

Chapter 17.98 S-16 INTERSTATE CORRIDOR COMMERCIAL ZONES REGULATIONS

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17.98.010 – Title, Intent and Description

A. Intent The provisions of this Chapter shall be known as the S-16 Interstate Corridor Commercial Zones Regulations. The intent of the S-16 Interstate Corridor Commercial (S-16) Zones is to maximize the community potential of California Department of Transportation (Caltrans) Freeway Lease Areas (FLA) under and adjacent to Interstates 880 (I-880) and 980 (I-980) by allowing the creation of safe, high-quality activities in FLAs. These regulations shall apply to the S-16 Zones.

B. Description of Zones. This Chapter establishes land use regulations for the following three (3) zones:

1. S-16-A Commercial Zone. The S-16-A Zone is intended to enhance areas beneath and adjacent to I-880 and I-980 by providing opportunity for activities that support community functions.
2. S-16-B Commercial Zone. The S-16-B Zone is intended to accommodate a range of uses beneath and adjacent to I-880 that are compatible with adjacent residential and commercial areas.
3. S-16-C Industrial Zone. The S-16-C Zone is intended to accommodate a range of uses beneath and adjacent to I-880 that are compatible with adjacent industrial and mixed commercial uses.

17.98.020 – Required Design Review Process

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Facility, shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

17.98.030 – Permitted and Conditionally Permitted Activities.

Table 17.98.01 lists the permitted, conditionally permitted, and prohibited activities in the S-16 Zones. The descriptions of these activities are contained in Chapter 17.10. Section 17.10.040 contains permitted accessory activities. Any proposed activity also requires approval from the California Department of Transportation (Caltrans).

“P” designates permitted activities in the corresponding zone.

“C” designates activities that are permitted only upon the granting of a Conditional Use permit (CUP) in the corresponding zone (see Chapter 17.134 for the CUP procedure).

“L” designates activities subject to certain limitations or notes listed at the bottom of the table.

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"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.10.040.

Table 17.98.01: Permitted and Conditionally Permitted Activities

Activities	Zones			Additional Regulations
	S-16-A	S-16-B	S-16-C	
Residential Activities				
Permanent	--	--	--	
Residential Care	--	--	--	
Supportive Housing	--	--	--	
Transitional Housing	--	--	--	
Emergency Shelter	P(L1)(L2)	P(L1)(L2)	P(L1)(L2)(L3)	17.07.060A
Semi-Transient	--	--	--	
Bed and Breakfast	--	--	--	
Civic Activities				
Essential Service	P	P	P	
Limited Child-Care Activities	--	--	--	
Community Assembly	--	--	--	
Recreational Assembly	P	P	--	
Community Education	--	--	--	
Nonassembly Cultural	P(L5)	P(L5)	--	
Administrative	--	--	--	
Health Care	--	--	--	
Special Health Care	--	--	--	
Utility and Vehicular	--	P(L4)	P	
Extensive Impact	--	--	--	
Commercial Activities				
General Food Sales	--	--	--	
Full-Service Restaurants	--	--	--	
Limited-Service Restaurant and Café	P(L5)	P(L5)	--	Chapter 9.52 (Special Event Permits)
Fast-Food Restaurant	--	--	--	
Convenience Market	--	--	--	
Alcoholic Beverage Sales	--	--	--	
Mechanical or Electronic Games	--	--	--	
Medical Service	--	--	--	

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General Retail Sales	P(IL5)	P(IL5)	--	Chapter 9.52 (Special Events Permits)
Large-Scale Combined Retail and Grocery Sales	--	--	---	
Consumer Service	--	--	--	
Consultative and Financial Service	--	--	--	
Check Cashier and Check Cashing	--	--	--	
Consumer Cleaning and Repair Service	--	--	--	
Consumer Dry Cleaning Plant	--	--	--	
Group Assembly	P(L5)	P(L5)	--	Chapter 9.52 (Special Events Permits)
Personal Instruction and Improvement Services	--	--	--	
Administrative	--	--	--	
Business, Communication, and Media Services	--	--	--	
Broadcasting and Recording Services	--	--	--	
Research Service	--	--	--	
General Wholesale Sales	--	--	--	
Transient Habitation	--	--	--	
Building Material Sales	--	--	--	
Automobile and Other Light Vehicle Sales and Rental	--	--	--	
Automobile and Other Light Vehicle Gas Station and Servicing	--	--	--	
Automobile and Other Light Vehicle Repair and Cleaning	--	--	--	
Taxi and Light Fleet-Based Services	--	P(L4)	P(L4)	
Automotive Fee Parking	C(L9)	P(L9)	P(L9)	17.103.055
Animal Boarding	--	--	--	
Animal Care	--	--	--	
Undertaking Service	--	--	--	
Industrial Activities				
Custom Manufacturing	--	--	--	
Light Manufacturing	--	--	--	
General Manufacturing	--	--	--	

