Chapter 1

Overview
OVERVIEW

WHAT IS THE OSCAR?

The Open Space, Conservation, and Recreation (OSCAR) Element is the official policy document addressing the management of open land, natural resources, and parks in Oakland. The Element is part of Oakland’s General Plan, the State-mandated document which serves as a "blueprint" for change over the next two decades. Collectively, the elements of the General Plan provide a statement of the community’s values and aspirations for the future.

The OSCAR Element contains goals, objectives, policies, and actions on a diverse range of topics. The premise that binds these topics together is that Oakland can be a more attractive city and a better place to live by conserving and rediscovering its natural resources, growing in harmony with the environment, and meeting recreational needs in new and creative ways. Because of fiscal and physical constraints, the Element emphasizes innovation, resourcefulness, and flexibility. At the same time, it is specific enough to guide decisions on the future use of individual park and open space sites.

Oakland’s open spaces and natural resources have inspired generations of Oakland residents and continue to be among the most positive aspects of life in the city. Oakland boasts more than 3,000 acres of parkland, a dozen creeks, 19 miles of shoreline, a magnificent salt water lake, some of the most dramatic topography and geology in the East Bay, and some of the Bay Area’s most spectacular scenery.

Protecting these assets is essential and is one of the major themes of the OSCAR Element. Another equally important theme is to bring these resources closer to the many neighborhoods where they do not exist right now. This may be as simple as turning over an unused plot of dirt to create a community garden, or as ambitious as creating a brand new park or trail system.

Oakland’s location at the geographic center of the Bay Area make it an important link in the on-going efforts to create a more environmentally sustainable Bay Area. Water quality concerns, air quality concerns, open space demands, and many other issues addressed in the OSCAR Element cross jurisdictional lines. The Element emphasizes Oakland’s role within the larger region, and considers the ecological and recreational connections between the city and its neighbors.

This Element is also intended as a resource for the people of Oakland. It is a tool for understanding Oakland’s environment and the factors that have shaped the city’s development during the past 150 years. It provides a snapshot of Oakland in the mid-1990s, a vision for the next century, and a strategy for how to achieve that vision. It is an instrument for initiating and responding to the decisions that will shape parks and open spaces during the coming decades. It is intended to educate, to guide, and importantly, to inspire.
RELATIONSHIP TO PRIVATE PROPERTY RIGHTS

There are several policies and portions of the OSCAR Element text related to privately owned lands. Some of these policies and text specifically relate to development and open space considerations. These policies and text are in no way intended to establish absolute development criteria for specific parcels. Further, the OSCAR Element is not intended to and does not authorize or mandate the City to acquire any specific parcel.

All open space and conservation policies and actions in this document shall be subject to the legal maxim that City policies cannot deny an owner economically viable use of his or her land. Therefore, all policies and actions shall be interpreted to allow each landowner some economically viable use of each legal parcel owned by that landowner.

All designation of land for resource conservation purposes must comply with applicable federal and state laws. No such designation may be made on private property unless it is either voluntarily agreed to by the owner or if there is a reasonable legal basis for the designation and the owner still retains an economically viable use of his or her property. Nothing in the OSCAR Element is intended to or shall be interpreted as creating any right, legal or otherwise, in any citizen, third party, governmental entity, or other party.

RELATIONSHIP TO OTHER PLANS AND PROGRAMS

Relationship to the Oakland General Plan

State law requires every California city and county to have a General Plan for its physical development. While the State provides flexibility in the organization and content of the Plan, seven basic "elements" or subject categories must be addressed. These elements can be combined in a single document or presented as a series of reports covering different topics or geographic areas. The State also encourages cities and counties to develop "optional" elements for topics of local importance.

The seven mandatory Plan elements are land use, circulation, housing, open space, conservation, safety, and noise. The OSCAR Element covers two of these seven, and adds the optional topic of "recreation." Thus, the OSCAR Element is actually three elements. However, the three topics overlap to a high degree and can be logically viewed together.

Most of Oakland's current General Plan was written in the mid-1970s. The Plan is being updated in stages, with the OSCAR Element among the first of the new elements to be completed. An optional Historic Preservation Element was adopted in early 1994. An update of the Land Use and Circulation Elements is underway, and the Safety and Noise Elements will be completed by 1997. The City updated its Housing Element in 1992. An optional "Urban Appearance" Element may be prepared in later in the 1990s.

State law requires the elements of the General Plan to be internally consistent. This means that policies within the OSCAR Element must be consistent with one another. It also means that OSCAR policies must be consistent with policies in the Land Use Element, the Housing Element, and so on. After all Elements of the new Plan have been adopted, it may be necessary to review each Element's policies and actions and make amendments to meet the internal consistency requirement.

