



OAKLAND 2045
GENERAL PLAN

Oakland General Plan Update: Racial Equity Framework

Racial Equity Impact Analysis for the Housing Element Update



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1.1 Introduction: Racial Equity in Housing Policy

The 2023-2031 Housing Element Update is the City’s strategy for and commitment to meeting Oaklanders’ housing needs at all income levels. The City is committed to adopting racially equitable housing policies that: (1) protect tenants; (2) overcome patterns of segregation and foster inclusive neighborhoods free from barriers that restrict access to opportunity; (3) provide housing options for all income levels in neighborhoods across the city; and (4) prioritize both the preservation and production of housing for Oaklanders of the greatest need.¹

Decisions about where people can live and where different types of housing should be located have an outsized impact on access to opportunity. The Housing Element Update aspires to guide future housing growth within the city in ways that enable all Oaklanders to reach their full potential and access the resources required to thrive.

In the past, governments at all levels across the United States, along with private developers and mortgage lending institutions, deliberately created segregated living patterns to prevent non-White communities from accessing resources and to limit their opportunities for advancement. While governments may no longer intentionally discriminate against or segregate racial or ethnic groups, the policies and practices that successfully upheld segregated living patterns still prevail and remain in use, with racially inequitable impacts. After the City of Berkeley established an explicitly racist zoning ordinance in 1916 that prohibited multi-family dwellings and apartments, exclusionary, single-family zoning became a standard method for preserving or creating majority-White, “desirable” neighborhoods that protect community wealth and high property values to the present day.²

The ongoing exclusionary practices continue to operate as they were designed, today intersecting with rapidly growing economic inequality. The result is extreme economic, educational, and public health disparities between majority White and majority non-White census tracts in Oakland. Oakland has a significant number of low-resource neighborhoods that are racially concentrated areas of poverty (“R/ECAP”) and higher-resource areas that are racially concentrated areas of affluence (“RCAA”). Majority White census tracts have higher incomes and higher land values, while by contrast, majority non-White census tracts have greater pollution burdens, lower incomes, shorter life expectancies, and bear “the brunt of unhealthy housing issues.”³ These housing disparities threaten the health and wellbeing of Oakland’s Black/African American, Indigenous, Latinx/Hispanic, and Asian/American Pacific Islander communities, and are barriers to economic development and wealth-building.

HOUSING ELEMENT UPDATE: RACIAL EQUITY FRAMEWORK

Oakland’s Municipal Code requires the City to intentionally integrate the principles of fairness and justice into “all the City does in order to achieve equitable opportunities for all people and communities.”⁴ The City’s Department of Race and Equity (“Oakland DRE”), established to help the City achieve

¹ Housing Element Public Hearing Draft Chapter 4, p. 7.

² Haas Institute for a Fair and Inclusive Society, [Roots, Race & Place: A History of Racially Exclusionary Housing in the San Francisco Bay Area](#), UC Berkeley, October 2019, p. 15.

³ Steve King et al., [Building an Indicator Base for Healthy Housing Issues in Oakland](#), Urban Strategies Council, Alameda County Healthy Homes Alliance, November 2013.

⁴ Oakland Municipal Code Section 2.29.170.1.

this goal, has advised that racial inequities cannot be eradicated unless directly addressed.⁵ To directly address Oakland’s racial disparities during the General Plan Update, the City has adopted a racial equity framework, which calls for the development of a Racial Equity Impact Analysis (“REIA”) alongside all emerging or revised plans and policies to support development of equitable policies that are *concrete, data-driven, outcome-oriented, and problem-solving*.

The City has maintained a focus on racial equity throughout the Housing Element development process. This includes building upon existing equity plans and reports, including “[A Roadmap Toward Equity: Housing Solutions for Oakland, California](#)” (2015) and the accompanying 2016 report “[Oakland At Home: Recommendations for Implementing A Roadmap Toward Equity from the Oakland Housing Cabinet](#),” the 2018 [Equity Indicators Report](#); the Department of Housing and Community Development’s (“Oakland HCD”) [2021-2023 Strategic Action Plan](#); and the 2022 [Environmental Justice and Racial Equity Baseline](#).

The Housing Element Update and this Racial Equity Impact Analysis, along with all parts of the Oakland General Plan Update, are also deeply informed by meaningful community engagement conducted by the Deeply Rooted Collaborative (“Deeply Rooted,” see Figure A), the City’s community engagement consultant. Community engagement efforts have been extensive and inclusive, with additional resources dedicated to engaging communities historically underrepresented and excluded from traditional planning processes and most negatively impacted by City policies.

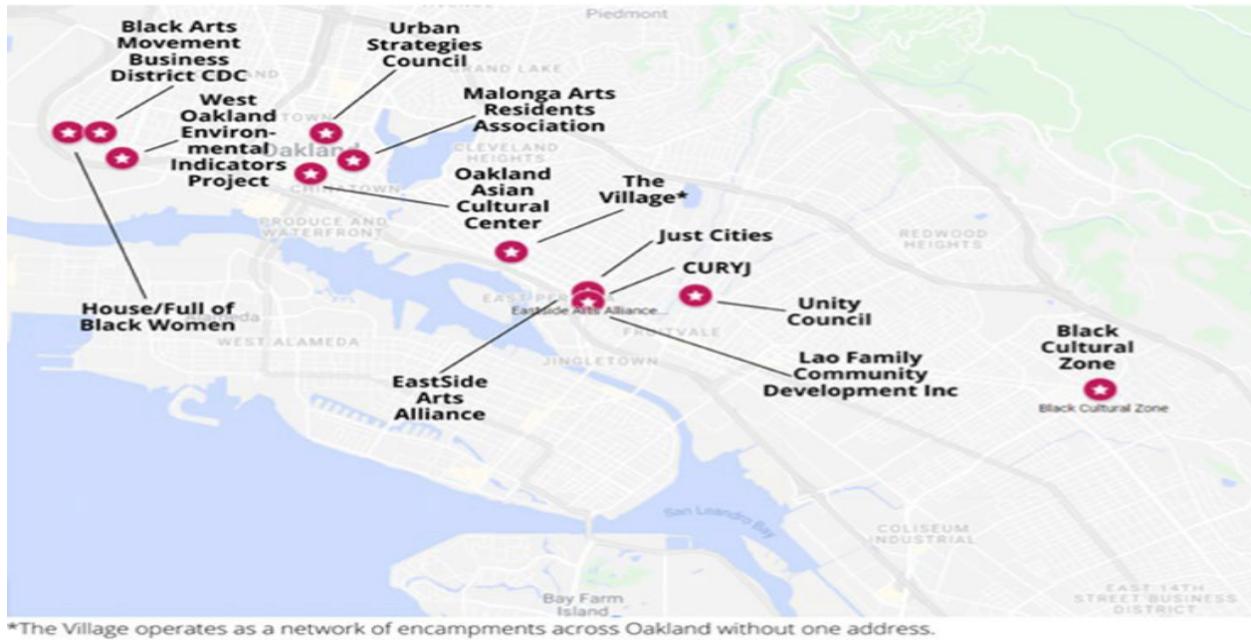


Figure A. Deeply Rooted Collaborative⁶

Deeply Rooted focuses on engagement with the following key communities and geographic areas:

⁵ Oakland Department of Race and Equity, *Racial Equity Analysis Worksheet* (“Not everything that is faced can be changed, but nothing can be changed until it is faced.” James Baldwin).

⁶ Housing Element Public Review Draft, Chapter 2 p. 26.

- *Communities*: Unhoused; formerly incarcerated; low-income Asian, Pacific Islander, Black, Latinx, multiracial communities including those experiencing environmental injustices.
- *Geographies*: Fruitvale, West Oakland, East Oakland, Chinatown, Eastlake, San Antonio

The Deeply Rooted Collaborative also convenes and supports the Equity Working Group (“EWG”) to provide equity-focused feedback on all draft elements. The EWG is composed of 20 diverse community members who advocate for solutions that advance equitable and healthy communities for Oakland residents. Over a series of 17 meetings, the EWG has conducted an in-depth analysis of the draft Housing Element and recommended modifications and additional strategies in the Plan to further advance equity. Deeply Rooted and other City departments (including Planning and Building (“PBD”), Human Services Department (“HSD”), Oakland Housing and Community Development (“Oakland HCD”) and the Office of the City Administrator (“CAO,” including the CAO Homelessness Division) also met to discuss the nuance and feasibility of EWG recommendations, a majority of which were incorporated into the Hearing Draft of the Housing Element. Key EWG goals also help shape this REIA, including the need to protect impacted people and finance equity by improving housing habitability, increasing anti-displacement protections, and providing funding for affordable housing.

The City has prepared in-depth responses to each comment letter submitted during the Housing Element public review period, included as Appendix L in the Housing Element.

RACIAL EQUITY IMPACT ANALYSIS

The primary function of this Racial Equity Impact Analysis (“REIA”) is to identify whether Black/African American, Indigenous, and other Oaklanders of color are (1) *disproportionately affected by the negative effects of programs and policies* or (2) *have less access to benefits provided through policies and programs*. With respect to both existing housing policy and actions proposed in the draft Housing Element the REIA sheds light on the communities within Oakland that experience the greatest housing burdens, informs equitable strategic direction during implementation, and promotes long-term monitoring and evaluation. In addition to information about the draft Housing Element’s potential equity impacts, the analysis also provides decisionmakers and City Staff with guidance on how to prioritize and develop the details of implementation measures to maximize benefits to lower-income and BIPOC communities, reduce racial disparities, and mitigate possible additional harms to communities facing disparities.

Racially equitable policies work to eradicate the disproportionate levels of harm borne by the most vulnerable communities among us and treat Black/African American, Indigenous, Latinx/Hispanic, Asian/American Pacific Islander communities and other people of color (“BIPOC”) with dignity and respect.⁷ BIPOC households are “important contributors to the Bay Area’s labor force, economy, and social fabric. Ensuring that they are able to stay in the region and thrive is critical for realizing a vision of shared prosperity.”⁸

⁷ Vulnerable populations are defined by their increased exposure and sensitivity to harmful impacts, while having extremely limited capacity to take protective actions. Sensitivity is caused by pre-existing conditions, including pregnancy, age, medical conditions, poverty, racial or ethnic heritage, that increase the levels of risk exposure and the levels of harm experienced. Additional factors — “social determinants of health” — also contribute to increased vulnerabilities, such as poor housing quality, and lack of access to fresh food, parks, recreation opportunities, and community facilities.

Environmental / Justice Solutions, a subconsultant on the City’s technical consultant team led by Dyett & Bhatia, prepared this REIA of the draft Housing Element and will prepare a REIA for each element updated during this General Plan Update process.⁹ The REIA includes five sections:

1. **Section I** is the Introduction, which provides the context and purpose of this REIA and a summary of potential impacts and priority recommendations.
2. **Section II** gathers data identifying racially disparate housing impacts and highlights priority community needs.
3. **Section III** contextualizes the equity data by linking it to the systemic root causes of inequitable housing outcomes.
4. **Section IV** recommends ways to maximize racially equitable housing outcomes in Housing Element Chapter 4: Housing Action Plan (“HAP”). Based on data, research, and community feedback, we have developed an equity policy rating for each action based on whether we estimate a high or moderate, or low racial equity impact. As needed or relevant, we also provide recommendations to strengthen the racial equity impact. Recommendations have either high or moderate equity impacts.
5. **Section V** includes a framework for evaluating the impact of implementation over time with key equity indicators to monitor outcomes and promote transparency and accountability for meeting equity goals.

This REIA relies on the Housing Element Appendices B and D, which provide two comprehensive sets of data and analysis: a **Housing Needs Assessment** and an **Assessment of Fair Housing**, respectively. The Housing Needs Assessment “outlines Oakland’s existing housing needs and . . . characteristics that may have significant impacts on housing needs in the community, including anticipated population and household growth.”¹⁰ The appendix analyzes population and housing characteristics, identifies special housing needs among certain population groups, evaluates housing conditions, and provides other important information to support the goals, policies, and programs to meet the needs of current and future Oakland residents.”¹¹ The Assessment of Fair Housing provides “a more thorough analysis of socioeconomic and housing trends as they relate to affirmatively furthering fair housing—including patterns of segregation and racial discrimination.”¹²

⁸ Reid, *supra* n. 3, p. 32.

⁹ Environmental / Justice Solutions (E/J Solutions) is a woman-of-color-owned and -led consulting practice dedicated to achieving environmental justice, equity, sustainability, and meaningful community engagement. Our approach is both data-based and community-oriented. We develop and ground-truth quantitative and qualitative data to identify overburdened and under-served areas and priority community needs. We develop engaging and dynamic popular education materials, lead community outreach and engagement, and facilitate consensus-oriented, participatory decision making. We inform policy initiatives with community-supported best practices to maximize equitable outcomes and ongoing community oversight during implementation. We also develop equity performance indicators and metrics for guidance and accountability during implementation.

¹⁰ Housing Element Public Hearing Draft, Appendix B: Housing Needs Assessment, p. B-5.

¹¹ *Id.*

¹² Housing Element Public Hearing Draft, Appendix D: , p. D-.

The **Environmental Justice and Racial Equity Baseline report** (“Baseline Report”) published in March 2022 for the Oakland General Plan Update, is another important source of data for this report. The Baseline Report is a collection of critical information —disaggregated by race and geography— about current and historical environmental and socio-economic conditions within Oakland. The Baseline Report includes information about Oakland’s **environmental health** (Sensitive Land Uses; Geologic Hazards; Pollution and Hazardous Materials Reduction; Climate Change); **neighborhoods and built environment** (Housing, Land Use and Transportation, Open Space, Conservation, and Recreation); and **social and community environment** (Community Stressors; Economy and Education; and Civic Engagement). The Baseline Report is a starting place for policymaking related to racial equity during the Oakland General Plan Update. The City has compiled data on over 50 indicators related to environmental justice and racial equity and mapped out Oakland’s hardest hit communities.¹³

BASELINE EQUITY SCORES

As part of the racial equity baseline provided to the City, E/J Solutions performed a racial equity analysis that measured each indicator’s distribution across the City’s racial/ethnic populations and geographic areas. The *racial equity baseline score* (“equity score”) for each indicator was developed following the methodology used in the *Oakland Equity Baseline Indicators Report (2018)* and scores are directly comparable. Only indicators used to develop the Environmental Justice Community Screen analysis received equity scores.

The equity score is based on the ratio between the averaged outcomes for the least and most advantaged racial/ethnic groups. The ratio is converted to a scale of 1 to 100, with 1 representing the worst possible disparity and 100 representing highest possible parity between the City’s neighborhoods. **Equity scores function as grades (see Table 1).** Higher grades are “better” and correspond to outcomes that are less racially disparate. Lower grades mean large equity gaps exist between different neighborhoods within the City. Higher degrees of parity do not necessarily translate to positive outcomes, however. They indicate only that the different neighborhoods within Oaklanders share similar experiences in the selected issue area.

Table 1. Equity Score Letter Grades

A+	97-100	A	93-96	A-	90-92
B+	87-89	B	83-86	B-	80-82
C+	77-79	C	73-76	C-	70-72
D+	67-69	D	63-66	D-	60-62

¹³ An interactive map is available at [“Environmental Justice Community Hub.”](#)

SUMMARY OF HIGH PRIORITY ACTIONS AND EQUITY RECOMMENDATIONS

Housing precarity disproportionately harms Oakland’s lower income BIPOC individuals and households, who face alarming levels of housing cost burden, income inequality, evictions, homelessness, and other impacts.¹⁴ Until the root causes of income and wealth disparity are eliminated, cities seeking to address racially inequitable housing outcomes need robust programs and policies with stable funding sources to provide sufficient housing and financial support to lower-income BIPOC residents. Without this, homeless populations will continue to swell and increasing numbers of lower-income residents of color will be displaced from their homes. Until all Oaklanders earn a living wage, high quality housing affordable for moderate-, very low- and extremely low-income, low wealth Oaklanders should be a guaranteed staple in the city’s housing market.

The City is deploying a set of strategies to accomplish this goal and affirmatively further fair housing in Oakland. Aligned with the Oakland HCD Strategic Action Plan (2021-2023), the City’s way forward is through protecting tenants from unfair and discriminatory housing practices, producing more affordable housing, and preserving the existing housing units that are affordable to lower-income Oaklanders. In addition, the City’s vision for inclusive communities would **see ample housing options available to moderate-, low-, very-low-income and extremely-low-income households in all neighborhoods so that all Oaklanders are able to live near the resources, amenities, and services they need and desire to access.** While racial integration is itself a goal, the primary and most important benefit of creating inclusive communities is increasing access to resources for BIPOC residents. Creating inclusive, well-resourced areas across Oakland requires the City to simultaneously (1) invest in low-resource communities to ensure ample housing opportunities are accessible to jobs, transportation, health services, and open space; and (2) increase housing opportunities in high resource areas.¹⁵

The Housing Action Plan (HAP) includes five overarching goals to address the housing crisis head on. The City has evaluated the majority of strategies in the 5th cycle 2015-2023 Housing Element as “effective,” while also acknowledging that the level of effectiveness moving forward depends on staffing capacity to effectively implement each strategy in addition to raising significant additional funds.¹⁶ This REIA evaluates each action in the 6th cycle Housing Element HAP for its potential to help reverse longstanding housing disparities and provides additional recommendations for maximizing racial equity impacts. In determining an action’s potential for equity impact, previous City performance and levels of funding are taken into account. Immediately below, under their corresponding HAP goal, the HAP actions with the most potential to positively impact racial equity in housing outcomes are listed, and high priority recommendations to strengthen actions or ensure equitable implementation to improve outcomes for BIPOC Oaklanders are summarized.

Two guiding principles for equitable policy development are integral to this assessment:

¹⁴ City of Oakland Housing Cabinet, [Oakland At Home: Recommendations for Implementing a Roadmap Toward Equity](#), 2016.

¹⁵ Housing Element Public Hearing Draft Appendix D, p. D- 4.

¹⁶ Housing Element Public Hearing Draft Appendix A.

1. ***Prioritize getting resources into the hands of the neediest residents, first.*** After identifying the groups that are the most housing precarious and/or burdened by substandard housing conditions, we identify the various barriers and equity gaps that may prevent access to resources. Equitable programs and policies overcome status quo barriers and implement targeted strategies that collaborate with and increase valuable knowledge and tangible resources in the hands of lower-income and BIPOC residents.
2. ***There are no one-size-fits-all solutions.*** To improve conditions for low income and BIPOC residents, the City needs to deploy differentiated strategies to reduce barriers to success across different populations and neighborhoods. For example, lower-income landlords share more in common with lower-income renters than they do with higher-income homeowners and landlords. Similarly, single-family zoning in lower-income neighborhoods requires a different approach than single-family zoning in affluent, high-resource neighborhoods.

HAP GOAL 1: Protect Oakland Residents from Displacement and Prevent Homelessness.

Create and maintain the conditions that enable BIPOC Oaklanders to remain in their homes and communities.

Select Actions with High Racial Equity Potential

- 1.1.2 Enforce Just Cause for Eviction measures
- 1.1.7 Expand our ability to enforce rent control to maintain affordability
- 1.1.8 Monitor neighborhood displacement
- 1.1.9 Implement a Rental Housing Registry —As proactive rental inspections increase the City’s ability to monitor housing quality issues, this action increases the City’s ability to keep track of fair housing, habitability, displacement, and other tenant protections.
- 1.1.14 Protect Oakland residents from displacement and becoming homeless (Emergency Eviction Moratorium Ordinance)

Priority Recommendations

1. **Strengthen commitments by increasing funding.** Applications for the City’s Mortgage Assistance Program and Emergency Rental Assistance Program are either waitlisted or suspended due to lack of funding. Because the overarching need for more funding underpins all elements of the HAP, the City needs an additional stable, reliable, and sustainable funding source that can mitigate this huge funding need. As included in the City’s 2030 Equitable Climate Action Plan Action City Leadership-4, the City should further explore creation of an Oakland or East Bay Public Bank to give rise to a stable source of financing for housing production. While a Public Bank has not been developed early enough to support this housing element cycle, City Council is actively discussing this strategy and future affordable housing projects within Oakland could receive funding from a Public Bank.
2. **Equitably implement rent and mortgage assistance.** Low income and BIPOC households in Oakland experience disproportionate housing needs, displacement risk, and high rates of housing cost burden. In addition to increasing the support provided by Housing Choice Vouchers, the City can support additional housing precarious tenants and homeowners who

do not qualify for Section 8 Housing Choice Vouchers with rent or mortgage assistance to alleviate housing cost burdens. This should also include financial assistance for security deposits and prepaid rent amounts due at commencement of a new lease agreement, which can be obstacles for low-income households and people experiencing homelessness. A December 2021 UC Berkeley report estimates that removing housing cost burdens for ELI renters in the Bay Area "would come to around \$9,600 per year per household" while "eliminating cost burdens for ELI homeowners would require approximately \$10,800 a year per household."¹⁷ Like Housing Choice Vouchers, these funds could be disbursed directly to a property owner. Funding could come from federal block grant programs like the Community Development Block Grant, HOME, or the Emergency Solutions Grant program. Providing a simple and streamlined application process with few eligibility requirements will enable funds to reach more needy residents, such as making emergency rental subsidies readily available to tenants who recently became unemployed. The City can also give preference to households that are currently homeless or living in substandard housing, severely housing cost burdened or facing displacement.

3. Address housing application barriers. In addition to unlawful refusals to rent based on race/ethnicity, disability status, former incarceration, or voucher use, housing application requirements such as requiring a credit history or bank account information can disproportionately prevent BIPOC households from accessing housing. The City can provide proactive administrative support for prospective tenants to help address poor credit history through letters of support and guaranteed rent payments in addition to robust fair housing enforcement through increased program staffing and partnership with fair housing nonprofits and community-based organizations.
4. The City should identify robust strategies for enforcing the Fair Chance Ordinance, which prevents some landlords from conducting criminal background checks on applicants, and include them as part of implementing Goal 1. This is especially relevant to Actions 1.1.6, 1.1.7, 1.1.8 and 1.1.10. City strategies need to help formerly incarcerated individuals find housing options that do not fall under one of the exemptions to the ordinance.¹⁸

HAP GOAL 2: Preserve and Improve Existing Housing Stock.

Conserve and improve the affordability of existing housing stock in Oakland and address substandard conditions.

Select Actions with High Equity Potential

- 2.1.1 Support home rehabilitation programs - Lists ten programs operated by the City or its partners that can assist very low- and low-income homeowners to address code violations,

¹⁷ Carolina Reid, [On the Edge of Homelessness: The Vulnerability of Extremely Low-Income Households in the Bay Area](#), Turner Center, December 2021, pp. 26-27.

¹⁸ Oakland Municipal Code § 8.25.020 [Oakland Fair Chance Housing Ordinance](#) (Exemptions to the "ban the box" requirement of the Fair Chance Ordinance include: (i) single-family homes where the owner occupies the home as their principal residence; (ii) rental properties with three or fewer units, where the owner occupies one unit as their principal residence; (iii) rental unit previously occupied by the owner, where the owner maintains a right to return in a written lease agreement with the tenant; (iv) tenants renting parts of the unit to subtenants or co-tenants provided they will remain in the unit; (v) tenancies receiving tenant-based vouchers, such as the Section 8 program; and, (vi) units subject to affordability and related requirements, such as the State Density Bonus Law.)

repair major building systems in danger of failure, abate lead-based paint hazards or pay for emergency repairs.

- 2.1.2 Promote healthy homes and lead-safe housing
- 2.1.3 Conduct proactive rental inspections
- 2.1.6 Increase funding for improved indoor air quality
- 2.2.2 Enforce, monitor, and preserve affordable housing covenants with an emphasis on “at-risk” units
- 2.2.3 Enforce residential demolition and conversion restrictions for residential hotels
- 2.2.6 Reduce short-term home purchases/sales (i.e., “house flipping”) to ensure affordability and prevent displacement
- 2.2.7 Provide additional subsidy for residential hotels
- 2.2.8 Investigate a Tenant/Community Opportunity to Purchase Act

Priority Recommendations

1. Consider adopting a Tenant/Community Opportunity to Purchase Act (“TOPA/COPA”) to increase resident power in housing investments. TOPA/COPA policies “level the playing field in highly speculative markets” by providing advance notice to tenants of multi-family buildings when their landlord is planning to sell the building, giving them an opportunity to form a tenant’s association and collectively purchase the building. The TOPA/COPA should be coupled with financial support for tenant associations and collaboration with East Bay Permanent Real Estate Cooperative (EBPREC) and other related organizations. A TOPA enacted in Washington D.C. “helped preserve close to 1,400 affordable housing units” from 2002-2013.¹⁹ San Francisco’s COPA gives advance notice to affordable housing developers from a qualified list when buildings are going up for sale and provides a financial incentive exempting property owners of sites valued at \$5 million or more from paying part of the local property transfer tax upon sale to a qualified affordable housing developer. SF’s accompanying Small Sites program provides loans to nonprofit organizations to increase their capacity to purchase buildings and convert them to permanently affordable housing.²⁰
2. Extend lead-paint remediation and other home rehabilitation grants to lower-income landlords who provide affordable housing to ensure upgrades benefit tenants as well as homeowners. Such a change would also require investing more funding in these rehabilitation programs, as they are currently oversubscribed.
3. Partner with energy service providers including East Bay Community Energy, to create on-bill financing programs that enable low-income households to make no-cost investments (pay-as-you-save) in energy cost-saving and health-improving appliances and retrofits.

¹⁹ PolicyLink, [Advancing Racial Equity as part of the 2024 Update to the Seattle 2035 Comprehensive Plan and Urban Village Strategy](#), April 2021.

²⁰ Id.; City and County of San Francisco, Website: [About the Small Sites Program](#).

HAP GOAL 3: Close the Gap Between Affordable and Market-Rate Housing Production by Expanding Affordable Housing Opportunities.

Remove constraints to affordable housing development to facilitate the production of housing for extremely low, very low, low, and moderate-income households. Provide a diversity of housing types, ownership opportunities, living arrangements, and features supportive of special needs. Locate new housing to increase access to opportunity (while simultaneously investing in and protecting tenants in disinvested communities).

Select Actions with High Equity Potential

- 3.1.1 Develop a project-based rental or operating subsidy program for extremely-low-income residents.
- 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.
- 3.3.3 City of Oakland Emergency Rental Assistance Program
- 3.3.4 Development of permanent housing affordable to extremely low-income households on public land.
- 3.3.17 Support low-income, grassroots, and BIPOC affordable housing developers.
- 3.5.1 Support community land trusts and other shared equity models. Community land trusts and other shared equity models convert market rate housing into permanently affordable units and treat housing as a community asset rather than a speculative investment.

Priority Recommendations

1. Ensure BIPOC residents, developers and service providers benefit from efforts to increase affordable housing production. While Action 3.2.1 on its own will not put the needed resources in the hands of BIPOC Oaklanders, it is a necessary element of the strategic shifts that can reverse racist legacies of disinvestment that must be coupled with Action 3.3.17 and 3.5.1 to promote partnership with BIPOC-led community organizations such as the East Bay Permanent Real Estate Collaborative, BAMBD CDC and East Oakland Black Cultural Zone Community Development Corporation to help current residents to benefit from the changes. This could include a fund for local, Black-led developers to acquire land and build housing, or subsidies and education for homeowners who want to add another unit to their house but do not know where to start or have the savings needed to start a project.²¹
2. Allow sustainable cost-savings practices. In addition to amending Oakland's Planning Code to enable more missing middle development / multi-family options in high resource areas, provide design standards to support sustainable housing practices such as rooftop solar, greywater reuse and rainwater harvesting, which can be used to reduce housing cost burden for lower income households.
3. Increase options for housing voucher holders. Incentivize landlords to accept Housing Choice Vouchers or provide housing funds to tenants as direct cash transfers in ways that avoid the stigma associated with vouchers.

²¹ Natalie Orenstein, [Oakland wants to end single-family zoning. Can the City get it right?](#), Oaklandside, May 2021.

4. Improve low-income & BIPOC resident outcomes through rental assistance and homeownership assistance wealth building opportunities. Loan denial rates are generally higher for BIPOC individuals. While the City has limited control over the approval of home loans, it should continue and expand its workshop offerings with prospective low-income homebuyers and homebuyers of color.
5. Ensure inclusion of affordable units in high-resource areas and neighborhoods that are at risk of gentrifying. Look at prioritizing funding for 100% affordable projects in high resource areas as well as encouraging mixed-income buildings in those areas through the incentives of ministerial approval of projects with a certain percentage of affordable units. Mixed income developments help ensure enough options for lower-income households who want to stay in the neighborhood and reflect the culture and diversity of Oakland. As a community member asked, “We are an economically diverse community and our multifamily housing projects should reflect that diversity. Why can’t a software engineer live next to a barista or a bus driver next to a financial analyst?”²²
6. Consider collecting all required development impact fees upon issuance of building permits. The Annual Impact Fee Report prepared for the City of Oakland regarding the Fiscal Year that ended in June 2020 reveals that of \$35,791,154 in affordable housing impact fees assessed by the City, it has collected \$13,154,253.²³ The City should consider modifying the required timing for payment of Affordable Housing Impact Fees to collect 100 percent of the fees due upon issuance of the building permit in the way that 100 percent of Transportation and Capital Improvement Impact Fees are due at building permit issuance. Developers are now aware of the need to incorporate the Affordable Housing Impact Fee into their project costs. The City should conduct an analysis to determine the impact on project feasibility if the carrying cost of the project is increased by requiring all of the Affordable Housing Impact Fees at the building permit issuance.
7. Use impact fees to direct affordable housing to neighborhoods experiencing high displacement risk. Even though affordable housing impact fees are an important source of revenue, they are placed into the City’s Affordable Housing Trust Fund. As a result, if market-rate housing is built in a neighborhood experiencing high displacement pressure, the dollars generated by the fee may not be spent on affordable housing in the same at-risk neighborhood where the market-rate housing was built. While the City works to avoid concentrating affordable housing in low-resource areas, conducting a fair housing impact assessment of market rate development and directing affordable housing production or preservation to neighborhoods experiencing high displacement risks, could alleviate some of the pressure and help residents who might have otherwise been displaced remain in the neighborhood as they desire.

HAP GOAL 4: Address Homelessness and Expand Resources for the Unhoused.

Reduce homelessness through Housing First approaches and support coordination across the spectrum, from homelessness prevention to transitional housing/shelter and services to permanent housing with resources for long-term support.

²² City of Oakland Community Quote, [Oakland 2030 Equitable Climate Action Plan](#) (“ECAP”), p. 36.

²⁴ Oakland Director of Finance, [Agenda Report: The Cost of Oakland’s Homelessness Crisis](#), November 8, 2022.

Select Actions with High Equity Potential

- 4.1.4 Provide needed support and income to people who have been homeless so they can avoid returning to homelessness.
- 4.2.5 Expand co-governance and partnerships with unsheltered residents in the design and delivery of homelessness services.
- 4.3.1 Finance the construction and maintenance of permanent supportive and deeply affordable housing for homeless households to expand the supply of deeply affordable and supportive housing for Oakland's most vulnerable residents.
- 4.3.3 Remove regulatory constraints to the development of transitional housing and supportive housing.

Priority Recommendations

1. Expand revenues and increase funding to prevent and end homelessness. Each year, Oakland spends \$72,899,403 million in direct costs and \$49,067,331 million in opportunity costs, for annual total of \$122 million to combat homelessness. Yet, the City must commit to steadily increasing revenues dedicated to this issue, engaging the governmental, non-profit, and private sectors at every level in this effort. Existing resources are woefully insufficient to implement the updated Permanent Access to Housing Strategy (PATH) framework with a focus on securing permanent housing for unhoused residents. The City's cost to rapidly provide permanent supportive housing for the over 5,000 unhoused people in Oakland would be several billions of dollars, far larger than the City's existing dedicated resources and indeed larger than the City's total annual budget.²⁴ Indeed, as noted by the 2021 Oakland-Berkeley-Alameda County Continuum of Care Racial Equity Impact Analysis on homelessness, even under the most favorable funding and policy conditions, there will be "no measurable decrease in homelessness for two years as the system addresses the intensification of homelessness that has taken place over the past five years. Homelessness will begin to decrease in the third year of sustained and significant levels of investment. By the fifth year of this investment and inflow scenario, the homeless housing crisis response system described in the model will reach a state of efficiency—both in outcomes and cost—that is marked by responding to homelessness as it happens and a corresponding decreasing investment."²⁵ The Continuum of Care REIA stresses the importance of aligning funding with equity recommendations to maximize beneficial outcomes. In this way, favorable funding and policy conditions can "make homelessness rare, brief and non-recurring."²⁶
2. Assist low-income residents with legalizing current vehicular residential facilities. Work with existing nonprofits and homeless encampments, including P.L.A.C.E. for Sustainable Living and The Village, to promote the legalization of existing residential occupancy of recreational vehicles (RVs) and tiny homes on wheels, through active implementation of the City's recent

²⁴ Oakland Director of Finance, [Agenda Report: The Cost of Oakland's Homelessness Crisis](#), November 8, 2022.

²⁵ Oakland-Berkeley-Alameda County Continuum of Care, [Centering Racial Equity in Homeless System Design](#), January 2021, Executive Summary, p. 9.

²⁶ Id.

law that created a new residential facility type in the Oakland Planning Code called “Vehicular Residential Facilities.”²⁷

3. Revise the Encampment Management Policy to further limit evictions. The Equity Working Group has emphasized the community’s understanding of “guarantees” made when the City adopted the Encampment Management Policy. The City committed to treat unhoused residents with respect and dignity and agreed not to remove people from their encampment homes without guarantee of a quality temporary shelter that would set the individual on a path toward permanent housing. To the extent that encampment residents have created stable, organized environments to live in, the City should not evict them unless it has the capacity to transport them *with their belongings* to a temporary shelter of dignified quality with robust re-homing services.

