

ATTACHMENT F

From: [Danino, Shawn@HCD](mailto:Danino,Shawn@HCD)
To: [Rajagopalan, Lakshmi](#); [Audrey Lieberworth](#); [Kaminski, Laura](#)
Cc: [McDougall, Paul@HCD](mailto:McDougall,Paul@HCD)
Subject: (HCD) Oakland Check In on Missing Middle Programs / North Oakland Rezones
Date: Thursday, July 20, 2023 5:34:41 PM
Attachments: [image002.png](#)

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

Hi Oakland Team –

I hope you all are having an excellent week.

I wanted to check in with you on the timeline of expected revisions to the City's missing middle housing policies and rezoning programs, particularly in the North Oakland / Rockridge area. Do you have any specific updates on the timelines and progress towards these goals and objectives?

Thanks and Warm Regards,



Shawn Danino, MPP/MSI

Housing Policy Development, Land Use & Planning

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: **916.820.1256**



From: [Rajagopalan, Lakshmi](#)
To: [Danino, Shawn@HCD](#)
Cc: [Branson, Michael](#); [Kaminski, Laura](#); [Lieberworth, Audrey](#); [McDougall, Paul@HCD](#)
Subject: Re: (HCD) Oakland Check In on Missing Middle Programs / North Oakland Rezones
Date: Friday, July 21, 2023 8:32:28 AM
Attachments: [image002.png](#)

Good morning Shawn,

Thank you very much for your email. We are updating our Planning Code and Zoning Map as part of Phase 1 of the Oakland General Plan Update process. This includes updates to the Safety Element, creation of a new Environmental Justice Element, preparation of an Environmental Justice Element and associated Planning Code, Zoning Map, and General Plan Text and Map Amendments. As part of California Environmental Quality Act (CEQA) review, the City has also prepared an Environmental Impact Report (EIR) to address the City's updates to its Safety Element and adoption of a new EJ Element, the proposed Planning Code, Zoning Map, Height Map, and General Plan text and map amendments, including several Housing Element Implementation (HEI) actions contained in the 2023-2031 Housing Element. The HEI actions includes the Missing Middle Programs and Rezoning for the North Oakland Rockridge Area.

See below for an update on the timeline:

- *Public Review of Planning Code Amendments:* The public review draft of the [Planning Code Amendments](#) were available on the Oakland 2045 General Plan Update website at: <https://www.oaklandca.gov/topics/general-plan-update> for a 68-day review period between March 3, 2023, to May 9, 2023. Between December 2022 - April 2023, we held several outreach events to gather feedback on the code amendments.
- *Public Hearings and Study Sessions on Planning Code Amendments:* Staff also held three public hearings at the [March 15, 2023](#) and [April 12, 2023](#) meetings of the Zoning Update Committee (ZUC) of the Planning Commission and at the [May 1, 2023](#) Landmarks Preservation Advisory Board (LPAB) meeting and two study sessions at the [July 11, 2023](#) Community and Economic Development Committee (CEDC) of the City Council and [July 18, 2023](#) Special Meeting of the Oakland City Council.
- *Adoption Hearing Schedule:*
 - August 2, 2023 - Planning Commission
 - September 12, 2023 - CEDC of the City Council
 - September 19, 2023 - City Council (First Reading)
 - October 3, 2023 - City Council (Second Reading)

Please bear in mind that the Council can decide to continue this item in which case, the adoption dates will shift by a few weeks.

Thanks
Lakshmi

Lakshmi Rajagopalan, AICP, Planner IV | she/her/hers | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 | Phone: (510) 238-6751 | Fax: (510) 238-6538 | Email: rajagopalan@oaklandca.gov | Website: <https://www.oaklandca.gov/topics/planning> | Oakland General Plan Update: www.oaklandca.gov/topics/general-plan-update | [Sign up to receive General](#)

[Plan Update e-mails.](#)

From: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Sent: Thursday, July 20, 2023 5:34 PM
To: Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>; Audrey Lieberworth <Audrey_lieberworth@berkeley.edu>; Kaminski, Laura <LKaminski@oaklandca.gov>
Cc: McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>
Subject: (HCD) Oakland Check In on Missing Middle Programs / North Oakland Rezones

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Phone: **916.820.1256**



From: [Smith, Caleb](#)
To: [Rajagopalan, Lakshmi](#)
Subject: FW: Oakland 2045 General Plan Update
Date: Wednesday, August 23, 2023 2:58:41 PM
Attachments: [image002.png](#)
[HAC - Oakland 2045 General Plan Update comments.pdf](#)

From: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Sent: Thursday, August 3, 2023 2:50 PM
To: Smith, Caleb <CSmith4@oaklandca.gov>
Subject: FW: Oakland 2045 General Plan Update

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Hi Caleb –

I hope things are going well on your side.

I wanted to put this note from the Housing Action Coalition on your radar and wanted to better understand the context here. The letter mentions the prospects of some downzonings and stepping back some of the missing middle commitments the City discussed in its housing element and Prohousing Designation application.

Are there any updates here? I just wanted to flag for you, since upon a cursory look, it seems like it may affect some of the programs credited for housing element compliance and the PDP.

Thanks and Warm Regards,



Shawn Danino, MPP/MSI

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Phone: **916.820.1256**



From: Nico Nagle <nico@housingactioncoalition.org>

Sent: Tuesday, August 1, 2023 5:13 PM

To: LRajagopalan@oaklandca.gov

Cc: Gilchrist, William <wgilchrist@oaklandca.gov>; ZGoldman@oaklandca.gov; Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>

Subject: Oakland 2045 General Plan Update

Ms. Rajagopalan,

I am writing you on behalf of the Housing Action Coalition (HAC) regarding recent developments with Oakland's 2045 General Plan Update. While we appreciate and support much of the proposed zoning implementation, we have several concerns, which we have outlined in the attached letter.

We would appreciate the opportunity to meet with you to discuss these concerns prior to final adoption.

