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PRESENTATION



INTRODUCTION

INTRODUCTION TO DOSP & ZONING

COMMUNITY
BENEFITS

ZONING INCENTIVE PROGRAM (ZIP)

DESIGN &
INTENSITY

DEVELOPMENT STANDARDS

DESIGN

OBJECTIVE DESIGN STANDARDS

HISTORIC
PRESERVATION

TRANSFER OF DEVELOPMENT RIGHTS

PROCESS

MORE INFO & FEEDBACK



INTRODUCTION

COMMUNITY
HEALTH

CULTURE KEEPING &
ECONOMIC
OPPORTUNITY

ECONOMIC
OPPORTUNITY

COMMUNITY
HEALTH & MOBILITY

MOBILITY

INTRODUCTION TO DOSP & ZONING



OVERVIEW

INTRODUCTION TO DOSP & ZONING

Project Initiation

Existing Conditions Research & Profile Report
10-Day Public Design Charrette & Open Studio
Community Advisory Group (CAG) Launch
Plan Alternatives Report & Comment Memo
Stakeholder Meetings & Online Survey
Youth Summit

Plan Drafting & Iteration

Plan Options Report & Equity Assessment
Preliminary Draft Plan & Public Review
Public Review Draft Plan/EIR* & Public Hearings
Initial Zoning Incentive Program (ZIP) analysis

2015-2016

2017-2018

2018-2019

2020-2022

Racial Equity Re-Launch

Disparity Analysis
Expanded Outreach & CAG Membership
Social Equity Working Group Meetings
Creative Solutions Labs
Accessibility Survey

Final Plan, Zoning & Adoption

Final Draft Plan
Planning Code (Zoning) Amendments & Public Review
General Plan Amendments
Adoption Hearings



