



AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: William Gilchrist
Director, Planning and
Building Department

SUBJECT: General Plan Extension For Open
Space, Conservation And Recreation
Element

DATE: September 29, 2025

City Administrator Approval


Jestin Johnson (Oct 16, 2025 16:53:43 PDT)

Date: Oct 16, 2025

RECOMMENDATION

Staff Recommends That The City Council Adopt a Resolution Pursuant to Government Code Section 65361 Requesting That The California Office Of Land Use And Climate Innovation Grant A Two-Year Extension For Adoption Of The Updated Open Space, Conservation, And Recreation (OSCAR) Element Of The Oakland General Plan.

EXECUTIVE SUMMARY

Senate Bill (SB) 1425 (Stern, 2022), codified as Government Code section 65565.5, requires all cities and counties in California to review and update their local Open Space Element by January 1, 2026 to include plans and action programs that address equitable access to open space, climate resilience, and rewilding opportunities, correlated with each locale's Environmental Justice, Safety, and Land Use Elements, respectively. A city or county may be granted an extension of this deadline by the Director of the California Governor's Office of Land Use and Climate Innovation (State LCI) pursuant to California Government Code section 65361. Cities can request a first-time extension of up to two years.

The City of Oakland (City) is currently engaged in a comprehensive update of its General Plan. This General Plan Update (GPU) is being conducted in two phases. Phase 1 of the GPU was completed in 2023 and included adoption of the 2023-2031 Housing Element ([Resolution No. 89565 C.M.S.](#)) on January 31, 2023, and adoption of the Safety Element and a new Environmental Justice (EJ) Element ([Resolution No. 89907 C.M.S.](#)) on September 26, 2023. Phase 2 of the GPU includes comprehensive updates to the Land Use and Transportation Element (LUTE); the Noise Element; and the Open Space, Conservation, and Recreation (OSCAR) Element, as well as the creation of a new Infrastructure and Capital Facilities Element. The estimated timeline to bring these Elements for adoption hearings to City Council is Spring 2027.

The City's EJ Element and Safety Element include several action items that provide a strong foundation for demonstrating compliance with SB 1425, such as ensuring equitable access to

open space, while also considering social, economic, and racial equity, as well as climate resilience and contextual benefits of open space.

To ensure alignment of the Phase 2 Elements, an extension for completing the OSCAR to the first quarter of 2027 with the remaining GPU Phase 2 Elements will allow the City to complete and adopt the GPU in a coordinated, synergistic and inclusive manner, avoiding piecemeal compliance or omissions across these critically integrated Elements. In order to coordinate the OSCAR with the LUTE, staff is requesting a two-year extension from the State LCI.

BACKGROUND / LEGISLATIVE HISTORY

California Law requires that every city and county adopt a general plan. A general plan serves as each jurisdiction's official policy document guiding future growth and development. Per California Government Code Section 65302, General Plans are required to include specific topics, also called "Elements."

Required General Plan topics include:

- Housing (*adopted January 2023, Phase 1 GPU*)
- Safety (*adopted September 2023, Phase 1 GPU*)
- Environmental Justice (*adopted September 2023, Phase 1 GPU*)
- Land Use (*underway, Phase 2 GPU*)
- Circulation (*underway, Phase 2 GPU*)
- Conservation (*underway, Phase 2 GPU*)
- Open Space (*underway, Phase 2 GPU*)
- Noise (*underway, Phase 2 GPU*)

State law allows for jurisdictions to incorporate additional topical elements in their General Plans as they see fit. The City will be creating a new Infrastructure and Capital Facilities Element as part of the Phase 2 GPU process.

In general, an Open Space Element is intended to identify valuable undeveloped areas of land or water designated as open space and create a long-term plan to preserve them and coordinate each Element's goals to align and complement each other. A Conservation Element describes a city's natural resources and establishes goals and policies to preserve, enhance, and develop them for the communities' benefit. Both Elements must correlate with a city's Land Use Element since they have a mutual and corresponding impact towards achieving and implementing a successful General Plan.

