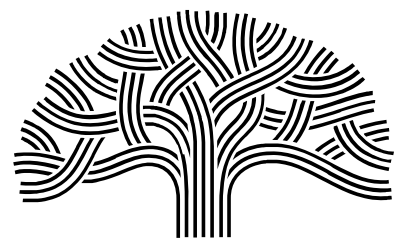


# Oakland 2023-2031 Housing Element

Presentation to the City Council

Planning and Building Department  
October 18, 2022



**CITY OF  
OAKLAND**



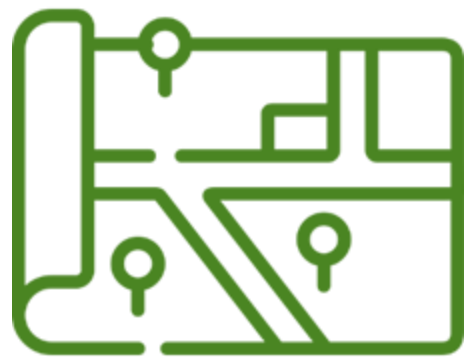
# Housing Element Background



# Housing Element



- City's **blueprint for housing** Oaklanders, at all economic levels including low income and households with special needs.
- Subject to **state approval** and covers 8 years (2023-2031)
- Must meet the City's projected need (known as Regional Housing Needs Allocation)
- Allows the City access to grant opportunities that will benefit housing



Adequate sites

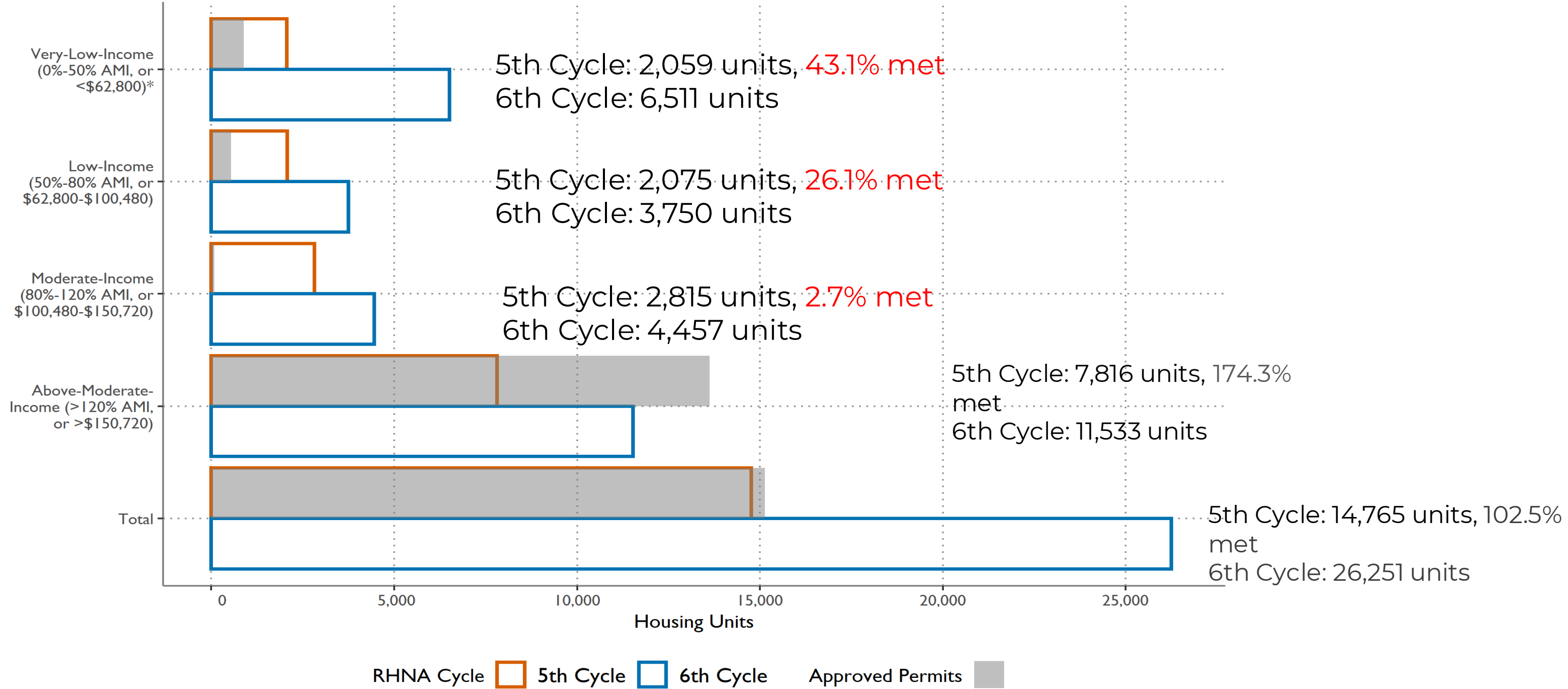


Strategies and Actions

# Housing Element Requirements

- AB 686 (Affirmatively Further Fair Housing) - Facilitate **deliberate action** to **explicitly address, combat,** and **relieve disparities** resulting from past patterns of segregation to **foster more inclusive communities**
- AB 215 - **Public review for 30 days** before sending to State HCD for review
- Required Components
  - Community Engagement
  - Assessment of Fair Housing
  - Sites Analysis
  - Evaluation of Past Performance
  - Constraints Analysis
  - Priorities, Goals and Actions
- Penalties for Noncompliance