OVERVIEW

INTRODUCTION TO DOSP & ZONING

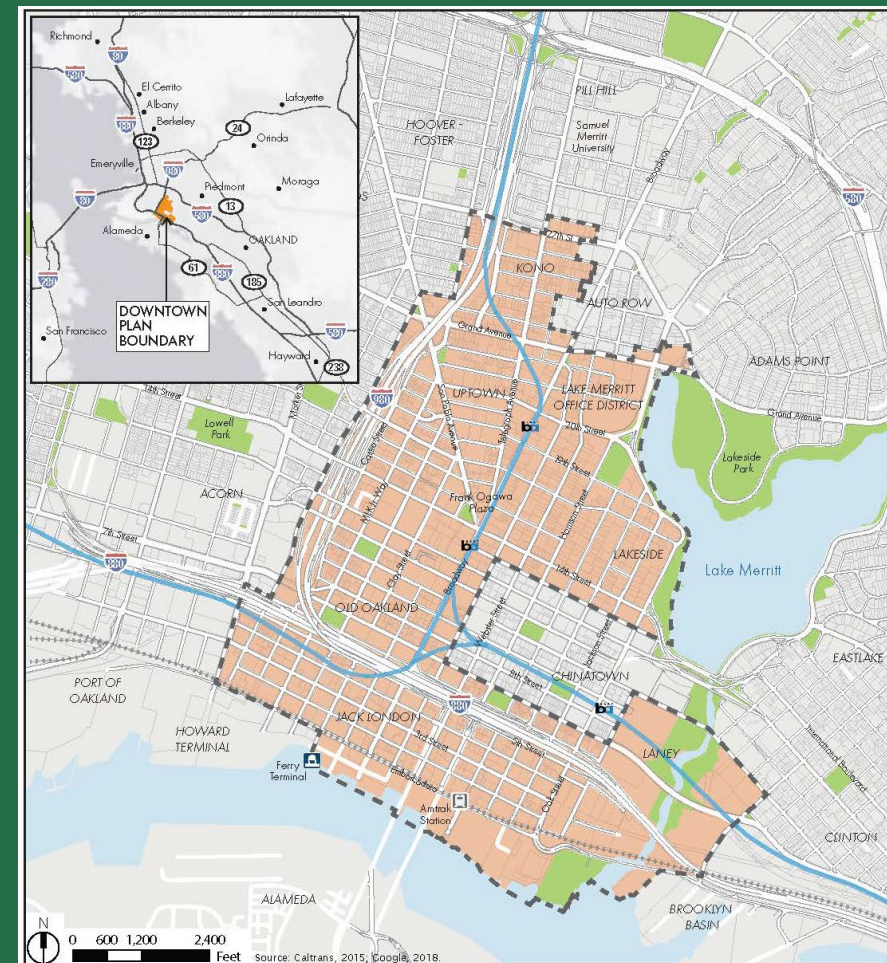
■ DOSP: A First for Downtown Oakland

1. Preliminary Draft
 - Public kick-off and ongoing public input
 - Groundbreaking equity analysis and engagement
 - Ongoing CAG, Board and Commission review
2. Public Review Draft & Draft Environmental Impact Report
 - Community comment and revision
 - Updated version to be brought with Zoning Amendments to City Council



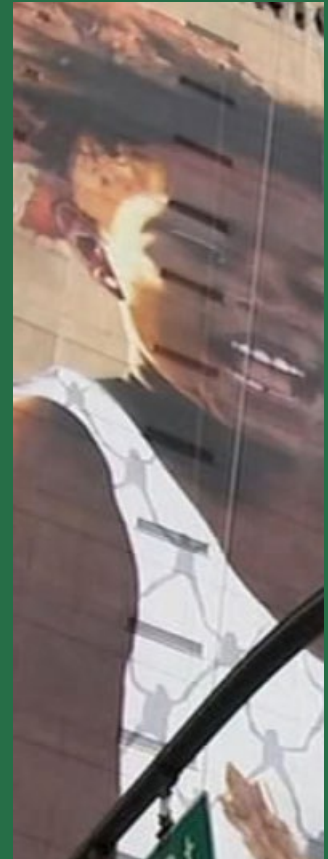
■ Implementing the DOSP

1. Targeted studies
2. Impact & development fee reassessment
3. City investment in housing, infrastructure, etc.
4. Initiatives and funding strategies
5. City staff allocations
6. Compliance with CEQA mitigation
7. Ongoing community monitoring and transparency
8. **Update zoning to reflect Plan objectives**



■ DOSP Objectives Guiding the Zoning Process:

1. Overarching Vision: Equity and Access
2. Economic Opportunity
3. Housing & Homelessness
4. Mobility, Safety & Connectivity
5. Culture Keeping
6. Community Health & Sustainability
7. Land Use & Urban Form





OVERVIEW

INTRODUCTION TO DOSP & ZONING

Component 1: Updated Land Use Activity Regulations (Meeting #1, May 11, 2022)

- Revised Zoning Map, including primary zones that match the goals of the DOSP and the Estuary Policy Plan
- Updated Activities Table – amends the activities that are allowed by right





OVERVIEW

INTRODUCTION TO DOSP & ZONING

Component 2: New Special Districts (Mtg #2, May 16, 2022)

- Sea Level Rise Overlay
- Arts & Culture Overlay (Black Arts Movement and Business District)
- Employment Priority Sites
- Green Loop & Lake Merritt Channel
- Freeway Zoning





OVERVIEW

INTRODUCTION TO DOSP & ZONING

Component 3: Property Development Standards, Height and Intensity Regs & Zoning Incentive Program (Meeting #3, tonight)

- Revised building design standards, upcoming objective design standards
- New height areas with increased height, residential density and nonresidential floor area ratio (FAR), if participating in the ZIP
- Zoning Incentive Program (ZIP) to provide community benefits in return for increased development intensity
- Transfer of development rights (TDR) program





INTRODUCTION

COMMUNITY
BENEFITS

DESIGN &
INTENSITY

DESIGN

HISTORIC
PRESERVATION

PROCESS

ZONING INCENTIVE PROGRAM (ZIP)



ZIP

ZONING INCENTIVE PROGRAM (ZIP)

Intent

- Achieve density in a walkable, transit-rich neighborhood
- Meet State and local goals for housing units, including providing affordable units on site or through Impact Fees
- Grow Oakland's economy and tax base to improve public services and fund community benefits citywide
- Achieve additional community benefits by capturing additional value development projects achieve through increased density



ZIP

ZONING INCENTIVE PROGRAM (ZIP)

Under the Zoning Incentive Program (ZIP), developers provide community benefits in return for increased development intensity.

