

Case File Number: ZA18016

October 17, 2018

<b>Location:</b>	Citywide
<b>Proposal:</b>	Proposed Planning Code amendments that include: 1) amending the definition of Extensive Impact Civic Activities in Section 17.10.240 to include Garbage Transfer Stations and Curbside Recycling Collection Centers; 2) amending Sections 17.72.030 and 17.72.040 to make applicable reference to the Emergency Shelter regulations in Section 17.103.015; 3) amending Section 17.73.020 in the CIX, IG and IO Industrial Zones Chapter to allow for conversion of an existing Transient Habitation Commercial Activity to a Residential Activity in the CIX-2 Zone through a Conditional Use Permit; and 4) amending Section 17.101F in the D-GI Gateway District Zone Chapter to specify that only certain specified types of Extensive Impact Civic Activities are permitted outright, and that all other Extensive Impact Civic Activities in the D-GI Zone are only permitted upon the granting of a Conditional Use Permit.
<b>Applicant:</b>	City of Oakland
<b>Environmental Determination:</b>	The proposed amendments to the Planning Code rely on the previously certified Final Environmental Impact Reports for the Coliseum Area Specific Plan (2105); Broadway Valdez Specific Plan (2014); West Oakland Specific Plan (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan (1998); the Oakland Estuary Policy Plan (1998); the West Oakland, Central City East, Coliseum, and Oakland Army Base Redevelopment Areas; the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010); and various Redevelopment Plan Final EIRs (collectively, "EIRs"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).
<b>City Council District:</b>	All
<b>Action to be Taken:</b>	Recommendation to City Council
<b>Staff Recommendation:</b>	Take public testimony; close the public hearing; and recommend approval of the proposal to the City Council
<b>Finality of Decision:</b>	Recommendation to City Council
<b>For Further Information:</b>	Contact Ed Manasse at 510-238-7733 or <a href="mailto:emanasse@oaklandca.gov">emanasse@oaklandca.gov</a> .

**SUMMARY**

The proposed Planning Code amendments (see **Attachment A**) are intended to address the following pressing issues:

- 1) The city is currently in negotiations with California Waste Solutions (CWS) to move their curbside recycling collection center operation out of the West Oakland neighborhood area and over to the Gateway Development area at the former Oakland Army Base. However, current regulations do not clearly identify today how “Curbside Recycling Collection Centers”, such as the type that CWS operates, are to be reviewed under the Planning Code. The proposed revision to the definition of “Extensive Impact Civic Activities” in Section 17.10.240 would clarify that the Extensive Impact land use category includes “Curbside Recycling Collection Centers”.
- 2) Related to the issue above, the existing D-GI zoning in the Gateway Development area limits the types of permitted Extensive Impact Civic Activities to only those “establishments that support or are associated with trucking, warehousing, or maritime-related activities”. The proposed revision to Section 17.101F would allow for consideration of other types of Extensive Impact Civic Activities in the D-GI Zone with a Conditional Use Permit (including the proposed addition of “Curbside Recycling Collection Centers” to the list of Extensive Impact Civic Activities).
- 3) The Rodeway Inn is currently a 36-unit motel on the boundary of the Coliseum Way industrial area. The owner of the motel has approached the city with a proposal to convert the facility into 36 units of permanent housing for homeless Veterans of the United States’ military branches. However, the CIX-2 Zoning for the site does not currently allow for this type of residential activity to be contemplated. The proposed revision to Section 17.73.020 would allow for the potential conversion of an existing hotel in the CIX-2 Zone into a residential activity if approved through a Conditional Use Permit.
- 4) In 2014, the city updated the Planning Code to specify, as state law requires, the zone or zones throughout the city where Emergency Shelters are permitted by right. More recently, it has come to staff’s attention that there are inconsistencies in the Planning Code between Section 17.103.015, which describes the overall locations throughout the city where Emergency shelters are permitted by-right, and some of the requirements in the individual zoning chapters. The proposed revisions to Sections 17.72.020, 17.72.030, and 17.73.020 would rectify these Code inconsistencies, and more clearly specify the locations where Emergency Shelters are currently permitted by-right.

Staff recommends that the Planning Commission take public testimony; close the public hearing; and recommend approval of the proposed Planning Code amendments to the City Council, because they would: a) help facilitate relocation of an existing recycling operation out of the West Oakland neighborhood area; b) result in critically needed new homeless housing; and c) not result in significant impacts.