From: [Rajagopalan, Lakshmi](#)
To: Danino, Shawn@HCD
Cc: [Gilchrist, William](#); [Manasse, Edward](#); [Kaminski, Laura](#); [Branson, Michael](#); [Haynes, Khalilha](#); [Lieberworth, Audrey](#); [Smith, Caleb](#)
Subject: Re: Oakland 2045 General Plan Update
Date: Monday, August 7, 2023 8:30:00 AM
Attachments: [image002.png](#)
[01082023 BTCA Letter re Phase I Oakland General Plan Update.pdf](#)
[19052023 BTCA Letter re Phase I Oakland General Plan Update \(1\).pdf](#)
[HAC - Oakland 2045 General Plan Update comments.pdf](#)
Importance: High

Good morning Shawn,

Hope this email finds you well. As a follow-up to my email from July 21, 2023, I wanted to let you know that the City met a major milestone towards adopting the City's Planning Code and Zoning Map Amendments, including the missing middle housing code provisions and rezoning programs, particularly in the North Oakland/Rockridge Area.

On [Wednesday, August 2, 2023](#), the Oakland City Planning Commission conducted a public hearing to consider and recommend that the City Council certify the Final Environmental Impact Report (FEIR) for Phase 1 of the Oakland 2045 General Plan Update, and adopt the Safety Element, the new Environmental Justice Element and Planning Code, Zoning Map, and General Plan Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update, including the 2023-2031 Housing Element.

The Planning Commission's recommendation, provided upon unanimous vote (one absent), is as follows:

1. Adopt the CEQA findings for Phase 1 of the Oakland 2045 General Plan Update, which include certification of the EIR, rejection of two mitigation measures as infeasible; rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP);
3. Adopt a Resolution Approving the Following Actions:
 - A. Certifying the Environmental Impact Report And Making Related California Environmental Quality Act Findings;
 - B. Adopting an Amendment to the Safety Element of the City of Oakland General Plan;
 - C. Adopting the Environmental Justice Element as a New Element of the City of Oakland General Plan; And
 - D. Adopting Conforming Amendments to the Land Use and Transportation Element of the City of Oakland General Plan, including General Plan Map Amendments, As Part of Implementation of the Recently Adopted 2023-2031 Housing Element; And;
4. Adopt an Ordinance Adopting Planning Code Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update, as provided and Adopting California Environmental Quality Act Findings, with the following revisions recommended by the Planning Commission:
 - a. That additional zoning standards such as lot coverage, lot frontage, and average lot width requirements be struck from the Missing Middle Code Package.
 - b. To add to the General Planning Code Amendments, under Section

17.108.140C.2.a, the words “for safety and security” after “public safety hazard.”

With the additional recommendation passed by the Planning Commission on a 4-2 vote (one absent), that the City Council adopt construction workforce standards as part of the General Plan Update under the guidance from staff.

City staff will be reviewing the Planning Commission’s recommendation and preparing the Planning Code packet for City Council consideration.

The City has received many comment letters from a variety of perspectives, all of which are available online [here](#) and [here](#). We understand that the Housing Action Coalition (HAC) has expressed concerns regarding the scope of upzonings included in the adoption package. Please note that the proposed upzonings included in the staff-prepared amendments are consistent with those we discussed with you earlier this year. The proposal includes all of the missing middle items described in [Appendix J to the Housing Element](#). In addition, upzonings beyond those previously proposed will also be considered in our General Plan Update Phase II process, kicking off in the Fall.

Staff have also received comment letters from the Building & Construction Trades Council of Alameda County (BCTA) regarding the adoption of construction worker apprenticeship and healthcare requirements for projects utilizing the by-right approval process under the Housing Sites Inventory Overlay Zone, which was also part of the discussion that led to the Planning Commission’s 4-2 vote previously noted to recommend to the City Council to adopt workforce standards as part of the General Plan Update. Staff is continuing to engage in dialogue with BCTA. For your convenience, the letter from HAC and BCTA are attached to this message.

We are scheduled to go before the Community and Economic Development (CED) Committee of the City Council on September 12, 2023, for their recommendation and to the City Council on September 19, 2023, for adoption.

Please let me know if you have any questions and if you would like us to schedule a meeting with you.

Best,

Lakshmi Rajagopalan on behalf on the Oakland Planning Team

Lakshmi Rajagopalan, AICP, Planner IV | she/her/hers | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 | Phone: (510) 238-6751 | Fax: (510) 238-6538 | Email: lrjagopalan@oaklandca.gov | Website: <https://www.oaklandca.gov/topics/planning> | Oakland General Plan Update: www.oaklandca.gov/topics/general-plan-update | [Sign up to receive General Plan Update e-mails](#).

From: Smith, Caleb <CSmith4@oaklandca.gov>

Sent: Thursday, August 3, 2023 3:14 PM

To: Kaminski, Laura <LKaminski@oaklandca.gov>; Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>; Lieberworth, Audrey <ALieberworth@oaklandca.gov>
Subject: FW: Oakland 2045 General Plan Update

From: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Sent: Thursday, August 3, 2023 2:50 PM
To: Smith, Caleb <CSmith4@oaklandca.gov>
Subject: FW: Oakland 2045 General Plan Update

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Hi Caleb –

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Are there any updates here? I just wanted to flag for you, since upon a cursory look, it seems like it may affect some of the programs credited for housing element compliance and the PDP.

Thanks and Warm Regards,



Shawn Danino, MPP/MSI

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2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Phone: **916.820.1256**



From: Nico Nagle <nico@housingactioncoalition.org>
Sent: Tuesday, August 1, 2023 5:13 PM
To: LRajagopalan@oaklandca.gov
Cc: Gilchrist, William <wgilchrist@oaklandca.gov>; ZGoldman@oaklandca.gov; Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Subject: Oakland 2045 General Plan Update

Ms. Rajagopalan,

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We would appreciate the opportunity to meet with you to discuss these concerns prior to final adoption.

From: [Danino, Shawn@HCD](mailto:Danino,Shawn@HCD)
To: [Rajagopalan, Lakshmi](#); [Smith, Caleb](#)
Subject: RE: Oakland 2045 General Plan Update
Date: Tuesday, August 8, 2023 10:48:38 AM
Attachments: [image002.png](#)

Hi Lakshmi –

Email was received. We are currently in the process of reviewing, so please give us a bit of time to look into it for now and follow up if we have any additional questions.

