

# 4.6

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## Land Use and Planning

This section describes existing land uses in and around the Planning Area, pertinent City and regional land use policies and regulations, and the potential impacts of the proposed Specific Plan related to the physical division of an established community, fundamental conflicts between land uses, and fundamental conflicts with applicable land use plans and policies adopted for purposes of avoiding or mitigating environmental impacts.

### Physical Setting

#### Surrounding Land Uses

Existing land uses surrounding the Planning Area are described below. Beginning north of the Planning Area and preceding clockwise, the surrounding land uses include the following:

- To the north is the Emeryville portion of the East BayBridge Shopping Center (the shopping center is located partly in Oakland and partly in Emeryville), which contains regional commercial, community commercial and medium-density residential uses. Other residential, light industrial, office and public uses are located further to the north in Emeryville.
- Interstate 580 is located along the northern boundary of the Planning Area. North of I-580 is the Longfellow residential neighborhood around MacArthur Boulevard and 40th Street in North Oakland.
- To the northeast is the MacArthur BART Station, within the median of the State Route 24 freeway. Phase 1 of the MacArthur Transit Village, which will provide 624 new high-density, multifamily housing units, retail space, and a new 478-space BART parking garage, is currently under construction adjacent to the MacArthur BART Station.
- Interstate 980 is located along the eastern boundary of the Planning Area. East of I-980 are the Pill Hill and Uptown neighborhoods, Downtown Oakland, City Center, Old Oakland and the 19th Street and 12th Street BART Stations.
- To the southeast is the waterfront Jack London District with Jack London Square, Amtrak's Oakland Jack London Square Station, and the Oakland Ferry Terminal.
- The Port of Oakland, the fifth busiest port in the United States, lies to the south and west of the Planning Area. Interstate 880, the Union Pacific Railroad and the Burlington Northern and Santa Fe (BNSF) Railroad are located along the southern and western boundary of the Planning Area. The Union Pacific Intermodal Yard lies south of I-880, within the Port. Port shipping terminals line the Oakland Estuary/Inner Harbor Channel further south and the Outer Harbor Channel to the west. The BNSF Intermodal Yard and Middle Harbor Park are to the southwest.
- Interstate 880 is located along the western boundary of the Planning Area. The Union Pacific Railroad and the BNSF Railroad, and the Knight Rail Yard are located underneath and immediately

west of I-880. The former Oakland Army Base (OARB), and former OARB Redevelopment Area, lies west of I-880. The Oakland Base Reuse Authority (OBRA) currently leases space for various transportation, industrial and commercial uses until the former Army Base is redeveloped for its permanent non-military uses. The proposed 2012 Oakland Army Base Project would provide a new state of the art Trade and Logistics Center, with warehouse and distribution facilities to support cargo logistics and associated roadway, railroad and infrastructure improvements.<sup>1</sup>

- To the northwest are the East Bay Municipal Utilities District (EBMUD) Main Wastewater Treatment Plant, the I-80/I-580/I-880 interchange, and the Emeryville Crescent State Marine Reserve on the shore of San Francisco Bay. The eastern terminus of the San Francisco-Oakland Bay Bridge, and the bridge toll plaza and maintenance facilities, lie further to the northwest.

### Existing Land Use within the Planning Area<sup>2</sup>

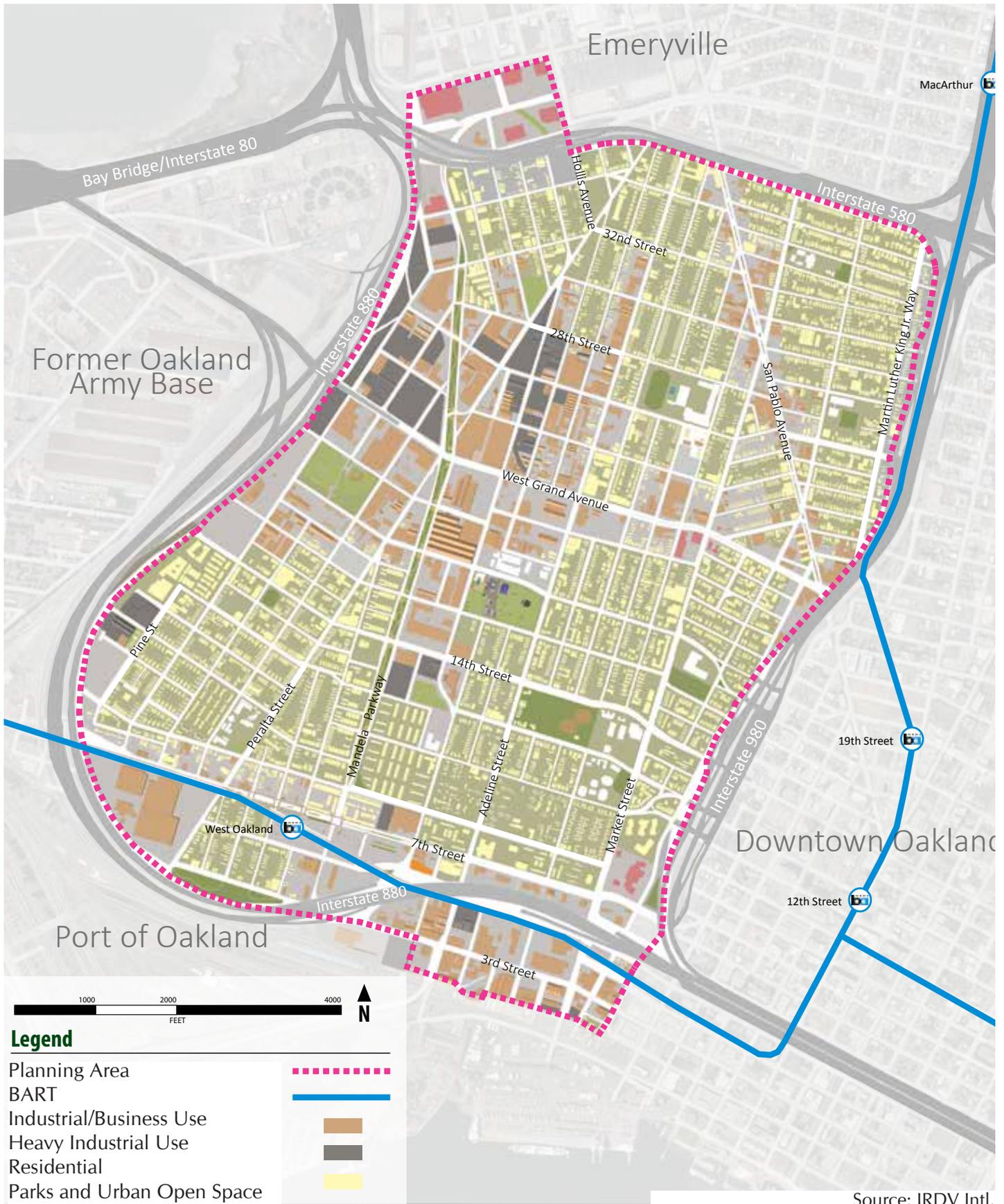
Existing land use in the Planning Area is summarized in **Table 4.6-1** and illustrated in **Figure 4.6-1**. The Planning Area comprises approximately 1,900 acres divided into 6,340 parcels. Residential uses occupy about 59 percent of the land in West Oakland, generally concentrated in the northern, eastern and southwestern portions of the area. Industrial, commercial and auto-related/parking uses occupy about 23 percent of the land area, and government/institutional and utilities uses occupy the remaining 18 percent. The industrial uses are concentrated around Mandela Parkway and West Grand Avenue, and in the vicinity of 3rd Street. Commercial uses primarily occur at the northern end near Emeryville, and along San Pablo Avenue, the eastern end of West Grand Avenue, Market Street and 7th Street. The relatively large amount of land devoted to government, institutional and utilities uses includes land owned by Caltrans, the Union Pacific Railroad, the U.S. Postal Service, BART, EBMUD, the Oakland Unified School District, the Oakland Housing Authority, and the City of Oakland.

Each Opportunity Area is distinguished by a unique mix of existing land uses and business activities, as described below.

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<sup>1</sup> City of Oakland, 2012 Oakland Army Base Project Initial Study/Addendum, May 2012.

<sup>2</sup> Existing land use patterns in West Oakland are described by data from the Alameda County Assessor's Office, as available from the City of Oakland, Community and Economic Development Agency in 2011. The County Assessor's Office is the recognized source of comprehensive, parcel-based property data. Data are collected and recorded using a standardized methodology, for the primary purpose of property tax assessment. The Assessor's data are parcel-based and provide information on the number of parcels of land and the square feet of parcel land area devoted to uses of various types (residential, industrial, commercial, etc.). The data do not include the square feet of building space that is located on the land in the area. the City of Oakland, Community and Economic Development Agency in 2011. The County Assessor's Office is the recognized source of comprehensive, parcel-based property data. Data are collected and recorded using a standardized methodology, for the primary purpose of property tax assessment. The Assessor's data are parcel-based and provide information on the number of parcels of land and the square feet of parcel land area devoted to uses of various types (residential, industrial, commercial, etc.). The data do not include the square feet of building space that is located on the land in the area.



**Figure 4.6-1**  
**Existing Land Use in the Planning Area**



**Table 4.6-1: All of West Oakland Existing Land Use**

Land Use	West Oakland		Mandela/West Grand Opportunity Area		7th Street Opportunity Area		3rd Street Opportunity Area		San Pablo Avenue Opportunity Area	
	Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent
Industrial/Warehouse	335.0	17.6	205.8	59.1	15.8	14.0	39.2	61.8	7.6	17.1
Government/Institutional/Utilities <sup>2</sup>	346.2	18.2	89.1	25.6	88.2	77.9	11.6	18.3	3.5	8.1
Auto-Related/Parking <sup>3</sup>	20.5	1.1	2.2	0.6	2.6	2.3	4.5	7.2	5.7	12.9
Commercial <sup>4</sup>	85.7	4.5	35.0	10.0	4.0	3.5	7.6	11.9	9.5	21.6
Residential	1,115.2	58.6	16.4	4.7	2.6	2.3	0.5	0.8	17.8	40.3
N/A <sup>5</sup>	4.8	-	2.4	-	2.1	-	-	-	0.2	-
<b>TOTAL</b>	<b>1,907.4</b>	<b>100.0</b>	<b>350.9</b>	<b>100.0</b>	<b>115.3</b>	<b>100.0</b>	<b>63.4</b>	<b>100.0</b>	<b>44.3</b>	<b>100.0</b>

Source: Alameda County Assessor; City of Oakland; Hausrath Economics Group.

<sup>1</sup> Percent of total excluding parcels with incomplete records (N/A).

<sup>2</sup> Includes land owned by government such as Caltrans, BART, Oakland Unified School District, Oakland Housing Authority, City of Oakland (public parks, community centers), and the U.S. Government (Post Office), by non-profit institutions such as churches, and by public utilities such as EBMUD and railroads.

<sup>3</sup> Auto-related uses besides parking include land for repair garages, dealerships, car washes, and service/fuel stations for autos, trucks, and other vehicles.

<sup>4</sup> Includes land for retail, restaurant, office, hotel/motel, theater, service, and other commercial uses, excluding auto-related commercial shown separately.

<sup>5</sup> Records incomplete; use not identified.

### Mandela/West Grand Opportunity Area

The Mandela/West Grand Opportunity Area comprises approximately 243 net acres<sup>3</sup>, of which over 175 acres (72 percent) remains in industrial and business use (**Table 4.6-2**). The area historically has been predominantly general industrial, manufacturing, and transportation in use. Over time, many of the larger manufacturing industries have left the area, leaving older structures and facilities, some of which are functionally obsolete or do not meet current building standards and market conditions. Many of the remaining industrial properties are actively used, while others are vacant or underutilized.

The Mandela/West Grand Opportunity Area includes a mix of older and newer types of business activities. There are a number of businesses involved in construction, building materials, and related activities. There also are smaller custom manufacturing and related businesses including those involved with metals/plastics, printing, food products, and clothing/fashion. The area has attracted numerous arts and creative businesses, including larger industrial arts, smaller arts manufacturing, digital arts and media, and film/photo/video services. These businesses are attracted by the affordability and availability of larger industrial spaces. There also are small professional service and related businesses (architects, landscape designers, consultants, and communications), typically in older industrial buildings. The area also includes businesses involved in trucking, maritime port support activities, warehouse, and import/export, because of its central location, and its proximity to the freeway system and the Port of Oakland.

**Table 4.6-2: Existing Land Use–Mandela/West Grand Opportunity Area**

Land Use	Non-Residential			Residential	
	Land Area (acres)	Building Area (sq. ft.)	Employment	Housing Units	Population
Industrial/Business	175	4,000,000	4,940		
Commercial/Retail	22	300,000	500		
sub-total	197	4,300,000	5,440		
Single Family and Townhomes	19			110	259
Multi-family Residential / Housing Mix	0			0	0
sub-total	19			110	259
Open Space	27				
<b>TOTAL</b>	<b>243</b>	<b>4,300,000</b>	<b>5,440</b>	<b>110</b>	<b>259</b>

<sup>3</sup> Net acres is exclusive of public right-of-way and other non-parceled portions of the Planning Area

### 7th Street Opportunity Area

The 7<sup>th</sup> Street Opportunity Area comprises about 65 net acres, of which nearly 51 acres (78 percent) is owned by government agencies and utilities, including BART, Caltrans, the Union Pacific Railroad, and the U.S. Postal Service (**Table 4.6-3**). The area includes the BART station, parking lots, vacant parcels left from reconfiguring the I-880 freeway and ramps, and industrial arts uses such as the Crucible (industrial arts). The remnants of the former 7th Street commercial corridor occupy the north side of the street and the large U.S. Postal Service mail sorting facility is on the south side. The Pine Street area contains older industrial sites, recycling, industrial arts activities, as well as vacant Caltrans-owned parcels.

