

I. Introduction and Purpose

This Draft Action Plan outlines recommendations for changes and updates to the City of Oakland’s regulatory codes (ordinances) and comprehensive plan, including changes supporting adoption of the Oakland Local Street Network Plan (2015).

In the Summer of 2015, the City of Oakland secured a Transportation and Growth Management (TGM) grant from the State of Oregon to perform an evaluation of its current land use regulations. TGM represents a partnership between the State Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT). The TGM Code Assistance program helps local governments identify and update regulations that promote efficient land use and transportation. TGM’s objective in providing funds is to help create transportation systems that enhances opportunities for people to walk, bike, and use transit. In March of 2015, the Oakland City Council signed Resolution 2015-02 (Exhibit C) expressing support and understanding for the expectations of the TGM Code Assistance program.

This Draft Action Plan presents code and plan updates for consideration by Oakland’s residents and decision makers. It also contains useful context for the City’s existing regulations and for the process that has led to this draft document. It outlines some update themes, and includes a detailed summary of specific items for update/change consideration. Some of these were identified during the recent Local Street Networking Planning process, while others were identified during recent code review and stakeholder interviews. Feedback on this Draft Action Plan will be incorporated into a Final Action Plan, which will direct the actual changes made to the codes (ordinances) and the Oakland Comprehensive Plan.

II. Land Use Planning Documents

Each city and county in the state is required to have a comprehensive land use plan and implementing regulations. These “implementing regulations” are contained in a combination of distinct ordinances (e.g. zoning and subdivision ordinances) or are contained in a combined “development code.” The City of Oakland’s land use regulations are currently in distinct ordinances including a zoning and subdivision ordinance, as well supplemental ordinances (including a historic district and sidewalk ordinance). These ordinances are administered by City staff or the Planning Commission or City Council as a part of land use processes. A brief discussion of Comprehensive Plans and Subdivision and Zoning Ordinances follows:

A. Comprehensive Plan

The controlling land use document in all Oregon cities is the comprehensive land use plan. The comprehensive plan generally includes the following elements:

- An inventory: Includes inventories and descriptions of existing land uses, natural resources, natural hazards, recreational facilities, transportation and other public facilities/infrastructure.
- Goal and policy statements: Indicate, in a general way, the objectives of the jurisdiction and provide guidance on how to achieve those objectives; and
- A comprehensive plan map: Depicts, in a site-specific nature, the desired arrangement of uses for the entire jurisdiction. (The zoning map is subordinate to the comprehensive plan map (it is different, but generally congruent)).
- Functional Plans: Comprehensive plans often include supporting documents that address physical infrastructure. Known as functional plans, these documents are adopted by City Council and attached to the Comprehensive Plan by reference. The Oakland Local Street Network Plan will be considered a Functional Plan of the Comprehensive Plan.

B. Zoning Ordinance

The zoning ordinance is the most important tool in local day-to-day planning activities. It is used in conjunction with the zoning map. The typical zoning ordinance includes:

- **Definitions**
- **Uses.** These will include descriptions of what land uses may occur in each zone.
 - Some uses will be permitted (often referred to as an *“outright permitted use”*), which means that the approval of the use is not subject to approval-subjective criteria.
 - Other uses will be listed as *“conditional”* or *“special”* uses. These are subject to discretionary criteria and a local government may deny the land use or place conditions on approval of the use.
 - The zoning classifications may also include *“overlay”* zones, which add provisions to the *“base”* zone, such as special considerations for floodplains or historic areas.
- **Development Standards.** Requirements such as minimum lot sizes, yard setbacks, and height requirements are often included in the individual zone chapter. Other types of standards such as natural resource protection, off-street parking and landscaping requirements are often found in their own chapter or section.
- **Procedures.** Several sections of a typical zoning ordinance deal with the procedures for processing applications for variances, conditional use permits, zoning ordinance or map amendments, and the administrative provisions, including enforcement.

In Oakland the Zoning Ordinance is Ord. No. #499. Oakland’s Zoning ordinance is 13 years old (adopted in November of 2002).

C. The Subdivision Ordinance

The subdivision ordinance deals with the division of land, and is sometimes called the “land division” ordinance. The subdivision ordinance provides the standards for providing infrastructure such as sewage, street development, water system improvements, and a host of other design standards associated with the division of land. It includes requirements regarding whether and how a new lot must be surveyed.

As with the zoning ordinance, there may also be supplemental ordinances with the subdivision ordinance. For example, a sidewalk development ordinance, or a systems development charge (SDC) ordinance.

In Oakland the Subdivision Ordinance (Ord. No. #504) is 16 years old, having been adopted in 1999.

D. A “Development” Code

The Zoning and Subdivision Codes (Ordinances) are often collectively referred to as the “Development Code.” It is very common that these ordinances are physically combined. Oakland’s zoning and subdivision ordinances, although used in combination with each other, are physically separate. Because both ordinances have separate, but identically named, ordinance themes and sections (e.g. Amendments, Interpretations, Enforcement, Application Processing) there can be, and have been, confusing or even conflicting code provisions. The City’s most recent code amendment was an example of zoning and subdivision provisions which were incompatible. Table 1, the list of proposed amendments, includes some instances where such conflicts occur.

