



# CITY OF OAKLAND

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## **NOTICE OF AVAILABILITY (NOA) OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DRAFT EIR) FOR THE PHASE I OAKLAND 2045 GENERAL PLAN UPDATE**

**PROJECT TITLE:** Phase I Oakland 2045 General Plan Update  
**PROJECT LOCATION:** Approximately 49,910 acres bound by the physical jurisdictional boundaries of the City of Oakland.  
**PROJECT SPONSOR:** City of Oakland  
**LEAD AGENCY:** City of Oakland  
**CASE NO.:** Case File No. GP21002; ZA 23002; GP21002-ER01  
**REVIEW PERIOD:** March 24, 2023, through May 9, 2023

**PROJECT LOCATION:** Oakland is located on the eastern shore San Francisco Bay (Bay). The City is physically defined by the Bay and Oakland Estuary on the southwest, the crest of the Berkeley-Oakland Hills on the northeast and east, and the city boundaries of Berkeley, Emeryville, Piedmont and San Leandro. The City’s General Plan Area (Plan Area) encompasses an area of 78 square miles of land and water.

Sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., the “Cortese List”) are located within and adjacent to the Plan Area’s limits.

### **PROJECT DESCRIPTION:**

#### **Background**

The Project under review is the Phase I Oakland 2045 General Plan Update, which includes updates to the City of Oakland Safety Element, adoption of a new Environmental Justice element, and Planning Code, Zoning Map, and General Plan text and map amendments, which serve to implement several actions contained in the City’s recently adopted 2023-2031 Housing Element. State law requires a City to have and maintain a general plan with specific contents to provide a vision for the City’s future and inform local decisions about land use and development. State law requires specific topics or “elements,” including land use, circulation, housing, conservation, open space, noise, safety, and environmental justice. The current City of

Oakland General Plan elements were last updated and adopted at different times between 1996 and 2023.

### **Housing Element Implementation (HEI)**

To ensure a path for construction of Oakland’s Regional Housing Needs Assessment (RHNA) assigned production target by 2031, the Housing Element Implementation (HEI) component of the Project would include adoption of Planning Code, Zoning Map, and General Plan text and map amendments to implement goals, policies, and actions related to housing contained in the Housing Element of the City’s General Plan. The 2023-2031 Housing Element was adopted on January 31, 2023, and contains an updated housing needs assessment, a housing sites inventory that meets the City’s RHNA including a buffer of additional housing development capacity, and a Housing Action Plan (HAP). The HAP is a chapter of the 2023-2031 Housing Element and presents the updated goals, policies, and actions critical to respond to increasing housing pressures in Oakland. The HAP includes five goals, 17 policies, and 120 actions intended to address a wide range of housing issues confronting the City of Oakland, including the following overarching goals:

- Protect Oakland Residents from Displacement and Prevent Homelessness
- Preserve and Improve Existing Affordable Housing Stock
- Expand Affordable Housing Opportunities
- Address Homelessness and Expand Resources for the Unhoused
- Promote Neighborhood Stability and Health

While the 2023-2031 Housing Element identifies sites available for housing and constraints that could limit the City’s ability to reach its housing goals, the HEI Planning Code amendments include specific proposals to reduce and eliminate those constraints and otherwise incentivize the construction of affordable housing. Most significantly, the HEI proposes to redefine zoning designations and change development standards in zoning districts that have historically served as single-family neighborhoods to allow for missing middle housing development; to create a checklist review objective design review process; to adopt an affordable housing overlay zone that would provide for ministerial approval and other incentives to qualifying affordable housing developments; and to additionally create a “by right” or ministerial approval process for qualifying housing development located on sites identified in the 2015-2023 Housing Element housing sites inventory.<sup>1</sup> The General Plan text and map amendments include conforming changes to ensure that the policies, allowed uses,

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<sup>1</sup> Missing middle Housing is a range of house-scale buildings with multiple units (e.g., duplexes, triplexes, fourplexes, cottage courts, and multiplexes) that are compatible in scale and form with detached single-family homes and are located in a walkable neighborhood. More information is available at [missingmiddlehousing.com](http://missingmiddlehousing.com).

and allowed densities included in the Planning Code and Zoning Map are consistent with General Plan designations and policies.

### **Safety Element Update**

The Safety Element Update presents a framework for minimizing risks posed by natural and human-caused hazards that may impact health and welfare. As part of this Project, the City is preparing a comprehensive update to the Safety Element that builds on the City’s 2021- 2026 Local Hazard Mitigation Plan; addresses all State requirements including requirements of Assembly Bill 747 (2019) and Senate Bill 99 (2019) regarding evacuation routes as well as Senate Bill 379 (2016) requiring inclusion of climate adaptation and resiliency strategies; and serves as a central reference point for the City’s efforts to address safety and climate change. The policy development focuses on wildfire, toxic and hazardous materials, seismic risk, flooding, climate change adaptation and resilience, and drought. The Safety Element Update includes actionable strategies for addressing identified critical facility needs and enabling climate-smart development.