**Table 4.6-3: Existing Land Use– 7th Street Opportunity Area**

	Land Area (acres)	Non-Residential		Residential	
		Building Area (sq. ft.)	Employment	Housing Units	Population
<b>Existing</b>					
Industrial/Business/Institution (including BART Station, Surface Parking, Post Office)	58	1,790,000	1,870		
sub-total	58	1,790,000	1,870		
Mixed-Use, Comm./Res	6	5,000	10	35	85
Single Family and Townhomes	1			50	119
sub-total	1			85	204
<b>TOTAL</b>	<b>65</b>	<b>1,795,000</b>	<b>1,880</b>	<b>85</b>	<b>204</b>

### 3rd Street Opportunity Area

The 3rd Street Opportunity Area comprises 68 net acres, of which 60 acres (88 percent) is industrial and truck service (**Table 4.6-4**). Industrial businesses include food and beverage production, transportation services, and construction-related uses. The area includes attractive older warehouse buildings that have been converted to light industrial and small office/business uses including architects and designers, insurance and financial services, import/export businesses, communications, computer services, consulting, art studios, publishing and printing, and photo/audio services. Commercial uses represent 12 percent of the area, most of it in the Jack London Gateway Shopping Center on Market Street just north of 7th Street. Government uses include the Union Pacific Railroad, BART, and the City of Oakland.

**Table 4.6-4: Existing Land Use–3rd Street Opportunity Area**

	Non-residential		Residential		
	Land Area (acres)	Building Area (sq. ft.)	Employment	Housing Units	Population
Land Use					
Industrial/Business	60	1,040,000	1,690		
Commercial/Retail	8	50,000	80		
sub-total	68	1,090,000	1,770		
Mixed Use	0	0	0	0	0
sub-total	0	0	0	0	0
Single Family and Townhomes	0			0	0
Multi-family Residential / Housing Mix	0			0	0
sub-total	0	0		0	0
<b>TOTAL</b>	<b>68</b>	<b>1,090,000</b>	<b>1,770</b>	<b>0</b>	<b>0</b>

#### San Pablo Avenue Opportunity Area

The San Pablo Avenue Opportunity Area comprises approximately 44 acres, with 40 percent in residential use and 60 percent a mix of commercial, auto-related, industrial/warehouse, and institutional uses (**Table 4.6-5**). San Pablo Avenue is an older commercial corridor containing a number of vacant and underutilized properties. There are a number of auto services, repair and fuel businesses. Other commercial space includes health and social service organizations, eating and drinking places, arts and photography businesses, and several vacant storefronts and parcels. Industrial uses include smaller warehouse space, construction-related businesses, self-storage and hauling services.

**Table 4.6-5: Existing Land Use–San Pablo Avenue Opportunity Area**

	Non-Residential			Residential	
	Land Area (acres)	Building Area (sq. ft.)	Employment	Housing Units	Population
Existing					
Commercial/Retail	5	90,000	80		
Mixed-Use Comm./Residential	30	700,000	600	30	70
Single Family and Townhomes	2			40	96
<b>TOTAL</b>	<b>37</b>	<b>790,000</b>	<b>680</b>	<b>70</b>	<b>165</b>

## Land Use Designations and Zoning

### General Plan Land Use Designations

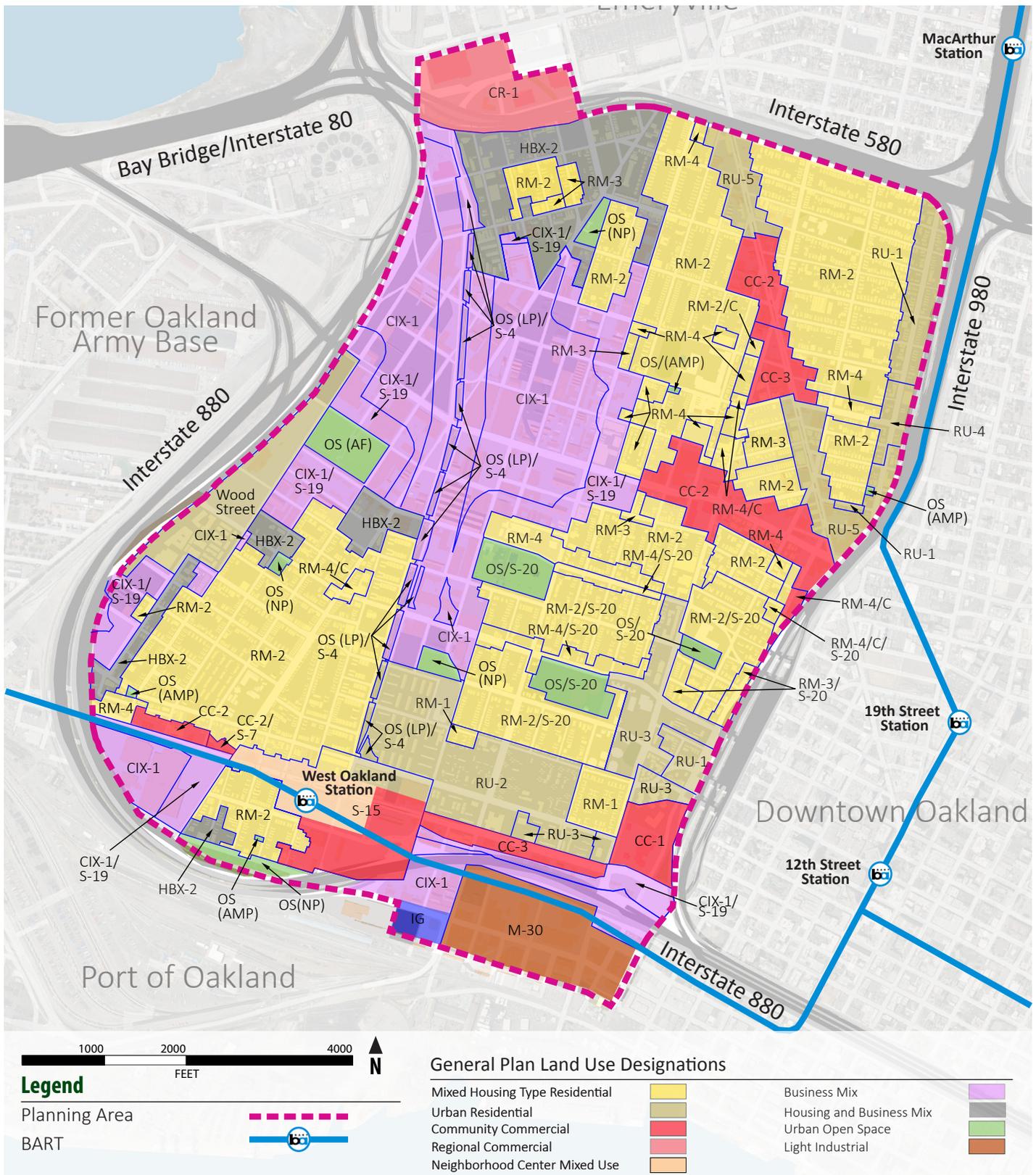
The General Plan Land Use Diagram and land use classifications define the type, location, intensity and density of development allowed throughout the city. The existing General Plan land use designations within the Planning Area are illustrated on **Figure 4.6-2** and described below, and summarized in **Table 4.6-6**.

#### *Business Mix*

This land use designation is a flexible “economic development zone” which strives to accommodate older industries and anticipate new technologies, including light industrial, research and development, low impact manufacturing, and commercial operations. It is intended for areas that are appropriate for a wide variety of businesses, and related commercial and industrial establishments while buffering nearby residential districts from the heavier industrial uses. High impact industrial uses including those that have hazardous materials on-site may be allowed provided that they are adequately buffered from residential areas. In some locations, zoning should direct lower intensities to establish campus-like settings; in other locations zoning should allow maximum flexibility. Where higher impact uses are located, buffering strategies will be needed. The maximum FAR is 4.0. This designation is applied to the majority of the Mandela/West Grand and 3<sup>rd</sup> Street Opportunity Areas, and the Pine Street portion of the 7<sup>th</sup> Street Opportunity Area.

#### *General Industrial/Transportation*

This land use designation allows a wide variety of uses including heavy industrial and manufacturing, transportation, rail yards, maritime terminals, distribution and warehousing, food processing, heavy impact research and development facilities. It is intended for areas where businesses may have the potential for off-site impacts such as noise, light and glare, truck traffic and odors. The maximum FAR is 2.0. This designation is applied to one block in the 3<sup>rd</sup> Street Opportunity Area adjacent to the Port of Oakland.



Source: City of Oakland General Plan

**Figure 4.6-2**  
Existing General Plan Land Use Designations



West Oakland Specific Plan, Draft EIR

### *Light Industry (Estuary Policy Plan)*

The portion of the Planning Area south of 5<sup>th</sup> Street and east of Adeline Street, comprising the majority of the 3<sup>rd</sup> Street Opportunity Area, lies within the area covered by the Estuary Policy Plan and is designated Light Industry.<sup>4</sup> The Light Industrial land use designation is intended to maintain light industrial and manufacturing uses that support the adjacent maritime area and Downtown, and that are compatible with the adjacent West Oakland neighborhood. The maximum FAR is 2.0.

### *Regional Commercial*

This land use designation is intended for areas that serve as region-drawing centers of activity. It allows a mix of commercial, office, entertainment, arts, recreation, sports, and visitor serving activities, housing, mixed-use development and other uses of similar character or supportive of regional drawing power. The maximum FAR is 4.0. Maximum residential density is 125 units per gross acre, in a mixed-use project. This designation is applied to the East BayBridge Shopping Center north of I-580.

### *Community Commercial*

This land use designation is intended for areas suitable for a wide variety of larger-scaled retail, business and personal services, and institutional operations along major corridors and in shopping districts. Community Commercial areas can be complemented by the addition of urban residential development and compatible mixed-use development. The maximum FAR is 5.0. The maximum residential density is 125 units per gross acre. This designation is applied to properties along 7th Street from Wood Street to Peralta Street, and 7th Street from the BART station to I-980, on San Pablo Avenue from 27th Street to 32nd Street, and along West Grand Avenue from Linden Street to San Pablo Avenue.

### *Neighborhood Center*

This land use designation allows commercial or mixed uses that are pedestrian-oriented and serve nearby neighborhoods, or urban residential with ground floor commercial. These centers are typically characterized by smaller scale pedestrian-oriented, continuous street frontage with a mix of retail, housing, office, active open space, eating and drinking places, personal and business services, and smaller scale educational, cultural or entertainment uses. Vertical integration of uses, including residential units above street-level commercial space, is encouraged. The maximum floor area ratio (FAR) is 4.0. The maximum residential density is 125 units per gross acre. This designation is applied to 7<sup>th</sup> Street around the West Oakland BART Station.

### *Housing and Business Mix*

This land use designation recognizes the equal importance of both housing and business, and is intended to guide a transition from heavy industry to low impact light industrial and other businesses that can co-exist compatibly with residential development. Future business development within this designation should be compatible with housing, and residential development should recognize the mixed business nature of the area. The maximum residential density is 30 principal units per gross acre. The maximum FAR is 3.0. This designation is applied to portions of the Prescott and Clawson neighborhoods.

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<sup>4</sup> The Estuary Policy Plan is part of the General Plan and establishes land use designations and policy for the Estuary shoreline, extending from Adeline Street to 66th Avenue, including all lands west of I-880 that are within City or Port of Oakland jurisdiction.

### *Mixed Housing Type Residential*

This land use designation allows development of a mix of single family homes, townhouses, and small multi-unit buildings. It is intended for residential areas typically located along major arterial roads. Development should be primarily residential in character, with live-work types of development, small commercial enterprises, schools, and other small scale, compatible civic uses possible in appropriate locations. Maximum allowable density is 30 principal units per gross acre. Pockets of lower density housing should be preserved through zoning. This designation is applied to the residential neighborhoods that comprise the majority of the Planning Area outside the Opportunity Areas.

### *Urban Residential*

This land use designation allows multi-unit, mid-rise or high-rise residential structures in locations with good access to transportation and other services. Mixed-use buildings with ground floor commercial uses and public facilities of compatible character are also encouraged. Where lower density detached housing adjoins urban residential the zoning should create a transition area between the two. Maximum allowable density is 125 units per gross acre. This designation is applied to higher density residential areas, including the Wood Street Project, Acorn neighborhood, Oakland Housing Authority projects, along Martin Luther King Jr. Way, and along San Pablo Avenue north of 32nd Street to I-580, and south of 27th Street to West Grand Avenue.

### *Institutional*

This land use designation allows educational, cultural, health, and medical uses, with appropriate development standards that address edge conditions adjacent to residential areas. The maximum FAR is 8.0. This designation is applied to schools and other public facilities in the Planning Area.

### *Urban Open Space*

This land use designation applies to the urban parks and open spaces in the Planning Area, including schoolyards.