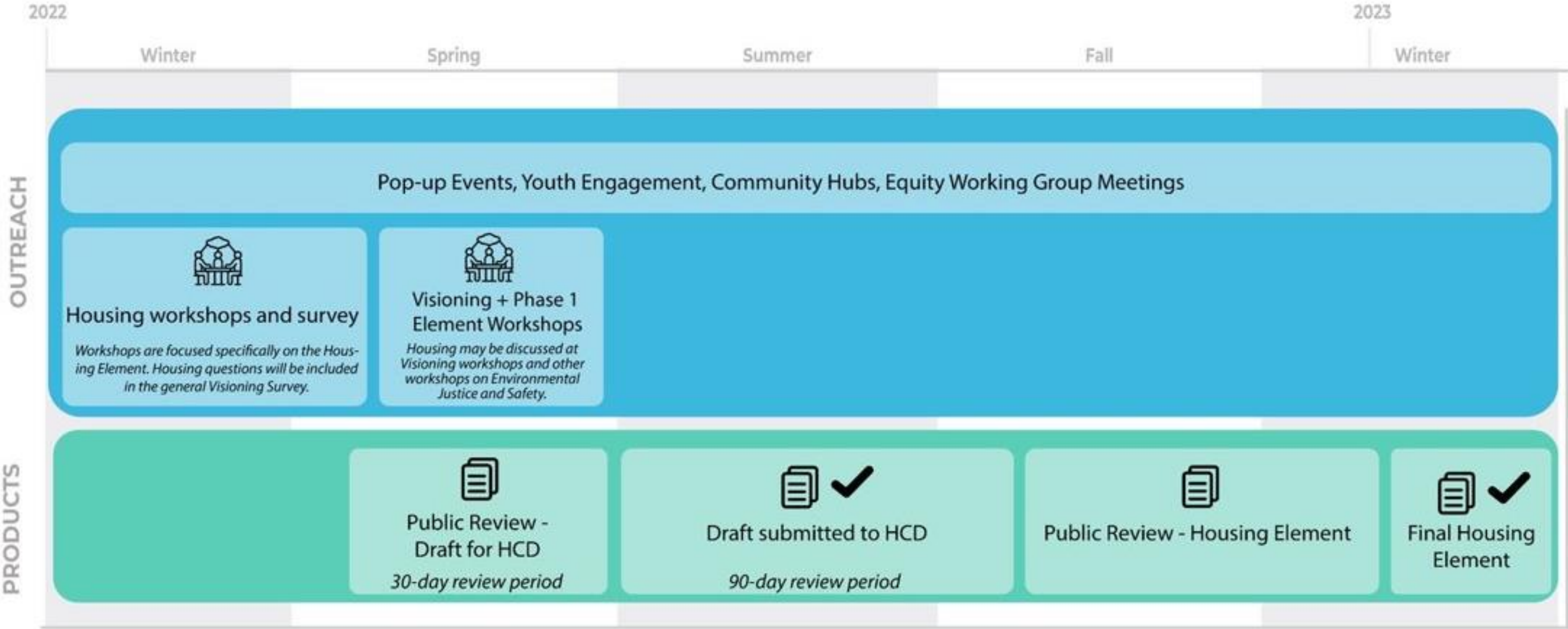
# 2023-2031 Future Housing Need



\*Includes extremely-low-income need, which is assumed to be 50 percent of total very-low-income housing need

