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DEVELOPMENT PLANS AND  
DESIGN REVIEW

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## 2.10 Preliminary Development Plan

Development of each Development Area or Public Access Area within the Wood Street Zoning District requires submittal and approval of a Preliminary Development Plan and a Final Development Plan. More than one Development Area and/or Public Access Area may be included in a Preliminary Development Plan. Both the Preliminary and Final Development Plans shall be prepared by a professional design team consisting of a registered civil engineer, or licensed architect, planner or licensed building designer, and other qualified professionals that the City may require.

Other applications required for development and use of property within the Wood Street Zoning District (e.g., subdivision map) may be submitted concurrently with a Preliminary Development Plan. All required fees shall be paid in accordance with Oakland's Master Fee Schedule submitted at the time of applications for the Preliminary and/or Final Development Plans and/or other planning and subdivision approvals.

(X) copies of a Preliminary Development Plan for one or more Development Areas and/or Public Access Areas shall be submitted, and shall include the following:

1. Streets, driveways, sidewalks, pedestrian and bike ways, and off-street parking and loading areas, including integration with surrounding uses;
2. Location and approximate dimensions of structures;
3. Utilization of property for residential and non-residential use;
4. Estimated population;
5. Reservations for public uses, including schools, parks, playgrounds, and other open spaces;
6. Major landscaping features, including trees protected by OMC Chapter 12.36, as it may be amended;
7. Creeks protected by OMC Chapter 13.16, as it may be amended; or as identified by the Site Context Map submitted pursuant to Section 17.XX.060B;
8. Historic resources pursuant to the City's Historic Preservation Element Policy 3.8 or as defined in Section 15064.5 of Title 22 of the California Code of Regulations; and
9. Drainages and elevations establishing the scale, character, and relationship of buildings, streets, and open spaces.
10. A tabulation of the land use area and gross floor area to be devoted to various uses and a calculation of the average residential density per net acre and per net residential acre.
11. A construction and occupancy phasing plan.
12. A public services and facilities plan.
13. A public facilities financing plan.

## **2.20 Review of Preliminary Development Plan**

The Planning Director shall forward a copy of the Preliminary Development Plan to the City Engineer for review no later than 10 days after its submittal. The Planning Commission shall hold a public hearing on the Preliminary Development Plan no later than seventy-five days after it is sent to the City Engineer or within thirty days of the Planning Commission receiving a report from the City Engineer, whichever is earlier. Notice of the hearing shall be given by the City Clerk or Planning Director, as set forth in OMC Section X.XX. The Planning Commission shall approve the Preliminary Development Plan if it makes written findings that the Preliminary Development Plan is in substantial conformance with the Wood Street Zoning Regulations. The Planning Commission shall disapprove the Preliminary Development Plan if it makes written findings that the Preliminary Development Plan is not in substantial conformance with the Wood Street Zoning Regulations and that it is not possible to require changes or impose conditions of approval as are reasonably necessary to ensure conformity to the Wood Street Zoning Regulations. The decision of the Planning Commission on the Preliminary Development Plan shall become final ten calendar days after the adoption of the findings, unless the Planning Commission decision is appealed to the City Council in accordance with OMC Section X.XX. In the event the last date to file an appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal.

If the Preliminary Development Plan for a Development Area or Public Access Area satisfies the requirements for a Final Development Plan (as described in Section 2.30 below), the Preliminary Development Plan may also serve as a Final Development Plan, and the applicant shall not be required to file a separate Final Development Plan for that Development Area or Public Access Area.

### **2.30 Final Development Plan**

Unless an extension is granted pursuant to Section 2.40 below, a Final Development Plan for a Development Area or Public Access Area shall be submitted no later than two years after the final approval of the Preliminary Development Plan. The Final Development Plan shall include all information contained in the Preliminary Development Plan plus the following:

1. The location of all public infrastructure that provides water, sewage, and drainage facilities and other utility services;
2. The location of all private infrastructure that provides gas, electric, and other utility services;
3. Detailed building plans and elevations;
4. Landscape plans prepared by a landscape architect;
5. The character and location of signs;
6. Improvement plans for all public and private streets, driveways, sidewalks, pedestrian and bike ways, and off-street parking and loading areas;
7. Grading or other earth-moving plans; and
8. The public facilities financing plan approved as part of the Preliminary Development Plan modified as necessary to reflect changed conditions or new information.