## **BACKGROUND**

### ***Proposed changes to the CIX-2 Industrial Zone Regulations (Section 17.73.020)***

In September of 2017, the Oakland City Council passed Ordinance Number 13456, which declared a shelter crisis in the City of Oakland. Then on April 17, 2018, the Oakland City Council passed Resolution No. 87129, encouraging the private development of expanded housing options to provide housing and sanitary facilities for the homeless (see **Attachment B**). One of the many initiatives that have emerged recently to help address this shelter crisis is a proposal from the owners of the Rodeway Inn at 4801 Coliseum Way (see **Attachment C** for map), asking the city to consider using their hotel as housing for homeless Veterans of the United States' military branches.

One the primary issues that needs to be addressed prior to consideration of this proposal, however, is that the CIX-2 Zone does not currently allow for this type of Residential Activity to be contemplated. The proposed Planning Code amendment to the CIX-2 Zone would allow for the potential conversion of an existing hotel or motel in the CIX-2 Zone into a Residential Activity if approved through a Conditional Use Permit (CUP). In order to ensure that any such conversion would serve the intended purpose of expanding housing options, the proposed Planning Code amendment to Section 17.73.020 includes an additional CUP finding that "the proposal involves housing for one or more underserved populations, including but not limited to, low income households, seniors, or veterans".

Since *new* hotels and motels are prohibited in the CIX-2 Zone, the proposed amendment to Section 17.73.020 would only apply to the few *existing* legally nonconforming hotels and motels that already operate in the CIX-2 Zone. In addition, the proposed code amendments limit the geographic extent of any conversion to only those hotels and motels in the CIX-2 Zone not located within 1,500 feet of Hegenberger Road (in order to minimize impacts to the supply of airport-oriented hotel accommodations). Therefore, staff has determined that the proposed residential conversion option would only be apply to 2 existing CIX-2 zoned hotels (see **Attachment C** for map).

The other proposed amendments to Section 17.73.020 are consistent with changes first introduced to the Planning Commission at their September 5, 2018 meeting as part of a set of proposed parking and miscellaneous Code changes - namely that changes are necessary to the Permitted and Conditionally Permitted Activities and Facilities regulations in Section 17.73.020 to ensure that all the individual zoning designations within the areas identified in Section 17.103.015 permit Emergency Shelters by-right. This change would remove inconsistencies between the Emergency Shelter regulations in Chapter 17.73 (CIX, IG AND IO Industrial Zones Regulations) and those in Section 17.103.015.

***Proposed changes to the definition of Extensive Impact Civic Activities (Section 17.10.240), and to the D-GI Industrial Zone Regulations (Section 17.1010F)***

One of the goals of the West Oakland Specific Plan is to encourage existing trucking and recycling operations in close proximity to West Oakland residential areas to relocate to other areas further removed from residential neighborhoods in order to provide a safer, higher quality environment for both the residential and business community.

In support of this goal, the city is currently in negotiations with California Waste Solutions (CWS) to move their curbside recycling collection center operation out of the West Oakland neighborhood area and over to the Gateway Development area at the former Oakland Army Base. However, current regulations do not clearly identify how “Curbside Recycling Collection Centers”, such as the type that CWS operates, are to be reviewed under the Planning Code. The proposed revision to the definition of “Extensive Impact Civic Activities” in Section 17.10.240 would clarify the review process by specifying that the Extensive Impact land use category includes “Curbside Recycling Collection Centers”.

The location within the Gateway Development area that CWS is considering moving their operations to is zoned D-GI, which currently limits the types of permitted Extensive Impact Civic Activities to only those “establishments that support or are associated with trucking, warehousing, or maritime-related activities”. The proposed revision to Section 17.101F would allow for consideration of other types of Extensive Impact Civic Activities in the D-GI Zone with a Conditional Use Permit (including the proposed addition of “Curbside Recycling Collection Centers” to the list of Extensive Impact Civic Activities).

### KEY ISSUES

The proposed changes to the CIX-2 Industrial Zone Regulations in Section 17.73.020 are intended to encourage the private development of expanded housing options for one or more underserved populations, including but not limited to, low income households, seniors, or veterans. Specifically, this change would allow for the potential conversion of the existing Rodeway Inn at 4801 Coliseum Way into 36 units of permanent housing for low-income Veterans of the United States’ military branches.