Source: ABAG, Final RHNA Plan, December 2021

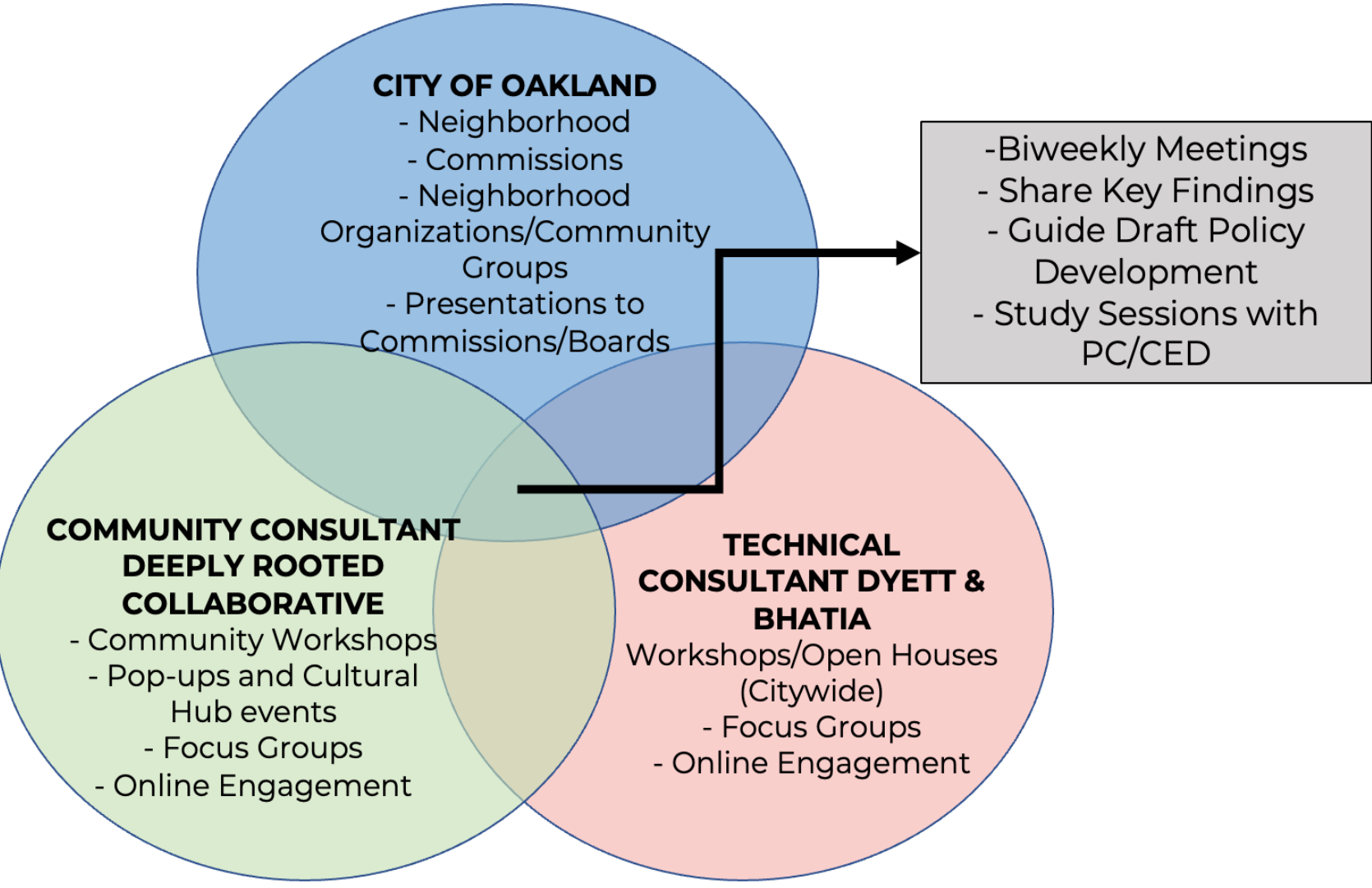
# Housing Element Timeline



**First Public Review Draft Released: May 2022**

**Second Public Review Draft: November 2022**

# Community Outreach



- Community Engagement for Oakland’s most impacted residents
  - Working class communities, Communities of color, Unhoused, People with disabilities, Seniors, Formerly incarcerated, Youth, Communities experiencing environmental injustices
- Pop-up and Community Hub Events
- Over 1000 people reached in-person
- Neighborhood Workshops – Townhalls
  - 4 Housing Element Focused Workshops
  - 2 Townhalls and 2 Open House
- Over 40 presentations to Neighborhood Councils-Community Groups
  - Over 250 participants virtually
- Discussion Groups
- Decisionmaker Meetings
- Online Engagement
- Equity Working Group (EWG)

# What We Heard: Key Issues



## Housing Affordability

- Lack of rental assistance
- Rents increase, but wages do not
- Seniors and families cannot afford housing



## Habitability & Housing Quality

- Landlords do not maintain properties adequately
- Overcrowding
- Mold, lead, water leaks, poor ventilation



## Neighborhood (De)Stabilization & Cultural Preservation

- Families losing homes during foreclosure & predatory loan crisis
- Black residents and culture pushed out
- Evictions happen too often



## Human Services & Homeless Supports

- City is destroying encampments
- No access to hygiene and shelter
- No financial assistance for food, rent, etc



## Housing Production & Location

- Residents living in polluted areas are at-risk of health concerns
- Housing production in high opportunity areas does not curb displacement



# What We Heard: Solutions



## Housing Affordability

- Build more deeply affordable housing
- Impact fees and inclusionary zoning
- Affordable by design housing



## Habitability & Housing Quality

- Proactive inspection system
- Tax credits / programs to help homeowners improve air ventilation
- Improved enforcement for mold cleanup



## Neighborhood (De)Stabilization & Cultural Preservation

- Preference policy for displaced ppl in new affordable housing
- Protection from predatory lending
- Fund community land trusts and other co-ownership opportunities



## Human Services & Homeless Supports

- Access to bathrooms and showers
- Healthcare and supportive services
- Restructure City's encampment management policy



## Housing Production & Location

- Build housing in gentrifying/at-risk and high opportunity areas
- Ensure City-owned land is used for affordable housing
- Consider EJ and climate challenges

# **Draft 2023-2031 Housing Element: Overview**



# What's in the Housing Element

## Main Chapters

- Chapter 1: Introduction
- Chapter 2: Community Outreach
- Chapter 3: Sites Inventory Summary
- **Chapter 4: Housing Action Plan**

## Appendices

- Appendix A: Evaluation of the 2015-2023 Element
- Appendix B: Housing Needs Assessment
- **Appendix C: Sites Inventory**
- Appendix D: Assessment of Fair Housing
- Appendix E: Housing Resources and Opportunities
- Appendix F: Housing Constraints
- Appendix G: Opportunities for Energy Conservation
- Appendix H: Glossary
- Appendix I: Public Outreach Materials

# Site Inventory: Housing Location Considerations



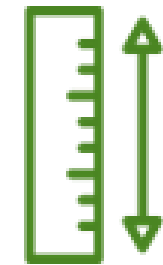
- Safety  
(Constraints)



