



TO: Honorable City Council

FROM: Mayor Libby Schaaf;
Councilmember Dan Kalb;
and President Pro Tempore
Sheng Thao

SUBJECT: Construction Innovation and Expanded
Housing Options Ordinance

DATE: October 29, 2021

RECOMMENDATION

We respectfully request that the City Council adopt of the following:

**Ordinance To Promote Cost-Efficient Construction Innovation And Expanded Housing Options
By:**

(1) Amending The Oakland Planning Code (Oakland Municipal Code (OMC) Title 17) To (A) Allow Residential Occupancy Of Recreational Vehicles (RVs), Mobile Homes, And Manufactured Homes In All Zoning Districts Where Residential Uses Are Permitted, (B) Establish Density And Open Space Regulations For Efficiency Dwelling Units, And (C) Establish Height Regulations For Modular Construction;

(2) Amending The Oakland Building Construction Code (OMC Chapter 15.04) To Adopt Voluntary Appendix R to the California Residential Code (Light Straw-Clay Construction);

(3) Making Conforming Amendments To The Blight Ordinance (OMC Chapter 8.24), Building Maintenance Code (OMC Chapter 15.08), Affordable Housing Impact Fees Ordinance (OMC Chapter 15.72), And Transportation And Capital Improvements Impact Fees Ordinance (OMC Chapter 15.74);

(4) Staying Enforcement Of OMC Sections 8.24.020(F)(2) And 8.24.020(G) For 120 days; And

(5) Exempting RV Parks Owned, Operated, and Maintained By Non-Profit Organizations For Permanent, Temporary, Or Emergency Use, Subject To The Planning Code Standards, From The Special Occupancy Parks Act (Health And Safety Code Section 18200 Et Seq) Pursuant To Health And Safety Code Section 18865.4;

And Making California Environmental Quality Act Findings

REASON FOR SUPPLEMENTAL REPORT

This supplemental report contains the amendments to the Construction Innovation and Expanded Housing Options Ordinance made by the Community and Economic Development Committee of the City Council on October 26, 2021. The amendments are shown below (in **underline and strike-through**) and are included in the revised ordinance.

SECTION 6. Administrative Regulations. The City Administrator is hereby authorized to develop and require compliance with technical bulletins and/or regulations to facilitate compliance with this Ordinance, including but not limited to the process for selecting and inspecting on an annual basis a subset of installed Vehicular Residential Facilities as required by this Ordinance.

SECTION 7. Non-Profit RV Parks. This Ordinance hereby allows non-profit organizations that own, operate, and maintain RV parks for temporary, permanent, or emergency residential use within the City of Oakland to take advantage of the exemption to the State Special Occupancy Parks Act as provided for in Health and Safety Code section 18865.4, if such RV Parks are in conformance with the Oakland Municipal Code amendments adopted herein. This exemption only applies if the non-profit entity is a registered 501(c)(3) organization based in Alameda County, and if the park is not owned, operated, or managed by a limited liability corporation with a for-profit partner.

SECTION 10. ~~Three-Year Review~~ Additional Research and Reports. The Planning and Building Department and Oakland Public Works staff are directed to look into alternative compliance for sewage waste disposal and water supply for Vehicular Residential Facilities and shall research methods for on-site sewage waste disposal and water supply for Vehicular Residential Facilities and report back to City Council within one year. City staff shall present those methods and information within one year to the City Council as potential methods for alternative compliance to this Ordinance. The City Administrator shall conduct a review of the implementation of this Ordinance within three years and report back to City Council with information concerning the number, type, and compliance with this Ordinance of Vehicular Residential Facilities in the city and any recommended changes to this Ordinance.

17.103.85 Vehicular Residential Facilities.

N. Parks. An area or tract of land containing two (2) or more Vehicular Residential Facilities that are held out for rent or lease shall comply with the applicable requirements of State law, including the Special Occupancy Parks Act, Health and Safety Code Section 18200, et seq., the Special Occupancy Park Regulations, California Code of Regulations, Title 25, Section 2000 et seq., and the Recreational Vehicle Park Occupancy Law, California Civil Code Section 799.20 et seq. In cases where the regulations contained within this section conflict with State law, State law shall govern. The provisions of State law shall not apply to parks owned, operated, and maintained by non-profit entities or public agencies pursuant to Health and Safety Code Section 18865.4. This exemption only applies if the non-profit entity is a registered 501(c)(3) organization based in Alameda County, and if the park is not owned, operated, or managed by a limited liability corporation with a for-profit partner. If no monetary rent or other consideration will be charged to occupy the space or the Vehicular Residential Facilities, or the park is owned, operated, and maintained by a non-profit entity, the applicant shall record a notice of limitation with the Alameda County Recorder stating that these State law requirements will apply in the event rent is later charged or the park is no longer owned, operated, and maintained by a non-profit entity.

ACTION REQUESTED OF THE CITY COUNCIL

We respectfully request that the City Council adopt the proposed ordinance to support construction innovation in Oakland and expand the types of cost-effective housing options available to city residents.

For questions regarding this report, please contact Darin Ranelletti, Policy Director for Housing Security, Office of the Mayor, at (510) 238-3460 or dranelletti@oaklandca.gov.

Respectfully submitted,



LIBBY SCHAAF
Mayor



DAN KALB
District 1



SHENG THAO
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