Impacts to the general prohibition against most residential uses in the CIX-2 Industrial Zone would be minimized due to limitations in the proposed code amendment that would only apply this residential conversion option to the few *existing* legally nonconforming hotels and motels that already operate in the CIX-2 Zone. In addition, the proposed amendments limit the geographic extent of any conversion to only those hotels and motels in the CIX-2 Zone not located within 1,500 feet of Hegenberger Road (in order to minimize impacts to the supply of airport-oriented hotel accommodations). Therefore, staff has determined that the proposed residential conversion option would only be applicable to 2 existing CIX-2 zoned hotels (see **Attachment C** for map).

Regarding the proposed amendments to the definition of Extensive Impact Civic Activities in Section 17.10.240), and to the D-GI Industrial Zone Regulations in Section 17.1010F: these changes would clarify how the Planning Code would classify an application for a new curbside recycling collection center in the D-GI zoned Gateway Development area. In the short-term, it will clarify the review process for the potential relocation of California Waste Solutions’ existing recycling operation out of the West Oakland neighborhood area, in fulfillment of one of the goals of the West Oakland Specific Plan.

Planning staff believes these zoning changes are appropriate because they would facilitate: a) critically needed new homeless housing and emergency shelters; and b) relocation of an existing recycling operation out of the West Oakland neighborhood area.

The proposed code changes are unlikely to cause significant impacts. Furthermore, any impacts that do occur would be offset by providing a safer, higher quality environment in West Oakland, and safer housing in East Oakland for one or more underserved populations, including but not limited to, low income households, seniors, or veterans.

Therefore, in light of the Council's finding in Resolution No. 87129, that urgent and expeditious efforts are necessary to develop additional shelter solutions that are safe and meet basic habitability standards, staff recommends that the Planning Commission review the proposed amendments and make a recommendation of approval to the City Council.

### **GENERAL PLAN ANALYSIS**

The proposed amendments to the zoning regulations are consistent with and implement the policies of the Oakland General Plan. The Housing Element of the General Plan calls for additional housing for the homeless; and the West Oakland Specific Plan, which is an implementation tool of the General Plan, specifically encourages existing recycling operations in the West Oakland neighborhood area to relocate to areas further removed from residential neighborhoods in order to provide a safer, higher quality environment for both the residential and business community.

### **ENVIRONMENTAL REVIEW**

The proposal relies on the previously certified Final Environmental Impact Reports for the Coliseum Area Specific Plan (2105); Broadway Valdez Specific Plan (2014); West Oakland Specific Plan (2014); Central Estuary Area Plan (2013); Land Use and Transportation Element of the General Plan (1998); Oakland Estuary Policy Plan (1998); West Oakland, Central City East, Coliseum, and Oakland Army Base Redevelopment Areas; 1998 Amendment to the Historic Preservation Element of the General Plan; 2007-2014 Housing Element Final EIR (2010); and various Redevelopment Plan Final EIRs (collectively, "EIRs"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).

The proposal would not result in any significant effect that has not already been analyzed in the above EIRs, and there will be no significant environmental effects caused by the change that have not already been analyzed in the EIRs. As a result, none of the circumstances necessitating preparation of additional environmental review, as specified in CEQA and the CEQA Guidelines, including, without limitation, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 or 15163 are present in that: (1) there are no substantial changes proposed in the

project or the circumstances under which the project is undertaken that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (2) there is no "new information of substantial importance," as defined in CEQA Guidelines Section 15162(a)(3). In addition, each as a separate and independent basis, this action is exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (no significant effect on the environment).

**RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

1. Affirm staff's environmental determination; and
2. Recommend approval to the City Council of the proposed amendments to the Planning Code.

Prepared and approved by:



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ED MANASSE  
Interim Deputy Director, Bureau of Planning

**ATTACHMENTS:**

- A. Proposed Planning Code Text Amendments
- B. Resolution No. 87129 (passed by the Oakland City Council April 17, 2018)
- C. Map of Existing Hotels and Motels in the CIX-2 Zone

# **ATTACHMENT A**

**ATTACHMENT A – PROPOSED CHANGES TO THE OAKLAND PLANNING CODE.**

The following are the proposed changes to Planning Code. Deletions are in ~~strikeout~~ and additions are underlined:

