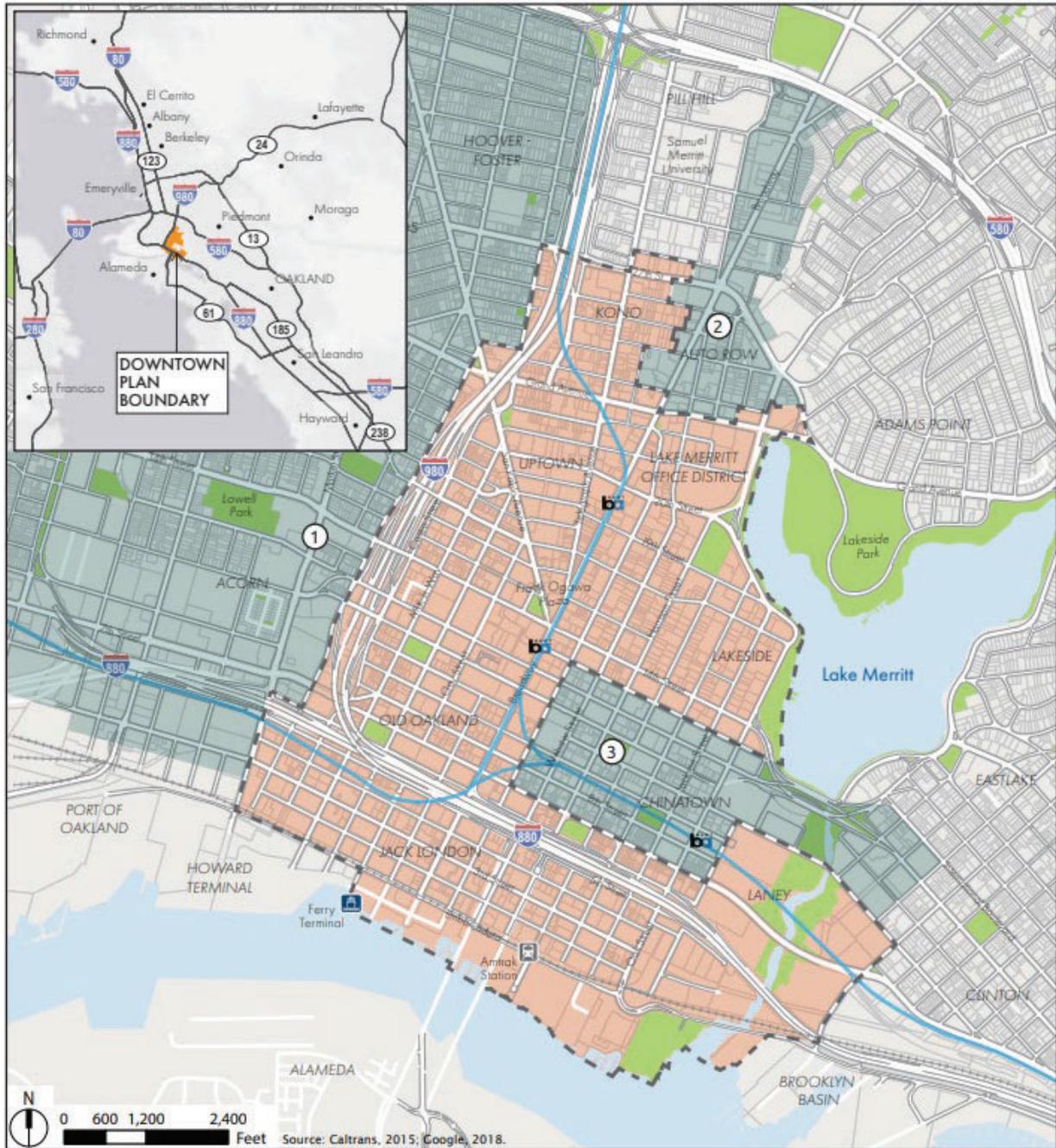


<b>Location:</b>	The Downtown Oakland Specific Plan (DOSP) generally encompasses the area bounded by 27th Street to the north; I-980 and Brush Street to the west; the Jack London estuary waterfront to the south; and Lake Merritt, Channel, and 5th Avenue to the east.
<b>Proposal:</b>	Recommend City Council adopt a long-range specific plan for Downtown Oakland (the Downtown Oakland Specific Plan, or DOSP). The DOSP plans for new and equitable housing production, economic opportunity, social justice, culture keeping, quality urban form, climate-friendly and accessible transportation and climate-responsive development. It contains objectives, policies and implementation actions to guide policy decisions, resource allocation, departmental workplans, regional and state level plans, advocacy and community partnerships. The DOSP also contains measures of success, including those to address racial inequities and to evaluate progress toward the DOSP’s goals.
<b>Applicant:</b>	City of Oakland
<b>Case File Numbers:</b>	GP23001, ZA2206, ER18-020 & SP16001
<b>Planning Permits Required:</b>	N/A
<b>General Plan:</b>	<b><u>Land Use and Transportation Element (LUTE)</u></b> Business Mix; Central Business District; Community Commercial; General Industry and Transportation; Institutional; Mixed Housing Type Residential; Neighborhood Center Mixed Use; Urban Park and Open Space; Urban Residential <b><u>Estuary Policy Plan (EPP)</u></b> Light Industry 1; Mixed Use District; Off-Price Retail District; Parks; Planned Waterfront Development 1; Planned Waterfront Development 4; Produce Market; Retail Dining Entertainment 1; Retail Dining Entertainment 2; Waterfront Commercial Recreation 1; Waterfront Mixed Use; Waterfront Warehouse District
<b>Zoning:</b>	C-40, C-45, CBD-C, CBD-P, CBD-R, CBD-X, CC-1, CC-2, CC-3, CIX-1A, CIX-1B, D-LM-2, D-LM-3, D-LM-4, D-LM-5, D-OTN, IG, M-20, M-30, M-40, OS(LP), OS(NP), OS(RCP), OS(RCA), OS (AF), OS (AMP), OS(SU), R-80, RU-3, RU-4, RU-5, S-2
<b>Environmental Determination:</b>	The Draft Environmental Impact Report (DEIR) for the DOSP and associated General Plan Amendments was available for public review (SCH No. 2019012008) on August 30, 2019, and brought before the Planning Commission on October 2, 2019. The Public comment period for the Draft EIR began on August 30, 2019, and was scheduled to end on October 15, 2019. Ultimately, the comment period was extended to November 8, 2019 (from the required 45 days to 70 days) at the direction of the Planning Commission in response to requests of members of the public and the Landmarks Preservation Advisory Board (LPAB).  All comments that were received during the DEIR public comment period have been compiled and responded to in the Response to Comments (RTC) Document contained in the Final EIR, along with non-substantive changes and clarifications to the Draft EIR. The Final EIR, together with the Draft EIR, constitutes the DOSP EIR. The Zoning Map and Planning Code amendments are consistent with the DOSP EIR.
<b>Historic Status:</b>	52 Landmarks, 21 Areas of Primary Importance (API); 27 Areas of Secondary Importance (ASI).