HAP GOAL 5: Promote Neighborhood Stability and Health.

Promote resilient development in safe, healthy, and just communities. Increase resources in disinvested communities and create long-time stability through homeownership opportunities.

Select Actions with High Equity Potential

- 5.1.1 Provide first time homebuyer programs
- 5.1.2 Expand access to low-cost financing for home purchase
- 5.1.3 Provide paths to ownership for Section 8 voucher holders
- 5.2.2 Study options to provide financing for the remediation of environmentally contaminated sites with priority for affordable projects
- 5.2.8 Encourage new affordable housing in higher resource neighborhoods
- 5.2.9 Prioritize investment improvements to meet the needs of low-resourced and disproportionately burdened communities
- 5.2.10 Promote development of mixed-use housing mixed income housing to reduce income-based concentration
- 5.3.3 Provide targeted outreach and support to disproportionately burdened groups and areas

Priority Recommendations

1. Identify the best combination of financial and regulatory incentives, penalties, and technical assistance necessary to generate additional housing opportunities for low- and moderate-income households in high resource areas. Eliminating single-family zoning will not automatically or immediately incentivize the development of affordable housing.
2. Utilize areas on the edges of fire zones with adequate egress. Avoid using safety considerations such as fire hazard zones as a catch-all rationale for excluding denser housing patterns

²⁷ City of Oakland, [New Policies Expand Housing Options on Sing-Family Parcels and Allow RV Residences](#), January 18, 2022.

in high resource areas. Instead, look at areas along the edges of the VHFHSZ that are near freeway exists and that have adequate egress that could allow for higher density.

3. Encourage sustainable design for affordability. In addition to amending Oakland’s Planning Code to enable more missing middle development/multi-family options in high resource areas, provide design standards to support sustainable housing practices such as greywater reuse and rainwater harvesting, which can be used to reduce housing cost burden for lower income households.
4. Create walkable, affordable neighborhoods. Create inclusive, sustainable, mixed-use communities in all neighborhoods to coordinate housing with other neighborhood amenities and increase access to resources, ensuring all Oaklanders are within walking distance of many of their key needs, including units affordable to all income levels near transit.
5. Implement ECAP Action - Transportation & Land Use TLU-1: Align All Planning Policies & Regulations with ECAP Goals & Priorities. Among additional priorities, this ECAP Action calls for the General Plan Update, Specific Plans, Zoning Ordinances, and appropriate planning policies or regulations to be consistent with the GHG reduction, adaptation, resilience, and equity goals in this ECAP. These planning policies include: revise zoning such that the majority of residents are within 1/2-mile of the most essential destinations of everyday life; provide density bonuses and other incentives for developments near transit that provide less than half of the maximum allowable parking; further prioritize development of housing near transit, including housing for low, very low, and extremely low-income levels; institute graduated density zoning; and remove barriers to and incentivize development of affordable housing near transit.²⁸
6. Prevent increased pollution in Environmental Justice (EJ) communities. Community members and groups, including Communities for a Better Environment, have cautioned the City against adding high-impact or intensive commercial developments in or industrial developments near EJ communities that would result in increased pollution burdens.
7. Provide green infrastructure and air filtration in EJ neighborhoods. Community members and nonprofit organizations urge the City to increase investments in green infrastructure in R/ECAPs and other historically disinvested communities. The city can incorporate improved stormwater management and increase pollution exposure reduction measures, such as green buffer walls, in addition to focusing on indoor air filtration.
8. Preserve and create affordable housing in high-resource neighborhoods. Identify properties in resource-rich areas, including RCAAs as well as in gentrifying neighborhoods that can be preserved as affordable housing with project-based vouchers.
9. Increase the number of units affordable to very-low-income households in transit-oriented development. Ensure deeply affordable housing units are well-distributed in transit-accessible locations throughout the City.
10. Invest in existing communities and assets. Focus infrastructure and community development investments on neighborhoods considered “Low Resource” and “High Segregation and Poverty” by the State HCD/TCAC Opportunity Maps. These neighborhoods have high concentrations of BIPOC populations. Despite being considered “Low Resource,” these neighborhoods are culturally rich with strong communities; investing in them will allow residents to remain

²⁸ City of Oakland, [2030 Equitable Climate Action Plan](#), July 2020.

in place while improving economic and educational outcomes.²⁹ Significant fair housing capacity is concentrated in these neighborhoods and the City can utilize its partnerships with fair housing providers who serve these neighborhoods.

11. Avoid increasing cumulative pollution burdens. Consider pollution burden levels when planning for and permitting housing in highly burdened census tracts and require appropriate mitigation measures for all housing developments and renovations.

²⁹ Housing Element Public Review Draft, Appendix D, Table D-9: Fair Housing Issues, Contributing Factors and Proposed Actions 2023-2031, p. D-78.

1.2 Housing Disparities in Oakland: Most Impacted Communities

RACIAL CONCENTRATION

Equity Score — 41. Significantly fewer people of color live in Oakland’s majority White neighborhoods than elsewhere in the City. Predominantly Latinx/Hispanic census tracts average nearly two times more people of color than predominantly White census tracts. The 10 census tracts where the most people of color reside are less than five percent White, while the 10 census tracts with the least people of color are over 65 percent White (See Table 2 below).

The Oakland neighborhoods with high concentrations of people of color are co-located with greater percentages of lower-income populations. Four clusters of racially or ethnically concentrated areas of poverty (R/ECAPs) are found “in/around Downtown and West Oakland, in/around Fruitvale/Jingletown, and two along International Boulevard near the Coliseum” in deep East Oakland.³⁰ Meanwhile, predominantly White tracts in the North Oakland Hills and immediately south of Piedmont are predominantly affluent, co-located with only “a minimal Low-Moderate Income population (<25 percent).”³¹

When the 54 equity indicators analyzed are considered cumulatively, the predominantly White census tracts of the Rockridge neighborhood— *Shafter/Rockridge*, *Rockridge*, and *Upper Rockridge* - are ranked at the 18th, 3rd and 0 percentiles for degree of burden citywide. *Upper Rockridge* is the least burdened census tract in Oakland. The areas considered *Highest Resource* in Oakland are clustered in the North Oakland Hills and adjacent to Piedmont and are surrounded by *High Resource* areas. Census tracts with larger BIPOC populations do not overlap with the High and Highest Resource Areas.³²

Table 2. Percentage People of Color by Census Tract, 2019

	<i>Most People of Color</i>				<i>Least People of Color</i> ³³			
Las Palmas	99%	Arroyo Viejo	98%	Montclair North	24%	Shafter/Rockridge	32%	
Fremont District	98%	Sobrante Park	97%	Panoramic Hill	26%	Lakeshore	32%	
Brookfield Village	98%	Webster	97%	Rockridge	27%	Glen Highlands	33%	
Brookfield Village/Hegenberger	98%	Bancroft/Havenscourt	97%	Piedmont Pines	30%	Piedmont Ave Central	34%	
Cox/Elmhurst	98%	East Castlemont	96%	Oakmore North	30%	Montclair South	34%	

Source: 2019 American Community Surveys (ACS) 5-Year Estimates Table DP05

³⁰ Id., at p. D-36.

³¹ Oakland Housing Element Public Hearing Draft, Appendix D: Affirmatively Furthering Fair Housing, p. D-35.

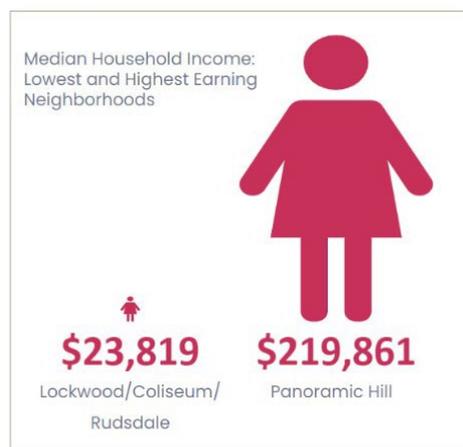
³² Housing Element Public Hearing Draft: Appendix D, p. D-43.

³³ List excludes “Port Lower” which has a population of 58 people and is 13% non-White.

INCOME INEQUALITY

Equity Score — 38. Economic inequality in Oakland is “striking and geographically isolated.”³⁴ The 2018 Baseline Equity Score for this indicator was 34.³⁵ The four-point increase in the 2022 equity score likely reflects the departure of low-income people who have been displaced from Oakland. As displacement occurred, Oakland Department of Transportation’s Equity Toolbox update in January 2022 revealed notable decreases in average burdens across several indicators between 2017 and 2019. Oakland had **1 percent** fewer people of color, **4.9 percent** fewer low-income households, **10.4 percent** fewer severely rent burdened households, **nearly 1 percent** fewer people with disabilities, **1.5 percent** fewer single parents, and **3.7 percent** fewer people with low educational attainment.³⁶

Oakland’s lowest-earning census tract, *Lockwood/Coliseum/Rudsdale*, is 95 percent people of color with the largest plurality being the Latinx/Hispanic population and has a median household income of **\$23,819**. The highest earning tract, *Panoramic Hill*, is only 26 percent people of color and has a median household income of **\$219,861**, nearly ten times higher.



On average, predominantly Latinx/Hispanic census tracts, including *Fruitvale*, *Bancroft/Havenscourt*, and *Stonehurst*, earn a median household income of **\$49,475.72**. Predominantly White census tracts earn about two and a half times that with an average median household income of **\$119,838.35**. In predominantly Black/African American census tracts, median household income is now **\$69,056**, up from \$37,500 in 2016 as lower-income Blacks/African Americans have been displaced from Oakland at a higher rate than other racial groups, causing the median household income in predominantly Black/African American neighborhoods to rise. In addition to the large influx of higher income Whites, many lower income

BIPOC residents are likely being replaced by higher income BIPOC in-migrants who seek out Oakland’s diversity. Both as renters and as homeowners, White Oaklanders earning higher incomes do not face high levels of displacement pressures. The map below shows the increasing median household incomes in formerly impoverished North and West Oakland neighborhoods between 2000 - 2019 (see Figure B). The map also demonstrates that between 1960 and 2019, the distribution of median household incomes saw hills neighborhoods stay wealthy as poverty became more entrenched in flatland communities.

³⁴ Oakland Department of Transportation (“OakDOT”), [Geographic Equity Toolbox: Equity Map Methodology and Literature Review](#), July 2020.

³⁵ Oakland Department of Race & Equity, *Equity Indicators Report*, 2018.

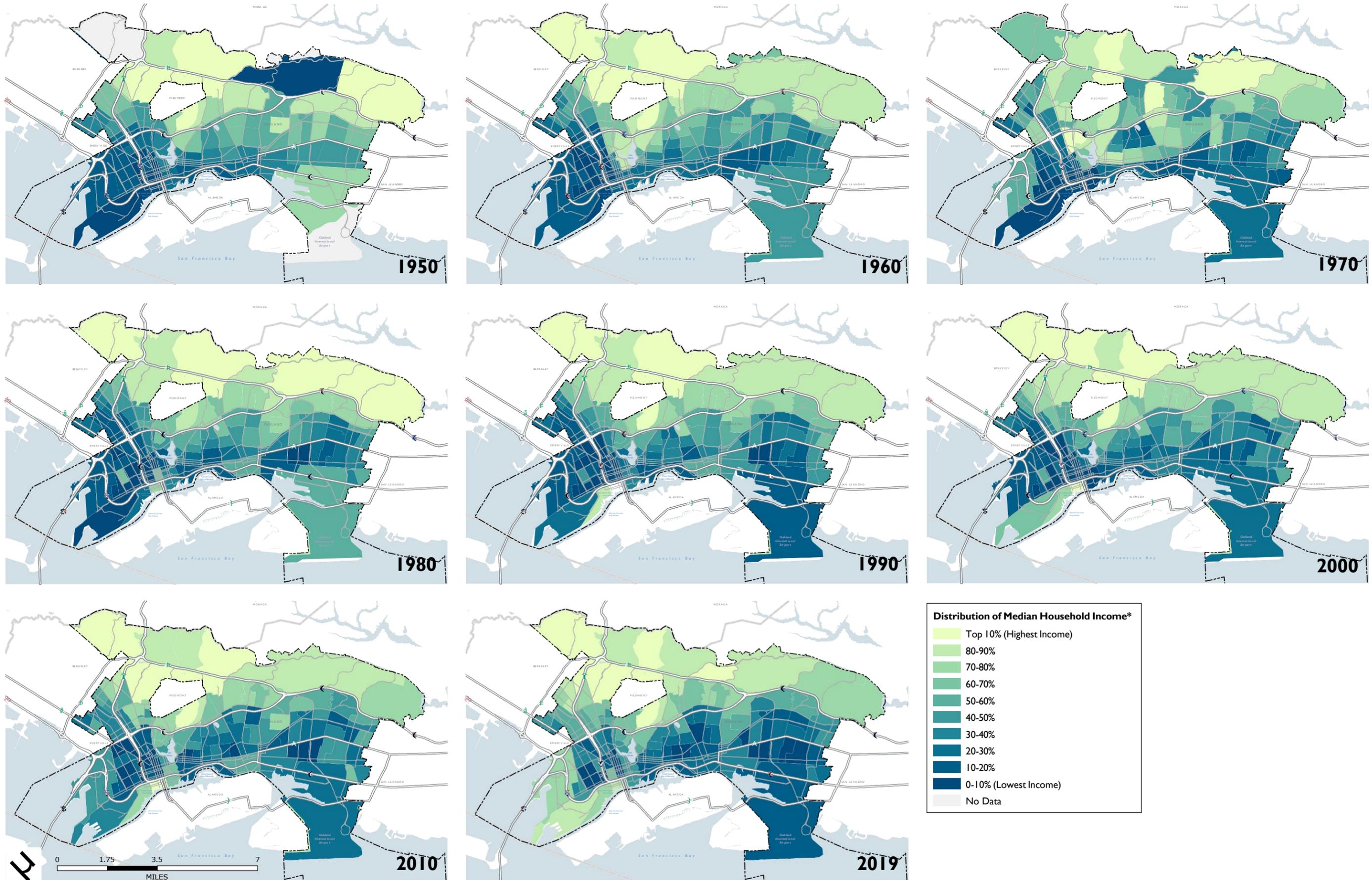
³⁶ OakDOT Racial Equity Team, [Geographic Equity Toolbox](#).

Figure B. Median Household Income by Census Tract, 1950-2019³⁷

³⁷ Baseline Report Figure 2-5

Figure 2-5: Median Household Income by Census Tract, 1950-2019

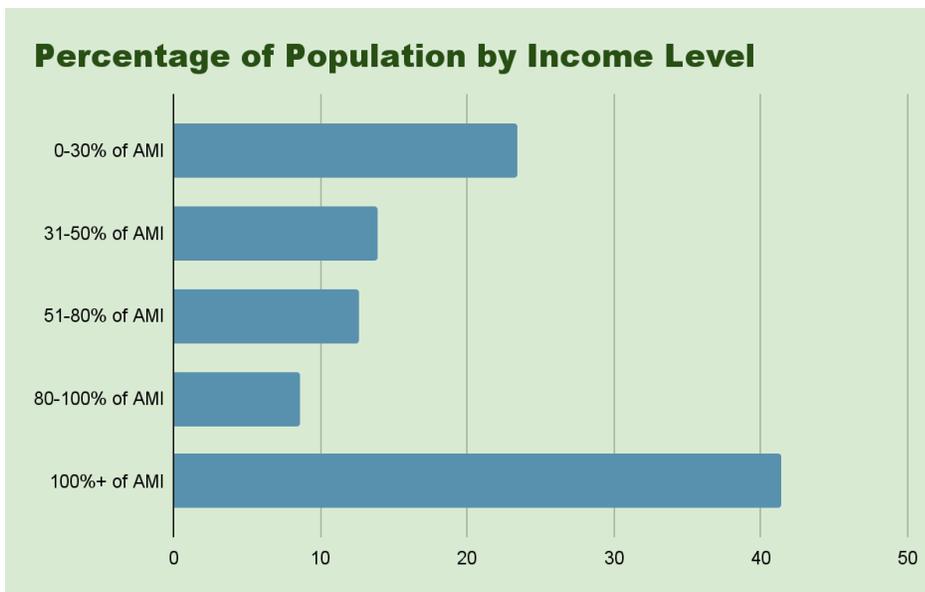
Notes: Historic Census Tracts from Decennial Census. All other features are contemporary (existing, 2021). *1960 and 1970 reflect average household (families and unrelated individuals) incomes rather than median due to data limitations.



SOURCE: IPUMS NHGIS, University of Minnesota, 2021; City of Oakland, 2021; ALAMEDA County GIS, 2021; Dyett & Bhatia, 2021

Extremely-Low-Income (ELI) Earners. As illustrated by bar chart below (Figure C) just over 50 percent of households in Oakland make less than or equal to 80 percent of Alameda County’s Area Median Income (“AMI”), which in 2021, was set at \$125,600 for a family of four.³⁸ Nearly one quarter (23.42 percent) of Oakland households are ELI, earning between zero and 30 percent of AMI, \$41,100 or less for a family of four in 2021.³⁹ Oakland also has a high percentage of one and two-person households (64.17 percent);⁴⁰ smaller ELI households are often trying to make ends meet on less than \$28,800 a year. By contrast 41.44 percent of Oaklanders earn over 100 percent of AMI, leaving a stark chasm between the housing needs of high-income earners, the largest income demographic in Oakland, and the housing needs of ELI earners, the second largest income group in Oakland. Around 14 percent of Oakland households make between 31-50 percent of AMI, 12.62 percent earn between 51-80 percent of AMI and 8.62 percent make between 81-100 percent of AMI.⁴¹

Figure C. Percentage of Oakland Population by Income Level, 2021⁴²



Across the Bay Area, “even after controlling for age, tenure, educational attainment, employment status, household composition, and disability status—all factors that can influence household income—” Black/African American individuals are 1.9 times more likely to be represented among ELI households.⁴³

In Oakland, only 9.59 percent of non-Hispanic Whites are ELI, while a significant majority (65.17 percent) earn greater than the area median income. In contrast, over one-third of non-Hispanic Black/African American residents are ELI (35.11 percent), much higher than the citywide rate of 23.42 percent. Although other communities of color in Oakland also have significant numbers of

³⁸ Id., at p. B-12 (Department of Housing and Community Development, Division of Housing Policy Development, Revised State Income Limits for 2021).

³⁹ Id., at p. B-13.

⁴⁰ Id., at p. B-11, Table B-3.

⁴¹ Id., at p. B-13.

⁴² Id., at p. B-13, Table B-6.

⁴³ Reid, supra n. 3, p. 7.

lower-income earners, only the Black/African American community has the greatest share of its population in the lowest income bracket. In total, over 66 percent of Oakland's Black/African American community earn less than 80 percent of the AMI. Similar to Latinx/Hispanic and American Indian/Alaska Native populations, around one in four (25.19 percent) Black/African American residents earn greater than the AMI.⁴⁴ The Black/African American community living below the poverty level is clustered in West Oakland, Downtown, a few tracts in East Oakland and Deep East Oakland, and adjacent to Lake Merritt.⁴⁵

Around one-third (33.63 percent) of Oakland's Asian/American Pacific Islander ("AAPI") racial/ethnic demographic earns 30 percent of AMI or below, the second highest percentage of ELI households in the city. When the Asian and American Pacific Islander ethnic groups are disaggregated, the data shows that the "proportion of ELI non-Hispanic Pacific Islanders is lower (22.9 percent) while the proportion of ELI non-Hispanic Asians is slightly higher (33.9 percent)."⁴⁶ Over 57 percent of this population group earn less than 80 percent of the AMI. The ELI Asian/American Pacific Islander population is clustered in "Downtown, particularly in Chinatown, in addition to parts of East Oakland in/around Fruitvale/Jingletown and further south along East 14th Ave/International Boulevard near the Coliseum."⁴⁷ Without further disaggregation during data collection, impacts on specific Asian ethnic groups, including Southeast Asian populations are not reflected in the data.

In the Latinx/Hispanic community, 24.54 percent of households are ELI, and nearly 65 percent (64.81) of residents earn 80 percent or less of AMI. The ELI Latinx/Hispanic population is clustered in West Oakland, East Oakland along the 580 MacArthur Freeway, and in the Elmhurst and Eastmont neighborhoods in Deep East Oakland.⁴⁸ Oakland's American Indian/Alaskan Native population is 24.35 percent ELI, with 54.67 percent earning 80 percent or less of AMI and 26.36 percent earning greater than the AMI.⁴⁹

HOUSING PRECARITY

Household income is one of the most significant factors affecting **housing choice and opportunity**. Income largely determines a household's ability to purchase or rent housing. While higher-income households have more discretionary income to spend on housing, lower- and moderate-income households are limited in the range of housing they can afford. Typically, as household income decreases, **cost burdens, overcrowding, and vulnerability to displacement and homelessness increase**.⁵⁰

Moderate- to low-income households that (1) do not receive housing assistance or (2) own their home outright and (3) are housing cost burdened, are precariously or insecurely housed. These households are at greater risk for eviction, displacement, overcrowding and homelessness. Nearly "51 percent of ELI households in the Bay Area were precariously housed in 2019."⁵¹ Along with

⁴⁴ Housing Element Public Review Draft Appendix B, p. B-15.

⁴⁵ Id.

⁴⁶ Id., at p. B-14

⁴⁷ Id.

⁴⁸ Id., at p. B-15.

⁴⁹ Id.

⁵⁰ Housing Element Public Hearing Draft Appendix B: Housing Needs Assessment, p. B-11.

⁵¹ Reid, *supra* n. 3, pp. 3, 9.

BIPOC residents, many of Oakland's most sensitive populations, such as youth and the elderly are experiencing high levels of housing insecurity.

Housing Tenure

In Oakland, more renters are low-income than homeowners and tend to have higher rates of housing cost burden than homeowners - 46.5 percent of all renters experience some level of cost burden while 31.8 percent of homeowners do.⁵² Today, the vast majority of Oakland's Black/African American residents are renters (67.83 percent).⁵³ (See Table 3.) Extremely low-income residents are significantly less likely to be homeowners; only 15.56 percent are homeowners. Renters, more often than owners, live in tracts susceptible to or experiencing displacement and gentrification and more Black/African American residents live in poverty, increasing their vulnerability to displacement. Higher income renters do not face the same displacement pressures.

Citywide, 40.7 percent of Oakland households are homeowners and 59.3 percent are renters.⁵⁴ Black/African American, Native American, and Latinx/Hispanic households all have much lower rates of home ownership than non-Hispanic Whites.

⁵² Housing Element Hearing Draft Appendix B, pp. B-35, B-41.

⁵³ Id.

⁵⁴ Id., at p. B-16.

Table 3. Oakland Housing Tenure by Race/Ethnicity, 2019⁵⁵

<i>Racial/Ethnic Group¹</i>	<i>Owner-Occupied</i>		<i>Renter-Occupied</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
American Indian or Alaska Native (Hispanic and Non-Hispanic)	390	29.17%	947	70.83%
Asian / API (Hispanic and Non-Hispanic)	11,094	42.78%	14,838	57.22%
Black/African American or African American (Hispanic and Non-Hispanic)	13,904	32.17%	29,322	67.83%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	7,479	29.32%	18,033	70.68%
White (Hispanic and Non-Hispanic)	33,310	50.16%	33,102	49.84%
Hispanic or Latinx/Hispanic	8,881	30.62%	20,124	69.38%
White, Non-Hispanic	30,030	52.10%	27,612	47.90%

1 For this table, the Census Bureau does not disaggregate racial groups by Latinx/Hispanic ethnicity. However, data for the white racial group is also reported for white households who are not Latinx/Hispanic. Since residents who identify as white and Latinx/Hispanic may have very different experiences within the housing market and the economy from those who identify as white and non-Latinx/Hispanic, data for multiple white sub-groups are reported here.

2 The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labeled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

Source: ABAG-MTC Housing Needs Data Workbook (U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I))

⁵⁵ Id., at Table B-26.

Housing Cost Burden

Equity Score —39. A *housing cost burdened* household pays more than 30 percent of their monthly income on housing, while *severely cost burdened* households pay more than 50 percent of household income on housing costs. **The majority of ELI households in Oakland (over 60 percent) are severely cost burdened.** With an additional 16.5 percent of households paying between 30-50 percent of their income on housing costs, over three-quarters (77.6 percent) of ELI households are housing cost burdened. ELI households, which are more likely to include BIPOC individuals, are at a “significant risk of housing instability,” facing a considerable gap between what they can afford and the true cost of housing in the Bay Area.⁵⁶ For a single ELI individual earning around \$28,800 per year or less, 30 percent of their income is around \$700 or less per month housing costs—“poorly matched to a region in which average rents for a 2-bedroom top \$3,000.”⁵⁷

As discussed above, the Oakland Department of Transportation’s (DOT) Equity Toolbox update reflects that severely cost burdened households are in the most vulnerable and precarious housing position and are disproportionately impacted by displacement. Between 2017 and 2019, Oakland lost 10.4 percent of its severely cost burdened households, the greatest shift measured by DOT.⁵⁸ Renter cost burden skews higher than homeowner cost burden, with most tracts showing that over 40 percent of renters are cost burdened.⁵⁹ Overall, 20.5 percent of Oakland households are severely cost burdened, with an additional 20.1 percent of households experiencing cost burden, for a total of 40.6 percent of Oakland households experiencing some degree of cost burden.”⁶⁰ Energy cost burden, which is measured by total costs for electricity, gas, and other fuel as a ratio of household income, is another factor households face that adds to their housing cost burden.

Oakland’s predominantly Latinx/Hispanic neighborhoods are the most housing cost burdened, with over two times more severely housing burdened households than predominantly White neighborhoods (see Figure D). Nearly 45 percent of households in *Bancroft/Havenscourt East*, where over 50 percent of the population is Latinx/Hispanic, earn less than 80 percent of Area Median Income and pay more than 50 percent of their income to housing costs. At the same time, Black/African American households across the city are the most housing cost burdened; 53 percent experience housing cost burdens, with 29.4 percent experiencing severe cost burden.⁶¹ Since the onset of the COVID-19 pandemic, BIPOC communities in the Bay Area have been hospitalized at greater rates than White communities and have been hardest hit by the accompanying economic impacts. As a result, “ELI households have been hit hardest by job losses and missed rent payments.”⁶²

Action 1.1.1 (Continue to Implement the Rent Adjustment Ordinance) highlights the protections afforded by City enforcement of rent control on units built before 1983. Unfortunately, for the lowest-income households, including the recently unemployed, even rent increases within allowable limits might lead to severe cost burdens that increase the risk of displacement and homelessness.

⁵⁶ Id., at p. 3.

⁵⁷ Reid, *supra* n. 3, p. 26.

⁵⁸ DOT, *supra* n. 23.

⁵⁹ Housing Element Public Hearing Draft Appendix D, p. D-56.

⁶⁰ Housing Element Public Hearing Draft Appendix B, pp. B-15, B-16.

⁶¹ Housing Element Public Hearing Draft: Appendix D, p. D-56.

⁶² Id., at p. 4.

Additional Sensitive Populations. Seniors without children are the largest group in the ELI demographic (38 percent of ELI households). ELI seniors are an extremely vulnerable sensitive population in the housing market because they have both low- and fixed-incomes. ELI seniors are likely to have worked lower-income jobs for most of their career, making them less likely to participate in workplace retirement plans. When they do participate, they are likely to contribute less than would be optimal. This makes them more likely to take Social Security benefits early locking in lower benefits for life, and/or more likely to rely on Supplemental Security Insurance (SSI) payments to cover their monthly expenses.⁶³ (About 17% of ELI seniors rely on SSI compared to only 4% of seniors who are of moderate income or above.) “On average an ELI senior receives \$975 a month in income from all sources.”⁶⁴ Among renters over age 62, 54.84 percent are ELI and severely housing cost burdened.

Seniors over age 65 make up over one quarter of Oakland’s Black/African American community (28.91 percent).

Evidence shows that housing stability is critical for children’s health, well-being, and academic performance. ELI households include significant numbers of sensitive young children. Twenty-four percent of people living in ELI households are under 18. Half of those children are under the age of 10, which means they are especially vulnerable to the deleterious physical health and psychological effects of housing instability. This, in turn “can lead to long-term health and educational disparities.”⁶⁵

⁶³ Reid, *supra* n. 3, p. 6; Rodney A. Brooks, [America’s racial wealth gap is enormous and getting worse](#), Fast Company, August 30, 2021.

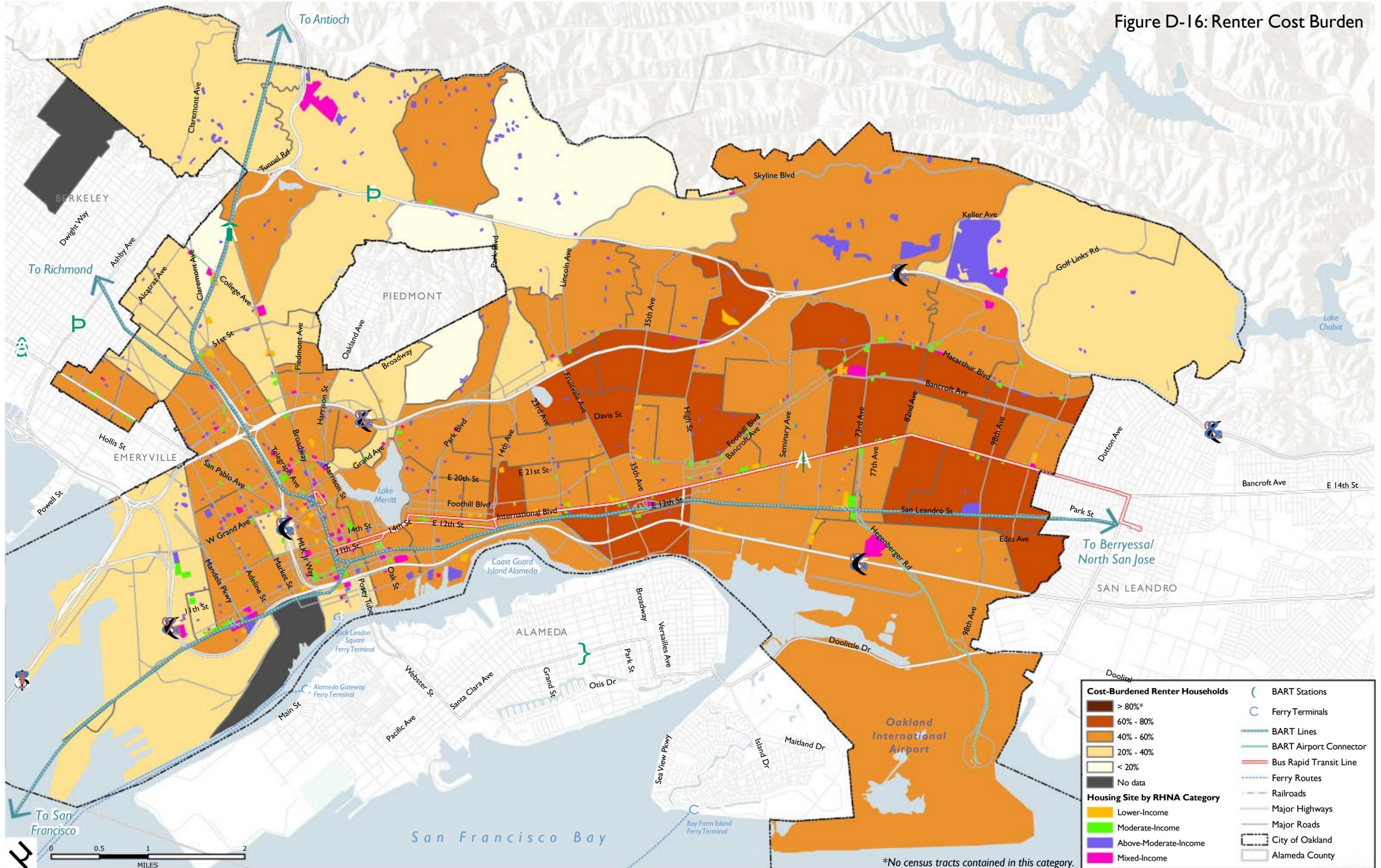
⁶⁴ Reid at p. 5 (The maximum monthly benefit for SSI in California is \$910, with some exceptions (though the average monthly payment for ELI seniors was only \$690 in 2019), lower than the federal poverty line or a living wage in the Bay Area.

⁶⁵ Id.

Figure D. Renter Cost Burden by Neighborhood, 2021⁶⁶

⁶⁶ Housing Element Public Hearing Draft, Appendix D, Figure D-16, p. D-58.

Figure D-I6: Renter Cost Burden



Cost-Burdened Renter Households		Transit and Infrastructure	
	> 80%*		BART Stations
	60% - 80%		Ferry Terminals
	40% - 60%		BART Lines
	20% - 40%		BART Airport Connector
	< 20%		Bus Rapid Transit Line
	No data		Ferry Routes
	Lower-Income		Railroads
	Moderate-Income		Major Highways
	Above-Moderate-Income		Major Roads
	Mixed-Income		City of Oakland
			Alameda County

*No census tracts contained in this category.