In Oakland, the required Open Space and Conservation General Plan topics are combined into the City's Open Space, Conservation and Recreation (OSCAR) Element, adopted in 1996. Cities cannot take land use actions, such as approving a building permit or subdivision map or adopting an open-space zoning ordinance, unless they are consistent with the local open-space plan. Similarly, the capacity of any open space to meet its General Plan goals is directly related to the adjoining land uses and transportation modes.

As stated previously, Phase 2 of the GPU is currently underway (see **Figure 1** for Project Timeline). The OSCAR Element Update being undertaken as part of GPU Phase 2 focuses on the following objectives:

- Maintain, preserve, & strengthen Oakland's network of open spaces and conserve important natural resources.

- Build an equitable, well-maintained, accessible network of parks and recreational facilities that support and reflect Oaklander's needs, identities and cultures.

Figure 1: General Plan Update Phase 2 Project Timeline

Phase 2 Timeline



Senate Bill 1425 Requirements

SB 1425 (Stern, 2022), codified as Government Code Section 65565.5, requires all cities and counties in California to review and update their local Open Space Element by January 1, 2026. The update must include both plans and an action program that address:

1. Equitable access to open space, considering social, economic, and racial equity, and coordinated with the jurisdiction's Environmental Justice element or policies.
2. Climate resilience and co-benefits of open space, aligned with the Safety Element.
3. Rewilding opportunities, aligned with the Land Use Element, potentially including preservation or expansion of interconnected open-space networks, establishment of natural community conservation plans, and support for uses such as habitat, recreation, tribal resource protection, water management, and aesthetics.

In alignment with this requirement, the City is engaged in a review and update of its OSCAR Element so that it provides equitable access to open space, climate resilience, and rewilding opportunities, correlated with the EJ, Safety, and Land Use elements. The update is to be adopted no later than January 1, 2026, unless granted an extension by the CA Governor's Office of Land Use and Climate Innovation (State LCI) pursuant to California Government Code Section 65361.

ANALYSIS AND POLICY ALTERNATIVES

This agenda item will help advance the Citywide priorities of Vibrant, Sustainable Infrastructure and Responsive, Trustworthy Government because an extension of time would allow the OSCAR to be correlated with the EJ, Safety, and Land Use elements. The EJ and Safety Elements adopted in Phase 1 of the GPU include essential components and policy that inform

Phase 2 updates to the Land Use and Transportation Element; the Noise Element; and the OSCAR Element, as well as the City's new Infrastructure and Capital Facilities Element. As noted previously in this report, the schedule to bring these coordinated Elements for adoption to City Council is Spring 2027. Therefore, staff is requesting a two-year extension from the State LCI for the OSCAR consistent with the completion of the remaining Phase 2 Elements.

General Plan Extension Requirements

California Government Code Section 65361 authorizes the Director of State LCI to grant "general plan extensions" to cities and counties. An extension relieves a city or county of the requirement that it adopts a complete and legally adequate general plan or, in the case of a new city, that it adopts its plan within a specific time period. For counties and most cities, an extension may apply to any portion of the general plan, which is being or will be prepared or revised, except the housing element, which Oakland completed as part of Phase 1 within the State's deadline. In this instance, the City is asking for an extension for compliance with a recently imposed state law deadline for review and update of its OSCAR Element.

The grant of an extension provides regulatory compliance coverage to a city or county working to complete an internally consistent update of its General Plan. It allows the local jurisdiction latitude concerning consistency between state laws and local decisions on the portion of a plan—in this case the OSCAR—subject to the extension.

