

INTRODUCED BY COUNCIL MEMBER _____

CITY ATTORNEY

ORDINANCE No. 10943 C. M. S.

ORDINANCE AMENDING SECTION 2322 AND 9201(A)(2) OF THE OAKLAND PLANNING CODE RELATING TO REVERSE VENDING MACHINES AND OTHER SMALL RECYCLING COLLECTION CENTERS.

WHEREAS, on November 18, 1987, the City Planning Commission initiated action to amend Sections 2322 and 2901(a)(2) of the Oakland Planning Code; and

WHEREAS, notice of public hearing on this matter was given on November 24, 1987; and

WHEREAS, at the meeting of the City Planning Commission held December 2, 1987 it voted to recommend amending the Oakland Planning Code as set forth hereinafter; and

WHEREAS, said recommendation of the City Planning Commission came regularly on for hearing before the City Council; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the Guidelines as prescribed by the Secretary for Resources, and the provisions of the Statement of Objectives, Criteria and Procedures for Implementation of the California Environmental Quality Act: City of Oakland, as amended, have been satisfied, and that in accordance with Section 15061(b)(3) of the California Administrative Code it can be seen with certainty that there is no possibility that the amendments in question may have a significant effect on the environment, and therefore the amendments are not subject to the California Environmental Quality Act; and

WHEREAS, the Council finds and determines that the public safety, health, convenience, comfort, prosperity and general welfare will be furthered by the proposed amendments; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2322 of the Oakland Planning Code is hereby amended to read as follows:

2322 EXTENSIVE IMPACT CIVIC ACTIVITIES.

Extensive Impact Civic Activities include the activities typically performed by, or the maintenance and operation of, the following institutions and installations. They also include certain activities accessory thereto, as specified in Section 2211.

- (a) Airports, heliports, and helistops.
- (b) Cemeteries, mausoleums, and columbariums.
- (c) Colleges, junior colleges, and universities, but excluding business schools operated as profitmaking enterprises.

ATTACHMENT A

- (d) Detention and correction institutions.
- (e) Docks and wharves operated by a public agency.
- (f) Electric transmission lines.
- (g) Garbage dumps.
- (h) Golf courses.
- (i) Major mail-processing centers.
- (j) Military installations.
- (k) Public and public utility corporation or truck yards.
- (l) Radio and television transmission stations.
- (m) Railroad and bus terminals.
- (n) Railroad rights-of-way and yards and bus storage areas.
- (o) Reservoirs and water tanks.
- (p) Sewage disposal tanks.
- (q) Stadiums, sports arenas, auditoriums, and bandstands.
- (r) Truck terminals operated by a public agency.
- (s) Zoological gardens.
- (t) Reverse vending machines and other small recycling collection centers.
- (u) Large recycling collection centers.

SECTION 2. Section 9201(a)(2) of the Oakland Planning Code is hereby amended to read as follows:

9201 DEFINITION OF MAJOR AND MINOR CONDITIONAL USE PERMITS.

(a) Major Conditional Use Permit. A Major Conditional Use Permit is a conditional use permit which involves any of the following purposes:

- 2. Any Adult Entertainment Activity, Massage Service Activity, Residential Care Activity, Extensive Impact Civic Activity, (but excluding reverse vending machines and other small recycling collection centers), Convenience Market, Fast-Food Restaurant, Group Assembly, Automotive Servicing, Automotive Repair and Cleaning or Undertaking Service Commercial Activity, Heavy Manufacturing Activity, or Mining and Quarrying Extractive Activity, except where the proposal involves only accessory parking, the resumption of a discontinued nonconforming activity, or an addition to an existing activity which does not increase the existing floor area by more than 20 percent.

SECTION 3. That this ordinance complies with the requirements of the California Environmental Quality Act.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 9 1988, 19__

PASSED BY THE FOLLOWING VOTE:

HASKELL

AYES— BAZILE, CANNON, ~~GIBSON~~, GILMORE, MOORE, OGAWA, RILES, SPEES, and PRESIDENT WILSON , - 8

NOES— NONE

ABSENT— GILMORE, - 1

ABSTENTION— NONE

ATTEST:

Marie McKechnie
for ARRECE JAMESON
City Clerk and Clerk of the Council
of the City of Oakland, California