

Summary of Preliminary Draft Housing Sites Overlay Zone Proposal

The City of Oakland (City) has completed a first draft update to the 2023-2031 Housing Element as part of Phase 1 of the 2045 General Plan Update (GPU) process. In accordance with [State HCD's Housing Element Sites Inventory Guidebook](#), the Sites Inventory (Table C-25) was developed based on the City's existing zoning, with close attention to:

- Lot sizes and density
- Access to neighborhood needs
- Improving access to opportunity and addressing equity consistent with the City's mandate to affirmatively further fair housing.
- Safety constraints

Based on the City's current General Plan and zoning regulations, there is sufficient capacity to accommodate its RHNA allocation, with additional capacity identified as a buffer. As part of its the Housing Element's Housing Action Plan (HAP), the City has identified several zoning reforms, including permitting sites from prior RHNA cycles to develop affordable housing by right in which 20 percent or more of the units are affordable to lower-income households. (Action 3.4.10).

The City is proposing to amend Action 3.4.10 to permit affordable housing by right with at least 20% affordable housing units for all sites identified in the Housing Sites inventory (See [Housing Sites Inventory Map](#) and [Table C-25](#)) and create a Housing Sites Overlay Zone.

The proposed Housing Sites Overlay Zone is intended to facilitate housing opportunities in Oakland and to bring attention to those sites that the City intends for housing to be built pursuant to State requirements.

APPLICATION OF THE HOUSING SITE OVERLAY ZONE

The Housing Site Overlay zone would apply to all housing sites identified in the Housing Sites Inventory in the Housing Element (See [Housing Sites Inventory Map](#) and [Table C-25](#)).

Requirements

A minimum percentage of housing must be built on the site, with some allowance for limited non-residential on the site, such as the ground floor.

Incentives

A by right approval, as per State requirements, any projects providing at least 20% affordable housing units proposed within the Housing Opportunity Sites Overlay Zone would be subject to a ministerial approval process. A proposed project would not be subject to CEQA and would not be appealable. This would provide greater certainty to projects building at least 20% affordable units that if the project is within the Housing Opportunity Overlay Zone and meets the objective zoning criteria listed in the Planning Code, the project will be approved and not held up through an appeal process. This will also provide an incentive for mixed income buildings to be built on these designated opportunity sites.

Stay tuned for upcoming meetings! Email generalplan@oaklandca.gov with your comments and questions. Visit the [Oakland General Plan Update](#) page for more information.