If the Final Development Plan is not submitted within two years of the date of approval of the Preliminary Development Plan, the Preliminary Development Plan shall be void and of no further force and effect unless an extension is approved pursuant to Section 2.40 below.

An applicant shall submit all legal documents required for dedication or reservation of land and for all bonds or other forms of financial assurances acceptable to the City required for timely completion of public improvements necessitated by the project (including, without limitation, for guaranteeing 100% of the costs of completion and faithful performance of the work), with the Final Development Plan.

### **2.40 Review of Final Development Plan**

The Planning Director shall forward the Final Development Plan to the City Engineer for review no later than 10 days after its submittal. The Planning Commission shall hold a public hearing on the Final Development Plan no later than seventy-five days after the Plan is sent to the City Engineer or within thirty days of the Planning Commission receiving a report from the City Engineer, whichever is earlier. Notice of the hearing shall be given by the City Clerk or Planning Director as set forth in O.M.C. Section X.XX.

The Planning Commission shall approve the Final Development Plan if it makes written findings that the Final Development Plan is in substantial conformance with the Preliminary Development Plan and the Wood Street Zoning Regulations. The Planning Commission shall disapprove the Final Development Plan if it makes written findings that the Final Development Plan is not in substantial conformance with either the Preliminary Development Plan or the Wood Street Zoning Regulations and that it is not possible to require changes or impose conditions of approval as are reasonably necessary to ensure such conformity.

The decision of the Planning Commission on the Final Development Plan shall be final ten calendar days after the adoption of the findings unless the Planning Commission decision is appealed to the City Council in accordance with O.M.C. Section X.XX. In the event the last date to file an appeal falls on a weekend or holiday when City offices are closed, the next date such offices are open for business shall be the last date of appeal.

An applicant, based on good cause, may request a written extension of the initial two-year time limit to submit a Final Development Plan for a maximum of two years at any time prior to the expiration of the two-year period. The Planning Director may approve, modify, or deny such request. The decision of the Planning Director may be appealed to the Planning Commission with ten days of the decision in accordance with O.M.C. Section X.XX. Prior to the expiration of any extension granted by the Planning Director, an applicant, based on good cause, may request a second written extension of the initial two-year time limit to submit a Final Development Plan. This second request shall be referred to the Planning Commission. The Planning Commission may approve, modify or deny such request for a maximum of two years. The decision of the Planning Commission shall be final and not appealable.

Approval of a Final Development Plan shall expire and be of no further force and effect if: (1) three years after the approval of the Final Development Plan substantial construction pursuant to a building permit has not commenced; or (2) construction has not continued in conformance with the approved phasing plan, as determined by the Planning Director and set forth in writing and provided to the applicant. The decision of the Planning Director may be appealed to the Planning Commission within ten days of the date of the decision in accordance with O.M.C. Section X.XX. The decision of the Planning Commission shall be final and not appealable.

An applicant, based on good cause, may request a written extension of the Final Development Plan for three years at any time prior to the expiration of the date of approval of the Final Development Plan. The Planning Director may approve, modify, or deny such request. The decision of the Planning Director may be appealed to the Planning Commission within ten days of the date of the decision in accordance with Section 17.139.140. The decision of the Planning Commission shall be final and not appealable. Prior to the expiration of any extension to an approved Final Development Plan granted by the Planning Director, an applicant, based on good cause, may request a second written extension of the Final Development Plan. This second request shall be referred to the Planning Commission. The Planning Commission may approve, modify or deny such proposal for a maximum of three years. (The decision of the Planning Commission shall be final and not appealable). Based on good cause, the Planning Commission may, at a public hearing, grant one additional and final extension of the Final Development Plan for up to three years if an application for an extension is filed prior to the expiration of the date of the previous extension granted by the Planning Commission. The decision of the Planning Commission shall be final and not appealable.