**Chapter 17.10 USE CLASSIFICATIONS**

**Sections:**

**Article II - Activity Types**

**Part 2 - Civic Activity Types**

**Article II Activity Types**

**Part 2 Civic Activity Types**

**17.10.240 Extensive Impact Civic Activities.**

**17.10.240 Extensive Impact Civic Activities.**

Extensive Impact Civic Activities include the activities typically performed by, or the maintenance and operation of, the following institutions and installations:

- A. Airports, heliports, and helistops;
- B. Cemeteries, mausoleums, columbariums, and crematories;
- C. Colleges, junior colleges, and universities, but excluding business schools or other similar types of trade schools operated as profit-making enterprises;
- D. Detention and correction institutions;
- E. Docks and wharves operated by a public agency;
- F. Electric transmission lines;
- G. Garbage dumps and transfer stations;
- H. Curbside recycling collection centers;
- ~~I~~H. Golf courses and driving ranges;
- ~~J~~I. Major mail-processing centers;
- ~~K~~J. Military installations;
- ~~L~~K. Public and public utility corporation or truck yards;
- ~~M~~L. Radio and television transmission stations;
- ~~N~~M. Railroad and bus terminals;



ATTACHMENT A: Proposed Planning Code Amendments

ON. Railroad rights-of-way and yards and bus storage areas;

PO. Reservoirs and water tanks;

QP. Sewage disposal tanks;

RQ. Stadiums, sports arenas, auditoriums, and bandstands;

SR. Truck terminals operated by a public agency;

TS. Zoological gardens and wildlife preserves;

UT. Campgrounds;

VU. Stormwater detention ponds and facilities;

WV. Facilities supervised by or under contract with the State Department of Corrections, including alternative sentencing and community work release programs.

This classification also includes certain activities accessory to the above, as specified in Section 17.10.040.

**Chapter 17.72 M-20, M-30, AND M-40 INDUSTRIAL ZONES REGULATIONS**

**Sections:**

17.72.040 Permitted and conditionally permitted facilities.

**17.72.030 Permitted and conditionally permitted activities.**

**Table 17.72.01: Permitted and Conditionally Permitted Activities**

Activities	Zones			Additional Regulations
	M-20	M-30	M-40	
<b>Residential Activities</b>				
Emergency Shelter	—	P(L1)	—	<u>17.103.015</u>

**Limitations on Table 17.72.01:**

L1. Emergency Shelters are permitted by-right within the portion of the Third Street corridor area described in Section 17.103.015(A)(5) and subject to the development standards in Section 17.103.015(B); permitted upon the granting of a Conditional Use Permit elsewhere in the zone subject to the following:

- a. No Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such Activity or Facility.

**17.72.040 Permitted and conditionally permitted facilities.**

**Table 17.72.02: Permitted and Conditionally Permitted Facilities**

Facilities	Zones			Additional Regulations
	M-20	M-30	M-40	
<b>Residential Facilities</b>				
One-Family Dwelling	—	—(L4)	—	<u>17.103.015</u>
One-Family Dwelling with Secondary Unit	—	—(L4)	—	17.103.080
Two-Family Dwelling	—	—(L4)	—	<u>17.103.015</u>
Multifamily Dwelling	—	—(L4)	—	<u>17.103.015</u>
Rooming House	—	—(L4)	—	<u>17.103.015</u>
Mobile Home	—	—(L4)	—	<u>17.103.015</u>

**Limitations on Table 17.72.02:**

**L4.** All new Residential Facilities are prohibited in the M Industrial Zones, except for those approved in conjunction with serving a permitted Emergency Shelter Activity, as indicated in Table 17.72.01, Limitation L1. See Chapter 17.114, Nonconforming Uses, for additions and alterations to legal nonconforming Residential Facilities.

**Chapter 17.73 CIX, IG AND IO INDUSTRIAL ZONES REGULATIONS**

**Sections:**

17.73.020 Permitted and conditionally permitted activities and facilities.

**17.73.020 Permitted and conditionally permitted activities and facilities.**

**Table 17.73.020: Permitted and Conditionally Permitted Activities and Facilities**

Activity Types	Zones									Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO	T*	
<b>Residential Activities</b>										
<u>Permanent</u>	=	=	=	=	=	C(L1)	=	=	=	
<u>Residential Care</u>	=	=	=	=	=	C(L1)	=	=	=	
<u>Supportive Housing</u>	=	=	=	=	=	C(L1)	=	=	=	
<u>Transitional Housing</u>	=	=	=	=	=	C(L1)	=	=	=	
Emergency Shelter	<u>P(L1)</u> —	<u>P(L1)</u> —	<u>P(L1)</u> —	<u>P(L1)</u> —	P(L1)	P(L1)	<u>P(L1)</u> —	<u>P(L1)</u> —	P(L1)	<u>17.103.015</u>
All Other Residential Activities	All other Residential Activities prohibited in each zone									

\* If a CIX-1A, CIX-1B, CIX-1C or CIX-1D base Zone also has the T Combining Zone, the T regulations shall supersede the base zone. Wherever the T regulations are silent, the base zone regulations shall supersede.