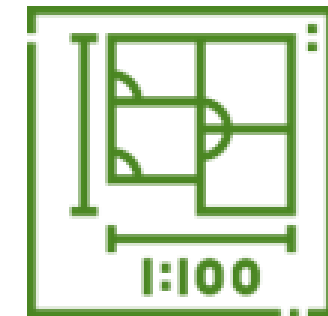
- Accessing  
neighborhood  
needs



- Improving access to  
opportunity and  
addressing equity

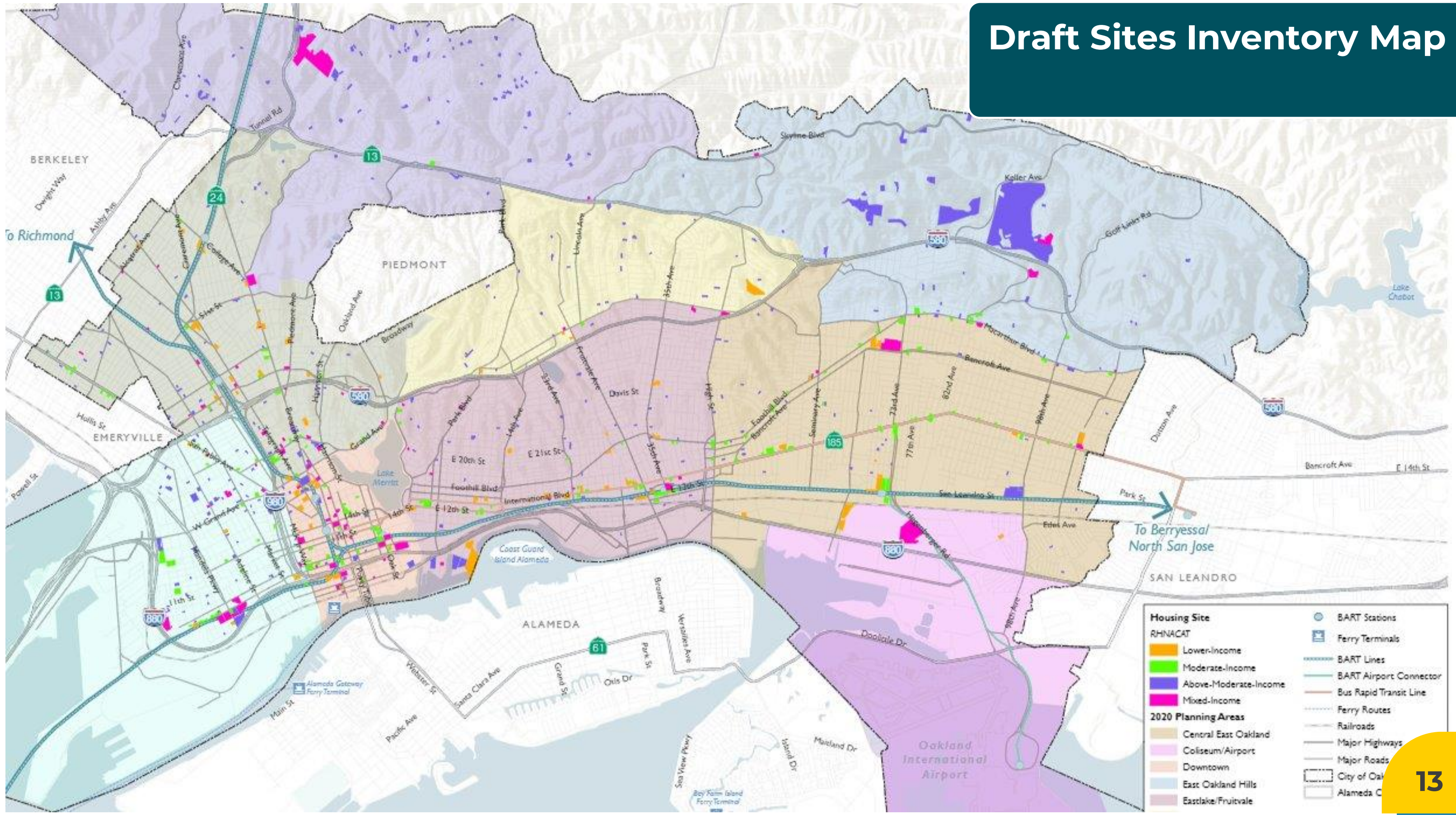


- Lot size



- How many units  
can be built  
(density)

# Draft Sites Inventory Map



<b>Housing Site</b>	BART Stations
<b>RHNACAT</b>	Ferry Terminals
Lower-Income	BART Lines
Moderate-Income	BART Airport Connector
Above-Moderate-Income	Bus Rapid Transit Line
Mixed-Income	Ferry Routes
<b>2020 Planning Areas</b>	Railroads
Central East Oakland	Major Highways
Coliseum/Airport	Major Roads
Downtown	City of Oakland
East Oakland Hills	Alameda County
Eastlake/Fruitvale	

# Housing Action Plan: Policies & Programs

- **Goal 1: Protect Oakland Residents from Displacement and Prevent Homelessness**
  - **Enforce Just Cause for Eviction measures**; Continue to implement the Rent Adjustment Program; Monitor neighborhood displacement risk factors;  
**Continue and expand the Tenant Protection Ordinance**
- **Goal 2: Preserve and Improve Existing Affordable Housing Stock**
  - Support home rehabilitation programs; Promote healthy homes and lead-safe housing; **Enforce, monitor, and preserve affordable housing covenants with an emphasis on “at-risk” units**; Provide additional subsidy for residential hotels
- **Goal 3: Expand Affordable Housing Opportunities**
  - **Support community land trusts and other shared equity models; Implement an affordable housing overlay; Develop permanent housing affordable to extremely-low-income (ELI) households on public land**; Develop a project-based rental or operating subsidy program for ELI residents; **Study targeted implementation of an inclusionary housing requirement**

# Housing Action Plan: Policies & Programs

- **Goal 4: Address Homelessness and Expand Services for the Unhoused**
  - Expand, improve and maintain crisis response beds; **Expand co-governance and partnerships with unsheltered residents in the design and delivery of homelessness services**; Provide development standards for Low Barrier Navigation Centers
- **Goal 5: Promote Neighborhood Stability and Health**
  - **Provide fair housing services and outreach**; Provide first time homebuyer programs; **Encourage new affordable housing in high resource neighborhoods; Promote development of mixed-income housing to reduce income-based concentration**; Promote infill, transit-oriented development (TOD), and mixed-use development.

# Housing Action Plan: What's New?

- Rental housing registry
- **Tenant right to counsel**
- **Proactive rental inspections**
- Anti-speculation tax
- **Tenant/Community Opportunity to Purchase Act**
- Rental/operating subsidy program for extremely low-income residents
- Universal design strategies
- **Affordable housing overlay zone**
- **Senior/low income ADU incentives**
- Acquisition/equity funds for small sites
- **Zoning changes/update of development standards to promote missing middle**
- Inclusionary housing requirement
- Enhanced Infrastructure Financing District
- **Expand co-governance with unhoused residents**
- **Objective design standards**
- Actions related to vacant property/units
- Disaster reconstruction overlay zone