## **2.50 Final Development Plan/Final Design Review**

Final Development Plan / Final Design Review shall be required as part of the approval process for a Final Development Plan. After design review approval, no further design review approvals of the Development Area or Public Access Area shown on the Final Development Plan shall be required except to the extent that the application for Final Design Review did not provide adequate information regarding one or more uses within the Development Area or Public Access Area to allow for Final Design Review. The procedure for Final Development Plan / Final Design Review shall follow the schedule outlined in Section 17.136.060. Final Development Plan / Final Design Review shall be limited to a determination of whether or not the proposed design is in substantial compliance with the design guidelines specified in these Wood Street Zoning Regulations. Remodels and additions to the buildings and sites within a Development Area or Public Access Area after issuance of a certificate of occupancy shall be conducted pursuant to O.M.C. Section 17.136.060.

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DISTRICT AREA DESIGNATIONS  
AND DEFINITION OF TERMS

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### 3.10 District Area Designations

All land areas within the Wood Street Zoning District are designated as either Development Areas, Public Access Areas or Public Streets, as described below. See *Figure 3.10-1 District Area Designations*.

1. **Development Areas** are comprised of one or more privately owned lots that are intended for development. The Wood Street Zoning District includes eight Development Areas designated by the number one (1) through eight (8)
2. **Public Access Areas** are comprised of privately and/or publicly owned lots on which no permanent building is allowed. Public Access Areas include publicly accessible open space, parking areas, vehicular and pedestrian access areas, loading zones, and landscaped recreational spaces.  
  
Public Access Areas include the extensions of 14<sup>th</sup> Street, 16<sup>th</sup> Street, 18<sup>th</sup> Street, and 20<sup>th</sup> Street. These areas provide pedestrian, bicycle, and emergency access between Frontage Road and Wood Street, but do not allow vehicular through traffic. Public Access Areas also include the 16<sup>th</sup> Street Plaza fronting the 16<sup>th</sup> Street Train Station.
3. **Public Streets** are comprised of public right of ways that are developed and maintained as public streets.

### 3.20 Overlay Zones

Three Overlay Zones are established to provide for regulation of Development Areas in response to specific adjoining conditions. Regulations applicable to Overlay Zones modify or replace the regulations otherwise applicable to the underlying Development Area as specified herein.

1. **Wood Street Overlay Zone** – The purpose of the Wood Street Overlay Zone is to establish a transition in scale from the existing neighborhood and the mixed-use development and to promote an active and pedestrian-scaled street frontage.