On-Site Benefits:

- Affordable housing (amount dependent on affordability level)
- Below market-rate (50%), ground floor commercial space
- Streetscape, open space and other culturally-relevant neighborhood improvements
- Public restrooms in building lobby



ZIP

ZONING INCENTIVE PROGRAM (ZIP)

Under the Zoning Incentive Program (ZIP), developers provide community benefits in return for increased development intensity.

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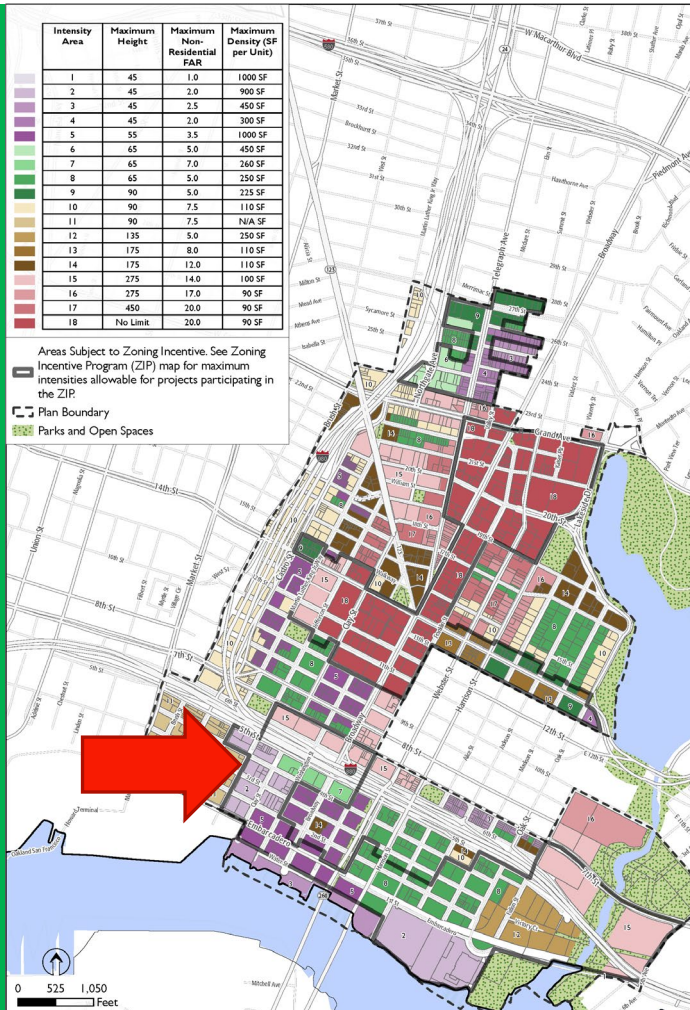
Optional Payment of In-Lieu Fee at higher cost:

- City may use in-lieu fees for any benefit listed above
- In-lieu fees may also be used for job training and employment programs

Maximum Height and Intensity without Zoning Incentive Program (ZIP) Participation

Example (Base):