<b>City Council district:</b>	2, 3
<b>Status:</b>	The Draft Plan and DEIR received public review and comment in 2019 and have subsequently been revised. The Draft Zoning and General Plan Amendments were reviewed by the Landmarks Preservation Advisory Board (LPAB) and the Zoning Update Committee (ZUC) and forwarded to Planning Commission for review at its June 5 meeting. The Draft Plan will be reviewed separately at the Planning Commission’s May 15 meeting to provide additional opportunity for the public and Planning Commission to comment on the DOSP itself.
<b>Staff Recommendation</b>	<p>Staff recommends that the Planning Commission conduct a public hearing, receive public comments, and discuss the Final Draft Plan.</p> <p>In addition, Staff recommends that the Planning Commission continue the May 15, 2024 public hearing to June 5, 2024, where it can also review the Draft Zoning and General Amendments and EIR (in addition to the Draft Plan), and again receive public comments, engage in public discussion, and provide the following recommendation to the City Council:</p> <ol style="list-style-type: none"> <li>1) Adopt a Resolution Approving the Following Actions:             <ol style="list-style-type: none"> <li>a. Adopting the Downtown Oakland Specific Plan;</li> <li>b. Certifying the Environmental Impact Report and Making Related California Environmental Quality Act Findings; and</li> <li>c. Adopting Conforming Amendments to the Land Use and Transportation Element and Estuary Policy Plan of the City of Oakland General Plan, including General Plan Map Amendments; and</li> </ol> </li> <li>2) Adopt an Ordinance Adopting Planning Code Text and Map Amendments (collectively, Zoning Amendments) to Implement Actions Proposed in the Downtown Oakland Specific Plan.</li> </ol>
<b>Finality of Decision:</b>	Recommendation to City Council.
<b>For further information:</b>	Contact Project Manager Joanna Winter, Planner IV at 510-238-2166 or <a href="mailto:jwinter@oaklandca.gov">jwinter@oaklandca.gov</a>

FIGURE 1. MAP OF DOWNTOWN OAKLAND SPECIFIC PLAN AREA



- Legend**
- Downtown Plan Boundary
  - Parks
  - BART Station
  - BART Line
  - Railroad
  - Other Specific Plan Areas:
  - ① West Oakland Specific Plan
  - ② Broadway Valdez District Specific Plan
  - ③ Lake Merritt Station Area Plan

Downtown Oakland Setting Map

## **SUMMARY**

Staff recommends that the Planning Commission review the Downtown Oakland Specific Plan (DOSP) with its associated environmental document and amendments and recommend the package for City Council adoption.

The DOSP itself will be presented at this May 15, 2024 Planning Commission meeting; and then the DOSP's associated environmental documents, as well as the Zoning and General Plan Amendments will be presented and considered at the June 5, 2024 Planning Commission meeting with the expectation the Planning Commission will provide a recommendation to the City Council at the June 5 meeting. The DOSP has been informed by years of community involvement to fulfill locally relevant objectives, such as new and equitable housing production, economic opportunity, social justice, culture keeping, quality urban form, climate-friendly and accessible transportation and climate-responsive development.

This report describes the first of the following four items being brought forward for consideration, adoption and certification as the DOSP package:

1. Final Draft Downtown Oakland Specific Plan (Final Draft DOSP);
2. General Plan Text and Map Amendments;
3. Planning Code and Zoning Map Amendments; and
4. Final Environmental Impact Report (FEIR) Response to Comments (RTC).

These documents together provide policy guidance, an implementation plan, land use changes and environmental mitigation measures that will ensure new development in the DOSP area meets the City, regional and community goals identified through the planning process. This report summarizes the Final Draft DOSP, as well as changes that have been made to the final drafts of these documents responding to comments received on the public review drafts. The June 5, 2024 Planning Commission report will summarize the remaining three items in the DOSP package above.

## **BACKGROUND**

The DOSP is the City's first specific plan for Downtown Oakland. It will result in an update to City policies that guide downtown development to meet Oakland's social and environmental needs and to accommodate its projected growth needs over the next 20 years. The DOSP is designed to help prevent displacement of both people and culture, while encouraging downtown's development in ways that assist all Oaklanders to safely and affordably access housing, transportation, recreation, healthy lifestyles and good jobs.

### **Introduction & History**

The DOSP was originally proposed in 2015 with the intention of drawing commercial investment to the downtown and shaping the public investments and resulting development to develop a better public realm for Oaklanders to enjoy. Since that time, both the world and the planning field have changed, and the DOSP has changed along with them. While the DOSP is still designed to meet that original intent of facilitating quality development, over the course of its development its goals and strategies evolved to address racial justice, displacement, climate change, culture keeping, and the impacts of a global pandemic.

At several critical milestones the City extended the timeline for completion of the DOSP to allow for expanded community outreach and public comment opportunities, explicitly refocusing engagement on underserved communities and racial inequities. The City also changed the project scope to enhance analysis and incorporate innovative approaches to address racial equity in the DOSP research, outreach, analysis

and recommendations. For the first time ever, it applied an early version of Oakland’s Racial Equity Impact Assessment (REIA) model to a planning process. This may have been the first REIA ever conducted for a specific plan, and the assessment and engagement significantly shaped the resulting policies. The equity work resulted in expanded participation from communities of color; integration of racial equity data, analysis, policies and measures of success; and sections addressing homelessness, culture keeping, and community health.

The DOSP has been through several iterations, from the original *Alternatives Report* to the *Plan Options Memo*, the *Preliminary Draft Plan* and finally the *Public Review Draft of the DOSP and Draft Environmental Impact Report* (DEIR) published for review in late 2019. The comment period was extended on the Draft Plan and DEIR, and the City received thousands of community comments.

As the DOSP was being finalized and the implementing zoning developed, the COVID-19 pandemic hit. Many of the DOSP’s policies and strategies were already addressing concerns, such as the shift in retail toward online retailers, racial inequities in housing access and economic opportunity, and the need to become a more vibrant, culturally active twenty-four-hour downtown with more to offer than office buildings. However, due to impacts from the pandemic these issues had accelerated and conditions had changed, and the City planning team took a step back to assess the DOSP goals and objectives and what might need to shift or be emphasized given the changed conditions and need for economic recovery.