SOURCE: HCD AFFH Data and Mapping Resources - HCD & TCAC Opportunity Areas Mapping Analysis, 2021; City of Oakland, 2021; ALAMEDA County GIS, 2021; Dyett & Bhatia, 2021

Overcrowding

Equity Score — 14. Renters, who are more likely to be lower income, tend to experience higher rates of overcrowding than homeowners.⁶⁷ Oakland’s predominantly Latinx/Hispanic neighborhoods are disproportionately impacted by overcrowding, measured by the percentage of households with more than one occupant per room. On average, in predominantly Latinx/Hispanic neighborhoods, 19 percent of households experience overcrowding. Overcrowding in the Latinx/Hispanic community is 63 percent higher than the rates in the AAPI community (12 percent), over three times the overcrowding burden experienced by Black/African Americans (6 percent), and over six times higher than the overcrowding rates experienced by Whites (3 percent). Members of the Latinx/Hispanic community frequently report that they are aware of other Latinx/Hispanic households with more than one family per household, “doubling-up” in order to afford the rent.⁶⁸

Displacement

According to research by UC Berkeley, most studies agree that gentrification, at a minimum, leads to exclusionary displacement.”⁶⁹ This entails an influx of market-rate housing and wealthier, White residents with higher educational attainment into lower-income neighborhoods coupled with displacement of lower-income BIPOC residents who are more likely to be renters. This process, essentially the reverse of White Flight, can erode cultural heritages, replacing art spaces and local businesses and changing the character of the neighborhood.⁷⁰

The number of predominantly Black/African American census tracts has dwindled over the past two decades as Oakland continued to lose Black/African American residents by the tens of thousands with over 54,000 lost between 1990 and 2010 (see Figure E, below). During the same period, these neighborhoods experienced significant increases in the higher income White population. Several of Oakland’s more integrated census tracts today were once majority Black/African American, including neighborhoods in North, West, and East Oakland. Since 2000, Oakland’s non-Hispanic Black/African American population has decreased by 41,390 residents, decreasing its share of the population from 36.26 percent to 23.23 percent.⁷¹ As Oakland’s Black/African American population declined, it was met with corresponding growth in the percentage of Latinx/Hispanic, non-Hispanic White and other non-Hispanic multiple race populations. **While all communities of color experienced displacement, the Black/African American population was the only group to experience a net loss in population.**⁷² The significant exodus witnessed after 2010 was exacerbated by the foreclosure crisis which decimated epicenters of Black/African American homeownership in East and West Oakland. (See further discussion on the foreclosure crisis in Section III.B below.) Figure F below

⁶⁷ Housing Element Public Hearing Draft: Appendix B, p. B-38.

⁶⁸ See e.g., Melissa Chinchilla, PhD, MCP, *Stemming the Rise of Latino Homelessness: Lessons from Los Angeles County*, Latino Policy & Politics Initiative, 2019.

⁶⁹ Miriam Zuk, et al., *Gentrification, Displacement and the Role of Public Investment: A Literature Review*, University of California Berkeley & University of California, Los Angeles, March 2015.

⁷⁰ Natalie Orenstein, *Oakland wants to end single-family zoning. Can the City get it right?*, Oaklandside, May 2021 (McDonald said she “loved Oakland with all my heart,” and was active in the arts and political world, including holding positions on the board of Oakland Art Murmur, the Alameda County Democratic Central Committee, and as a county arts commissioner. But the displacement of artists and Black residents and the influx of new, white residents—plenty living in the “newly zoned and constructed, dense, market-rate housing,” some of which had replaced art spaces—changed things, she said.)

⁷¹ Id. at p. B-8.

⁷² Housing Element Public Hearing Draft: Appendix D, p. D-61.

illustrates existing displacement risk in Oakland by typology developed by the Urban Displacement Project.

Figure E. Racial Concentrations by Census Tract, 1940-2019⁷²

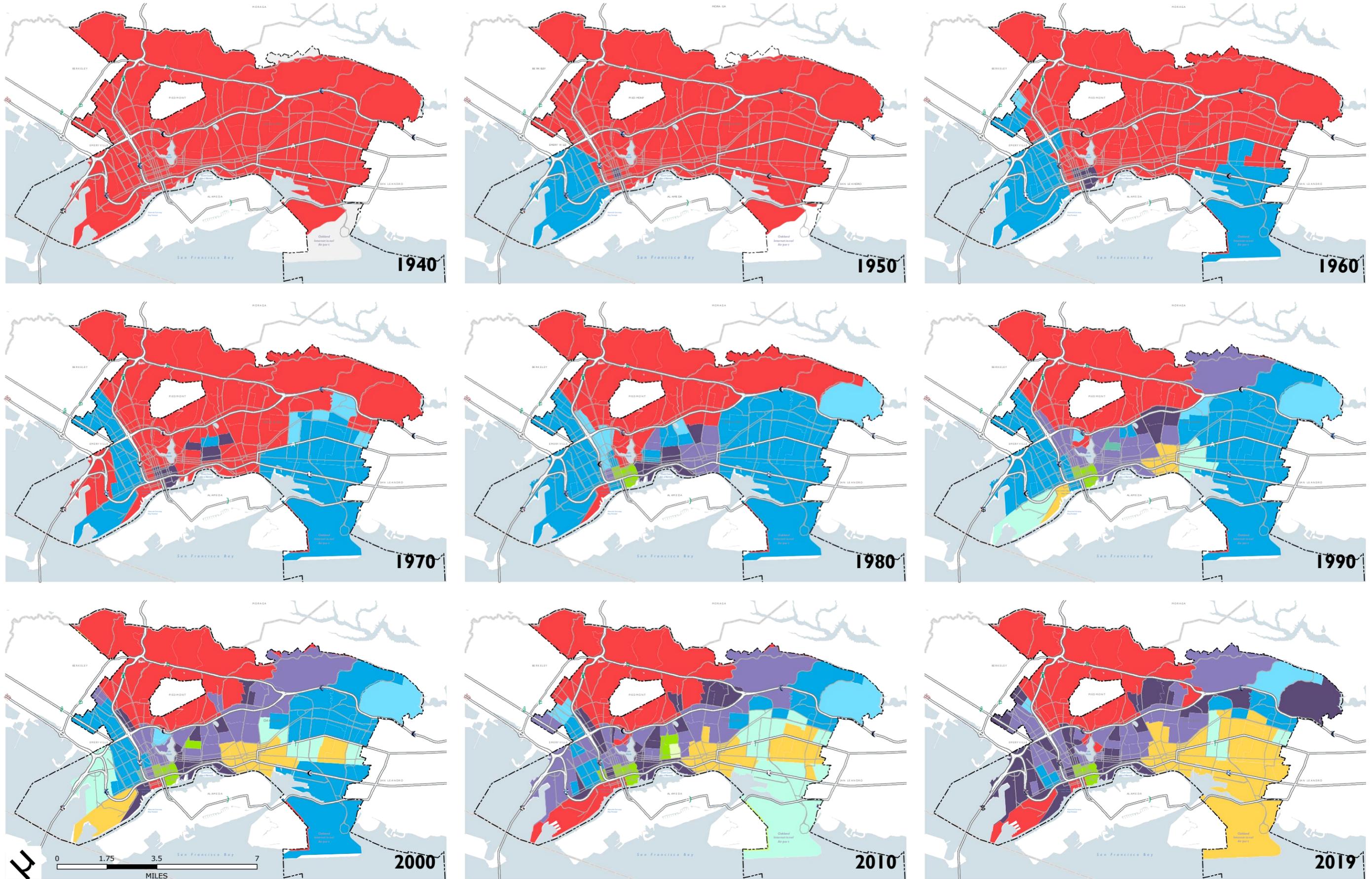
Figure F. Displacement/Gentrification Risk⁷³

⁷² Baseline Report, Figure 2-4.

⁷³ Baseline Report, Figure 4-5.

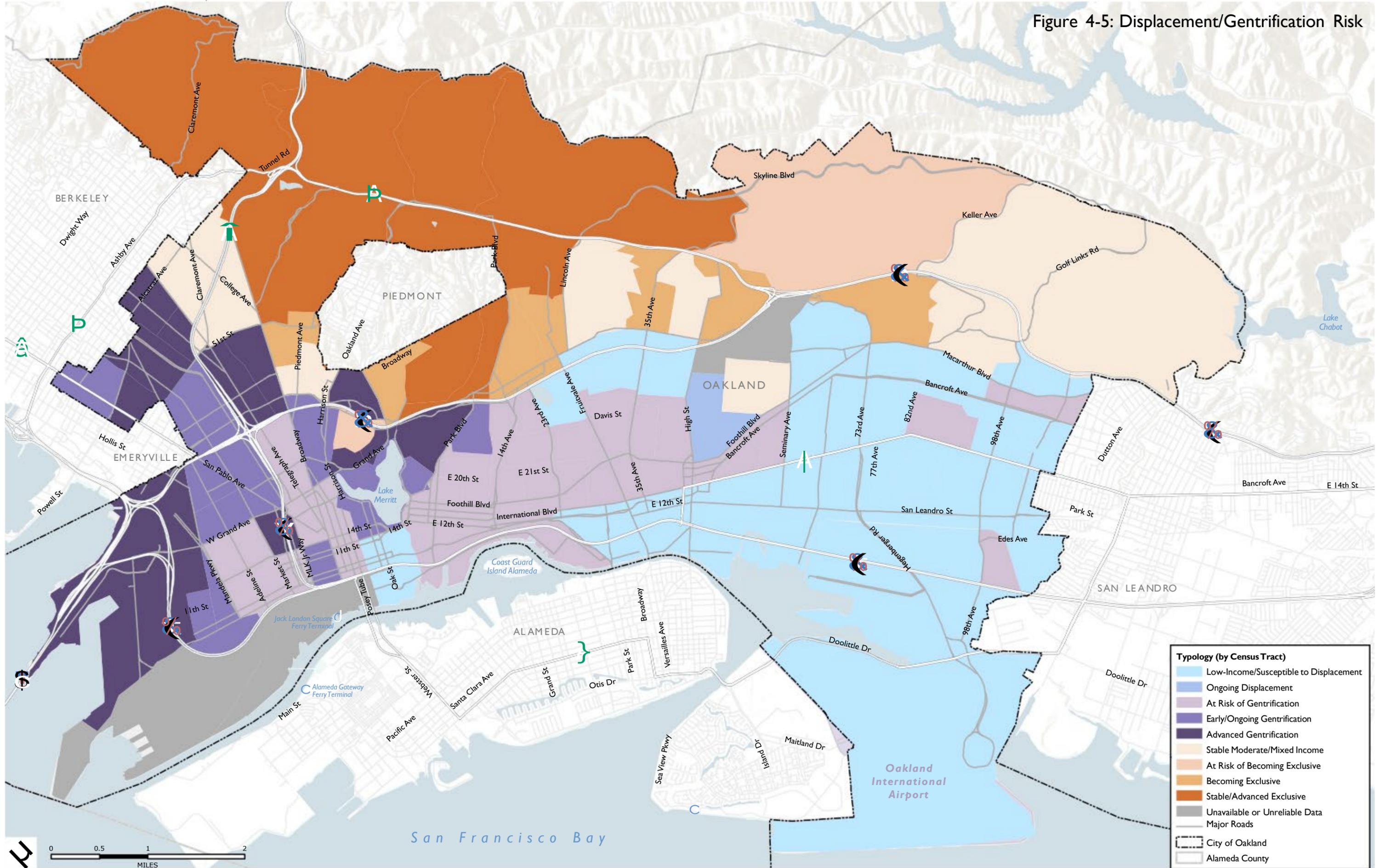
Figure 2-4: Racial Concentrations by Census Tract, 1940-2019

Notes: Historic Census Tracts from Decennial Census. All other features are contemporary (existing, 2021). Asian/Pacific Islander and Hispanic/Latinx populations were not distinguished from "other" until 1980. Majority defined as greatest proportion of tract population (e.g., 50% or more).



SOURCE: IPUMS NHGIS, University of Minnesota, 2021; City of Oakland, 2021; ALAMEDA County GIS, 2021; Dyett & Bhatia, 2021

Figure 4-5: Displacement/Gentrification Risk



Typology (by Census Tract)

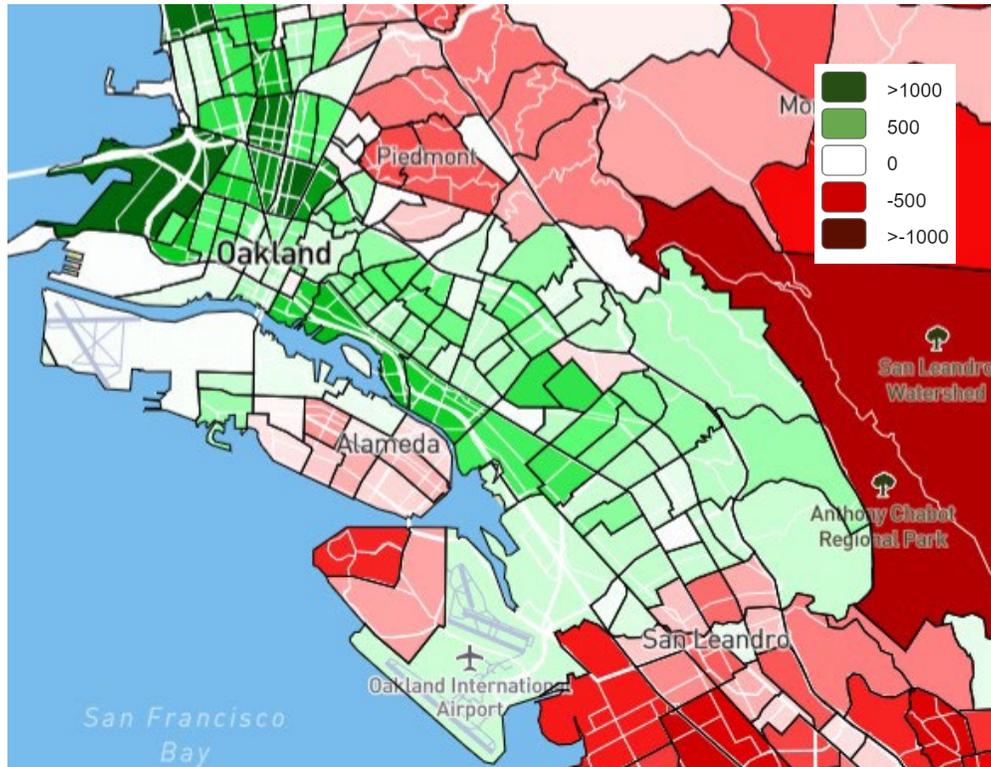
- Low-Income/Susceptible to Displacement
- Ongoing Displacement
- At Risk of Gentrification
- Early/Ongoing Gentrification
- Advanced Gentrification
- Stable Moderate/Mixed Income
- At Risk of Becoming Exclusive
- Becoming Exclusive
- Stable/Advanced Exclusive
- Unavailable or Unreliable Data
- Major Roads
- City of Oakland
- Alameda County



SOURCE: Urban Displacement Project (UC Berkeley and University of Toronto), 2020; City of Oakland, 2021; ALAMEDA County GIS, 2021; Dyett & Bhatia, 2021

UC Berkeley’s Urban Displacement Project found that “in the Bay Area between 2000-2015, a 30 percent tract-level increase in the median rent (inflation-adjusted) was associated with a 28 percent decrease in low-income households of color. There was no significant relationship between rent increases and losses of *low-income* White households.”⁷⁴ Between 2010 census and 2020 census, most census tracts in Oakland saw significant growth in their White population (see Figure G).

Figure G. Difference in White Population in Oakland, 2010-2020⁷⁵



From 2013-2018 in particular, East Oakland experienced unprecedented rent increases while median renter household income for Black, Asian, and Latinx households *decreased*. While East Oakland renters had previously maintained relative housing affordability, by 2018, East Oakland renters making the median renter household income paid **81 percent of their income to afford median rents in their neighborhoods**.⁷⁶ By 2018, the Black/African American population in the Eastmont neighborhood decreased by 53 percent (see Figure H). As evidenced by Figure G above, “during the same period these same neighborhoods experienced significant increases in higher income White population.”⁷⁷

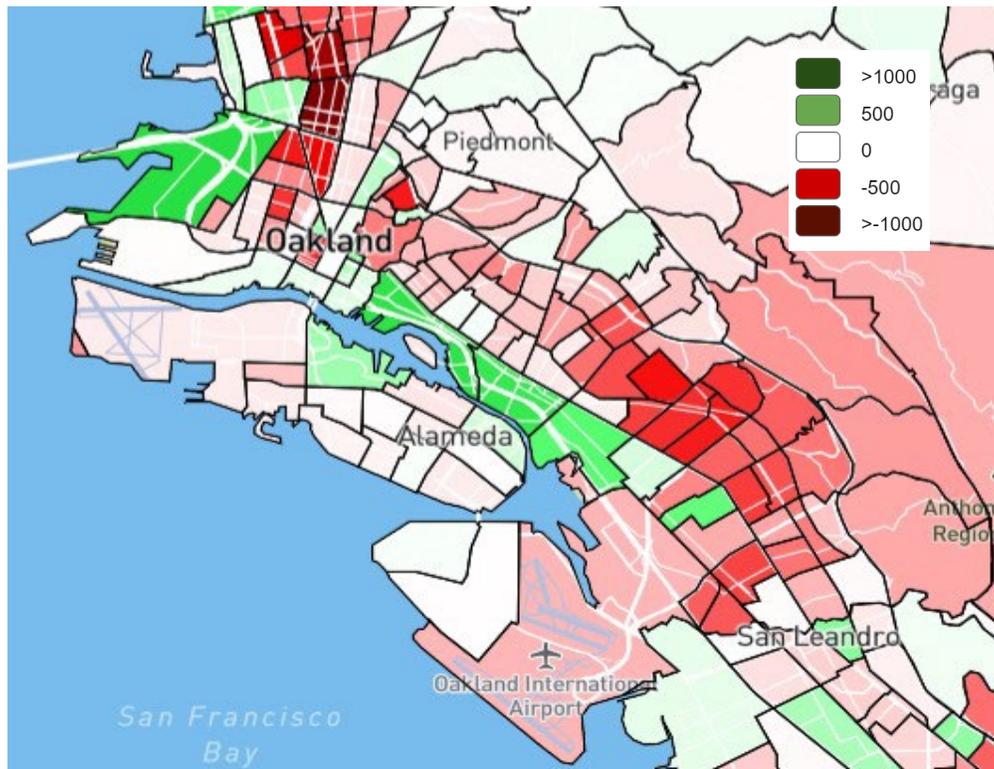
⁷⁴ Urban Displacement Project and the California Housing Partnership, [Rising Housing Costs and Re-Segregation in the San Francisco Bay Area](#), p. 3.

⁷⁵ Darrell Owens, [Screenshot: GIS Rate of Change Map](#), 2010-2020.

⁷⁶ Housing Element Public Hearing Public Hearing Draft: Appendix D, p. D-61.

⁷⁷ *Id.* at p. D-61.

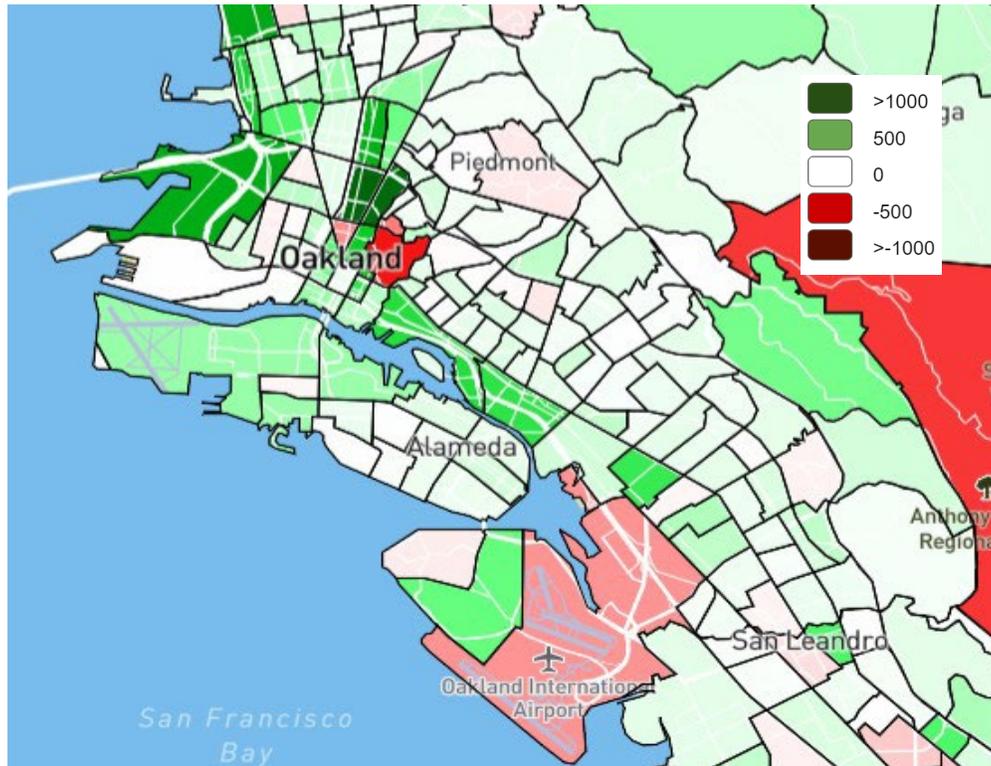
Figure H. Difference in Black/African American population in Oakland, 2010-2020⁷⁸



The *Pill Hill* neighborhood gained the most housing units in Oakland between 2010 and 2020 (an additional +1,006 units) (see Figure I). Its White population grew by 1,010 residents, while its Black/African American population decreased by 49 people. Next door in *Oakland/Harrison West*, the second highest number of housing units were added (+969); the Black/African American population increased by 96 residents and the White population increased by 729 residents. The census tract where the Black population increased the most was *Port Upper*, which added 384 Black residents. Over the same period, the White population of *Port Upper* increased by 1,168 residents. The census tracts in East Oakland that lost the most Black/African American residents also saw moderate gains in the number of housing units.

⁷⁸ Darrell Owens, [Screenshot: GIS Rate of Change Map](#), 2010-2020.

Figure I. Difference in Housing Units in Oakland, 2010-2020⁷⁹



Several HAP actions increase the City's capacity to curb factors that lead to displacement: Action 1.1.8 (Monitor neighborhood displacement); Action 1.1.9 (Implement rental housing registry); Action 1.1.4 (Implement tenant relocation measures); and Action 1.1.11 (Enforce the tenant right to return and protections from coercive buyouts).

Evictions

Equity Score —37. Between 2000-2016, predominantly Black/African American neighborhoods experienced the most evictions (measured by the total number of evictions per 1,000 people), an average of **85** evictions per 1,000 residents. Evictions in predominantly Black/African American census tracts are nearly **2.5 times higher** than in predominantly White census tracts, corroborating other evidence of higher displacement rates in the Black/African American community. Predominantly Asian/American Pacific Islander neighborhoods experienced 72 evictions per 1,000 residents while predominantly White census tracts faced an average of **34** evictions per 1000 residents. *Port Lower*, the most impacted census tract, experiences 365 times more evictions than *Upper Piedmont Ave*, which had fewer than one eviction per 1,000 residents. In East Oakland, eviction rates were highest in: *Eastmont*, *Seminary*, and *Upper San Antonio/Highland*. In West Oakland, eviction rates were highest in: *Port Lower*, *McClymonds*; *Prescott/Mandela Peralta*, *Prescott*, and *Bunche/MLK Jr.* (See Table

4.) Eviction rates continued this trend in 2018-2019 and were highest in the “southern parts of West Oakland, as well as in pockets of East Oakland.”⁸⁰

Eviction’s many severe consequences include placing households at risk of homelessness or residential instability, barring access to public housing as well as some private housing, adversely impacting credit ratings, and limiting housing options to substandard conditions.

Table 4. Evictions Per 1,000 Residents, 2000-2016

<i>10 Most Burdened Tracts</i>	<i>Predominant Race / Ethnicity</i>	<i>No. of Evictions</i>	<i>10 Least Burdened Tracts</i>	<i>Predominant Race / Ethnicity</i>	<i>No. of Evictions</i>
Port Lower ⁸¹	White	189.86	Upper Piedmont Ave	White	0.52
Downtown	Asian/American Pacific Islander	172.12	Oakmore North	White	2.34
McClymonds	Black/African American	130.62	Panoramic Hill	White	3.21
Eastmont	Black/African American	128.71	Upper Rockridge	White	3.49
Uptown / Downtown	Black/African American	126.56	Woodminster	White	3.70
Prescott / Mandela Peralta Seminary	Black/African American	121.11	Montclair North	White	4.07
Prescott	Hispanic/Latinx	118.17	Piedmont Pines	White	4.11
Bunche/MLK Jr	Black/African American	117.16	Crocker Highland	White	4.43
Upper San Antonio / Highland Park	Black/African American	116.93	Rockridge	White	4.48
	Asian/American Pacific Islander	114.42	Montclair South	White	5.53

Emergency Eviction Moratorium. Since the onset of the COVID-19 pandemic in March 2020, Oakland’s eviction story has taken a dramatically positive turn. On March 27, 2020, City Council passed the Emergency Eviction Moratorium Ordinance, No. 13589, which has been highly effective. The moratorium has provided significant protections for renters in covered units who would otherwise be subject to evictions, rent increases beyond the Consumer Price Index, and late fees on their rent. As a result, vulnerable tenants have been able to forgo paying rent for some time in order to pay off other bills and purchase groceries. Due to both Oakland’s and Alameda County’s eviction moratorium ordinances, eviction rates in Alameda County have been among the lowest in California, with only 26 confirmed evictions between July 2020 and March 2021.⁸² This translates to a rate of less than one eviction per 10,000 households.

⁸⁰ Housing Element Public Hearing Draft: Appendix D, p. D-60.

⁸¹ See footnote 16.

⁸² Manuela Tobias *et al.*, [Where are tenants falling through the cracks of California eviction ban?](#), July 2021.

Figure J. Rate of confirmed residential evictions per 10,000 households, July 2020-March 2021⁸³



Homelessness⁸⁴

In Oakland, homelessness increased by 83 percent from 2017 to 2022. During the February 2022 Point-in-Time Count of unhoused individuals in Oakland, 3,337 unsheltered individuals were observed, and another 1,718 homeless individuals were sheltered in emergency or transitional housing, for a total of 5,055 homeless individuals in Oakland.⁸⁵ (Unsheltered individuals are observed living in tents, passenger vehicles, RVs, on the streets and underpasses and in abandoned buildings.) The count revealed growth of nearly 1,000 additional people on Oakland’s streets since the last Point-in-Time Count in 2019, a number that is very likely a low estimate, as the count takes place only over the course of one day.⁸⁶ Not every ELI household is at risk of becoming homeless, but ELI and severely housing cost burdened BIPOC residents are the most housing precarious. If one percent of Oakland’s ELI households were to lose their current housing without being able to afford new housing options, over 1,000 new individuals could become homeless.

The non-Hispanic Black/African American population is the most disproportionately impacted by homelessness in Oakland. Despite composing 23 percent of the City’s population, Black/African American residents make up **60 percent** of the total sheltered homeless population, whereas White residents make up **26 percent**, Latinx/Hispanics make up **16 percent**, Asian/American Pacific Islanders make up **3 percent**. The 2022 Count does not disaggregate the unsheltered population by race/ethnicity. Native American/Alaska Native individuals are also disproportionately impacted by homelessness, comprising **4 percent** of sheltered homeless people, despite only comprising 0.9 percent of the Oakland population. (See discussion in Section 3D below.) It is important to note that many Indigenous peoples take issue with the stigma associated with the term homeless, which “invalidates the relationship Indigenous peoples’ have to their homelands.”⁸⁷

The factors that contribute to homelessness are myriad. During the 2019 Point-in-Time-Count, just over one out of 10 unsheltered Oakland residents listed rent increases as the primary cause of homelessness. Importantly, as related by Needa Bee of The Village (Deeply Rooted Collaborative member)

⁸³ Id.

⁸⁴ 'Houselessness', a condition experienced by people who are unhoused, is a preferred term among Oaklanders in the unhoused population. Unhoused people consider the places where they live as their homes, whether it be curbside in a tent or vehicle, or under a freeway overpass making home with found materials.

⁸⁵ EveryOne Home, Oakland 2022 Point In Time Count: Unsheltered & Sheltered Report, February 2022.

⁸⁶ For example, Alameda County’s 2019 Homeless Point-in-Time count counted 4,071 homeless residents living in Oakland that year. Meanwhile, *Housing Oakland’s Unhoused*, counted 9,297 unhoused Oaklanders in 2018.

⁸⁷ Hope Alvarado, *Unsheltered, Not Homeless*, The Red Nation, January 2021.

in an interview, most of the residents in Oakland's homeless encampments were housed in the city within the last two decades. Many unhoused residents continue to live in the same neighborhoods where they resided when they were housed. Furthermore, much of this newly homeless population remains employed. Rising rents without corresponding increases in pay push them out onto the streets, but they are unable to leave because they still have social, spiritual/religious, economic, and other ties to this community: they work, play, and live here.

ELI seniors on fixed incomes are especially vulnerable to becoming unhoused as they typically do not have the means to increase their income. "Almost half of homeless seniors became unhoused for the first time after the age of 50, even though they have been working most of their adult lives (often in low-paying jobs)."⁸⁸

HOUSING QUALITY

Equity Score — 43. A significant amount of Oakland's housing stock needs some level of repair ranging from deferred maintenance to substantial rehabilitation.⁸⁹ Although Oakland's municipal code upholds "the right to occupancy of safe decent housing," the public health and welfare of Oakland residents largely depends on each property owner's *willingness or ability* to invest in their property and tenants' willingness or ability to enforce their right to habitable housing. Several HAP actions will increase the City's awareness of habitability issues in the housing stock, giving the City more capacity to encourage landlords to perform needed upkeep and repairs.

Slumlords can take advantage of vulnerable tenants who are less likely to report their landlord's failure to maintain safe and decent conditions due to fear of retaliation, a practice called "predatory habitability."⁹⁰ In addition to the lack of maintenance on their property, retaliation can include raising the rent or evicting the tenant. As such, habitability complaints received by the City more than likely reflect a mere fraction of the true housing issues faced by vulnerable tenants —seniors, very-low-, low- and moderate- income households, other persons on fixed incomes, undocumented people, and people of color. Many residents are unaware of the available City support services, do not know how to access them, or simply avoid contact with the City for numerous reasons. One key barrier faced by undocumented tenants is fear of detention or deportation that may result from interacting with government agencies at any level. Residents facing high linguistic barriers may also be less likely to report housing quality issues. Linguistic isolation is highest in *Chinatown* and *Lower San Antonio East*.

⁸⁸ Id., at p. 5.

⁸⁹ City of Oakland Office of Planning Building & Neighborhood Preservation, [Proposed Program Design for Pro-active Code Enforcement Operations](#), ("The National Center for Healthy Housing's 2009 study of health-related housing problems in the nation's largest Metropolitan Statistical Areas, rated the City of Oakland the 39th least healthy central city out of forty-four (44) jurisdictions surveyed, with nearly 60% of housing units showing one or more health-related problems. Oakland's housing stock also ranks among the oldest and most heavily rental of the cities surveyed.")

⁹⁰ Angela Johnston & Melissa Ortega-Welch, [Lead and the Bay Area Housing Crisis](#), KALW, December 13, 2018.

Table 5. Housing Quality Equity Scores & Most Impacted Census Tracts

<i>Indicator</i>	<i>Equity Score</i>	<i>Most Impacted Census Tract</i>
Lead Percentage of low-income households at risk for lead exposure to children	54	Bancroft/Havenscourt East
Habitability Code enforcement complaints (zoning, blight, housing habitability) per 1,000 tract residents	44	Acorn Industrial
Heating Percentage of households without heating fuel	30	Fremont District

In 2020, Oakland received around two times more code enforcement complaints from predominantly Black/African American neighborhoods than from predominantly White neighborhoods. Code violations include inadequate plumbing and heating, leaky roofs, mold, vermin infestations and improper disposal of garbage among many others. Neighborhoods in East Oakland tend to have the highest total number of habitability complaints, whereas Acorn Industrial, Prescott/Mandela Peralta, Port Upper, Chinatown and Oakland Estuary, have the highest rate of complaints per 1,000 residents. The difference between the highest total number of complaints and the highest rate of complaints indicates a high likelihood that additional habitability issues in East Oakland go unreported.

Small Rental Properties. Data presented to City Council in 2016 showed that the highest rates of habitability issues in Oakland are found in low-income rental housing properties with five (5) or fewer units. Buildings with two-five units were more likely to report the presence of *numerous* habitability issues, increasing the likelihood of deteriorating lead paint. Smaller multi-unit buildings are more likely to be owned by mom-and-pop proprietors who may not have deep pockets, many of whom are BIPOC. Data from the 2012 U.S. Rental Housing Finance Survey shows that owners of smaller properties are less likely to generate sufficient operating income to cover their mortgage payments and their properties have much longer expected pay-off timeframes.⁹¹ Action 2.1.1 (Support Home Rehabilitation Programs) lists ten programs operated by the City or its partners that can assist very low- and low-income homeowners to address code violations, repair major building systems in danger of failure, abate lead-based paint hazards or pay for emergency repairs.

POLLUTION BURDEN

Equity Score - 55. Pollution burden refers to pollution emissions and exposures in the air, water and land, and climate change risks. It is important to note that the underlying pollution data sources may not capture inequitable pollution burdens that exist on the ground. The data may be based on modeling rather than collected from air monitors located in impacted communities and it is often not fine-grained enough to capture the often-wide variations within census tracts.

The largest racial disparities are found in the Hazardous Waste topic area, with the greatest inequity in the location of solid waste sites and facilities (Equity Score - 12). There are seven times more hazardous waste sites and facilities in predominantly Latinx/Hispanic census tracts, such as

⁹¹ Census.gov, [Rental Housing Finance Survey Infographic](#), 2012.

Lockwood/Coliseum/Rudsdale and *Melrose*, than in predominantly Asian/American Pacific Islander census tracts. There are also nearly five times more solid waste sites in predominantly Latinx/Hispanic neighborhoods than in predominantly White areas. *Melrose*, the census tract with the most solid waste sites and facilities, is over 63 percent Latinx/Hispanic and has 14.2 facilities. *Port Upper* has 9.2, and *Lockwood/Coliseum/Rudsdale* has 8.3, and 63 census tracts have no sites at all.