State law also requires the elements of the General Plan to be comprehensive and long-range. The OSCAR Element is comprehensive both in the topics it covers and in the way it evaluates the relationship between the natural environment and all facets of life in Oakland. It is also comprehensive in its geographic scope, covering all parts of the City including the Port of Oakland, the military bases, and the University of California hill property. It is long-range, in that it looks far enough into the future to allow major changes in the city's form and appearance to occur. The Element's horizon year is 2015.

Relationship to the 1976 OSCAR Element

This document supersedes and replaces the 1976 OSCAR Element. Much of what is contained in the new Element is based on the old one; some of the policies from the earlier Element are even repeated here. However, the new OSCAR is more comprehensive than the previous one.
and is based on updated data on the state of the City. The new OSCAR responds to current issues and concerns like personal safety in City parks, public access to schoolyards, and urban water quality. The new document is also formatted differently than the old one. It includes specific action steps and measurable objectives. It focuses on policies and issues rather than discussions of existing conditions. This is also Oakland's first General Plan Element with an "Planning Area" section, presenting recommendations for sub-areas of the city.

Relationship to "Oakland Sharing the Vision"

In 1993, Oakland adopted "Sharing the Vision," a strategic plan for achieving a broad array of goals for the future. Sharing the Vision was intended to provide a foundation for imaginative, bold strategies to make Oakland a better place to live and to break down the barriers to progress and improvement. In the Neighborhood Revitalization chapter, the General Plan Update was identified as a goal and the adoption of the OSCAR Element was identified as an objective.

Many of the basic principles embodied in the OSCAR were initially set forth in the Strategic Plan. These include the need for park zoning, passage of a park impact fee, improved access to school properties for recreation, creek restoration and protection, community involvement in neighborhood park development, street beautification, celebrating cultural diversity, decreasing environmental hazards, and erasing park inequities between neighborhoods. The OSCAR Element provides a vehicle for carrying out these actions.

Relationship to Other Master Plans

The proposals in the OSCAR Element have been prepared within the framework of open space, conservation, and recreation plans adopted by higher levels of government. Plans prepared by State, regional, and county agencies have a significant influence on local conservation policies and also affect how regional open space resources are managed. Some of the documents used to develop the OSCAR are:

- The State of California Recreation Plan, prepared by the State Department of Parks and Recreation. The Plan provides basic principles for local governments in meeting the growing recreational needs of the people of California;
- The Urban Water Management Plan, prepared in 1991 by the East Bay Municipal Utility District. The Plan includes regional strategies for conserving water which require implementation at the local level, and also describes regional development principles based on water supply constraints;
- The Stormwater Management Plan for the Alameda County Urban Runoff Clean Water Program, prepared in 1991 by Alameda County. The Plan identifies specific steps to be taken by local governments to reduce water pollution from urban runoff;
- The East Bay Regional Park District Master Plan, and plans for individual regional parks within the City of Oakland. The overall master plan speaks to recreational needs in the East Bay and management of the District's 75,000 acres of parkland.
- The San Francisco Bay Plan, prepared by the Bay Conservation and Development Commission. The Plan includes regional policies for shoreline access and protection of the bay ecosystem.
- The Bay Area Air Quality Plan, prepared by the Bay Area Air Quality Management District in 1991. The Plan has many implications for how and where regional development takes place, as well as recommendations for improving air quality at the local level.

Other City of Oakland plans also were considered in the drafting of the OSCAR. These include the City's Comprehensive Plan for Seniors, the Cultural Resources Plan, the Port of Oakland's Public Access Plan, the 1979 Street Tree Plan, the North Oakland Hills Specific Plan, the 1995 East Bay Hills Vegetation Management Plan, and the 1981 Parks and Recreation Recovery Action Program, among others.

Adopted plans for individual open spaces within Oakland were incorporated where they existed and were still relevant. These included the University of California Long Range Development Plan, as well as master plans
for specific parks like Dunsmuir House and Gardens and the Knowland Park Zoo. The OSCAR Element also incorporates open space and conservation recommendations from recent neighborhood planning studies, and from planning efforts like "Broadway Vision," the Shepherd Canyon Plan, and the Lake Merritt Community Assistance Team Plan. It also reflects recent State-mandated programs like the Water Conservation Ordinance requirement and Congestion Management Program.

Relationship to Zoning

The OSCAR Element provides the basis for reconsidering zoning designations on the city's parks and open spaces. Up until now, Oakland has lacked a zoning designation specifically geared towards public open space. Most of the city's parks are zoned for residential development or are not zoned at all, creating confusion over the kinds of activities permitted in parks and the process for changing park land use. The OSCAR Element (Chapter 2) identifies three new zoning categories for open space and describes the kinds of activities that would be permitted in each zone.