**Table 4.6-6: General Plan Land Use Designations, West Oakland Opportunity Areas (gross acres)<sup>5</sup>**

	Mandela/Grand	7th Street	3rd Street	San Pablo	Total
Business Mix	286	43.2	28		137.2
General Industrial/Transportation			53.3		53.3
Light Industry (			8		8
Regional Commercial	27				27
Community Commercial		32.4	14	26.2	72.6
Neighborhood Center		14.3			14.3
Housing and Business Mix	11.5				11.5
Mixed Housing Type Residential		4.4		5.5	9.9
Urban Residential	20	3.2		20.7	43.9
Urban Open Space	9.7				9.7
<b>Total</b>	<b>354.2</b>	<b>97.5</b>	<b>103.3</b>	<b>52.4</b>	<b>607.4</b>

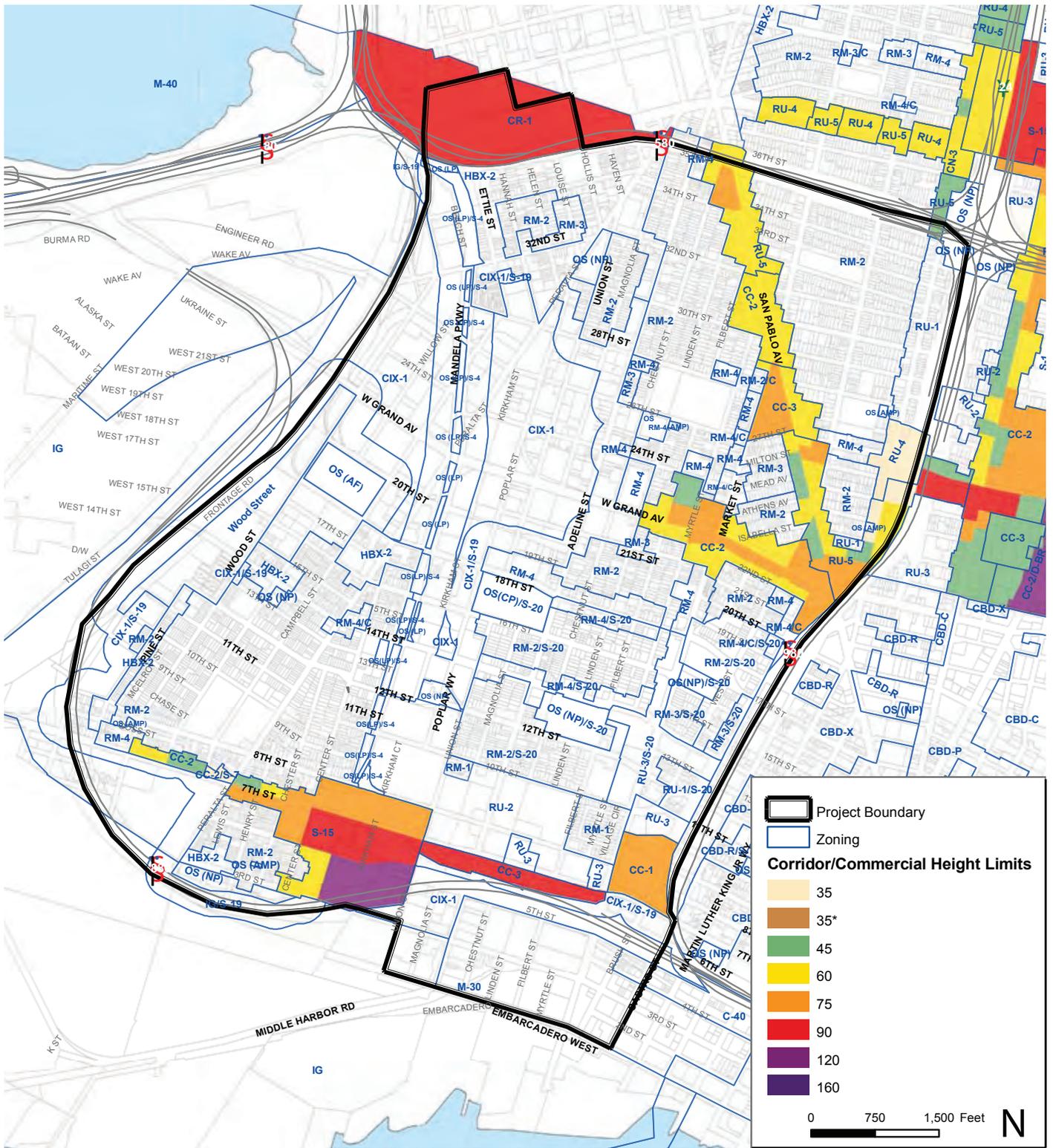
## Zoning Designations

The zoning regulations implement the General Plan land use designations and policies. The zoning designations within the Planning Area are illustrated on **Figure 4.6-3**. The zoning designations that are most relevant to the land use impacts of the Specific Plan are described below, and summarized in **Table 4.6-7**.

### *CIX-1: Commercial Industrial Mix-1 Zone*

The CIX-1 zone was developed specifically for areas of West Oakland that are designated Business Mix in the General Plan. The CIX-1 zone is designed to provide buffering and transitions between industrial and residential zones. The CIX-1 zone is intended to preserve the industrial areas of West Oakland for a wide range of commercial and industrial establishments. The CIX-1 zone is intended to accommodate existing older industries and provide flexibility for new technologies. The CIX-1 zone allows a broad range of custom and light manufacturing, light industrial, warehouse, research and development, clean/green industries, and service commercial uses. A conditional use permit is required for the establishment or expansion of general manufacturing, construction operations, and automotive repair uses within 300 feet of a residential zone. The CIX-1 zone sets strict limits on recycling and truck-intensive uses. Truck-intensive uses are limited to areas further than 600 feet away from a residential zone and require a conditional use permit. Large-scale commercial and retail uses are limited to sites with direct access to the regional transportation system. The CIX-1 zone allows work/live uses under special conditions. Residential uses are prohibited in the CIX-1 zone.

<sup>5</sup> Gross acres represents total land area inclusive of public right-of-way and other non-parceled properties



Source: City of Oakland Zoning Map

**Figure 4.6-3**  
**Current Zoning, West Oakland**



West Oakland Specific Plan, Draft EIR

*IG: General Industrial Zone*

The one block in the 3<sup>rd</sup> Street Opportunity Area adjacent to the Port of Oakland that has a General Plan land use designation of General Industrial/Transportation is zoned IG. The IG zone is intended to accommodate a wide variety of industrial establishments, including those that may have the potential to generate off-site impacts. The IG zone allows heavy industrial and manufacturing uses, transportation facilities, and warehousing and distribution. Heavy industrial uses must meet performance standards, buffering standards, and other health and safety criteria. The IG zone is for areas with good freeway, rail, seaport or airport access. Uses that may inhibit industrial activities are prohibited. Residential uses are not permitted in the IG zone.

*M-30: General Industrial Zone*

The portion of the Planning Area that is covered by the Estuary Policy Plan (south of 5<sup>th</sup> Street and east of Adeline Street, comprising the majority of the 3<sup>rd</sup> Street Opportunity Area) is zoned M-30. The M-30 zone is intended for areas with good freeway, rail, seaport, or airport access. The M-30 zone accommodates light industrial, manufacturing, warehouse and distribution, and commercial uses. Residential uses are not permitted in the M-30 zone.

*CC-2 Community Commercial Zone*

The blocks along 7th Street between Wood Street and Peralta Street, and on San Pablo Avenue from 29th Street to 32nd Street are zoned CC-2. The CC-2 zone is intended for a wide range of commercial businesses with direct frontage and access along corridors.

*CC-3 Community Commercial Zone*

The blocks along San Pablo Avenue from 27th Street to 30th Street are zoned CC-3. The CC-3 zone is intended for heavy commercial and service activities.

*HBX-2: Housing and Business Mix Commercial Zone*

Much of the Clawson neighborhood and selected areas at the northern and western edges of the Prescott neighborhood are zoned HBX-2. The HBX-2 zone provides development standards for areas that have a mix of industrial, certain commercial and medium to high density residential development. The HBX-2 zone recognizes the equal importance of housing and business, allows residential and business activities to compatibly co-exist, provides a transition between industrial areas and residential neighborhoods, encourages development that respects environmental quality and historic patterns of development, and fosters a variety of small, entrepreneurial, and flexible home-based businesses.

*S-15: Transit-Oriented Development Zone*

The S-15 zone overlays the blocks surrounding the West Oakland BART station and along the south side of 7<sup>th</sup> Street from Peralta Street to Linden Street. The S-15 zone encourages concentrated development with pedestrian amenities near transit stations. The S-15 zone allows a mix of medium density residential development, civic, commercial, and light industrial activities.

*RU-5: Urban Residential Zone*

The blocks along San Pablo Avenue north of 32<sup>nd</sup> Street to I-580 and south of 27th Street to West Grand Avenue are zoned RU-5. The RU-5 zone is intended for multi-unit, mid- and high-rise residential structures with ground floor neighborhood businesses on major corridors.

### Combining Zones

#### *S-4: Design Review Combining Zone*

The S-4 combining zone applies to areas of special community, historical, or visual significance. The S-4 combining zone is intended to preserve the visual harmony and attractiveness of areas which require special treatment and the consideration of relationships between facilities, and is typically appropriate to areas of special community, historical, or visual significance. In the S-4 combining zone no building, sign, or other facility may be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal have been approved pursuant to design review procedures.

#### *S-19: Health and Safety Protection Combining Zone*

The S-19 combining zone is intended to control the storage or use of hazardous materials and wastes within 300 feet of a residential, institutional, or open space zoning district. New uses or changes of existing activities that store or use hazardous materials are reviewed by the Fire Department. The Fire Department may limit the location, require containment measures, or limit or prohibit the storage or use of hazardous materials. The Fire Department may also require a Process Hazard Analysis, Risk Management Plan, or Local Hazardous Materials Business Plan.

#### *S-7 and S-20: Preservation Combining Zone*

The S-7 and S-20 preservation combining zones are the City's historic preservation zoning districts. Areas eligible for S-7 combining zone are those having "special importance due to historical association, basic architectural merit, or the embodiment of a style or special type of construction, or other special character, interest, or value." The S-20 combining zone is similar to the S-7 combining zone, but is designed for larger areas, often with a large number of residential properties that may not be individually eligible for landmark designation but which, as a whole, constitute a historic district.

**Table 4.6-7: Zoning Districts, West Oakland Opportunity Areas  
(gross and net acres)<sup>6</sup>**

	Mandela/Grand		7th Street		3rd Street		San Pablo		Total	
	gross	net	gross	net	gross	net	gross	net	gross	net
CIX-1	268.4	174.7	45	34.5	28	17.8			341.4	227
IG					8	4.6			8	4.6
M-30					53.3	38.5			53.3	38.5
HBX-2	9.4	7	1.5	0.6					10.9	7.6
CR-1	27	21.8							27	21.8
CC-1					10.2	5.1			10.2	5.1
CC-2			3.6	1.8			22.2	19	25.8	20.8
CC-3			5.3	3.8	3.9	2.6	7.4	5.3	16.6	11.7
S-15 (TOD)			37.7	23.7					37.7	23.7
Wood St.	20	12.7							20	12.7
RU-5							20.7	11.5	20.7	11.5
RM-4			2.2	0.8			2	1.5	4.2	2.3
RM-2	2.1	1.5							2.1	1.5
OS	27.2	27.2							27.2	27.2
<b>Total</b>	<b>355</b>	<b>245</b>	<b>95.3</b>	<b>65.2</b>	<b>103.3</b>	<b>68.6</b>	<b>52.3</b>	<b>37.3</b>	<b>605</b>	<b>416</b>

## Building Height Limits

The maximum commercial corridor building heights allowed by existing zoning are illustrated on the zoning maps. Building height limits are shown for commercial zones and key corridors such as 7<sup>th</sup> Street, San Pablo Avenue and West Grand Avenue, areas targeted for new development and higher intensity uses that must be made compatible with adjacent lower density residential neighborhoods. Maximum allowed commercial and corridor building heights within the Planning Area range from 35 feet to 120 feet. The tallest maximum building heights of 90 feet and 120 feet are allowed on properties around the West Oakland BART Station, which are intended for higher density transit-oriented residential and mixed-use development. Maximum allowed building heights on the remaining portions of 7<sup>th</sup> Street, and along San Pablo Avenue and West Grand Avenue are predominantly 60 feet and 75 feet.

## Regulatory Setting

Potential conflicts with a general plan and other plans, policies and regulations do not inherently result in a significant effect on the environment within the context of CEQA. CEQA Guidelines Section 15358(b) states that, “effects analyzed under CEQA must be related to a physical change in the environment.”

<sup>6</sup> Gross acres represents total land area inclusive of public right-of-way and other non-parceled properties, and net excludes public right-of-way and other non-parceled properties

CEQA Guidelines Section 15125(d) further states that an EIR shall discuss any inconsistencies between a proposed project and the applicable general plan in the setting section of the document rather than as an impact. Further, Appendix G (Environmental Checklist Form) of the CEQA Guidelines indicates that a project would result in a significant impact related to land use and planning if it would “fundamentally conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) *adopted for the purpose of avoiding or mitigating an environmental effect and resulting in a physical change in the environment*” (emphasis added). Accordingly, this section of the EIR evaluates the consistency of the Specific Plan with applicable plans, policies and regulations. Physical impacts that may result from any conflicts are analyzed in the various impact sections of the EIR.