Facility Types	Zones									Additional Regulations
	CIX-1A	CIX-1B	CIX-1C	CIX-1D	CIX-1	CIX-2	IG	IO		
<b>Residential Facilities</b>	All Residential Facilities prohibited in <u>the each CIX, IG and IO Zones, except for those approved in conjunction with serving a permitted Emergency Shelter Activity; or a conditionally permitted conversion of an existing Transient Habitation Commercial Activity in any portion of the CIX-2 Zone not located within one thousand five hundred (1,500) feet of Hegenberger Road, as indicated in Limitation L1 below.</u>									<u>17.103.015</u>

**Limitations:**

L1. All new Residential Activities are prohibited in the CIX, IG, and IO Zones, except that Emergency Shelters are permitted by-right within those portions of the 3<sup>rd</sup> Street corridor, East 12<sup>th</sup> Street corridor and Coliseum Way area described in Section 17.103.015(A)(5)(6)(8) respectively and subject to the development standards in Section 17.103.015(B); and conversion of an existing Transient Habitation Commercial Activity in the CIX-2 Zone into a Permanent Residential, Residential Care, Supportive Housing, or Transitional Housing Residential Activity may be permitted through a Conditional Use Permit in any portion of the CIX-2 Zone not located within one thousand five hundred (1,500) feet of Hegenberger Road. A Conditional Use Permit for such residential conversion of an existing Transient Habitation Commercial Activity in the CIX-2 Zone may only be granted upon determination that the proposal conforms to the general use permit criteria set forth in the Conditional Use Permit procedure in Chapter 17.134 and to the following additional criteria:

1. That the proposal involves housing for one or more underserved populations, including but not limited to, low income households, seniors, or veterans.

**Chapter 17.101F D-GI GATEWAY DISTRICT INDUSTRIAL ZONE REGULATIONS**

**Sections:**

17.101F.030 Permitted and conditionally permitted activities.

**17.101F.030 Permitted and conditionally permitted activities.**

**Table 17.101F.01: Permitted and Conditionally Permitted Activities**

Activities	Zone	Additional Regulations
	D-GI	
<b>Civic Activities</b>		
Extensive Impact	P(L2)	

**Limitations on Table 17.101F.01:**

**L2.** Permitted outright if these activities are limited to establishments that support or are associated with trucking, warehousing, or maritime-related activities; all other types of these activities may only be permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure).

# **ATTACHMENT B**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

18 APR 17 PM 2:28

## OAKLAND CITY COUNCIL

Approved as to Form and Legality

  
City Attorney's Office

Resolution No. 87129 C.M.S.

INTRODUCED BY COUNCILMEMBERS REBECCA KAPLAN, ABEL GUILLEN AND  
LYNETTE MCELHANEY

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**RESOLUTION ENCOURAGING THE PRIVATE DEVELOPMENT OF EXPANDED HOUSING OPTIONS, INCLUDING FOR NON-PROFITS, FAITH-BASED ORGANIZATIONS, PRIVATE PROPERTY OWNERS, AND SERVICE PROVIDERS WORKING ON PRIVATE LAND, TO PROVIDE HOUSING AND SANITARY FACILITIES FOR THE HOMELESS THROUGH STRATEGIES INCLUDING "SMALL HOMES," SHIPPING CONTAINER CONVERSION HOMES, RECREATIONAL VEHICLES, UNATTACHED TRAILERS, RESTROOM STRUCTURES, AND OTHER OPTIONS TO PROVIDE DIGNITY, PRIVACY, AND DISEASE CONTROL**

**WHEREAS**, the number of homeless persons in the City of Oakland continues to increase, with the latest 2017 point-in-time count of over 2,700, and this number is likely to increase given the substantial upward pressure of residential rents; and

**WHEREAS**, the long term and recent decreases in Federal and State funding for housing programs have resulted in an erosion of shelter options for the most vulnerable populations including the elderly, youth, victims of domestic violence, sexually exploited minors, and persons suffering from mental illness, HIV/AIDS, substance abuse and disabilities; and