Relationship to the Capital Improvements Program

The OSCAR Element, along with other elements of the General Plan, should provide the basis for Oakland's five-year capital improvement program (CIP). While the OSCAR Element is not a CIP per se, it does contain "action" statements which recommend public works and parks projects for inclusion in future CIPS.

THE PLANNING PROCESS

Overview

By 1990, it had become apparent that the 1976 OSCAR was outdated and needed revision. More effective policy guidance was needed to address such controversial issues as new construction within parks, development setbacks along creeks, and the future of some of the remaining hill open spaces. In November, 1990, Oakland voters approved Measure K, a $60 million park and open space bond measure that included $160,000 for the update of the OSCAR Element.

The City began the update by retaining two limited-duration consultants and creating a 26-member OSCAR Advisory Committee through the Mayor's Office in March, 1992. The initial task was to identify the issues to be addressed in the Element, and to establish goals and objectives for the future. The Advisory Committee was convened for an initial workshop and bus tour during Spring, 1992. More than 30 focused interviews were conducted with community leaders. Three public workshops were held to gather community input on issues and priorities in the city's parks and open spaces. The task culminated in the preparation of an Issues, Goals, and Objectives Report in June, 1992.

The latter part of 1992 and most of 1993 were spent compiling the technical information which forms the basis for many of the OSCAR policies. An open space and environmental inventory was compiled for the city during late 1992, with Technical Reports prepared on eight major topics. The OSCAR Advisory Committee was convened twice during this period to hear the findings and continue the discussion of issues and policy options.

Another round of public meetings was held during Summer, 1993. This included two community workshops and question/answer sessions with the seven Community Development District Boards, as well as briefings to neighborhood groups and Commissions throughout Oakland. This input was supplemented by interviews with Staff and patrons at more than 20 Oakland parks, a mailback questionnaire administered to more than 100 neighborhood groups, and by a telephone survey that was administered to more than 420 Oakland households. The results of the survey were tabulated and presented in the August, 1993 Resident Survey Report. Park and recreational resources were inventoried during mid-1993. This culminated in the preparation of additional inventory reports.

The OSCAR Element itself was written during late 1993 and early 1994. An Internal Review Draft was circulated in the Offices of Planning and Building, City Attorney, and Parks and Recreation between June and October, 1994. Each department was given the opportunity to suggest revisions to the document. Minor changes were made to ensure the Element's legal adequacy and feasibility. The end result of the internal review was an
**Administrative Draft.** That document was released in November 1994 and was circulated among members of the OSCAR Advisory Committee as well as City of Oakland departments and other impacted agencies. The OSCAR Advisory Committee was convened in December, 1994 and January, 1995 to discuss the document and suggest changes.

Editing of the Administrative Draft took place between February and April. Additional editing, including consolidation of the goals, objectives, policies, and actions, took place between April and August, 1995. During this time, a Mitigated Negative Declaration was prepared for compliance with the California Environmental Quality Act.

The **Public Review Draft**, published in October 1995, incorporated most of the changes to the Administrative Draft requested by City Departments, other agencies, Advisory Committee members, and Staff. Copies of the Draft were made available to interested residents and were placed at libraries, recreation centers, and other public buildings around the City. The Planning Commission conducted a series of public hearings on the OSCAR Element during late 1995 and early 1996. Written and oral comments on the document were considered and the document was modified to reflect the Commission's recommendations. A number of important changes to the document were made during that process.

Ultimately, a revised version of the Element was forwarded to the City Council Cultural Services Committee for discussion and to the full City Council for adoption. The Council conducted additional public hearings and adopted the Element in June, 1996.

**Role of the General Public in Shaping OSCAR Policies**

The OSCAR Element is largely a compendium of ideas and concepts provided by the residents of Oakland.

Over the project's two-year course, more than 1,000 Oakland residents participated in the OSCAR update on some level. More than 400 attended community meetings and briefings on the project, and another 500 participated in telephone or mail-back surveys. More than 100 persons were personally interviewed, including staff at most of the recreation centers, patrons in many of the parks, and representatives of more than 30 interest and neighborhood groups. A newsletter on the project ("In a Nutshell") was mailed to more than 400 interested households at four intervals over the course of the project, and display exhibits were prepared for the Festival at the Lake for two consecutive years.

Additional opportunities for public input were provided during the public review period and at Planning Commission and City Council public hearings.

Many of the objectives, policies, and actions in the OSCAR Element reflect suggestions made by residents at public workshops, respondents to surveys and questionnaires, and comments made during interviews. The Element was developed by combining technical data and state and federal mandates with the priorities expressed by Oakland residents.