Groundwater Threats, another pollution indicator with a failing score, is also related to hazardous materials sites that can harm the air, land, people, and surface waters, in addition to groundwater. Moreover, these sites increase the threat levels in extreme storm events. Sea level rise can also compound the risks hazardous waste sites pose to both groundwater and humans.⁹²

While pollution burdens are primarily addressed in other General Plan Elements, it is important to keep this issue in mind when planning for housing in these census tracts and take appropriate mitigation measures for all housing developments and renovations. Several Housing Action Plan objectives and actions position this issue to be addressed in the other elements that are part of the General Plan Update including the Safety and Environmental Justice Elements. HAP *Policy 5.2* promotes both resilient and sustainable development, including the reduction of pollution burdens as supported by Action 5.2.1 (Protect against smoke and wildfire) and Action 5.2.3 (Study options to provide financing for the remediation of environmentally contaminated sites), with priority for affordable projects.

Table 6. Pollution Burden Equity Scores & Most Impacted Census Tracts

<i>Topic</i>	<i>Indicator</i>	<i>Equity Score</i>	<i>Most Impacted Census Tract</i>
Air Quality: C Average Equity Score: 72.25	PM2.5 Average concentration of PM 2.5 in 1-km grids within each tract	79	Jingletown/Kennedy
	Diesel PM Average concentration of Diesel PM in 1-km grids within each tract	65	Jack London Square
	Traffic Density Traffic volumes on roadways within 150 meters of the census tract	66	Sobrante Park
	Toxic Releases Toxicity-weighted concentrations of modeled chemical releases to air from facility emissions and off-site incineration	79	Fitchburg
Water Quality: F Average Equity Score: 43	Groundwater Threats Sum of weighted scores for hazardous sites within each census tract	52	Port Upper
	Impaired Water Bodies Total number of pollutants found in water bodies designated as impaired within the area	34	Oakland Estuary
Hazardous Materials: F	Lead Percentage of households at risk for lead exposure of children living in low-income	54	Bancroft / Havenscourt East

⁹² Ezra David Romero, [A Lesson in Discrimination](#), KQED, September 13, 2022.

Average Equity Score: 37	communities with older housing (<i>also a measure of housing quality</i>)		
	Clean-up Sites	34	Port Upper
	Sum of weighted sites within each census tract, adjusted for toxicity and proximity to population		
	Hazardous Waste	48	Acorn Industrial
	Sum of weighted permitted hazardous waste facilities, hazardous waste generators, and chrome plating facilities within each census tract		
	Solid Waste	12	Melrose
	Sum of weighted solid waste sites and facilities		
Climate Change: C- Average Equity Score: 70	Urban Heat Island	80	Port Upper (+12 additional tracts)
	Difference in temperature between urban-nonurban areas		
	Sea Level Rise	60	Port Lower
	Percent of population living in 100-year flood zone and 66 inches of sea level rise.		

While the neighborhood with the worst pollution impacts for each pollution indicator category is named above in Table 6, Table 7 lists the neighborhoods experiencing the greatest cumulative pollution burdens overall. The most cumulatively burdened neighborhoods are clustered in West, Central, East and Deep East Oakland.

Table 7. Pollution Burdened Census Tracts Above the 90th Percentile

	<i>Neighborhood</i>	<i>Pollution Burden Percentile</i>	<i>Predominant Racial Group</i>
1	Melrose	100	Latinx/Hispanic
2	Jingletown/Kennedy	99.1	Latinx/Hispanic
3	Jack London Square	98.2	White
4	Brookfield Village/Hegenberger	97.3	Latinx/Hispanic
5	Oakland Estuary	96.4	Asian/American Pacific Islander
6	Port Upper	95.5	White
7	Chinatown/Laney	94.6	Asian/American Pacific Islander
8	Prescott/Mandela Peralta	93.7	Black/African American
9	McClymonds	92.8	Black/African American
10	DeFremery/Oak Center	91.9	Black/African American
11	Lockwood/Coliseum/Rudsdale	91	Latinx/Hispanic
12	Clawson/Dogtown	90.1	Black/African American

1.3 Root Causes of Racially Inequitable Housing Outcomes

The racially disparate housing impacts caused by the housing crisis have “multifaceted” roots.⁹³ They are the intersecting legacy of many strands of injustice woven through our political, legal, political, economic, and social structures, too many to name. Figure J names the root causes discussed in this REIA. Much of the housing pressure Oakland experiences is due to broader regional patterns that play out in the city.

Figure K. Root Causes of Racially Disparate Housing Outcomes

<p><i>Fraying social safety net</i></p>	<ul style="list-style-type: none"> • Significant mismatch between the amount of state and federal government subsidies and the number of households with a demonstrable need for support. • Insufficient resources for rental, down payment, and mortgage assistance. • Insufficient resources accessible to residents with limited English proficiency.
<p><i>Growing economic inequality</i></p>	<ul style="list-style-type: none"> • Lack of living wage jobs and extremely low federal minimum wage. • Low-income property owners are less able to afford needed upkeep. • Racial wealth gap widened by lack of homeownership. • Inequitable access to quality education and childcare.
<p><i>Exclusionary zoning and redlining</i></p>	<ul style="list-style-type: none"> • Racially concentrated areas of affluence and poverty mean that many BIPOC Oaklanders struggle to access opportunities afforded to residents of majority-White single-family neighborhoods.
<p><i>Declining rates of BIPOC homeownership</i></p>	<ul style="list-style-type: none"> • Redlining prevented many BIPOC residents from obtaining home loans. • More BIPOC homes lost by the foreclosure crisis due to predatory lending. • A greater percentage of BIPOC residents are renters, who tend to be precariously housed.
<p><i>Insufficient housing units to meet demand</i></p>	<ul style="list-style-type: none"> • Housing crisis means all housing is needed, but decent, affordable housing options are severely lacking in neighborhoods across the city.
<p><i>Structural Racism</i></p>	<ul style="list-style-type: none"> • Racism in other social spheres, such as in policing, over-incarceration, and education funding creates disproportionate housing burdens for BIPOC Oaklanders. • Housing discrimination further limits housing options for BIPOC and special needs Oaklanders. • Monolingual & LEP residents face greater difficulties in exercising their rights.

⁹³ Reid, *supra* n. 3, p. 13.

Although regional racial/ethnic patterns of segregation and economic pressures are at work in Oakland, this REIA focuses on describing and the way City policies can mitigate housing disparities within Oakland. The enormity of the financial investment necessary to reduce housing precarity, homelessness, and displacement far outstrips the amount of funding available to the City of Oakland. Nevertheless, the factors that contribute to increasing disparate housing burdens point to the structural changes needed to create racially equitable housing security in Oakland.

STRUCTURAL RACISM

Inequitable School Funding. Public school funding in the United States comes from federal, state, and local sources, but because nearly half of those funds come from local property taxes, the system generates large funding differences between affluent and impoverished communities. Schools in wealthier areas receive more funding, including to modernize their facilities,⁹⁴ and are better able to serve students. Families move in search of ‘good schools’; these words operate as code words for predominantly White and affluent neighborhoods, a reflection of the reality that such neighborhoods are able to provide more resources for education.

When public schools in lower-income neighborhoods provide lower-quality education due to insufficient resources, this compounding injustice faced by BIPOC communities is a factor in lower educational attainment and decreased earning potential over the course of a child’s lifetime.⁹⁵ Even if schools with fewer resources do not provide their students with lower quality education, the perception that they do leads to racially inequitable outcomes. Racially concentrated areas of poverty with low access to resources are perpetuated by the fact that it is acceptable for public schools in lower-income neighborhoods to have fewer resources because home values are lower, and for the homes in racially concentrated areas of affluence to provide resources only to the schools in their neighborhoods. The need for students in lower-income areas to “travel across the City to access a school better resourced than [their] neighborhood school is deeply inequitable.”⁹⁶

Purchasing and Political Power. Each city has a vested interest in maintaining or increasing the highest land values to support tax revenues. In this way, the interests of the wealthiest residents and the city are often aligned, which increases the political power of the wealthiest interests within a city. Economist James Boyce identifies four types of political power that wealthier, predominantly White residents have in addition to their greater levels of purchasing power: decision power, agenda power, value power, and event power. This means greater influence in determining what decision-makers, both public and private, will or will not do; shaping decision makers’ agendas; shaping others’ preferences; and altering the circumstances others face, respectively.⁹⁷ In particular, event power means that once an action has occurred, such as causing air pollution, chopping down trees, or constructing

⁹⁴ Julien Lafortune and Niu Gao, [Equitable State Funding for School Facilities: Assessing California’s School Facility Program](#), Public Policy Institute of California, March 2022 (“Both modernization and new construction funding are higher in lowest-need districts.” Disparities are largest for modernization funding: low-income students received \$330 less per student, or 17 percent less than higher-income students; Black and Latino students received about 18 percent less than white students.)

⁹⁵ Housing Element Public Hearing Public Hearing Draft: Appendix D, Chart D-5: OUSD Student Performance by Race (2018-2019 School Year), p. 48.

⁹⁶ *Id.*, at p. 48.

⁹⁷ James K. Boyce, [Is Inequality Bad for the Environment?](#), Political Economy Research Institute, University of Massachusetts Amherst, April 2007, p. 7.

buildings, the populations without similar event power or adaptive capacity must deal with the consequences of that action, often with limited to no resources.

Land Theft. After centuries of land theft and genocide perpetuated by the federal government, sixty-five years ago, the Indian Relocation Act of 1956 lured many Native Americans away from their reservations promising stipends, training in vocational skills, and assimilation into the urban landscape. The Bay Area became home to one of the largest inter-tribal Indigenous populations with many settling in East Oakland in the 1960s and 1970s. But, just as it has broken its treaties with Indigenous peoples, the federal government did not always follow through on the promised benefits. For many Native Americans, once they arrived in the cities, they were left disconnected and in poverty, experiencing culture shock, joblessness, and homelessness.

Criminal Injustices. High rates of poverty within the Black/African American population are linked to high rates of criminalization, over-policing, and systemic anti-Black/African American racism in law enforcement. These criminal injustices have cascading impacts that are another root cause of homelessness that disproportionately impacts Black/African American and Latinx/Hispanic individuals. Formerly incarcerated individuals face significant barriers to re-entry because legalized discrimination against their status bars their access to public housing, Section 8 vouchers, employment, and numerous other rights and public services.

Housing Discrimination. Interactions between property owners and tenants can be unfair because of the power differential between the two actors. Members of BIPOC communities “continue to be viewed as ‘high risk’ tenants in the housing market.”⁹⁸ Moreover, race-neutral housing application requirements, such as “credit histories, bank account information, and extended residential histories” can be steep barriers that disproportionately prevent BIPOC households from accessing housing. Combating unlawful refusals to rent based on race/ethnicity, disability status, former incarceration, or voucher use requires proactive support for prospective tenants and robust fair housing enforcement. Monolingual non-English speakers or others with limited English proficiency can also be disadvantaged.

The following actions seek additional funding to support fair housing representation and other tenant protections: Action 1.1.5 (Implement a right to counsel in Rent Adjustment Program proceedings); Action 1.1.6 (Enhance housing related legal services); Action 5.3.1 (Provide fair housing services and outreach); and Action 5.3.3 (Provide targeted outreach and support to disproportionately burdened groups and areas). The City will also need robust strategies to enforce the Fair Chance Ordinance, which prevents some landlords from conducting criminal background checks on applicants⁹⁹ and will need to develop strategies to help formerly incarcerated individuals find housing options that do not fall under one of the exemptions to the ordinance.

⁹⁸ Oakland-Berkeley-Alameda County Continuum of Care, Centering Racial Equity In Homeless System Design, October 2020.

⁹⁹ Oakland Municipal Code § 8.25.020 Oakland Fair Chance Housing Ordinance (Exemptions to the “ban the box” requirement of the Fair Chance Ordinance include: (i) single-family homes where the owner occupies the home as their principal residence; (ii) rental properties with three or fewer units, where the owner occupies one unit as their principal residence; (iii) rental unit previously occupied by the owner, where the owner maintains a right to return in a written lease agreement with the tenant; (iv) tenants renting parts of the unit to subtenants or co-tenants provided they will remain in the unit; (v) tenancies receiving tenant-based vouchers, such as the Section 8 program; and (vi) units subject to affordability and related requirements, such as the State Density Bonus Law.)

EXCLUSIONARY ZONING POLICIES IN OAKLAND: A TALE OF TWO NEIGHBORHOODS

Separation of land uses within a city is central to zoning. Zoning determines the land use activities and facilities that can be developed in each corner of the city and designates certain areas for residential, either with single-family homes or multi-family homes, and others for commercial or industrial activities. One of the zoning code's primary purposes is to **“protect residential, commercial, industrial, and civic areas from the intrusion of incompatible uses.”**¹⁰⁰ Zoning has worked to keep property values higher for White residents in more affluent areas.

Some neighborhoods, however, are unable to decide what land uses are incompatible with their residential areas are. A segregation map of Oakland published in 1960 “showed that the **three zones where Black people resided included zoning for industrial use around residential areas**, while the six zones where they did not reside were mostly “A” or single-family zoned, with no industrial use.”¹⁰¹ (Figure L is a map of Oakland’s residential zones and Figure M is a map of the areas zoned for industrial use.) While affluent neighborhoods are protected from industrial uses and the intrusion of lower-priced housing into their neighborhoods, the public health, character, and culture of lower income, BIPOC neighborhoods do not receive equivalent levels of protection. In effect, higher standards are presumed and upheld for predominantly White and affluent neighborhoods than are for lower income neighborhoods that are majority BIPOC.

Figure L. Residential Zones¹⁰²

Figure M. Industrial Zones¹⁰³

vouchers, such as the Section 8 program; and (vi) units subject to affordability and related requirements, such as the State Density Bonus Law.)

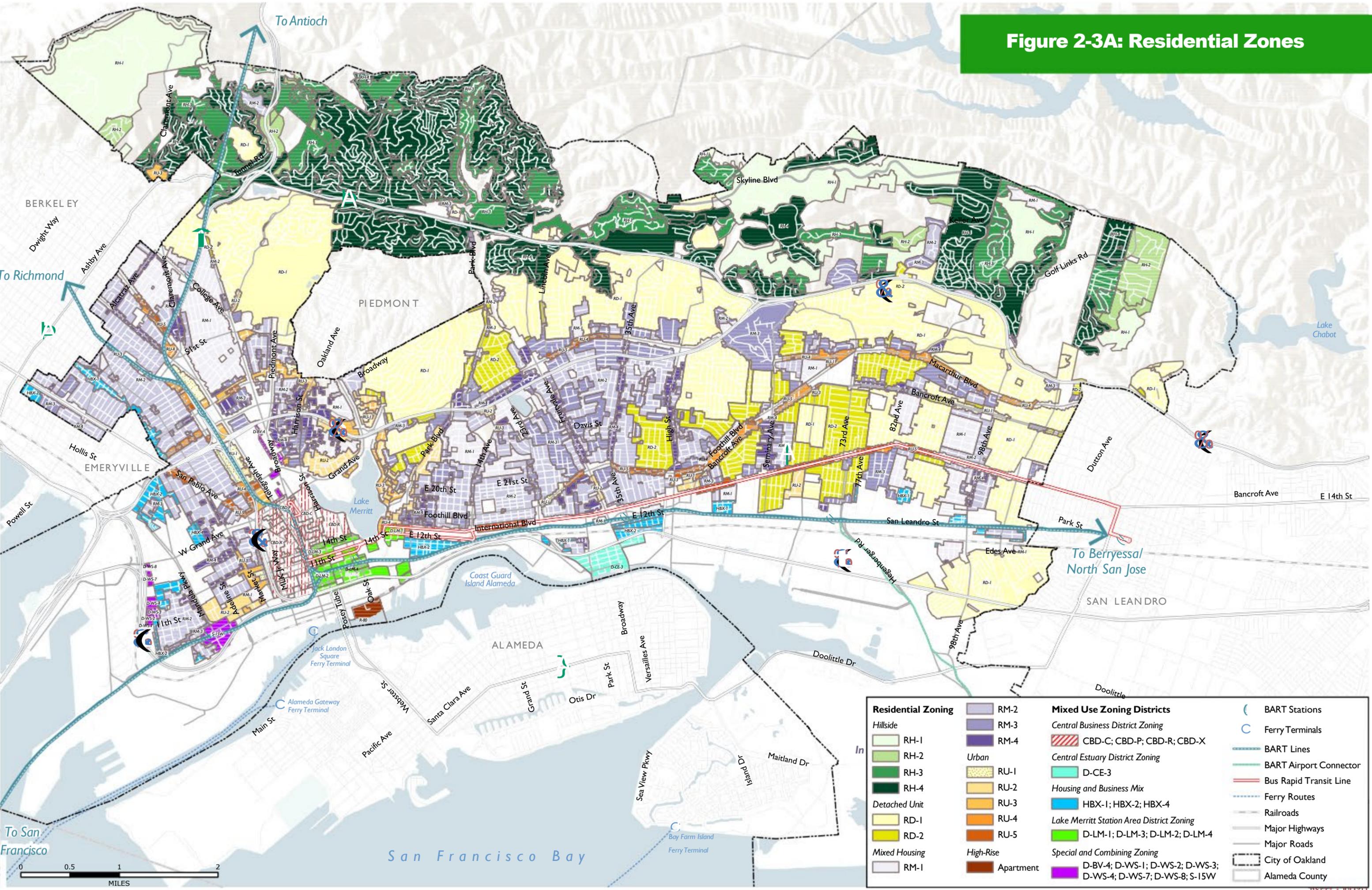
¹⁰⁰ Oakland Planning Code Section 17.07.030 Purposes of zoning regulations. The City created this [zoning explainer video](#).

¹⁰¹ Housing Element Public Hearing Draft: Appendix D, p. D-15.

¹⁰² Oakland Map Atlas, Figure 2-3A.

¹⁰³ Oakland Map Atlas, Figure 2-3C.

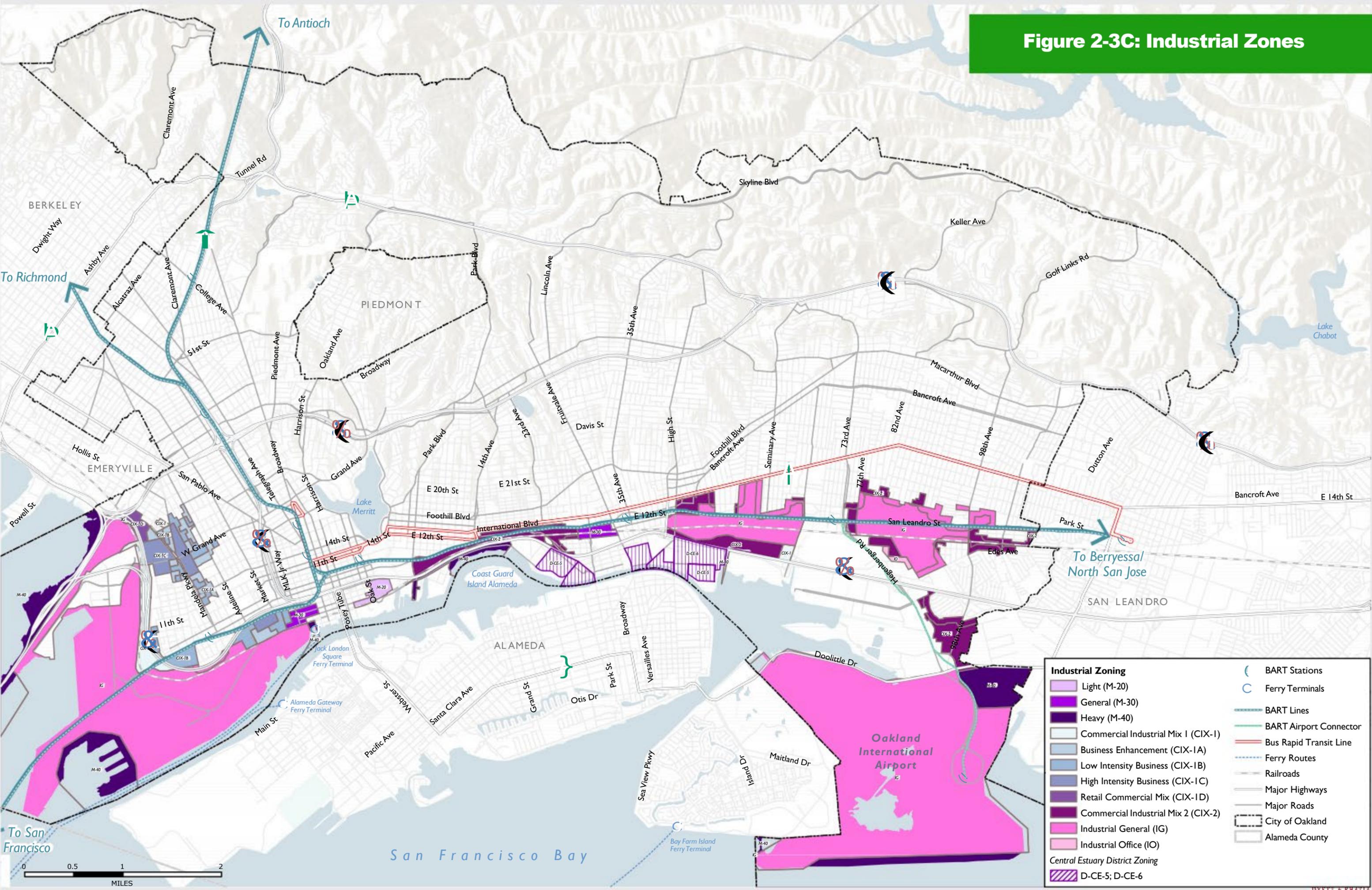
Figure 2-3A: Residential Zones



Residential Zoning		Mixed Use Zoning Districts		Transportation	
Hillside	RH-1	Central Business District Zoning	CBD-C; CBD-P; CBD-R; CBD-X	BART Stations	()
	RH-2	Central Estuary District Zoning	D-CE-3	Ferry Terminals	()
	RH-3	Housing and Business Mix	HBX-1; HBX-2; HBX-4	BART Lines	()
	RH-4	Lake Merritt Station Area District Zoning	D-LM-1; D-LM-3; D-LM-2; D-LM-4	BART Airport Connector	()
Detached Unit	RD-1	Special and Combining Zoning	D-BV-4; D-WS-1; D-WS-2; D-WS-3; D-WS-4; D-WS-7; D-WS-8; S-15W	Bus Rapid Transit Line	()
	RD-2			Ferry Routes	()
Mixed Housing	RM-1			Railroads	()
	RM-2			Major Highways	()
	RM-3			Major Roads	()
	RM-4			City of Oakland	()
	RM-5			Alameda County	()
	RU-1				
	RU-2				
	RU-3				
	RU-4				
	RU-5				
	Apartment				



Figure 2-3C: Industrial Zones



Industrial Zoning		Transportation	
	Light (M-20)		BART Stations
	General (M-30)		Ferry Terminals
	Heavy (M-40)		BART Lines
	Commercial Industrial Mix 1 (CIX-1)		BART Airport Connector
	Business Enhancement (CIX-1A)		Bus Rapid Transit Line
	Low Intensity Business (CIX-1B)		Ferry Routes
	High Intensity Business (CIX-1C)		Railroads
	Retail Commercial Mix (CIX-1D)		Major Highways
	Commercial Industrial Mix 2 (CIX-2)		Major Roads
	Industrial General (IG)		City of Oakland
	Industrial Office (IO)		Alameda County
	D-CE-5; D-CE-6		

Central Estuary District Zoning

Single-family zoning (detached unit residential) was largely designed to have (and has had) a similar effect as racially restrictive housing covenants.¹⁰⁴ Upper Rockridge began as an exclusive tract that banned both people of color and apartment buildings.¹⁰⁵ According to ads placed in the Oakland Tribune

ROCK RIDGE PARK

Absolutely the Most Desirable Place For a Permanent Home in Northern California

¶ We make this statement positively without fear of contradiction.

¶ Located within fifteen minutes of the heart of Oakland, Rock Ridge Park is nearer than Claremont Park or Piedmont.

¶ Just south is the Claremont Country Club with its beautiful green sward and inviting golf links.

¶ To the north, hardly a hundred yards away, is Claremont Park with its magnificent homes and million dollar hotel.

¶ Over \$30,000 has already been spent for improvements and the next six months will see \$100,000 more invested for the same purpose.

¶ In point of streets, curbs, sidewalks, parks and improvements Rock Ridge Park is to be absolutely in a class by itself.

¶ Nowhere else can you find building sites 80x160 for \$11 to \$30 a foot. Nowhere else can you buy property for \$60 or \$70 a foot that equals Rock Ridge Park at thirty.

¶ Try it in Piedmont. Try it in Claremont. Try it in any section of Oakland or Berkeley.

¶ Then come to Rock Ridge Park. Let your own judgment be your guide.

¶ Nowhere else is your future as a home-seeker or investor so secure as at Rock Ridge Park. Look for yourself and see.

¶ **No negroes, no Chinese, no Japanese can build or lease in Rock Ridge Park.**

¶ There'll be no stores, no saloons, no business of any kind in Rock Ridge Park.

¶ Absolutely nothing inferior can now or at any time be built in Rock Ridge Park.

¶ There'll be no flats and no apartments, and only one house to a lot or portion of a lot. Every lot a big lot at that.

¶ Come out today—bring your advisor with you—look around—compare values—compare improvements—compare location—compare environment; overlook nothing that will be a comparison. You'll want a Rock Ridge lot. You'll want it quick, too; before the opening sale when the choicest lots are gone.

¶ Phone us the first thing in the morning. One of our motor cars will take you out—show you the property—bring you back in half an hour.

¶ Or take the College Avenue car—get off at Lawton—walk one block east to Broadway. Our salesmen are there on the tract with maps and prices.

LAYMANCE REAL ESTATE CO.
1214-1216 Broadway, Oakland

by the Laymance Real Estate Company between 1909-1910, housing deeds in Rockridge were “conveyed with the most stringent building restrictions ever placed on any property in Northern California. [...] No Oriental nor negro will ever be your neighbor, **no flat nor apartment house will ever affront your eye . . . no shack will ever encumber the lot next to yours.** The deed we give makes these things impossible.”¹⁰⁶

Figure N. Oakland Tribune Ad for Rockridge, 1910¹⁰⁷

As the Supreme Court began to ban racial covenants and racial zoning, private and public racially discriminatory restrictions gave way to official city policy with race-neutral language that codified the apartment bans. By 1935, Oakland’s citywide zoning plan deemed Rockridge a ‘one-family district.’¹⁰⁸

Single-family zoning across Oakland bars the development of a variety of housing types that could make neighborhoods more affordable to residents earning moderate- to low-incomes, who are more likely to be BIPOC. This has a marked effect. Despite being one of the most diverse cities in the

¹⁰⁴ Natalie Orenstein, [Oakland wants to end single-family zoning. Can the City get it right?](#), Oaklandside, May 2021.

¹⁰⁵ Id.

¹⁰⁶ Stephen Coles, [Rockridge \(Oakland, CA\) Real Estate History](#). Last Accessed, December 5, 2022.

¹⁰⁷ Erin Baldassari, KQED, via Twitter, August 2020.

¹⁰⁸ Orenstein, *supra* n. 92.

country, Oakland is the 14th most racially segregated major city in the United States¹⁰⁹ and the most racially segregated city in the Bay Area.¹¹⁰

Table 8 below displays ten neighborhoods with the highest percentage of White Oaklanders alongside the percentage of the residentially zoned land within each neighborhood that is reserved for single-family housing, including duplexes. There are three categories of single-family zones in Oakland’s Zoning Code. RD refers to zoning for detached, single unit structures, RH refers to hillside residential zones, and RM-1 allows for duplexes, homes that were either built originally for two families or a single larger home that was later divided into two homes, but still maintains the character of a single-family neighborhood.

Table 8. Percentage of Single-Family Residential Zoning¹¹¹

<i>Neighborhood</i>	<i>% Zoned Residential</i>	<i>% Zoned Single Family (RD, RH & RM-1)</i>	<i>% White</i>
Montclair North	94.3%	99.1%	75.5%
Panoramic Hill	80.6%	98.9%	74.3%
Rockridge	85.9%	86.1%	73.5%
Piedmont Pines	57.6%	99.8%	69.7%
Oakmore North	79.6%	99.2%	69.6%
Shafter/Rockridge	85.2%	76.8%	68%
Lakeshore	85.6%	50.2%	67.7%
Glen Highlands	88.6%	97.1%	67%
Piedmont Ave Central	80.4%	0%	66.5%
Montclair South	100%	98%	66.4%
Upper Rockridge	90.3%	98%	65.3%

¹⁰⁹ Housing Element Public Hearing Draft: Appendix D, p. D-4 (UC Berkeley, Othering and Belonging Institute, [The Roots of Structural Racism Project](#), June 2021.)

¹¹⁰ Housing Element Public Hearing Draft: Appendix D, p. D-14

¹¹¹ List excludes Port Lower. See note 16.

No one-size-fits-all solutions. Despite the discussion above, it is vital to note that not every census tract with predominantly single-family zoning in Oakland is majority White. East Oakland has several neighborhoods that are predominantly single-family housing, such as the Elmhurst neighborhood.¹¹² While Rockridge began as, and remains, an exclusive upper-class White neighborhood (see Table 10), Elmhurst began as a White working-class neighborhood, a more accessible middle-class area. From the 1960s to the 1980s, Black/African American Oaklanders were displaced from West Oakland by urban renewal projects, including BART, the Main Post Office, and Grove Shafter Freeway, and moved to the Elmhurst neighborhood. The neighborhood was downzoned in 1971 as Elmhurst residents attempted, unsuccessfully, to stave off an influx of more BIPOC neighbors.

Upzoning is a strategy needed in many neighborhoods to promote inclusion and affordability, but it is not a one-size-fits-all solution. In fact, “high-density residential development is not always affordable, and low-density development is not always costly.”¹¹³ High-density multifamily zoning cannot be the only strategy for producing affordable housing. It is deeply inequitable to hold the benefits of owning or living in a single-family home out-of-reach for BIPOC households.

Unlike wealthier neighborhoods where homes are mostly owned by the people who live in them, in East Oakland, lower income renters occupy a substantial percentage of the single-family houses in Elmhurst and the neighborhood is ranked above the 90th percentile for numerous equity indicators (see Table 9). There may be unintended consequences to upzoning in neighborhoods where homes are not owner-occupied. It may encourage, for instance, the demolition and replacement of currently affordable single-family homes occupied by tenants with more expensive market-rate units such as townhomes or fourplexes. To the extent that the City can ensure replacement units by Action 2.2.5 (Extend local replacement unit provisions) at equal or greater affordability levels, it could alleviate some of these pressures. There are competing concerns that the incremental shifts contemplated by Action 3.2.1 (Develop zoning standards to encourage missing middle and multi-unit housing types in currently single-family dominated neighborhoods) may not be sufficient to attract investment to East Oakland and could have negligible impact on neighborhoods that continue to be overlooked. Of equal importance is the fact that emerging BIPOC-owned businesses may not yet be well-positioned to take advantage of the opportunity to build wealth while benefiting their neighborhoods.

While lower-income housing capacity in “moderate to highest” resource neighborhoods is currently low, the City’s efforts to reduce the prevalence of single-family residential zoning will create additional housing opportunities in high opportunity neighborhoods. The City also acknowledges that the proposed zoning changes on their own will not generate more affordable housing units and will partner with BIPOC-led developers to ensure they benefit from City efforts.

¹¹² Natalie Orenstein, [Oakland wants to end single-family zoning. Can the City get it right?](#), Oaklandside, May 2021.

¹¹³ Gerrit Knaap et al., [Zoning as a Barrier to Multifamily Housing Development](#), American Planning Association, Report No. 548, July 2007, p. iii.

Table 9. Elmhurst Neighborhood Indicators Among the Ten Most Impacted Census Tracts (100 = Most Burdened)

<i>Rank</i>	<i>Indicator & Raw Data</i>	<i>Rank</i>	<i>Indicator & Raw Data</i>
84	People of Color 98% non-White population	92	Median Household Income Tract median household income: \$41,567
94	Lead 91.38% of households with children living in older housing are at risk for lead exposure	95	Unemployment 12.4% of the population over the age of 16 is unemployed and eligible for the labor force.
88	Cardiovascular Disease Spatially modeled, age-adjusted rate of emergency department visits: 19.11%	91	Internet Access 28% of households lack internet subscription
100	Health Insurance 29.4% of adults <65 do not have health insurance	93	SNAP Food Assistance 10% of households receive Supplemental Nutrition Assistance Program food assistance
100	Educational Attainment 44.9% of the population over age 25 has less than a high school education	96	Overcrowding 22% of households have more than one occupant per room
91	Emergency Room Visits for Asthma 186.24 age-adjusted Emergency Department visits for asthma per 10,000 people.	96	Redlining 2.71 Home Owners Loan Corporation (HOLC) redlining map grade (A=1, B=2, C=3, D (redlined)=4) population-weighted tract average

Table 10. Rockridge Neighborhood Indicators Among the Ten Least Impacted Census Tracts (0 = Least Burdened)

<i>Rank</i>	<i>Indicator & Raw Data</i>	<i>Rank</i>	<i>Indicator & Raw Data</i>
3	People of Color 27% non-White	0	Impaired Water Bodies No pollutants found in water bodies within the area
0	Clean-up Sites No clean-up sites	3	Emergency Room Visits for Asthma 20.47 age-adjusted Emergency Department visits for asthma per 10,000 people.