While Oakland is not required to obtain an extension to complete or revise its general plan, requesting a general plan extension from the State will provide regulatory assurance that the City has adequate time to fully address state law requirements for the OSCAR, while ensuring consistency and state law compliance across all elements of the General Plan being brought before Council for adoption. In addition, and as stated previously, the City's EJ Element, and Safety Element (both adopted in September 2023: [Resolution No. 89907 C.M.S.](#)) already include several action items focused on equitable access to open space with consideration of social, economic, and racial equity, and climate resilience and other benefits of open space. These action items provide a strong foundation for demonstrating compliance under the OSCAR with these Phase 1 GPU provisions and other state law requirements. See **Attachment A** for current goals, policies, and action items in the EJ and Safety Elements and compliance with SB 1425.

On September 18, 2025, City staff met with the State LCI General Plan Team to discuss application requirements, criteria for a complete application, and review process for an extension request. In discussions with the Governor's Office of Land Use and Climate Innovation, the need for coordination across Elements was cited as a reasonable criterion for extension. The application requirements are summarized below.

Application Requirements

Pursuant to Government Code section 65361(b), an application for a general plan extension must include the following items listed below:

1. General Plan Extension Application Form
2. Resolution of the Local Legislative Body required under Government Code Section 65361(b)(1), adopted after a public hearing that sets forth the following:
 - a. Existing element(s) for which the extension is being requested.
 - b. The amount of time needed for preparing and adopting the proposed general plan or part(s) thereof. The extension will take effect on the date it is granted by State LCI's Director. The City can request up to a two-year extension.

- c. Detailed reasons for the extension request. The reasons must include at least one of the findings from Government Code Section 65361(a), and the resolution should specify which of the findings is being made. The findings specific to Oakland are as follows:
 - i. As set out in Government Code Section 65361(a)(4), local review procedures require an extended public review process which has resulted in delaying the decision on Phase 2 of the GPU by the legislative body; and
 - ii. As set out in Government Code Section 65361(a)(6), other reasons which support a request for an extension include the additional time needed to comprehensively update the LUTE, and OSCAR to advance full implementation of Government Code section 65565.5.
3. Project budget and schedule for the preparation and adoption of the general plan element(s) for which an extension is sought, including plans for community engagement.
4. Set of proposed policies and procedures.
5. Background materials, including current General Plan, and Zoning Code.

Staff will submit the General Plan Extension Application to State LCI after the Council adopts the Resolution required under Government Code Section 65361.

FISCAL IMPACT

There is no fiscal impact from this agenda item.

PUBLIC OUTREACH / INTEREST

The GPU process is guided by a comprehensive, collaborative, accessible, inclusive, and equity-driven public engagement approach that focuses on addressing communities historically underrepresented and excluded from traditional planning processes - which are often the most negatively impacted by City policies - while also being inclusive of the City as a whole in both Phases of the GPU. Outreach for the GPU to date has included over 90 community meetings, town halls, neighborhood workshops, focused discussion groups, stakeholder interviews, and pop-up outreach events conducted across Oakland, as well as three Citywide online surveys including a survey specifically on parks. For GPU Phase 2, the City continues to pursue multiple avenues for engagement, aligning with the goals and principles stated in the GPU [Vision and Guiding Principles](#) and the [Phase 2 Community Engagement Plan](#).

COORDINATION

On September 18, 2025, City staff met with State LCI to discuss the application requirements, criteria for a complete application, and the review process for extension requests.

The GPU process is a multi-departmental and multi-stakeholder effort. The Planning and Building Department is collaborating closely with key City Departments and public agencies, including the Office of the City Administrator (Sustainability and Resilience Division), Department of Race and Equity, Office of the City Attorney, Department of Transportation, Economic & Workforce Development Department, Public Works Department, Housing and Community Development Department, Public Library, and Parks, Recreation and Youth Development Department. The City is also collaborating closely with regional and local

agencies, such as East Bay Parks Regional District, BART, AC Transit, and Alameda County Department of Public Health. This collaborative effort has worked to help further develop and refine policies and programs for both Phase 1 and Phase 2 of the GPU that impact these departments and the City as a whole.