At the same time, Staff worked to take all the community feedback heard into account to develop amendments concurrently to the City’s Planning Code and Zoning Map that would help implement the DOSP once adopted. In response to concerns raised by community members and the Community Advisory Group (CAG), as well as answers needed by Staff, an additional economic consultant was retained by the City planning team to help develop the Zoning Incentive Program (ZIP), which is one of the more complex components of the DOSP zoning implementation.

The DOSP, its environmental review document and its accompanying General Plan, Planning Code and Zoning Map amendments have undergone thoughtful development and scrutiny for eight years. Downtown Oakland is more than ready for these much-needed strategies to meet the needs and aspirations of its users.

### **Community Process and Engagement**

#### ***Summary of Outreach***

Community engagement in the development of the DOSP and in its implementing zoning has stretched over eight years and involved thousands of Oakland residents. Engagement has included a ten-day public charrette and open house; large public presentations held at the Rotunda Building, Paramount Theater and Malonga Casquelourd Center for the Arts; racial equity-focused interviews and focus groups; topic-focused equity working groups, neighborhood design sessions; creative solutions labs; a survey focusing on older adults and people with disabilities; public events such as Lunar New Year, farmers’ markets and the Black Joy Parade; general public meetings and hearings in person and online; online surveys; use of an online tool (Konveio) to receive comments on draft documents; focused meetings with groups such as the Black Arts Movement and Business District (BAMBD) and Chinatown stakeholders; staff attendance at standing meetings such as the Chambers of Commerce, Chinatown Coalition, Jack London Improvement District, Neighborhood Councils and SPUR; multiple sessions with UC Berkeley’s Y-PLAN program in middle and high schools; a Youth Summit; and an ongoing CAG.

The public has reviewed multiple drafts of the DOSP. Comments received through these activities have been catalogued, summarized and addressed through new iterations of the Specific Plan, shaping the goals and policies now proposed. The community engagement process to develop the DOSP is shown in a timeline on pages 12 to 15 of the DOSP.

***Project Initiation and Re-launch (2015-2017)***

The process to develop the DOSP began in 2015. The initial phase of the planning process culminated with the [Plan Alternatives Report](#) in Spring 2016, about which the City received thousands of comments from community members, stakeholders, and City partners. Comments included concerns regarding the displacement of communities of color, displacement of small businesses and community-serving non-profits, waning investment appeal downtown, the importance of economic activity downtown as a mechanism for generating revenue for funds critical to public services citywide, and concern that all stakeholder voices Citywide be represented in the discussion.

In response, the City initiated a re-launch of the planning process in 2017 focused on engaging a broader, more representative section of the community, including members of the City's most vulnerable communities. Supported by an equity consultant and the City's newly formed Department of Race and Equity (DRE), the re-launch included a racial impact equity assessment to guide analysis, outreach, and the creation of equity-related goals and policies to address disparities in life outcomes.

***Draft Plan & EIR (2017-2019)***

The Draft EIR and the Public Review Draft Downtown Oakland Specific Plan (Draft DOSP) were released for public review in late 2019. These drafts followed public review of multiple earlier iterations including the Plan Alternatives Report, the Plan Options Memo (which included a racial equity assessment), and the Preliminary Draft Plan. Led by an overarching equity goal to reduce racial disparities, the Draft DOSP includes analysis of existing conditions, as well as goals and implementing policies within the following key areas: housing and affordability, economic opportunity, social and racial equity, culture keeping, preservation and an inclusive public realm, and connectivity & mobility. The Draft DOSP set forth strategies for physical improvement projects and supporting policies to meet the needs of its most vulnerable stakeholders while addressing community priorities. It offered guidance for future City investments and benchmarks to evaluate success. It contained an implementation plan that includes many implementation mechanisms, including policy revisions, studies, programs, coordination, and oversight of mitigation measures with a special emphasis on equity.

The City released the Notice of Preparation (NOP) of an Environmental Impact Report EIR on the DOSP in January of 2019. Public scoping sessions were held before the LPAB and Planning Commission the following month. The NOP and all relevant environmental comments received in response were addressed and included with the public Draft EIR, which was presented along with the Draft DOSP during Fall 2019 to the Planning Commission, the ZUC, and the LPAB. Proposed General Plan Amendments to implement the DOSP were included in the Draft EIR for public comment. The Draft EIR comment period was extended from the required 45 days to 70 days at the direction of the Planning Commission in response to requests of members of the public and the LPAB.

***Revised Plan (Final Draft DOSP), Final EIR (FEIR) and General Plan & Zoning Amendments (2020-2023)***

After receiving comments on the Draft DOSP, EIR and General Plan amendments, staff summarized these comments and worked with partner departments and the consultant team to revise these documents to reflect community and commission input, as well as to attend to changed conditions downtown resulting from the COVID-19 pandemic.

At the same time, the Planning team began to develop the Draft Zoning Amendments that are intended to be adopted concurrently with the Final DOSP and are the first step toward implementing the DOSP. This included a multi-phase analysis to develop the proposed ZIP; the analysis helped staff understand the potential value of benefits that could be captured through increased development and evaluate the feasibility of requiring community benefits from developers in exchange for increased development capacity, while still incentivizing dense development within key areas of downtown.

In 2022, the City released the Draft Zoning Amendments in two parts and held a series of three topic-focused virtual public meetings to discuss key issues with community members. The Draft Zoning Amendments were made available for public review from April 27, 2022 (Part I) and July 6, 2022 (Part II) to May 26, 2023.

Between 2022 and 2023, staff presented to the ZUC, LPAB, the DOSP CAG, the Cultural Affairs Commission and a public session of SPUR. Planning staff held focused sessions with BAMBD, Chinatown, and Victory Court area stakeholders, as well as conversations with members from East Bay Housing Organization (EBHO), Alameda County Building Trades Council (BTC), and Oakland Heritage Alliance (OHA). Additionally, Planning staff reached out to, and where possible met with, stakeholders associated with the BAMBD, the Malonga Casquelourd Center for the Arts, the Art + Garage District, Chinatown Coalition and the chambers of commerce, including the ethnic chambers. Additional feedback was collected via an online tool (Konveio) and two in-person chalkboards set up for several weeks in both Franklin Square in Uptown and Lincoln Square Park in Chinatown.