III. A Model Development Code with Small Cities in Mind

First published in 1999, Oregon’s Model Development Code and User’s Guide for Small Cities (“Model Code”) has been used widely around Oregon. As the title suggests it is a model for small cities to look to for code ideas and examples. The State of Oregon developed the model in response to numerous requests for assistance from Oregon communities, including consistent guidance and technical expertise in zoning, development standards, review procedures, and implementation of state planning rules and statutes.¹

Currently on its third edition, the model code has iteratively improved as a tool in small cities. The code is not intended to be a wholesale replacement of a community’s existing code (though it can be). Numerous small cities have applied the model code to varying degrees. These include communities like Creswell, Coburg, Dunes City, Cottage Grove, Mt. Angel and even Sutherlin (to name a few). Some have completely updated their regulations based on the model, while others have updated selected chapters or sections of existing regulations. Similarly, Oakland can determine to make directed updates or broader changes. The model code is available online at <http://www.oregon.gov/LCD/TGM/pages/modelcode.aspx>).

¹ Model Development Code for Small Cities (Transportation and Growth Management Program) 3rd Edition, 2012

IV. Evaluation of Oakland's Existing Land Use Regulations

Central to an evaluation of Oakland's existing regulations is becoming familiar with the City's planning ordinances and other documents. As noted, these include the Comprehensive Plan, Zoning Ordinance (No. 499) and Subdivision Ordinance (No. 504). Equally important is characterizing the perspectives of those who most frequently use and apply the local regulations. The following evaluation is based on an LCOG review of the City regulations, interviews with a number of local stakeholders, and feedback from the recently completed Local Street Network Planning Process.

One key observation made by City staff is that, due to flat growth rates in Oakland over recent previous decades, there has not been significant development, and thus few opportunities to "test" components of the City's ordinances. This is particularly true of the subdivision ordinance, and the portions of the zoning ordinance related to public improvements. Staff notes that the absence of a long list of inconsistencies should not be interpreted as evidence that the regulations are working fine. As noted already, the only subdivision which has been processed in the previous ten years (a very small one), resulted in code amendments as a result of identified code inconsistencies.

A. Code Structure

One of the clear priorities that emerged from stakeholder interviews was the perceived benefit of better organized regulations. Those most actively using the code (The City's Zoning Administrator and the City's Recorder) noted that the combining of Oakland's zoning and subdivisions ordinances into one cohesive Development Code (a format modeled after the model development code) could have the following benefits:

- It could assemble the existing ordinances (including amendments) into one centralized "code."
- The regulations would be easier to communicate and share (physically) with the public.
- It would provide more efficient, cohesive and less confusing treatment of overlapping provisions (e.g. enforcement, notice, procedures, and definitions).

In the interviews city staff noted that they felt the Model Code provided a good general structure for combining their zoning and subdivision ordinances, and that restructuring would provide a benefit. It is noted that, if the City of Oakland pursues a code *structure* change, it will require a careful merging of themes from both the subdivision and zoning ordinances, as well as model code elements.

**TGM staff note that although TGM funds can be used for restructuring local regulations, the program will not fund such an effort if it does not also adequately include updates reflecting TGM objectives.*

B. Street Design Standards

Section 39 of the City of Oakland’s Subdivision Ordinance specifies standards for streets and pedestrian ways. The Oakland Local Street Planning process resulted in a re-evaluation of local street classifications, as well as associated design standards, and the development of street section diagrams for each street functional classification. The focus for proposed changes was to provide design standards that are appropriate for Oakland facilities, to accommodate more realistic bicycle and pedestrian facilities and to make the design standards easier to understand and communicate. The proposed revisions are included in Table 1 and more specifically in Table 2 and its accompanying figure (Pg. 24).

C. Enhancing Walkability and Bikeability

As noted earlier in this plan, a primary goal of the TGM Code Assistance program is to help small cities to achieve a more pedestrian-oriented downtown area. Generally, a pedestrian friendly area is one that provides visual interest at eye-level, feels safe and comfortable, contains a variety of activities and services, is easy to navigate, and provides open areas and amenities for gathering and resting. Oakland’s downtown area already has several of these qualities. See Figure 2.

Figure 2: Downtown Oakland (in front of the Oakland Museum)



1. Commercial

Most of the downtown area is zoned General Commercial (GC). The General Commercial District provision itself does not contain explicit design or orientation standards promoting pedestrian environments. However, the majority of properties in the downtown area, are also subject to the Downtown Commercial Historic (sub) district (DCH), a sub-district of the City’s Historic Overlay Zone. The stated purpose of the DCH sub-district is to *identify, retain, and preserve those resources within the Oakland urban growth boundary which are important elements of the City’s historic and architectural heritage.*

The district's explicit purpose is historic structure and character preservation. These characteristics very closely align with pedestrian oriented environments. For example, within the sub-district, all new construction is subject to design review and must meet pre-defined criteria. Developments, additions or renovations must draw from the major architectural themes of the downtown commercial area including developing consistent with the lot coverage, setbacks and sidewalk placement patterns in the existing neighborhood.

The current DCH language notes that new construction in the sub-district must ***"maintain the pedestrian scale and orientation of the downtown district."*** Although this is powerful language, there is some ambiguity. More specific standards could be added to this section to more objectively facilitate its purpose. The Model Code (3.2. Building Orientation and Design) outlines a set of standards that are intended to "maintain pedestrian scale and orientation." Those standards include:

- *Buildings must be built to the front lot line (using a build-to line and/or maximum setbacks).*
- *A primary building entrance must be located facing the street. Corner entrances should be provided on corner lots.*
- *The ground floor must have high transparency (windows and doors) and present a storefront character.*
- *Off-street parking is oriented internally to the site as much as possible.*
- *Building facades must be articulated and designed to avoid large expanses of wall*
- *Buildings should provide some pedestrian shelter such as awnings, canopies, recesses, etc.*
- *Mechanical equipment should be screened from view.*
- *Civic space and pedestrian amenities (benches and lighting for example) should be provided.*

See Table 1 (Pg. 21) for more detail.

