Implementing Actions to Advance REIA in Phase 1 of the Oakland 2045 General Plan Update

2023-2031 Housing Element Housing Action Plan

Housing Element Action	Equity Impact	Benefit/Burden	Barriers to Equity	REIA Recommendation	Zoning Consistency with REIA Recommendation
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/rowhous es, and ADUs.	High	Most benefit to homeowners and landowners who can develop in-fill housing, subdivide buildings, or land, or build ADU	Landlords in racially concentrated areas of affluence (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	Enable multi-family development, affordable at all income levels, in Detached Unit residential zones. Provide deed-restricted units affordable to ELI households on-site. Allow 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.	The proposed zoning changes further the REIA recommendations by increasing the density of the Detached Residential (RD) zone to allow for multifamily housing which furthers fair housing by opening up single-family zoned neighborhoods to more housing. The changes also include ministerial approval processes for projects providing affordable housing.
3.3.5: Implement an affordable housing overlay.	High	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.		Commit to implementing options for streamlining affordable housing applications in high-resource areas near transit.	The proposed zoning changes create streamlining options for affordable housing projects through the creation of Chapter 17.95 S-13 Affordable Housing Combining Zone Regulations.

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		Extending streamlined approval to mixed income projects that qualify for the density bonus could help foster inclusive neighborhoods.			
3.4.1: Revise development standards, including allowable building heights, densities, open space and setback requirements.	High to Moderate	Increasing densities and building heights, and eliminating Conditional Use Permits for density, especially in transit-proximate and resourcerich 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.	Maintaining the compatibility of denser zoning with single-family neighborhoods benefits wealthier, highresource 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	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.	The proposed zoning changes are in line with the REIA recommendations. The revised development standards would encourage a variety of multi-unit housing types in Oakland. The creation of more housing offsets the competition for limited housing, in which case higher-income earners have generally had an advantage. Multifamily housing has the potential to create housing for a greater range of income earners. The comprehensive overall of the zoning code will take place in Phase 2 and will further consider the REIA recommendation to increase wealth-building opportunities for BIPOC residents.
3.4.3: Revise Conditional Use Permit (CUP) requirements.	Moderate	Removing the requirement for CUPs and enabling streamlined, ministerial approval for multi-unit buildings in high-resource, RCAA neighborhoods that are single-family zones, can remove a constraint to affordable housing development, including reducing the capacity for	Removing a zoning constraint on multifamily 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-	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.	The proposed zoning code amendments keep in place the existing standards for demolition which are very high. There will be further opportunity to consider revising demolition controls in Phase 2 of the GPU and through the Objective Design Standards project.

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		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.	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.		
3.4.4: Revise citywide parking standards.	Moderate	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 mixeduse developments are not con- strained by	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.	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	The proposed zoning changes do not directly address the REIA recommendations, as these recommendations are for additional programs that would not be implemented by the Planning Code. The reduced parking maximums and removal of parking minimums near transit will help lower the cost of building housing, in line with other REIA recommendations to enable multi-family development. Further study of the effects of revising parking standards could take place in Phase 2 of the GPU with the update of the Land Use and Transportation Element.

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. Low to Moderate 3.4.5: Revise open space requirements. Moderate Low to Moderate Revisions to Oakland's one pace 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 neighborhoods remove a constraint to development in these neighborhoods neighborhoods. However,	Housing Element	Equity	Benefit/Burden	Barriers to Equity	REIA Recommendation	Zoning Consistency with REIA Recommendation
requirements for higher density projects in	Action 3.4.5: Revise open	Impact Low to	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. 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	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	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. 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	Phase 2 of the General Plan Update will include the development of the Open Space, Conservation, and Recreation (OSCAR) Element which will analyze neighborhood proximities to open space and study opportunities to increase open space access to underserved communities. Additionally, the reduced open space requirements will help lower the cost of building housing, in line with other REIA recommendations to enable multi-family

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_		residents, especially if the development includes affordable units. All parcels within the Housing Sites Overlay Zone, which includes vacant and non-vacant sites identified in the 4h, 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	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		Recommendation The City is undertaking a separate process to develop Objective Design Standards. The proposed zoning code amendments include the creation of the Chapter 17.96 S-14 Housing Sites Combining Zone that allows by-right approval for 6th cycle sites that meet the following: • At least as many lower- and moderate-income units as shown in columns P and Q of the Housing Sites Inventory • At least as many units as listed as the Realistic Capacity of the
		included in two consecutive prior RHNA cycles that include at least 20 percent of units affordable to lower income families are granted non appealable byright development with no discretionary review by the City and ex- emption from CEQA.	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.		site; and One of the following: At least twenty percent (20%) of the total housing units are restricted to very low-income households; At least twenty-five percent (25%) of the total housing units are restricted to any combination of very low and lower income household; At least forty percent (40%) of the total housing units are restricted to any combination of very low, low, and moderate-income households. This proposal ensures that the City meets the low- and moderate-income targets set for each site identified in the