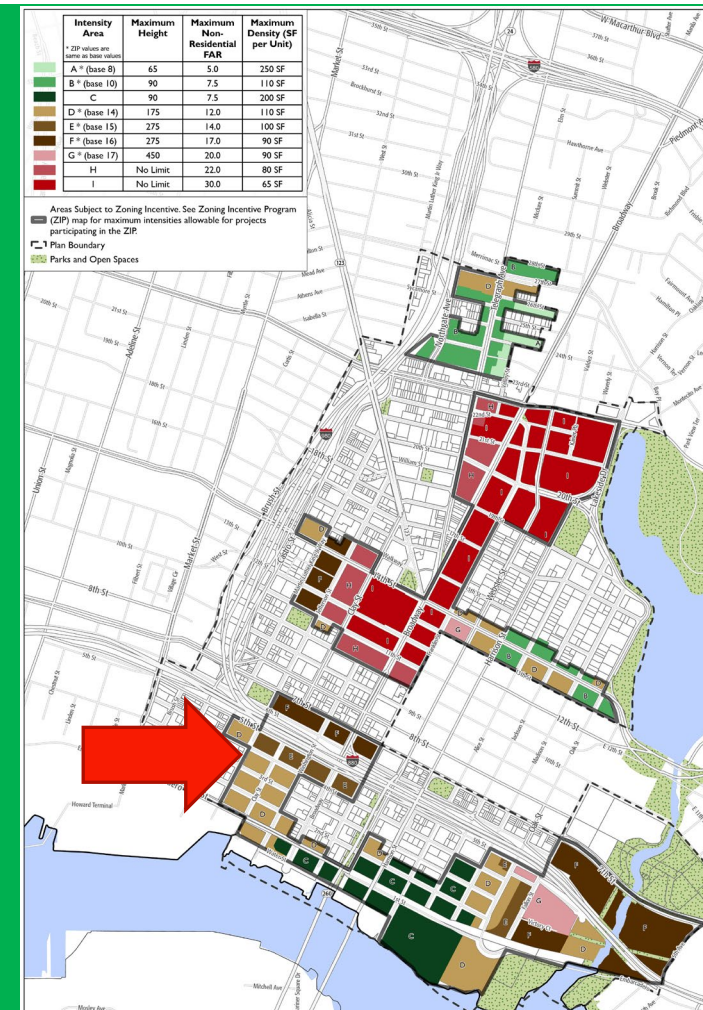
- Height: 45'
- Non-res FAR: 2.0
- Density: 900 SF



Maximum Height and Intensity if participating in the ZIP

Example (ZIP):

- Height: 175'
- Non-res FAR: 12.0
- Density: 110 SF





ZIP

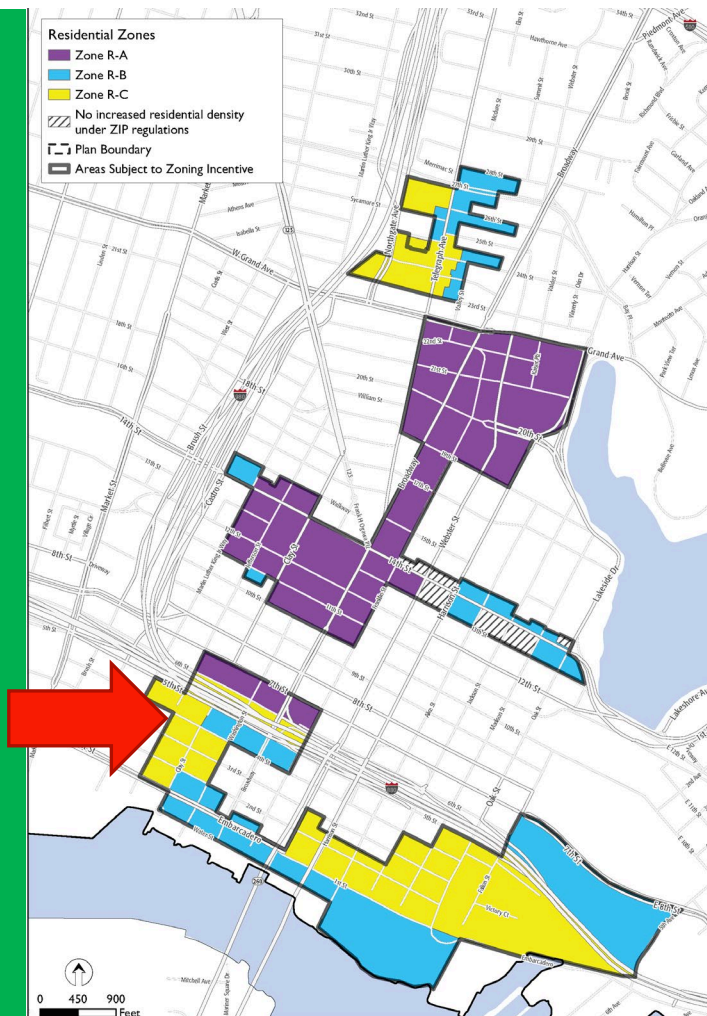
ZONING INCENTIVE PROGRAM (ZIP)