**Of note is the fact that Historic Design Review decisions and review are the authority of the Oakland Historic Preservation Commission and not the Planning Commission or City Council (although decisions are appealable to the Oakland City Council).*

2. Transition Areas

The City also currently has an Historic Enhancement (HE) Overlay Zone. This overlay is intended to provide a buffer around properties within the Historic District, facilitating an appropriate transition between the Historic District and surrounding districts. The specific geography of this overlay zone is not entirely clear in the current language. "Adjacency" to the Historic District is noted, but greater clarity would better facilitate/enable the application of its standards. More details are contained in Table 1 (Pg. 9).

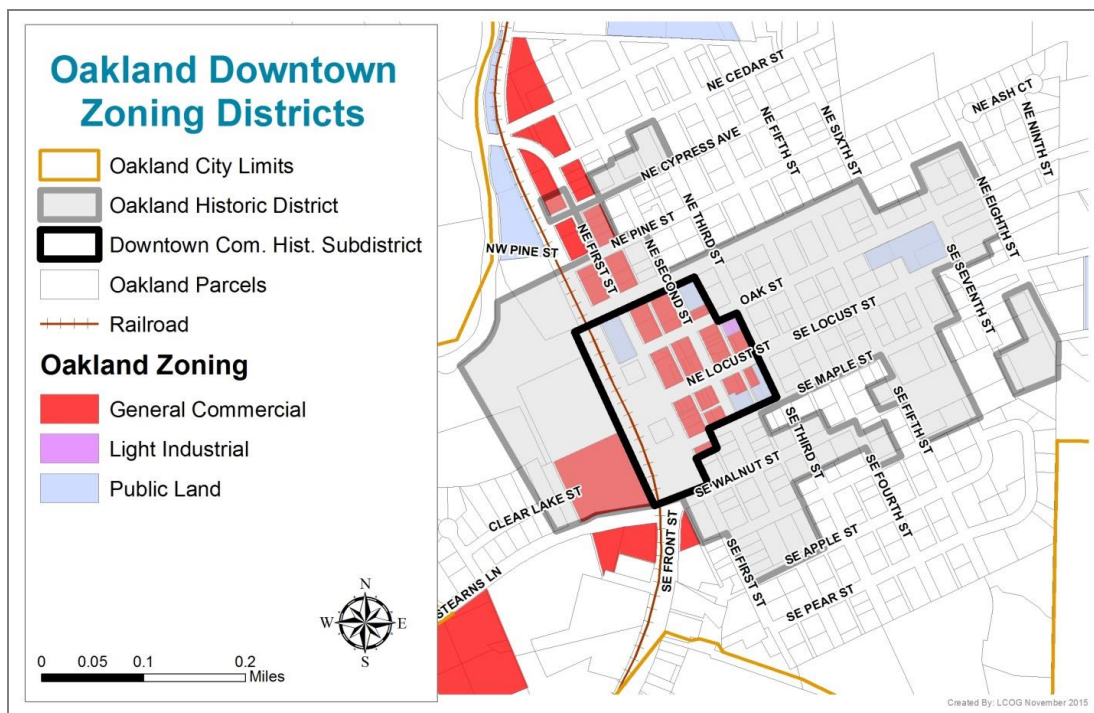
3. Parking

Surface parking amounts and types can impact the quality of a downtown area. Large expanses of parking, particularly those next to the sidewalks, can detract from the pedestrian atmosphere. Furthermore, requiring on-site parking for downtown commercial businesses reduces the amount of land that can be devoted to the commercial use and may serve as a barrier to new development. The City of Oakland acknowledges this concern through its exemption from parking space requirements for the “Downtown Core Area” (Zoning, Section 13.02.1). Within this identified area, new or expanding uses are not required to provide off-street parking.

In Oakland, much of the parking in downtown occurs on the north and south sides of Locust Street, and along Front Street. The description of the “Downtown Core Area” closely matches the mapped “Downtown Commercial Historic Sub-district”. The City could consider one name for this defined area to simplify references. The City may also want to consider revising the parking exemption to apply only to new **commercial** projects. With that approach, a new project that included above-ground residential units (which are allowed by the underlying General Commercial zone) would still be required to provide critical off-street parking for those residents.

The City of Oakland currently lacks Bicycle Parking standards. Model Code Section 3.5.040 provides a simple but efficient example of a bicycle parking standard (See Table 1 and Exhibit A, Pg. 20).

Map 1: Downtown Oakland (Zoning Districts)



5. Pedestrian Connectivity

Pedestrian connectivity (or permeability) refers to the directness of links and the density of connections in a transportation network. A highly connected network (standard block design) has many short links, numerous intersections, and minimal dead-ends. As connectivity increases, travel distances decrease and route options increase.

Currently, Oakland's land use regulations include pedestrian connectivity provisions. For example, the Subdivision Ordinance requires that developers minimize the length of dead-end streets and blocks and includes language enabling the City to require pedestrian and bicycle ways. The language can be vague at times and does not acknowledge current ADA (Americans with Disabilities Act) standards.

The Model Code's pedestrian and access circulation provision contains clearer and more actionable/defensible regulations related to connectivity. It also includes current references to ADA standards. The City's ability to effectively realize a multi-use path system (a high priority transportation project) will also be well served by clearer provisions regarding connectivity.

D. Comprehensive Plan Elements and Policies

City Officials in Oakland have expressed concerns about the current condition of Oakland's Comprehensive Plan. Although most comprehensive plan goals and policies remain relevant, each element of the plan contain far outdated characterizations, narratives, inventories and summaries. The Comprehensive Plan is in need of a comprehensive overhaul.