Staff presented the Draft Zoning Amendments at three hearings of the Planning Commission's ZUC as described below and two sessions of the LPAB. At the close of the August 29, 2022 LPAB Public Meeting, a motion was made and approved to revisit the DOSP Zoning Amendments and have staff present additional changes to LPAB prior to taking the Final Draft Plan to the Planning Commission and City Council for adoption. In response to LPAB feedback on the Draft Plan and Draft EIR, staff developed an expanded TDR program that is to be implemented as part of the DOSP, reduced by-right intensity within key areas of historical significance, and reviewed opportunity sites with regards to historic issues. These items are included in the Final Draft Zoning Amendments. Staff presented these changes to the LPAB at a hearing on May 6, 2024; the LPAB did not provide any recommendations at that time and continued their meeting to June 3, 2024 to spend more time reviewing the Final Draft Zoning Amendments.

### **History of Planning Commission Review**

The Planning Commission has provided feedback on the DOSP at many different stages of its development. In April 2016, the Planning Commission reviewed and provided feedback on the Draft Alternatives Report. In 2017, the Planning Commission received two informational Director's Reports to inform the Commission about the shift in the Planning Bureau's approach, addition of a racial equity consultant, and addition of new grant funds to enhance the DOSP's transportation, economic and environmental analysis. The Planning Commission held three sessions reviewing the *Preliminary Draft Plan* in January 2019. The most recent touchpoint for the full Planning Commission was a two-session hearing on the Public Review Draft Plan in late 2019.

The Planning Commission's ZUC provided comments on the initial ZIP Feasibility Study in December 2019. The ZUC then held a public hearing on the Draft Zoning Amendments that began in 2022, was continued twice with requests for further analysis of the Zoning Incentive Program, and completed in May 2023 when this additional analysis was available.

At the final ZUC public meeting on May 10, 2023, staff presented findings from the additional economic analyses as well as changes since the previous August 24, 2022 ZUC meeting, including changes related to historic preservation and the City's response to OHA and CALM recommendations. Members of OHA expressed appreciation for many of the changes staff had made, but had concerns regarding remaining requests and Planning staff agreed to and carried out a follow-up meeting to discuss further. The ZUC stated that Planning staff had adequately addressed public feedback and a motion was passed to forward the Draft Zoning Amendments, upon revision, to the full Planning Commission for review. Those revisions have been made and will be presented in June 5, 2024 staff report as the Final Draft DOSP Zoning Amendments.

***Adoption Hearings (2024)***

The ZUC provided final feedback on the Draft Zoning Amendments in May 2023. On May 6, 2024, LPAB held a meeting to review the Final Draft DOSP, Zoning Code Amendments and mitigation measures addressing aesthetics and cultural resources. LPAB continued the meeting to the next scheduled LPAB meeting on June 3, 2024 to provide the LPAB with more time to make a recommendation to the Planning Commission and City Council. The Planning Commission process to formally review and develop a recommendation to adopt the DOSP, along with its General Plan and Zoning Amendments, and certify the EIR begins with this May 15, 2024 Planning Commission meeting. At the upcoming June 5, 2024 meeting, the Planning Commission will consider the DOSP EIR, Planning Code, Zoning Map and General Plan amendments and finalize their recommendation to the City Council regarding the entire DOSP package. Upon recommendation to Council, the DOSP package and any comments from Planning Commission will be presented to the Council's Community and Economic Development (CED) Committee, which is scheduled for June 25, 2024. Upon CED recommendation, the DOSP package will be heard by the full City Council, with first and second reading of the legislation anticipated on July 2 and 16, 2024 respectively, prior to the City Council's Summer Recess.

***Interaction with Other Plans & Processes***

The DOSP has been developed in communication with other departments and agencies. As such, the goals and policies of the DOSP have been aligned with other local and regional plans - including the *Oakland General Plan*, the *Equitable Climate Action Plan (ECAP)*, the Oakland cultural plan: *Belonging in Oakland*, the *Housing and Community Development Strategic Plan* and *Plan Bay Area*.

Planning staff have been actively collaborating with the Economic and Workforce Development Department (EWD) as they update the Citywide *Economic Development Strategy*, which integrates policies and strategies from the DOSP's *Economic Opportunity* and *Culture Keeping* chapters, with Caltrans on the *Oakland Alameda Access Project* and the *Vision 980* study, and with the regional Link 21 project on planning for expanded regional and megaregional transit and a second transbay rail crossing.

General Plan: The General Plan Update (GPU) Phase I (covering the Housing, Safety, and Environmental Justice Elements) and the DOSP have been respectively and mutually aligned, and the recently-adopted Planning Code amendments associated with GPU Phase I have been integrated into the proposed DOSP Zoning Amendments. Phase II of the GPU, particularly the Land Use and Transportation Element (LUTE) update, will provide an opportunity for other areas of Oakland outside downtown to integrate successful policies and strategies from the DOSP. Land use and zoning strategies that find success after being piloted in the DOSP area can also be adopted in other areas of the central business district where appropriate, including the adjacent Chinatown.

The ECAP (2020): The ECAP establishes actions that the City and its partners will take by 2030 to equitably reduce Oakland's climate emissions and adapt to a changing climate. The DOSP's policies to intensify development in parts of Oakland most served by transit and develop infrastructure improvements to support that transit system supports the ECAP's goals to reduce reliance on single occupancy vehicles, reducing vehicle emissions and their effects on both climate change and air quality related health problems. The DOSP and its associated zoning amendments also address climate adaptation with policies regarding regional and site-specific infrastructure improvements to respond to sea level rise.

Cultural Plan: The DOSP learned from the City's first cultural plan, *Belonging in Oakland*, which was developed concurrently with the DOSP. The DOSP focus on arts and culture changed from place-making to place-keeping and belonging – protecting and nurturing the people and cultural organizations and

businesses that make Downtown Oakland a lively and innovative cultural center that is welcoming to people of different races, ethnicities and income levels.

Housing Strategic Plan: The DOSP has aligned with the Oakland Housing and Community Development Department's 2023-2027 Strategic Plan on housing policies to protect, preserve and produce affordable housing that center racial equity, prioritizing resources to address homelessness and the needs of very and extremely low-income residents. The DOSP addresses the need for housing at all income levels for all household types and sizes, while leaving housing for residents with moderate and above incomes to the private market and targeting limited affordable housing resources to residents with the fewest resources.

Plan Bay Area: The DOSP is consistent with regional goals to focus development in designated Priority Development Areas (PDAs), including Downtown Oakland, which are well-served by transit, help connect the region, and in the case of Downtown Oakland, help leverage BART capacity in the reverse commute direction by encouraging more dense employment development. Although the urgency of this was reduced by changes after the COVID-19 pandemic, this is still anticipated to be a need as the Bay Area continues to grow. The DOSP was partially funded by a Metropolitan Transportation Commission/Association of Bay Area Governments (MTC/ABAG) grant to this end.