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					6 th Cycle and does not trigger the state's No Net Loss provisions of State law.
3.6.3: Expand by- right approvals and implement entitlement reform for affordable housing.	High	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.		Working with community partners and affordable housing developers to identify and implement appropriate entitlement reforms, including fee subsidies and/or payment deferrals, is critical.	The development of the proposed zoning code amendments included focus groups with affordable housing developers and advocates to review and flush out elements of the Affordable Housing Overlay and the Missing Middle Housing Type provisions.
3.7.6: Expand areas where rooming units and efficiency units are permitted by right.	High	These smaller units are naturally more affordable and so expanding by-right permitting will consequently create more affordable housing for smaller families and individuals.			The proposed zoning amendments further equity by expanding the areas where rooming and efficiency units, which are naturally more affordable, are permitted by right. No specific REIA recommendations to address.
3.7.7: Amend Planning Code to comply with the Employee Housing Act.	Unknown	Impact unknown.			The proposed zoning code amendments amend the existing Planning Code to comply with State law. No specific REIA recommendations to address.
3.7.8: Expand areas where Residential Care Facilities are permitted by right.	High	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.	Senior facilities may not have sufficient funding for land acquisition in certain neighborhoods.		The proposed zoning amendments to expand areas where Residential Care Facilities are permitted by right further equity by increasing housing opportunities for a particular vulnerable community, low-income seniors. No specific REIA recommendations to address.
4.3.3: Remove regulatory constraints to development of transitional housing and supportive housing.	High	These amendments to the Planning Code are impactful in reducing barriers to the development of these types of housing.			The proposed zoning code amendments further equity by reducing barriers to developing permanent supportive housing. No specific REIA recommendations to address.
4.3.5: Provide development	High	This change is required by state law and will be			The proposed zoning code amendments create a definition for "low

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standards for low- barrier navigation centers.		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.			barrier navigation centers" and allow for by-right approval of these projects, in compliance with State law. No specific REIA recommendations to address.
4.3.6: Expand opportunities for the permitting of emergency shelters.	High	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.			The proposed zoning code amendments expand the areas in which emergency shelters are permitted, furthering equity by reducing barriers to the development of housing for persons experiencing homelessness. No specific REIA recommendations to address.
5.2.2: Promote infill, transit-oriented development (TOD), and mixed-use development.	High	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.	Transit-oriented development does not always include sufficient housing affordable to all lower-income levels.	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	The proposed zoning code amendments address the REIA recommendations to not increase pollution burden in EJ communities by reducing allowed intensity of commercial/industrial activities and reducing allowed heavier industrial uses near residential zones in specific industrial zones. The changes also require truck-intensive uses to obtain special conditional use permits and apply special performance standards related to buffering, landscaping, and more.

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				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.	The proposed zoning changes in the Missing Middle and AHO proposals will encourage creation of different types of housing in add housing in areas well served by transit and resources that have historically been exclusionary. The recommendation to create more funding sources for affordable housing projects is outside of the scope of what zoning can accomplish.
5.2.8: Encourage new affordable housing in higher resource neighborhoods.	High	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.	Currently, state law limits tax-exempt bond competitiveness for housing construction to 'high-opportunity' areas of Oakland.	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 taxexempt bonds are competitive, such as 'lowopportunity' and Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) neighborhoods of Oakland.	The proposed zoning changes further equity by encouraging further affordable development in higher resource neighborhoods by allowing for higher densities and streamlined approval for affordable projects.
5.2.9: Prioritize improvements to meet the needs of low-resourced and disproportionately burdened communities.	High	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.	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	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.	The proposed zoning amendments further equity by implementing, citywide, strategies that had been identified in the West Oakland Community Action Plan (WOCAP) that will reduce the impacts of heavy-duty trucks on communities and help transition heavy-industrial activities away from communities. Further work to meet the needs of disproportionately burdened communities continues with the

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			disproportionate burdens for Environmental Justice neighborhoods.		development of the EJ and Safety Elements (out now for public review).
5.2.10: Promote the development of mixed-income housing to reduce income-based concentration.	Moderate to High	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.		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 higherincome rents can partially subsidize the lowerincome units.	The proposed zoning amendments further equity by encouraging mixed-income developments through provisions in the Affordable Housing Overlay and Housing Sites Overlay Zone, consistent with REIA recommendation.