Regarding a project’s consistency with the General Plan in the context of CEQA, the Oakland General Plan states the following:

*The General Plan contains many policies which may in some cases address different goals, policies and objectives and thus some policies may compete with each other. The Planning Commission and City Council, in deciding whether to approve a proposed project, must decide whether, on balance, the project is consistent (i.e., in general harmony) with the General Plan. The fact that a specific project does not meet all General Plan goals, policies and objectives does not inherently result in a significant effect on the environment within the context of the California Environmental Quality Act (CEQA). (City Council Resolution No. 79312 C.M.S.; adopted June 2005)*

Only officially adopted plans, policies and regulations that are legally in force within the Planning Area are discussed below. Over a number of years, the City and various community groups have prepared a number of other vision plans, strategic plans, development concept plans and studies for West Oakland or particular portions of the Planning Area. These previous plans and studies provided valuable information and direction in the development of the Specific Plan, however, they do not have the force of law in governing land use related actions and are therefore not discussed below.

### **City of Oakland General Plan, Land Use and Transportation Element**

The City of Oakland General Plan comprises the following 10 elements: Land Use and Transportation Element; Bicycle Master Plan; Pedestrian Master Plan; Estuary Policy Plan; Open Space, Conservation, and Recreation Element; Historic Preservation Element; Housing Element; Noise Element; Safety Element; and Scenic Highways Element. The consistency of the Specific Plan with relevant policies of the Land Use and Transportation Element and the Estuary Policy Plan is discussed below. Specific Plan consistency with the other General Plan elements is evaluated in the respective chapters of this EIR.

The Land Use and Transportation Element (LUTE) is the “heart” of the General Plan. The LUTE presents a Strategy Diagram that shows areas of expected growth and change, a Transportation Diagram that lays out the basic transportation network, planned Transportation Improvements to support the growth and change recommended in the Strategy Diagram, and a Land Use Diagram and land use designations that guide the location, types and character of the various land uses throughout the city. The LUTE sets forth a Policy Framework in five focus areas: Industry and Commerce, Transportation and Transit-Oriented Development, Downtown, Waterfront, and Neighborhoods. The LUTE also provides specific direction for several distinct Planning Areas, including West Oakland.

### Land Use Strategy

For West Oakland, the LUTE encourages maintaining and enhancing established neighborhood areas, business expansion to take advantage of the I-880 alignment, resolving land use conflicts between business and residents, access to the waterfront, better transportation linkages, and overall improvements to the appearance of the community. The LUTE seeks to resolve land use conflicts through the use of “good neighbor” policies, encourage commercial activity and urban density housing along West Grand Avenue, retain general industrial areas toward the core of the Mandela/West Grand industrial area away from residential areas, develop a transit village at the West Oakland BART Station, and revitalize 7<sup>th</sup> Street and Jack London Gateway Shopping Center. The LUTE includes direction to support the character of established neighborhoods and guide development of housing with ground floor commercial along major corridors such as San Pablo Avenue, 7th Street, and West Grand Avenue.

### *Land Use Strategy Consistency*

The proposed Specific Plan would be generally consistent with the LUTE. The LUTE targets areas in West Oakland for focused public and private investment. Many of these target areas are encompassed within the Specific Plan Opportunity Areas and Opportunity Sites, including the BART station, 7th Street, Wood Street, Pine Street, San Pablo Avenue, and West Grand Avenue.

The Specific Plan would support the specific LUTE recommendations for West Oakland, including maintaining and enhancing established neighborhood areas, retaining industrial uses toward the core of the Mandela/West Grand industrial area away from residential areas, locating new trucking services away from residential neighborhoods, encouraging business expansion, reducing land use incompatibilities between industrial and residential uses, improving access to the waterfront, better transportation linkages, enhancing the overall appearance of the community, development of housing with ground floor commercial along San Pablo Avenue, 7th Street, and West Grand Avenue, a transit village at the West Oakland BART Station, and revitalizing 7<sup>th</sup> Street.

### Industry and Commerce Policy

The following LUTE Industry and Commerce policies are particularly relevant to the Specific Plan.

*Policy I/C1.1: Attracting New Business.* The City will strive to attract new businesses to Oakland which have potential economic benefits in terms of jobs and/ or revenue generation. This effort will be coordinated through a citywide economic development strategy /marketing plan which identifies the City's existing economic base, the assets and constraints for future growth, target industries or activities for future attraction, and geographic areas appropriate for future use and development.

*Policy I/C1.2: Retaining Existing Business.* Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.

*Policy I/C1.3: Supporting Economic Development Expansion through Public Investment.* The public investment strategy of the City should support economic development expansion efforts through such means as identifying target "catalyst projects" for investment which will support the employment or revenue base of the city and providing infrastructure improvements to serve key development locations or projects which are consistent with the goals and objectives of this Plan.

*Policy 1/C1.4: Investing in Economically Distressed Areas of Oakland.* Economic investment, consistent with the City's overall economic strategy, should be encouraged, and, where feasible, should promote viable investment in economically distressed areas of the City.

*Policy 1/C1.8: Providing Support Amenities Near Employment Centers.* Adequate cultural, social, and support amenities designed to serve the needs of workers in Oakland should be provided within close proximity of employment centers.

*Policy 1/C1.9: Locating Industrial and Commercial Area Infrastructure.* Adequate public infrastructure should be ensured within existing and proposed industrial and commercial areas to retain viable existing uses, improve the marketability of existing vacant or underutilized sites, and encourage future use and development of these areas with activities consistent with the goals of this Plan.

*Policy 1/C1.10: Coordinating City and Port Economic Development Plans.* The City and Port should mutually develop and implement a coordinated plan-of-action to support all airport and port related activities which expand the local or regional employment or revenue base.

*Policy 1/C1.11: Expanding job Training Opportunities.* The City should expand and coordinate job training opportunities for Oakland residents by supporting programs sponsored by the Oakland Unified School District, local community colleges, the Port of Oakland, and other educational institutions or vocational training establishments.

*Policy 1/C2.1: Pursuing Environmental Clean-Up.* The environmental cleanup of contaminated industrial properties should be actively pursued to attract new users in targeted industrial and commercial areas.

*Policy 1/C2.2: Reusing Abandoned Buildings.* The reuse of abandoned industrial buildings by non-traditional activities should be encouraged where the uses are consistent with, and will assist in the attainment of, the goals and objectives of all elements of the Plan.

*Policy 1/C2.3: Providing Vacant or Buildable Sites.* Development in older industrial areas should be encouraged through the provision of an adequate number of vacant or buildable sites designated for future development.

*Policy 1/C3.1: Locating Commercial Business.* Commercial uses, which serve long term retail needs of regional consumers and which primarily offer durable goods, should be located in areas adjacent to the 1-880 freeway or at locations visible or amenable to high volumes of vehicular traffic, and accessible by multiple modes of transportation.

*Policy 1/C3.2: Enhancing Business Districts.* Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.

*Policy 1/C3.3: Clustering Activity in "Nodes".* Retail uses should be focused in "nodes" of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.

*Policy 1/C3.4: Strengthening Vitality.* The vitality of existing neighborhood mixed-use and community commercial areas should be strengthened and preserved.

*Policy I/C3.5: Promoting Culture, Recreation, and Entertainment.* Cultural, recreational and entertainment uses should be promoted within the Downtown, particularly in the vicinity of the Fox and Paramount Theaters, and within the Jack London Square area.

*Policy 1/C4.1: Protecting Existing Activities.* Existing industrial, residential, and commercial activities and areas which are consistent with long term land use plans for the City should be protected from the intrusion of potentially incompatible land uses.

*Policy 1/C4.2: Minimizing Nuisances.* The potential for new or existing industrial or commercial uses, including seaport and airport activities, to create nuisance impacts on surrounding residential land uses should be minimized through appropriate siting and efficient implementation and enforcement of environmental and development controls.

#### *Industry and Commerce Policy Consistency*

The Specific Plan would be consistent with the policy framework of the Land Use and Transportation Element's Industry and Commerce policies, including attracting new businesses (I/C1.1), retaining existing businesses (I/C1.2), supporting economic development expansion through public investments (I/C 1.3), investing in economically distressed areas of Oakland (I/C1.4), providing support amenities near employment centers (I/C1.8), coordinating City and Port economic development plans (I/C1.10), pursuing environmental cleanup (I/C2.1), reusing abandoned buildings (I/C2.2), enhancing business districts (I/C3.2), clustering activity in nodes (I/C3.3), promoting culture, recreation and entertainment (I/C3.5), and minimizing nuisances (I/C4.2).

#### Transportation and Transit Policy

The following LUTE Transportation and Transit policies are particularly relevant to the Specific Plan. A more thorough list of applicable transportation and transit polices are included in the Transportation Chapter of this EIR.

*Policy T2.2: Guiding Transit-Oriented Development.* Transit-oriented developments should be pedestrian oriented, encourage night and day time use, provide the neighborhood with needed goods and services, contain a mix of land uses, and be designed to be compatible with the character of surrounding neighborhoods.

*Policy T2.3: Promoting Neighborhood Services.* Promote neighborhood-serving commercial development within one-quarter to one-half mile of established transit routes and nodes.

#### *Transportation and Transit Policy Consistency*

The Specific Plan would be consistent with the policy framework of the Land Use and Transportation Element's Transportation and Transit policies, including guiding future transit planning, establishing new transit-oriented development and promoting development of neighborhood commercial near transit.

#### Neighborhood Policy

The following LUTE Neighborhood policies are particularly relevant to the Specific Plan.

*Policy N1.1: Concentrating Commercial Development.* Commercial development in the neighborhoods should be concentrated in areas that are economically viable and provide opportunities for smaller scale, neighborhood-oriented retail.

*Policy N1.4: Locating Large-Scale Commercial Activities.* Commercial uses which serve long term retail needs or regional consumers and which primarily offer high volume goods should be

located in areas visible or amenable to high volumes of traffic. Traffic generated by large scale commercial developments should be directed to arterial streets and freeways and not adversely affect nearby residential streets.

*Policy N1.5: Designing Commercial Development.* Commercial development should be designed in a manner that is sensitive to surrounding residential uses.

*Policy N1.6: Reviewing Potential Nuisance Activities.* The City should closely review any proposed new commercial activities that have the potential to create public nuisance or crime problems, and should monitor those that are existing. These may include isolated commercial or industrial establishments located within residential areas, alcoholic beverage sales activities (excluding restaurants), adult entertainment, or other entertainment activities.

*Policy N5.2: Buffering Residential Areas.* Residential areas should be buffered and reinforced from conflicting uses through the establishment of performance-based regulations, the removal of non-conforming uses, and other tools.

*Policy N5.3: Supporting Live-Work Development.* The city should support and encourage residents desiring to live and work at the same location where neither the residential use nor the work occupation adversely affects nearby properties or the character of the surrounding area.

*Policy N1.8: Making Compatible Development.* The height and bulk of commercial development in "Neighborhood Mixed-Use Center" and "Community Commercial" areas should be compatible with that which is allowed for residential development.

*Policy N3.1: Facilitating Housing Construction.* Facilitating the construction of housing units should be considered a high priority for the City of Oakland.

*Policy N3.2: Encouraging Infill Development.* In order to facilitate the construction of needed housing units, infill development that is consistent with the General Plan should take place throughout the City of Oakland.

*Policy N5.1: Environmental Justice.* The City is committed to the identification of issues related to the consequences of development on racial, ethnic, and disadvantaged socio-economic groups. The City will encourage active participation of all its communities, and will make efforts to inform and involve groups concerned about environmental justice and representatives of communities most impacted by environmental hazards in the early stages of the planning and development process through notification and two-way communication.

*Policy N6.1: Mixing Housing Types.* The City will generally be supportive of a mix of projects that provide a variety of housing types, unit sizes, and lot sizes which are available to households with a range of incomes.

*Policy N6.2: Increased Home Ownership.* Housing developments that increase home ownership opportunities for households of all incomes are desirable.

*Policy N8.1: Developing Transit Villages.* "Transit Village" areas should consist of attached multi-story development on properties near or adjacent to BART stations or other well-used or high volume transit facilities, such as light rail, train, ferry stations or multiple-bus transfer locations. While residential units should be encouraged as part of any transit village, other uses may be included where they will not negatively affect the residential living environment.

*Policy N8.2: Making Compatible Interfaces Between Densities.* The height of development in urban residential and other higher density residential areas should step down as it nears lower density residential areas to minimize conflicts at the interface between the different types of development.

*Policy N9.1: Recognizing Distinct Neighborhoods.* The City should encourage and support the identification of distinct neighborhoods. (Many of these neighborhoods are identified on the Structure Diagram and in the Area View section of the Plan.)

*Policy N9.2: Supporting Neighborhood Improvement.* The City should be supportive of the efforts of local neighborhood organizations in improving their neighborhoods, by providing information, guidance, and assistance where feasible.

*Policy N9.6: Respecting Diversity.* The City's diversity in cultures and populations should be respected and built upon.

*Policy N10.1: Identifying Neighborhood "Activity Centers".* Neighborhood Activity Centers should become identifiable commercial, activity and communication centers for the surrounding neighborhood. The physical design of neighborhood activity centers should support social interaction and attract persons to the area. Some of the attributes that may facilitate this interaction include plazas, pocket parks, outdoor seating on public and private property, ample sidewalk width, street amenities such as trash cans and benches, and attractive landscaping.

#### *Industry and Commerce Policy Consistency*

The Specific Plan would be consistent with the policy framework of the Land Use and Transportation Element's Neighborhood policies, including guiding transit-oriented development (T2.2), locating large-scale commercial activities near the freeway and existing regional commercial uses north of I-580 (N1.4), buffering residential areas (N5.2), making compatible development (N1.8), encouraging infill development (N3.2), environmental justice (N5.1), developing transit villages (N8.1), making compatible interfaces between densities (N8.2), recognizing distinct neighborhoods (N9.1), and identifying neighborhood activity centers (N10.1).