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Heavy/High Impact	--	--	--	
Research and Development	--	--	--	
Construction Operations	--	--	--	
Warehousing, Storage and Distribution-Related	--	--	--	
Regional Freight Transportation	--	--	--	
Trucking and Truck-Related				
A. Freight/Truck Terminal	--	--	--	
B. Truck Yard	--	--	P(L6)	
C. Truck Weigh Stations	--	--	--	
D. Truck and Other Heavy Vehicle Sales, Rental and Leasing.	--	--	--	
E. Truck and Other Heavy Vehicle Service, Repair and Refueling	--	--	--	
Recycling and Waste Related	--	--	--	
Agricultural and Extractive Industries				
Limited Agriculture	P(L7)	P(L7)	P(L7)	
Extensive Agriculture	--	--	--	
Plant Nursery	P(L7)	P(L7)	P(L7)	
Mining and Quarrying	--	--	--	
Accessory off-street parking serving prohibited activities	C(L4)	C(L4)	C(L4)	
Activities that are listed as prohibited, but are permitted or conditionally	--	--	--	

Limitations on Table 17.98.01

L1. As specified in Section 17.07.060A, Emergency Shelter Residential Activities, as defined in Section 17.10.118 of the Oakland Planning Code, and Emergency Housing and Emergency Housing Facilities, as defined in Section 15.04.3.2400 of the Oakland Building Code, shall be permitted by right with no discretionary approvals, including design review, on all properties owned or leased by the City that are designated by the City Administrator for use as temporary emergency housing sites for the duration of a state of emergency or local emergency (defined in California Government Code § 8558) or a shelter crisis (defined in Government Code §§ 8698.1 et seq.) declared by the City Council. Facilities under this provision must meet the standards codified in Section 15.04.3.2400 of the Oakland Building Code, as may be amended.

L2. Except as may be permitted in Section 17.07.060A, no Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other Emergency Shelter Residential Activity or Facility. See Section 17.103.010 for other regulations regarding these activities.

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L3. Emergency Shelters are permitted by-right within the I-880 Freeway Lease Areas (FLAs) in direct proximity to the area surrounding Third Street described in Section 17.103(A)(5) - specifically the FLA areas bounded by Martin Luther King Jr. Way to the east, Fifth Street to the south, Sixth Street to the north and Union Street to the west, subject to the development standards in Section 17.103.015(B); permitted upon the granting of a Conditional Use Permit elsewhere in the zone subject to Limitations L1 and L2 above.

L4. Utility and Vehicular Civic Activities shall be limited to public parking only. All parking sites shall be improved with pavement, curb, gutter, and wheel stops. Fencing and landscaping shall be provided along the perimeter of the applicable lease areas. Any plantings shall be of a type that will survive in the environment under and adjacent to the freeway.

L5. General Retail Sales, Limited-Service Restaurant and Café, Group Assembly Commercial Activities, and Nonassembly Cultural Civic Activities are restricted to temporary “pop-up” establishments approved through a city Special Event permit.

L6. Truck Yards shall be primarily for the purpose of truck parking and/or electric truck charging and not include other storage or repair activities. The site shall be improved with pavement, curb, and gutter; and fencing and landscaping shall be provided along the perimeter of the applicable lease areas. All plantings shall be of a type that will survive in the environment under and adjacent to the freeway.

L7. Limited Agriculture and Nurseries shall occupy less than one (1) acre of land.