Benefits and Bonuses

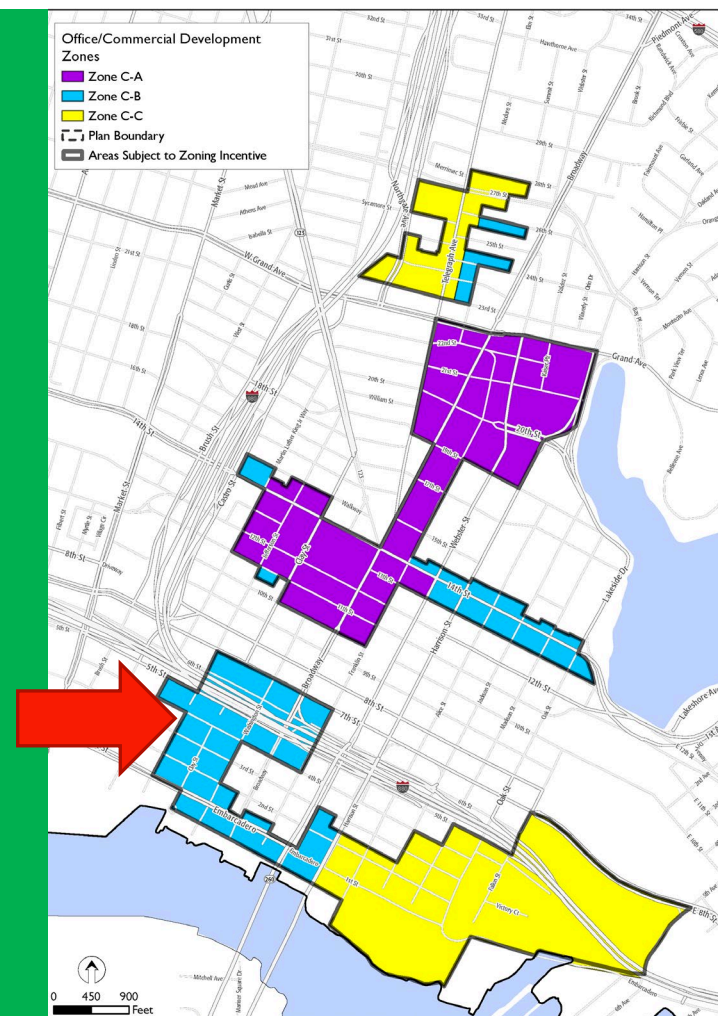
- Developers can earn either additional residential units or commercial square footage/floor area
- On-site benefits are encouraged with a 10% discount over in-lieu fees

Amount of benefit/in-lieu fee expected depends on the Benefit Area (based on market conditions) where the project is located (Updated 8/19/22)

Residential Benefit Areas
(to be allowed additional housing units)



Commercial Benefit Areas
(to be allowed additional commercial floor area/square footage)





ZIP

ON-SITE, BELOW-MARKET-RATE GROUND FLOOR COMMERCIAL SPACE

Cost: \$290 per sq. ft. subsidized

Additional Market Rate Units:

Allowance:

Number of additional market-rate units allowed for each 100 square feet of below-market rate commercial space:

- Benefit Area R-A: 1.5 units
- Benefit Area R-B: 2.1 units
- Benefit Area R-C: 2.7 units

Outcome:

Sq. Ft. of Subsidized Space Required to Support 100 market rate units:

- Benefit Area R-A: 6,828 sq. ft.
- Benefit Area R-B: 4,655 sq. ft.
- Benefit Area R-C: 3,724 sq. ft.