If you are requesting a meeting, let us know some times that work for your team the week of the 21st.

Thanks and Warm Regards,



Shawn Danino, MPP/MSI
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Phone: **916.820.1256**



From: Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>
Sent: Tuesday, August 8, 2023 10:02 AM
To: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Subject: Re: Oakland 2045 General Plan Update

Good morning Shawn,

Hope you had a chance to review our email. I wanted to follow up and see if staff can schedule a meeting with you and Paul.

Best,
Lakshmi

Lakshmi Rajagopalan, AICP, Planner IV | she/her/hers | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 | Phone: (510) 238-6751 | Fax: (510) 238-6538 | Email: rajagopalan@oaklandca.gov | Website: <https://www.oaklandca.gov/topics/planning> [oaklandca.gov] | Oakland General Plan Update: www.oaklandca.gov/topics/general-plan-update [oaklandca.gov] | [Sign up to receive General Plan Update e-mails](#) [oaklandca.gov].

From: Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>
Sent: Monday, August 7, 2023 8:30 AM
To: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Cc: Gilchrist, William <WGilchrist@oaklandca.gov>; Manasse, Edward <EManasse@oaklandca.gov>; Kaminski, Laura <LKaminski@oaklandca.gov>; Branson, Michael <MBranson@oaklandcityattorney.org>; Haynes, Khalilha <KHaynes@oaklandca.gov>; Lieberworth, Audrey <ALieberworth@oaklandca.gov>; Smith, Caleb <CSmith4@oaklandca.gov>
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 - B. Adopting an Amendment to the Safety Element of the City of Oakland General Plan;
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Update, as provided and Adopting California Environmental Quality Act Findings, with the following revisions recommended by the Planning Commission:

- a. That additional zoning standards such as lot coverage, lot frontage, and average lot width requirements be struck from the Missing Middle Code Package.
- b. To add to the General Planning Code Amendments, under Section 17.108.140C.2.a, the words “for safety and security” after “public safety hazard.”

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From: Smith, Caleb <CSmith4@oaklandca.gov>
Sent: Thursday, August 3, 2023 3:14 PM
To: Kaminski, Laura <LKaminski@oaklandca.gov>; Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>; Lieberworth, Audrey <ALieberworth@oaklandca.gov>
Subject: FW: Oakland 2045 General Plan Update

From: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Sent: Thursday, August 3, 2023 2:50 PM
To: Smith, Caleb <CSmith4@oaklandca.gov>
Subject: FW: Oakland 2045 General Plan Update

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Cc: Gilchrist, William <wgilchrist@oaklandca.gov>; ZGoldman@oaklandca.gov; Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>

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To: [Rajagopalan, Lakshmi](mailto:LRajagopalan@oaklandca.gov); [Smith, Caleb](mailto:CSmith4@oaklandca.gov)
Subject: RE: Oakland 2045 General Plan Update
Date: Wednesday, August 9, 2023 12:04:42 PM
Attachments: [image002.png](#)

We can do 1p on the 23rd. You can follow up with an invitation and invite Paul as well.

From: Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>
Sent: Tuesday, August 8, 2023 1:20 PM
To: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>; Smith, Caleb <CSmith4@oaklandca.gov>
Subject: Re: Oakland 2045 General Plan Update
Importance: High

Good afternoon Shawn,

Here are some times for the week of the 21st.

Aug 21 - 2.30 - 3.30 PM

Aug 23 - 1 - 2 PM

Aug 24 - 9 - 10.30 AM

Please let me know a time that works for you and I will send a calendar invite.

Best,
Lakshmi

Lakshmi Rajagopalan, AICP, Planner IV | she/her/hers | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 | Phone: (510) 238-6751 | Fax: (510) 238-6538 | Email: lrjagopalan@oaklandca.gov | Website: <https://www.oaklandca.gov/topics/planning/oaklandca.gov> | Oakland General Plan Update: www.oaklandca.gov/topics/general-plan-update/oaklandca.gov | [Sign up to receive General Plan Update e-mails \[oaklandca.gov\]](#).

From: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>
Sent: Tuesday, August 8, 2023 10:45 AM
To: Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>; Smith, Caleb <CSmith4@oaklandca.gov>
Subject: RE: Oakland 2045 General Plan Update

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Housing & Community Development

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From: Rajagopalan, Lakshmi <L.Rajagopalan@oaklandca.gov>

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From: Rajagopalan, Lakshmi <L.Rajagopalan@oaklandca.gov>

Sent: Monday, August 7, 2023 8:30 AM

To: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>

Cc: Gilchrist, William <WGilchrist@oaklandca.gov>; Manasse, Edward <EManasse@oaklandca.gov>;

Kaminski, Laura <LKaminski@oaklandca.gov>; Branson, Michael <MBranson@oaklandcityattorney.org>; Haynes, Khalilha <KHaynes@oaklandca.gov>; Lieberworth, Audrey <ALieberworth@oaklandca.gov>; Smith, Caleb <CSmith4@oaklandca.gov>

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1. Adopt the CEQA findings for Phase 1 of the Oakland 2045 General Plan Update, which include certification of the EIR, rejection of two mitigation measures as infeasible; rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
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 - A. Certifying the Environmental Impact Report And Making Related California Environmental Quality Act Findings;
 - B. Adopting an Amendment to the Safety Element of the City of Oakland General Plan;
 - C. Adopting the Environmental Justice Element as a New Element of the City of Oakland General Plan; And
 - D. Adopting Conforming Amendments to the Land Use and Transportation Element of the City of Oakland General Plan, including General Plan Map Amendments, As Part of Implementation of the Recently Adopted 2023-2031 Housing Element; And;
4. Adopt an Ordinance Adopting Planning Code Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update, as provided and Adopting California Environmental Quality Act Findings, with the following revisions recommended by the Planning Commission:
 - a. That additional zoning standards such as lot coverage, lot frontage, and average lot width requirements be struck from the Missing Middle Code Package.
 - b. To add to the General Planning Code Amendments, under Section 17.108.140C.2.a, the words "for safety and security" after "public safety hazard."