The scope and budget of this Code Assistance project is not large enough to tackle such an undertaking. Instead, Code Assistance will focus on Comprehensive Plan Policies and, where particularly applicable, specific sections of comprehensive plan narrative. A significant number of these update recommendations are found in the Transportation Element of the Plan. This is because of the close relationship between the code updates and the adoption of the Oakland Local Street Network Plan, and initiation of the Oakland Multi-Use Path Strategy. Exhibit B contains an outline of specific proposed changes to the Transportation Element of the Oakland Comprehensive Plan. Additional Comprehensive Plan updates are outlined at the end of Table 1.

TABLE 1: OAKLAND ORDINANCE AND COMPREHENSIVE PLAN RECOMMENDATIONS MATRIX

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Language Changes		
Zoning Ordinance #499		
Section 3: Definitions	Defines terms used in the ordinance, including relevant terms: Street, Street Arterial, Street Collector, Street Local, Street Marginal Access, Street Improved, Street Unimproved.	Revise definitions: (including) Local Street – Add Major and Minor, Collector Street – Add Major and Minor, Add definitions: Merge with Subdivision ordinance definitions and add as separate Chapter as per model code. Add applicable model code definitions.
6.14.0: Public Land Zone	6.14.3 Uses Permitted Outright (lists uses that are permitted outright within the public land zone) <i>(2) Public service, community, or recreational facilities owned and operated by a public agency. Examples include, but are not limited to, parks, greenways, arboretums, community/allotment gardens, museums, community centers, daycare facilities, recreation facilities, swimming pools, and libraries;</i>	Add recreation or multi-use paths as an explicit outright permitted use within this zone: <i>(2) Public service, community, or recreational facilities owned and operated by a public agency. Examples include, but are not limited to, parks, greenways, <u>multi-use paths</u>, arboretums, community/allotment gardens, museums, community centers, daycare facilities, recreation facilities, swimming pools, and libraries;</i>
6.10.0: Historic Enhancement (HE) Overlay Zone	Designation Criteria could be more clear in the current language.	“Adjacency” and “keyhole areas” are noted objective exceptions, however greater clarity of “visual impacts,” “buffer areas” and “gateway areas” would better facilitate/enable the application of these standards. One approach would be an accompanying map figure.

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
13.07.0 – Curbs and Gutters	<i>Curbs and gutters are required to be installed by the developer if any other lot on the same side of the street in the same block has curbs and gutters.</i>	<u><i>Except on minor local streets, curbs and gutters are required to be installed by the developer if any other lot on the same side of the street in the same block has curbs and gutters. (LSNP)</i></u>
10.15.0 - Enforcement Procedures	<i>2) The Written notice shall state what action the Administrator intends to take if the violation is not corrected and shall advise that the Zoning Administrator’s decision or order may be appealed in accordance with Section 10.06.0.</i>	<i>The Written notice shall state what action the Administrator intends to take if the violation is not corrected and shall advise that the <u>subject of the Zoning Administrator’s decision or order</u> may be appealed in accordance with Section 10.06.0.</i>
13.11.0 Site Development (A proposal directly from the Oakland Planning Commission).	<p><i>1. All grading shall require a permit issued by the Zoning Administrator.</i></p> <p><i>2. Any permit for grading involving areas of steep slope, special flood hazard or fill, removal, or movement of greater than 100 cubic yards of material must be approved by the Planning Commission. Such approval by the Planning Commission may require at the discretion of the Planning Commission a site plan, grading, and/or drainage plan prepared and certified by an appropriate, licensed professional.</i></p> <p>* was there an intent by the commission to remove “fill” ?</p>	<p><i>1. All grading shall require a permit issued by the Zoning Administrator.</i></p> <p><u><i>A Grading Permit shall be issued by the Zoning Administrator upon approval of the Planning Commission if:</i></u></p> <p><u><i>a. More than 100 cubic yards of material is to be moved, added, or removed.</i></u></p> <p><u><i>b. Material is to be excavated more than 3 feet in depth below existing grade.</i></u></p> <p><u><i>c. Material is to be filled more than 3 feet in height above existing grade.</i></u></p> <p><i>2. Any permit for grading involving areas of steep slope, special flood hazard or fill, removal, or movement of greater than 100 cubic yards of material must be approved by the Planning Commission <u>and a permit issued by the Zoning Administrator</u>. Such approval by the Planning Commission may require at the discretion of the Planning Commission a site plan, grading, and/or drainage plan prepared and certified by an appropriate, licensed professional.</i></p>

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
13.08.0 -- Sidewalks	<i>Sidewalks may be required to be installed to city specification in the city right-of-way by the developer of any lot, taking into consideration existing sidewalks and pedestrian traffic in the immediate area.</i>	<i>Sidewalks may be are required to be installed to city specification in the city right-of-way by the developer of any lot <u>in accordance with the street standards set forth in Table X of Section 39 of this code.</u> taking into consideration existing sidewalks and pedestrian traffic in the immediate area.</i>
13.13.0 – Driveways and Access	Addresses requirements for driveway width, spacing, construction and context	
13.23.0 (2) (B), (C) – Tourist related Industries (associated street improvements)	Addresses criteria and standards for site plan review for recreation vehicle parks, specifically street and sidewalk improvements.	Review further for possible amendments
10.50.0 Public Hearing Procedures	Current language related to timeframes for Public Hearings notes: <i>The initial hearing on an application shall be held no sooner than 30 days nor later than 60 days of the date that the application is deemed complete.</i>	<i>The initial hearing on an application shall be held no sooner than 30 days nor later than 60 days of the date that the application is deemed complete.</i> In many cases this timeframe (60 days) is prudent and feasible. However, State law allows 120 days from the date of application completion, for final local decision. The City can still internally pursue tighter scheduling for initial public hearings, but this provision can prove problematic in instances where a greater amount of time is necessary or wise.
10.05.02 Notice of Hearing	The Subdivision and Zoning Ordinances include some distinctions related to Public Notice on applications that can be confusing for interpretations.	The combination of the zoning and subdivision ordinances into one “Development Code” following the “General Procedures” template of the model code can improve efficiency and