### **Environmental Justice Element**

Senate Bill 1000, also referred to as the 2016 Planning for Healthy Communities Act, requires that cities with “disadvantaged communities” or “Environmental Justice Communities (EJ Communities)” adopt environmental justice policies or an Environmental Justice Element as part of its General Plan.<sup>2</sup> Specifically, SB 1000 requires general plans to “identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities”. The Project includes the City’s first Environmental Justice (EJ) Element with the purpose of addressing the unique or compounded health risks in EJ Communities within the City of Oakland. Building on issues identified in the *Oakland 2045 Environmental Justice and Racial Equity Baseline*, the EJ Element measures include, but are not limited to, measures to improve air quality; and measures to promote public facilities, food access, safe and sanitary homes, and physical activity. In addition, the element serves to promote civic engagement in the public decision-making process and prioritize improvements and programs that address the needs of these communities.

While the Project does not propose specific private developments, construction would be a reasonably foreseeable future outcome of its adoption. For the purposes of environmental review, this Draft EIR establishes the *Phase 1 Oakland 2045 General Plan Update Buildout Program (Buildout Program)*, which represents the maximum feasible housing development that the City has projected can reasonably be expected to occur through 2030. The Buildout

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<sup>2</sup> As described in the *Oakland 2045 Environmental Justice and Racial Equity Baseline*, while State law refers to these as “disadvantaged communities,” the City of Oakland has opted to use the term “Environmental Justice Communities or EJ Communities.”

Program assumes approximately 41,458 new housing units would be developed under the Project during the projection period ending in 2030, although the actual pace of development will depend on market conditions, property owner interest, and— in the case of affordable housing— available funding and/or other incentives.

**DRAFT EIR OVERVIEW:** This Draft EIR is a public information document that assesses the potential physical environmental impacts that could result from implementation of the Project, recommends mitigation measures to lessen or eliminate adverse impacts, examines feasible alternatives to the Project, and is intended to inform City of Oakland decision makers, other responsible agencies, and the general public. The Draft EIR evaluates potential physical environmental impacts that could result from the Project and identifies that the Project may have significant and unavoidable impacts in the following areas:

- Aesthetics (shadow, wind)
- Air Quality
- Cultural Resources (historic resources)
- Hazards and Hazardous Materials (emergency evacuation)
- Wildfire (emergency evacuation)

**COMPLETION AND AVAILABILITY OF THE DRAFT EIR:** The City of Oakland’s Bureau of Planning issued a Notice of Preparation (NOP) for a Draft EIR on March 30, 2022. The City has prepared a Draft EIR for the Project in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code §§21000 et. seq.) and the State CEQA Guidelines (Guidelines) (California Code of Regulations, Title 14, Division 6, Chapter 3, §§15000 et. seq.). This notice is being sent to Responsible Agencies and other interested parties, including persons who responded to the NOP. The Draft EIR will be uploaded to the State Clearinghouse CEQAnet portal (<https://ceqanet.opr.ca.gov/>). Starting on March 24, 2023, the Draft EIR and its appendices may be viewed or downloaded from the City of Oakland’s website: <https://www.oaklandca.gov/topics/general-plan-update>

**PUBLIC REVIEW AND COMMENT PERIOD:** The City invites comments on the Phase I Oakland 2045 General Plan Update Draft EIR during a 45-day comment period that begins on March 24, 2023, and ends on May 9, 2023 at 5:00 PM. The City directs comments to be submitted via **email to [generalplan@oaklandca.gov](mailto:generalplan@oaklandca.gov)**. Alternatively, comments may also be submitted in writing by **hand delivery or mail** to Lakshmi Rajagopalan, AICP, Planner IV, City of Oakland Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 or **by fax** to (510) 238-6538. Ms. Rajagopalan may be reached **by phone** at (510) 238-6751. Please reference *Phase I Oakland 2045 General Plan Update Draft EIR Comments* in all correspondence.

**PUBLIC HEARING:** The City Planning Commission will conduct a public meeting to receive comments on the Draft EIR for the Project on April 19, 2023, 3:00 PM in the Council Chambers in City Hall, 1 Frank H. Ogawa Plaza Oakland, CA 94612. For more information about how to participate in this meeting, please visit:

<https://www.oaklandca.gov/boards-commissions/planning-commission>.

The City of Oakland is hereby releasing this Draft EIR, finding it to be accurate and complete and ready for public review. Members of the public are invited to comment on the Draft EIR and the Project. There is no fee for commenting, and all comments received will be considered by the City prior to finalizing the EIR and making a decision on the Project. Comments on the Draft EIR should focus on the sufficiency of the Draft EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project in light of the EIR's purpose to provide useful and accurate information about such factors.

If you challenge the EIR or Project in court, you may be limited to raising only those issues raised at the public hearing described above, or in written correspondence received by the Bureau of Planning on or prior to 5:00 p.m. on **May 9, 2023**. Following the close of the public review period for the Draft EIR, the City will prepare a Final EIR, incorporating and responding to all comments received during the public comment period, for consideration by decisionmakers at a date for which notice shall be provided at a future date. As required by CEQA (Pub. Res. Code §21092.5), the Final EIR, including written responses to the comments submitted by public agencies, will be provided to commenting agencies at least ten (10) days prior to certification. For further information, please contact Lakshmi Rajagopalan, AICP, Planner IV, City of Oakland Bureau of Planning, at (510) 238-6751 or [generalplan@oaklandca.gov](mailto:generalplan@oaklandca.gov).



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Ed Manasse, Bureau of Planning  
Environmental Review Officer