With the additional recommendation passed by the Planning Commission on a 4-2 vote (one absent), that the City Council adopt construction workforce standards as part of the General Plan Update under the guidance from staff.

City staff will be reviewing the Planning Commission's recommendation and preparing the Planning Code packet for City Council consideration.

The City has received many comment letters from a variety of perspectives, all of which are available online [here \[oaklandca.gov\]](#) and [here \[oaklandca.gov\]](#). We understand that the Housing Action Coalition (HAC) has expressed concerns regarding the scope of upzonings included in the adoption package. Please note that the proposed upzonings included in the staff-prepared amendments are consistent with those we discussed with you earlier this year. The proposal includes all of the missing middle items described in [Appendix J to the Housing Element \[cao-94612.s3.amazonaws.com\]](#). In addition, upzonings beyond those previously proposed will also be considered in our General Plan Update Phase II process, kicking off in the Fall.

Staff have also received comment letters from the Building & Construction Trades Council of Alameda County (BCTA) regarding the adoption of construction worker apprenticeship and healthcare requirements for projects utilizing the by-right approval process under the Housing Sites Inventory Overlay Zone, which was also part of the discussion that led to the Planning Commission's 4-2 vote previously noted to recommend to the City Council to adopt workforce standards as part of the General Plan Update. Staff is continuing to engage in dialogue with BCTA. For your convenience, the letter from HAC and BCTA are attached to this message.

We are scheduled to go before the Community and Economic Development (CED) Committee of the City Council on September 12, 2023, for their recommendation and to the City Council on September 19, 2023, for adoption.

Please let me know if you have any questions and if you would like us to schedule a meeting with you.

Best,

Lakshmi Rajagopalan on behalf on the Oakland Planning Team

Lakshmi Rajagopalan, AICP, Planner IV | she/her/hers | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 | Phone: (510) 238-6751 | Fax: (510) 238-6538 | Email: lrjagopalan@oaklandca.gov | Website: <https://www.oaklandca.gov/topics/planning> [oaklandca.gov] | Oakland General Plan Update: www.oaklandca.gov/topics/general-plan-update [oaklandca.gov] | [Sign up to receive General Plan Update e-mails \[oaklandca.gov\]](#).

From: Smith, Caleb <CSmith4@oaklandca.gov>

Sent: Thursday, August 3, 2023 3:14 PM

To: Kaminski, Laura <LKaminski@oaklandca.gov>; Rajagopalan, Lakshmi <LRajagopalan@oaklandca.gov>; Lieberworth, Audrey <ALieberworth@oaklandca.gov>

Subject: FW: Oakland 2045 General Plan Update

From: Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>

Sent: Thursday, August 3, 2023 2:50 PM

To: Smith, Caleb <CSmith4@oaklandca.gov>

Subject: FW: Oakland 2045 General Plan Update

[EXTERNAL] This email originated outside of the City of Oakland. Please do not click links or open attachments unless you recognize the sender and expect the message.

Hi Caleb –

I hope things are going well on your side.

I wanted to put this note from the Housing Action Coalition on your radar and wanted to better understand the context here. The letter mentions the prospects of some downzonings and stepping back some of the missing middle commitments the City discussed in its housing element and Prohousing Designation application.

Are there any updates here? I just wanted to flag for you, since upon a cursory look, it seems like it may affect some of the programs credited for housing element compliance and the PDP.

Thanks and Warm Regards,



Shawn Danino, MPP/MSI

Housing Policy Development, Land Use & Planning

Housing & Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.820.1256



From: Nico Nagle <nico@housingactioncoalition.org>

Sent: Tuesday, August 1, 2023 5:13 PM

To: LRajagopalan@oaklandca.gov

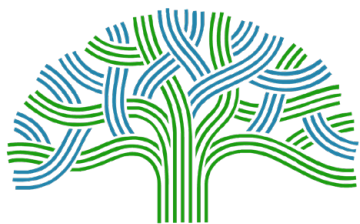
Cc: Gilchrist, William <wgilchrist@oaklandca.gov>; ZGoldman@oaklandca.gov; Danino, Shawn@HCD <Shawn.Danino@hcd.ca.gov>

Subject: Oakland 2045 General Plan Update

Ms. Rajagopalan,

I am writing you on behalf of the Housing Action Coalition (HAC) regarding recent developments with Oakland's 2045 General Plan Update. While we appreciate and support much of the proposed zoning implementation, we have several concerns, which we have outlined in the attached letter.

We would appreciate the opportunity to meet with you to discuss these concerns prior to final adoption.



OAKLAND 2045
GENERAL PLAN

City of Oakland

2023-2031 Housing Element

Adopted January 31, 2023

Resolution No. 89565



04

HOUSING ACTION PLAN

4.1 Goals, Policies, and Actions

The City works with funded providers to ensure that services and resources are prioritized for the most vulnerable populations. Vulnerable populations are identified through sources such as Oakland’s Stanford research partnership, the Urban Displacement Project, Racially and Ethnically Concentrated Areas of Poverty, and federally identified Opportunity Zones, and will additionally include environmental justice communities identified through the Environmental Justice Element. The City will also seek opportunities to expand the number of extremely-low-income housing units built in “high resource” neighborhoods identified by the California Tax Credit Allocation Committee. In addition, the City conducts extensive outreach to vulnerable populations and those at highest risk of displacement, targeting specific communities and geographies including Black and African Americans, and Spanish-, Cantonese-, and Mandarin-speakers to improve access for non-English speakers—to ensure tenants are aware of their rights and the resources the City makes available. The outreach materials are also offered in multiple languages in accordance with its language access policy.

POLICY 3.1 FACILITATE PRODUCTION OF DEEPLY AFFORDABLE HOUSING

Action 3.1.1. Develop a project-based rental or operating subsidy program for extremely-low-income residents.

Create a capitalized operating subsidy program for extremely-low-income households. This will enable the creation of extremely-low-income housing, which is only possible with the provision of public operating subsidies to ensure financial stability for the property and appropriate support services for the residents.

Responsible Agency: Oakland Department of Housing and Community Development

Timeline: Program will be launched by December 2023

Potential Funding Source: State of California Permanent Local Housing Allocation (PLHA), Homeless Housing Assistance & Prevention (HHAP), and any and all other resources that become available for this use.