L8. In addition to the provisions Chapter 17.134 of Conditional Use Permit (CUP) procedure established in Chapter 17.134, activities seeking a CUP in the S-16 Zones shall also meet the following use permit criterion:

- a. The proposed activity will not introduce safety or environmental hazards to visitors, pedestrians, employees, or drivers.

L9. Any Auto Fee Parking areas in the S-16-A Zone that are designated as mitigation for the loss of parking due to the Oakland Alameda Access Project shall not be subject to the otherwise required Conditional Use Permit. For all auto fee parking sites in the S-16 Combining Zones, the parking areas shall be improved with pavement, curb, gutter, and wheel stops. Fencing and landscaping shall be provided along the perimeter of the applicable lease areas. Any plantings shall be of a type that will survive in the environment under and adjacent to the freeway.

17.98.040 – Permitted and Conditionally Permitted Facilities.

Table 17.98.02 lists the permitted, conditionally permitted, and prohibited facilities in the S-16 Zones. The descriptions of these facilities are contained in Chapter 17.10. Any proposed facility also requires approval from the California Department of Transportation (Caltrans).

Table 17.98.02 Permitted and Conditionally Permitted Facilities

Activities	Zones			Additional Regulations
	S-16-A	S-16-B	S-16-C	
Residential Facilities				
One-Family Dwelling	--	--	--	
Two- to Four-Family Dwelling	--	--	--	
Multifamily Dwelling	--	--	--	

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Rooming House	--	--	--	
Vehicular	--	--	P(L1)	17.07.060A; 17.103.085
Nonresidential Facilities				
Enclosed Nonresidential	P(L2)(L3)(L4)	P(L2)(L3)(L4)	P(L2)(L3)(L4)	
Open Nonresidential	P(L2)(L3)(L4)	P(L2)(L3)(L4)	P(L2)(L3)(L4)	
Sidewalk Café	--	--	--	
Drive-In	--	--	--	
Drive Through	--	--	--	
Telecommunications Facilities				
Micro Telecommunications	--	--	--	
Mini Telecommunications	--	--	--	
Macro Telecommunications	--	--	--	
Monopole Telecommunications	--	--	--	
Tower Telecommunications	--	--	--	
Sign Facilities				
Residential Signs	--	--	--	
Special Signs	P	P	P	17.104
Development Signs	--	--	--	
Realty Signs	--	--	--	
Civic Signs	P	P	P	17.104
Business Signs	P(L5)	P(L5)	P(L5)	17.104
Advertising Signs	--	--	--	

Limitations on Table 17.98.02

L1. Vehicular Residential Facilities are permitted only when part of an approved Emergency Shelter Activity.

L2. No New construction of permanent buildings is permitted except those built by a public agency for transportation purposes. The construction of subgrade foundations, pilings, grade changes, retaining walls, and concrete structures are not permitted.

L3. Only transportation-related facilities installed by a public agency can be permanently or temporarily affixed to any component of the freeway, including columns, footings, beams and roadbeds.

L4. Nonresidential Facilities are restricted to temporary “pop-up” establishments approved through a city Special Event permit.

L5. Business Signs are restricted to temporary “pop-up” establishments approved through a city

Special Event permit.

17.98.050 – Property Development Standards.

Table 17.98.03 below prescribes development standards specific to individual zones. The number designations in the “Additional Regulations” column refer to the regulations listed at the end of the Table. “N/A” designates the regulation is not applicable to the specified zone.

Table 17.98.03: Property Development Standards

Development Standards	Zones			Additional Regulations
	S-16-A	S-16-B	S-16-C	
Minimum Setbacks				
Front	0 ft.	10 ft.	10 ft.	1,2
Interior Side	0 ft.	4 ft.	4 ft.	1,2
Street Side	0 ft.	4 ft.	4 ft.	1,2
Rear	0 ft.	4 ft.	4 ft.	1,2
Maximum Height	14 ft.	14 ft.	14 ft.	1,3

Additional Regulations for Table 17.98.03:

1. Transportation facilities constructed by a public agency are exempt from maximum height and minimum setback requirements.
2. See Section 17.108.130 for allowed projections into setbacks.
3. See Section 17.108.030 for allowed projections above height limits.