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Subdivision Ord #504		
Section 1: Definitions	Defines terms used in the ordinance, including relevant terms: Access Lane, Alley, Private Drive, Residential Boulevard, Street Arterial, Street Collector, Street Local, Street Marginal Access, Street Improved, Street Unimproved.	Revise definitions where necessary. Use Local Street Network Plan definitions where applicable. Check for congruency with Zoning ordinance.
Section 2: Scope of Regulations.	<i>(1) In the event that an application for a partition or a subdivision is deemed incomplete after 60 days from the date of submission of the application, the applicant shall be given 180 days to provide any missing information...</i>	<i>(1) In the event that an application for a partition or a subdivision is deemed incomplete after 60 days from within 30 days of the date of submission of the application, the applicant shall be given 180 days to provide any missing information...</i>
Section 12: Approval of Tentative Subdivision Ordinance	<p><i>(2) Within 60 days of the receipt of a complete application and tentative subdivision plan, the Planning Commission shall hold a public hearing...</i></p> <p><i>(3) If the Planning Commission requires a revised tentative subdivision plan, an extension of the 120-day time frame in which the City issues a decision may occur with concurrence of the applicant.</i></p>	<p><i>(2) Within 60 days of the receipt of a complete application and tentative subdivision plan, the Planning Commission shall hold a public hearing...</i></p> <p><i>(3) If the Planning Commission requires a revised tentative subdivision plan, an extension of the 120-day time frame in which the City issues a decision may occur with concurrence of the applicant be granted if requested by the applicant.</i></p>

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
<p>Section 39: Streets and Pedestrian Ways</p>	<p>(1) (a) B <i>Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.”</i> Table 1. Street Design Standards</p> <p>(5) Future Extension of Streets <i>Where necessary to give access to or permit a future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition, and the resulting dead-end streets may be approved without a turnaround.</i></p> <p>(6) Intersection Angles <i>An arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance.</i></p> <p>(7) Existing Streets <i>Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land</i></p>	<p>(1) (a) B <u>Legally constructed</u> B<i>buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.”</i> Replace with revised Table 1. Street Design Standards with new street classifications (See Table 1)</p> <p>Consider revisions to subsection (5) to address conceptual roads map in LSNP. <u>Where identified in adopted transportation plans, or</u> W<i>where necessary to give access to or permit a future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition, and the resulting dead-end streets may be approved without a turnaround.</i></p> <p>Clarify references to “local” and/or “collector” to distinguish “minor” or “major” where necessary: <i>An arterial or <u>major</u> collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance.</i></p> <p><i>Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of the land</i></p>

	<p><i>division.</i></p> <p>(11) Grades and Curves <i>Grades and curves. Grades shall not exceed 6 percent on arterials, 10 percent on collector streets...</i></p>	<p><i>division, in accordance with the street standards set forth in Table X of Section 39 of this code.</i></p> <p><i>Grades and curves. Grades shall not exceed 6 percent on arterials, 10 percent on <u>major</u> collector streets...</i></p>
Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Section 40: Blocks	<p>(2) Size <i>No block, except on arterial streets, shall be more than 400 feet in length between street corner lines...</i></p> <p>(3) Easements (c) Pedestrian and bicycle ways <i>When desirable for safe, direct, and convenient circulation and access, a pedestrian or bicycle way may be required to connect to a dead-end street or to pass through an unusually long or oddly shaped block or otherwise provide appropriate circulation.</i></p>	<p><i>No block, except on arterial <u>or major collector</u> streets, shall be more than 400 feet in length between street corner lines...</i></p> <p><i>When desirable for safe, direct, and convenient circulation and access, a pedestrian or bicycle way may <u>shall</u> be required to connect to a dead-end street or to pass through an unusually long or oddly shaped block or otherwise provide appropriate circulation.</i></p>
Section 48: Public Facility Improvements in Subdivisions	<p>(2) Curbs and Gutters <i>Curbs and gutters are required to be installed by the developer if any other lot on the same side of the street in the same block has curbs and gutters.</i></p> <p>(5) Sidewalks and street trees <i>Sidewalks and street trees shall be installed to City specification on one or both sides of an improved public street within or connecting to a subdivision, at the discretion of the Planning</i></p>	<p><i><u>Except on Minor Local Streets</u>, curbs and gutters are required to be installed by the developer if any other lot on the same side of the street in the same block has curbs and gutters.</i></p> <p><i>Sidewalks and street trees shall be installed to City specifications on one, or both, <u>or neither</u> sides of an improved public street within or connecting to a subdivision, at the discretion of</i></p>