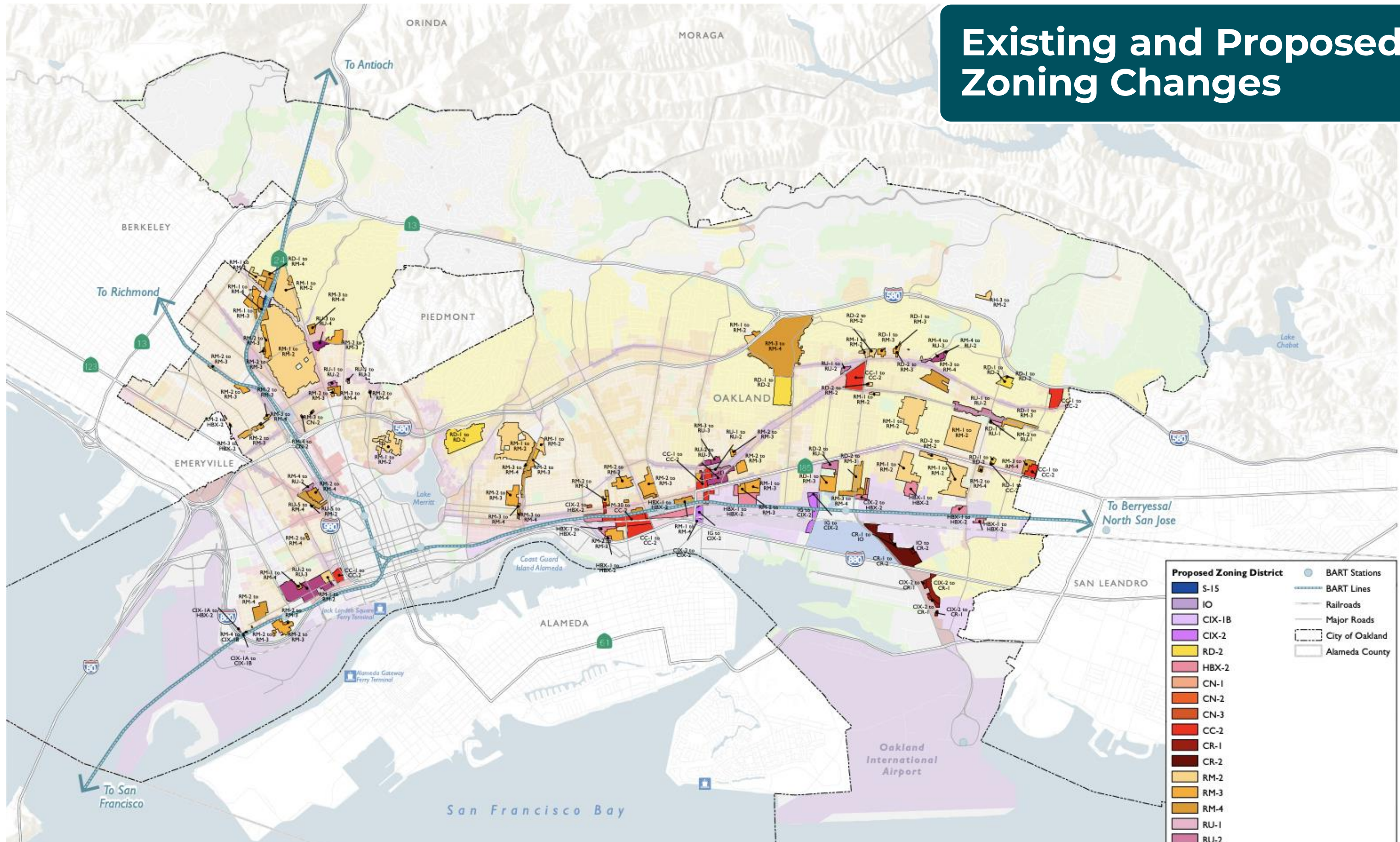
# Zoning Reforms to Further Fair Housing

- Affirmatively Further Fair Housing by:
  - **Increasing** housing production capacity
  - Opening up/Unlocking additional **opportunities for affordable** and **“missing middle” housing** in **exclusionary/high-resource neighborhoods**
  - **Reducing exposure** to air pollution, toxic and other environmental hazards in environmental justice communities
- Community feedback to staff to publish preliminary proposal and maps
- Preliminary Zoning Proposal (*published on September 21, 2022*)
  - Missing Middle and Related Amendments
  - Affordable Housing Overlay (AHO) Zone
  - Housing Sites Overlay Zone

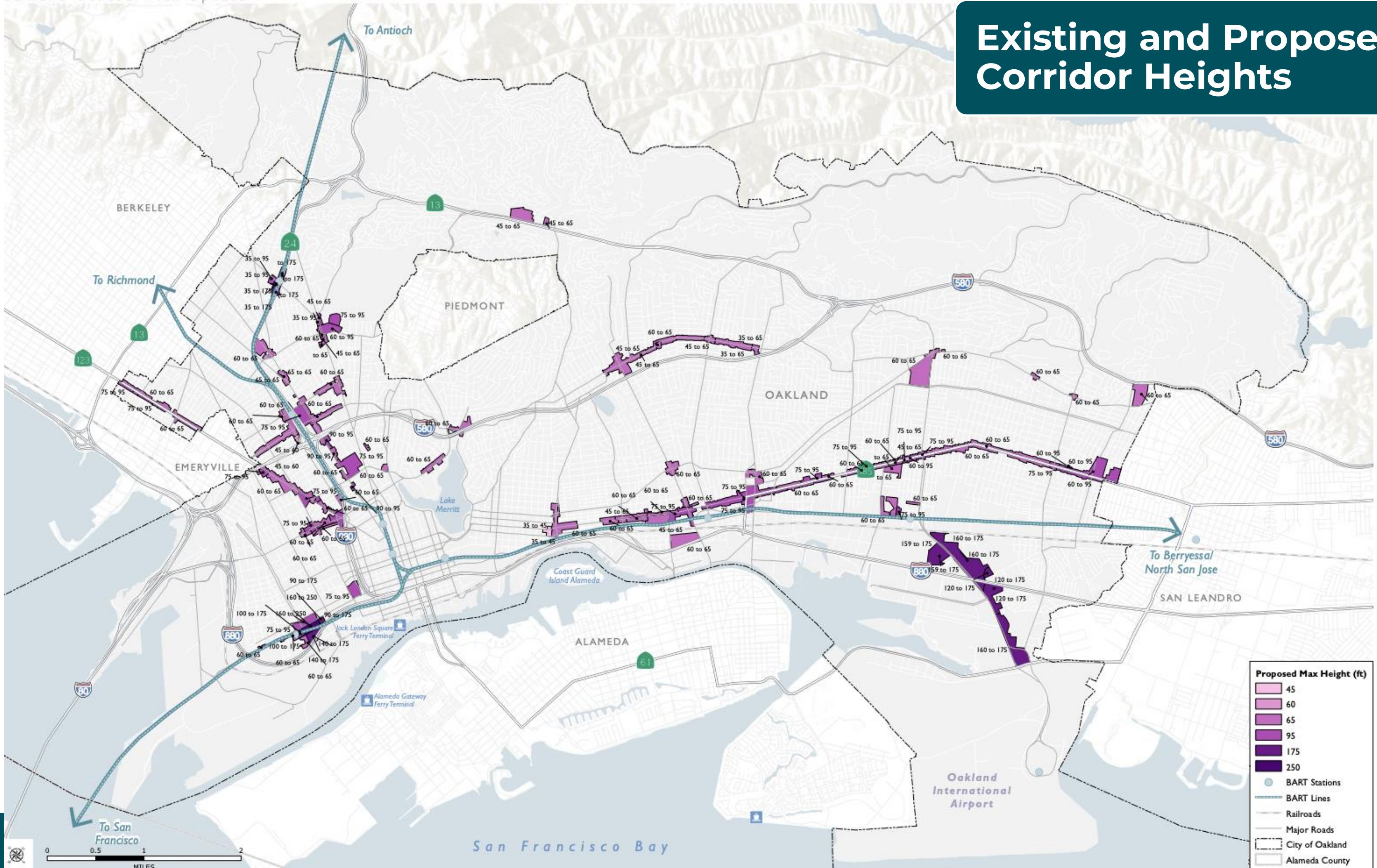
# Missing Middle & Related Code Amendments