Oakland Alameda Access Project: DOSP and Oakland Department of Transportation (OakDOT) staff have been coordinating with Alameda County Transportation Commission (Project Lead) on the Oakland/Alameda Access Project, which will improve access and reduce vehicle pedestrian conflicts between I-880 and I-980, the Posey and Webster Tubes, Jack London, and the City of Alameda. The project aims to address multimodal safety and connectivity in Oakland Chinatown, Jack London District, and Alameda. It is currently in final design and right of way acquisition stages and various agreements are scheduled to be complete by October 2024.

Vision 980: This Caltrans-initiated effort is inspired by the DOSP proposals to repair connections across the Interstate 980 freeway, including options to remove the freeway and replace the existing right of way with a multi-lane boulevard, opening up opportunity for residential and commercial development, and potentially an underground transit station. A reestablished connection between West Oakland and Downtown would improve access to essential resources and services in downtown for West Oakland residents. Caltrans will study and conduct community outreach to determine a strategy for reconnecting West Oakland with Downtown Oakland, improving multi modal mobility, and addressing past and ongoing injustices that led to the construction of the freeway through a once thriving black community. DOSP, OakDOT, and DRE staff have coordinated with the Caltrans Vision 980 team to inform the project scope and coordinate engagement efforts.

Link 21: Link 21 is a regional planning effort to create a seamless, more efficient passenger rail service experience across the larger 21-county Bay Area megaregion, including a second transbay crossing between the East Bay and San Francisco, with likely connections through Oakland and a potential connection through the City of Alameda. PBD and OakDOT staff are coordinating with the Link 21 team to discuss rail alignment and station prioritization through Oakland to ensure consistency with the City's transportation, development and equity goals, and to weigh in on Link 21's public engagement process.

## **PLAN BOUNDARY**

The DOSP generally encompasses the area bounded by 27th Street to the north; I-980 and Brush Street to the west; the Jack London estuary waterfront to the south; and Lake Merritt, Channel, and 5th Avenue to the east. Chinatown is not included in the DOSP boundary because the Lake Merritt Station Area Plan (LMSAP), which includes this integral part of downtown, was completed the same year as the DOSP began. The DOSP, nonetheless, necessarily includes Chinatown in the transportation connections in proposes throughout downtown. There are small areas of overlap at the edges where the DOSP supersedes the LMSAP (see **Attachment A**), largely to provide new planning possibilities along the Broadway, 14th Street, and I-880 freeway corridors, and at the Laney College and Peralta College District Administration sites.

## **PROJECT DESCRIPTION**

### **DOSP Plan Area**

Downtown Oakland plays many important roles in the City and the entire Bay Area, including serving as a regional employment center, transit hub, civic and cultural center, and visitor destination. Downtown is the largest employment center in Oakland and the East Bay and economic activity in Downtown Oakland generates tax revenues that support municipal services throughout the city. Hotel, retail, and office uses, as well as arts, entertainment and nightlife all generate significant fiscal benefits for the entire city since visitors, shoppers, employers, arts patrons and nightlife revelers pay a variety of taxes and fees, as well as supporting local businesses.

While downtown is a resource for all of Oakland and for the broader East Bay region, it is also a series of unique, local neighborhood districts with distinct character, needs and opportunities. Downtown's success as an economic, social, and cultural engine for the city is also dependent on the success of its neighborhoods and commercial hubs. The Plan area is shown in **Figure 1**.

### **DOSP Overview**

The DOSP sets forth bold strategies for physical improvement projects and supporting policies that balance community priorities, attend to the City's most vulnerable residents, and carefully shape the design of downtown to accommodate necessary growth in housing, jobs, business and cultural innovation while protecting residents and businesses from displacement, preserving our most important historic resources, and activating public spaces that celebrate Oakland's community and unique heritage. The DOSP provides a vision, goals and strategies to grow downtown in its role as a major regional employment, cultural and residential center while meeting the needs of its most vulnerable stakeholders. It encourages dense development by increasing development capacity and also addresses community priorities for a sense of place, shelter, economic opportunity, cultural belonging, and mobility.

Development under the DOSP could add approximately 18.3 million sf of new commercial space, 1.3 million sf of new institutional space, and 500,000 sf of new industrial space resulting in approximately 57,000 jobs and \$41 million in Impact Fees to fund affordable housing and transportation improvements. If fully developed, it could also add 29,000 housing units, including approximately 4,000-7,000 income-restricted affordable units, resulting in \$480-544 million in Impact Fees to fund additional affordable housing.

The DOSP identifies opportunity sites – typically parking lots and underutilized, low-scale buildings – that could be redeveloped over the next 20 years to accommodate job-generating land uses and much-needed housing, while capitalizing on downtown's excellent transit assets, central location, and beautiful waterfront

setting. It also focuses on bringing people downtown and activating the streets to support businesses and safety, including attention to enhanced landscaping and pedestrian amenities and culture-keeping policies to encourage arts space, marketing and wayfinding for arts and cultural activities to keep downtown the cultural center of the region, including supporting the BAMBD.

The goals, policies and implementation actions of the DOSP are intended to guide development, to set a workplan for the City to implement through interdepartmental, interagency and community partnerships, and to provide a clear vision to help the City make policy and allocate resources. They also provide a specific vision that indicates community concord to potential funding agencies and other sources, bringing implementing projects closer to “shovel ready” and therefore helping eligibility and priority for grants.

## **GENERAL PLAN ANALYSIS**

The DOSP will be accompanied by General Plan text and map amendments to be described in the upcoming June 5, 2024 staff report, which include conforming changes to ensure that the policies, allowed uses, and allowed densities included in the proposed Planning Code and Zoning Map amendments are consistent with General Plan designations and policies. Adopting these simultaneously with the DOSP will ensure that the DOSP, General Plan, Planning Code and Zoning Map are all in conformance with one another.

The DOSP is also in conformance with the General Plan Environmental Justice (EJ) Element, which was developed using racial equity assessment tools similar to those utilized in the DOSP development process. The EJ Element “serves as the foundation for achieving equity and environmental justice when planning for future growth and development in Oakland.” The DOSP and its associated environmental mitigation measures and zoning amendments include policy and land use changes that implement EJ Element policies such as zoning for health care, childcare and public restroom facilities (EJ-6.1, 6.2 & 6.3) and supporting accessible neighborhoods (EJ-7.2).

However, the DOSP’s racial equity policies go far beyond environmental justice, as described more fully in in the “Racial Equity in the DOSP” section of the Project Description, touching on economic opportunity, culture keeping and affordable housing.

