



# CITY OF OAKLAND

## S-15 TRANSIT ORIENTED DEVELOPMENT ZONE

### ADDITIONAL CONDITIONAL USE PERMIT FINDINGS

*The S-15 Transit Oriented Development Zone is specifically intended to create, preserve, and enhance areas devoted primarily to serve multiple nodes of transportation and to feature high density residential, commercial, and mixed-use development; and to encourage a safe and pleasant pedestrian environment near transit stations.*

*In the S-15 Zones, a Conditional Use Permit for any Activity or Facility listed in Sections 17.97.030, 17.97.040, 17.97.050, and 17.97.080, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134 and to the following additional use permit criteria:*

**Please indicate the way in which the proposal meets the following required criteria. Attach additional sheets if necessary.**

**Additional Conditional Use Permit (CUP) Findings for any Activity or Facility under Section 17.97.030, 17.97.040, 17.97.050, and 17.97.080:**

- A. That the proposal will be of a quality and character which harmonizes with and serves to protect the value of private and public investment in the area:

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- B. That the proposal will encourage an appropriate mixture of Residential and Commercial Activities in a manner which promotes and enhances use of multiple modes of transportation:

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- C. That the proposal is designed to provide a safe and pleasant pedestrian environment:

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D. That no front yard parking, loading area, or driveway shall connect or abut directly with the principal commercial street unless the determination can be made:

1. Vehicular access cannot reasonably be provided from a different street or other way:

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2. Every reasonable effort has been made to share means of vehicular access with abutting properties:

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3. The proposal is enclosed or screened from view of the abutting principal street by the measures required in Section 17.110.040B:

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E. That the amount of off-street parking, if any, provided in excess of this code will not contribute significantly to an increased orientation of the area to automobile or truck movement:

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**Additional Conditional Use Permit (CUP) Findings for Automotive Fee Parking Commercial Activities (Section 17.97.040):**

F. In addition to the foregoing criteria and any other applicable requirements, Auto Fee Parking within the S-15 Zones shall be subject to the following *additional* use permit criteria:

1. Auto fee parking shall be part of a larger development that contains a significant amount of commercial and/or residential facilities:

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2. Auto fee parking may only be contained in a structured parking facility of at least three stories that replaces an existing at grade parking facility:

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3. The new parking structure shall represent no more than a seventy-five (75) percent increase of existing parking at the site:

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4. Auto fee parking at the site shall be specifically designated by a city sponsored plan or study designed to promote a transit oriented district as defined by the General Plan:

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*-continued-*

5. The facility or facilities containing the residential and/or commercial activities shall be adjacent to the *principal street(s)\** and the auto fee parking shall be behind and substantially visually obstructed from the *principal street(s)\** by the residential and/or commercial facility or facilities:

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6. The project shall be consistent with the General Plan's goals, objectives, and policies that promote transit oriented development and districts:

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*\*For purposes of this Subsection, "**principal street**" means the street that abuts the development lot or lots. On lots that abut more than one street, the principal street is highest on the street hierarchy as defined in the Land Use and Transportation Element (LUTE) of the General Plan. Where streets have the same street hierarchy, the principal street or streets shall be determined by the Planning Director or their designee based on development patterns, street widths, traffic capacity, land uses, transit activity, bicycle and pedestrian uses, and traffic control of intersections.*