12	Life Expectancy at Birth 87.58 years life expectancy at birth	2	Evictions 4.48 evictions per 1,000 residents
0	Linguistic Isolation No limited English-speaking households	6	Health Insurance 4.65% of adults <65 do not have health insurance
5	Educational Attainment 0.75% of the population over age 25 has less than a high school education	4	Median Household Income \$188,958
4	Internet Access 1% of households without internet subscription	0	SNAP Food Assistance No households receive Supplemental Nutrition Assistance Program ("food stamps") food assistance
0	Low Food Access No households live beyond 1/2 mile of a supermarket	3	Habitability 3.49 code enforcement complaints (zoning, blight, housing habitability) per 1,000 tract residents
0	Heating No households without heating fuel	4	Housing Cost Burden 4% of households that make less than 80% of AMI are paying more than 50% of income for housing costs.

FROM REDLINING TO PREDATORY LENDING: DECLINING RATES OF BIPOC HOMEOWNERSHIP

Historic federal/local lending policies explicitly barred many BIPOC families from access to wealth-building homeownership and other financing opportunities. According to the National Community Reinvestment Coalition, there has been a nearly 30% gap in home-ownership rates experienced by White Americans compared to Black/African Americans for the past 100 years.¹¹⁴

Homeownership is one of the important ways that families build wealth and stability. As stated in the objectives of Housing Action Plan Goal 5, homeownership “confers a range of benefits” both tangible and intangible.¹¹⁵ Fixed interest rate mortgages provide a degree of stability as monthly housing costs remain constant over time, rather than increase each year. The equity in one’s home also increases the homeowner’s capital and borrowing power. After the mortgage is paid off, a homeowner’s housing costs can decrease significantly, and the home may offer a degree of financial resilience during economic struggles. Without these protections BIPOC households experience both greater rates of

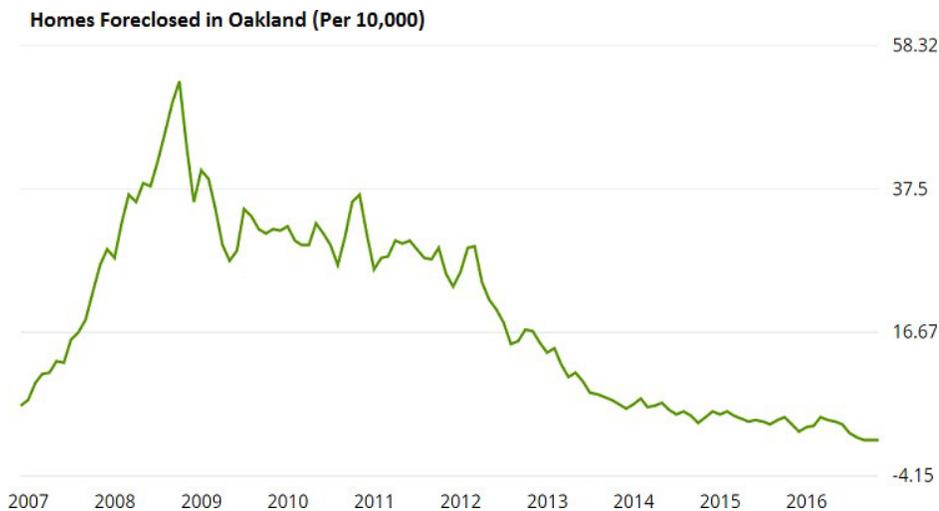
¹¹⁴ Rodney A. Brooks, [America’s racial wealth gap is enormous and getting worse](#), Fast Company, August 30, 2021.

¹¹⁵ Housing Element Public Hearing Draft, Chapter 4, p. 109.

displacement and greater rates of homelessness. Today, many East Oakland neighborhoods, especially the once Black/African American enclaves, have higher homelessness risks than citywide.”¹¹⁶

Despite the barriers to homeownership BIPOC individuals generally face, including higher loan denial rates, Oakland once had high rates of BIPOC homeownership. Many of Oakland’s predominantly Black/African American neighborhoods had Black/African American homeownership rates higher than citywide rates, including Prescott, Hoover/Foster, Oak Center in West Oakland, Santa Fe/North Oakland and in East Oakland, Brookfield Village and Sobrante Park.¹¹⁷ These gains were decimated when California was among the states hardest hit by the subprime mortgage crisis and recession and suffered a foreclosure rate nearly twice the national average.¹¹⁸ After Wall Street banks targeted BIPOC communities in East and West Oakland flatland areas with predatory loans from 2007 to 2009, these communities experienced the steepest losses of homeownership and wealth. After controlling for credit scores, analysis of the Federal Reserve Bank of San Francisco’s data revealed that Latinx/Hispanic and Black/African American homeowners disproportionately received subprime loans.¹¹⁹

Figure O. Rate of Foreclosures in Oakland, 2007-2011¹²⁰



As demonstrated by Figure O, the North, East and West Oakland flatlands neighborhoods were disproportionately impacted by the foreclosure crisis. The foreclosure crisis coincided with high displacement rates of Black/African American residents and the arrival of growing numbers of non-Hispanic White residents.

¹¹⁶ Housing Element Public Hearing Draft: Appendix D, p. D-61.

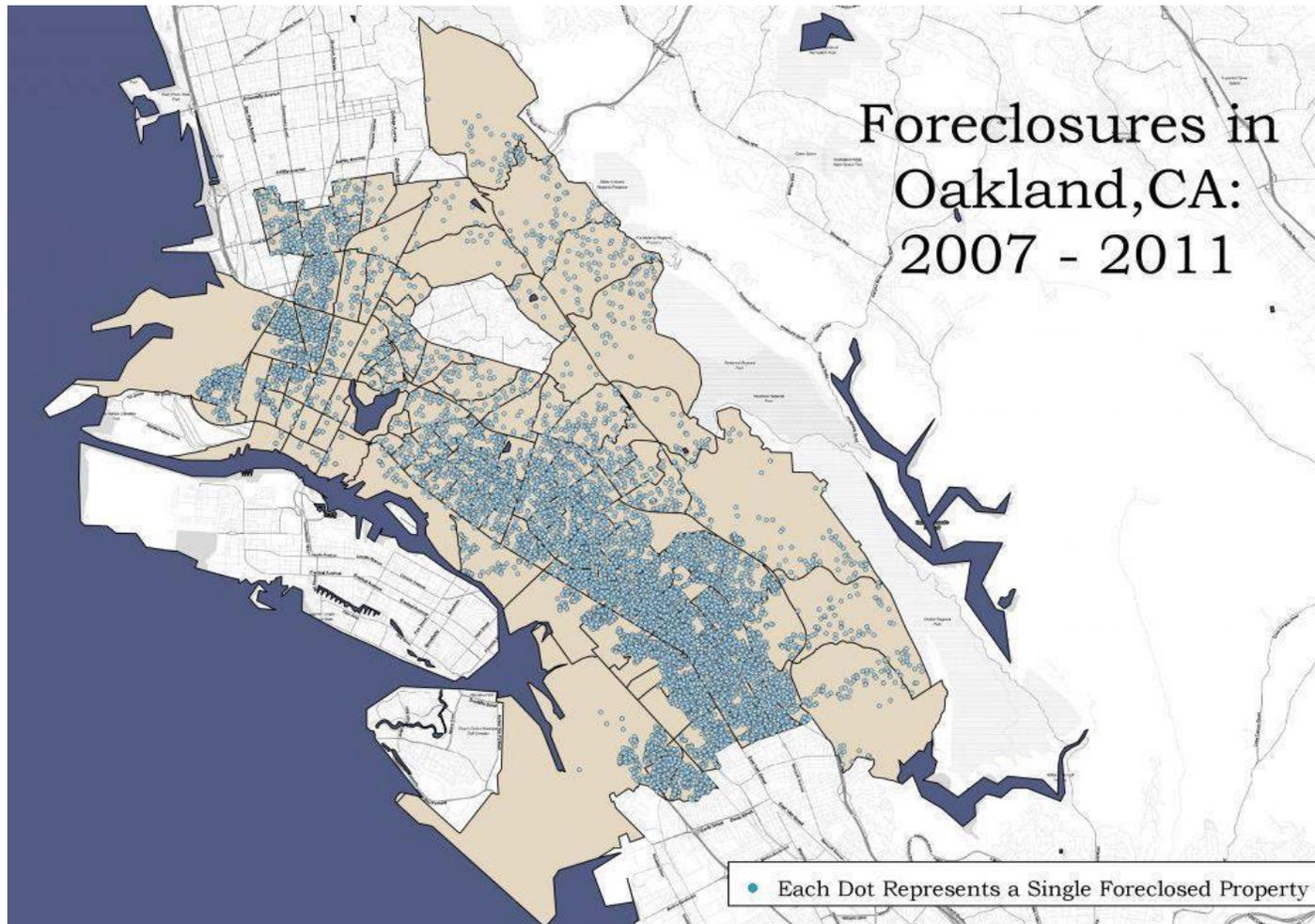
¹¹⁷ Kalima Rose and Margaretta Lin, *A Roadmap Toward Equity: Housing Solutions for Oakland, California*, Urban Strategies Council, 2015 (Data Packet, Map 3, Black Population Change in Oakland, 1980-2010).

¹¹⁸ Id.

¹¹⁹ The Greenlining Institute, *Issue Brief: People of Color Hit Hardest by the Foreclosure Crisis*, 2013.

¹²⁰ James Yelen, *The Foreclosure Crisis in Oakland, CA: Before and After (Observations from the American Community Survey)*, 2016 (Table: [Zillow](#)).

Figure P. Locations of Foreclosures in Oakland, 2007-2011¹²¹



¹²¹ Id.

TURBULENT RENTAL MARKET

As a matter of course, lower income renters are more vulnerable to volatile rental markets. Alameda County’s Analysis of Impediments survey found that, of the 18 percent of survey respondents who were displaced from their homes in the last five years, the primary reason for displacement is that rent became unaffordable (56 percent of those displaced).¹²² **Even rent increases that are within the allowable limits can drive rent above the threshold that a household can afford.**

Census tracts in the region that experienced a 30 percent increase in the median rent also experienced a decrease of 28 percent of low-income households of color.

LACK OF SUFFICIENT HOUSING OPTIONS FOR LOWER-INCOME OAKLANDERS

A glaring equity gap in the housing market is the limited availability of sufficient housing options affordable to lower-income households, across all neighborhoods in Oakland, including lower-income areas. In an ideal scenario, around one quarter of the housing units in Oakland would be affordable to extremely low-income (“ELI”) households to meet the needs of the

quarter of Oakland’s population that is ELI. Yet, this is a relatively ambitious goal due to insufficient federal and state funding and the high cost of producing and preserving housing units that can remain affordable at this price point. The housing market does not produce this type of housing on its own, as developers’ inability to extract profits renders it an undesirable investment.

Figure Q. Bay Area RHNA Performance through 2018 for the 2015-2022 RHNA Cycle¹²³



While the City produced enough housing units during the 5th Cycle 2015-2023 Housing Element to meet its overall Regional Housing Needs Assessment (“RHNA”) allotment, it met its goals by producing higher numbers of above-moderate-income housing. There was a significant shortfall in the production of housing units affordable to moderate-income, low-income, and very low-income households. The City achieved

¹²² Housing Element Public Hearing Public Hearing Draft: Appendix D, p. 62 (County of Alameda, Analysis of Impediments Section III - Community Engagement Process, p. III-12).

¹²³ Id.

2.8 percent, 32.1 percent, and 52.4 percent of its allotment for affordable housing, respectively.

For cities seeking to address the housing deficit through the development of publicly subsidized housing, Article 34, a proposition passed in 1950, amended California's Constitution to impose a major roadblock to development of public housing, requiring public approval for construction of public affordable housing. In November 2022, Oakland took a major step forward in removing this constraint for the foreseeable future, seeking permission from the voters (Measure Q) "to build or acquire up to 13,000 units" of government-funded housing, also called 'social housing' or 'public housing.' While the measure does not guarantee that Oakland will build the housing, if such a project is proposed and approved by city leaders in the future, it can go forward.¹²⁴

More broadly, public housing is only one component of a multi-prong solution. "Increasing the supply of housing for households at all income levels, while prioritizing subsidies for units serving ELI households, is necessary to address the affordability crisis."¹²⁵

Oakland recognizes that more can and should be done to close the gap on affordable housing construction and conversion. While market-rate housing is needed and Oakland is producing housing at affordability levels similar to other Bay Area cities, the lack of sufficient affordable housing units, "makes their overall RHNA performance look dismal."¹²⁶ (See Figure P.) In its strategic plan, the Oakland Department of Housing and Community Development estimated that annual investment in affordable housing is roughly \$100 million/year less than required to keep pace with Oakland's affordable housing targets.¹²⁷

The City's Housing Action Plan is tackling this issue by expanding enforcement of rent control (Action 1.1.1); partnering with community land trusts (Action 3.5.1); implementing an affordable housing overlay (Action 3.3.5); and creating higher density zones in high opportunity areas. The Housing Action Plan also includes a number of policies and actions to increase housing in higher opportunity areas, such as Action 5.2.10, which promotes the development of mixed income housing to reduce income-based housing concentrations. The HAP is explicitly focused on dedicating funds to the production and preservation of housing affordable to below moderate-income residents.

¹²⁴ Natalie Orenstein, [Housing on your Oakland ballot: 3 measures tackle social housing, infrastructure, and eviction protections](#), Oaklandside, October 24, 2022.

¹²⁵ Reid, supra n. 3, p. 29

¹²⁶ Council of Community Housing Organizations, [RHNA Tells Her Story](#), June 2020.

¹²⁷ Housing Element Public Hearing Draft: Appendix A, pp. A-1, A-2.

1.4 Housing Action Plan: Racially Equitable Housing Policies

Oakland has a suite of strong tenant protection laws —the Rent Ordinance and Rent Adjustment Program, the Just Cause for Eviction Ordinance, the Uniform Relocation Ordinance, and the Tenant Protection Ordinance, some of which were recently strengthened in the November 2022 election. These laws limit rent increases to allowable limits and causes, limit valid evictions to eleven causes, require payments to tenants to cover housing costs during temporary displacements, and prohibit harassing behaviors against tenants by owners and their agents, including conduct that may coerce a tenant to vacate their unit involuntarily.¹²⁸

The Housing Element Update’s Housing Action Plan (“HAP”) builds on existing law to increase protections for Oakland residents, production and preservation of affordable housing units and create strong resilient communities. The Haas Institute for a Fair and Inclusive Society has said that without careful attention to equity, well-intended policies can “inadvertently exacerbate inequality.” This means they either fail to ameliorate or increase disparities regarding physical and cultural displacement; income and wealth inequality; concentrated neighborhood disinvestment and neglect; political marginalization; poor public health; and/or regressive taxes or fees.

An equity impact analysis of each HAP action follows. The REIA assesses each action’s potential to reduce racial disparities, beginning with a statement of who the action stands to benefit, and which parties may be, or perceive themselves to be, burdened by it. We next identify existing challenges that can limit each action’s effectiveness in reducing racial disparities. Finally, we provide recommendations that can strengthen each action or bolster implementation in ways that overcome existing barriers to equity.

Both actions and recommendations that address the root causes of housing disparities are identified as high equity impact, while harm reduction strategies that don’t, by themselves, remedy the underlying causes of disparities are identified as moderate equity impact. In determining an action’s potential for equity impact, previous City performance and levels of funding are taken into account. High equity impact actions and recommendations **dedicate resources to address the root causes of disparities and have viable methods and workable policy frameworks to avoid “the perpetuation of ‘in-groups’ and ‘out-groups.’”**¹²⁹ This means that they:

1. Address the housing needs of low-income and BIPOC communities.
2. Distribute housing benefits using methods that are responsive to each geographic area, income level, and/or race/ethnicity.
3. Preserve or strengthen local assets and community values in BIPOC communities; and

¹²⁸ For a full discussion of Oakland’s Fair Housing Enforcement and Capacity, see Housing Element Public Hearing Draft pp. D-6 - D-15

¹²⁹ powell, *supra* n. 113.

4. Reduce disparities by remedying or mitigating existing harms and avoiding the creation of new or additional harms.

Table 11. Racial Equity Impact Analysis of Housing Action Plan Goals & Policies

1	PROTECT OAKLAND RESIDENTS FROM DISPLACEMENT AND PREVENT HOMELESSNESS
1.1	TENANT PROTECTIONS AND ANTI-DISPLACEMENT
1.1.1	Continue to Implement the Rent Adjustment Ordinance - Moderate Equity Impact.

Who Benefits or is Burdened?

- The new limitations on allowable rent increases benefits residents of covered units built before 1983.
- Property owners may feel constrained by their inability to increase the rents to match market rates.

Barriers to Equity:

- Owners who timely pay the annual RAP fee are allowed to pass half of the fee onto the tenant.
- Rental units built before 1983 and single-unit rental properties are not covered by the Rent Adjustment Ordinance. Advocacy for the repeal of the state law that prevents units built after 1983 from being covered under the Rent Adjustment Ordinance (Costa-Hawkins Rental Housing Act (1995)), has thus far been unsuccessful.
- Some tenants may be unaware of their rent control rights or be reluctant to exercise them, especially residents who are undocumented, monolingual or who have Limited English Proficiency (LEP).

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The City currently provides emergency rental assistance grants through a separate program, but funding is insufficient to serve the great number of applicants. The City can prioritize expanding funding for ERAP grants to shore up their ability be a source of support for tenants.
- Increase staffing at the Rent Adjustment Program to improve oversight and monitoring capacity.

Medium Equity Impact:

- Collaborate with community-based organizations (CBOs) to create and distribute popular education

pamphlets in multiple languages that residents speak and/or read.

- Deploy engagement tactics that reach vulnerable and hard-to-reach populations, such as door-to-door canvassing, pop up engagement in the community, and partnering with local ethnic in-language media outlets.

1.1.2 Enforce Just Cause for Eviction measures - **High Equity Impact.**

Who Benefits or is Burdened?

- Oakland's Just Cause for Eviction Ordinance protects tenants in most housing units built on or after December 31, 1995. Measure V expressly protects children and educators against no-fault evictions during the school year, tenants in RVs and tiny homes on private properties and newly constructed units.
- Landlords who wish to move into rental units they own may feel burdened by the inability to engage in no-fault evictions if units are occupied by school-age children or educators during the school year.

Barriers to Equity:

- Effectiveness is dependent on how well the protections can be enforced.
- Schoolchildren and educators are subject to no-fault evictions during summer breaks.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Continue to study and identify additional equitable limitations on no-cause evictions.

Medium Equity Impact:

- Reference Medium Equity Impacts above in Action 1.1.1.

1.1.3 Enforce and Strengthen Ellis Act protections - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Requirement for landlords to file withdrawal notices benefits renters by enabling the City to more actively monitor whether relocation assistance payments are made.

Barriers to Equity:

- Effectiveness is subject to landlords following the law and filing notices with the Rent Adjustment Program.

- Ellis Act conversions are likely significantly under-reported by withdrawal filings.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Improve staffing at the Rent Adjustment Program to increase proactive enforcement of eviction protections.

Medium Equity Impact:

- Reference Medium Equity Impacts above in Action 1.1.1.

1.1.4 Implement tenant relocation measures - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Tenant displacements caused by code compliance activities, owner or relative move-ins, Ellis Act activity, and condominium conversions receive relocation payments.
 - Temporary displacements caused by code compliance require the payment of actual temporary housing expenses.
 - For all other causes, the payment amount depends on the size of the unit and adjusts for inflation annually on July 1st. The base payment amounts until June 30, 2023, are:
 - \$7,669.78 per studio/one-bedroom unit
 - \$9,439.73 per two-bedroom unit
 - \$11,652.17 per three- or more-bedroom unit.
 - Tenant households in rental units that include lower income, elderly, or disabled tenants, and/or minor children are entitled to a single additional relocation payment of \$2,500 per unit from the owner.¹³⁰

Barriers to Equity:

- Backlogs due to insufficient staffing at the Rental Adjustment Program (RAP) create uncertainty about the percentage of households owed relocation assistance that actually receive the payments.
- Mom-and-pop landlords may not have sufficient funds to make tenant relocation payments.
- Many vulnerable tenants are unaware of their right to relocation assistance. Other vulnerable tenants, such as undocumented individuals or residents with Limited English proficiency, may be unable to exercise their

¹³⁰ Housing Element Public Hearing Draft Appendix D, p. D-9.

rights.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- A fully funded RAP may be able to ensure prompt payment by landlords of relocation payments due tenants.
- Partnerships with CBOs can increase information flowing to vulnerable tenants about their housing rights. CBOs can also support tenants by handling administrative aspects, such as communications with the landlord and liaising with RAP staff.

Medium Equity Impact:

- Reference Medium Equity Impacts above in Action I.I.I.

I.I.5	Implement a right to counsel in Rent Adjustment Program proceedings - Moderate Equity Impact.
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Who Benefits or is Burdened?

- Free legal representation significantly benefits low-income tenants.
- Nonprofit legal representation organizations also benefit through paid City contracts.

Barriers to Equity:

- Funding availability limits the number of Oaklanders that can receive services through the funds collected by the Annual Rent Adjustment Fee/

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider creating, seeking, or leveraging additional funding sources to increase funding availability.
- Resources permitting, enter into partnerships with multiple legal representation service providers to increase capacity.
- Actively seek to partner with BIPOC-led nonprofit legal representation service providers that are based in Oakland and that speak the languages of tenants.

Medium Equity Impact:

- Reference Medium Equity Impacts above in Action I.I.I.

1.1.6 Enhance housing related legal services - **Moderate Equity Impact**

Who Benefits or is Burdened?

- The City's commitment to providing all at-risk tenants not accessing RAP counseling services with free housing related legal services from external partners could reach tenants who would not otherwise seek legal representation.
- Impact is dependent on sufficient funding allocated to meet the need.
- Reference response to 1.1.5 above.

Barriers to Equity:

- Reference response to 1.1.5 above.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Reference response to 1.1.5 above.

Medium Equity Impact:

- Reference Medium Equity Impacts above in Action 1.1.1.

1.1.7 Expand our ability to enforce rent control to maintain affordability - **High Equity Impact**

Who Benefits or is Burdened?

- As a significant new commitment, the rental registry will benefit tenants vulnerable to rent increases, code compliance renovations, or no-fault evictions by allowing the City to better monitor rent control and other issues with rental properties.
- To the extent that the City is able to expand the number of units covered by rent control, this benefits moderate income earners.

Barriers to Equity:

- Although landlords will be subject to new reporting requirements, outreach and education will be necessary to ensure compliance.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Continue advocating at the state level to close the loophole preventing residential rental units built after 1983 from being covered by the Rent Adjustment Ordinance.
- Amend to include single unit rentals to be covered under the Rent Adjustment Ordinance.
- Increase RAP staffing to strengthen enforcement requiring property owners to report rent and tenancy information.
- Ensure that the City's new rental registry is available and accessible to sight-impaired people in all of the languages that Oakland residents vulnerable to displacement and evictions speak and read.
- Ensure rental registry website is accessible to English language readers using popular education methodologies and approaches, including avoiding acronyms, using common parlance, utilizing graphics as needed to support visual learners and people with learning disabilities.

Medium Equity Impact:

- Prioritize utilizing best practice user experience (UX) design and user interface (UI) design to support easeful website navigation and support the accessibility for tenants without a laptop or desktop computer.
- Reference Medium Equity Impacts above in Action 1.1.1.

1.1.8	Monitor neighborhood displacement risk factors - High Equity Impact
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Who Benefits or is Burdened?

- This new commitment to collecting and sharing key displacement risk data could benefit vulnerable renters and homeowners in neighborhoods most impacted by displacement if it is translated into proactive strategies to neutralize displacement pressures.

Barriers to Equity:

- Unless root causes of displacement are directly addressed by implementing effective strategies and proactively enforcing said strategies, monitoring displacement risk factors will not result in closing racial equity gaps or preventing displacement.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Partner with existing academic research efforts such as UC Berkeley's Urban Displacement Project and Stanford's Changing Cities Research Lab to establish a baseline of data and analysis that avoids reinventing the wheel. As data becomes available, discuss and ground-truth policy options for alleviating impacts.

- In addition to the survey, convene a resident advisory council of community-based experts who have been harmed by the housing crisis to provide the City with real-time quantitative and qualitative data about displacement pressures and impacts.

Medium Equity Impact:

- Make the City's bi-annual Resident Mini Pulse Survey on the state of housing security in Oakland available in accessible English, in all of the languages that Oaklanders vulnerable to displacement speak, online and in print.
- Reference Medium Equity Impacts above in Action 1.1.1. to support more comprehensive survey collection and to ground-truth neighborhood displacement risk factors.

1.1.9 Implement a rental housing registry - **High Equity Impact**

Who Benefits or is Burdened?

- The Rental Registry is a transformative strategy benefiting vulnerable tenants in covered units, that is needed to bolster multiple other tenant protection policies, such as rent control and proactive rental inspections.

Barriers to Equity:

- Tenants who are not renting covered housing units subject to rent stabilization and/or Just Cause protections under City law will continue to be at high risk of displacement.

Recommendations to eliminate barriers to equity and close equity gaps:

- Reference High and Medium Equity Impacts above in Action 1.1.7.

1.1.10 City Enforcement of the Tenant Protection Ordinance (TPO) - **High Equity Impact**

Who Benefits or is Burdened?

- Amendments established to strengthen the TPO, such as heightened penalties for violations against tenants, will benefit tenants who are elderly, disabled, and/or catastrophically ill.

Barriers to Equity:

- The determination and threshold as to whether a person is catastrophically ill or merely ill may prevent people with health challenges or illness from benefiting from heightened TPO protections.
- Funding to staff the Housing Justice Initiative and related TPO enforcement actions are dependent on the City's successful application for and availability of additional grants and funding sources. The need to apply for additional funding could reduce staff capacity and distract them from prioritizing effective enforcement of the

TPO.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Expand the Tenant Protection Ordinance (TPO) to include non-profit-owned rental housing and rentals in newly constructed residential properties.
- Ensure adequate staffing and reliable funding for Housing Justice Initiative and the City Attorney’s existing Neighborhood Law Corps.
- Negotiate paid equitable partnerships between housing justice and tenants’ rights CBOs and the City Attorney’s Housing Justice Initiative.
- Ensure that Housing Justice Initiative staff and Neighborhood Law Corps members have adequate Language Justice resources to provide translation and interpretation services in all languages spoken by Oakland renters vulnerable to displacement.

1.1.11	Enforce the tenant right to return and protections from coercive buyouts - Moderate Equity Impact
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Who Benefits or is Burdened?

- Tenants displaced by code enforcement activities or other covered activities have a right to return.

Barriers to Equity:

- When they are temporarily displaced for over 60 days, tenants may find long-term residence elsewhere and decline to exercise the right to return.
- Renters who lose their housing due to coercive buyouts do not have a right to return.
- Renters negotiate with their landlords on their own, making monolingual, non-English speakers especially vulnerable to being forced out of their housing illegally.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Collaborate with CBOs to create and distribute popular education pamphlets on tenant rights in all or most of the languages Oakland residents speak.
- Deploy engagement and popular education tactics that reach vulnerable and hard-to-reach populations, such as door-to-door canvassing, pop up engagement in the community, and partnering with local ethnic in-language

media outlets, to educate renters about their rights.

- If units affordable to very low-income residents are demolished, ensure an equal number of units affordable to those income levels in the new development.
- Make rental subsidies available to unemployed tenants.

Medium Equity Impact:

- Specify extension year through which City will extend the right to return beyond the sunset date of SB 330.

I.1.12	Provide a local preference in affordable housing projects - Low Equity Impact
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Who Benefits or is Burdened?

- Households displaced from Oakland due to City Actions or non-fault evictions, neighborhood residents, and Oakland residents and workers, receive a preference in housing units created with City funds.
- Creation of a regional application portal could make it simpler for Oakland residents to apply for affordable housing.

Barriers to Equity:

- Publicly funded affordable housing projects are a narrow swath of Oakland’s housing stock.
- There are a large number of households that lack access to the internet.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Identify solutions for reaching households that lack internet access.
- The timeline for development of the regional portal may be too long. If feasible, accelerate the timeline for adoption and launch of an application portal by creating an Oakland-specific portal for use by Oakland residents.
- Meet with impacted residents to understand how to streamline the application portal.
- Collaborate with intermediary, regional CBOs to collaborate with smaller, more grassroots CBOs to educate former Oakland residents who have been displaced to other parts of the Bay Area region about their rights to return and the regional affordable housing application portal.

Medium Equity Impact:

- Hire contractors with expertise in accessible user interface design to ensure that the housing portal is intuitive

and easy to navigate.

1.1.13 Negotiate for appropriate community benefits during development agreement approvals for major entitlements and use of City land - **Low to Moderate Equity Impact**

Who Benefits or is Burdened?

- Depending on the measures included, a standardized set of anti-displacement measures to include in development agreements has potential to lessen displacement pressures for BIPOC residents.
- A standardized set of measures could help developers plan ahead for the anti-displacement strategies they will include.

Barriers to Equity:

- Does not guarantee increased numbers of affordable units will be produced and mitigation efforts may not be commensurate with the impacts of displacement.
- Negotiations with developers could lead to ad hoc commitments.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Negotiate for increased numbers of affordable housing units as a standardized anti-displacement development agreement measure.
- Encourage neighborhood-specific targeted hiring coupled with Project Labor Agreements that ensure living wages, 'ban the box' to support employment of justice system-involved residents, and support neighborhood residents to participate in workforce development and union entry pathways and programs (e.g., Cypress Mandela Training Center).

1.1.14 Protect Oakland residents from displacement and becoming homeless - **High Equity Impact**

Who Benefits or is Burdened?

- Oakland's Emergency Eviction Moratorium Ordinance is one of the strongest in California; protecting renters in covered units who would otherwise be subject to evictions, rent increases beyond the CPI, and late fees on their rent.
- Tenants have benefited from the Emergency Eviction Moratorium Ordinance by being able to forgo paying rent in order to pay off other bills and purchase groceries.

Barriers to Equity:

- Housing providers, especially smaller mom-and-pop landlords often have a mortgage on the property to continue paying, and rent is their primary source of income to pay the mortgage. After the moratorium ends, many landlords will evict residents who cannot pay rent or risk losing their properties.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Provide financial support to tenants who have been protected by the Eviction Moratorium Ordinance, ensuring that they can pay back rent once the Moratorium ends.
- Provide financial support to small mom-and-pop landlords who have been impacted by their inability to collect rents, to enable them to keep their properties and prevent foreclosures rather than evict existing tenants.
- Implement a three- to six-month grace period when the Eviction Moratorium sunsets, preventing larger landlords from evicting tenants who have been protected by the Moratorium.

2	PRESERVE AND IMPROVE EXISTING AFFORDABLE HOUSING STOCK
2.1	EXISTING HOUSING STOCK IMPROVEMENT
2.1.1	Support home rehabilitation programs - <i>Moderate to High Equity Impact</i>

Who Benefits or is Burdened?

- Very-low and low-income homeowners, small landlords (between one to four units) and their tenants can benefit from expanded funding for housing rehabilitation assistance to enable holistic building upgrades - including energy efficiency, electrification, and storage.
- Local contractors benefit from the City’s efforts to connect them to homeowners carrying out home rehabilitation projects.
- Major renovation projects can require temporary relocations longer than 60 days, exceeding tenant relocation funds available.

Barriers to Equity:

- Funding streams for these upgrades are unpredictable and not guaranteed; only 80 housing units a year are rehabilitated under this program.
- Project administration for these programs requires sustained efforts which can be undermined by insufficient

staffing.

- Small landlords providing affordable housing with over four units do not qualify for this program (but are eligible for the Access Improvement Program for disability-related upgrades and the City’s seismic safety programs.)

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Develop dedicated local funding sources for this program to increase benefits provided.
- Expand eligibility requirements to include small landlords with over four units who provide affordable housing.
- Partner with CBOs and local businesses to engage in community outreach and education efforts, as well as to conduct home rehabilitation, repairs, and retrofits.
- Partner with East Bay Community Energy, local businesses, and CBOs (such as Revalue.io and Cypress Mandela Training Center) to utilize innovative financing mechanisms such as green leases and Pay As You Save (PAYS) on-bill financing to enable zero-cost energy efficiency retrofits that can immediately save homeowners and tenants money on energy bills.

2.1.2 Promote healthy homes and lead-safe housing - **Moderate to High Equity Impact**

Who Benefits or is Burdened?

- The lead-safe home program benefits qualifying homeowners. Integrating electrification, lead abatement and home rehabilitation could significantly improve habitability in qualifying homes.
- Oakland property owners benefit from increased educational opportunities and on-site consultations and residents benefit from lead testing and asthma trigger interventions.

Barriers to Equity:

- The lead-safe home program applies to **owner-occupied** homes thus does not significantly benefit predominantly BIPOC renters.
- This program has not been adequately staffed in recent years, resulting in completion rate of one to two projects from 2018-2020, although staff have recently been picking up the pace.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Develop dedicated local funding sources for this program to increase benefits provided and ensure that homes

with lead paint and young children are remediated.

- Partner with CBOs and local businesses to engage in community outreach and education efforts, as well as to conduct home rehabilitation, repairs, and retrofits.
- Partner with East Bay Community Energy, local businesses, and CBOs (such as Revalue.io and Cypress Mandela Training Center) to utilize innovative financing mechanisms such as green leases and Pay As You Save (PAYS) on-bill financing to enable zero-cost retrofits that can immediately save homeowners and tenants money on energy bills.

2.1.3 Conduct proactive rental inspections- **Moderate to High Equity Impact**

Who Benefits or is Burdened?

- Proactive inspections benefit tenants of substandard housing, especially those who are unable or reluctant to utilize legal mechanisms such as code enforcement complaints.

Barriers to Equity:

- Once cited, low-income homeowners or landlords may not have sufficient funds to complete the repairs needed

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Raise funds to distribute grants or low-cost financing to support low-income homeowners and landlords in making the rehabilitation and repairs that are needed to make their homes habitable and healthy for residents.
- Connect homeowners with local BIPOC businesses to conduct home rehabilitation, repairs, and retrofits.