## **ZONING ANALYSIS**

The DOSP will be accompanied by proposed revisions to the Oakland Planning Code and Zoning Map. These proposed revisions were published on the City’s website in April 2024 and will be described in the June 5, 2024 staff report. These are one of the Plan’s implementation mechanisms, out of many, that the DOSP’s Implementation Matrix identifies as action steps toward reaching the DOSP’s goals. They include amendments that provide specific land use regulations that will implement the policies and strategies of the DOSP, including providing maximum heights, densities and Floor Area Ratios (FAR) that are consistent with the DOSP’s intensity map. They will also be consistent with, and help implement, the proposed General Plan Amendments. The zoning amendments are proposed to be adopted concurrently with the DOSP so that any new development submitted after the DOSP’s effective date will be subject to regulations that are consistent with the DOSP.

## **ENVIRONMENTAL DETERMINATION**

An Environmental Impact Report (EIR) has been prepared for the DOSP. The DOSP does not propose any specific private development projects, but establishes the DOSP Development Program, which represents the maximum feasible development that the City has projected can reasonably be expected to occur in the Plan over a 20-year planning period. The EIR utilizes the Development Program to assess the potential impacts of the development this is likely to occur under the DOSP. The EIR will be addressed in the June 5, 2024 Planning Commission staff report.

## **KEY ISSUES AND IMPACTS**

Downtown Oakland is a central and important location within the core of the region and the city, and provides vital access to jobs, services, and community destinations through its robust regional transit connections. New development would contribute to as many as 29,100 new residential units and 57,000 jobs by 2040, and meet City and State housing, economic and sustainability goals and policies. The Final Draft DOSP represents a careful process to achieve equity while balancing multiple priorities that aim to address the existing and anticipated needs of residents and businesses downtown and citywide, especially those most vulnerable; while enhancing, preserving and celebrating the culture, history, and landscape that uniquely defines Oakland.

### **Plan Issues and Goals**

The key issues identified in the DOSP are represented by its six main chapters or goals, and include policy recommendations and regulatory changes for achieving a vision for a Downtown Oakland that serves the needs of all Oaklanders. The goals and central ideas of each one of these topic areas are summarized below. Equity is a primary focus of the DOSP; all the goals, outcomes, and supporting policies meet a shared vision, consider equity impacts, and aim to reduce disparities where relevant, and at the very least, not widen them.

A seventh goal and chapter, Implementation and Engagement, implements the other six chapters, containing policies for inclusive implementation, a detailed implementation matrix, and information on concurrent actions the City is undertaking, as well as addressing ongoing implementation and engagement following DOSP adoption. Once the DOSP is adopted, residents and stakeholders will be invited to participate in the ongoing decision-making and implementation of the DOSP, and, with the City, will be accountable for current initiatives and for the successful adaptation of the DOSP over time as conditions change.

An appendix provides more detailed guidance for the development of the Victory Court area of the eastern Jack London District and the Green Loop. Additional appendices include detailed project lists and technical appendices that have informed the DOSP.

The full text of the DOSP is shown in **Attachment B**. An overview of the DOSP, the DOSP Handbook, is shown in **Attachment C**. The DOSP Handbook is also available on the project website in Spanish and Chinese.

The following are some of the key goals contained in the DOSP:

**1. Economic Opportunity (E):** *Make downtown a racially and economically diverse regional employment center by identifying employment priority sites, targeting training for living wage jobs to fill those spaces, and by investing in small businesses and businesses owned by women and people of color.*

Key investments & policies include identifying office priority sites and promoting density at downtown's regional transit hubs; activating ground floor retail/commercial spaces by developing a program to master lease vacant spaces, and sub-lease them to small, local and culturally relevant retailers, artists and artisans; and development of employment training programs to ensure that employment growth benefits the Oaklanders most need of opportunity.

**2. Housing & Homelessness (H):** *Maintain downtown as a collection of unique, livable, and complete neighborhoods where all Oaklanders have an opportunity to live by adding 29,100 new homes by 2040 and expanding income restricted affordable housing units by between 4,365 and 7,275 units.*

Key investments & policies include encouraging growth of housing; prioritizing services and housing for residents experiencing homelessness or at risk of homelessness; implementing tools to prevent displacement as well as funding mechanisms to provide below market housing; and designing units for seniors and people with disabilities.

**3. Mobility (M):** *Connect people across Oakland to downtown and unify downtown by expanding high quality transit, bicycle routes, pedestrian access, and amenities for active street life.*

Key investments & policies are centered on streetscape investments to increase connectivity and safe access to employment, recreational, and civic resources; including landscape, pedestrian and public space improvements, dedicated transit lanes and expansion of downtown's bicycle network.

**4. Culture Keeping (C):** *Leverage and protect Oakland's diverse cultures as an engine for artistic innovation and economic growth by establishing and implementing cultural districts downtown with support for cultural institutions and businesses.*

Key investments & policies include implementation zoning and land use regulations to preserve and enhance existing arts, culture, assembly, and custom production/maker uses throughout downtown, including protections for live/work and Arts & Production space for small-scale uses, as well as increased funding and support for arts & culture programs and organizations, including the establishment of a Citywide Cultural Districts Program.

**5. Community Health & Sustainability (CH):** *Enhance quality of life and health for all Oaklanders by improving and expanding public spaces, strengthening community resilience, implementing urban greening projects, reducing private vehicle trips, and shifting to renewable energy sources.*

Key investments & policies include creating a safe and healthy public realm through improvements to streets, parks, and open space, with a focus on enhancing connections between the Lake Merritt, Channel, and Estuary waterfronts and the rest of downtown, and reducing greenhouse gas (GHG) emissions by investing in improvements to the walking, biking and transit network and eliminating fossil fuels from building systems.

**6. Land Use and Urban Form (LU):** *Foster new development that serves all Oaklanders and addresses housing & employment demand by: preserving historic and cultural assets; creating a lively, interactive, vibrant and culturally relevant public realm; and providing increased building intensity in exchange for pre-defined community benefits.*

Key investments & policies include development and invest in coordinated streetscape improvements to link commercial and residential activity centers with waterfront areas via the proposed "Green Loop"; revising land use & zoning regulations to reflect DOSP goals to target new density near transit; designation

of “Employment Priority Sites” and arts/culture districts; as well as creation of a streamlined development incentive program to provide increased building intensity in exchange for pre-defined community benefits.

**7. Implementation and Engagement (IE):** *Residents and stakeholders are included in the ongoing decision making and implementation of the Downtown Oakland Specific Plan, and, with the City, are accountable for current initiatives and for the successful adaptation of the DOSP over time as conditions change.*

Based on the goals and objectives, the DOSP directs an ambitious set of policies, across a variety of topic areas, to achieve equitable and sustainable development that will take time, additional resources and coordination across a variety of departments, agencies and stakeholders to implement. This is a new chapter added to the DOSP, which includes several mechanisms for DOSP implementation such as policy revisions, studies, programs, coordination, and oversight of mitigation measures. Organized into matrices that are based on each of the DOSP goals; each mechanism identifies action steps, a timeframe, a lead agency and potential partners, estimated costs and potential funding sources, as well as related policies and equity indicators.