Objective: This program will fund project-based rental or operating subsidy for at least 16 units of extremely-low-income housing per year, for a total of at least 56 extremely-low-income units by 2031.

Action 3.1.2: Align and target Oakland Housing Authority Section 8 Vouchers for permanent supportive housing and extremely-low-income units.

The Oakland Housing Authority will continue targeting vouchers to support the development of extremely-low-income Housing through the award of project-based vouchers and/or other Oakland Housing Authority funds.

Responsible Agency: Oakland Housing Authority

Timeline: Ongoing, 2023-2031

Potential Funding Source: Federal Section 8 vouchers, VASH vouchers, and/or other Oakland Housing Authority funds.

Objective: As vouchers or funds are available, at least 20 percent of units in assisted developments will be deed restricted as extremely-low-income.

POLICY 3.2 CREATE A MORE DIVERSE MIX OF HOMES TO MEET COMMUNITY NEEDS

Action 3.2.1: Develop zoning standards to encourage missing middle and multi-unit housing types in currently single-family-dominated neighborhoods, including flats, duplexes, triplexes, fourplexes, townhomes/rowhouses, and ADUs.

The City will review and amend the Planning Code and implement objective design standards to encourage missing middle-density housing typologies, including flats, duplexes, multiplexes (triplexes, and fourplexes), bungalow courts, rowhouses/townhomes, and ADUs. The City will work to reduce pre-development costs and expedite the planning approval process for missing middle housing types resulting from both new construction and the conversion of existing structures.

The City will develop zoning standards that allow for two, three, and four units on parcels in Detached Unit Residential (RD) Zones and additional multi-unit housing types in Mixed Housing Type Residential (RM) Zones. The City will also reduce the minimum lot size in Detached Unit Residential and Mixed Housing Type Residential lots to 2,000 square feet to remove constraints on lot splitting. The City will permit a variety of building types (attached, detached, bungalow courts) to maximize flexibility, neighborhood scale and potential opportunities for homeownership (split lots and condominiums) in parallel with Policy 3.4 and Policy 5.1. See Appendix J for a summary of missing middle zoning amendments.

Under Action 3.4.1, the City will revise development standards, including allowable building heights, densities, open space and setbacks requirements.

Under Action 3.4.8, the City will develop objective design standards at the neighborhood level to ensure that multi-unit neighborhood scale housing types designed in a manner that is compatible with the scale of existing residential housing forms in these zoning districts is permitted ministerially.

Responsible Party: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees, SB2 Grant for Objective Design Standards

Timeframe: June – July 2023

Objective: Significantly increase production of

multi-unit housing types (including duplexes, triplexes and fourplexes, along with other multi-unit housing types) in current single-family-dominated neighborhoods to match housing need.

Action 3.2.2: Promote and protect live/work housing and housing for artists.

The City will update development standards, building codes, and land use regulations to promote artist housing, including joint living and working quarters (JLWQs) in areas where appropriate under the General Plan. The City will encourage employers, trade groups, and arts and cultural districts to provide housing opportunities that are affordable to artists and similar professionals. The City will continue to allow the conversion of existing commercial nonresidential buildings to JLWQs in specific commercial/industrial locations while considering the impacts on nearby viable businesses. The City will support bringing existing, unpermitted JLWQ units in commercial and industrial buildings into compliance with Building Codes and the Planning Code in a way that mitigates displacement of existing tenants and preserves affordability.

Responsible Party: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees, 2415 fund of the City, SB2 Grant for Objective Design Standards

Timeframe: 2025

Objective: Significantly increase production and protection of live/work housing and housing for artists to match housing need.

Action 3.2.3: Promote flexibility in adaptive reuse to increase the housing stock.

The City will encourage the reuse and rehabilitation of Oakland's historic building stock to provide additional housing units, safeguard neighborhood character, and preserve the energy embodied in the building's original construction. The City will

POLICY 3.4. REFORM ZONING AND LAND USE TO ADDRESS COMMUNITY PRIORITIES

Action 3.4.1: Revise development standards, including allowable building heights, densities, open space and setback requirements.

The City will allow additional building heights and densities in certain corridors and districts. These changes include:

- **Zoning for diverse housing types:** As discussed in Action 3.2.1, the City will develop revised zoning standards for a diversity of housing types in lower density neighborhoods, including but not limited to duplexes, triplexes, and fourplexes in zoning districts such as the RD Detached Unit Residential, RM Mixed Housing Type Residential, and RU-1 and RU-2 Urban Residential Zones. Zoning changes will include revised standards for building heights, densities, open space, lot coverage, and setbacks. The City will also reduce minimum lot sizes to facilitate the subdivision of existing lots. The City will permit a variety of building types (attached, detached, bungalow courts) to maximize flexibility and potential opportunities for home ownership (split lots and condominiums). For front setback requirements, the City will allow for exceptions if meeting the front setback physically prohibits development of four units or two units on lots that meet the minimum square footage for that density.
- **Elimination of Conditional Use Permits for Density:** Under Action 3.4.3, the City will also eliminate all conditionally permitted densities throughout Planning Code to permit multi-unit buildings according to objective criteria such as by building type and development size, without subjecting multi-unit residential projects to CUPs.
- **Objective Design Standards:** Under Action 3.4.8, the City will also develop objective design

standards at the neighborhood level to ensure that such missing-middle housing is designed in a manner that is compatible with existing residential housing forms in these zoning districts.

- **Increased Heights and Densities along Corridors:** The current building height map and permitted densities along key corridors such as International, Foothill, College, Claremont, and MacArthur Boulevards does not always allow residential projects to meet their full potential. Consistent with the housing sites map, the City will undertake zoning map revisions to allow increased heights and densities. The City will also increase heights and densities on interior residential streets within close walking distance of key corridors.
- **Increased Heights and Densities in Transit-proximate areas:** Alongside efforts to increase missing-middle housing (see Action 3.2.1), the City will increase allowed height and density in areas in close proximity to high-capacity transit, including areas near Rockridge BART and International Boulevard BRT Stations.
- **Increased Heights and Densities in Resource-rich areas:** Oakland's high resource neighborhoods are typically lower-density and have historically been exclusive – both economically and racially. Allowing higher density multi-unit buildings in these areas that are rich in services will help increase the competitiveness of affordable housing projects for State funding, as well as the feasibility of developing significant numbers of housing units within these neighborhoods. Zoning changes will include permitting residential densities above 30 dwelling units per acre by right in designated areas for affordable housing projects and height increases along College and Claremont Avenue. This will help further fair housing objectives by increasing the availability of affordable housing, in high resource areas.