2.1.4 Support historic preservation and rehabilitation - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Owners of buildings designated under state statute as ‘qualified historical property’ can benefit from potentially significant property tax reductions.

Barriers to Equity:

- If not considered qualified historical property under relevant law or program guidelines, burials and other sacred Lisjan Ohlone sites may be desecrated when uncovered as a result of demolition, construction, or rehabilitation.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Incorporate preservation of tribal cultural resources into project site planning, unless completely infeasible to prevent the unintentional desecration of Native American burial or sacred sites.
- As required by SB 18¹³¹ and AB 168,¹³² consult with Lisjan Ohlone-led Indigenous groups, including Indian People Organizing for Change and Sogorea Te' Land Trust, to ensure tribal cultural resources are preserved.

2.1.5 Implement universal design strategies - **Moderate Equity Impact**

Who Benefits or is Burdened?

- If adopted, seniors and people with disabilities significantly benefit from a Universal Design Ordinance that closes ADA loopholes especially if informed by meaningful community engagement conducted in partnership with disability justice CBOs.

Barriers to Equity:

- The universal design strategies would only apply to new construction, leaving behind seniors and people with disabilities currently burdened by inaccessible housing units.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Prioritize community engagement with low-income and BIPOC seniors and people with disabilities to understand the intersection of multiple factors of vulnerability and burden.

2.1.6 Increase funding for improved indoor air quality. – **Moderate Equity Impact**

¹³¹ California Office of Planning and Research, [Tribal Consultation Guidelines Supplement to General Plan Guidelines](#), November 2005.

¹³² California Office of Planning and Research, [AB 168: Tribal Scoping Consultation Requirements for Projects Seeking Review Under the Streamlined Ministerial Approval Process \(SB 35\)](#), November 2020.

Who Benefits or is Burdened?

- Low-income residents with asthma who live with natural gas in their homes or live near high pollution areas but lack filtration systems to keep harmful outdoor air pollutants out can benefit significantly from better ventilation, air filtration and electrification.
- Incentives and safety nets that avoid increasing housing displacement or energy insecurity are important to protect lower-income BIPOC residents.

Barriers to Equity:

- Building retrofits to older buildings may be costly and difficult, discouraging homeowners from making them unless sufficient funds are made available.
- Renovations can put pressure on landlords to increase the rent.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider offsetting higher percentages of the costs for ventilation and electrification in high air pollution areas and for older buildings.
- Utilize the rental registry and active monitoring of displacement factors to strategically provide additional support in areas with high displacement risks.

2.2 PRESERVE THE AFFORDABILITY OF EXISTING HOMES

2.2.1 Continue to implement resale controls on assisted housing – **Moderate Equity Impact**

No data is presented in this Action regarding the affordability levels of City assisted ownership and rental development projects nor the numbers of housing units covered by affordability covenants, which are the most effective method of preserving affordability.

2.2.2 Enforce, monitor, and preserve affordable housing covenants with an emphasis on “at-risk” units – **High Equity Impact**

Who Benefits or is Burdened?

- Affordable housing preservation is as important as construction of new affordable units in ensuring sufficient affordable housing remains available, especially where current affordable housing is located in higher resource neighborhoods and cultural centers.

Barriers to Equity:

- This program applies only to current deed-restricted units but does not contemplate methods for preserving units that are currently affordable, but not deed-restricted.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider allocating a percentage of City funding toward creation of new deed-restricted affordable units.

2.2.3	Enforce residential demolition and conversion restrictions for residential hotels – Moderate Equity Impact
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Who Benefits or is Burdened?

- Single-room occupancy (SRO) hotels are the least expensive form of non-subsidized housing, an important source of naturally occurring, deeply affordable housing that can benefit ELI Oaklanders.

Barriers to Equity:

- SROs are typically better suited to individual residents, rather than larger households.
- Some SROs maintain vacant rooms to maintain the property values rather than rent to ELI tenants.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Increase protections for tenants of SROs and incentivize full occupancy, if possible.
- Ensure high quality conditions at SRO buildings by providing the benefit of a tax abatement, with the condition that the rooms be rented to tenants with low incomes, or specific low-income groups, such as unhoused or formerly incarcerated people.
- Consider efforts to move unhoused individuals into SROs, including paying their rent in full or in part through charitable, state, or federal funding, incentivizing landlords to accept such tenants.

2.2.4	Limit condominium conversions. — Moderate Equity Impact
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Who Benefits or is Burdened?

- Requiring replacement units, removing conversion rights, and implementing the Rent Adjustment Ordinance and Just Cause for Eviction Ordinance could support existing tenants.

Barriers to Equity:

- While condominiums decrease the rental housing stock, they can provide an affordable way to achieve homeownership.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Adopting a TOPA/COPA could alleviate the risk of affordability loss from condominium conversions and provide more tenants with homeownership opportunities.

2.2.5 Extend local replacement unit provisions. —**Moderate Equity Impact**

Who Benefits or is Burdened?

- The City has committed to codify and extend SB 330 protections requiring no net loss of residential capacity beyond the sunset date. If sufficient replacement units are built at comparable affordability levels, this policy would benefit tenants, giving rise to a greater degree of housing certainty despite the unforeseen burden caused by the housing demolition.
- Including relocation assistance and right of return in all demolition proposals will benefit existing tenants. Active outreach to developers to encourage and monitor compliance will increase the City’s ability to ensure replacement units are constructed.
- If lower income occupants of units protected under state law are required to leave their units due to a planned demolition that fails to transpire and the property is returned to the rental market, the displaced occupants must be allowed to return at their prior rental rate. If the demolition does occur, the prior occupants have a right of first refusal for comparable units available in the new housing development.

Barriers to Equity:

- Projects that demolish one protected unit and construct one residential unit or that are 100 percent lower income units are exempt from these provisions, under state law.
- Tenants temporarily displaced due to demolition of rental property may be displaced for a long period of time.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Actively maintaining a displaced tenant database would have a high impact on enforcing the right of return.

- 2.2.6 Reduce short-term home purchases/sales (i.e., “house flipping”) to ensure affordability and prevent displacement. — **Moderate to High Equity Impact**

Who Benefits or is Burdened?

- House flipping can heat up local housing markets driving up home prices and rents as investors outbid individual home buyers. As the price of flipped homes goes up, other sellers raise their prices, which can result in a low-income neighborhood with affordable housing becoming much more expensive. The City commits to study whether a fee imposed when a property is sold shortly after purchase would make inroads toward curbing these outcomes.
- The impact of an anti-speculation tax on curbing speculation and maintaining neighborhood affordability is unknown. To the extent that the tax would be successful at reducing the frequency of house flipping, it could help cool down the housing market. To the extent that it did not curb house flipping, it could provide a source of revenue that can be used to fund additional affordable housing preservation and production.
- Individual (non-corporate) sellers who are typically free to dispose of their property as best suits their needs may feel unduly burdened by the additional constraint.

Barriers to Equity:

- While it can cause harmful impacts, house flipping is often a sole source of revenue for small mom-and-pop businesses.
- Many house flippers fail, running out of money, becoming unable to finish the work, losing money on the investment and may be unable or unwilling to pay an additional tax at sale.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The Equity Working Group convened by Deeply Rooted recommends the adoption of regulatory limitations on the short-term sale of homes occupied by tenants at the time of the purchase.

- 2.2.7 Provide additional subsidy for residential hotels. — **High Equity Impact**

Who Benefits or is Burdened?

- Restricting occupancy or residential hotels to lower-income residents while ensuring an endowed source of funding for resident subsidies or maintenance and upgrades that do not increase rents, can create more units affordable to very low- and extremely low-income residents while increasing the quality of units where deferred or minimal maintenance may be typical.

Barriers to Equity:

- The City commits to study and consider this strategy.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Increase protections for tenants of SROs and incentivize full occupancy, if possible.
- Consider providing the benefit of a tax abatement, with the condition that the rooms be rented to tenants with low incomes, or specific low-income groups, such as unhoused or formerly incarcerated people.

2.2.8 Investigate a Tenant/Community Opportunity to Purchase Act. – **High Equity Potential**

Who Benefits or is Burdened?

- Increases the collective bargaining power of tenants of multi-family buildings

Barriers to Equity:

- The City only commits to study this Action.
- Tenants are often unable to secure enough funding to purchase the building they live in through a TOPA policy.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider adopting a Tenant/Community Opportunity to Purchase Act (“TOPA/COPA”) to increase resident power in housing investments.
- The TOPA/COPA should be coupled with financial support for acquisition by tenant associations and collaboration with East Bay Permanent Real Estate Cooperative (EBPREC), the Oakland Community Land Trust, and related organizations.

3 CLOSE THE GAP BETWEEN AFFORDABLE AND MARKET-RATE HOUSING PRODUCTION BY EXPANDING AFFORDABLE HOUSING OPPORTUNITIES

3.1 FACILITATE PRODUCTION OF DEEPLY AFFORDABLE HOUSING

3.1.1 Develop a project-based rental or operating subsidy program for extremely-low-income residents - **Moderate Equity Impact**

Who Benefits or is Burdened?

- The City is creating a new operating subsidy in the absence of sufficient housing vouchers from the Oakland Housing Authority with HCD's single source of funding that is eligible for operating subsidies. These subsidies would enable the production of more housing affordable to ELI residents as disproportionately needed for lower-income BIPOC residents and would be right-sized to actual operating costs and services.

Barriers to Equity:

- Impact of this strategy is constrained by City funding; the City commits to producing 56 units of ELI housing under this strategy by 2031.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- To the extent feasible, the City can prioritize allocating operating funds to rental support for additional ELI households, rather than on operating support services as not all ELI populations need supported living. Most are independent and self-sufficient.
- Rather than traditional support services, carefully incorporate childcare, education, and job training opportunities, or other amenities as requested by community members.

3.1.2	Align and target Oakland Housing Authority Section 8 Vouchers for permanent supportive housing and extremely-low-income units. - Moderate Equity Impact
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Who Benefits or is Burdened?

- The City commits to targeting Section 8 units to City-assisted housing developments so that at least 20 percent are deed restricted as ELI. When used in publicly funded affordable housing projects, these project-based vouchers are highly leveraged in gap financing.

Barriers to Equity:

- Formerly incarcerated individuals are currently excluded from participating in Section 8 voucher programs.
- BIPOC residents with Section 8 vouchers have trouble finding City-assisted housing.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Craft solutions that direct housing support to formerly incarcerated individuals.

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

- 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, town-homes/rowhouses, and ADUs. - **High Equity Impact**

Who Benefits or is Burdened?

- Action would most benefit homeowners and landowners who can develop in-fill housing, subdivide buildings, or land, or build ADUs.

Barriers to Equity:

- Landlords in RCAA neighborhoods may not want to rent to lower-income and BIPOC households.
- Upzoning on its own does not ensure that more affordable units will be built.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Enable the development of multi-family apartment complexes that are affordable at all income levels in Detached Unit residential zones.
- Provide deed-restricted units affordable to ELI households on-site.
- Consider allowing up to six units for development of vacant or non-residential larger lots and corner lots in high opportunity single-family zoned neighborhoods.
- Provide a ministerial approval process so that small developers and property owners with lower risk tolerances can participate in the program.

- 3.2.2 Promote and protect live/work housing and housing for artists - **Moderate Equity Impact**

Who Benefits or is Burdened?

- This Action could benefit lower-income BIPOC residents, to the extent that joint living and working quarters (JLWQ) remain affordable to lower-income artists and welcoming to artists of color and to the extent that this action channels additional funding to the Black Arts Movement Business (BAMB) District and financial support for artists of color.

Barriers to Equity:

- The Black Arts Movement Business District is not visually apparent to Oaklanders due to lack of funding and

other City support, such as the establishment of infrastructure to fly “Pan-African flags” or other visible cultural markers that would raise awareness of this City-designated district.

- JLWQ may not be restricted to providing affordable housing, especially in highly desirable neighborhoods.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Provide additional resources to the BAMBD, CDC to enable it to acquire non-residential, commercial buildings and convert them to deed-restricted, affordable residential units for lower-income Black and BIPOC artists.
- Enable BIPOC artists seeking to remain in commercial and live/work units to access rent control to protect them from rent increases and other displacement pressures.

Moderate Equity Impact:

- Increase BIPOC residents’ pride in place through investments that increase the visibility of their cultural contributions.

3.2.3 Promote flexibility in adaptive reuse to increase the housing stock -- **Unknown Equity Impact**

Who Benefits or is Burdened?

- Amending the Planning Code to reduce constraints on reuse of historic commercial buildings for residential use will add to the housing stock, but it is unclear what level of affordability the residential units will have.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider expanding the scope of this Action to include reuse of unused public buildings.

3.2.4 Provide financial incentives for lower-income homeowners to legalize ADUs - **Moderate to High Equity Impact**

Who Benefits or is Burdened?

- This policy is responsive to lower-income homeowner needs for support in legalizing existing ADUs.

Barriers to Equity:

- The City has committed to providing funding for legalizing 25 ADUs for low-income and senior households.
- Low-income homeowners who want to build new ADUs do not have access to City funding support.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Increase funding to enable more low-income homeowners to access deferred loans for legalizing ADUs.
- Develop a program to fund building of new ADUs for low-income homeowners, which could include revolving low-cost deferred loans.

3.2.5 Reduce constraints to the development of ADUs - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Creating a “one-stop shop” for ADU support within the City and providing amnesty to homeowners with unpermitted ADUs along with financial support (as contemplated by Action 3.2.4) could significantly benefit lower-income BIPOC homeowners.
- Creating a database of local workers to build ADUs could have a high equity impact, especially if implemented in concert with workforce development and holistic support programs for small BIPOC businesses, including certifications in green building and lead-safe rehabilitation and remediation.

Barriers to Equity:

- One ADU specialist may not be sufficient to meet the need for legalizing existing ADUs or building additional ADUs for low-income homeowners.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Ensuring that the potential future online “one-stop shop” is available in multiple languages that low-income Oaklanders speak and read would enable non-English proficient or LEP residents to access available resources.
- Provide on-site interpretation services to enable the ADU specialist to communicate with non-English speakers or residents with limited English proficiency.

3.2.6 Monitor Affordability of Permitted ADUs - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Actively monitoring affordability levels of permitted ADUs is a proactive approach that can ensure more options are available for lower income BIPOC Oaklanders.

Barriers to Equity:

- While ADUs will likely present a more affordable housing option for many, affordability is not guaranteed as ADUs in nicer neighborhoods would likely rent at higher price points.
- The HAP does not have an Action that contemplates funding homeowners to build affordable ADUs, which means that a shortfall in affordable ADU units is foreseeable.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- As a part of Action 3.2.5, the City should collect and maintain data on ADU's constructed and affordability levels of existing ADU housing stock, with surveys should every two years as contemplated by this Action to ensure that City data is accurate.
- Develop a consistent new funding source to further support construction of new ADUs.

3.2.7

Proactive Short-Term Rental Enforcement - **High Equity Impact**

Who Benefits or is Burdened?

- Overcoming the barrier to complaint-driven zoning code protections by proactively gathering data on addresses listed on short term rental sites and proactively enforcing the law is highly impactful for equity. Collecting violation fines from property owners who operate short-term (less than 30 days) rentals could provide an additional source of City funding to support lower-income BIPOC residents and secure additional long-term rental housing units on the market.

Barriers to Equity:

- Higher-income homeowners may be willing to pay fees if short term rental profits outweigh those burdens, keeping units off of the long-term rental market.
- Lower-income homeowners and owner-occupied homes used for short-term rentals are differently situated than their higher income counterparts. Short-term rental income may be a primary source of their livelihood.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Prioritize proactive enforcement of higher-income homeowners providing illegal short-term rentals, first.

3.3 EXPAND RESOURCES FOR THE CONSTRUCTION OF AFFORDABLE HOMES

3.3.1 Sale or ground-lease of City-owned property for affordable housing. —**High to Moderate Equity Impact**

Who Benefits or is Burdened?

- Use of City surplus lands for development of permanently affordable housing (between 25 - 100 percent of units) and for emergency housing, including safe RV parking will benefit lower income and BIPOC residents.

Barriers to Equity:

- The City's release of 1-2 sites per year is based on the availability of funding for affordable housing construction and of staff to negotiate deals to bring project to construction

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- As makes appropriate sense for each affordable housing development, the City should seek to maximize the total amount of affordable housing provided by each project, For example, larger projects can have a lower percentage of units designated as affordable but generate more affordable units than a higher percentage in a smaller development. Projects in high opportunity areas or neighborhoods with high displacement risk should have higher percentages or absolute numbers of affordable housing.

3.3.2 Expansion of Section 8 vouchers. – **High Equity Impact**

Who Benefits or is Burdened?

- Housing Choice Vouchers awarded to families earning 50% or less of area median income provide rental assistance in an amount that allows each family to rent moderately priced housing and pay no more than 30-40 percent of income on rent, providing a wider array of housing options to lower income residents.
- Small owners and mom-and-pop landlords can be burdened by additional government paperwork, inspections, and delays.
- Increasing landlord education about Section 8 can lead to increased willingness to participate.

Barriers to Equity:

- Property owners must agree to participate in the Section 8 program, but many choose not to due to race, class or disability bias, or various misgivings/misinformation that reflect negative stereotypes of lower-income and BIPOC renters, a majority of Section 8 participants.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Increase voucher payment standards in resource rich neighborhoods.
- Vigorously enforce Oakland’s source-of-income laws to prohibit owners from refusing to rent to voucher holders.
- Provide fair housing assistance when applications are illegally denied due to Section 8 vouchers.

3.3.3 City of Oakland Emergency Rental Assistance Program - **High Equity Impact**

Who Benefits or is Burdened?

- Over 85% of the City’s Rental Assistance grants are awarded to extremely low-income residents at risk of experiencing housing instability or homelessness.
- Veterans and formerly incarcerated individuals would benefit from removal of barriers to long-term housing

Barriers to Equity:

- ERAP applications are currently waitlisted pending funding.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- If federal and state funding is insufficient, in addition to creating a public bank, the City can consider public-private partnerships for an additional source of funding.

3.3.4 Develop permanent housing affordable to extremely-low-income (ELI) households on public land – **High Equity Impact**

Who Benefits or is Burdened?

- Partnerships with Community Land Trusts, co-ops, and emerging developers to construct and increase the supply of permanently affordable housing for extremely low-income households will benefit households, co-ops and land trusts and emerging developers.
- Prioritizing inclusion of permanently affordable housing for ELI households in areas where services and needs are accessible by walking or public transit will promote neighborhood inclusivity.
- Prioritizing housing developments that dedicate a minimum of 20 percent of units for ELI or acutely low-income households will ensure that higher numbers of housing affordable to ELI households is built.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Ensure collaboration with BIPOC-led affordable housing developers.

3.3.5 Implement an affordable housing overlay – **High Equity Impact**

Who Benefits or is Burdened?

- Streamlining approval of affordable housing by right, including ministerial approval of projects that are 100 percent affordable, SROs and rooming houses, CEQA exemption and prohibiting appeals, could reduce costs and bring affordable developments to market sooner.
- Extending streamlined approval to mixed income projects that qualify for the density bonus could help foster inclusive neighborhoods.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Commit to implementing options for streamlining affordable housing applications in high-resource areas near transit.

3.3.6 Access to low-cost financing for development– **High Equity Impact**

Who Benefits or is Burdened?

- Favorable financing terms support affordable housing developers with construction and acquisition costs. The City forecasts the creation of at least 80 units with 16 set aside for ELI residents.

Barriers to Equity:

- Need for additional funds to support more affordable housing development.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- If Oakland prioritizes its development, future housing element cycles can secure low-cost financing from a Public Bank.

3.3.7 Study the targeted implementation of an inclusionary housing requirement — **High Equity Impact**

Who Benefits or is Burdened?

- If the City were to commit to a targeted inclusionary housing requirement in high-resource areas, it could significantly improve efforts to build more inclusive neighborhoods.

Barriers to Equity:

- Development impact fees have not resulted in sufficient development of affordable housing in high resource areas.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider adopting and implement Inclusionary Housing policies, which were developed to counteract a history of exclusionary zoning practices that reinforce economic and racial segregation while addressing housing constraints, leveraging private dollars to build affordable housing, and ensuring that good housing sites are not wholly taken by market-rate housing. This should be analyzed with a study of the pros and cons of onsite housing as opposed to leveraging monies collected from impact fees.
- Utilize incentives such as density bonuses and expedited processing.

3.3.8 Right-sized development fees on market-rate developments— **High Equity Impact**

Who Benefits or is Burdened?

- The City commits to review development impact fees every five years to ensure that market-rate housing developers pay a fair share toward funding affordable housing, and to determine whether the percentage of onsite affordable housing is appropriately set if developers choose this option.

Barriers to Equity:

- Only 50 percent of the Affordable Housing Impact Fee (assessed under Oakland Municipal Code Chapter 15.72) is paid upon issuance of a building permit. At project completion - which typically occurs about 2-4 years after permit application, or 1-3 years after permit issuance - the remaining 50 percent of the Affordable Housing Impact Fee is paid. This practice allows developers more leeway in raising funds to build developments. This results in a large discrepancy between impact fees assessed and impact fees paid at any given time. The affordable housing fund therefore has less money to invest in building new affordable housing projects than it could have if the entire fee was assessed much earlier than project completion, such as when the building permit application was granted.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The timeline for assessing the size of the impact fee is sufficient, but the current collection schedule hampers the City’s Affordable Housing Trust Fund. The City can assess 100 percent of the Affordable Housing Impact Fee on developers of market-rate housing upon issuance of the building permit. 100 percent of Transportation and Capital Improvement Impact Fees are already due at building permit issuance and requiring 100 percent of Affordable Housing Impact Fees at permit issuance on market projects should be feasible for developers that are by now aware of the need to incorporate this fee into project costs. This change would enable the City to support many more affordable housing projects. An analysis should be done to determine the impact on project feasibility if the carrying costs of the project is increased by requiring all of the Affordable Housing Impact Fees at the building permit issuance.

3.3.9	Adjusting or waiving City fees and payment timing for affordable housing developments — High Equity Impact
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Who Benefits or is Burdened?

- Waiving or lowering City fees or providing longer payment timelines would provide substantial support to emerging and BIPOC affordable housing developers and would likely facilitate and streamline additional affordable housing development since affordable housing developers have already named these issues as constraints.

Barriers to Equity:

- Affordable housing developers are situated differently than developers of market-rate housing and require additional leniency or flexibility in paying fees. Fee schedules for affordable housing and market-rate housing developers are presently the same.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Reducing the fees for affordable housing developers could level the playing field for affordable housing development.
- Consider giving affordable housing developers a grace period to pay their fees in full until they receive their Certificate of Occupancy (COO). Reducing and/or deferring fees for affordable housing developers can be counterbalanced by speeding up the payment schedule for market-rate housing developers. Reference High Equity Impact recommendation above in Action 3.3.8.

3.3.10	Consider a citywide Enhanced Infrastructure Financing District (EIFD).
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Unknown Equity Impact

This City has only committed to “study and consider” implementing this strategy. It is not known what percentage of the tax would go to affordable housing, how much additional revenue for affordable housing this strategy could generate, or to what extent it would result in onsite ELI housing in transit- and resource-rich neighborhoods, such as Downtown.

3.3.11 Support innovations by design – ***Moderate Equity Impact***

Who Benefits or is Burdened?

- Use of innovative construction technologies including non-traditional construction materials, such as straw bale, hempcrete, adobe and cob can substantially reduce costs of development and are sustainable, energy efficient, fire resistant, and insulative, reducing energy bills for residents. These materials also reduce embodied carbon dioxide, other greenhouse gases and toxic air pollutants.
- Modular design housing and offsite construction techniques can significantly reduce construction time and cost, without sacrificing quality of life for residents.
- Community stakeholders will appreciate periodic opportunities to discuss emerging innovations with the City.

Barriers to Equity:

- Non-traditional building products are not yet commercially available at scale.

Recommendations to eliminate barriers to equity and close equity gaps:

- After consultation with residents, the City should identify specific ways to support and encourage construction innovation. The City could consider funding innovative projects or running a pilot program to promote modular, off-site housing construction, use of non-traditional building materials and other emerging non-traditional building innovations.

3.3.12 Continue the Acquisition and Conversion to Affordable Housing (ACAH) Program —***High Equity Impact***

Who Benefits or is Burdened?

- Measure KK enabled Oakland to produce (build, preserve, acquire & convert) 1,561 units of affordable housing. Measure U will fund the construction and acquisition/rehabilitation of 2,200-2,400 affordable housing units over the next four to six years, along with public facilities and infrastructure projects.

Barriers to Equity:

- “The City’s target production of affordable housing units has increased to 1,283 units per year in 2023, based on the Regional Housing Needs Allocation (RHNA); this is up from 595 units per year in the 2015-2022 RHNA. At current funding levels, the City of Oakland can only produce approximately 602 units of affordable housing by 2030. Meeting the City’s affordable housing goals requires approximately \$192 million per year, at an average cost subsidy to the City of \$150,000 per affordable housing unit.”¹³³

Recommendations to eliminate barriers to equity and close equity gaps:*High Equity Impact:*

- If feasible, the City could consider allocating more than 25 percent of available local funding to the ACAH program.

3.3.13	Expand availability of predevelopment funding and low-cost debt products for affordable housing development— High Equity Impact
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Who Benefits or is Burdened?

- Action has the potential to lower predevelopment funding barriers for affordable housing construction. City has committed to targeting resources to support emerging and BIPOC affordable housing developers.
- City’s intention to target predevelopment funding to both high-opportunity and historically marginalized areas can help improve neighborhood inclusivity and increase the number of mixed-income developments and areas.

Barriers to Equity:

- Lack of sufficient funding available to the City. Reference barriers specified in Action 3.3.12.
- BIPOC affordable housing developers may also need predevelopment support beyond funding and low-cost debt products.

Recommendations to eliminate barriers to equity and close equity gaps:*High Equity Impact:*

- When feasible, the City could utilize a public bank to provide predevelopment funding and low-cost debt products for affordable housing development.

¹³³ City of Oakland, Website: [Measure U: 2022 Affordable Housing Infrastructure Bond](#).

3.3.14 Evaluate the creation of a leveraged acquisition fund or debt/equity funds for small sites to support site acquisitions for affordable housing —**High Equity Impact**

Who is benefitted or burdened?

- Affordable housing developers have expressed difficulty in competing with market-rate developers for site acquisition, and guaranteed access to debt/or equity funds could streamline acquisition transactions.

Barriers to Equity:

- Lack of sufficient funding available to the City to support these aims.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- A leveraged acquisition fund/debt equity fund for affordable housing acquisition could benefit from being used in concert with a TOPA/COPA, which also works to even the playing field in the acquisition of housing and its preservation as affordable housing.
- With the passage of Measure U, the City should study and report on the feasibility and appropriateness of creating a leveraged acquisition fund or debt/equity funds for small sites by mid-Housing Element cycle.

3.3.15 Continue and expand density bonus incentives. —**High Equity Impact**

Who Benefits or is Burdened?

- As required by State law, the density bonus can cut through existing land use requirements and local political issues to increase project densities up to 50 percent, with an 80 percent increase for completely affordable housing developments. City Council’s April 2022 updates to the Density Bonus Ordinance increase clarity as to the requirements, timelines, and incentives for inclusion of affordable housing. City commits to review density bonus mid-cycle to ensure conformity with state law and explore additional incentives.

Barriers to Equity:

- State law requires the City to provide developers using the density bonus, with a waiver or reduction of any development standard that would physically prevent the project from being built at the permitted density and with the granted concessions/incentives. While the City is not required to grant waivers that would cause a public health or safety problem, harm historical property, or be contrary to law, these waivers can include reductions to minimum usable open space requirements. Waivers, which are granted in addition to incentives or concessions, can be the “most compelling reason for a developer to structure a project to qualify for the density bonus,” could potentially reduce the amount of open space that developments with higher levels of affordability include.

Recommendations to eliminate barriers to equity and close equity gaps:*High Equity Impact:*

- The density bonus may be particularly helpful to use in combination with inclusionary housing requirements or increased on-site requirements in lieu of paying impact fees for new developments. The City should identify the suite of incentives and/or waivers that would most encourage the inclusion of affordable housing in high-resource areas.
- The City can also study and identify a suite of incentives and/or waivers that grant developers similar or even greater cost savings without reducing open space requirements, that the City can encourage developers to utilize.

3.3.16	Analyze the Real Estate Transfer Tax structure and its current effect on the Affordable Housing subsidy and the effect on the General-Purpose Fund. — Unknown to High Equity Impact
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Who Benefits or is Burdened?

- Taken together, the revisions proposed for consideration in the study on the Real Property Transfer Tax (RPTT), including expanding the current progressive tax, reducing, or waiving the tax for affordable housing, and using a portion of the revised tax rate as a dedicated funding stream for affordable housing are strong, and could significantly increase annual dedicated funding streams available for affordable housing development.

Barriers to Equity:

- The action only commits to study these revisions and adoption and will need to be revisited during mid-cycle evaluations dependent on the political will of the City Council.

3.3.17	Support low-income, grassroots, and BIPOC affordable housing developers — High Equity Impact
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Who Benefits or is Burdened?

- This action could have significant equity impacts and deserves additional dedicated City funding across biennial budget cycles. Oakland HCD pursued and won a Breakthrough Grant via Partnership for the Bay's Future/San Francisco Foundation and is hosting a two-year, high-capacity fellow to research and build out an approach that supports BIPOC developers. The Breakthrough Fellow is working with a local developer partner to ground truth recommendations identified in their research and will implement policy changes to reduce barriers to access and increase opportunity.

Barriers to Equity:

- It is unclear whether this commitment to work with and support emerging and BIPOC developers translates to additional funding for low-income, grassroots, and BIPOC affordable housing developers.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The City can incorporate this support into a permanent staff position to ensure the City's liaison can easily navigate the City's personnel and systems and the City retains institutional memory.

3.3.18 Propose a new Infrastructure Bond on the November 2022 Ballot. — **High Equity Impact**

Who Benefits or is Burdened?

- In the November 2022 election, Oakland voters passed Measure U by over two-thirds of the vote, authorizing \$850 million in general obligation bonds, with \$350 million dedicated to preserving or developing new affordable housing. New construction projects that set aside more than the program minimum of affordable units (currently 20 percent) will be prioritized for Measure U funds through the City's New Construction Notice of Funding Availability. The City will also support ACAH (Action 3.3.12) and Preservation NOFAs with Measure U funds.

Barriers to Equity:

- Meeting the City's affordable housing goals would require an astounding \$192 million per year, at an average cost subsidy to the City of \$150,000 per affordable housing unit. The City's affordable housing goal increases to 1,283 units per year in 2023, based on the Regional Housing Needs Allocation (RHNA); up from 595 units per year in the 2015-2022 RHNA. Before Measure U passed, the City of Oakland had only enough funding to "produce approximately 602 units of affordable housing by 2030." While Measure U increases the City's capacity to construct or acquire and rehabilitate affordable housing units by an additional 2,200-2,400 by 2030, it is still woefully insufficient.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- To the extent feasible, the City will seek out methods for leveraging Measure U dollars for affordable housing with other sources of funding.

3.3.19 Sites Inventory and Fair Housing Accomplishments Tracking Program—**High Equity Impact**

Who Benefits or is Burdened?

- Strengthened AFFH policies, including increasing the baseline of affordable units in high-resource areas, help foster inclusivity and reduce the number of racially concentrated areas of affluence.
- Coordinating with Development Services to track available housing sites will improve the City’s ability to monitor its RHNA and no net loss requirements.

Barriers to Equity:

- Housing sites included in the sites inventory are not the only locations where housing will be developed.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- City should bolster its capacity for real-time tracking of housing development.
- Before the mid-cycle evaluation demonstrates the need for stronger AFFH policies, the City should commit to study and identify an effective suite of priority policies for increasing AFFH impacts to implement mid-cycle, should the evaluation identify the need to course-correct.

3.4	REFORM ZONING AND LAND USE TO ADDRESS COMMUNITY PRIORITIES
3.4.1	Revise development standards, including allowable building heights, densities, open space and setbacks requirements. — High to Moderate Equity Impact

Who Benefits or is Burdened?

- Increasing densities and building heights, and eliminating Conditional Use Permits for density, especially in transit-proximate and resource-rich areas are effective methodologies for generating housing production and fostering neighborhood inclusivity.
- City will permit residential densities above 30 units per acre by right in designated resource-rich areas.
- Objective design standards for missing middle housing developments benefit existing residents of high-resource areas, by maintaining the look and feel of single-family home neighborhoods.

Barriers to Equity:

- Maintaining the compatibility of denser zoning with single-family neighborhoods benefits wealthier, high-resource areas while lower-income BIPOC residents are not afforded the same degree of protection for their neighborhoods and cultural assets.

- High cost of land may deter developers of anything other than above-moderate-income housing.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Ensure that any zoning overhaul empowers the BIPOC residents and communities to increase wealth-building opportunities.
- To the extent feasible, zoning changes to open space requirements should not reduce access to outdoor areas within building developments in neighborhoods with low park access or quality.

3.4.2 Study the Relationship Between Zoning and Racial Segregation as Part of the Phase 2 General Plan Update—**Moderate Equity Impact**

Who Benefits or is Burdened?

- The study will inform changes to zoning and land use designations to promote inclusive, equitable, and diverse housing patterns.
- A City study naming the ways that exclusionary zoning regulations have racially inequitable impacts within Oakland will be educational for the public and may spur innovative thinkers to action.