**Role of the Advisory Committee**

The OSCAR Advisory Committee was created by the Mayor's Office in 1992 to provide direction to staff in the identification of issues, setting of goals, and drafting of policies. The Committee consisted of a broad spectrum of Oakland residents with interests in park and open space issues. Representatives from Sharing the Vision, Oakland Design Advocates, the American Society of Landscape Architects, Sierra Club, Urban Creeks Council, Citizens for Oakland Open Space, Community Development Boards, Recreation Advisory Councils, Parks and Recreation Advisory Commission, Planning Commission, Cultural Services Commission, Commission on Aging, Port of Oakland, School District, Regional Park District, and Park Ranger Unit were included. The Advisory Committee was convened seven times over the course of the project.

The OSCAR policies and programs reflect the initial direction provided by the Advisory Committee, both collectively and as individuals, as well as input received from City and agency staff and participating residents.
ORGANIZATION OF THE PLAN

Plan Content

The OSCAR Element is organized into four chapters. Each chapter contains an introduction and several section headings. The chapters contain text, tables, maps, and photographs. The two Technical Reports (Volumes 1 and 2) and the Mitigated Negative Declaration are under separate cover.

Plan contents are summarized below:

- The Open Space Chapter includes sections on Open Space Land Uses (parks, schoolyards, community gardens, etc.), the Shoreline and Creeks, and Open Space for Community Character.


- The Recreation Chapter includes sections on Park Land Uses, Park Operations (maintenance, safety, etc.), Human Resources, and Funding.

- The Planning Area Strategies Chapter presents open space and park recommendations for 12 sub-areas of Oakland, including North Oakland, West Oakland, Central/Chinatown, San Antonio, Fruitvale, Central East Oakland, Elmhurst, Lower Hills, South Hills, North Hills, Airport, and Harbor.

The Technical Reports contain the background materials used to prepare the OSCAR Element and are presented in two volumes. Volume One includes sections on Earth, Water, Plants and Animals, Air, Energy, Open Space, Visual Resources, and the Regulatory Framework. Volume Two includes sections on Park Planning Issues, the Park Inventory, the Needs Assessment, and the Resident and Neighborhood Survey results. The Technical Reports should not be considered part of the OSCAR Element and have not been officially adopted by the City Council.
Plan Format

The foundation of the OSCAR Element is the set of goals, objectives, policies, and actions within each chapter. These statements are numbered for easy reference.

Each chapter of the OSCAR Element begins with goal statements. The goals are broad, general statements about the things Oakland would like to see happen in the future. Each one depicts an ideal future condition or state. Under each goal are a series of objectives. These are more specific ends to be pursued.

Each objective is followed by one or more policies. The policies are specific enough to guide day to day decisions so that goals and objectives can be achieved. Some of the policies are accompanied by actions. These are specific measures that should be taken (usually by a specified party by a specified time) to implement the policies. Some of the actions require a commitment of public funds; others require continuation of programs that are already underway, and still others direct staff to carry out particular tasks during the coming years. Some of the actions can be implemented right away; others may take years to achieve.

The Element also contains maps and tables. In some cases, the maps depict existing conditions but in others they depict a long-range vision for the future. The "vision" maps graphically express the Plan's development policies and show desired changes or actions. These changes may take 10, 15, or even 25 years to achieve. For this reason, the maps usually show general concepts rather than specific projects. The projects which will move these concepts forward will develop over time, as funds becomes available and land use changes occur. Some of the maps and tables are incorporated by reference into policies and actions and should therefore be considered integral parts of these particular policies and actions.

IMPLEMENTATION

The OSCAR Element should be used by City staff and officials on a regular basis in making decisions with open space or natural resource implications. An implementation matrix is included at the end of the document to initiate this process. The Element should also be used by other government agencies making decisions that could impact Oakland. The Element provides a framework for interjurisdictional coordination. It demonstrates where recreational and open space needs exist in the city, and in so doing may help qualify Oakland for grants, state bond allocations, and other funding sources which can address these needs.

The Element should be used by residents of Oakland, the business and development communities, and local landowners. Members of these groups may use the Element for direction on particular areas, or on particular subjects of interest. In all instances, the Element should be used comprehensively, with all objectives and policies viewed in the context provided by the others.

Like all elements of the General Plan, the OSCAR Element may be amended from time to time as conditions change. Amendments to OSCAR may be required when the Land Use and Circulation Elements are adopted (to ensure internal consistency) and would also be needed if open space designations for particular areas were changed. All amendments require public hearings before the Planning Commission and City Council and the decisions must be based on findings of fact.

The OSCAR Element should not be seen as the "final" statement of Oakland's vision for its parks and open spaces. As years go by, the population will change, goals will be redefined, and new issues will evolve. At best, the Element represents a summary of the hopes for the future at this particular point in time. In order for the OSCAR Element to be useful, it must be periodically updated to respond to changing priorities and conditions. The State recommends a comprehensive review of the entire General Plan, including the OSCAR Element, about every five years.