2023-2031 Environmental Justice (EJ) Element

EJ Element Action	Benefit/Burden	Barriers to Equity	Recommendation	Analysis
EJ-A.1: Amend the City's Zoning code to include the following changes: Allow greater residential density in less-polluted areas, including existing single-family residential neighborhoods.	EJ Communities experiencing significant life- threatening and life- shortening harms from legal industrial and commercial	Notwithstanding the imposition of new, morestringent performance standards for high-intensity, industrial or commercial sources, siting new facilities near sensitive uses in EJ	On an ongoing basis, investigate and explore additional feasible strategies for mitigating exposure to air pollution in EJ Communities with climate resilience and disaster-preparedness in mind. Implement multiple exposure-	The proposed zoning amendments further equity by implementing, citywide, strategies that had been identified in the West Oakland Community Action Plan (WOCAP) that will reduce the impacts of heavy-duty trucks
Condition the permitting of heavy industrial businesses within five hundred (500) feet of a zone that permits residential activities.	activities will benefit from the creation of buffer zones and other requirements developed to mitigate exposures	Communities will increase disparities in pollution and public health burdens, harming residents. (EJ-A.1, EJ-A.2) New performance and	reduction strategies to backstop City efforts to encourage additional air pollution emissions reductions at existing industrial facilities in and near EJ Communities.	on communities and help transition heavy-industrial activities away from communities. These targeted amendments are just the first step in implementing actions in the EJ and Housing
Establish special permit criteria for truck-intensive industrial activities located within five hundred (500) feet of any zone that permits residential activities.	to harmful air pollutants. (EJ-1.3; EJ-1.4; EJ-1.5)	permitting standards and variances are not applied to existing industrial and commercial uses. (EJ-A.1, EJ-A.2)	Work with BAAQMD to establish a revolving zero-interest loan fund and Pay As You Save (PAYS) or on-bill financing program to enable small landlords and low-income homeowners to be able to	Elements and further implementation of actions and analysis of how to meet the REIA recommendations will come during refinement and

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Establish special performance standards and standard conditions of approval for Truck-Intensive Industrial Activities located within five hundred (500) feet of any zone that permits residential activities. Amend the permit procedures for nonconforming Truck-Intensive Industrial Activities. Condition the permitting of commercial kitchen operations designed for online ordering and food delivery. Modify the S-19 Health and Safety Protection Combining Zone to prohibit use of diesel generators as the primary source of power within five hundred (500) feet from any Residential, Open Space, or Institutional Zone boundary.		Diesel generators used as the primary source of power are the only industrial use fully prohibited within the proposed five-hundred-foot buffer zone. (EJ-A.1) Goal 1.8 does not benefit residents of existing buildings. Without significant financial support, low-income homeowners, small landlords, and low-income tenants will not have access to indoor air filtration equipment and retrofits. (EJ-1.8) The City's Encampment Management Plan ("EMP") allows informal encampments in "low sensitivity zones," typically under freeways or otherwise highly polluted areas, relegating unhoused people to the most polluted areas in the city without the modicum of protection provided by permanent housing.	access indoor air filtration retrofits in existing buildings, prioritizing low-income and affordable housing along the I-880 corridor and adjacent to stationary sources, to improve indoor air quality for low-income tenants. (Local Clean Energy Alliance) Disallow conditional use permits (CUPs) for any new major polluters to locate in EJ Communities, as identified by the City's EJ Communities Map. Partner with EJ CBOs and low-income EJ Community residents to co-develop and adopt appropriate mitigation measures and conditions for any proposed polluting facility to site in Oakland, outside of any neighborhood currently designated as an EJ Community. Fund community recreation centers and schools throughout the City, especially in high traffic/high pollution areas, such as the Lincoln Square Recreation Center in Chinatown and Acorn Woodland Elementary School, to enable them to filter the air in their gyms and collective spaces. (Asian Pacific Environmental Network - APEN, Communities for a Better Environment - CBE) Collaborate with The Village in Oakland and other similar groups to reform the Encampment Management Plan. Revise the map of "low sensitivity" zones	implementation of the EJ Element.