Barriers to Equity:

- Zoning and land use changes do not, by themselves, decrease racial segregation. Racial integration

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The relationship between zoning codes and racial segregation is established and, the City should continue to study this relationship as part of the Land Use and Transportation Element (LUTE) update. The study should be completed well before mid-2025 to inform the strategic direction the City will take if the need for stronger equity protections is evidenced during the mid-cycle evaluation. As the relationship between zoning codes and racial segregation is established and well understood, this study should be completed much earlier than by mid-2025.
- The City should continue to study this relationship as part of the LUTE update but should be completed well before 2025 to be effective in reducing racial segregation and AFFH in high-opportunity and racially exclusionary neighborhoods during the 6th cycle.

3.4.3 Revise Conditional Use Permit (CUP) requirements —**Moderate Equity Impact**

Who Benefits or is Burdened?

- Removing the requirement for CUPs and enabling streamlined, ministerial approval for multi-unit buildings in high-resource, RCAA neighborhoods that are single-family zones (RD, RM and RU), can remove a constraint to affordable housing development, including reducing the capacity for NIMBY neighbors to challenge the project.
- This action can, however, burden marginalized communities by removing their opportunity to engage the developer in the design or negotiate other community benefits.

Barriers to Equity:

- Removing a zoning constraint on multi-family housing does not by itself guarantee that developments will be affordable. Not all dense development is affordable, and not all single-family neighborhoods are wealthy. In lower-income areas, such as East Oakland, that are zoned for single-family housing, tenants occupy a greater percentage of the housing. If the City removes CUPs for all multi-unit housing, establishing design standards for ministerial approval, this could incentivize property owners/developers to demolish the affordable single-family homes occupied by lower-income tenants and replace them with more lucrative multi-unit market-rate housing.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The City should consider adding additional controls on the demolition of existing residential buildings, using an affirmatively furthering fair housing lens to promote BIPOC neighborhood empowerment and access to resources.

3.4.4	Revise citywide parking standards— Moderate Equity Impact
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Who Benefits or is Burdened?

- The City plans to eliminate some parking minimums and lower some parking maximums on a place-by-place basis, including eliminating minimum parking requirements for residential developments within one-half mile of major transit stops as required by state law. Revising parking requirements will reduce costs for all residential development.
- Ensuring that projects with residential units above commercial uses in mixed-use developments are not constrained by commercial parking requirements is an important strategy to promote additional residential development.
- Households who do not own a vehicle are better served when the housing development costs associated with parking minimums are re-purposed for rent-savings. The following ten census tracts have the highest percentages of households without vehicles:
 - Downtown - 60.27%
 - Uptown/Downtown - 46.84%
 - Chinatown - 44.86%
 - Acorn - 43.46%
 - Jack London Gateway - 38.99%

- Pill Hill - 37.11%
- Oakland/Harrison West - 35.86%
- Chinatown/Laney - 34.02%
- Piedmont Ave Central - 33.13%
- Bunche/Oak Center - 32.68%

Barriers to Equity:

- While eliminating parking minimums associated with housing development can provide substantial cost-savings to developers, vehicles remain important to tenants for employment, grocery shopping and other errands. Reducing parking minimums too low can harm market-rate housing’s marketability or result in parking shortages.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Further study is needed to identify possible unintended consequences of this action and identify a suite of parking management strategies to accompany parking standard revisions that increase parking affordability, efficiency, and equity for Oakland residents.
- The City should consider convening a resident advisory council to guide the process so that it meets their priority needs. The Equity Working Group convened by Deeply Rooted calls for the formation of a citywide Housing Commission of Oakland residents, with significant representation from BIPOC residents who have been harmed by the housing crisis, to provide ongoing oversight and annual performance monitoring of HAP implementation.

3.4.5	Revise open space requirements — Low to Moderate Equity Impact
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Who Benefits or is Burdened?

- Revisions to Oakland’s open space requirements, including flexibility in the amount, location, and configuration, are concessions sought after by both market-rate and affordable housing developers to reduce development costs.
- Currently, these requirements vary across zoning designations. Decreasing the minimum requirement in the zoning designations where the minimums are currently well above average would remove a constraint to development in these neighborhoods.
- However, reducing open space requirements for higher density projects in neighborhoods without adequate public parking space nearby could reduce the quality of life for residents, especially if the development includes affordable units.

Barriers to Equity:

- Residents of multi-family housing have indicated a need for more, rather than less, private/common open space to accommodate important outdoor activities such as household and community gardening.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- In addition to improving access to public open space in neighborhoods with low access, for each housing site in the inventory, the City can identify its proximity to public open space and community gardens in order to monitor the equity impacts of reducing open space requirements.
- Reference High Equity Impacts above in Action 3.4.3.

3.4.6	Correct zoning district boundaries that cut through parcels — Equity Impact Unknown
3.4.7	Capture the diversity of existing built fabric in zoning. — High Equity Impact

Who Benefits or is Burdened?

- Action adapts the planning code to preserve existing cultural buildings and other elements that provide neighborhood character.
- The City also commits to enable and facilitate smaller-lot neighborhood patterns that have the potential to significantly increase affordable housing options.

Barriers to Equity:

- To the extent that they can be considered nonconforming land uses due to their proximity to residential neighborhoods, protections against industrial uses with harmful public health impacts are limited.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- To the extent that it is necessary, the City should constrain the meaning of “older built facilities” to residential, commercial, and mixed-use buildings, or identify other methods to avoid grandfathering in nonconforming industrial land uses that can harm the health of nearby residents.

3.4.8	Implement objective design standards— Moderate Equity Impact
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Who Benefits or is Burdened?

- State laws prevent cities from denying approvals for proposed multi-family housing projects on parcels

currently zoned for multifamily housing based on discretionary design guidelines if certain percentages of the units will be affordable to moderate- and lower-income households for at least 30 years. The City would extend the use of objective design standards to a range of residential, mixed-used and commercial building types to eliminate the need for extensive design review and significantly reduce the permitting timeline and development costs, leading to increased availability of housing options. The City commits to adopt these standards by 2024.

- Action also allows project applicants to opt-in to design review for greater design flexibility and creativity.

Barriers to Equity:

- If this action includes ministerial approval of housing developments without minimum percentages of affordable housing, it may have the unintended consequence of limiting opportunities for meaningful engagement between communities and housing developers. Equitable outcomes are typically achieved through deep collaboration with the community who will be impacted by a project to ensure it provides tangible benefits to the greater community.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- In addition to objective design standards, the City could share the results of meaningful engagement identifying community needs in the impacted community with housing developers and ask them to demonstrate how an element of their projects benefits the local community as part of the permitting process.

3.4.9	Implement new ADU standards that streamline approvals and address unpermitted units. — Moderate Equity Impact
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Who Benefits or is Burdened?

- The City’s commitment to provide additional support for ADU production, including sharing pre-approved construction documents and legalizing unpermitted ADUs goes beyond the requirements of state law benefits homeowners and would likely have a high impact on ADU production.

Barriers to Equity:

- Increasing ADU production will increase housing options, but as addressed in Action 3.2.6 (Monitor Affordability of Permitted ADUs), it is not guaranteed that they will be affordable. The HAP does not contemplate funding homeowners to build affordable ADUs and a shortfall in affordable ADU units is foreseeable.
- ADUs will be a great affordable option for Oakland’s many smaller households but would likely not alleviate the lack of housing options affordable to larger families.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider discounting ADU legalization fees for lower-income homeowners and/or providing grants for ADU construction.
- Consider developing a database of local contractors who can assist homeowners with ADU construction.

Moderate Equity Impact:

- Work with CBOs to increase outreach to lower-income homeowners.

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. — Moderate to High Equity Impact.
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Who Benefits or is Burdened?

- All parcels within the Housing Sites Overlay Zone, which includes vacant and non-vacant sites identified in the 4th, 5th, and 6th RHNA cycles, if developed or redeveloped, must be majority residential.
- As required by state law, non-vacant sites included in at least one prior RHNA cycle and vacant sites included in two consecutive prior RHNA cycles that include at least 20 percent of units affordable to lower income families are granted non appealable by-right development with no discretionary review by the City and exemption from CEQA.

Barriers to Equity:

- It is unclear whether the concessions to incentivize development of affordable housing on 6th cycle sites are additional to the concessions named in other actions.
- By-right development of residential developments with at least 20 percent affordable housing does not extend to sites newly identified for the 6th cycle. These projects are more likely to face opposition from residents of high-opportunity areas.
- Ensuring 20 percent of units in market rate housing are affordable may not be a sufficient threshold to alleviate the affordable housing crisis and may still result in displacement.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider adopting by-right development in accordance with objective and human design standards for housing developments on 6th cycle sites that: (a) include at least 30 percent deeply affordable housing in high-resource areas and (2) include at least 50 percent affordable housing in low-resource areas.

- 3.4.1.1 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. — **Moderate Equity Impact**

Who Benefits or is Burdened?

- Currently, many community college students cannot afford housing and must sleep in their cars in order to attend school and many OUSD public school educators cannot afford market-rate housing and are forced to commute long distances. The City commits to review sites owned by OUSD and Peralta to identify and remove any land use conflicts that would prevent affordable housing development.

Barriers to Equity:

- Removing constraints to building housing does not guarantee that the housing will be built.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider methods for incentivizing housing developments on school properties. Since this action will be adopted as part of the Land Use and Transportation Element update, work to ensure these sites have ample access to public transportation.

3.5. EXPLORE INNOVATIVE AND ALTERNATIVE HOUSING MODELS

- 3.5.1 Support community land trusts and other shared equity models. —**High Equity Impact**

Who Benefits or is Burdened?

- Community land trusts purchase land to remove it from the speculative market and lease out the improvements, putting them under community control while preserving affordability in perpetuity.
- Similarly, shared equity models, such as the East Bay Permanent Real Estate Cooperative remove housing from the speculative market by pooling small investments from a multitude of investors. The property is then stewarded as a community asset. If purchased properties have existing residents, they become co-owners as well, managing the property cooperatively with additional co-stewardship from EBPREC staff and investors.
- The City's ACAH program includes a set-aside for cooperatives and community land trusts, based on stakeholder input, resulting in \$12 million allocated in the 2019-2021 budget.

Barriers to Equity:

- The main constraint faced by CLTs is the difficulty in financing significant property acquisitions.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Collaboration with CLTs could strategically remove housing stock in historically minority neighborhoods from the speculative market. The City should identify additional strategies to provide support to CLTs and shared equity models. For instance, adopting a TOPA/COPA with support for acquisition financing would increase their capacity to secure and preserve additional housing sites within the City.
- While TOPA/COPAs are limited to multi-family housing, CLTs and shared equity cooperatives can also provide affordable single-family housing since the price of the land (owned by the CLT) is removed from the purchase price. Owners build equity in their homes, but home resale prices are capped at an affordable level for the next buyer.¹³⁴

Moderate Equity Impact:

- Review property tax assessments to ensure that housing units protected by CLTs are assessed at lower tax rates than neighboring developments.

3.5.2 Support housing cooperatives, co-living, and cohousing models—**High Equity Impact**

Who Benefits or is Burdened?

- In addition to continuing the set-aside for CLTs and housing cooperatives, the City has committed to study and conduct outreach to community-based organizations and other partners to identify ways for the City to support innovative housing models, including through identifying ways that the Building and Planning Codes impact the viability of these housing models.
- Ensuring safety while promoting alternative ownership models would demonstrate ways to reshape our relationship with housing for better quality of life and higher affordability.

Barriers to Equity:

- Co-living and cohousing models may not be suitable for larger families.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

¹³⁴ Alex Brown, [Cities Support Community Land Trusts to Protect Affordable Housing](#), Stateline an initiative of The Pew Charitable Trusts, May 25, 2022.

- Housing cooperatives, alongside cohousing models, both offer residents the benefit of democratic control over their living conditions. To the extent feasible, the City should work to increase the viability of alternative housing models that also provide households with the opportunity to own a share as tenants-in-common and build equity.

Moderate Equity Impact:

- The City can work to elevate the profile of housing cooperatives and cohousing models within the City of Oakland to make more residents aware of alternative, more affordable, living models.

3.5.3 Advocate for statewide legislation on social housing— **High Equity Impact**

Who Benefits or is Burdened?

- Although the public housing provision in Article 34 of the California constitution requires a majority of community members to approve any public housing before it can be built, raising a significant barrier to public and social housing, Oakland voters recently ratified Measure Q. The measure provides the City with pre-approval for 13,000 units of “social housing” circumventing barriers to individual projects.
- The success of Measure Q can become a model for more cities to emulate.

Barriers to Equity:

- Despite having public authorization, the City has an ongoing need to expand revenues to fund construction or preservation of those units.

3.5.4 Monitor and consider adopting shallow subsidy programs for lower-income households — **High Equity Impact**

Who Benefits or is Burdened?

- Oakland’s innovative “shallow subsidy” pilot program provides 200 households with a portion of their monthly rent.
- “Centering Racial Equity in Homeless System Design,” identified shallow subsidies as a critical unmet need, and one of the only proven strategies to keep people housed.
- The City’s commitment to compare the impact on the rent stabilization improvements with the added benefit of a shallow subsidy may confirm that even rent increases within the allowable limits can make a household’s rent unaffordable.

Barriers to Equity:

- The City commits only to study and evaluate this action.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- As discussed above in Action 1.1.1 rental assistance grants to struggling households are the most effective way to support both struggling renters.

3.5.5 Study Feasibility of Single-Stair Residential Buildings — *Equity Impact Unknown*

Who Benefits or is Burdened?

- Oakland cannot change state building code unilaterally, but a report on this topic could bolster efforts to change the code to allow for single-stair access, which would help to lower construction costs and thereby increase the viability of denser housing projects.

3.6 STREAMLINE THE APPROVAL OF NEW HOUSING

3.6.1 Streamline the City permitting process, especially for low-income and nonprofit builders— *High Equity Impact*

Who Benefits or is Burdened?

- The City commits to work with both developers and housing stakeholders to identify ways to reduce costs and streamline planning approvals in order to significantly increase production of housing projects by low-

income and non-profit builders.

Barriers to Equity:

- Staff capacity at Building and Planning Departments limit capacity to streamline processes.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Connect low-income, non-profit, and BIPOC-led builders with organizations and resources that can increase readiness and capacity to develop housing in the city and ability to keep pace with changing needs posed by electrification and air filtration.

3.6.2 Provide increased flexibility in development standards— **Moderate Equity Impact**

Who Benefits or is Burdened?

- Streamlining permitting, removing the need for variances, and allowing for greater flexibility with design will promote development of affordable housing as infill. In lower density neighborhoods, streamlined processes will make it challenging to oppose affordable housing projects.

3.6.3 Expand by-right approvals and implement entitlement reform for affordable housing — **High Equity Impact**

Who Benefits or is Burdened?

- As with streamlined design permitting, by-right approvals will make it harder to oppose affordable housing projects and will save those projects significant amounts of money.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Working with community partners and affordable housing developers to identify and implement appropriate entitlement reforms, including fee subsidies and/or payment deferrals, is critical.

3.6.4 Continue SB 35 streamlining and encourage projects to use it— **High Equity Impact**

Who Benefits or is Burdened?

- This action represents another step toward supporting SB 35 streamlining required to grant by-right approvals

to certain affordable housing projects.

Barriers to Equity:

- Streamlining provisions do not apply to all affordable housing projects.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider extending by-right approvals to housing developments that have 50-100% of the units affordable to moderate-income residents and below or have over 30 units of affordable housing, whichever number is greater.

3.6.5	Continue one-stop and online permitting services— Low to Moderate Equity Impact
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Who Benefits or is Burdened?

- Developers already have access to the City’s one-stop-shop online and in-person services. City commits to coordinate with affordable housing developers to understand and correct the gaps in both online and in-person permitting services. To the extent that major gaps exist that can significantly streamline the permitting process and reduce costs, this action could result in additional affordable housing production.

3.7 EXPAND OPTIONS FOR SPECIAL NEEDS HOUSING

3.7.1	Incentivize the development of senior housing and provide financial assistance to developers of housing for seniors and persons with special needs— High Equity Impact
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Who Benefits or is Burdened?

- This action mostly continues existing policies and explores options for expanding financial assistance to developers of housing for seniors and people with special needs.

3.7.2	Provide housing for persons with HIV/AIDS— High Equity Impact
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Who Benefits or is Burdened?

- The City will continue to provide bonus scoring points for special needs populations as found in current practices.

3.7.3 Accessible units in new housing developments— **High Equity Impact**

Who Benefits or is Burdened?

- Ongoing commitment to meet the requirements of state and federal law to provide ADA accessible units in new housing developments, which require double the amount of funding to produce.

3.7.4 Implement the sponsor-based Housing Assistance Program— **High Equity Impact**

Who Benefits or is Burdened?

- Educating landlords to increase opportunities for housing choice voucher recipients is important to increasing housing opportunities for BIPOC and lower income tenants, moving them out of public housing developments and integrating them with the community.
- It is also vital for reducing unfounded biases that lead to housing discrimination.

3.7.5 Encourage a range of unit sizes for affordable housing that matches local household needs and family sizes. — **High Equity Impact**

Who Benefits or is Burdened?

- This commitment is crucial as it is more difficult for larger families to find affordable housing

3.7.6 Expand areas where rooming units and efficiency units are permitted by right — **High Equity Impact**

Who Benefits or is Burdened?

- These smaller units are naturally more affordable and so expanding by-right permitting will consequently create more affordable housing for smaller families and individuals.

3.7.7 Amend Planning Code to comply with the Employee Housing Act - **Equity Impact Unknown**

Who Benefits or is Burdened?

- Impact unknown.

3.7.8 Expand areas where Residential Care Facilities are permitted by right — **High Equity Impact**

Who Benefits or is Burdened?

- ELI seniors are a particularly vulnerable community a frontline community. Meeting their needs requires ample amounts of new affordable housing options in more neighborhoods across Oakland.

Barriers to Equity:

- Senior facilities may not have sufficient funding for land acquisition in certain neighborhoods.

3.8 CONVERT VACANT LAND AND UNITS TO HOUSING

3.8.1 Expand the Exemption to the Vacant Property Tax (VPT). — **Equity Impact Unknown.**

Who Benefits or is Burdened?

- Expanding exemptions to the vacant property tax to reduce unintended hardships on nonprofit and affordable housing developers may also decrease City revenue. Funding from the VPT is used for homeless services, affordable housing and clean-up of roadside trash and debris.
- Reducing the number of vacant parcels is highly important for increasing housing production.

Barriers to Equity:

- It is inequitable when record numbers of unhoused residents to be unsheltered while vacant properties that could be repurposed for residential use remain unused.

Recommendations to eliminate barriers to equity and close equity gaps:

Moderate Equity Impact:

- Monitor the impact of the VPT to assess its role in encouraging development for residential use.

3.8.2 Encourage the conversion of vacant ground floor commercial space to residential uses in appropriate locations — **High Equity Impact**

Who Benefits or is Burdened?

- Mixed use development typically places residential uses on the second floor, but the City commits to allow ground floor residential conversions to create infill in areas where the properties would otherwise remain

vacant with a streamlined approval process.

Barriers to Equity:

- Unknown.

3.8.3 Consider a tax on all vacant residential rental units — **High Equity Impact**

Who Benefits or is Burdened?

- The addition of a vacancy tax on all residential rental units could spur their conversion into active use by encouraging property owners to lease, develop or sell their properties. This commitment is to study this action and take action by 2026.

3.8.4 Continue the Oakland Community Buying Program and support scattered site acquisition efforts— **High Equity Impact**

Who Benefits or is Burdened?

- Mortgage and down payment assistance for low-income families through support for Community Land Trusts that can ensure permanent affordability, enables families to grow equity in their homes. Helping more families access the privileges of homeownership and eliminating housing precarity through the guarantee of permanent affordability is one of the most important ways to empower BIPOC communities — both financially and intangibly.

Barriers to Equity:

- The City’s capacity to expand the number of residents who can receive support from this program is currently very limited.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Consider additional public-private partnerships and other strategies for maximizing the capacity of this program.

3.8.5 Partner with Alameda County Tax Collector to redevelop tax defaulted properties — **High Equity Impact**

Who Benefits or is Burdened?

If funding for this program becomes available, pulling properties from auction to administer through a City program could be an effective intervention into the housing market.

4	ADDRESS HOMELESSNESS AND EXPAND SERVICES FOR THE UNHOUSED
4.1	EXPANSION OF HOMELESS SERVICES
4.1.1	Expand, improve, and maintain crisis response beds — High Equity Impact

Who Benefits or is Burdened?

- Emergency shelters or ‘crisis response beds’ can reduce harm for unhoused people. The Oakland City Auditor’s Office states that “nearly 79 percent of [unhoused] individuals were unsheltered due to a lack of permanent affordable housing options coupled with limited emergency and temporary housing options.”¹³⁵
- Committing to expand the quality and quantity of emergency crisis shelter beds will benefit Black/African American and Native American/Alaska Native people who are disproportionately represented in the homeless population. As reported by Needa Bee of The Village (Deeply Rooted), the quality and safety of shelter beds and interim housing provided by the City remains low.

Barriers to Equity:

- Local, county, state, and federal funding to maintain the programs that support homeless people in emergency shelters, such as rapid rehousing assistance, housing navigation, mental health and substance abuse services, job training and employment counseling has not been sufficient.
- Emergency shelters are only located in select few neighborhoods.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- According to, “Housing Oakland’s Unhoused” by The Village, The East Oakland Collective, Dellums Institute for Social Justice and Just Cities, shelter criteria identified by community listening sessions with unhoused residents include access to utility & sewage hook-ups, no noise pollution, no environmental pollution, access

¹³⁵ City of Oakland Office of the City Auditor, [Performance Audit of the City of Oakland’s Homeless Encampment Management Interventions and Activities: Fiscal Years 2018-19 and 2019-20](#), April 2021, p. 1.

to public transportation and to grocery stores, and location on an empty lot.¹³⁶

- Improving the quality and safety of the City’s interim housing options should be carried out through increasing partnerships with non-profit and community-based providers and community groups.

4.1.2 Expand, improve, and maintain crisis response beds, especially for unsheltered communities of color – **Moderate Equity Impact**

Who Benefits or is Burdened?

- Tracking demographic data to ensure that there is proportionate use of emergency shelter beds and exit to permanent housing at proportionate rates will most benefit the groups that are over-represented in the homeless population, Black/African American and Native American/Alaska Native individuals enter the homeless system at five times their representation in the general county population.”¹³⁷

Barriers to Equity:

- Even with sustained funding homelessness impacts will not decrease for at least “two years as the system addresses the intensification of homelessness that has taken place over the past 5 years. Homelessness will begin to decrease in the third year of sustained and significant levels of investment.”¹³⁸

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Require anti-racism training for service providers working in all aspects of the homeless housing crisis response system and related agencies. “Ending homelessness demands a paradigm shift that enmeshes anti-racism in all aspects of the homeless housing crisis response system, from direct service interactions to data collection, from policy making and public relations to human resource practices and leadership development. This work will require collaborating with other systems to overcome structural barriers, such as those encountered in systems of law enforcement and policing, education, health care, and child welfare among other social structures.”¹³⁹

4.1.3 Expand health and hygiene facilities and services, and improve access to bathrooms and showers - **High Equity Impact**

¹³⁶ The Village et. al., [Housing Oakland’s Unhoused: Community-Based Solutions to House All of Oakland’s Unhoused Now](#), The Housing & Dignity Project, October 2018, p. 3.

¹³⁷ Oakland-Berkeley-Alameda County Continuum of Care, [Centering Racial Equity in Homeless Response System Design](#), January 2019, p. 10.

¹³⁸ Id., p. 8

¹³⁹ Id.

Who Benefits or is Burdened?

- This is an essential intervention to provide homeless residents with the health and hygiene services that people need.
- providing adequate hygiene and health facilities and services to every unhoused Oaklander would benefit not only the homeless population, but the entire Oakland population, lowering the risk of spreading COVID-19 and other infectious diseases.

Barriers to Equity:

- Expanding to 100 sites and four City outreach staff would still leave an additional 229 encampments (of 329 total encampments citywide) without bathrooms or hand washing stations. One City staff worker to maintain health and hygiene facilities and services for 25 encampments seems woefully insufficient FTE to properly meet the basic sanitation needs of homeless encampments.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Increase dedicated budget to provide sanitation, handwashing and hygiene services and showers for the 329 encampments citywide.
- Increase dedicated budget and FTE City staff workers to maintain health and hygiene facilities and services in accordance with what can practically be accomplished in a work week to meet basic sanitation standards in encampments.
- Pay unhoused encampment ‘site leaders’ a minimum wage of \$15.06 per hour for their work to maintain porta-potties between official servicing and cleanings, in line with Oakland’s 2014 Living Wage Ordinance (Measure FF)¹⁴⁰ in addition to providing cleaning supplies.

4.1.4	Provide needed support and income to people who have been homeless so they can avoid re- turning to homelessness - High Equity Impact
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Who Benefits or is Burdened?

- BIPOC people, particularly Black/African American people, are significantly overrepresented among incarcerated and formerly incarcerated people, due to ongoing and historic structural racism. This action provides benefits responsive to priorities identified by homeless community members in “*Housing Oakland’s*

¹⁴⁰ City of Oakland, [Minimum Wage Ordinance \(Measure FF\)](#), 2014.

Unhoused.”¹⁴¹

Barriers to Equity:

- A notable exemption to California’s 2017 “Ban the Box” law (AB-1008), which prevents hiring discrimination against people with conviction histories, allows small businesses employing fewer than five people to legally discriminate against formerly incarcerated people, including people experiencing houselessness, effectively preventing them from gaining employment with small/micro-businesses.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- In addition to supporting work-related skills to address employment barriers and partnering with small business owners to match unhoused community members with jobs, unhoused residents also identified financial literacy training, life skills training, mentorship programming, and support with healing, wellness, and recovery as additional supportive service needs. Additional priorities included Staying connected to service providers, legal representation, and timely access to services.
- Increase program budgets as required to meet the needs specified by homeless residents.

4.2 ENCAMPMENT MANAGEMENT AND SHELTER OFFER POLICIES

4.2.1	Enhance operations of the City’s 2020 Encampment Management Policy - Moderate Equity Impact
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Who Benefits or is Burdened?

- The EMP allows informal encampments in “low sensitivity zones,” typically under freeways or otherwise in highly polluted areas, which relegate unhoused people to the most polluted areas in the city without even the modicum of protection provided by permanent housing.
- Unhoused encampment residents who choose to accept the City’s offer of shelter and attain emergency shelter and/or services provided by the City, may benefit from the EMP.

Barriers to Equity:

- The City’s offer of shelter, per City Council Resolution No. 88077, is not always practicable due to the gap between the number of shelter beds available and the number of unhoused residents. There are also few shelter options in various neighborhoods across the city. Existing shelter options may not meet the personal

¹⁴¹ The Village, et. al., [Housing Oakland’s Unhoused: Community-Based Solutions to House All of Oakland’s Unhoused Now](#), The Housing & Dignity Project, October 2018, p. 3.

needs of unhoused people.¹⁴²

- Even in ‘low-sensitivity’ areas, where the EMP specifies that enforcement will not be prioritized, unhoused residents report experiencing threats and actions to remove them using other policies, such as RV dwellers who report being asked to leave due to parking regulations.
- According to the UN Report of the Special Rapporteur on Adequate Housing from September, 2018, “Attempting to discourage residents from remaining in informal settlements or encampments by denying access to water, sanitation and health services and other basic necessities, as has been witnessed by the Special Rapporteur in Oakland, CA, constitutes cruel and inhuman treatment and is a violation of multiple human rights...Such punitive policies must be prohibited in law and immediately ceased.”¹⁴³ It is not clear if, or to what extent, these human rights violations have ceased in practice since observed in 2018.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Collaborate with the Homeless Advisory Working Group (HAWG) to implement, evaluate, and monitor the 2020 EMP.
- Increase funding for improved outreach, notification, and transport procedures,¹⁴⁴ including improved notification before encampment interventions occur (no less than one week’s notice), and support for transportation of residents and their belongings in the event of encampment closures.
- Cease collection of encampment residents’ belongings (e.g., ‘bag-and-tag’ process) during interventions and closures.
- Monitor and evaluate the City’s performance to implement the City Auditor’s recommendations.

4.2.2	Lead strategic homelessness response operations and homeless services from the Homelessness Division, Office of the City Administrator - Low to Moderate Equity Impact
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¹⁴² City of Oakland Office of the City Auditor, [Performance Audit of the City of Oakland’s Homeless Encampment Management Interventions and Activities: Fiscal Years 2018-19 and 2019-20](#), April 2021, p. 3.

¹⁴³ The Village, et. al., [Housing Oakland’s Unhoused: Community-Based Solutions to House All of Oakland’s Unhoused Now](#), The Housing & Dignity Project, p. 1. (Excerpt from the UN Report of the Special Rapporteur on Adequate Housing, September 2018).

¹⁴⁴ [Performance Audit of the City of Oakland’s Homeless Encampment Management Interventions and Activities: Fiscal Years 2018-19 and 2019-20](#), City of Oakland Office of the City Auditor, April 14, 2021, p. 2.

Who Benefits or is Burdened?

- City Council amended the EMP to give homeless residents the right to refuse the City's offers and the right to remain in place without harassment or arrest. stakeholder interviews with Oakland residents detailed unhoused resident's unfavorable experiences with the EMP and City Administrator's office, including the use of police force to tase and arrest homeless people.

Barriers to Equity:

- Unhoused residents experience a lack of accountability, transparency, and oversight of the EMP program, including forced removals from encampments.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Allocate additional funding and resources to community outreach and engagement and for equitable and paid partnerships with CBOs that organize in and with encampment residents.
- Scale up funding for Mobile Assistance Community Responders of Oakland (MACRO) to strengthen community capacity for responding to non-violent 911 calls at encampments.
- Increase funding for the Department of Violence Prevention to work with encampment residents and CBOs working with encampment residents, to reduce incidences of violence.

4.2.3	Strengthen interdepartmental Encampment Management Team - Low to Moderate Equity Impact
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Who Benefits or is Burdened?

- The Encampment Management Team ("EMT") is focused on completing interventions in homeless encampments that improve health and hygiene and channel unsheltered individuals to emergency shelters to facilitate their transition to long-term permanent supportive housing

Barriers to Equity:

- Reference Action 4.2.2.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Reference Action 4.2.2.

- 4.2.4 Increase the oversight of homelessness strategies, investments, outcomes, and encampment operations with Commission on Homelessness. — **High Equity Impact**

Who Benefits or is Burdened?

- Increasing community oversight of homelessness strategies investments, outcomes, and encampment operations with Commission on Homelessness, could result in increased transparency and accountability for the City. Following the Commission's advice could improve health outcomes and result in fewer violations of unhoused residents' human rights.

Barriers to Equity:

- As an advisory body, the Commission on Homelessness has no decision-making power, and can only advise actions taken by the City Council.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- It is vitally important that unhoused people shape Oakland's solutions to homelessness. No other demographic can understand their situation and their unique perspective should be incorporated into all City outreach and engagement efforts. In addition to the Commission on Homelessness, increase City engagement with the Homeless Advocacy Working Group (HAWG), which is made up of both housed and unhoused advocates, as part of oversight efforts.
- To build trust between law enforcement, social workers, and unhoused people, and implement culturally specific, anti-racist practices to better meet the needs of unhoused BIPOC residents, require additional training for OPD and other agencies in de-escalation tactics, anti-racism, and nonviolent communication.

Medium Equity Impact:

- Provide staff resources and stipends to Commissioners working to increase oversight of homelessness strategies, investments, outcomes, and encampment operations.

- 4.2.5 Expand co-governance and partnerships with unsheltered residents in the design and delivery of homelessness services - **High Equity Impact**

Who Benefits or is Burdened?

- Co-governance of organized encampments is highly effective at providing significant improvements to safety, dignity, health, and quality of life for unhoused residents of encampments and their housed neighbors.
- Nonprofit and community groups, including The Village and The East Oakland Collective, are already working to fill the need for organized communities by helping to organize, promote popular education and leadership development, and facilitate self-organized encampment sites. City contracts with these backbone organizations

will increase their capacity and enable more to exist.

Barriers to Equity:

- Lack of funding for CBOs and for unsheltered residents in organized encampments is a principal barrier to equity.
- Decision-making power about the status of an encampment ultimately remains in the hands of the City Administrator's Office, via the Homelessness Administrator.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Pay Unsheltered resident leaders Oakland's living Wage (Measure FF) for their work rather than stipends.
- Give Organized encampments that are co-governed with the City greater decision-making power in their fate.

4.3 PROMOTE PERMANENT SUPPORTIVE AND DEEPLY AFFORDABLE HOUSING FOR UNHOUSED COMMUNITIES

4.3.1 Finance the construction and maintenance of permanent supportive and deeply affordable housing for homeless households to expand the supply of deeply affordable and supportive housing for Oakland's most vulnerable residents - **High Equity Impact**

Who Benefits or is Burdened?

- This is a vital action that will result in the development of more housing affordable to people who are currently homeless in Oakland.

4.3.2 Streamline approval for modular developments to provide quality shelter quickly to address the scale of the crisis. — **High Equity Impact**

Who Benefits or is Burdened?

- Streamlining and facilitating the use of modular developments and other quick-build shelters, will enable more development of permanently affordable housing. Using publicly owned land to create additional permanent housing options is also important.

4.3.3 Remove regulatory constraints to the development of transitional housing and supportive housing— **High Equity Impact**

Who Benefits or is Burdened?

- These amendments to the Planning Code are impactful in reducing barriers to the development of these types of housing.

4.3.4 Ensure that the authority provided by the City’s Shelter Crisis Ordinance and Declaration of a Local Emergency regarding Homelessness remains in place until public health and safety concerns no longer persist. — **Equity Impact Unknown**

Who Benefits or is Burdened?

- Unclear impact.

4.3.5 Provide development standards for Low Barrier Navigation Centers. — **High Equity Impact**

Who Benefits or is Burdened?