In several areas within West Oakland, there is no clearly defined edge between residential and industrial areas. This land use pattern often results in heavy truck traffic with its associated noise and fumes directly affecting residential neighborhoods. The Specific Plan establishes a more clearly defined boundary between these two differing land uses through a limited number of proposed General Plan amendments and zoning changes that change industrial designations to housing and/or housing and business mix to more firmly establish this boundary. These limited changes to the General Plan land use designations and zoning are proposed at the edges of existing residential and industrial areas, where the proposed change in land use designations from industrial to residential land uses would be compatible with adjacent residential neighborhoods and adjacent public parks.

### **Estuary Policy Plan**

The Estuary Policy Plan is part of the General Plan and establishes land use designations and policy for the Estuary shoreline, extending from Adeline Street to 66<sup>th</sup> Avenue, including all lands west of I-880 that are within City or Port of Oakland jurisdiction, and including portions of the 3<sup>rd</sup> Street Opportunity Area. The Estuary Policy Plan seeks to enhance the waterfront for the economic benefit of the community and connect the waterfront to the rest of the city. The following Estuary Policy Plan policy is relevant to the environmental impacts of the proposed Specific Plan.

*Policy JL-7: Maintain light industrial and warehousing uses west of Martin Luther King, Jr. Boulevard.* The Estuary Policy Plan recommends maintaining light industrial activities, including warehousing and distribution uses west of Martin Luther King, Jr. Boulevard, where a concentration of industrial activities exist. Office and retail uses should be encouraged within this area as well, to promote economic diversity. These uses should be carefully screened to ensure that they are compatible with existing industrial activities and with the adjacent West Oakland neighborhood north of the I-880 freeway.

#### *Estuary Policy Plan Consistency*

The proposed Specific Plan would be consistent with this policy of the Estuary Policy Plan. The land use and development strategy for the 3<sup>rd</sup> Street Opportunity Area is for a mix of business activities and development types, including food and beverage production and distribution. Mixed-use commercial, dining and entertainment uses are encouraged in attractive, older warehouse buildings near dead-end streets.

### **City of Oakland Industrial Land Use Policy**

Following adoption of the General Plan Land Use and Transportation Element and the Estuary Policy Plan, the City Council established a citywide Industrial Land Use Policy, finding that industrial land is a scarce resource in Oakland; that conversion of industrial land to residential use should be restricted because of the scarcity, because such changes in use would be a permanent loss of industrial land, and because conversions create land use conflicts for continuing industrial uses nearby; and that the preservation of industrial land is vital to future economic growth. The Industrial Land Use Policy states that all of the identified existing industrial subareas in Oakland are to remain industrial, with limited exceptions for General Plan amendments in specific subareas. The three industrial subareas in West Oakland, which correspond to the Mandela/West Grand Opportunity Area, the 3<sup>rd</sup> Street Opportunity Area, and the Pine Street portion of the 7<sup>th</sup> Street subarea, were identified to remain industrial, without amendments.

#### *Industrial Land Use Policy Conflict*

The Specific Plan proposes changing the General Plan land use designations and/or rezoning from industrial to residential on a total of approximately 16 acres at the following locations currently subject to the City's Industrial Land Use Policy. Each of these locations is at the edges of established industrial areas where they meet adjacent established residential neighborhoods.

- Phoenix Iron Works Site. This site is located on the west side of Pine Street between 8<sup>th</sup> Street and 9<sup>th</sup> Street. The current use on this site consists of storage of large pipes. The Specific Plan proposes to allow this site to become future residential use, compatible in character and scale to the residences opposite Pine Street to the east.
- Roadway Site. This site is located on the two blocks bounded by 17<sup>th</sup> Street, 18<sup>th</sup> Street, Wood Street and Campbell Street, and the adjacent south block face on 17<sup>th</sup> Street between Willow Street and Campbell Street. The current uses on this site include primarily underutilized warehouses and storage uses with associated truck parking. The Specific Plan proposes to allow this site to become future residential use, compatible in character and scale to the surrounding neighborhoods to the south and east.
- Coca Cola Bottling/Mayway Site. This site is located on the northeast corner of the Mandela Parkway/12 Street intersection. The current use on this site is a warehouse with associated

truck parking surrounded on two sides by a tall masonry wall. The Specific Plan proposes to allow this site to become future residential use, compatible in character and scale to the residences to the south within the Peralta Villa residential neighborhood.

- East Side of Adeline Street. These properties are bounded by 26th Street to the north, Adeline Street to the west, West Grand Avenue to the south, and Chestnut Street to the east. The Specific Plan proposes to amend the General Plan to change the land use designation for the two blocks along the east side of Adeline Street north of West Grand from Business Mix to Housing and Business Mix.
- Properties on Ettie Street at 28th Street. The Specific Plan proposes to amend the General Plan to change the land use designation of these properties from Business Mix to Housing and Business Mix.

These proposed General Plan amendments/rezoning of these sites would be in direct conflict with the City's Industrial Land Use Policy, which indicates that these areas are to remain industrial, without amendments. However, even with the proposed change in use to residential on these sites, there would remain an ample supply of industrial land within West Oakland and within the city as a whole to meet existing and projected market demand. Within the remaining industrial areas in West Oakland, the Plan would retain and expand existing compatible urban manufacturing, construction and other light industrial businesses that provide good-paying blue collar and green collar jobs, while attracting new targeted industries that are growing, including life sciences, information and clean-tech uses.

### **City of Oakland Zoning**

The Specific Plan would retain the existing zoning designations and associated development standards throughout most of the Planning Area. However, the range of permitted uses and development standards allowed by existing zoning in West Oakland may too flexible to achieve desired change and revitalization. The Specific Plan would provide more specific direction to the private sector, generally consistent with existing zoning.

The Specific Plan recommends several changes and additions to the City's current zoning regulations, as described below.

#### *Proposed Rezoning from Industrial Use*

There are five locations where the Specific Plan proposes rezoning from Commercial Industrial Mix-1 (CIX-1) to Housing and Business Mix Commercial Zone (HBX-2):

- Phoenix Iron Works Site. This site is located on the west Side of Pine Street between Shorey Street and 9<sup>th</sup> Street. The current zoning for this site is Commercial/Industrial Mix (CIX-1/S-19), whereas the Specific Plan proposes to re-zone this site to Housing/Business Mix (HBX-2).
- Roadway Site. This site is located on the two blocks bounded by 17<sup>th</sup> Street, 18<sup>th</sup> Street, Wood Street and Campbell Street, and the adjacent south block face on 17<sup>th</sup> Street between Willow Street and Campbell Street. The current zoning for this site is Commercial/Industrial Mix (CIX-1/S-19), whereas the Specific Plan proposes to re-zone this site to Housing/Business Mix (HBX-2).
- Coca Cola Bottling/Mayway Site: This site is located on the northeast corner of the Mandela Parkway/12 Street intersection. The current zoning for this site is Commercial/Industrial Mix

(CIX-1/S-19), whereas the Specific Plan proposes to re-zone this site to Housing/Business Mix (HBX-2).

- East Side of Adeline Street. For those properties bounded by 26th Street to the north, Adeline Street to the west, West Grand Avenue to the south, and Chestnut Street to the east, the Specific Plan proposes re-zonings that would make this entire area zones as Housing/Business Mix (HBX-2).
- Properties on Ettie Street at 28th Street. The Specific Plan proposes to changes the zoning designation for these properties from Commercial Industrial Mix (CIX-1) to Housing and Business Mix (HBX-2). The existing S-19 Health and Safety Protection Overlay would be retained for these properties.

These locations are at the edges of the Mandela/West Grand and 7<sup>th</sup> Street Opportunity Areas, where the proposed change in use from industrial to residential would be compatible with adjacent residential neighborhoods and adjacent public parks. The proposed rezoning would also require a corresponding shift in the S-19 combining zone, which places additional controls on the storage or use of hazardous materials, in order to maintain its 300 foot buffer between industrial and residential uses.

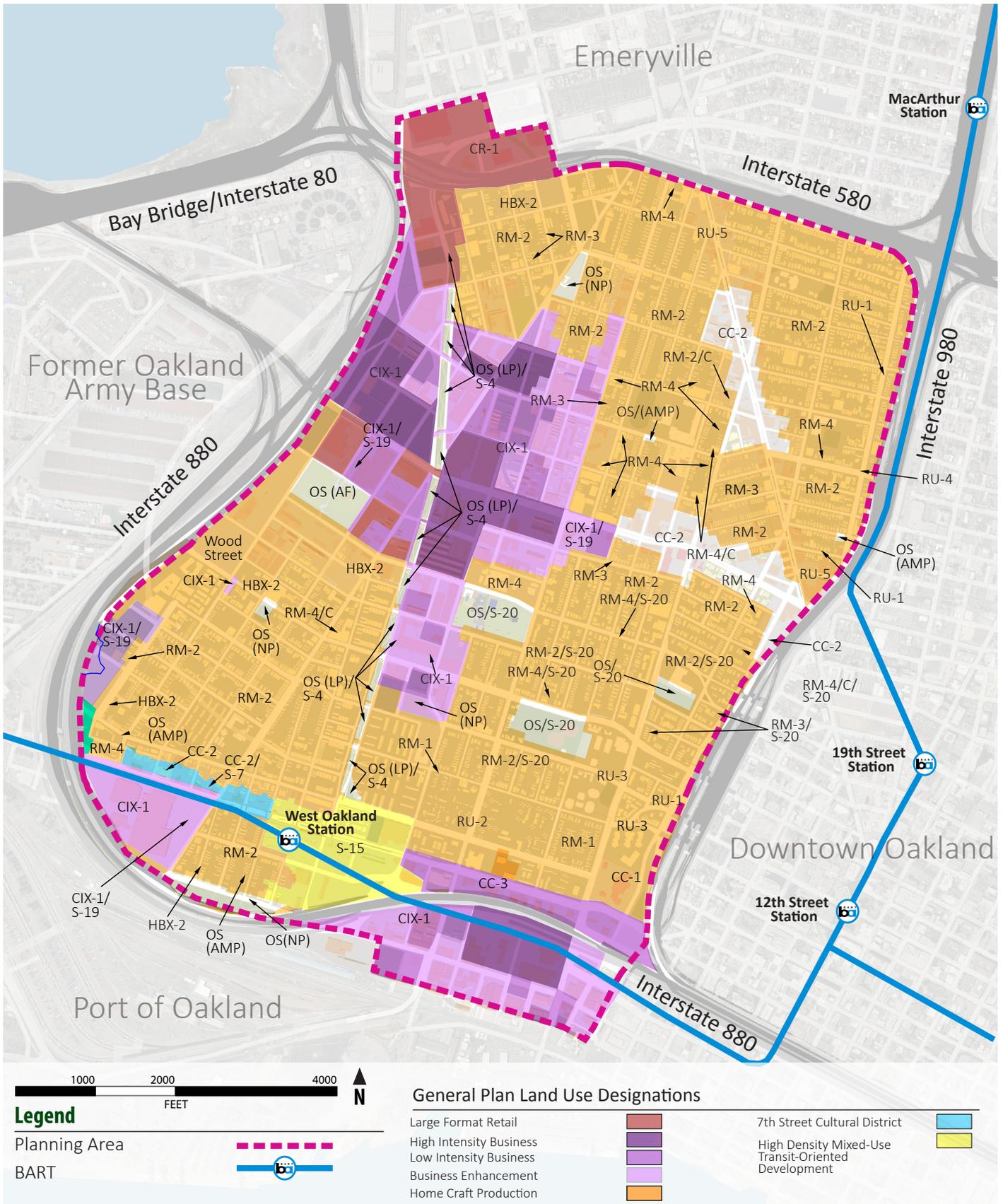
#### *Proposed New Industrial Zoning Overlays*

The Specific Plan recommends new land use overlays with new regulations and special purpose districts that apply to selected locations within the Specific Plan Area (see **Figure 4.6-4**). These recommended overlays augment the requirements of the Plan Area's underlying zoning. Four business/industrial overlays are proposed:

- Business Enhancement Overlay
- Low intensity Business Overlay
- High Intensity Business Overlay
- Large Format Retail Overlay

These overlay zones include a number of regulatory changes that would direct new industrial/business development toward the vision established under this Plan, that would continue to provide flexibility and adaptability over time, but which would ensure that the Plan's vision is not precluded by inconsistent development patterns.

- Business Enhancement Overlay. To better encourage the retention, infill and occupancy of existing and viable industrial and business building stock within West Oakland, the Business Enhancement Overlay would apply to approximately 146 acres of industrially zoned lands. This overlay would:
  - add Design Review as a requirement for new additions or major exterior modifications;
  - add demolition permit criteria to projects which propose demolition of existing structures such that economically viable existing building stock is retained;
  - further restrict freight/truck terminal, truck yard, and primary waste collection center uses as being not permitted; and would
  - Lowering the permitted floor-area ratio (FAR) from the current ratio of 4:1, to a new ratio of 2:1.