	<p><i>Commission, and in any pedestrian way within the subdivision. Sidewalks and street trees may be required to be installed to City specification in the City right-of-way by the developer of any lot, taking into consideration existing sidewalks and pedestrian traffic in the immediate area. Sidewalks and planting strips or tree wells for street trees shall be improved in conformance with the design standards set forth in Section 39 of this Ordinance.</i></p> <p><i>(6) Bicycle Routes and Lanes If appropriate to the extension of a system of bicycle routes, existing or planned, the Planning Commission may require the installation of separate bicycle lanes within streets and separate pedestrian bicycle ways. Bicycle lanes shall be improved in conformance with the design standards set forth in Section 39 of this Ordinance.</i></p>	<p><i>the Planning Commission</i> and in any pedestrian way within the subdivision <u>in accordance with the street standards set forth in Table X of Section 39 of this code.</u> Sidewalks and street trees may be <u>are</u> required to be installed to City specification in the City right-of-way by the developer of any lot, taking into consideration existing sidewalks and pedestrian traffic in the immediate area. Sidewalks and planting strips or tree wells for street trees shall be improved in conformance with the design standards set forth in <u>Section 39</u> of this ordinance code.</p> <p>(6) Bicycle Routes and Lanes, and Sharrows If appropriate to the extension of a system of bicycle routes, existing or planned, the Planning Commission may require the installation of Separate bicycle lanes and sharrows within streets and separate pedestrian bicycle ways <u>shall be installed and improved in conformance with the street standards set forth in Table X of Section 39 of this ordinance.</u> Bicycle lanes shall be improved in conformance with the design standards set forth in Section 39 of this Ordinance.</p>
Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
<p>Ordinance #267 Sidewalk Ordinance</p>	<p>Construction of NEW sidewalks by abutting property owners. Cost share with City. Section 9 states that</p>	<p>This section could add direct or indirect reference to the Local Street Network Plan: (Example -- Add appropriate components of Ord. 267 (sidewalks) to the public facilities design</p>

	<i>The Common Council may, when it deems it expedient, order the construction of new sidewalks by the owner or owners of the land adjoining any street in the City of Oakland.</i>	standards section.) <i>The Common Council may, when it deems it expedient, order the construction of new sidewalks by the owner or owners of the land adjoining any street in the City of Oakland, <u>consistent with City's adopted transportation plan(s).</u></i>
Ordinance #287 Subdivision Ordinance	Repealed by Ord. 504	
Ordinance #343 Flood Hazards	Language about restrictions on development within the floodplain/way	Review for relevance to potential multi-use path improvements in the floodplain/way. These uses are often located within floodplains and can be designed in such a manner as to minimize damage and maximize durability to flood events.
	References to Traffic Impacts	The model Code includes helpful language related to understanding thresholds for "Traffic Impacts." A non-technical reviewer might have trouble in the absence of such guidance.

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Model Code Additions/ Changes		
Join Ordinances into one Development Code (based on the model code structure)	Subdivision and Zoning ordinances are currently separate with numerous overlapping themes and sections.	Merge the content of both the Zoning and Subdivision ordinances into 5 thematic “Articles” within one Development Code: <ol style="list-style-type: none"> 1. Introduction and General Provisions 2. Zoning Regulations 3. Community Design Standards 4. Application Review Procedures and Approval Criteria 5. Definitions
Model Code Article 1: Introduction and General Provisions	<p>1.1: Introduction: The New Development Code will require an introduction and outline of contents</p> <p>1.2: Title and Purpose Authority</p> <p>1.4: Non-Conforming Situations</p> <p>1.5: Code Interpretations Existing code does not include significant Code Interpretation authority or protocol.</p>	<p>See highlighted sections of Pg. 1 of Exhibit A</p> <p>Hybrid of existing language with consideration for model sections highlighted on Pgs. 2&3 of Exhibit A, including provisions ensuring consistency with the comprehensive plan and laws, coordination of building permits, and authority.</p> <p>Hybrid of existing language with consideration for model sections highlighted on Pg. 5 of Exhibit A, including primarily an introduction to non-conformance.</p> <p>Consideration of addition of model code sections highlighted on Pgs. 6&7 of Exhibit A, better outlining code interpretation procedure and authority.</p>

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
<p>Model Code Article 2: Zoning Regulations</p>	<p>2.2: Zoning District Regulations (Allowed Uses and Lot and Development Standards)</p> <p>Overlay Zones</p> <p>2.3: Special Use Standards Special Use are uses, which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These special use standards may differ from the development standards established for other uses in the same zoning district.</p>	<p>Though very few changes are proposed to the allowed uses and Lot and Development Standards, the model code does include tables which can be a useful supplement for summarizing and comparing allowed uses and standards for zones within the City. Example tables are presented on Pgs. 9,10 & 11 of Exhibit A.</p> <p>Add overlay zone ordinances to Article 2.2. (e.g. Historical Overlay Zone).</p> <p>The development code should organize uses that have existing zoning, subdivision (or other) ordinance regulations. Most are currently organized in the zoning ordinance (Section 13), but some ordinances (Ex. Ord. 236 - Trailer Parks) need to be incorporated.</p> <p>The separation/distinction of Special Use Standards and Design Standards may need additional attention than this draft Action Plan provides. Design Standards will be focused on the built environment, while special use standards will be focused on uses.</p> <p>Hybrid of existing language with consideration for model sections highlighted on Pg. 12 of Exhibit A, including an overview and context for “special uses.”</p>

	3.5 Bicycle Parking	on Pg. 20 of Exhibit A, addressing bicycle parking requirements in Oakland (currently unaddressed).
Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Model Code Article 4: Application Review Procedures and Approval Criteria	4.1 General Review Procedures	<p>Addition of review procedure “Types” (after the model code) and including a summary table. See Pgs. 22 & 23 of Exhibit A.</p> <p>Consideration for a provision requiring neighborhood meetings for large scale master planned subdivisions, or site design reviews (see Pg. 25 of Exhibit A.</p> <p>Hybrid of existing language with consideration for a provision more explicitly outlining time periods, time limits and planning official duties. (see Pg. 24 of Exhibit A.</p>
Ordinance #456 Historic and Cultural Resources	<p>Establishing a new program, defining powers, duties and process for proposed changes to properties within the historic district.</p> <p>Includes provisions protecting pedestrian scale and orientation in downtown. Section 10: <i>(7) The development maintains the pedestrian</i></p>	<p>Use model code language to strengthen the discussion of “preserving pedestrian scale” in the Commercial Historic sub-district (See highlighted sections of Pg. 15 of Exhibit A.) Incorporate Ord. #456 into Article 2 (Zoning Regulations).</p> <p>Add appropriate reference to Ord. 261 (sidewalks) to the public facilities design standards section.</p> <p>Section 10: <i>(7) The development maintains the pedestrian</i></p>