- Encourage a diversity of housing types in single-family-dominated neighborhoods, along transit corridors, transit proximate areas, and high resource neighborhoods
- Zoning and height changes on specific sites in Rockridge
- Increase permitted densities in areas near transit and along transit corridors
- Reduce parking and open space requirements to lower the cost of new housing production.
- Revise open space regulations to allow flexibility on its onsite location and configuration to ensure more of the allowed buildable area can be dedicated to new housing units.
- Remove conditional use permit requirements for grocery stores in food deserts.
- Streamline design review procedures and approve more project types ministerially.
- Remove unnecessary barriers in the Planning Code to the approval of Emergency Shelters.
- Reduce the allowed intensity of commercial and industrial activities permitted in the Housing and Business Mix (HBX) Commercial Zones, to minimize impacts on the residential uses existing in and nearby these zones.
- Reduce allowed heavier industrial uses in the Commercial Industrial Mix (CIX), General Industrial (IG), and Industrial Office (IO) Zones within certain distances of residential zones, to minimize impacts on the residential uses nearby.

# Existing and Proposed Zoning Changes



# Existing and Proposed Corridor Heights



# Zoning and Height Changes – Rockridge Sites

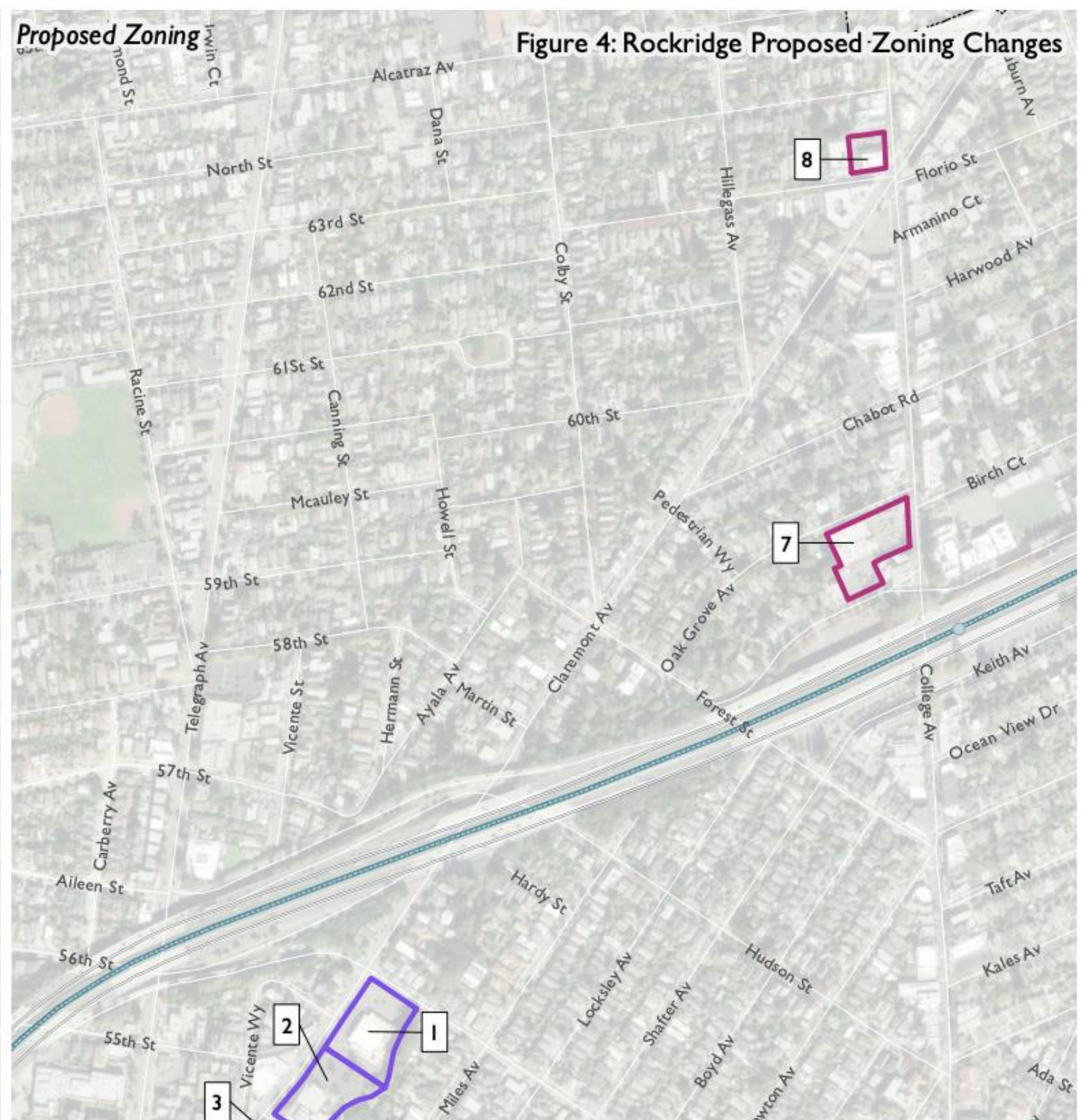
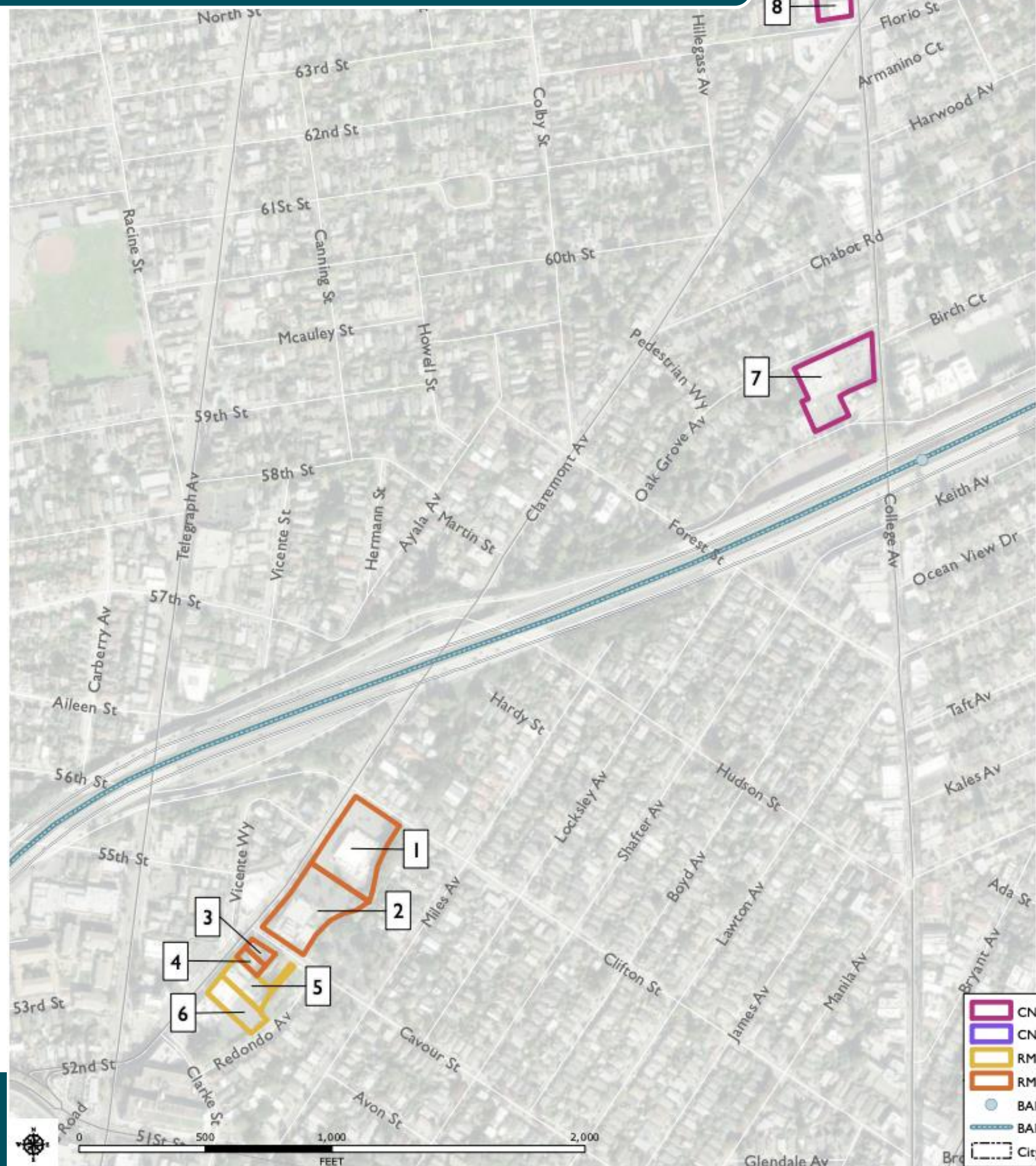