**WHEREAS**, the current number of homeless individuals in Oakland far outpaces the number of existing shelter beds, transitional housing, or permanent supportive housing units available; and

**WHEREAS**, unauthorized homelessness encampments have increased substantially across Oakland, within the public right of way, thus exposing homeless individuals to traffic hazards, increased vulnerability to crime, risk of death and injury, exposure to weather, lack of adequate sanitation and debris services, and other conditions that are detrimental to their health and safety; and

**WHEREAS**, Oakland residents are being affected by the increasing number of unsheltered individuals with regard to traffic and pedestrian safety, lack of sanitation, and debris services; and



**WHEREAS**, California Government Code Section 8698, et seq., allows the governing body of a city to declare a shelter crisis when a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety; and

**WHEREAS**, in September of 2017, the Oakland City Council passed Ordinance Number 13456, which declared a shelter crisis in the City of Oakland and, pursuant to California Government Code Section 8698.1, "authorized [the City Administrator] in her discretion to suspend the provisions of state and local regulatory statutes, regulations, or ordinances prescribing standards of housing, health, or safety as needed for the interim establishment of shelters for the homeless to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis"; and

**WHEREAS**, California Government Code Section 8698.2 provides that, upon a declaration of a shelter crisis, a city may allow persons unable to obtain housing to occupy designated public facilities (including facilities leased by the city) during the duration of the crisis; and

**WHEREAS**, there are numerous non-profit and religious organizations that are willing to provide shelter and sanitation services on private land, but have expressed a need for additional support from the City; and

**WHEREAS**, the City Council finds that urgent and expeditious efforts are necessary to develop additional shelter solutions that are safe and meet basic habitability standards, and that flexibility and broad-based approaches are essential to increase capacity; now, therefore, be it

**RESOLVED**, that the City of Oakland shall encourage and support the private development of expanded housing options, including those offered by non-profits, faith-based organizations, private property owners, and service providers working on private land to provide housing and sanitary facilities for the homeless through strategies including "small homes," shipping container conversion homes, manufactured housing, recreational vehicles, unattached trailers, restroom structures, and other options to provide dignity, privacy, and disease control; and be it

**FURTHER RESOLVED**, that the City of Oakland may pursue multiple strategies to accomplish this goal, including by entering into leases with these non-profits and faith-based organizations, so that the land on which the organizations seek to provide temporary shelter and sanitation services may fall under California Government Code Section 8698.2, and therefore allow persons to take shelter there during the duration of the crisis; and be it

**FURTHER RESOLVED**, that the City of Oakland shall accomplish this goal by permitting the disposal of sewage through a temporary holding tank with a contract for regular pumping; and be it

**FURTHER RESOLVED**, that the City Council hereby directs the City Administrator to return to the City Council within 3 months with a draft Ordinance for the City Council's consideration amending the City's business tax ordinance to waive the first \$30,000 annually in residential rental property income from tax for property rented through Section 8 or other means-tested housing assistance programs, as a means of encouraging the development of low cost housing alternatives; and be it

**FURTHER RESOLVED**, that the City Administrator or her designee shall identify available public land for these efforts, and report back to Council on her findings within 3 months of the passage of this Resolution; and be it

**FURTHER RESOLVED**, that the City of Oakland asks Alameda County, Oakland Unified School District, and the California Department of Transportation to also identify available public land for these efforts, and help provide and/or fund support services for sites designated by the City of Oakland; and be it

**FURTHER RESOLVED**, that the City of Oakland calls upon external funders, including Alameda County and the U.S. Department of Housing and Urban Development (HUD), to maximize the funding and support that they make available for these efforts; and be it

**FURTHER RESOLVED**, that the City Administrator or her designee shall work to find funding sources to support these efforts and report back to Council on her findings within 3 months of the passage of this Resolution; and be it

**FURTHER RESOLVED**, that the City Administrator or her designee shall work to identify options to deal with issues related to liability and insurance, and report back to Council with options for action, within 3 months of the passage of this Resolution.