	<i>scale and orientation of the downtown district.</i>	<i>scale and orientation of the downtown district- <u>by creating an environment in which people feel safe and comfortable walking because buildings, streetscapes, parking areas, landscaping, lighting, and other components of the built environment are designed with pedestrians in mind; Pedestrian scale addresses the orientation and design of garages; and promotes buildings placed close to streets or other public ways and large building walls divided into smaller planes with detailing; and maintains the historic integrity / architectural character of the community</u>.</i>
		Reference to Downtown Core and Historic - same
Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Oakland Comprehensive Plan		
Natural Features Element	Goal A, Policy 6: <i>No new construction shall be allowed in the floodway of Calapooya Creek. No new non-residential construction or fill shall be allowed in the floodway of Calapooya Creek without first demonstrating that the proposed development will not adversely affect the flood carrying capacity of the area. New residential construction within the flood fringe must be elevated to at least one foot above the 100 year flood. New non-residential construction, for within either the floodway or flood fringe shall be elevated at least to the height of the 100 year</i>	<i>No new <u>residential</u> construction shall be allowed in the floodway of Calapooya Creek. No new non-residential construction or fill shall be allowed in the floodway of Calapooya Creek without first demonstrating that the proposed development will not adversely affect the flood carrying capacity of the area <u>and is adequately flood-proofed and capable of withstanding floodway conditions</u>. New residential construction within the flood fringe must be elevated to at least one foot above the 100 year flood. New non-residential construction within either the</i>

	<p><i>flood or shall be flood-proofed and capable of withstanding the 100 year flood. All utilities within the 100 year floodway or flood fringe shall be designed to minimize impacts due to flooding.</i></p> <p>Add policy:</p> <p>Goal B: Add Policy</p>	<p><i>floodway or flood fringe shall be elevated at least to the height of the 100 year flood or shall be flood-proofed and capable of withstanding the 100 year flood. All utilities within the 100 year floodway or flood fringe shall be designed to minimize impacts due to flooding.</i></p> <p><i>Appropriately flood-proofed trail and path features may be allowed in the floodway and floodplain.</i></p> <p>Add policy to recognize potential need for impacts relative to public needs/bike path.</p>
Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Facilities and Services Element	<p>(E), Policy 6: <i>The amount of park space in Oakland is considered to be sufficient with the pending improvement of the Mildred Kanipe park site. The adequacy of park space shall be periodically reviewed as the city's population grows to insure that sufficient space is always provide~. Future park sites should be considered the full length of the Ash Street right-of-way, and at the Washington School site.</i></p> <p>(E), Policy 8: <i>Ash Street, platted but undeveloped, should continue as a major collector for storm run-off.</i></p>	<p><i>The amount of park space in Oakland is considered to be sufficient with the pending improvement of the Mildred Kanipe park site. <u>recent acquisition of land south of Calapooya Creek.</u> The adequacy of park space shall be periodically reviewed as the city's population grows to insure that sufficient space is always provided. Future park sites should be considered, <u>including a linear park along</u> the full length of the Ash Street right-of-way, and at the Washington School site.</i></p> <p><i>Ash Street, platted but undeveloped, should continue as a major collector for storm run-off, <u>regardless of other and/or additional uses.</u></i></p>

	(E), Policy 13: <i>Public buildings and recreation facilities shall take into account the needs of physically handicapped persons.</i>	<i>Public buildings, <u>sidewalks</u> and recreation facilities shall take into account the needs of physically handicapped persons, <u>consistent with the Americans with Disabilities Act (ADA)</u>.</i> Consider adding a policy regarding the coordination of street improvements with stormdrain improvements
Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Transportation Element	See Exhibit B	See Exhibit B
Land Use Policy Element	Goal (C) (2) <i>New Development should, as much as possible occur contiguous to already urbanized areas.</i> Goal (C) (5) <i>The core business area with it's historic flavor serves as a focus of attention for the city. This focus should be maintained with new businesses located close by, with buildings emphasizing the historic theme.</i>	New development should, as much as possible, occur contiguous to already urbanized areas <u>and should, as much as possible, perpetuate the existing street pattern as conceptualized in the Oakland Local Street Network Plan.</u> <i>The core business area with it's historic flavor serves as a focus of attention for the city. This focus should be maintained with new businesses located close by, with buildings emphasizing the historic theme <u>and pedestrian scale.</u></i>
Urbanization Element	Policy 3 (e): <i>All utilities, roads, and their rights-of-way, pavement widths, and construction specifications, serving existing parcels of land should be in accordance with City of Oakland policies and standards.</i>	<i>All utilities, roads, and their rights-of-way, pavement widths, and construction specifications, serving existing parcels of land should be in accordance with City of Oakland policies and standards, <u>including the Oakland Local Street Network Plan.</u></i>

Code/Plan Section	Current themes or specific language	Proposed changes (specific or conceptual)
Historic Element	<p>Policy 10: In keeping with the character of the area, consideration should be given to not installing curbs and gutters in the residential portions of the historic district.</p>	<p><i>In keeping with the character of the area, consideration should be given to not installing curbs and gutters in the residential portions of the historic district, <u>in accordance with street standards and the Oakland Local Street Network Plan.</u></i></p>
Local Street Network Plan	<p>No Transportation Plan currently</p>	<p>Adoption as a Functional Plan of the Oakland Comprehensive Plan</p>
Map Updates	<p>The Comprehensive Plan contains numerous inventory Maps which the Local Street Network Plan updates.</p>	<p>The Oakland Local Street Network Plan will, in affect, update the following maps: Existing Land Use, Street Circulation, Street Conditions, and will add a Sidewalk Inventory and other elements in need of map revision or inclusion (See LSNP).</p>