ZIP

ON-SITE, BELOW-MARKET-RATE GROUND FLOOR COMMERCIAL SPACE

Cost: \$290 per sq. ft. subsidized

Additional Commercial Space:

Allowance:	
Additional square feet of commercial space allowed for each 100 square feet of below-market rate commercial space provided	Benefit Area C-A: 1,465 sq. ft. Benefit Area C-B: 2,148 sq. ft. Benefit Area C-C: 2,685 sq. ft.
Outcome:	
Sq. Ft. of Subsidized Space Required to Support 100,000 of commercial space:	Benefit Area C-A: 6,828 sq. ft. Benefit Area C-B: 4,655 sq. ft. Benefit Area C-C: 3,724 sq. ft.



ZIP

ON-SITE BELOW-MARKET-RATE HOUSING UNITS

Additional Market-Rate Units -- Allowance

Number of additional units allowed for each affordable unit provided:

			Benefit Area		
			R-A	R-B	R-C
		Cost to Provide			
Extremely Low-Income	Studio	\$637,333	32	47	59
	1 Bedroom	\$774,400	39	57	72
	2 Bedroom	\$1,033,867	52	77	96
Very Low-Income	Studio	\$520,000	26	39	48
	1 Bedroom	\$640,533	32	47	59
	2 Bedroom	\$883,200	45	65	82
Low Income	Studio	\$461,333	23	34	43
	1 Bedroom	\$573,333	29	42	53
	2 Bedroom	\$807,733	41	60	75
Moderate Income	Studio	\$168,533	9	12	16
	1 Bedroom	\$238,400	12	18	22
	2 Bedroom	\$430,933	22	32	40



ZIP

ON-SITE BELOW-MARKET-RATE HOUSING UNITS

Additional Market-Rate Units -- Outcome

Rounded number of affordable units needed to support 100 additional market-rate units:

			Benefit Area		
		Cost to Provide	R-A	R-B	R-C
Extremely Low-Income	Studio	\$637,333	3	2	2
	1 Bedroom	\$774,400	3	2	1
	2 Bedroom	\$1,033,867	2	1	1
Very Low-Income	Studio	\$520,000	4	3	2
	1 Bedroom	\$640,533	3	2	2
	2 Bedroom	\$883,200	2	2	1
Low Income	Studio	\$461,333	4	3	2
	1 Bedroom	\$573,333	3	2	2
	2 Bedroom	\$807,733	2	2	1
Moderate Income	Studio	\$168,533	12	8	6
	1 Bedroom	\$238,400	8	6	5
	2 Bedroom	\$430,933	5	3	3



ZIP

PUBLICLY-ACCESSIBLE RESTROOMS

Cost: \$900,000 per pair of restrooms

Additional Market Rate Units:

Allowance:

Number of additional market-rate units allowed for each pair of publicly-accessible restrooms:

Benefit Area R-A:	45 units
Benefit Area R-B:	67 units
Benefit Area R-C:	83 units

Any remaining required funds would be paid toward other benefits.



ZIP

PUBLICLY-ACCESSIBLE RESTROOMS

Cost: \$900,000 per pair of restrooms

Additional Commercial Space :

Allowance:

Additional square feet of commercial space allowed for each pair of publicly-accessible restrooms:

Benefit Area C-A:	45,455 sq. ft.
Benefit Area C-B:	66,667 sq. ft.
Benefit Area C-C:	83,333 sq. ft.

Any remaining required funds would be paid toward other benefits.



