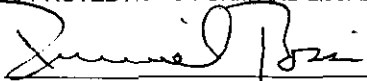


OFFICE OF THE CITY CLERK  
OAKLAND

APPROVED AS TO FORM AND LEGALITY:

  
AGENCY COUNSEL

2003 NOV -4 AM 11:57

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

RESOLUTION NO. 2003-54 C. M. S.

INTRODUCED BY AGENCY MEMBER \_\_\_\_\_

**RESOLUTION ADOPTING A REPLACEMENT HOUSING POLICY FOR  
SINGLE ROOM OCCUPANCY UNITS**

**WHEREAS**, Section 33413 of the California Health and Safety Code requires that dwelling units housing households of very low, low or moderate income that are destroyed or otherwise removed from the low and moderate income housing market as part of a redevelopment project that is subject to a written agreement with a redevelopment agency or that receives financial assistance from the agency be replaced on a one-for-one basis with comparable units; and

**WHEREAS**, single room occupancy (“SRO”) housing is a critical resource providing housing to extremely low income households; and

**WHEREAS**, the Redevelopment Agency wants to ensure the preservation of such housing to the fullest extent possible; and

**WHEREAS**, the Redevelopment Agency wants to establish a policy with clear requirements regarding replacement housing for SRO units which supplements the replacement housing requirements of Section 33413; now, therefore, be it

**RESOLVED:** That in the event a redevelopment project results in the destruction or removal of vacant or occupied SRO units from the low and moderate income housing market, including their demolition or conversion to any use other than SRO housing, the Agency shall provide or cause to be provided the rehabilitation, development or construction of an equal number of replacement housing units in the City of Oakland comparable in size and affordability, including affordability to extremely low income households if required below; and be it

**FURTHER RESOLVED:** That the term “redevelopment project” shall mean (1) any project carried out directly by the Redevelopment Agency; (2) any project carried out with the financial assistance of the Redevelopment Agency, or (3) any project developed on

real property purchased or sold by, or with the assistance of, the Redevelopment Agency; and be it

**FURTHER RESOLVED:** That the term “SRO unit” or “SRO housing” shall mean a Living Unit (as defined in Oakland Municipal Code Section 17.09.040) that is (1) a single room (with or without separate bathroom facilities); and (2) located in a facility that is used for or designed for “Semi-Transient Residential Activities” (as defined in Oakland Municipal Code Section 17.10.120) or “Permanent Residential Activities” (as defined in Oakland Municipal Code Section 17.10.110); and be it

**FURTHER RESOLVED:** That the term “SRO unit” or “SRO housing” shall include a Housekeeping Room (as defined in Oakland Municipal Code Section 15.08.170); and be it

**FURTHER RESOLVED:** That an “SRO unit” need not, but may, include individual food preparation or sanitary facilities, or both; and be it

**FURTHER RESOLVED:** That the term “SRO unit” or “SRO housing” shall not include (1) an Efficiency Dwelling Unit (as defined in Oakland Municipal Code Section 15.08.170); (2) a unit located in a Motel (as defined in Oakland Municipal Code Section 17.09.040); or (3) a unit located in a dormitory, fraternity or sorority house, hospital, sanitarium, rest home, prison, or other institutional facility; and be it

**FURTHER RESOLVED:** That the term “comparable in size” shall mean a studio or efficiency apartment with both private kitchen and bathroom facilities, or an SRO unit with or without either individual food preparation or sanitary facilities; and be it

**FURTHER RESOLVED:** That the term “comparable in affordability” shall mean, for a studio or efficiency unit, that the monthly rent does not exceed 30 percent of the monthly income of a one-person household of the same or lower income category as the occupant of the unit being removed, or for an SRO unit, that the monthly rent does not exceed 75 percent of the monthly rent limit established above for studio and efficiency units; and be it

**FURTHER RESOLVED:** That in the event a project in which SRO units are being removed contains a mix of occupied and vacant units, the replacement units for the vacant units shall be affordable to households in income categories in the same proportion as the replacement units for the occupied units; and be it

**FURTHER RESOLVED:** That in the event a project in which SRO units are being removed contains only vacant units, the replacement units shall be affordable to households of extremely low income; and be it

**FURTHER RESOLVED:** That the term “income category” shall mean “moderate income,” “low income,” “very low income,” and “extremely low income” as

defined in Sections 50079.5, 50093, 50105 and 50106 of the California Health and Safety Code; and be it

**FURTHER RESOLVED:** That occupancy of replacement units for SRO units shall be made available and shall be restricted by appropriate recorded restrictions to households of the same or lower income category as is used for determining the maximum allowable rent; and be it

**FURTHER RESOLVED:** That replacement units for SRO units shall remain affordable for the longest feasible period, but in any event not less than fifty-five (55) years; and be it

**FURTHER RESOLVED:** That replacement units for SRO units shall be made available no later than 48 months from the destruction or removal of the SRO units; and be it

**FURTHER RESOLVED:** That not less than 30 days prior to the execution of any agreement that would lead to the destruction or removal of SRO units from the affordable housing market, the Agency shall fully comply with the requirements of Section 33413.5 of the California Health and Safety Code to adopt a replacement housing plan that conforms with the requirements of Section 33413 and 33413.5 of the Health and Safety Code and with the requirements of this resolution; and be it

**FURTHER RESOLVED:** That the destruction or removal of units in the Westerner Hotel, located at 1954 San Pablo Avenue in Oakland, shall be exempt from the provisions of this Resolution; and be it

**FURTHER RESOLVED:** That notwithstanding the provisions of this Resolution, the Agency shall otherwise comply with any other replacement housing obligations under Sections 33413 and 33413.5 of the California Health and Safety Code and other applicable laws.

**JUL 15 2003**

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

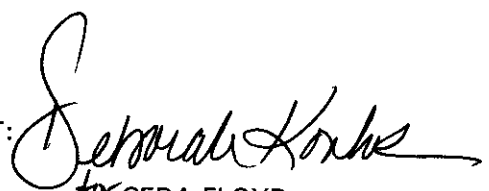
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND CHAIRPERSON DE LA FUENTE -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
CEDRA FLOYD  
Secretary of the Redevelopment Agency of the  
City of Oakland