- **Utilizing Senate Bill 10 Provisions:** Under Senate Bill 10 (Weiner) provisions, the City will identify parcels located in transit-rich areas and/or in Racially Concentrated Areas of Affluence (RCAAs) to allow up to ten units of residential density and increased heights, and provide additional opportunity for infill housing within high-resource areas.
- See Appendix J for the City’s proposed rezoning changes to increase housing production capacity and unlock additional opportunities for affordable and “missing middle” housing in high-resource neighborhoods and affirmatively further fair housing by opening up exclusionary neighborhoods such as Rockridge, Trestle Glen, and Crocker Highlands.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June-July 2023

Objective: Reduce constraints to development to significantly increase production of housing to match housing need. Create additional opportunities for development along transit-rich areas and in urban infill sites to significantly increase production of housing to match housing need and to affirmatively further fair housing.

Action 3.4.2: Study the Relationship Between Zoning and Racial Segregation as Part of the Phase 2 General Plan Update.

The City is updating the 2023-2031 Housing Element as part of a comprehensive update to the General Plan. The General Plan Update (GPU) is undertaken in two phases in order to meet deadlines mandated by State law. Phase 1 focuses on updates to the Housing and Safety Elements, as well as preparation of a Racial Equity Impact Analysis, Zoning Code and Map update, and creation of a new Environmental Justice (EJ) Element. Subsequently, Phase 2 will include the update of the Land Use and Transportation (LUTE) Element; Open Space, Conservation and Recreation (OSCAR) Element; Noise Element, and the creation of a new Infrastructure and Facilities Element which are slated to be completed by the end of 2025.

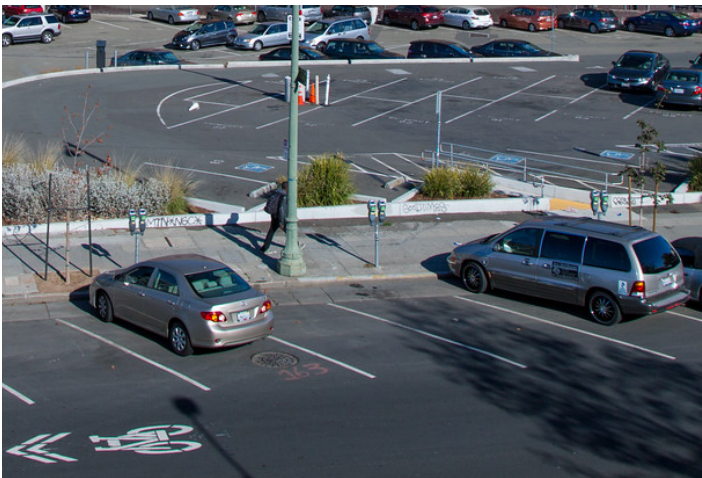
As part of the LUTE update, the City will study the impact of historic and contemporary zoning restrictions, especially single-family zoning, on ongoing patterns of racial segregation. Existing data on historic zoning patterns highlights the racial disparities in homeownership and rental patterns. The study will also analyze potential impacts of larger market rate development projects in neighborhoods undergoing displacement or vulnerable to displacement. The City will utilize this study to direct zoning changes in the LUTE as part of Phase 2 of the GPU as well as adding standard conditions of approval to projects.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: Study complete by mid-2025

Objective: Through this study, inform zoning and land use designation changes to promote inclusive, equitable and diverse housing patterns.



Action 3.4.3: Revise Conditional Use Permit (CUP) requirements.

Conditional Use Permits (CUPs) are currently required for multi-unit buildings in the RD-2 and RM Zones, which can act as a constraint on development – especially for affordable housing. The City will revise regulations to permit multi-unit buildings according to objective criteria such as by building type and development size, without subjecting multi-unit residential projects to CUPs. Under Action 3.4.8, the City will create objective design standards and amend the Planning Code design review procedures to allow for streamlined, ministerial approval. The City will also actively promote and support use of SB 35 to streamline 100 percent affordable housing developments. These revised standards will be implemented alongside changes to Oakland's RD, RM, and RU zones as described in Action 3.2.1.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: 2023

Objective: Reduce constraints to development to significantly increase production of housing to match housing need.

Action 3.4.4: Revise citywide parking standards.

Parking requirements are a major cost driver in residential development, and often conflict with sustainable development goals that seek to reduce dependence on automobile use. As such, the City recently eliminated residential parking minimums in the downtown area. Continued revisions of Oakland's parking standards, such as elimination of parking minimums within ½ mile of major transit stop and reduction of minimum parking standards in other areas as well as lower parking maximums in downtown and new parking maximums near BART stations will be undertaken

through a comprehensive review of existing residential parking standards and the identification of appropriate new standards to match long-term development and environmental goals. Additionally, for mixed-use development projects (commercial on ground floor and residential uses above), the City will revise parking requirements so that additional residential development on these sites is not constrained by any lack of conformance with commercial parking regulations. No parking will be required for Rooming Houses/SROs throughout the city with the exception of the Very High Fire Hazard Severity Zone (VHFHSZ) (See Appendix J for a summary of Zoning changes as well as strategies regarding parking included in Oakland Equitable Climate Action Plan: Transportation and Land Use Action 1.)

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June - July 2023

July 2023

Revise citywide parking standards for all housing types and zones, including but not limited to housing inventory sites, downtown and corridors.

Implement January 1, 2023 the elimination of minimum parking requirements for residential developments within ½ mile of major transit stop to conform with state law and update Planning code by July 2023.

Objective: Reduce constraints to development to significantly increase production of housing to match housing.