**Figure 4.6-4**  
**Specific Plan Land Use Overlay Diagram**



Source: JRDV Intl.  
 West Oakland Specific Plan, Draft EIR

- Low Intensity Business Overlay. With limited exceptions as described below, the regulatory intent of the Low Intensity Business land use overlay is to maintain current land use regulations, but to lower the permitted development intensity to match the surrounding industrial character and better protect nearby residential neighborhoods. This overlay would:
  - add Design Review as a requirement within all CIX-1 land use overlay zones;
  - further restricting freight/truck terminal, truck yard, and primary waste collection center uses as being not permitted; and
  - lower the permitted floor-area ratio (FAR) from the current ratio of 4:1, to a new ratio of 2:1.
- High Intensity Business Overlay. To better ensure that certain identified high-profile sites are identified for higher intensity uses, the following regulatory changes are recommended, specific to the High Intensity Business land use overlay:
  - add Design Review to consider the quality of individual site plans and architecture of future higher-intensity developments;
  - further restricting freight/truck terminal, truck yard, and primary waste collection center uses as being not permitted;
  - adding conditional use permit requirements for a number of currently permitted uses to limit permanent establishment of the types of uses that are not major job producers, which generate substantial truck traffic, and which have the propensity to result in air and noise pollution within the adjacent neighborhoods, and that would preclude the more desired higher intensity uses; and
  - require application and approval of a Planned Unit Development (PUD) permits prior to approval of any new building on High Intensity overlay sites of 60,000 square feet or greater.
- Large Format Retail Overlay. The Large Format Retail land use overlay is applied to properties in the most northwestern portion of the Mandela/West Grand Opportunity Area. The currently applicable CIX-1 zoning already permits most types of large format retail land uses. However, the list of permitted land uses under the current CIX-1 zone is so large as to permit a wide array of other business and industrial land use types as well. The purpose of the CIX-1 Large Format Retail overlay is limited to providing land use direction as to the desired (or preferred) land use types within this overlay, but does not preclude other permitted CIX-1 land uses, other than as described below.
  - add Design Review as a requirement, used to consider the quality of individual site plans and extent to which the design helps to integrate the upper Mandela Parkway area into a cohesive retail environment;
  - further restricting freight/truck terminal, truck yard, and primary waste collection center uses as being not permitted; and
  - add Conditional Use Permit (CUP) requirements for a number of currently permitted uses to limit permanent establishment of the types of uses that are not major job producers, which generate substantial truck traffic, and which have the propensity to result in air and noise pollution within the adjacent neighborhoods, and that would preclude the more desired large format retail types of uses.

### *Updating Older Industrial Zoning Districts*

A substantial portion of the 3rd Street Opportunity Area (slightly more than 38 net acres) are currently zoned M-30, and are one of the only places left in the City with this industrial zoning. When the City re-zoned much of the West Oakland business/industrial areas to the current CIX-1 zone, these properties were not rezoned at that time because they are located within the Estuary Policy Plan area, and it was thought that all of the Estuary would be re-zoned at a later time. Additionally, a nearly 5-acre site at the end of Magnolia Street is currently zoned IG, which is a zoning designation which applies only to Port properties throughout the remainder of the City. The Specific Plan proposes to re-zone these two areas to match the intent of the business/industrial areas of West Oakland:

- Re-zone the 38.5 acres of land currently zoned M-30 in the 3rd Street Opportunity Area to CIX-1, with applicable overlay designations.
- Re-zone the approximately 5-acre area currently zoned IG in the 3rd Street Opportunity Area to CIX-1, with applicable overlay designations.

The proposed zoning changes within the Specific Plan area's industrial properties are summarized below in **Table 4.6-8**:

**Table 4.6-8: Overlay Zoning, West Oakland Opportunity Areas**

<b>Current Zoning (net acres)</b>	<b>Acres</b>
CIX-1	227.0
IG	4.6
M-30	<u>38.5</u>
<b>Total</b>	270.0
<b>Proposed Re-Zoning with Overlays</b>	
Business Enhancement	132.6
Low Intensity	47.7
High Intensity	66.1
Large Format Retail	<u>7.0</u>
	253.4
Residential Conversions	<u>16.6</u>
<b>Total</b>	270.0

### *Proposed Changes to Building Height Limits*

The Specific Plan would retain the existing maximum allowed building heights throughout most of the Planning Area. However, to make full use of the opportunity presented by the West Oakland BART Station, which is uniquely served transit, to create a vibrant higher density residential and mixed-use transit village, the Specific Plan proposes an increase in the maximum allowed building height. The currently effective building heights proscribed under current zoning that are applicable to the West Oakland BART Station area TOD allow for a maximum building height of 120 feet nearest to I-880, stepping down to 90 feet along 7th Street and between 60 and 75 feet nearest to the adjacent South

Prescott neighborhood. Implementation of the Specific Plan includes an increase in the maximum allowed building height to allow building heights of up to 200 feet along 7th Street and east of Union Street, 150 feet along 7th Street and west of Union Street, and 140 feet on those parcels adjacent to the I-880 freeway, but would also provide a more effective and substantial transition in building heights nearest to the South Prescott neighborhood, with buildings nearest to this neighborhood as low as 2-stories. No changes are proposed to the maximum allowed building heights elsewhere in the Planning Area.

#### *Enhancing the Commercial Corridors*

Land use regulations for several properties are recommended for change to better emphasize the desired commercial nature of the area:

- Intersection of West Grand Avenue and San Pablo Avenue. Rezone the northeast and northwest quadrants of the San Pablo/Grand intersection from Urban Residential (RU-5) to the Community Commercial (CC-2) zone to signify its retail focus.
- Intersection of 30th Street, San Pablo Avenue, and Market Street to the north, Market Street to the west, 27th Street to the south, and San Pablo Avenue to the east. Rezone this area from Community Commercial (CC-3) to Community Commercial (CC-2).

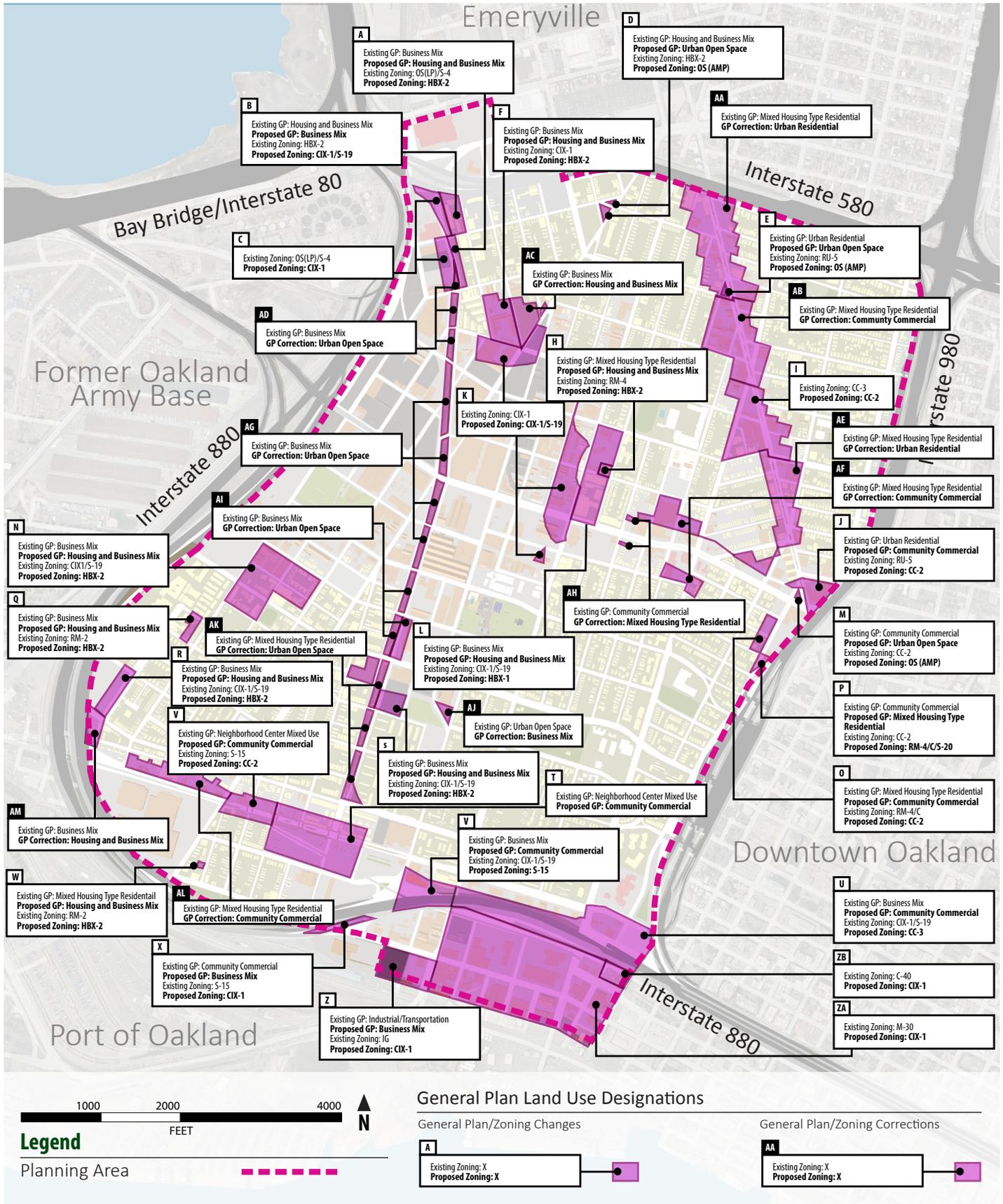
Although both zoning types permit mixed use development, the CC-3 Zone allows for light industrial activities whereas the CC-2 Zone prohibits industrial activities, allows residential developments, and thus emphasizes commercial characteristics of the Plan Area's major commercial corridors.

#### *Other Conforming Re-zonings*

The Specific Plan also proposes several administrative rezoning that clarify and better conform to land use planning policy and regulations, including:

- clarifying the boundaries between Business Mix, and Housing & Business Mix land use designations,
- applying Urban Open Space land use designations and zoning to City-owned parks and medians in Mandela Parkway and at other locations where open space resources exist;
- adjusting the S-19 Health and Safety Protection Combining Zone boundaries, which includes standards intended to promote public health, safety and welfare by ensuring that activities that involve hazardous materials operate in a manner that protects surrounding areas;
- strengthening neighborhood protections by mapping the Mixed Housing Type Residential land use designation at selected sites along Linden Street near West Grand Avenue and at 20th Street/Brush Street;
- reinforcing commercial development opportunities by clarifying the Community Commercial land use designations at West Grand Avenue/Market Street, at San Pablo Avenue/West Grand Avenue and along the 7th Street corridor; and
- increasing opportunities for a mixture of businesses by applying Commercial Industrial zoning (CIX) to several selected smaller sites nearest to the freeways.

A complete illustration of all proposed General Plan amendments and rezonings as proposed under the Specific Plan is shown on **Figure 4.6-5**.



**Figure 4.6-)**  
**Proposed General Plan and Zoning Changes**

## Redevelopment Plans

From its establishment in 1956 until its dissolution in 2012, the Oakland Redevelopment Agency managed numerous projects and programs within eight active Redevelopment Project Areas in the city, including four Project Areas that combined included all of West Oakland.

In 2011, the California legislature approved a budget measure introduced by the Governor (and later validated by the State Supreme Court) that dissolved all Redevelopment Agencies in the state. Oakland's Redevelopment Agency (RDA) has been disbanded, staff redeployed or terminated, and assets have been transferred to the Redevelopment Successor Agency (RSA), which is charged with winding down the responsibilities of the former RDA and administering existing contracts; new contracts and funding related to redevelopment plans are not permitted.

As of February 1, 2012, the City of Oakland Redevelopment Agency ceased to exist. The new Redevelopment Successor Agency, housed within the Office of Neighborhood Investment, was created to wind down and complete the activities of the former Redevelopment Agency.

Although Redevelopment Agencies were eliminated by state legislation in 2011, there was no legislation that eliminated the Redevelopment Project Areas, or the many laws and regulations that had been passed over 40 years affecting Project Areas. The State legislation did not provide a mechanism to address how to handle policies, actions, and responsibilities assigned to the Redevelopment Agency, however. It is uncertain how the many regulations and laws governing redevelopment project areas will be affected following dissolution of the redevelopment agencies and the tax increment financing mechanisms previously charged with implementing those requirements.

The Redevelopment Plans for the four former Redevelopment Project Areas in West Oakland are described below. Redevelopment activities undertaken by the City in accordance with these plans have shaped West Oakland and continue to influence the planning underway today.

- *West Oakland Redevelopment Plan.* The West Oakland Redevelopment Project Area encompassed three sub-areas: Prescott/South Prescott, Clawson/McClymonds/Bunche, and West MacArthur/Hoover. Project Area goals for 2011-2013 included preparing and adopting the West Oakland Specific Plan, planning for transit-oriented development at the West Oakland BART Station, completing the second construction phase of 7th Street streetscape improvements, completing streetscape master plans for Martin Luther King Jr. Way and Peralta Street, adopting a West Oakland Street Tree Master Plan, and completing construction of the West Oakland Teen Center.
- *Oakland Army Base Redevelopment Plan.* In 2000 the City adopted and approved the Oakland Army Base Redevelopment Area Plan, establishing a 1800-acre redevelopment project area that included the former Oakland Army Base (OARB). The Project Area was generally bounded by Wood Street, and the Inner, Middle and Outer Harbors of the Port of Oakland, and was divided into three major sub-districts: the 16th and Wood Sub-District, the Maritime Sub-District and the OARB Sub-District. The OARB Redevelopment Area Plan incorporated the program for the former Army Base that was set forth in the Oakland Army Base Reuse Plan.
- *Oak Center Redevelopment Plan.* The Oak Center Redevelopment Area comprised the area from 10th Street to 18th Street and Brush Street to Mandela Parkway. Established in 1970, the primary objectives of the Oak Center Redevelopment Plan were to preserve the turn-of-the-century Victorian houses and encourage home ownership. The Oak Center Redevelopment Project was completed.
- *ACORN Redevelopment Plan.* Major redevelopment activity in the Acorn Project Area occurred from the 1950s to the 1980s. Traditional neighborhoods were reconfigured to create dense multi-family

rental housing. Major projects included the ACORN Development, Jack London Gateway Shopping Center, Jack London Gateway Senior Housing Project, and the construction of I-980.

