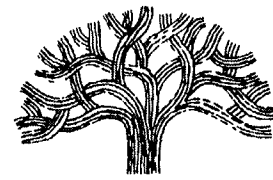


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CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612
REBECCA KAPLAN (510) 238-7008
At-Large FAX: (510) 238-6910
atl@oaklandnet.com TDD: (510) 839-6451

Date: February 1, 2018

To: City Council

From: Councilmember Kaplan

Re: Resolution Requesting the Oakland Planning Commission To Review Removing The 4-Person Limit In Oakland Planning Code Section 17.102.190 - Joint Living And Work Quarters, And To Return To Council With Options For Action

Dear Colleagues on the City Council and Members of the Public,

As we are all aware, there is an affordable housing crisis throughout the region, and many in Oakland have been and are being impacted by this. As we continue to work on solutions, it is also important to review our current regulations to make sure that they help and are not impeding on the creation for more affordable housing.

Currently, under Planning Code Section 17.102.190, the City limits joint living and work quarters to 4-persons. This limitation may be impeding the city's alternative affordable housing stock, including live-work options. It is necessary to address the immediate need to house Oakland's exploding unsheltered population and people facing displacement. Moreover, there are sections of Oakland law that contain other limits to the number of residents, so this section is not needed.

I am not asking the Council, at this time, to make a change to the Code, but rather, to refer it to the Planning Commission for their recommendations, as I have been told that this is the proper procedure for planning code amendments.

For this reason, I am bringing this Resolution requesting the City Council's support to request that the Oakland Planning Commission to review removing the 4-person limit in Oakland's Planning Code Section 17.102.190 - Joint Living and Work Quarters, and return to the Council with options for action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rebecca Kaplan", written in a cursive style.

Councilmember At-Large Rebecca Kaplan

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

City Attorney

18 FEB -1 AM 11:52

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember KAPLAN

**Resolution Requesting the Oakland Planning Commission To Review
Removing The 4-Person Limit In Oakland Planning Code Section 17.102.190
- Joint Living And Work Quarters And To Forward Recommendations for
Action to the City Council**

WHEREAS, Oakland's low-income communities, including creative communities, have been heavily impacted by the current housing affordability crisis; and

WHEREAS, Oakland's economic development efforts rely in no small part on its worldwide renown as a vibrant and diverse cultural hub; and

WHEREAS, retention of Oakland's low-income creative community relies on availability of affordable rental units and below market rate property; and

WHEREAS, regulations which make it difficult and expensive to legally use many properties in the City of Oakland effectively for live-work purposes discourage legalization of such units and can perpetuate risk, including, specifically, the 4-person limit on Joint Living and Work Quarters, which renders many such potential projects not financially viable for most people; and

WHEREAS, the Building Code also contains numeric limits, such that the additional, lower limit in the Planning Code is not needed, and is impeding safe legalization of live-work units; and

WHEREAS, allowing for effective use of appropriate properties for Joint Living and Work Quarters can help ensure availability of affordable housing and creative space, reduce commutes and traffic congestion, reduce displacement of lower-income members, and help protect the vibrancy of the City's communities while bringing properties into safe and legal use; and

WHEREAS, alternative affordable housing, including live-work, is necessary to address the immediate need to house Oakland's exploding unsheltered population and people facing displacement; now, therefore

BE IT RESOLVED, that the City Council requests the Planning Commission to review the issue of the 4-person limit in Oakland Planning Code Section 17.102.190 - Joint Living And Work Quarters, and to forward recommendations for action to the City Council, including removal of the numerical limit set forth under Section 17.102.190.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California