This report has been reviewed by the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: The 2045 GPU is focused on planning for land use policies that will accommodate projected housing and job growth and that will support equitable pathways to jobs for existing Oakland residents, especially for members of historically disadvantaged and disinvested communities.

Environmental: GPU Phase 2 will approach environmental considerations through the lens of land use, transportation, open space and recreation, and infrastructure and capital facilities.

Race & Equity: The City has an explicit and comprehensive policy of intentionally integrating equity across all its General Plan elements. This approach is fundamental to the City's vision and guiding principles, aiming to create a "fair and just" city that achieves equitable opportunities for all people and communities. The GPU process includes a racial equity impact analysis (REIA) to ensure that the risks and negative impacts to the City's most vulnerable communities are mitigated.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Environmental Impact Report will be prepared as part of the GPU in compliance with the California Environmental Quality Act (CEQA).

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt a Resolution Pursuant to Government Code Section 65361(b) Requesting That The California Office Of Land Use And Climate Innovation Grant A Two-Year Extension For Adoption Of The Updated Open Space, Conservation, And Recreation (OSCAR) Element Of The Oakland General Plan.

For questions regarding this report, please contact Lakshmi Rajagopalan, Planner IV, at 510-238-6751.

Respectfully submitted,



WILLIAM A. GILCHRIST

Jestin D, Johnson, City Administrator

Subject: General Plan Extension for Open Space, Recreation, and Conservation Element

Date: September 29, 2025

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Director, Planning & Building Department

Reviewed by:

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Attachments (1):

Attachment A: Current goals, policies, and action items in the EJ and Safety Elements and compliance with SB 1425.

ATTACHMENT A

Current goals, policies, and action items in the EJ and Safety Elements and compliance with SB 1425.

Table 1: Policies and Action Items in the EJ and Safety Elements and Compliance with SB 1425

Policy/ Action	Policy	Description	Focus Area	Priority Communities	SB 1425 Compliance
<i>EJ-7.8</i>	Park Distribution	Prioritize new parks in underserved EJ communities	Open Space	EJ Communities	Yes
<i>EJ-7.9</i>	Enhancing Park Access	Expand joint-use agreements, remove barriers, create multi-use paths	Open Space	EJ Communities	Yes
<i>EJ-7.10–7.14</i>	Park Programming, Partnerships, Maintenance	Inclusive programming, cultural activities, equity-weighted funding, community input	Open Space	EJ Communities	Yes
<i>EJ-7.15</i>	Urban Forest	Implement Urban Forest Master Plan; prioritize canopy in EJ communities	Open Space / Climate	EJ Communities	Yes
<i>EJ-7.16</i>	Urban Greening	Develop/fund green infrastructure projects via CBO partnerships	Open Space / Climate	EJ Communities	Yes
<i>EJ-A.4</i>	Carbon Sequestration Incubator	Green jobs in forestry, stormwater, restoration funded through mitigation fees	Climate Resilience	EJ Communities	Yes
<i>EJ-A.6</i>	Vegetative Buffer Projects	Plant buffers along industrial areas/truck corridors	Climate Resilience	EJ Communities	Yes
<i>EJ-2.1 / EJ-A.15–A.16</i>	Clean Water & Green Infrastructure	Protect creeks, wetlands; prioritize stormwater management in EJ communities	Climate Resilience	EJ Communities	Yes
<i>EJ-2.3 / EJ-2.4</i>	Wetland & Stormwater Management	Protect/restore riparian corridors, reduce runoff, increase open space	Climate Resilience	EJ Communities	Yes
<i>EJ-7.1–7.7</i>	Complete & Safe Neighborhoods	Walkability, bikeability, greenways, paving aligned with flood resilience	Climate Resilience	EJ Communities	Yes
<i>SAF-8.14</i>	Facilities & Climate Impacts	Adjust CIP standards for climate risk and vulnerabilities	Climate Resilience	Citywide with EJ priority	Yes
<i>SAF-8.15</i>	Heat Pumps in Facilities	Install in community-serving facilities in high heat/social vulnerability areas	Climate Resilience	EJ Communities	Yes
<i>EJ-6.1 / EJ-A.26</i>	Equitable Public Facility Distribution	Prioritize resilience hubs, civic and cultural facilities in underserved areas	Equitable Distribution	EJ Communities	Yes
<i>EJ-6.4</i>	Facilities Maintenance	Prioritize equitable capital improvements and community-driven investments	Equitable Distribution	EJ Communities	Yes