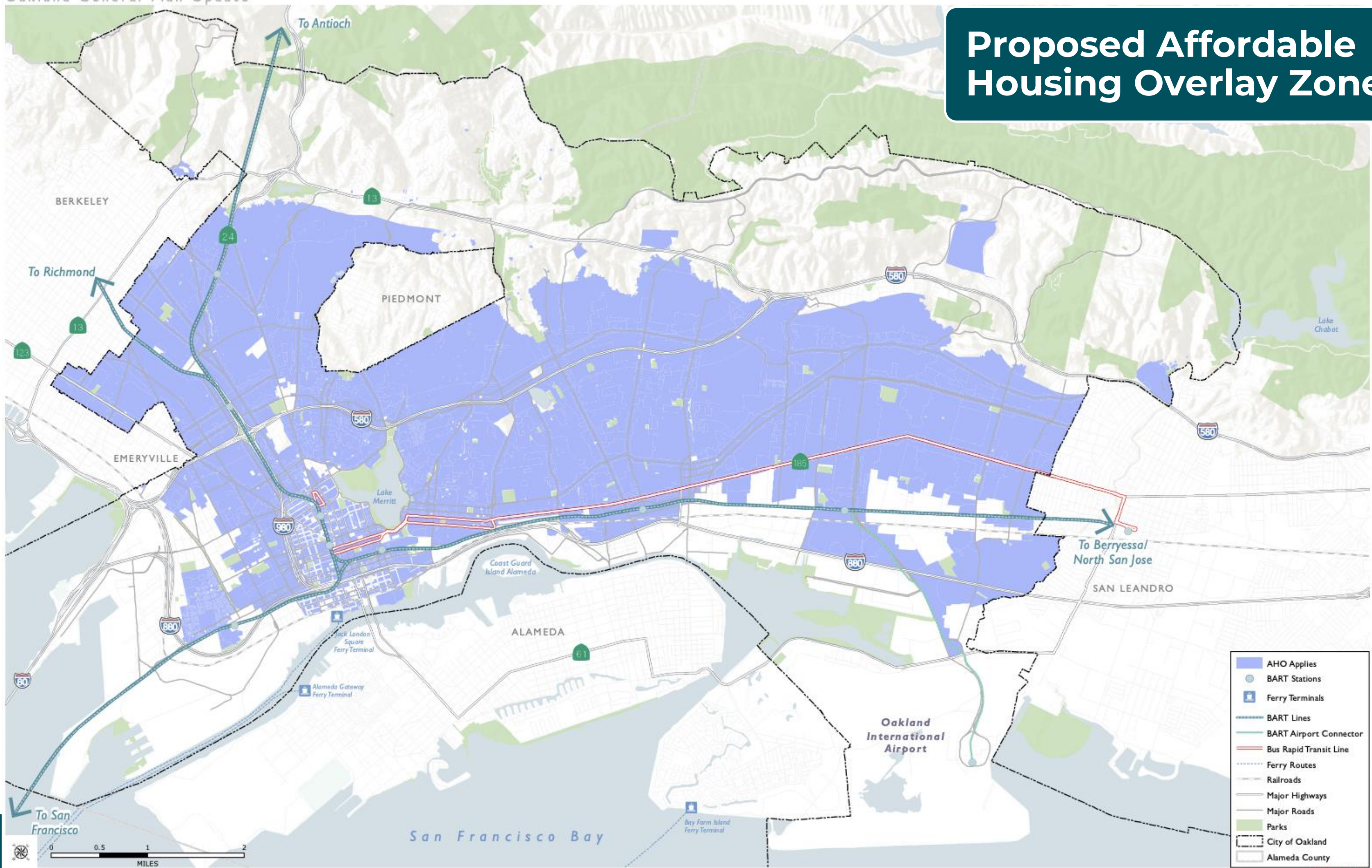
Figure 4: Rockridge Proposed Zoning Changes

