

AMENDED BY CED COMMITTEE ON JULY 21, 1998

CITY OF OAKLAND

Agenda Report

TO: City Council

FROM: Staff

DATE: July 21, 1998

RE: SUPPLEMENTAL INFORMATION TO JUNE 30 REPORT REGARDING CONSIDERATION OF AN ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO CREATE THE OPEN SPACE ZONE, AND TO REZONE APPROXIMATELY 2,800 ACRES OF PUBLICLY-OWNED PARK AND OPEN SPACE LANDS FROM VARIOUS EXISTING ZONES TO THE NEW OS ZONE

In response to concerns raised by the East Bay Regional Park District (EBRPD) and in response to mapping issues raised at the June 30, 1998 CED Committee meeting, the following revisions to the proposed Ordinance have been made:

1. Provisions have been added to allow the EBRPD to construct improvements in City parks "by right," provided the improvements are consistent with a Master Plan adopted by the EBRPD Board. The revised wording is attached (Attachments A-1 and A-2)
2. A portion of Coliseum Gardens Park (along 69th Avenue) and a portion of Eastshore Park (the Splash Pad at Grand and Lake Park Avenues) have been removed from the list of sites to be rezoned so that the City can evaluate other options for the future use of these areas. Rezoning of these sites has been deleted from map pages 89 and 223 (Attachments B-1 and B-2). Map pages 77 and 240, on which these were the only sites to be rezoned, will be removed from the ordinance.

The final ordinance, to be passed on July 28, 1998, will be modified as necessary to reflect these revisions and to maintain internal consistency.

S-13-2
7/21/98

17.11.060 SPECIAL PROVISIONS FOR PERMITTED AND CONDITIONALLY PERMITTED ACTIVITIES IN THE OS ZONE

**ATTACHMENT "A-1"
Approved by Committee
on 7/21/98**

The following table shall apply to those activities that are permitted and conditionally permitted within the OS Zone. The specified activities shall only be permitted or conditionally permitted in the types of parks indicated in the table. Permitted activities are noted with the letter "P." Uses requiring a minor conditional use permit are indicated with a star. Uses requiring a major conditional use permit are indicated with a solid circle and star. In the event that no letter or symbol appears in the matrix cell, the use is not permitted.

USE/ PARK TYPE	RSP	CP	NP	AMP	PMP	LP	SU	RCA	AF
ACTIVITY TYPES									
PERMANENT RESIDENTIAL ACTIVITIES									
Caretaker's Quarters	⊙	⊙	⊙			⊙	⊙		⊙
ESSENTIAL SERVICE CIVIC ACTIVITIES									
Botanical Gardens	☆	☆	☆	☆	☆	☆	☆		☆
Trails and Paths	☆	☆	☆	☆	☆	☆	☆	☆	☆
Electric, gas, and telephone distribution lines and poles	☆	☆	☆	☆	☆	☆	☆	☆	☆
Water, storm drainage, and sewer lines	☆	☆	☆	☆	☆	☆	☆	☆	☆
Park, recreational, and civic uses, consistent with a Master Plan adopted by the City Council (pursuant to Section 17.135.050), whether or not they are listed in this table.	☆	☆	☆	☆	☆	☆	☆	☆	☆
<u>Park, recreational, and civic uses on land owned by the East Bay Regional Park District (EBRPD), consistent with a Master Plan adopted by the EBRPD Board (pursuant to Section 17.135.050), whether or not they are listed in this table.</u>	<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>	

Legend: ⊙ = Major Conditional Use Permit Required ☆ = Minor Conditional Use Permit Required
 RSP (Region-Seeing Park); CP (Community Park); NP (Neighborhood Park); AMP (Active Mini-Park);
 PMP (Passive Mini-Park); LP (Linear Park); SU (Special Use Park); RCA (Resource Conservation Area);
 AF (Athletic Field Park)