Policy/ Action	Policy	Description	Focus Area	Priority Communities	SB 1425 Compliance
EJ-6.6	Public Restrooms	Ensure equitable restroom access for all, including unhoused populations	Equitable Distribution	Citywide with EJ priority	Yes
EJ-7.7	Equitable Paving	Allocate paving resources based on equity, align with flood resilience	Equitable Distribution	EJ Communities	Yes
EJ-10.1 / EJ-A.39–A.40	Prioritizing EJ Communities	Focus monitoring, investment, and climate action reporting on EJ communities	Equitable Distribution	EJ Communities	Yes
SAF-2.1 / SAF-A.7–A.14	Fire & Wildfire Risk Reduction	Vegetation management, fire code updates, defensible space, clean air centers, equity-focused retrofits	Climate Resilience / Open Space	Frontline/EJ Communities	Yes
SAF-2.2	Vegetation & Urban Forest Management	Urban Forest Master Plan, vegetation management, greenbelts as wildfire buffer; aligns with EJ canopy goals	Open Space / Climate	EJ & frontline communities	Yes
SAF-2.5	Financial Assistance for Vulnerable Residents	Programs for defensible space, home hardening, evacuation support for low-income/unhoused residents	Equitable Distribution	EJ Communities	Yes
SAF-3.1 / SAF-A.15–A.18	Flood Risk & Green Infrastructure	Wetland restoration, creek naturalization, green open space solutions, FEMA/EBMUD coordination	Climate Resilience / Open Space	EJ & Flood-prone communities	Yes
SAF-8.13 / SAF-A.49–A.51	Critical Facilities & Reconstruction	Funding emergency facilities, overlay zone for disaster recovery, gas shut-off valves	Climate Resilience	Citywide w/ EJ priority	Yes
SAF-8.14	Facilities & Climate Impacts	Climate impacts integrated into capital project design standards	Climate Resilience	Citywide w/ EJ priority	Yes
SAF-8.15	Heat Pumps	Install heat pumps in community facilities in high-heat areas with social vulnerability	Climate Resilience	EJ Communities	Yes
SAF-8.16	Emergency Notification Systems	Wireless alerts, evacuation points/routes, monthly siren testing, focus on vulnerable neighborhoods	Equitable Distribution	EJ & vulnerable communities	Yes
SAF-8.17	Traffic Signal Prioritization	Connect signals along evacuation routes for real-time modifications to speed evacuation	Equitable Distribution	EJ & vulnerable communities	Yes
SAF-8.18	Evacuation Route Coordination	Coordinate w/ Caltrans & neighbors; ensure equitable support for low-income/unhoused during evacuations	Equitable Distribution / Climate Resilience	EJ & vulnerable communities	Yes

<i>Policy/ Action</i>	<i>Policy</i>	<i>Description</i>	<i>Focus Area</i>	<i>Priority Communities</i>	<i>SB 1425 Compliance</i>
SAF-2.1 / SAF-A.7–A.14	Fire & Wildfire Risk Reduction	Vegetation management, fire code updates, defensible space, clean air centers, equity-focused retrofits	Climate Resilienc e / Open Space	Frontline/EJ Communities	Yes
SAF-2.2	Vegetation & Urban Forest Management	Urban Forest Master Plan, vegetation management, greenbelts as wildfire buffer; aligns with EJ canopy goals	Open Space / Climate	EJ & frontline communities	Yes