Action 3.4.5: Revise open space requirements.

Both affordable and market-rate developers have pointed to the relatively high open space standards in Oakland as a constraint to development, especially for higher-density projects. In this context, “open space standard” refers to the city requirement for new housing to feature courtyards, patios, balconies, and other open areas in the development. As noted in Appendix F, Housing Constraints, Oakland’s open space requirements vary substantially across zoning districts, but in some cases are more than double the open space requirements seen in comparator jurisdictions. To meet these requirements, each one square foot of private usable open space is considered equivalent to two square feet of required group usable open space and may be so substituted.

To reduce this development constraint, the City will review the open space requirements in zoning designations where minimum usable open space requirements currently exceed 60 square feet of private open space/120 square feet of common open space per unit and revise common and private open space standards for multi-family developments to increase the feasibility of residential projects.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June - July 2023

Revise common and private open space standards for residential developments, and allow flexibility on its onsite location and configuration

Objective: Significantly reduce existing open space requirements to remove constraints on development and increase production of housing to match housing need.

Action 3.4.6: Correct zoning district boundaries that cut through parcels.

Oakland’s Zoning Map includes many zoning district boundaries that cut through individual parcels – meaning that the same parcel is subject to multiple development standards, which can act as a development constraint. In updating the Zoning Map, the City will correct instances of this occurrence and ensure that zoning district boundaries that affect allowed height and density follow parcel boundaries to the maximum extent feasible to remove inconsistencies and ambiguities.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: 2023 – 2025

Objective: Reduce constraints to development to significantly increase production of housing to match housing need.

Action 3.4.7: Capture the diversity of existing built fabric in zoning.

Oakland has a diverse historic urban fabric, some of which no longer conforms to the current Planning Code. To capture and continue this diversity and remove ambiguities, the City will reduce minimum lot sizes and setbacks to facilitate the creation of small-lot developments, as well as legitimize the many existing small-lot neighborhood patterns in West Oakland and other neighborhoods. The City will conduct a comprehensive review of the Planning Code to identify where current development standards have created non-conformities for older built facilities and amend development standards to reduce or eliminate them where appropriate. The City will also provide flexibility in the objective standards to retain and promote the City’s vernacular built environment.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: 2023 – 2026

Objective: Reduce constraints on development to significantly increase production of housing to match housing need.

Action 3.4.8: Implement objective design standards.

The City currently requires design review for nearly all residential development, which can significantly lengthen the time required for project approval. To reduce the permitting timeline, the City has initiated a process to develop objective design standards to streamline the approval of residential, mixed-use, and commercial building types, with a particular focus on much-needed affordable housing projects in transit-rich areas. Objective design standards are being developed for historic buildings and districts as well. As opposed to “design guidelines,” objective design standards will not be subject to interpretation, and will result in faster, more predictable approvals of high-quality development that respects Oakland’s history and benefits the local community. Housing development projects will have the ability to utilize the objective design standards that will not require evaluation under the regular design review criteria provided under Planning Code Section 17.136.050, including the existing criteria that the project will “enhance desirable neighborhood characteristics.” Project applicants may also choose to instead utilize the regular design review criteria and process in order to have greater flexibility and creativity in design criteria.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge, permit fees, and SB2 Grant for Objective Design Standards

Timeline: The City will adopt objective design standards that will be available to all housing development projects by 2024

Objective: Reduce constraints to development to significantly increase production of housing to match housing need.

Action 3.4.9: Implement new ADU standards that streamline approvals and address unpermitted units.

In January 2022, the City updated its ADU regulations to comply with changes in State law. To address unpermitted units, the new ADU regulations go beyond minimum compliance with State law and establish an expansive legalization process for unpermitted ADUs addressing not only any existing non-compliance issues with the Building Code but the Planning Code as well. The City has also initiated a program to allow pre-approved construction documents for ADUs that creates a more streamlined approval pathway for many homeowners. The City will continue to implement this legalization and streamlining of ADU permitting processes. The City will study options to alleviate the burden of the building code on the legalization of unpermitted ADUs.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: 2023 and Ongoing

Objective: Reduce constraints to development to significantly increase production of ADUs to help address housing need.

Action 3.4.10: Implement a Housing Sites Overlay Zone to permit sites included in the Housing Sites Inventory to develop with affordable housing by right

Pursuant to State law, the City is required to permit vacant sites included in two consecutive prior RHNA cycles and non-vacant sites included in at least one prior RHNA to develop with owner-occupied and rental multifamily uses by right for developments in which 20 percent or more of the units are affordable to lower-income households.

This means that the City cannot require any form of discretionary review or approval for such projects.

The City will create a Housing Sites Overlay Zone to permit sites identified in the 4th and 5th RHNA cycles as part of the Housing Element's Housing Sites Inventory (identified in Table C-26 in a separate Excel file) to build 20 percent or more of the units are affordable to lower-income households to be subject to by-right approval. In addition, the City will also look at ways to incentivize developers to build affordable housing on newly included sites identified through the 6th RHNA cycle in the Housing Sites Overlay. All parcels within the Housing Sites Overlay Zone (whether they were in the 4th or 5th cycles or new in the 6th RHNA cycle) if redeveloped will be required to be developed as a majority-residential use. A 100% non-residential use will not be allowed in this overlay. In addition, minimum densities proportional to the realistic capacity on any given site in the inventory will be required. If current development standards prevent maximum densities (plus state density bonus law) from being achieved on any given site in the inventory, the City will revise development standards to ensure that maximum densities can be achieved.

This action is intended facilitate housing opportunities in Oakland and to bring attention to those sites that the City intends for housing to be built pursuant to State requirements.

This means that the City cannot require any form of discretionary review or approval for such projects. A proposed project would also not be subject to CEQA and would not be appealable. This would provide greater certainty to projects building at least 20% affordable units that if the project is within the Housing Sites Overlay Zone and meets the objective design standards and zoning criteria listed in the Planning Code, the project will be approved and not held up through an appeal process.

See Appendix J for a summary of the Housing Sites Overlay Zone.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June - July 2023

Objective: Reduce constraints to development to significantly increase production of housing to match housing need.