ZIP

STREETSCAPE, OPEN SPACE AND FLOOD CONTROL IMPROVEMENTS

Per \$100,000 invested

Additional Market Rate Units:

Allowance:	
Number of additional market-rate units allowed for each \$100,000 invested:	Benefit Area R-A: 5.1 units Benefit Area R-B: 7.4 units Benefit Area R-C: 9.3 units
Outcome:	
Investment required to support 100 additional market rate units:	Benefit Area R-A: \$1,980,000 Benefit Area R-B: \$1,350,000 Benefit Area R-C: \$1,080,000



ZIP

STREETSCAPE, OPEN SPACE AND FLOOD CONTROL IMPROVEMENTS

Per \$100,000 invested

Additional Commercial Space:

Allowance:	
Additional square feet of commercial allowed for each \$100,000 invested:	Benefit Area C-A: 5,051 square feet Benefit Area C-B: 7,407 square feet Benefit Area C-C: 9,259 square feet
Outcome:	
Investment required to support additional 100,000 square feet of commercial space:	Benefit Area C-A: \$1,980,000 Benefit Area C-B: \$1,350,000 Benefit Area C-C: \$1,080,000



ZIP

IN-LIEU FEES

Table 17.101K.14 Zoning Incentive Program In-Lieu Fees for **Residential** Development (Updated 8/19/22)

	ZIP Residential Benefit Areas		
	R-A	R-B	R-C
Value of on-site benefit to be provided per additional market-rate unit (10% discount)	\$19,800	\$13,500	\$10,800
In-Lieu Fee per additional market-rate unit	\$22,000	\$15,000	\$12,000

Table 17.101K.15 Zoning Incentive Program In-Lieu Fees for **Commercial** Development (Updated 8/19/22)

	ZIP Commercial Benefit Areas		
	C-A	C-B	C-C
Value of on-site benefit to be provided per additional market-rate unit (10% discount)	\$19.80	\$13.50	\$10.80
In-Lieu fee per square additional foot of nonresidential floor area	\$22	\$15	\$12

Scope of Work

- Estimates of additional real estate value created by higher-intensity development
- Framework of “value capture” for community benefits
- Estimates of the costs of community benefits desired in exchange for higher-intensity development
- Magnitude of benefits that could be supported by ZIP project contributions



ZIP

ZIP ECONOMIC ANALYSIS

Methodology for Estimating Increased Real Estate Value from Higher-Intensity Development under the Zoning Incentive Program (ZIP)

- A. Use **pro-forma feasibility models** with Oakland costs and revenues 2021/2022 to identify:
 - Value created by development at Base maximum intensity zoning
 - Value created by development at ZIP maximum intensity zoning
- B. Assess **feasibility**
 - If not now feasible, adjust to identify feasible projects
- C. Calculate **increase in value** from higher intensity development as difference between Base zoning and ZIP zoning cases (assuming feasible projects)
 - \$ per additional building sq. ft.
 - \$ per additional dwelling unit
- D. Identify **value capture for community benefits** as share of additional real estate value that could be contributed while retaining incentive for developers and landowners to build at higher intensity
- E. Do **large number of analyses** for zoning combinations proposed
- F. **Generalize** results to facilitate implementation





ZIP

ZIP ECONOMIC ANALYSIS

DOSP Zoning Incentive Program (ZIP) Compared to CA Density Bonus Law Important Characteristics and Factors

	DOSP Zoning Incentive Program	CA Density Bonus Law
Objective	Encourage high density development downtown while capturing value for community benefits	Encourage on-site affordable housing by offering higher density and regulatory concessions
Voluntary Program	Yes	Yes
Additional Density	+11% - 808% more density than base 65% of cases more than double allowable density	+20% more density than base plus regulatory concessions least costly option for higher density development in DOSP
On-site Affordable Housing	Can choose as community benefit; amount and type dependent on benefit area requirements	5% very low-income units on-site
Payment of Affordable Housing Impact Fees	Yes – base development Yes – additional density	No – base development No – additional density



ZIP

ZIP ECONOMIC ANALYSIS

DOSP Zoning Incentive Program (ZIP) Compared to CA Density Bonus Law Differences in Outcomes for Housing Supply and Resources for Affordable Housing Production in Oakland

	DOSP Zoning Incentive Program	CA Density Bonus Law
Analysis of 26 Development Sites Representative of ZIP Densities in DOSP	11% - 808% more density	20% more density
Total Housing Units (base + bonus)	9,862	5,393
Market Rate Units (base + bonus)	9,745	5,160
Very Low-Income Units On-Site	117	233
Affordable Housing Impact Fee Revenue to Housing Trust Fund	\$260 million	\$0
Percent Increase in Boomerang Dollars for Housing Trust Fund	123%	21%