IN COUNCIL, OAKLAND, CALIFORNIA,

APR 17 2018

PASSED BY THE FOLLOWING VOTE:

AYES - ~~WILLIAMS~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT ~~WILLIAMS~~ - 6

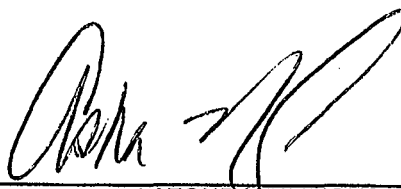
NOES - 0

ABSENT - 4

ABSTENTION - 0

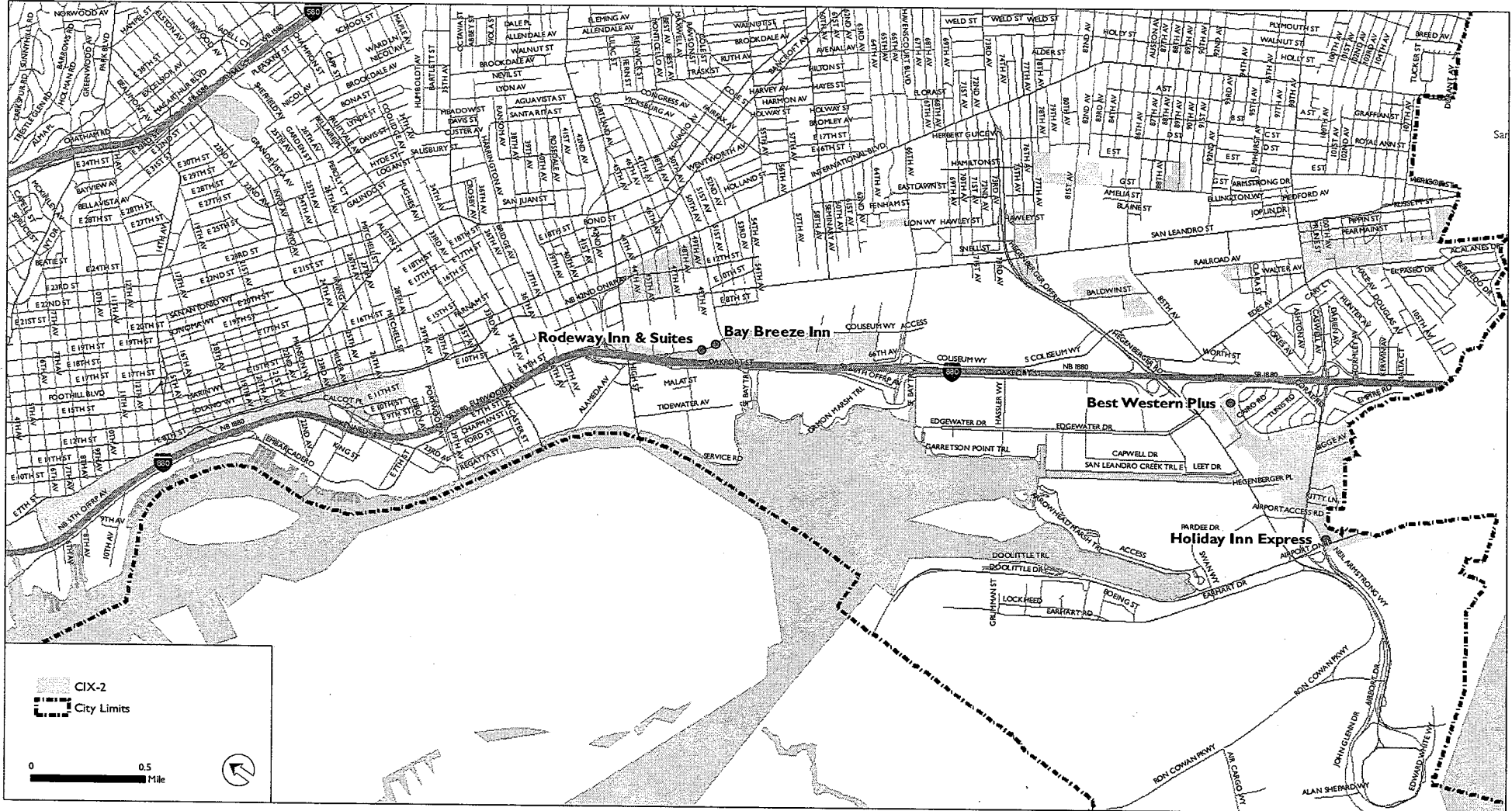
Excused - Brooks, Reed

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California

# **ATTACHMENT C**



# Hotels/Motels in CIX-2 Zone

Planning & Building Department  
July 2018