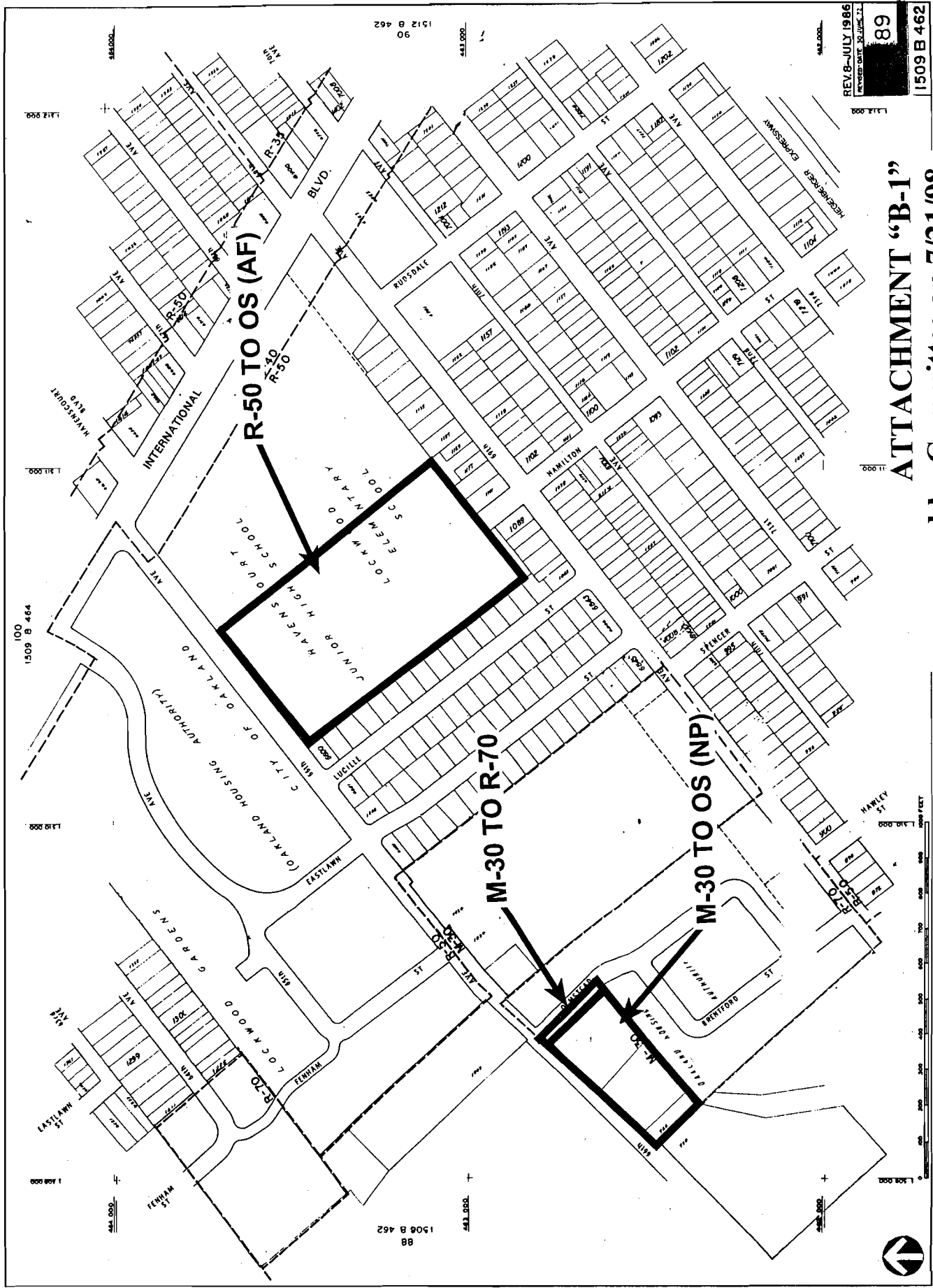
ATTACHMENT "A-2": Approved by Committee on 7/21/98

For projects requiring a minor conditional use permit, this review shall be made after the public hearing of the Parks and Recreation Advisory Commission and before the final decision of the Director of City Planning. For projects requiring a major conditional use permit, this review shall be made after the public hearing of the Parks and Recreation Advisory Commission and before the public hearing of the City Planning Commission. The Landmarks Preservation Advisory Board may recommend modifications to the project that it deems necessary to ensure that the historic value of the structure, site, or feature is not adversely impacted. If no action is taken by the Landmarks Preservation Advisory Board within 30 days of its receipt of the application, the project will be forwarded to the Planning Commission (for major conditional use permits) or Director of City Planning (for minor conditional use permits).

17.135.050 SPECIAL REQUIREMENTS FOR PROJECTS CONSISTENT WITH PARK MASTER PLANS

A. Projects in City-Owned Parks. Any improvement or change in use that is consistent with a Park Master Plan that has been adopted by the Oakland City Council shall be subject to these provisions. However, in accordance with Section 17.11.060, such projects shall be subject to the Minor Conditional Use Permit process only, even where they involve facilities or activities that would otherwise require Major Conditional Use Permits. Projects shall be eligible for this provision only if the Master Plan in question has been adopted within 10 years of the date of the application, or has been amended or updated with Council approval within 10 years of the date of the application. The determination that a project is consistent with a Park Master Plan shall be made by the Director of City Planning.

B. Projects in East Bay Regional Parks. Any improvement or change in use on land owned by the East Bay Regional Park District (EBRPD) shall be subject to the development standards contained in this Ordinance. However, in accordance with Section 17.11.060, such projects shall not require a conditional use permit if they are park, recreational, or civic uses that are consistent with a Park Land Use Plan or equivalent land use planning document adopted by the EBRPD Board. In the event a Land Use Plan or equivalent document does not exist or must be amended to accommodate the facility, preparation/amendment of such a Plan by the EBRPD will be required prior to issuance of a building permit for future improvements. Such Plans and Plan amendments shall require public notice to abutting property owners and to the Oakland Parks and Recreation Advisory Commission, City Planning Commission, and City Council at least 45 days prior to adoption by the Park Board in order to ensure opportunity for public comment from Oakland residents.