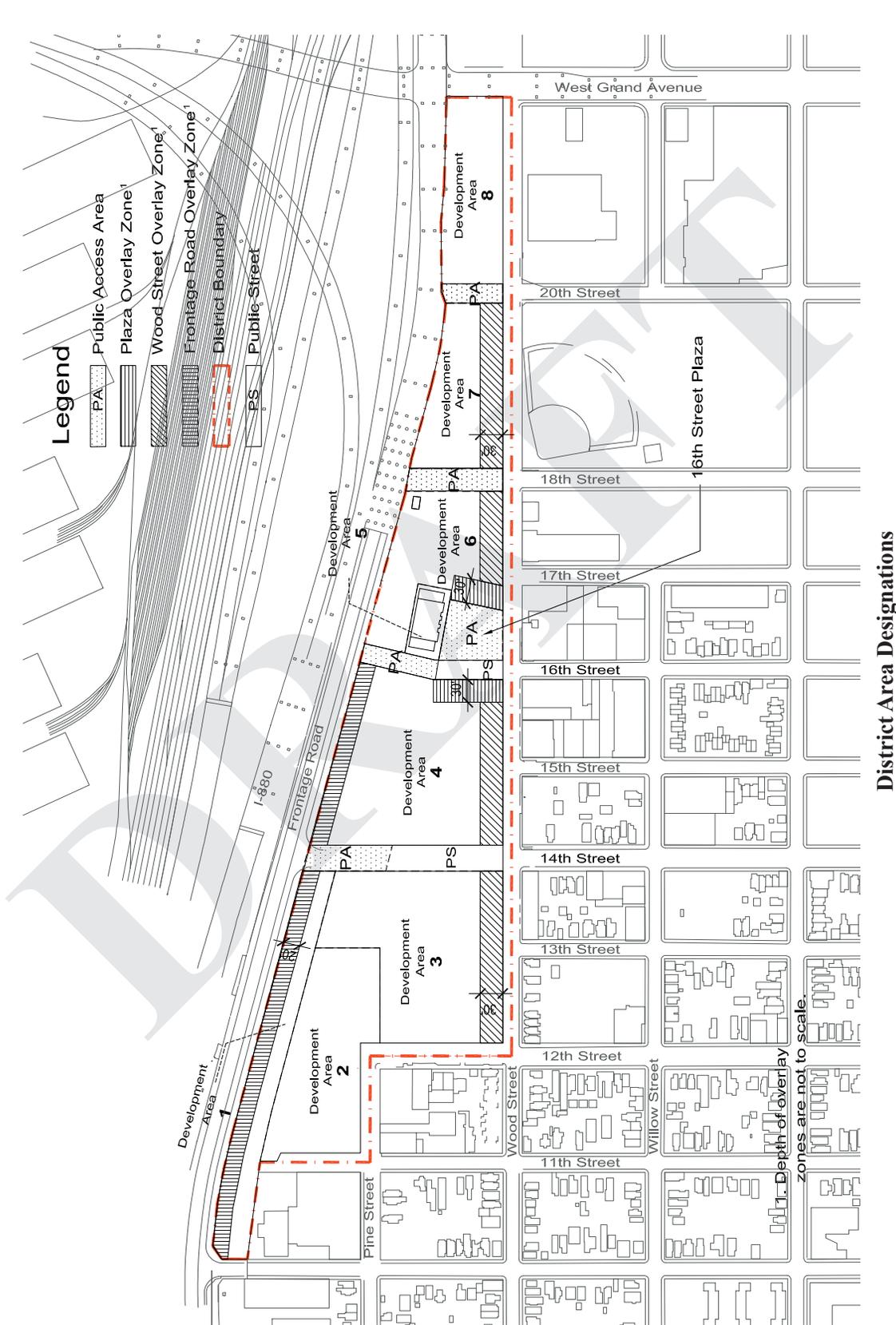
The Wood Street Overlay Zone is 30 feet in depth as measured from the street line, and parallels Wood Street between 12<sup>th</sup> Street and 20<sup>th</sup> Street.

2. **Plaza Overlay Zone** – The purpose of the Plaza Overlay Zone is to ensure that new development fronting the 16<sup>th</sup> Street Plaza creates a well-defined urban space with active ground floor uses facing the 16<sup>th</sup> Street and to ensure that the scale of new buildings is complimentary to the scale of the 16<sup>th</sup> Street Train Station.

The Plaza Overlay Zone frames the 16<sup>th</sup> Street Plaza. The southern portion of the Overlay Zone is twenty (20) feet in depth, as measured from the 16<sup>th</sup> Street line and extends from Wood Street to a line parallel to and five (5) feet from the south facade of the 16<sup>th</sup> Street Train Station. The northern portion of the Overlay Zone is twenty (20) feet in depth as measured from the street line framing the Plaza and extends from Wood Street to a line parallel to and five (5) feet from the south facade of the 16<sup>th</sup> Street Train Station.

3. **Frontage Road Overlay Zone** – The purpose of the Frontage Road Overlay Zone is to allow greater flexibility for development facing onto a busy arterial street.

The Frontage Road Overlay Zone is twenty (20) feet in depth, as measured from the street line framing the Frontage Road, and extends from 10<sup>th</sup> Street north to the southern edge of the 16<sup>th</sup> Street Plaza.



District Area Designations

Figure 3.10-1

### 3.40 Definition of Terms

The following definitions apply to terms used in the Wood Street Zoning Regulations. For terms not defined below, the definition shall be as set forth in Section 17.09 of the Oakland Planning Code.