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			where encampments of unhoused residents are allowed without harassment or threat of eviction	
			to identify locations where it is possible to mitigate or reduce	
			their exposure to air pollution. (The Village in Oakland)	

Safety Element

Safety Element Policy	Benefit/Burden	Barriers to Equity	REIA Recommendation	Analysis
SAF-2.3 Development in the Very High Fire Hazard Severity Zone (VHFHSZ). Prioritize development in areas with existing adequate road networks, evacuation routes, and water infrastructure. Require any new development in the Very High Fire Hazard Severity Zone to prepare a Fire Protection Plan that minimizes risks by: • Assessing site-specific characteristics such as topography, slope, vegetation type, wind patterns etc. • Siting and designing development to avoid hazardous locations (e.g. through fire breaks) to the extent feasible. • Incorporating fuel modification and brush clearance techniques in accordance with applicable fire safety	Eastmont is both socially vulnerable and at high fire risk. Racial disparities exist in Overcrowding and Habitability, which could increase vulnerability to structural fire risk. Racial disparities also exist for Vehicle Ownership, which could be a critical factor in low-income East Oakland hills residents' abilities to evacuate from a wildfire.	Elderly people, people with disabilities or mobility challenges, and transit-dependent people are less able to escape in time in the event of a wildfire. Without significant financial support, landlords providing affordable housing may be financially unable to pay the upfront costs of retrofitting their units to fire safety code. Low-income tenants forced to move out of an unpermitted or fire code-violating home may not be able to afford to move elsewhere	Make funding accessible for indoor air filtration during wildfires for low-income residents of vulnerable communities during wildfires. Develop programs and policies to provide support for vulnerable residents during wildfires, especially for residents of substandard housing. (CBE) Prioritize fire safety and fire risk mitigation programs in Eastmont, as well as adjoining East Oakland hills neighborhoods with limited access to evacuation routes. Consult, contract with, and fairly compensate California Native/ Indigenous groups with expertise in using cultural burning as an integral part of traditional ecological management practices. Seek to engage in equitable, reciprocal and well-paid partnerships with California Native/Indigenous people with expertise in cultural burning and	The development of the proposed zoning amendments included an assessment of congestion and evacuation routes in the VHFHSZ. As part of efforts to advance racial equity by encouraging affordable housing in the Oakland hill (exclusionary single-family neighborhoods that are in the VHFHSZ) while balancing fire safety considerations with actions, the proposed zoning amendments include identify limited areas of the VHFHSZ where the Affordable Housing Overlay can be applied. Additional REIA recommendations will be considered during the refinement and implementation of the Safety Element and through other processes, as many of the recommendations are outside of the scope of what can be addressed by zoning.

Safety Element Policy	Benefit/Burden	Barriers to Equity	REIA Recommendation	Analysis
requirements and carried out in a manner which reduces impacts to environmentally sensitive habitat to the maximum feasible extent. • Using fire-resistant building materials and design features, such as visible signage, consistent with the adopted Municipal Code and Fire and Building Code standards. • Using fire-retardant, native plant species in landscaping.			Traditional Ecological Knowledge (TEK) practices of using beneficial or 'good fire' to manage landscapes more sustainably and prevent catastrophic wildfires, could foster opportunity by supporting cultural revitalization of traditional practices and TEK being learned and shared more broadly and cross-culturally. Prioritize California Native/Indigenous-led cultural burning efforts to protect the above listed East Oakland neighborhoods, first.	
Complying with established standards and specifications for fuel modification, defensible space, access, and water facilities.			As part of implementing SAF-2.3 (Development in the Very High Fire Hazard Severity Zone), fund family-sustaining, unionized or cooperative green jobs training	
Banning generators and fuel storage (e.g. for generators) in VHFHSZ.			and workforce development opportunities for low-income, unemployed EJ Community	
Requiring street improvements to comply with minimum fire road access standards.			residents to conduct defensible space maintenance, home hardening, and other measures to reduce fire risk.	
Disallowing new subdivisions in areas with less than two evacuation routes, unless a development were to be able to provide additional connections to ameliorate this condition.			Prioritize financial incentives or assistance to prevent both structural fires and wildfires for the lowest-income households without a car and to mobility-impaired people, medically dependent residents, families with small children and seniors.	
			Prioritize significant financial support for landlords providing affordable housing to pay the upfront costs of retrofitting their	

Safety Element Policy	Benefit/Burden	Barriers to Equity	REIA Recommendation	Analysis
			units to fire safety code.	
			Engage in a learning exchange with the San Francisco Fire Department in learning from their Racial Equity Action Plan (2021-2023) and continue to drive racial equity in the Oakland Fire Department.	