### **Oakland Army Base Reuse Plan**

The former Oakland Army Base functioned as a major cargo port and warehousing facility from 1941 until its official closure in 1999. The Oakland Base Reuse Authority directed a planning process for the future reuse of the Army Base that resulted in the Oakland Army Base Reuse Plan (OARB Reuse Plan),<sup>7</sup> which contains a conceptual vision and broad policy framework for development of the Army Base. In 2006, approximately 170 acres of the former Army Base were conveyed to the City to comprise the Gateway Development Area, and another 200 acres were transferred to the Port of Oakland. The Port of Oakland determined that the capacity of the Port is constrained by the capacity and performance of the road and rail intermodal connectors, and that the most effective configuration for the Port over the next 15 to 20 years requires an increase in rail yard space. Most recently, the City and the Port have collaboratively established a proposed development for both the City-owned and the Port-owned areas, collectively known as the 2012 Oakland Army Base Project<sup>8</sup>, which would provide a new state of the art Trade and Logistics Center with warehouse and distribution facilities to support cargo logistics, and associated roadway, railroad and infrastructure improvements.

#### *Consistency Analysis*

The proposed Specific Plan would be consistent with the OARB Reuse Plan.

- The OARB Reuse Plan anticipated that the northerly portion of the City Gateway Development Area near the EBMUD Wastewater Treatment Plant would be used for heavier industrial uses. The current 2012 Oakland Army Base Project now envisions relocating certain heavy industrial and truck-intensive recycling uses currently residing in West Oakland to this location. The Specific Plan capitalizes on this relocation of heavy industrial uses to the former Army Base by designating the soon-to-be vacant recycling use sites for development of new employment uses.
- When adopting the OARB Reuse Plan in 2001, the Port amended the Bay Plan and the Seaport Plan to designate 16 acres east of I-880, west of Wood Street and north of West Grand Avenue (within the West Oakland Specific Plan area) as a Port Priority Use area for truck parking. The 2012 Oakland Army Base Project now designates an approximately 15.1-acre truck parking area within the Port Development Area, transferring out of West Oakland the Port's obligation to provide land for truck parking. The Specific Plan capitalizes on this planned relocation of required truck parking area by designating the Port's former 16-acre truck parking site for development of new employment or retail uses, unrelated to Port activities.
- The OARB Reuse Plan anticipated that much of the westerly portion of the former Army Base would be developed as a Gateway Park. Currently, a multi-agency Gateway Park Working Group has proposed that the Port's former truck parking site east of I-880, west of Wood Street and north of West Grand Avenue be used as a parking lot, staging area and the starting point of an elevated bicycle/pedestrian pathway which would take visitors safely across railroad and Port industrial lands to the core area of the Gateway Park.<sup>9</sup> Reuse of this formerly designated truck parking site for

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<sup>7</sup> City of Oakland, Oakland Army Base Reuse Plan, 2003

<sup>8</sup> City of Oakland, 2012 Oakland Army Base Project Initial Study/Addendum, May 2012.

<sup>9</sup> Gateway Park Working Group, Gateway Park Project Concept Report, September 2012.

development of new employment or retail uses as recommended by the Specific Plan could potentially also accommodate the Working Group's proposed park facilities. However, the Working Group also has preliminary design plans for a Phase 2 expansion of the Gateway Park to include the entire formerly designated truck parking site, as well as additional lands beneath the elevated I-880 freeway and the I-80/I-880/I-580 interchange for active recreation such as basketball, tennis, skating, dog running, demonstration gardens, and an overflow parking lot with 150 parking spaces. The Gateway Park Project Concept Report acknowledges that the level and scale of the amenities in a potential future Phase 2 area is dependent upon the type of development that occurs in the surrounding area. If these properties were to be fully redeveloped with employment or retail uses as contemplated under the Specific Plan, it would likely preclude the Working Group's plans for an expanded portion of the Gateway Park, but would not be inconsistent with the core area of the Gateway Park as originally identified in the OARB Reuse Plan.

### **Energy and Climate Action Plan**

In 2009, the City Council directed staff to develop an Energy and Climate Action Plan (ECAP) using a preliminary planning GHG reduction target equivalent to 36% below 2005 GHG emissions by 2020, with annual benchmarks for meeting the target. Based on Oakland's baseline 2005 GHG inventory, totaling approximately 3 million metric tons of CO<sub>2</sub>e emissions and current forecasts of business-as-usual emissions growth, reducing GHG emissions by the equivalent of 36% below 2005 levels by 2020 will require taking actions that cumulatively add up to approximately 1.1 million metric tons of CO<sub>2</sub>e reductions. On December 4, 2012, the City Council adopted the ECAP which evaluates and prioritizes opportunities to reduce energy consumption and GHG emissions in its own government operations and throughout the community.

The ECAP also includes a set of actions aimed at increasing local resilience and helping Oakland adapt to the projected impacts of climate change. In addition, Oakland is participating in the regional Adapting to Rising Tides (ART) project, led by the San Francisco Bay Conservation Development Commission (BCDC) and the National Oceanic and Atmospheric Administration (NOAA). The ART project, which began in late 2010, was created to advance regional understanding of how sea level rise and other climate change impacts will affect the Bay Area and to begin to explore adaptation strategies that may benefit Oakland and the region.

#### *Consistency Analysis*

The proposed Specific Plan would be consistent with the ECAP, as explained in Chapter 4.4, Greenhouse Gas Emissions.

### **Oakland "Transit First" Policy**

The City's Public Transit and Alternative Modes ("Transit First") resolution recognizes the importance of striking a balance between economic development opportunities and the mobility needs of those who travel by means other than the private automobile. The policy favors modes of travel that have the potential to provide the greatest mobility for people rather than vehicles.

#### *Consistency Analysis*

The Specific Plan's emphasis on transit-oriented development surrounding the West Oakland Bart Station, streetscape plans which include transit design and amenities, and its commitment to enhanced transit opportunities throughout West Oakland is fully consistent with the City's Transit First policy.

## San Francisco Bay Plan and Seaport Plan

The McAtter-Petris Act of 1965 established the San Francisco Bay Conservation Development Commission (BCDC) to “. . . prepare an enforceable plan to guide the future protection and use of San Francisco Bay and its shoreline.” The San Francisco Bay Plan (Bay Plan) guides BCDC in its protection of the Bay and in its exercise of permit authority over development adjacent to the Bay. The Bay Plan defines five special land use designations called “priority uses” that are appropriate to be located at specific limited shoreline sites. The priority use designations are ports, water-related industry, airports, wildlife refuges, and water-related recreation. If properties are designated a priority use area in the Bay Plan, then those properties are intended to be reserved for that use. In this manner, BCDC exerts limited land use authority in priority use areas through the Bay Plan through its regulatory program.

In recognition of the importance of maritime commerce to the Bay Area, BCDC’s San Francisco Bay Area Seaport Plan coordinates planning and development of port terminals in the Bay. The Seaport Plan constitutes the maritime element of the Metropolitan Transportation Commission’s (MTC) Regional Transportation Plan, and is incorporated into the Bay Plan. Areas determined to be necessary for future port development are designated as Port Priority Use areas and are reserved for port-related and other uses that will not impede development of the sites for port purposes.

At the time the Oakland Army Base was closed by the U. S. Department of Defense, the entire Army Base was designated a Port Priority Use area. As part of the Army Base closure process, the OARB Reuse Plan recommended that the Port Priority Use designation be removed from the 189 acres transferred to the City of Oakland for development (the City Gateway Development Area). The Port and City each agreed to instead provide 15 acres of additional land specifically for Port ancillary uses related to trucking. The City designated a 15-acre site on the former Army Base for trucking use, and the Port identified approximately 22 acres of land underneath the elevated portion of I-880 and other adjacent, mostly vacant parcels east of the freeway, west of Wood Street and north and south of West Grand Avenue. The parcels east of the freeway are located within the West Oakland Planning Area. In amending the Bay Plan in 2001, BCDC designated the 15 acres identified by the City and the 22 acres identified by the Port as Port Priority Use areas, in addition to retaining the port priority use designation on the 184-acre portion of the Army Base to be conveyed to the Port. In 2007, BCDC removed the Port Priority Use designation from six acres of the 22 acres located east of the freeway, south of West Grand Avenue and north of 17<sup>th</sup> Street, to allow development of the Wood Street project. The Port Priority Use designation (as well as the agreement for use of this area for trucking and port ancillary uses, i.e., for truck parking and container storage) still applies to the remaining 16 acres located north of West Grand Avenue.

### *Port Priority Use Inconsistency*

The portion of the West Oakland Planning Area with the current Port Priority Use designation is located within the Mandela/West Grand Opportunity Area. This location is identified in the Specific Plan for future development of employment or retail uses unrelated to Port activities. The 2012 Oakland Army Base Project includes an approximately 15.1 acre replacement truck parking area, which would fulfill the Port’s obligation to provide land for truck parking. However, until such time as the Bay Plan and Seaport Plan are amended by BCDC to reflect the new 15.1-acre replacement truck parking site, the Specific Plan’s proposed use of these properties would be inconsistent with the Bay Plan and Seaport Plan policies that seek to protect Port Priority use areas for directly related Port activities.

## West Oakland Community-Based Transportation Plan

The West Oakland Community-Based Transportation Plan (CBTP) is the result of technical analysis and a series of community meetings and surveys conducted in 2005-2006 to identify transportation solutions to improve mobility in West Oakland. The CBTY project team worked closely with the West Oakland Project Area Committee (WOPAC) and numerous West Oakland community organizations. The community-based planning process identified barriers to mobility, problems in reaching grocery stores, schools, jobs, medical services and other key destination, and designed local solutions to these barriers. The Plan recommended 26 projects organized into three tiers according to their funding feasibility.

### *Consistency Analysis*

Most of the projects that remain to be implemented are reflected in the proposed West Oakland Specific Plan. Therefore, the Specific Plan would be consistent with the West Oakland Community-Based Transportation Plan.

## Standard Conditions of Approval

The City of Oakland has no Standard Conditions of Approval specific to the potential land use impacts of the Specific Plan.

## Impacts, Standard Conditions of Approval and Mitigation Measures

### Significance Criteria

According to the City's Thresholds of Significance, the Specific Plan would have a significant impact related to land use and planning if it would:

1. Physically divide an established community;
2. Result in a fundamental conflict between adjacent or nearby land uses;
3. Fundamentally conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and result in a physical change in the environment; or
4. Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan

### Physically Divide an Established Community

**Impact LU-1:** The proposed West Oakland Specific Plan would not disrupt or divide the physical arrangement of the West Oakland community or any surrounding community, but rather would improve certain existing conditions that currently divide the community. **(LTS)**

West Oakland is currently subject to many existing conditions that disrupt and divide the community. These conditions include the location of heavy industrial and transportation uses immediately adjacent to residential uses, and the separation of West Oakland from downtown Oakland, the waterfront at Jack London Square, Middle Harbor Park and the rest of the City by freeways that encircle the community.

Large areas of vacant and underutilized properties separate portions of the community into relatively isolated residential neighborhoods. Truck travel through neighborhoods, incomplete sidewalk systems, unsafe and uncomfortable streets, and poor connections to transit, jobs, schools, parks and community facilities impede community connections. West Oakland also lacks a grocery store, drug store and other neighborhood-serving retail, which forces residents to go outside the neighborhood to meet basic retail needs.

Reconstruction of the I-880 Cypress Freeway on its current alignment outside West Oakland neighborhoods and the subsequent redevelopment of the former freeway right-of-way as Mandela Parkway, removed a substantial division previously caused by the original freeway construction. The proposed Specific Plan would reinforce the trend begun by redevelopment of Mandela Parkway by encouraging additional mobility and streetscape improvements, and improved transit service linking West Oakland to adjacent activity centers and neighborhoods. The Specific Plan would also facilitate a transition from heavy industrial and transportation uses to more compatible light industrial, construction, urban manufacturing, clean-tech, digital media, information technology and life science uses. The Plan would encourage rehabilitation and adaptive reuse of existing, often blighted buildings and properties, and the compatible infill development of existing vacant blocks and lots. The Plan targets a number of key former heavy industrial properties next to existing residential neighborhoods for redevelopment with compatible new residential uses. The Specific Plan also encourages improvement of the safety, comfort and appearance of streetscapes and connections under the freeways. The Plan identifies options for BART noise mitigation. The Plan identifies suitable locations for new grocery stores and other neighborhood-serving retail uses, as well as appropriate transit corridor locations for mixed-use development with ground floor retail. Overall, the proposed Specific Plan would not disrupt or divide the physical arrangement of the West Oakland community or any surrounding community.

#### Mitigation Measures

None required

#### Land Use Compatibility

**Impact LU-2:** The West Oakland Specific Plan would not result in a fundamental conflict between adjacent or nearby land uses, but rather would result in a gradual improvement in compatibility between residential and other types of land uses. **(LTS)**

#### Existing Land Use

As illustrated in **Table 4.6-9**, the existing land uses in West Oakland's Opportunity Areas include the following:

- approximately 328 acres of land accommodating approximately 7.2 million square feet of non-residential building space, providing nearly 15,300 jobs;
- approximately 36 acres of mixed-use development along the 7th Street and San Pablo Avenue corridors, accommodating about 700,000 square feet of building space and about 600 jobs, plus about 65 housing units; and
- approximately 22 acres of residential land with a total of approximately 200 existing housing units; and

- approximately 27 acres of public open space, including 10 acres at Raimondi park, and approximately 17 acres of linear park space within the center median of Mandela Parkway.