- ◆ Higher density potential under ZIP generates more total units and more market rate housing units
- ◆ CA Density Bonus provides more on-site affordable housing units
- ◆ ZIP generates substantially more revenue for Oakland's Housing Trust Fund for affordable housing production
 - Trust Fund leverages additional funding in range of \$4 - \$7 for every local dollar
- ◆ ZIP can increase incentive to use CA Density Bonus on top of ZIP to get benefit of regulatory concessions on total project



INTRODUCTION

COMMUNITY
BENEFITS

DESIGN &
INTENSITY

DESIGN

HISTORIC
PRESERVATION

PROCESS

DEVELOPMENT STANDARDS



DEVELOPMENT STANDARDS

Building Design Standards

- Include requirements for fenestration, materials, ground floor, height, active space, and parking and loading location
- Require tall building bases between 45-85' with a tower setback from the base (exceptions for office towers, small lots, transitions to historic buildings, context)
- Prevent expanses of blank walls on elevations visible from the street
- Discourage the heavy use of tinted windows
- Require breaking up the volume of buildings and creating a building terminus
- Decrease maximum parking allowed in residential development from 1.25 to 1 space per unit



INTRODUCTION

COMMUNITY
BENEFITS

DESIGN &
INTENSITY

DESIGN

HISTORIC
PRESERVATION

PROCESS

OBJECTIVE DESIGN STANDARDS



OBJECTIVE DESIGN STANDARDS

- Citywide project
- Meets State legislation requiring objective standards to permit housing
- Includes tower regulations
- Downtown standards to be fast-tracked
- Public meeting will be held to discuss



INTRODUCTION

COMMUNITY
BENEFITS

DESIGN &
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DESIGN

HISTORIC
PRESERVATION

PROCESS

TRANSFER OF DEVELOPMENT RIGHTS



TRANSFER OF DEVELOPMENT RIGHTS (TDR) PROGRAM

- Allows transfer of FAR and density from historic sites in the DOSP area to non-historic ZIP sites in the DOSP area
- Only half the development capacity allowed under the ZIP may be achieved through the TDR program (to encourage participation in ZIP)
- Transfers are arranged privately, with agreement approved by City Attorney and filed with the Alameda County Recorder
- Requires a CUP with a finding that the height and bulk of the proposal for the receiving site is consistent with the desired character of the block and area.



INTRODUCTION

COMMUNITY
BENEFITS

DESIGN &
INTENSITY

DESIGN

HISTORIC
PRESERVATION

PROCESS

MORE INFO & FEEDBACK



NEXT STEPS

MORE INFORMATION & FEEDBACK

- More information:
 - Website: bit.ly/OakDOSP
 - Review a [summary of changes](#), [maps](#) & [text of amendments](#)
 - Watch [videos](#) about the DOSP and zoning
- Public Feedback Options
 - Comment on interactive draft ([Konveio](#))
 - Survey (to be sent to mailing list – sign up [here](#))
 - Email PlanDowntownOakland@oaklandca.gov



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Q & A



City of Oakland

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SMALL GROUP DISCUSSION
(IF TIME PERMITS)



SMALL GROUP DISCUSSION

- What do you like about the following draft programs and amendments? What do you recommend changing?
 1. Zoning Incentive Program (ZIP)
 2. Development Standards
 3. Transfer of Development Rights (TDR)

- Report Back
 1. What was the top aspect of the Draft Zoning Amendments that your group liked?
 2. What was the top concern?



City of Oakland

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LARGE GROUP REPORT-BACK



LARGE GROUP REPORT-BACK

- **In 30 Seconds:**

1. What was the top aspect of the Draft Zoning Amendments that your group liked?
2. What was your group's top concern?



City of Oakland

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DOWNTOWN OAKLAND SPECIFIC PLAN ZONING

ZIP & Development Standards, September 13, 2022



City of Oakland