Action 3.4.11: Promote educator and/or student housing on public land by reviewing the zoning and General Plan designations of Oakland Unified School District (OUSD) and Peralta Community College District-owned sites for consistency with housing.

Several school districts and community college districts in California have successfully built affordable housing for educators and/or students on their property. In some cases, this housing was built on district offices and other non-instructional sites. In other cases, housing was carefully co-located with an active school campus. The State has also recently invested hundreds of millions towards student housing on community college property. The City will review OUSD- and Peralta-owned sites to identify, and when practical correct, land use conflicts that would prevent affordable housing development.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: 2025 with the adoption of the Land Use and Transportation Element

Objective: Reduce constraints to development to allow for at least one educator and/or student housing project during the sixth cycle RHNA period.

Planning & Building Department

Potential Funding Source: Development impact fees, HOME, local infrastructure bond funds, and other local, State, and federal funding as available

Timeline: The City will monitor available data from affordable housing application portals to comprehensively evaluate the unit size needs of Oakland residents and adjust NOFA scoring accordingly, to prioritize allocating City funds to projects by 2024. Furthermore, the City will aim to regularly evaluate local household needs prior to NOFA releases. This will be prioritized, but not limited to, the new construction NOFA released approximately every other year to ensure affordable housing production is aligned with community needs.

Objective: The City will adjust scoring points as needed to encourage housing typologies that reflect local household needs.

Action 3.7.6: Expand areas where rooming units and efficiency units are permitted by right.

The Oakland Planning Code currently provides for rooming units/SROs to be developed at twice the residential density otherwise allowed for regular dwelling units in Neighborhood Center, Community Commercial, Central Business District, Housing and Business Mix, and Transit-Oriented Development Commercial Zones, as well as within the special districts for implementation of the Broadway Valdez, Lake Merritt, and Coliseum Specific Plans. Recent Planning Code amendments similarly allow for efficiency units to be built at twice the density of more typically sized residential dwelling units. The City will expand these provisions to additional zoning districts, including in zones covered by the proposed affordable housing overlay. As stated in Action 3.5.2, the City will also revise the Planning Code to permit rooming house facility types more similarly to multifamily residential facilities. These smaller, more modest units are more likely to be a source of naturally occurring affordable housing over the long

term, while also allowing new development to align with current demographic trends towards smaller household sizes.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June – July 2023

Objective: Enable increased production of rooming units and efficiency units.

Action 3.7.7: Amend Planning Code to comply with the Employee Housing Act.

Farm and agricultural employee housing is a type of employee housing under the Employee Housing Act, California Health and Safety Code Sections 17000 et seq. Section 17021.5 of the Employee Housing Act requires that any employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation, and not be subject to any conditional use permit, zoning variance, or other zoning clearance that is not required of a family dwelling of the same type in the same zone. Section 17021.6 of the Employee Housing Act requires employee housing consisting of no more than 36 beds in a group quarters or 12 units designed for use by a single family or household to be deemed an agricultural land use. The City will amend the Oakland Planning Code to modify the definitions of Limited Agricultural Activities, Extensive Agricultural Activities, and One-Family Dwelling Residential Facilities to comply with the Employee Housing Act.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June-July 2023

Objective: Ensure compliance with the Employee Housing Act.

Action 3.7.8: Expand areas where Residential Care Facilities are permitted by right.

The Oakland Planning Code currently permits residential care facilities in residential and nonresidential zones if located in single family dwellings. Conditional Use Permits are required for residential care facilities if they are located in any other residential facility type and/or when located on the ground floor of a street fronting building in certain commercial zones. The City will amend the Planning Code to expand where residential care facilities are permitted by right. In addition, the City will continue existing zoning practices, or amend the Planning Code as necessary, to ensure that both residential care facilities of seven or more and unlicensed care facilities (facilities that are not required to be licensed by the State), are allowed in all zones allowing residential uses and permitted similar to other residential uses of the same form in the zone. The City will amend the Planning Code to ensure residential care facilities are not subject to review criteria that the proposal will not detract from the character desired for the area. The amendments will include all residential facility types and those located on the ground floor of a street fronting building. In addition, the City will amend the Planning Code to allow residential care facilities for foster family homes and the elderly within 300 feet of another residential care facility, since the State calls out this exemption in the overconcentration restriction in California Health and Safety Code Section 1520.5.

Responsible Agency: Oakland Planning & Building Department

Potential Funding Source: General Plan Surcharge and permit fees

Timeline: June-July 2023

Objective: Enable expansion of residential care facilities by right and allow the exemption of facilities for foster family homes and the elderly in the overconcentration restriction provided in California Health and Safety Code Section 1520.5.

POLICY 3.8. CONVERT VACANT LAND AND UNITS TO HOUSING

Action 3.8.1: Continue to implement the Vacant Property Tax (VPT).

On November 6, 2018, Oakland voters approved Measure W, the Oakland VPT. The VPT Act establishes an annual tax of \$3,000 to \$6,000 on vacant property. A property is considered “vacant” if it is “in use less than fifty days in a calendar year,” and not subject to any of 10 exemptions. The City will continue to implement the VPT to encourage active uses on vacant land and regularly monitor the effectiveness of the program. The City will analyze expansion of exemptions to the VPT to reduce the impacts of unintended hardships on nonprofit and affordable housing developers, discussed under Action 3.8.3. As directed by Council, funding from this measure may be spent on homeless services, affordable housing, and illegal dumping cleanup.

Responsible Agency: Oakland Department of Finance; Department of Human Services; Oakland Planning & Building Department, Oakland Department of Housing and Community Development

Potential Funding Source: Self-funding through the vacant property tax

Timeline: End of 2023 (Analysis of exemptions will be complete)

Objective: Through the vacant parcel tax, seek a 10 percent reduction in vacant parcels by the end of the Housing Element period.

Action 3.8.2: Encourage the conversion of vacant ground floor commercial space to residential uses in appropriate locations.

Traditional brick-and-mortar commercial and retail businesses have continued to transition to an Internet-based model, which has been further accelerated by the COVID-19 pandemic. As a result, a significant number of ground-floor commercial and retail spaces in Oakland remain vacant.