**Appendices:** *Victory Court and Green Loop*

Two appendices provide guidance on the development of the Victory Court area in the eastern part of the Jack London District and of the Green Loop, which both encircles the downtown and connects it via green gateways to surrounding neighborhoods and to the Estuary, Lake Merritt and Lake Merritt Channel waterfronts. Guidance includes a vision, design guidelines and necessary infrastructure improvements to be provided by both the City and development projects in the area. This guidance is operationalized further in special zoning districts proposed as part of the implementing zoning amendments.

**Racial Equity in the DOSP**

As throughout Oakland, residents and other users of downtown face different challenges in accessing or keeping housing, transportation, economic opportunity and a sense of belonging depending on their race, as well as other intersectional factors such as gender and physical ability. Because Oakland’s racial disparities are stark and enduring – and in many cases widening – the City must consider the impacts of all its policy proposals on Black, Indigenous and other residents of color and strive to reduce these disparities and improve quality of life for all Oaklanders.

To address these inequities through the DOSP, a Racial Equity Impact Assessment process was integrated starting in 2017. The City conducted a *Disparity Analysis* that assessed racial and other disparities in a wide range of quality of life outcomes, as well as exploring some of the historical reasons for these disparities. This report was developed prior to the *Oakland Equity Indicators Report*, but with the guidance of the Department of Race and Equity. The City also hired a racial equity consultant team, who, in addition to helping the City expand the community engagement process to ensure the voices of Black, Brown and other Oaklanders of color were front and center in contributing to the DOSP, reviewed the policies proposed in the mid-point iteration of the DOSP for their potential impacts on racial equity.

The equity assessment uses a set of “equity indicators,” as surfaced in the *Disparity Analysis*, to understand existing racial disparities and assess policies proposed in the *Plan Options Memo*, the earlier iteration of the *Preliminary, Public Review, and Final* drafts of the DOSP. It assessed possible equity impacts for each policy and land use option, as well as making recommendations for policy prioritization and providing a set of additional recommendations to achieve equity. The *Plan Options Report* and *Equity Assessment* are provided in the “Plan Publications” section of the DOSP web page: <https://www.oaklandca.gov/topics/plan-publications>, and informed the recommendations of the *Preliminary Draft Plan*.

The equity indicators used in the assessment include: housing cost burden, homelessness, displacement, disconnected youth (i.e. residents ages 16-24 who are unemployed and not in school), unemployment rate and median income. This analysis has shaped the work that has followed, shifting the focus of many of the policies toward responding to racial equities. The DOSP includes policies that are explicitly designed to improve these disparities and measures of success to track the DOSP's impact on the equity indicators over time. These policies and measures are distributed throughout every chapter of the DOSP, but a detailed description of the DOSP's equity framework and equity indicators and a matrix of the key DOSP policies designed to improve the outcomes measured by these equity indicators (and more generally improve racial equity) is found in the Equity Framework section of the introduction on Pages 22-29 of the Final Draft DOSP.

Critical to the success of racial equity work is engaging people of color who are impacted by these racial disparities. To this end, the City's racial equity consultant also assisted the City in reaching a broader, more representative section of the community, including members of Oakland's most vulnerable communities and communities of color. Activities to achieve this goal included:

- Inviting additional community members representing residents and business owners of color, as well as cultural groups, to the DOSP's Community Advisory Group;
- Conducting a set of focus groups including groups such as Asian Health Services, East Oakland Building Healthy Communities, the Oakland Food Policy Council and advocates for people with disabilities;
- Joining Human Services staff at focus groups during the development of the PATH Plan and having one-on-one conversations incentivized with gift cards with diners at the St. Vincent de Paul lunch program to reach unsheltered and extremely low-income residents; and
- Conducting interviews with community leaders covering Black, Latinx, Asian, Multiracial, White, youth, small business owners, local food equity advocates, cultural and community arts advocates, affordable housing advocates, community organizers, local educators, entrepreneurs, grassroots and community organizers, nonprofit and social justice institute leaders.

The feedback provided through this participation helped, along with the equity analysis, to shift many of the policies in the DOSP to more explicitly and intentionally address the needs of Black, Indigenous and other People of Color in Oakland, as well as the needs of older adults, unhoused residents and people with disabilities, as summarized in the DOSP's Equity Framework

### **Key Changes Since Public Review Draft**

Since the 2019 Public Review Draft, staff have revised the DOSP to create the Final Draft DOSP proposed today. Revisions include new data, strategies and policies, primarily addressing changing conditions resulting from the COVID-19 pandemic, preservation of industrial land uses closest to the West Oakland industrial area, updated Affordable Housing targets to reflect the City's new [Permanent Access to Housing \(PATH\) Framework](#), updated intensity, sea level rise and other maps, a chapter dedicated to Implementation & Engagement, a new illustrated vision for Lake Merritt Boulevard, and new Appendices (B & C) detailing development frameworks for Victory Court (a new mixed-use residential community in Jack London, along the Lake Merritt Channel) and the Green Loop (a series of streetscape and mobility improvements to fill in gaps within the existing open space network, and connect downtown and surrounding neighborhoods with waterfront, cultural and entertainment areas).

Key changes to the DOSP's development program since the 2019 Public Review Draft include a slight reduction in office and flex commercial space, reduction in retail and neighborhood serving commercial space, and a large increase in light industrial space, with updated maps to reflect changes to land use character and building intensities. Most of these changes were made in the western Jack London District

area to encourage an employment-generating light industrial and commercial transition between the West Oakland 3rd Street industrial area and the mixed-use areas of the Jack London District, protecting Port-serving industrial jobs. Overall housing projections have remained the same.