- This change is required by state law and will be implemented into the Planning Code in 2023. By- right approvals of housing for special needs populations are a highly effective strategy for increasing their development.

4.3.6 Expand opportunities for the permitting of Emergency Shelters - **High Equity Impact**

Who Benefits or is Burdened?

- This is a new commitment to revise the Oakland Planning Code by 2023 to streamline approval for emergency shelters citywide on land owned by institutions approved for Community Assembly Civic Activities. This has potential to be a high impact strategy which increases the capacity of mission driven organizations to provide support and as they are located throughout the city, would enable the provision of shelter in more communities.

5 PROMOTE NEIGHBORHOOD STABILITY AND HEALTH

5.1 SUSTAIN AFFORDABLE FIRST-TIME HOMEOWNERSHIP INCENTIVES

5.1.1 Provide first-time homebuyer programs - **High Equity Impact**

Who Benefits or is Burdened?

- These types of programs are highly impactful, especially when targeted to BIPOC households. BIPOC households, who are less likely to be homeowners than White households, would disproportionately benefit from continuation and adequate funding of this program.
- If funding applications to CalHome grants and other state and federal funding sources are successful, the City projects to assist around 160 families with affordable, low-interest first-time home buyer mortgages over the eight years of the Housing Element cycle.

Recommendations to eliminate barriers to equity and close equity gaps:

- If it were adequately funded, this program would be both highly equitable and impactful.
- The primary barrier to equity pertaining to this Action is the yawning chasm between the steep need for first-time homebuyer programs and available funding.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- While funding is not currently available, the City should consider strengthening the equity impact through providing graduated levels of assistance to provide higher levels of funding to lower-income purchasers in order to facilitate lower monthly mortgage payments.
- The City should consider creating a Public Bank, as called for in City Leadership-4 of Oakland's 2030 Equitable Climate Action Plan (ECAP)¹⁴⁵ in order to establish a permanent, reliable, and stable source of local funding that could significantly increase the funding available for assisting additional first-time home buyers, and reduce dependence on grants, loans, bonds and other funding types from state, federal and private sources.
- Adapt City-sponsored classes for first time homebuyers to hybrid in-person and online formats using Zoom, to maximize safety and accessibility during the ongoing COVID-19 pandemic.
- Partner with CBOs to provide tablets or laptops and wireless hotspots with a data plan, to bridge the digital divide for families without home internet subscriptions.
- Utilize Zoom's interpretation feature and partner with language justice practitioners to provide high quality simultaneous interpretation and translation services to enable equitable access for Limited English Proficient and non-English speaking residents interested in taking first time home buying classes.

¹⁴⁵ Oakland, [2030 Equitable Climate Action Plan](#) (2030 ECAP). Action 'City Leadership-4', p. 112.

5.1.2 Expand access to low-cost financing for home purchase - **High Equity Impact**

Who Benefits or is Burdened?

- Reference analysis for Action 5.1.1.

Barriers to Equity:

- Reference analysis for Action 5.1.1.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Reference analysis for Action 5.1.1.

5.1.3 Provide paths to homeownership for Section 8 voucher holders — **High Equity Impact**

Who Benefits or is Burdened?

- If funding were available, eligible participants of Section 8 housing vouchers would benefit significantly from this program to enable them to purchase homes by directing voucher funding towards monthly mortgage payments.

Barriers to Equity:

- Formerly incarcerated people are not eligible to receive Section 8 vouchers and are thus excluded from benefiting from this program.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- If it is within the City's sphere of influence, expand local eligibility criteria to include formerly incarcerated people as eligible participants in Section 8 voucher programs and first-time home buyer programs.
- If it is not within the City's sphere of influence, commit to working alongside abolitionist and housing justice CBOs organizations to advocate to HUD and California HCD, as needed, for removal of the criteria preventing formerly incarcerated individuals from participation in Section 8 voucher programs.
- Explore alternative and innovative self-funding mechanisms, such as by establishing a Public Bank, in order to provide down payment assistance to a greater number of Section 8 voucher holders than the current projected rate of 30 low-income Section 8 voucher holders.

5.2 PROMOTE RESILIENT AND SUSTAINABLE DEVELOPMENT

5.2.1 Protect against smoke and wildfire - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Commitments to require air filtration in new development, prioritizing impacted communities, and to encourage development of clean air centers for community resilience during wildfires will benefit predominantly BIPOC residents of EJ communities in new developments, who are disproportionately burdened by wildfire smoke exacerbated by existing air pollution.

Barriers to Equity:

- As the lion's share of Oakland's affordable housing stock, residents of existing housing units - affordable and market-rate - do not benefit from this Action.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- If this requirement will apply only to new developments, the City should consider ways to increase protection against wildfire smoke in existing residences.
- In addition to creating clean air centers and resilience spaces within residential areas, partner with parks, rec centers, libraries, schools, faith-based organizations, and community centers, and other community-serving facilities to develop clean air centers and multi-purpose resilience hubs that grow community resilience, both during disasters such as wildfires or pandemics, and on a daily basis.

5.2.2 Promote infill, transit-oriented development (TOD), and mixed-use development - **High Equity Impact**

Who Benefits or is Burdened?

- Encouraging mixed use development with community serving uses in residential areas, increasing multi-family housing in commercial areas that are well served by transit are highly impactful strategies.

Barriers to Equity:

- Transit-oriented development does not always include sufficient housing affordable to all lower-income levels.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- To promote equity, the City must ensure that housing affordable to all lower-income levels is included in these developments, especially near transit.
- New commercial uses in residential EJ communities should not contribute to increased pollution burden.
- Establish permanent, reliable, and stable sources of local funding that significantly increases the funding available for affordable multi-family and mixed-use housing in transit-oriented and in-fill development to reduce dependence on grants, loans, bonds and funding from state, federal and private sources.

5.2.3 Study options to provide financing for the remediation of environmentally contaminated sites, with priority for affordable projects - **High Equity Impact**

Who Benefits or is Burdened?

- This Action could lead to the development of new affordable housing by helping to defray significant costs associated with remediating contaminated sites and brownfields. It would also reduce pollution burdens in predominantly BIPOC neighborhoods where hazardous waste, clean-up sites, and groundwater threats are high.

Barriers to Equity:

- Existing housing in Black/African American neighborhoods is disproportionately burdened by hazardous waste and contamination from legacy pollution sources.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- All available funding for this Action should go to (1) remediating contaminated sites for affordable housing development and (2) for cleaning up existing legacy pollution sources that burden EJ communities. Predominantly Black/African American neighborhoods should benefit first, as they are the most burdened.
- Market-rate and above-market housing developments should not be prioritized for funding by this program, and should either pay for remediation themselves, or seek external funding sources.
- The City should consider creating a Public Bank, as called for in City Leadership-4 of Oakland’s 2030 Equitable Climate Action Plan (ECAP)¹⁴⁶ in order to establish a permanent, reliable, and stable source of local funding that could significantly increase the funding available for remediation of environmentally contaminated sites, and reduce dependence on grants, loans, bonds and other funding types from state, federal and private sources.

¹⁴⁶ Id.

5.2.4 Secure funding from the State's Affordable Housing and Sustainable Communities (AHSC) Program - **Moderate Equity Impact**

Who Benefits or is Burdened?

- Lower-income and BIPOC residents vulnerable to displacement would benefit from a successful application to AHSC for affordable housing development in transit-rich, high-opportunity neighborhoods.

Barriers to Equity:

- Geographic equity constraints on the funding likely prevent Oakland from receiving funding for more than 3-5 projects each funding round.

5.2.5 Encourage earthquake-resilient housing - **Moderate to High Equity Impact**

Who Benefits or is Burdened?

- To the extent that retrofits of vulnerable soft-story buildings occur first in environmental justice communities and where sensitive populations such as children or the elderly are present, this would have a high equity impact.

Barriers to Equity:

- Funding scarcity is a consistent theme for retrofit and rehabilitation programs.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Prioritize funding for retrofitting vulnerable soft-story residential buildings at risk of collapse with children, seniors, and people with disabilities, particularly mobility-impaired people.
- Prioritizing development of a Public Bank as called for in the 2030 ECAP¹⁴⁷ would significantly increase funding available for retrofitting soft-story buildings.

5.2.6 Encourage climate-resilient housing - **High Equity Impact**

Who Benefits or is Burdened?

- If supported by consistent funding, expanding and promoting incentives for property owners to implement water conservation, energy conservation and resilient landscaping, design standards for flood resilience, and

¹⁴⁷ Id.

onsite energy storage for energy resilience are very important equity strategies that would disproportionately benefit residents of affordable housing and low-income homeowners with energy, water, and other bill savings, improved comfort, and free up residents' limited funds for paying rent or mortgage and other expenses.

Barriers to Equity:

- The City's Equitable Climate Action Plan (ECAP) and Ordinance 13632 CMS only pertains to prohibiting newly constructed buildings in Oakland from utilizing methane ('natural') gas. Per this Ordinance, existing affordable housing dwellings do not benefit from incentives for electrification or other climate-resilient retrofits.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The City should prioritize incentives for landlords who provide affordable housing and low-income homeowners.
- Prioritizing development of a Public Bank as called for in the 2030 ECAP¹⁴⁸ would significantly increase funding available for retrofitting buildings with climate-resilient features, including electrification.
- Partner with East Bay Community Energy (EBCE), local businesses and CBOs (such as Revalue.io and Cypress Mandela Training Center) to utilize innovative financing mechanisms such as green leases and Pay As You Save (PAYS) on-bill financing to enable zero-cost retrofits that save tenants money on their bills from day one.

5.2.7	Consider adoption of a disaster reconstruction overlay zone - Moderate Equity Impact
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Who Benefits or is Burdened?

- Strategy could be helpful in replacing housing lost during natural disasters, particularly for lower-income residents who don't have the financial or other kinds of resources to sustain themselves outside of the area impacted by the disaster.

Barriers to Equity:

- Lower-income residents without financial and community capital may find themselves completely unable to house or support themselves economically in the event of a disaster and would need additional resources not contemplated by this Action.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

¹⁴⁸ Id.

- Tenants displaced by natural disasters, particularly lower-income people, would need additional support with housing needs after emergencies. Consider establishing a disaster preparations fund and plan for efficient and easeful distribution of these resources to high-needs populations who have been displaced by a disaster.

5.2.8 Encourage new affordable housing in higher resource neighborhoods - **High Equity Impact**

Who Benefits or is Burdened?

- Higher density rezoning and streamlined approval for affordable housing projects in high resource areas is necessary. In combination with density bonuses, this could incentivize affordable housing in those neighborhoods and benefit lower-income residents in being able to access 'high-opportunity' neighborhoods, send their kids to better-resourced schools, and safeguard against displacement from Oakland.

Barriers to Equity:

- Currently, state law limits tax-exempt bond competitiveness for housing construction to 'high-opportunity' areas of Oakland.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- The City has already revised its NOFA scoring criteria to include geographic equity as a scoring element and is negotiating with the state to allow more permissiveness in the locations where the tax-exempt bonds are competitive, such as 'low-opportunity' and Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) neighborhoods of Oakland.

5.2.9 Prioritize improvements to meet the needs of low-resourced and disproportionately burdened communities - **High Equity Impact**

Who Benefits or is Burdened?

- New developments and funding for revitalizing or maintaining existing public facilities outlined in the EJ and LUTE elements will be targeted to and benefit neighborhoods designated through the EJ Screening process as EJ communities.

Barriers to Equity:

- The Action does not describe the challenges and the priority community needs for improving air, water, or soil quality by changing zoning codes or taking other actions needed to phase out or clean up polluters and other forms of locally incompatible land uses that create disproportionate burdens for Environmental Justice neighborhoods.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Commit as part of this Action to work with EJ CBOs to phase out locally undesirable or incompatible land uses that compromise the health, safety, wellbeing, and quality of life of residents in EJ neighborhoods.

5.2.10	Promote the development of mixed-income housing to reduce income-based concentration- Moderate to High Equity Impact
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Who Benefits or is Burdened?

- This Action incentivizes on-site affordable units with the Density Bonus to reduce the geographic isolation and income-based concentration of housing affordable to lower-income residents.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Housing affordability to all income levels should be encouraged in mixed-income developments, with a focus on ensuring VLI units are included. Profit generated from higher-income rents can partially subsidize the lower-income units.

5.2.11	Provide accountability measures for housing programs, including annual monitoring - Moderate to High Equity Impact
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Who Benefits or is Burdened?

- Active monitoring is critical to the success of any program. Annual surveys about Housing Element implementation, could yield highly detailed qualitative data to supplement quantitative data in the rental registry, cover dwellings not included in the rental registry and provide context for other new databases the City is developing to increase oversight capacity. Lower-income BIPOC tenants should benefit from annual monitoring and other accountability measures.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- While it will provide rich data, an annual survey is nonetheless a limited form of community engagement. As recommended by the Equity Working Group, a permanent citywide Housing Commission that includes BIPOC residents of color should oversee Housing Element implementation alongside the City.
- Monitoring all equity indicators, both percentile scores, raw scores, and racial equity baseline scores pertaining will be an integral component, necessary for both the City and the community to ‘grok’ the bigger picture of the state of housing and housing equity in Oakland across neighborhoods and different races/ethnicities and incomes.

5.3 PROTECT HOMEOWNERS AND TENANTS FROM DISCRIMINATION

5.3.1 Provide fair housing services and outreach - *High Equity Impact*

Who Benefits or is Burdened?

- Renters with disabilities, BIPOC people, women, seniors, single parents, and LGBTQI2S+ people may all benefit from additional resources and intentional, deliberative outreach and education efforts to promote fair housing.

Barriers to Equity:

- Non-English speaking and Limited English Proficient residents may have trouble accessing the City’s websites if educational resources on tenants’ rights and disability rights are not available in accessible language that residents read.
- Residents without home internet subscriptions will not be able to access educational resources on the City’s websites or on CBO partners’ websites.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Collaborate with CBOs to create and distribute popular education pamphlets in multiple languages that residents speak and/or read.
- Deploy engagement tactics that reach vulnerable and hard-to-reach populations, such as door-to-door canvassing, pop up engagement in the community, and partnering with local ethnic in-language media outlets.
- Ensure educational resources on City websites are accessible to English language readers using popular education methodologies and approaches, including by avoiding acronyms, using common parlance, utilizing graphics as needed to support visual learners and people with learning disabilities.
- Partner with CBOs to provide tablets or laptops and wireless hotspots with a data plan, to bridge the digital divide for families without home internet subscriptions.

Moderate Equity Impact:

- Prioritize utilizing best practice user experience (UX) design and user interface (UI) design to support easeful website navigation and support the accessibility for tenants without a laptop or desktop computer.

5.3.2 Promote awareness of predatory lending practices - **High Equity Impact**

Who Benefits or is Burdened?

- Increasing education and sharing best practices to avoid scams and predatory lending practices are important and highly impactful strategies, especially when targeted to BIPOC residents in EJ communities and combined with capital resources to acquire and maintain housing.

Barriers to Equity:

- Reference 5.3.1 above.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Reference 5.3.1 above.

Moderate Equity Impact:

- Reference 5.3.1 above.

5.3.3 Provide targeted outreach and support to disproportionately burdened groups and areas - **High Equity Impact**

Who Benefits or is Burdened?

- Reference Action 5.3.2 above.

Barriers to Equity:

- Reference 5.3.1 above.

Recommendations to eliminate barriers to equity and close equity gaps:

High Equity Impact:

- Reference 5.3.1 above.

Moderate Equity Impact:

- Reference 5.3.1 above.

1.5 Monitoring and Evaluation

The City of Oakland departments of Building and Planning and Housing and Community Development will monitor the City's progress toward achieving racially equitable housing outcomes closely. City administration should refer to this REIA to gauge equity impacts as they implement HAP programs. While this report raises many vital equity gaps and discusses important barriers to implementation, it does not identify the possible universe of impacts, policy nuances, or unintended consequences for the City to consider, and should be considered merely a starting place for these meaningful discussions.

As resources are limited, City leadership should prioritize funding and implementing actions with the high equity impact potential, by assessing whether the action:

- Protects low-income and BIPOC communities, putting vital resources into their hands to empower them as tenants, purchasers in the housing market, and substantially reduce their housing cost burden and vulnerability to eviction.
- Designs housing programs to distribute housing benefits using methods that are responsive to the needs of each geographic area, income level, and/or race/ethnicity.
- Preserves or strengthens local assets and community values in BIPOC communities, including community asset networks; and
- Results in sustained investment aligned with equity data and affirmatively furthering fair housing goals, including proactive analysis of displacement risks and patterns, and resulting in visible reductions in disparate rates of displacement and homelessness.

In regular reporting and evaluation, City policy makers should receive progress reports and host discussions with this lens and these questions in mind in order to course correct program administration. Mid-RHNA cycle, the City commits to prepare a staff report for the City Council that evaluates whether the City is meeting its deadlines and commitments and measures the effectiveness of existing programs. Staff will evaluate each action to determine if it needs to be amended and brought before the Council.

Questions for evaluation include:

- Does the action make a positive impact?
- Does it exacerbate negative outcomes?
- What did the results of studies undertaken show?
- Are there new grant applications or better strategies now available?

While the Housing Action Plan lays out the City's current tools and strategies for housing, if the landscape shifts, the City can deploy housing strategies not contained in the current Housing Element. During the 5th Cycle RHNA, the City has utilized numerous strategies not

included in the previous housing element, such as its Emergency Moratorium COVID response and the Housing Strategic Action Plan.

Key Equity Performance Indicators

- Number of VLI, ELI housing units produced
- Location of VLI, ELI housing units produced
- Number of VLI, ELI housing units preserved/converted from market rate
- Location of VLI, ELI housing units preserved/converted from market rate
- Number of housing units in rental registry with percentage of total units registered
- Amount of funding provided directly to low-income homeowners, landlords and tenants
- Number of tenants provided relocation assistance
- Number of unhoused people moved into permanent housing
- Number of community workshops held; number of BIPOC community members engaged
- Number of residents served with fair housing, legal and administrative support

Community Engagement

The City's mid-cycle review of HAP actions should be accompanied by robust community engagement that provides Oaklanders the opportunity to shape City's course correction. The City should consider convening a resident advisory council to guide the process so that it meets their priority needs. The Equity Working Group convened by Deeply Rooted calls for the formation of a citywide Housing Commission of Oakland residents, with significant representation from BIPOC residents who have been harmed by the housing crisis, to provide ongoing oversight and annual performance monitoring of HAP implementation.

Conclusion

Oaklanders are proud of the diversity of their city and this diversity extends far beyond race and ethnicity to encompass the living breathing fabric of a historically vibrant community. At the time of the last General Plan update in 1998, the Black/African American population of the city was around 44 percent, while today it is 23 percent. The story of these dramatic shifts in population is underpinned by a recurring story for most BIPOC communities of exclusion from resources, denial of employment and education opportunities, and relegation poverty.

Acknowledging that the housing crisis cannot be solved in its entirety during any given

housing element cycle, this REIA presents data on the current status of housing outcomes in Oakland and sheds light on some of the historical and ongoing practices that play a role in perpetuating disparate racial harms. The City's imperative is to center racial equity in its policy and program development, while developing robust systems for monitoring equity indicators and evaluating equity outcomes.

Appendix: Housing Action Plan Equity Impacts

<i>Goal</i>	<i>Action</i>	<i>Equity Impact</i>
GOAL I: Protect Oakland Residents from Displacement and Prevent Homelessness. <i>Create and maintain the conditions that enable BIPOC Oaklanders to remain in their homes and communities.</i>	Action 1.1.1: Continue to Implement the Rent Adjustment Ordinance.	Moderate
	Action 1.1.2: Enforce Just Cause for Eviction measures.	High
	Action 1.1.3: Enforce and Strengthen Ellis Act protections.	Moderate
	Action 1.1.4: Implement tenant relocation measures.	Moderate
	Action 1.1.5: Implement a right to counsel in Rent Adjustment Program proceedings.	Moderate
	Action 1.1.6: Enhance housing related legal services	Moderate
	Action 1.1.7: Expand our ability to enforce rent control to maintain affordability.	High
	Action 1.1.8: Monitor neighborhood displacement	High
	Action 1.1.9: Implement a rental housing registry.	High
	Action 1.1.10: City Enforcement of the Tenant Protection Ordinance (TPO).	High
	Action 1.1.11: Enforce the tenant right to return and protections from coercive buyouts.	Moderate
	Action 1.1.12: Provide a local preference in affordable housing projects	Low
	Action 1.1.13: Negotiate for appropriate community benefits during development agreement approvals for major entitlements and use of City land.	Low/Moderate
	Action 1.1.14: Protect Oakland residents from displacement and becoming homeless.	High

<p>GOAL II: Preserve and Improve Existing Housing Stock</p> <p><i>The Housing Element conserves and improves the affordability of existing housing stock in Oakland and addresses substandard conditions..</i></p>	<p>Action 2.1.1: Support home rehabilitation programs.</p>	<p>Moderate/High</p>
	<p>Action 2.1.2: Promote healthy homes and lead- safe housing.</p>	<p>Moderate/High</p>
	<p>Action 2.1.3: Conduct proactive rental inspections.</p>	<p>Moderate/High</p>
	<p>Action 2.1.4: Support historic preservation and rehabilitation.</p>	<p>Moderate</p>
	<p>Action 2.1.5: Implement universal design strategies</p>	<p>Moderate</p>
	<p>Action 2.1.6: Increase funding for improved indoor air quality.</p>	<p>Moderate</p>
	<p>Action 2.2.1: Continue to implement resale-controls on assisted housing.</p>	<p>Moderate</p>
	<p>Action 2.2.2: Enforce, monitor, and preserve affordable housing covenants with an emphasis on "at-risk" units.</p>	<p>High</p>
	<p>Action 2.2.3: Enforce residential demolition and conversion restrictions for residential hotels.</p>	<p>Moderate</p>
	<p>Action 2.2.4: Limit condominium conversions.</p>	<p>Moderate</p>
	<p>Action 2.2.5: Extend local replacement unit provisions.</p>	<p>Moderate</p>
	<p>Action 2.2.6: Reduce short-term home purchases/sales (i.e., "house flipping") to ensure affordability and prevent displacement.</p>	<p>Moderate/High</p>
	<p>Action 2.2.7: Provide additional subsidy for residential hotels.</p>	<p>High</p>
<p>Action 2.2.8: Investigate a Tenant/ Community Opportunity to Purchase Act.</p>	<p>High</p>	

<p>GOAL III: Close the Gap Between Affordable and Market-Rate Housing Production by Expanding Affordable Housing Opportunities</p> <p><i>Facilitates the production of housing for extremely low, very low, low, and moderate-income households.</i></p> <p><i>Provides a diversity of housing types, ownership opportunities, living arrangements, and features supportive of special needs.</i></p> <p><i>Locates new housing to further access to opportunity (while simultaneously investing in and protecting tenants in disinvested communities) and removes constraints to affordable housing development.</i></p>	<p>Action 3.1.1: Develop a project-based rental or operating subsidy program for extremely-low-income residents.</p>	<p>Moderate</p>
	<p>Action 3.1.2: Align and target Oakland Housing Authority Section 8 Vouchers for permanent supportive housing and extremely-low-income units.</p>	<p>Moderate</p>
	<p>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</p>	<p>High</p>
	<p>Action 3.2.2: Promote and protect live/work housing and housing for artists</p>	<p>Moderate</p>
	<p>Action 3.2.3: Promote flexibility in adaptive reuse to increase the housing stock.</p>	<p>Unknown</p>
	<p>Action 3.2.4: Provide financial incentives for lower-income homeowners to legalize ADUS</p>	<p>Moderate/High</p>
	<p>Action 3.2.5: Reduce constraints to the development of ADUS</p>	<p>Moderate</p>
	<p>Action 3.2.6: Monitor affordability of permitted ADUs</p>	<p>Moderate</p>
	<p>Action 3.2.7: Proactive Short-Term Rental Enforcement</p>	<p>High</p>
	<p>Action 3.3.1: Sale or ground-lease of City-owned property for affordable housing.</p>	<p>High/Moderate</p>
	<p>Action 3.3.2: Expansion of Section 8 vouchers.</p>	<p>High</p>
	<p>Action 3.3.3: City of Oakland Emergency Rental Assistance Program.</p>	<p>High</p>
	<p>Action 3.3.4: Development of permanent housing affordable to extremely-low-income (ELI) households on public land.</p>	<p>High</p>

<i>Action 3.3.5: Implement an affordable housing overlay.</i>	<i>High</i>
<i>Action 3.3.6: Access to low-cost financing for development.</i>	<i>High</i>
<i>Action 3.3.7: Study the targeted implementation of an inclusionary housing requirement</i>	<i>High</i>
<i>Action 3.3.8: Right-sized development fees on market-rate developments</i>	<i>High</i>
<i>Action 3.3.9: Adjusting or waiving City fees and payment timing for affordable housing developments.</i>	<i>High</i>
<i>Action 3.3.10: Consider a citywide Enhanced Infrastructure Financing District (EIFD)</i>	<i>Unknown</i>
<i>Action 3.3.11: Support innovations by design</i>	<i>Moderate</i>
<i>Action 3.3.12: Continue the Acquisition and Conversion to Affordable Housing (ACAH) Program.</i>	<i>High</i>
<i>Action 3.3.13: Expand availability of predevelopment funding and low-cost debt products for affordable housing development.</i>	<i>High</i>
<i>Action 3.3.14: Evaluate the creation of a leveraged acquisition fund or debt/ equity funds for small sites to support site acquisitions for affordable housing</i>	<i>High</i>
<i>Action 3.3.15: Continue and expand density bonus incentives.</i>	<i>High</i>
<i>Action 3.3.16: Analyze the Real Estate Transfer Tax structure and its current effect on the Affordable Housing subsidy and the effect on the General Purpose Fund</i>	<i>Unknown/High</i>
<i>Action 3.3.17: Support low-income, grass-roots, and BIPOC affordable housing developers.</i>	<i>High</i>

Action 3.3.18: Implement affordable housing investments contained in Measure U	High
Action 3.3.19: Sites Inventory and Fair Housing Accomplishments Tracking Program	High
Action 3.4.1: Revise development standards, including allowable building heights, densities, open space and setback requirements	High/Moderate
Action 3.4.2: Study the Relationship Between Zoning and Racial Segregation as Part of the Phase 2 General Plan Update	Moderate
Action 3.4.3: Revise Conditional Use Permit (CUP) requirements	Moderate
Action 3.4.4: Revise citywide parking standards	Moderate
Action 3.4.5: Revise open space requirements	Low/Moderate
Action 3.4.6: Correct zoning district boundaries that cut through parcels	Unknown
Action 3.4.7: Capture the diversity of existing built fabric in zoning	High
Action 3.4.8: Implement objective design standards	Moderate
Action 3.4.9: Implement new ADU standards that streamline approvals and address unpermitted units.	Moderate
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	Moderate/High
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	Moderate

<i>Action 3.5.1: Support community land trusts and other shared equity model</i>	<i>High</i>
<i>Action 3.5.2: Support housing cooperatives, co-living, and cohousing models</i>	<i>High</i>
<i>Action 3.5.3: Advocate for statewide legislation on social housing</i>	<i>High</i>
<i>Action 3.5.4: Monitor and consider adopting shallow subsidy programs for lower-income households</i>	<i>High</i>
<i>Action 3.5.5: Study Feasibility of Single-Stair Residential Buildings</i>	<i>Unknown</i>
<i>Action 3.6.1: Streamline the City permitting process, especially for low-income and non-profit builders</i>	<i>High</i>
<i>Action 3.6.2: Provide increased flexibility in development standards</i>	<i>Moderate</i>
<i>Action 3.6.3: Expand by-right approvals and implement entitlement reform for affordable housing</i>	<i>High</i>
<i>Action 3.6.4: Continue SB 35 streamlining and encourage projects to use it.</i>	<i>High</i>
<i>Action 3.6.5: Continue one-stop and online permitting services.</i>	<i>High</i>
<i>Action 3.7.1: Incentivize the development of senior housing and provide financial assistance to developers of housing for seniors and persons with special needs.</i>	<i>Low/Moderate</i>
<i>Action 3.7.2: Provide housing for persons with HIV/AIDS.</i>	<i>High</i>
<i>Action 3.7.3: Accessible units in new housing developments.</i>	<i>High</i>
<i>Action 3.7.4: Implement the sponsor-based Housing Assistance Program.</i>	<i>High</i>

	Action 3.7.5: Encourage a range of unit sizes for affordable housing that matches local household needs and family sizes	High
	Action 3.7.6: Expand areas where rooming units and efficiency units are permitted by right	High
	Action 3.7.7: Amend Planning Code to comply with the Employee Housing Act	High
	Action 3.7.8: Expand areas where Residential Care Facilities are permitted by right	Unknown
	Action 3.8.1: Continue to implement the Vacant Property Tax (VPT)	High
	Action 3.8.2: Encourage the conversion of vacant ground floor commercial space to residential uses in appropriate locations	Unknown
	Action 3.8.3: Tax vacant residential rental units	High
	Action 3.8.4: Continue the Oakland Community Buying Program and support scattered site acquisition efforts.	High
	Action 3.8.5: Partner with Alameda County Tax Collector to redevelop tax defaulted properties.	High

<p>GOAL IV: Address Homelessness and Expand Resources for the Unhoused</p> <p><i>The Housing Element recognizes housing as a human right and reduces homelessness through Housing First approaches and support coordination across the spectrum, from homelessness prevention to transitional housing/shelter and services to permanent housing with resources for long-term support</i></p>	<p>Action 4.1.1: Expand, improve, and maintain crisis response beds</p>	<p>High</p>
	<p>Action 4.1.2: Expand, improve, and maintain crisis response beds, especially for unsheltered communities of color</p>	<p>Moderate</p>
	<p>Action 4.1.3: Expand health and hygiene facilities and services and improve access to bathrooms and showers.</p>	<p>High</p>
	<p>Action 4.1.4: Provide needed support and income to people who have been homeless so they can avoid returning to homelessness.</p>	<p>High</p>
	<p>Action 4.2.1: Enhance operations of the City's 2020 Encampment Management Policy</p>	<p>Moderate</p>
	<p>Action 4.2.2: Lead strategic homelessness response operations and homeless services from the Homelessness Division, Office of the City Administrator</p>	<p>Low/Moderate</p>
	<p>Action 4.2.3: Strengthen interdepartmental Encampment Management Team</p>	<p>Low/Moderate</p>
	<p>Action 4.2.4: Increase the oversight of homelessness strategies, investments, outcomes, and encampment operations with Commission on Homelessness.</p>	<p>High</p>
	<p>Action 4.2.5: Expand co-governance and partnerships with unsheltered residents in the design and delivery of homelessness services.</p>	<p>High</p>
	<p>Action 4.3.1: Finance the construction and maintenance of permanent supportive and deeply affordable housing for homeless households to expand the supply of deeply affordable and supportive housing for Oakland's most vulnerable residents.</p>	<p>High</p>
<p>Action 4.3.2: Streamline approval for modular developments to provide quality shelter quickly to address the scale of the crisis</p>	<p>High</p>	

	<i>Action 4.3.3: Remove regulatory constraints to the development of transitional housing and supportive housing</i>	<i>High</i>
	<i>Action 4.3.4: Ensure that the authority provided by the City's Shelter Crisis Ordinance and Declaration of a Local Emergency regarding Homelessness remains in place until public health and safety concerns no longer persist</i>	<i>Unknown</i>
	<i>Action 4.3.5: Provide development standards for low barrier navigation centers</i>	<i>High</i>
	<i>Action 4.3.6: Expand opportunities for the permitting of emergency shelters</i>	<i>High</i>

<p>GOAL V: Promote Neighborhood Stability and Health</p> <p><i>The Housing Element promotes resilient development in safe, healthy, and just communities. It also increases resources in disinvested communities and create long-time stability through homeownership opportunities.</i></p>	<p>Action 5.1.1: Provide first-time homebuyer programs.</p>	<p>High</p>
	<p>Action 5.1.2: Expand access to low-cost financing for home purchase.</p>	<p>High</p>
	<p>Action 5.1.3: Provide paths to homeownership for Section 8 voucher holders.</p>	<p>High</p>
	<p>Action 5.2.1: Protect against smoke and wildfire.</p>	<p>Moderate</p>
	<p>Action 5.2.2: Promote infill, transit-oriented development (TOD), and mixed-use development.</p>	<p>High</p>
	<p>Action 5.2.3: Study options to provide financing for the remediation of environmentally contaminated sites, with priority for affordable projects.</p>	<p>High</p>
	<p>Action 5.2.4: Secure funding from the State's Affordable Housing and Sustainable Communities (AHSC) Program.</p>	<p>Moderate</p>
	<p>Action 5.2.5: Encourage earthquake-resilient housing.</p>	<p>Moderate</p>
	<p>Action 5.2.6: Encourage climate-resilient housing.</p>	<p>High</p>
	<p>Action 5.2.7: Consider the adoption of a disaster reconstruction overlay zone</p>	<p>Moderate</p>
<p>Action 5.2.8: Encourage new affordable housing in higher resource neighborhoods</p>	<p>High</p>	
<p>Action 5.2.9: Prioritize improvements to meet the needs of low-resourced and disproportionately burdened communities.</p>	<p>High</p>	
<p>Action 5.2.10: Promote the development of mixed-income housing to reduce income-based concentration</p>	<p>Moderate/High</p>	

	<i>Action 5.2.11: Provide accountability measures for housing programs, including annual monitoring.</i>	<i>Moderate/High</i>
	<i>Action 5.3.1: Provide fair housing services and outreach.</i>	<i>High</i>
	<i>Action 5.3.2: Promote awareness of predatory lending practices.</i>	<i>High</i>
	<i>Action 5.3.3: Provide targeted outreach and support to disproportionately burdened groups and areas.</i>	<i>High</i>

Key Average Equity Impact by Goal	
	Moderate
	Moderate to High
	High