<i>At-grade</i>	Facilities or activities located on the ground with no structure or occupied space located below.
<i>Above grade</i>	Facilities or activities located over a parking garage or occupied space.
<i>Awning (or Canopy)</i>	A device that projects from the exterior facade of a building and is intended to shelter an opening or window below.
<i>Balcony</i>	A usable outdoor space located above the ground floor and projecting from the face of the building with an enclosed space immediately below.
<i>Bay Window</i>	An occupied space cantilevered from the face of the building and located above the ground floor.
<i>Below Grade Parking Garage</i>	A parking garage located below grade such that the first finished floor or outdoor area above the parking garage is not more than five (5) feet above grade.
<i>Building Frontage</i>	Parallel portions of buildings containing occupied space and located parallel and immediately adjacent to a street line or street setback line.
<i>Development Project</i>	A facility constructed on a private parcel within a Development Area.
<i>Development Area</i>	See Section 10 of this Zoning District.
<i>Elevated Roadway</i>	Any roadway or portions of roadway more than five (5) feet above the average adjacent grade measured at the adjoining lot line.
<i>Equipment</i>	Utility meters, transformers, back flow preventers, check valves, heating, Satellite Dishes, ventilation and cooling equipment, and other devices associated with utility services or building systems. Equipment does not include plumbing and appliance vents, louvers, lighting and other minor devices.
<i>Facade</i>	The exterior wall of a building.
<i>Ground Floor</i>	The first story of a building located not more than five (5) feet above and not more than three (3) feet below the average finished grade at the adjoining street line or lot line. A ground floor may be located above a below grade parking garage.
<i>Ground Floor Parking Garage</i>	A parking garage located at the ground floor, as defined above.

<i>Interior Lot Line</i>	A lot line that separates private lots, not including lot lines adjoining Public Access Areas.
<i>Landscape Area</i>	Any portion of a Development Area that is not occupied by a building, parking area, service area or vehicular circulation area.
<i>Limit of Development Area</i>	A lot line that divides a Development Area from a Public Access Area.
<i>Limited Activity</i>	See definition in Section 4.23 of this Zoning District.
<i>Opposite Walls</i>	An exterior wall of the same or of another building on the same lot that is intersected by a perpendicular line extending horizontally outward from the window of a habitable room, or from anywhere along the same wall within ten (10') feet to either side of the centerline of the window.
<i>Mixed-Use Development-</i>	An integrated development containing residential, commercial and/or industrial activities.
<i>Occupied Space</i>	A space within a building used for activities associated with human occupation, excluding parking garages, storage areas, utility or service spaces and waste handling areas.
<i>Overlay Zone</i>	See Section 3.09 of this Zoning District.
<i>Parking Garage</i>	A structure or portion of a structure containing three or more parking spaces.
<i>Parallel</i>	A line shall be considered parallel to another line if the least angle created by their intersection, (if any) is not more than 30 degrees.
<i>Perpendicular</i>	A line shall be considered perpendicular to another line if the least angle created by their intersection is not less than 60 degrees.
<i>Planning Code</i>	The City of Oakland Planning Code Title 17 of the Oakland Municipal Code, the most recent revision date as of the adoption of the Central Station Zoning District.
<i>Public Access Area</i>	See Section 3.10 of this Zoning District.
<i>Public Streets</i>	See Section 3.10 of this Zoning District.
<i>Setback</i>	The required distance from a lot line or street line to the face of a building or structure.
<i>Surface Parking</i>	Parking located at grade and not enclosed in a structure. Surface parking may have an overhead shelter.

<i>Street Furniture</i>	Fixed components within the public right of way or Public Access Area including trash receptacles, light poles, bollards, benches, planters and bike racks.
<i>Street Line</i>	A lot line dividing a lot from a public street, or a Public Access Area
<i>Street Frontage</i>	Any portion of a development project adjoining a street line
<i>Street Setback</i>	The required setback at a street line
<i>Tuck-under Parking</i>	Partially enclosed parking located below or partially below occupied space
<i>Visible from the street</i>	Visible from any point five (5) feet above the surface of a public street or Public Access Area immediately adjoining the lot or Development Area in question.