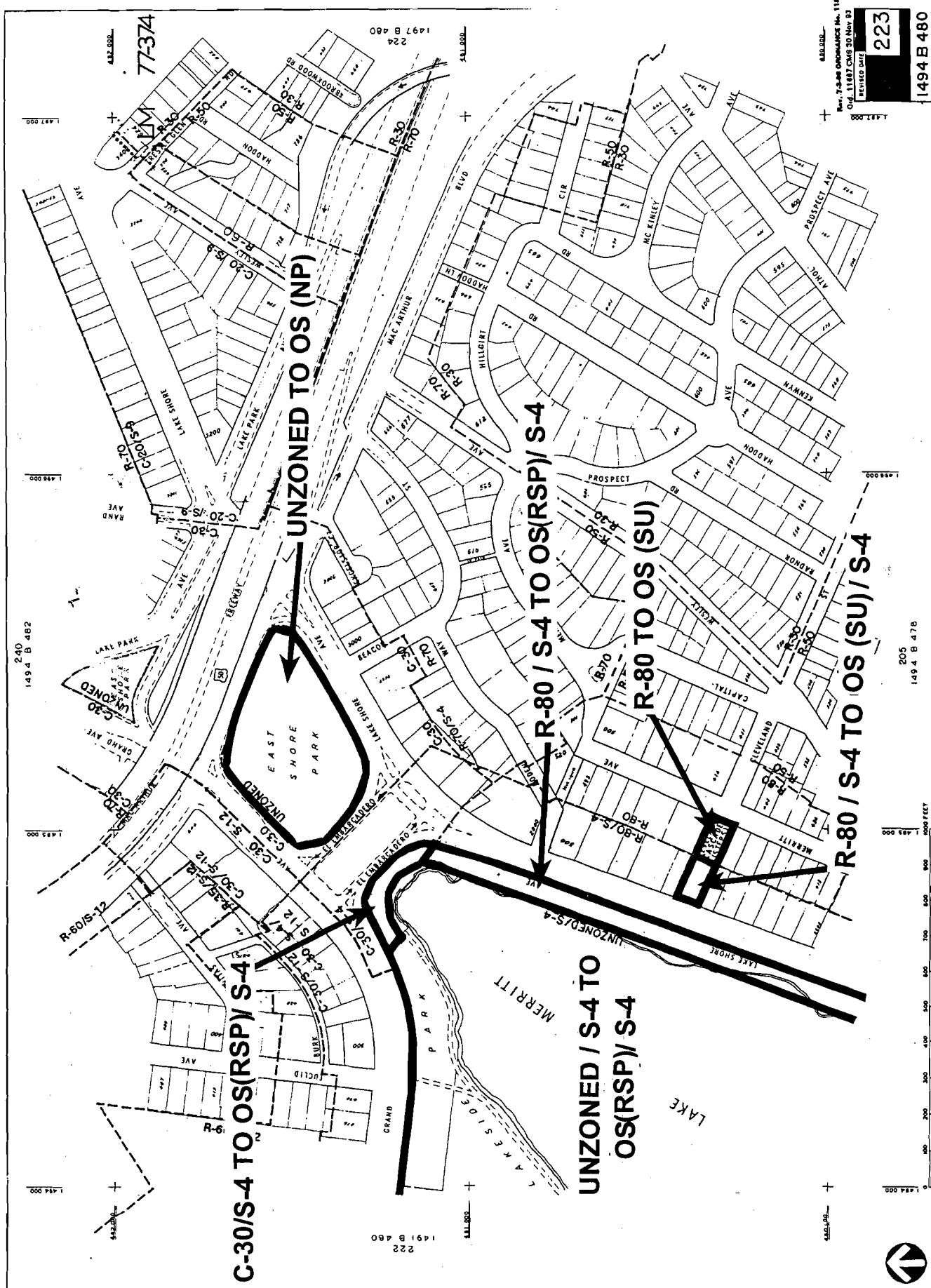


REV 8-JULY 1986
 REVISION DATE 30 JUN 77
 89
 1509 B 462

ATTACHMENT "B-1"
 approved by Committee on 7/21/98



04 2-81



C-30/S-4 TO OS(RSP)/S-4

UNZONED TO OS (NP)

R-80 / S-4 TO OS(RSP)/ S-4

R-80 TO OS (SU)

R-80 / S-4 TO OS (SU) / S-4

UNZONED / S-4 TO OS(RSP)/ S-4

77374

223

1494 B 480

Rev. 7-3-99 Ordinance No. 11861 C.M.S.
 Of. 11867 CMS 30 Nov 93
 REVISED DATE



ATTACHMENT "B-2"
 approved by Committee on 7/21/98