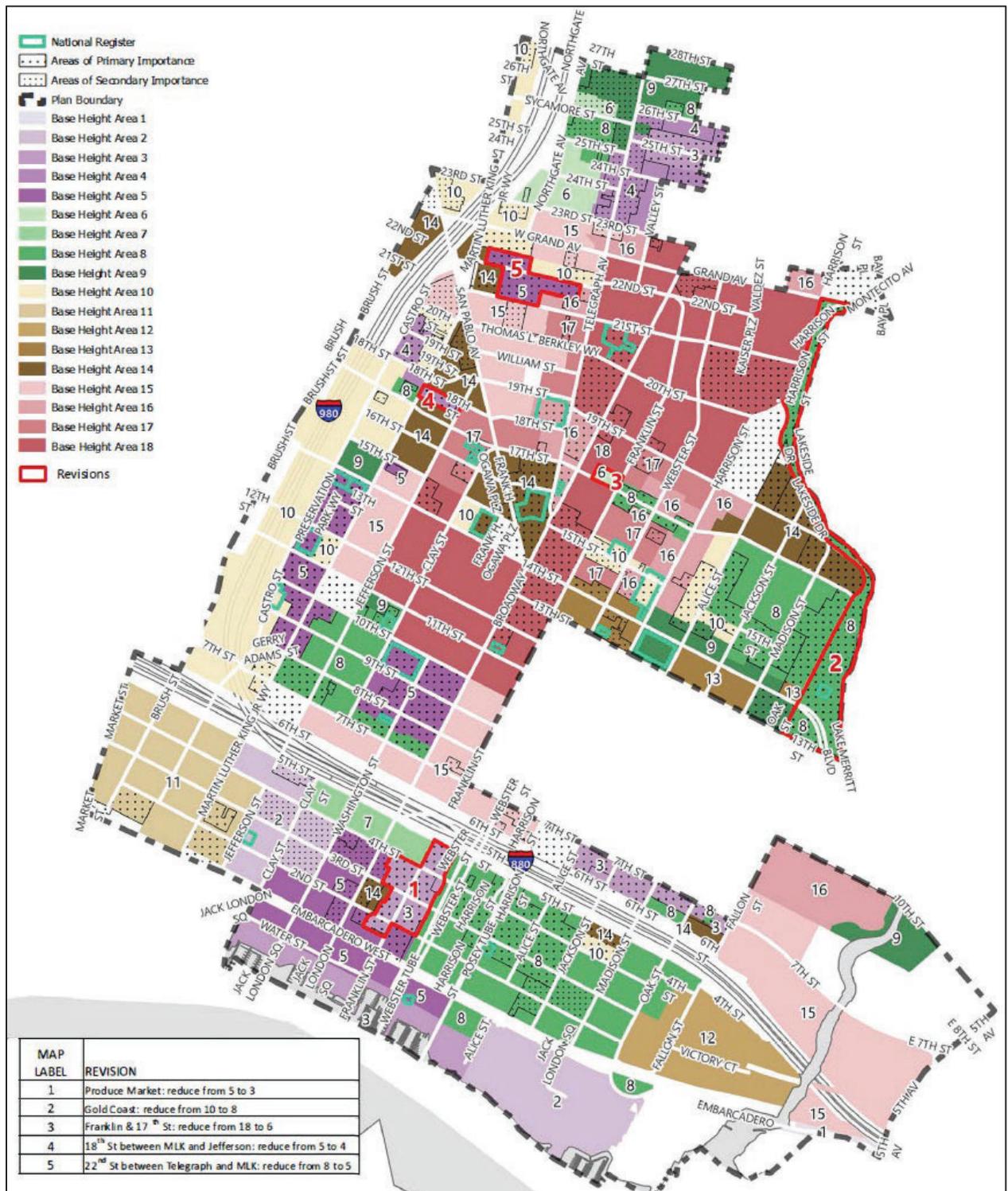
There are a limited number of intensity changes to the August 2019 Public Review Draft Plan, all clustered within five small areas. The intensity changes occur within portions of the West of San Pablo Planning sub-area, specifically from Grand Avenue to 20th Street and east to Martin Luther King Jr. Way (height increases from 85 feet to 175 feet in the Final Draft Plan, 7.5 FAR to 12.0, and from 200 square feet of lot area per unit for residential density to 110 square feet of lot area per unit), as well as between 14th and 15th Street between MLK Jr. Way and Jefferson Street (height increases from 175 feet to 275 feet in the Final Draft Plan, 12.0 FAR to 12.0/17.0, and from 110 square feet of lot area per unit for residential density to 90 square feet of lot area per unit). Several decreases in intensity from the Draft DOSP are also proposed within the Jack London District, Laney College area, and Old Oakland through the Central Core. These are shown in **Figure 2** on the following page, with the corresponding maximum height, FAR and density for each intensity area shown in the legend on this page.

The changes made to the Public Review Draft Plan respond to feedback received and ensure that the Final Draft DOSP responds to both long-term needs for a modern, mixed-use employment, housing and cultural hub and also responds to more immediate community needs and market conditions.

**Legend for Figure 2. Maximum Intensity for Base Height and Intensity Areas (For Projects Not Participating in the Zoning Incentive Program)**

	Intensity Area	Maximum Height	Maximum Non-Residential FAR	Maximum Density (SF per Unit)
	1	45	1.0	1000 SF
	2	45	2.0	900 SF
	3	45	2.5	450 SF
	4	45	2.0	300 SF
	5	55	3.5	1000 SF
	6	65	5.0	450 SF
	7	65	7.0	260 SF
	8	65	5.0	250 SF
	9	95	5.0	225 SF
	10	95	7.5	110 SF
	11	95	7.5	N/A SF
	12	135	5.0	250 SF
	13	175	8.0	110 SF
	14	175	12.0	110 SF
	15	275	14.0	100 SF
	16	275	17.0	90 SF
	17	450	20.0	90 SF
	18	No Limit	20.0	90 SF

FIGURE 2. MAP OF REVISIONS TO BASE MAXIMUM ALLOWABLE HEIGHT & INTENSITY AREAS FROM 2022 to 2024



**RECOMMENDATIONS**

Staff recommends that the Planning Commission conduct a public hearing, receive public comments, and discuss the Final Draft Plan.

In addition, Staff recommends that the Planning Commission continue the May 15, 2024 public hearing to June 5, 2024, where it can also review the Draft Zoning and General Plan Amendments and EIR (in addition to the Draft Plan), and again receive public comments, engage in public discussion, and then provide the following recommendation to the City Council:

- 1) Adopt a Resolution Approving the Following Actions:
  - a. Adopting the Downtown Oakland Specific Plan;
  - b. Certifying the Environmental Impact Report and Making Related California Environmental Quality Act Findings; and
  - c. Adopting Conforming Amendments to the Land Use and Transportation Element and Estuary Policy Plan of the City of Oakland General Plan, including General Plan Map Amendments; and
  
- 2) Adopt an Ordinance Adopting Planning Code Text and Map Amendments (collectively, Zoning Amendments) to Implement Actions Proposed in the Downtown Oakland Specific Plan.

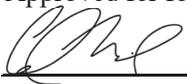
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**ATTACHMENTS:**

- A. Map of DOSP and Lake Merritt Station Area Plan (LMSAP) Overlap
- B. Final Draft DOSP
- C. DOSP Handbook