**Table 4.6-9: Existing Land Use: All West Oakland Opportunity Areas**

	Non-Residential			Residential	
	Land Area (net acres)	Building Area (sq. ft.)	Employment	Housing Units	Population
<b>Non-Residential</b>					
Industrial/Business/Institutional	293	6,830,000	14,620		
Commercial/Retail	35	350,000	660		
sub-total	328	7,180,000	15,280		
<b>Mixed Use</b>					
Commercial/Residential	36	705,000	610	65	155
<b>Residential</b>					
Single-family and Townhomes	22			200	215
Open Space	27				
<b>TOTAL</b>	<b>413</b>	<b>7,885,000</b>	<b>15,890</b>	<b>265</b>	<b>628</b>

#### Land Use Assumptions at Buildout

**Table 4.6-10** provides a summary of changes in land use, employment, and population expected through buildout within this Plan's Opportunity Areas. As indicated in this table, buildout of the West Oakland Opportunity Areas is expected to result in a total of:

- over 293 acres of land accommodating approximately 11 million square feet of non-residential building space and nearly 23,000 jobs;
- approximately 37 acres of mixed-use development along the 7th Street and San Pablo Avenue corridors, accommodating about 875,000 square feet of building space and approximately 1,800 jobs, plus more than 1,400 housing units;
- a 24-acre mixed-use transit-oriented development at the West Oakland BART station, with up to 675,000 square feet of commercial, office and retail development, and/or a range of between 1,325 to 2,308 new housing units; and
- approximately 31.5 acres of residential land with a total of approximately 1,520 housing units.

**Table 4.6-10: Development Buildout Assumptions –All West Oakland Opportunity Areas**

	Non-Residential		Residential		
	Land Area (net acres)	Building Area (sq. ft.)	Employ-ment	Housing Units	Population
<b>2035 Buildout</b>					
<b>Non-Residential</b>					
Industrial/Business	244.5	10,380,000	21,490		
Commercial/Retail	49	670,000	1370		
sub-total	293.5	11,050,000	22,860		
<b>Mixed Use</b>					
Commercial/Residential	37	875,000	1,800	1,441	3,167
West Oakland BART TOD	24	up to 670,000	up to 1,675	up to 2,308	up to 5,230
sub-total	61	up to 1,545,000	up to 3,475	up to 3,749	up to 8,397
<b>Residential</b>					
Single-family and Townhomes	16.5			430	1,384
Multi-family Residential	15			1,090	2,183
sub-total	31.5			1,520	3,567
Open Space	27				
<b>TOTAL</b>	<b>413</b>	<b>range from 11,925,000 to 12,595,000</b>	<b>range from 24,660 to 26,330</b>	<b>range from 4,286 to 5,267</b>	<b>range from 9,788 to 11,964</b>

### Land Use Changes Resulting from the Plan

This Specific Plan directs and suggests significant transformational growth and change in land use throughout the West Oakland Opportunity Areas. In summary, these land use changes as envisioned under this Plan, as summarized in **Table 4.6-11**, include.

#### *Business/Industrial Changes*

- 34 acres of underutilized business and industrial lands are converted to 24 acres of high intensity mixed-use development at the West Oakland BART station, and 10 acres of new residential areas at the industrial/residential boundaries;
- Approximately 136 acres of current industrial/business properties with approximately 2.3 million square feet of existing building space are retained, and new and expanded business occupying this existing space provide up to 5,300 new jobs;
- 49 acres of industrial business properties are redeveloped with approximately 1.1 million square feet of new, low-intensity industrial and business space, providing up to 2,460 new jobs;

- 66 acres of current industrial/business properties are eventually redeveloped in the long-term with nearly 4.7 million square feet of new, high-intensity industrial and business space, providing up to 11,010 new jobs
- 18 acres of current industrial/business properties are redeveloped with approximately 385,000 square feet of new commercial/retail space, providing up to 870 new jobs

#### *Mixed Use Corridor and TOD Changes*

- Existing mixed Use areas primarily along the 7th Street and San Pablo Avenue corridors are more intensively developed with new infill development, resulting in approximately 185,000 square feet of new ground-floor commercial space and 590 new jobs, plus 1,356 new upper-floor residential units.
- A new transit-oriented development project is implemented on 24 acres surrounding the West Oakland BART station, resulting in up to 670,000 square feet of new commercial/office/institutional building space and up to 1,675 new jobs, and between 1,325 to 2,308 new housing units.

#### *Residential Changes*

- Conversion of a total of approximately 16 acres of business/industrial lands to residential use results in development of a total of 430 new housing units;
- Infill development of currently designated residential properties results in the construction of more than 900 new housing units at varying densities.

**Table 4.6-11: Buildout Assumptions –Net Change, All West Oakland Opportunity Areas**

<b>Net Change</b>					
<i>Non-Residential</i>					
Vacant Lots, Surface Parking, Blighted & Underutilized Buildings, and Businesses Choosing to Relocate	-167	-2,330,000	-790		
Existing Industrial/Business Buildings More Intensively Used	no change - (136)	no change - (2,300,000)	+5,320		
New Low-Intensity (Low-Rise) Industrial and Business Space	+49	+1,110,000	+2,460		
New High-Intensity (Mid-Rise) Buildings	+66	+4,680,000	+11,010		
Existing Retail Buildings Retained	no change - (66)	no change - (300,000)	+270		
New Commercial/Retail	+18	+385,000	+870		
sub-total	-34	+3,845,000	+19,140		
<i>Mixed Use</i>					
Existing Mixed Use Areas More Intensively Developed	no change	+185,000	590	1,356	2,975
New Transit-Oriented Development (BART TOD)	+24	up to +670,000	up to 1,675	range from 1,325 to 2,308	range from 3,054 to 5,320
	+24	range from +185,000 to +855,000	range from +590 to +2,265	range from +2,681 to +3,664	range from +6,029 to +8,295
<i>Residential</i>					
New Residential Conversions	+10			+430	868
Infill of Single-Family and Townhomes	no change			+175	360
Infill of Multi-Family Sites	no change			+731	1,465
sub-total	+10			1,336	2,693
<b>TOTAL</b>	<b>0</b>	<b>range from 4,030,000 to 4,700,000</b>	<b>range from 19,730 to 21,986</b>	<b>range from 4,017 to 5,000</b>	<b>range from 7,494 to 10,988</b>

### Land Use Compatibility

Land use compatibility is an important component of the well-being of communities, especially in urban areas where densities are high and a mixture of differing land uses can generate conflicts. Residential and heavy industrial uses are particularly difficult to harmonize. People living close to industries may experience higher levels of noise, pollution and truck traffic, and less visually attractive conditions. Industrial uses can experience greater regulatory controls over their activities and, despite a facility's

location in an industrial zone, complaints may force the facility to change or permanently restrict its operations.

The Specific Plan would improve existing land use incompatibilities by facilitating the transition of less compatible heavy industrial and transportation uses to more compatible light industrial and business mix uses. The Plan proposes locating new higher intensity uses near the freeways and away from residential neighborhoods. The higher intensity industrial uses, more intensive campus-style development, potential regional-serving retail uses and parking structures proposed by the Specific Plan would be located near I-880 and the West Grand Avenue ramps, or on 3rd Street, and away from residential areas. Community revitalization and development in accordance with the Specific Plan would occur as infill development on vacant land and intensification of underutilized parcels, primarily within industrial areas, along commercial corridors and around the BART station. The Plan would encourage rehabilitation and adaptive reuse of existing often blighted buildings and properties, and the compatible infill development of existing vacant blocks and lots. Infill development would result in more compatible land use patterns.

#### *Transition of Industrial Use Types*

One of the key underlying land use strategies of the West Oakland Specific Plan is to seek a transition of certain heavier industrial uses (such as recycling and heavy truck-intensive uses), to newer light industrial and business mix uses (including new technologies, research and development, low impact manufacturing, and commercial operations). This strategy is consistent with the current General Plan's Business Mix land use designation, which seeks to establish an "economic development zone" striving to accommodate older industries while anticipating new technologies. The West Oakland Specific Plan does not target for removal any specific industry type or individual business.

With few exceptions as described below, the Specific Plan retains current General Plan land use designations and zoning. However, the Specific Plan's CIX-1 land use overlays do provide a more specific land use vision for the area, intended to facilitate a transition in industrial and business land use over time. In particular, the Specific Plan envisions the short-term replacement of two current recycling operations (which have announced their own intentions to relocate to the former Oakland Army Base) with new higher intensity business/industrial uses. Over the longer term, similar transitions and reuse of older, heavier industrial uses is anticipated to occur as a result of market forces, prompted and facilitated by Specific Plan policy.

#### *Building Height Transitions to Lower-Density Residential Neighborhoods*

The Specific Plan proposes higher density residential and mixed-use development at the West Oakland BART station and along the 7<sup>th</sup> Street, San Pablo Avenue and West Grand Avenue corridors, adjacent to existing lower density residential neighborhoods. The building height limits, minimum yards, landscaping, screening and lighting standards of existing zoning, and Design Review of height, bulk, arrangement, shadowing and other characteristics of new development in accordance with Chapter 17.136 of the Oakland Planning Code, would continue to result in sensitive transitions between higher density development to adjacent lower density neighborhoods.

The Specific Plan would retain the existing maximum allowed building heights throughout most of the Planning Area. However, to make full use of the opportunity presented by the West Oakland BART Station, which is uniquely served by transit, to create a vibrant higher density residential and mixed-use transit village, the Specific Plan proposes an increase in the maximum allowed building height from the existing height limits. The Specific Plan includes an increase in the maximum allowed building height from the existing height limits of 120 feet (which is currently applicable to parcels adjacent to the I-880

freeway) to allow building heights of up to 200 feet along 7th Street and east of Union Street, 150 feet along 7th Street and east of Union Street, and 140 feet on those parcels adjacent to the I-880 freeway, but would also provide a more effective and substantial transition in building heights nearest to the South Prescott neighborhood, with buildings nearest to this neighborhood as low as 2-stories. No changes are proposed to the maximum allowed building heights on the remaining portions of 7<sup>th</sup> Street, or along San Pablo Avenue and West Grand Avenue, where height limits are predominantly 60 feet and 75 feet.

#### *Environmental Compatibility*

The Specific Plan proposes the eventual development of many hundreds of new housing units near freeways and other sources of diesel exhaust particulates and other toxic air contaminants (TACs) which pose a significant risk to human health. Housing proposed by the Specific Plan near the freeways, high volume roadways, BART and the railroads would also be exposed to noise levels that may exceed City and state standards for noise compatibility. Additionally, certain new residential land uses proposed by the Specific Plan are located on properties with known previous contamination from prior industrial uses or other sources. The compatibility of new residential development with these environmental conditions is more specifically addressed in Chapter 4.2, Air Quality, Chapter 4.5, Hazards and Hazardous Materials, and Chapter 4.7, Noise, of this EIR.

#### Mitigation Measures

None required

### **Conflict with Plans, Policies or Regulations**

**Impact LU-3:** The Specific Plan would not fundamentally conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect and result in a physical change in the environment. The impacts of the Specific Plan related to conflict with plans, policies and regulations would be less than significant. (**LTS**)

To the extent that the Plan may potentially conflict with individual general plan and other plan policies and regulations, those conflicts do not result in a significant effect on the environment under CEQA. CEQA Guidelines Section 15358(b) states that, “effects analyzed under CEQA must be related to a physical change in the environment.” CEQA Guidelines Section 15125(d) further states that an EIR shall discuss any inconsistencies between a proposed project and the applicable general plan in the setting section of the document rather than as an impact.

As described for each pertinent plan, policy and regulation in the Regulatory Setting section above, the Specific Plan would, on balance, be consistent with applicable plans, policies and regulations. The impacts of the Specific Plan related to conflicts or changes are more fully analyzed in the individual chapters of this EIR.

#### Mitigation Measures

None required

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## **Habitat and Natural Community Conservation Plans**

**Impact LU-4:** There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted habitat conservation plan applicable to the Planning Area. The Specific Plan would not conflict with any applicable habitat conservation plan or natural community conservation plan.  
**(No Impact)**

There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other adopted habitat conservation plan applicable to the Planning Area. The Specific Plan would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### Mitigation Measures

None required

## **Cumulative Land Use Impacts**

**Cumulative Impact LU-5:** The Specific Plan would not result in a cumulatively considerable contribution to any potentially significant cumulative land use impacts. The Specific Plan would further the growth and change envisioned by the General Plan. Although the Specific Plan would rezone key parcels from industrial to residential to reduce land use conflicts, on balance, the Plan would be consistent with and strongly support the City's Industrial Land Use Policy, and would not result in a cumulatively considerable contribution to the city-wide loss of industrial land supply. The cumulative land use impacts of the Specific Plan would be less than significant. **(LTS)**

The impacts of the proposed Specific Plan related to the physical division of an established community, conflicts with adjacent or nearby land uses, or conflicts with applicable land use plans, policies or regulations would be less than significant. Therefore, the Specific Plan would not result in a cumulatively considerable contribution to any potentially significant cumulative land use impacts. The Specific Plan would further the growth and change envisioned by the General Plan, the Land Use and Transportation Element policy framework and specific recommendations for West Oakland. Although the Specific Plan would rezone a few key parcels from industrial to residential to reduce land use conflicts, on balance, the proposed Specific Plan would generally be consistent with and would strongly support the Industrial Land Use Policy, and would not result in a cumulatively considerable contribution to any potentially significant cumulative loss of industrial land supply.

### Mitigation Measures

None required