Table 2. Street Design Standards

<u>Type of Street</u>	<u>Pavement Width</u>	<u>Travel Lane</u>	<u>On-Street Parking</u> ¹	<u>Minimum R.O.W</u> ²	<u>Sidewalk Width</u>	<u>Bike Lane</u> ⁴
Arterial	40-44'	2 10-12' Wide	1 Side	60'	5' min. both sides ³	2 Sides
Major Collector	40-44'	2 10-12' Wide	1 Side	60'	5' min. both sides ³	2 Sides
Minor Collector	36-40'	2 10-12' Wide	2 sides	56-60'	5' min. both sides ³	Sharrow as needed
Major Local Street	36'	2- 10' Wide	2 sides	56-60'	5' min. both sides ³	Sharrow as needed
Turn-Arounds for Dead-End Streets in Residential Zones Only	47' Radius	40' Radius				
Turn-Arounds for Dead-End Streets in Commercial Zones Only	50' Radius	42' Radius				
Infill Local Street ⁶ – Up to 25 Dwellings	22'	1-15' Wide (Queuing)	1 side	35'	5' min. both sides ^{4,5}	
Minor Local Street	28'	2-10' Wide	1 side	43'	5' planter strip 1 side, 10+' gravel area side	
Access Lane ⁶ – Up to 12 Dwellings	20'	1-13' Wide (Queuing)	1 side	35' (w/landscaping & Pub. access easement)	5' min. on one side ^{4,5}	
Private Drive ⁶ – Up to 6 Dwellings	13'	1-13' Wide (Queuing) ⁷	No	21' (w/public access easement)	None	
Alleys	12-16'	12' Wide residential, 16' Wide commercial. Both w/2' unpaved strip on sides	No	16-20'	None	

1 – On-street parking width is currently 7 feet, proposed to be 8 feet.

2 – When sidewalks and planting strips are not required, minimum R.O.W. can be reduced by those dimensions.

3 – In areas zoned commercial or mixed use, wider sidewalks with tree wells (4 ft. by 4ft.) and street trees may be required at the Planning Commission's discretion if deemed compatible with existing development. Additionally, planting strips and street trees may not be required if deemed incompatible with existing development.

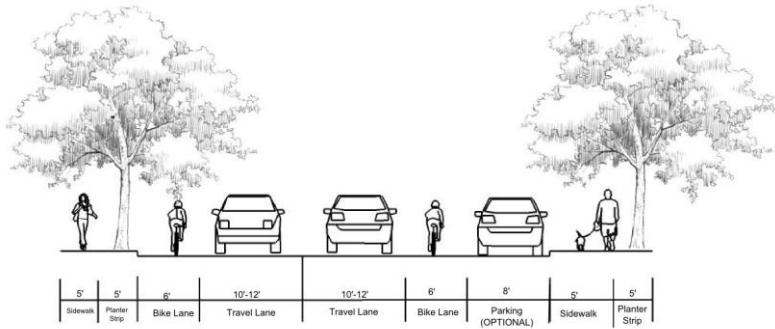
4 – Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 25 mph) streets.

5 - ADT – Average Daily Traffic.

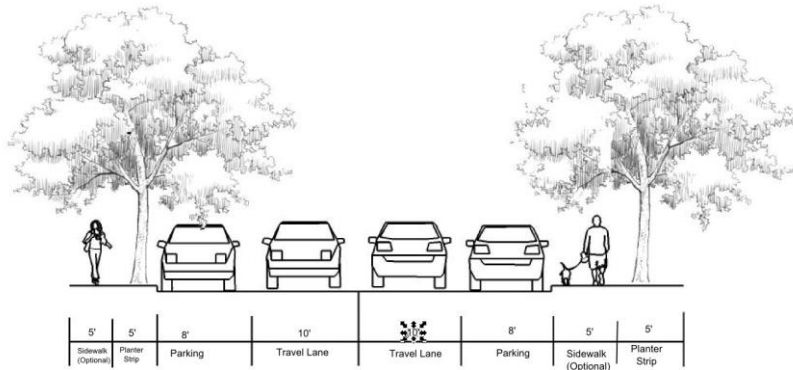
6 – Two outlets required, 7 – Shared with pedestrians.

Figure 1 of Table 2: Street Functional Class Street Section Diagrams

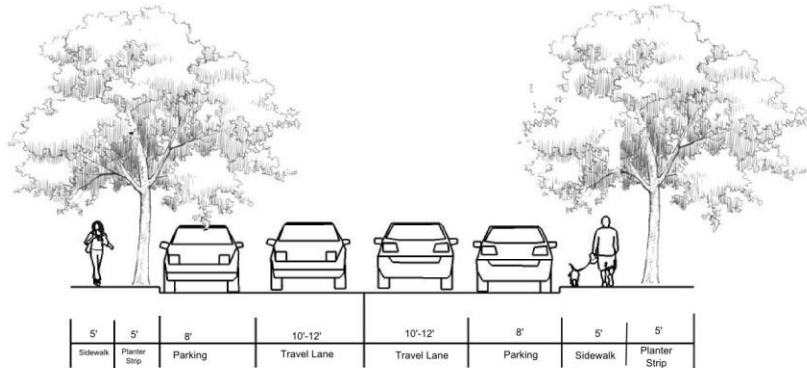
Arterial / Major Collector



Minor Collector



Major Local



Minor Local