Site #	APN	Address	Existing Zoning and Height	Proposed Zoning and Height
1	014 122902103	5354 Claremont Ave	RM-4/C, 35 feet	CN-2, 65 feet
2	014 122901904	5300 Claremont Ave	RM-4/C, 35 feet	CN-2, 65 feet
3	014 122703200	5264 Claremont Ave	RM-4/C, 35 feet	CN-2, No height changes
4	014 122704300	5256 Claremont Ave	RM-4/C, 35 feet	CN-2, No height changes
5	014 122704203	5248 Claremont Ave	RM-2, 35 feet	CN-2, No height changes
6	014 122703707	5232 Claremont Ave	RM-2, 35 feet	CN-2, No height changes
7	014 126604701	5727 College Ave	CN-1, 35 feet	CN-1, 65 feet
8	048A706901000	6209 College Ave	CN-1, 35 feet	CN-1, 65 feet

# Affordable Housing Overlay (AHO) Zone

- Create and preserve affordable housing restricted for extremely low, very low, low, and/or moderate-income households
- By-right approvals for 100% affordable housing projects proposed within the AHO Zone
- Allow for a bonus height for eligible affordable housing projects, as well as relaxation of other listed development standards and an elimination of any maximum residential density standards
- AHO will be applied on top of existing Hillside Residential-4 (RH-4), Detached Unit Residential (RD), Mixed Housing Type Residential (RM), Urban Residential (RU), Housing and Business Mix Commercial (HBX), Central Estuary District (D-CE), Neighborhood Center Commercial (CN), Community Commercial (CC), Central Business District (CBD), Regional Commercial (CR), Transit-Oriented Development Commercial (S-15), Broadway Valdez District (D-BV), Lake Merritt District (D-LM), and Coliseum Area District (D-CO) zones
- Will not be applied to these underlying zoning districts if they are in the designated very high fire hazard severity zone (VHFHSZ) or within the S-9 Fire Safety Protection Combining Zone
- The City is studying the potential for areas that might be appropriate to be included in the VHFHSZ based on further analysis, including evacuation scenarios

# Proposed Affordable Housing Overlay Zone



# Housing Sites Overlay Zone

- Facilitate housing opportunities in Oakland
- Bring attention to those sites that the City intends for housing to be built pursuant to State requirements
- Amend Action 3.4.10 to permit affordable housing by right with at least 20% affordable housing units for all sites identified in the Housing Sites inventory
- Will apply to all housing sites identified in the Housing Sites Inventory in the Housing Element
- By right approvals, for any projects providing at least 20% affordable housing units proposed within the Housing Opportunity Sites Overlay Zone
- Proposed project would not be subject to CEQA and would not be appealable



# Council Direction and Next Steps



# Council Direction on State HCD Letter

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY  
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
**DIVISION OF HOUSING POLICY DEVELOPMENT**  
2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)

GAVIN NEWSOM, Governor



September 28, 2022

Christina Mun, Interim Director  
Housing & Community Development Department  
City of Oakland  
250 Frank H. Ogawa Plaza  
Oakland, CA 94612

Dear Christina Mun:

**RE: City of Oakland's 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element**

Thank you for submitting the City of Oakland's (City) draft housing element update received for review on June 29, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on August 12, 2022 with Audrey Lieberworth, Acting Planner III, Lakshmi Rajagopalan, Principal Planner, Michael Branson, Deputy City Attorney, Laura Kaminski, Strategic Planning Manager and William Gilchrist, Planning Director, as well as your consultants, Rajeev Bhatia, Alison Moore, and Mayu Tanaka. In addition, HCD considered comments from several stakeholders and members of the community, pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

- Proposed rezoning and Rockridge AFFH efforts
- Establish a social housing pilot program (listed on Page 5 of 12 of the letter)
- Study the financial feasibility of a municipal housing development pilot program
- Other programs and actions

# Timeline

- ✓ 1st Public Review of Draft Housing Element – **May 12, 2022 – June 13, 2022**
- ✓ Planning Commission Meeting: **June 1, 2022**
- ✓ Draft Housing Element sent to State Housing and Community Development (HCD) Department for Review: **June 30, 2022**
- ✓ HCD Review of Draft Housing Element – 90-day review period: **June 30, 2022 – September 28, 2022**

*NOTE: The Draft Housing Element was still available for public review during this period*

- ✓ HCD Provided Findings Letter - **September 28, 2022**
- ▶ Staff Incorporate Comments from State and Public – **October – November 2022**
  - Public Review of Updated Housing Element – **Late November 2022**
  - Focus Groups for Zoning Amendments - **Fall 2022 (Dates TBD)**
  - Draft EIR Released – **December 2022**
  - Planning Commission and City Council Hearings – **Dates TBD**

# LEARN MORE

To learn more about the **General Plan Update**, visit the website below and sign up for updates:

[bit.ly/OaklandGPU](https://bit.ly/OaklandGPU)