

March 29, 2023

Joanna Winter  
Planner IV, Planning and Building Department  
City of Oakland  
250 Frank H. Ogawa Plaza, Suite 2114  
Oakland, CA 94612

**RE: Downtown Oakland Specific Plan — Zoning Incentive Program**

Dear Joanna:

Thank you for the opportunity to provide feedback on the Zoning Incentive Program (ZIP) for the Downtown Oakland Specific Plan (DOSP). As you know, SPUR is deeply committed to the success of the Downtown Plan. This is the [sixth letter](#) SPUR has submitted regarding the Specific Plan and we appreciate your team's continued efforts to keep us informed as the project progresses.

We offer the following comments prior to the March 29th, 2023 meeting of the DOSP Community Advisory Group. We hope they will be considered as you continue to refine the ZIP.

- 1) The ZIP analysis assumes that value will be created in the event that rents increase by 20% or more. In essence, this is stating an unfortunate assumption that the downtown area needs to become less affordable in order to obtain community benefits through the ZIP. In addition, developers can pay fees instead of building affordable housing. Therefore the program has a strong potential of worsening the ratio of luxury to affordable units. We urge the DOSP team to reconsider this narrative and the effects it could have on the people of Oakland.
- 2) The ZIP is too complex and will be hard for the city to implement. There are too many zones and fee levels, making it difficult for city staff and developers to understand it without copious training and support. These complexities will delay implementation of the ZIP.
- 3) The DOSP team should look into the state density bonus and whether it can be applied on top of the increased density allowed by the ZIP. It seems there is an assumption in this analysis that it can; this should be verified.

- 4) The affordable housing requirement should be increased for projects that are eligible for the ZIP, instead of relying on value capture to produce affordable units. According to the affordable housing nexus study, affordable housing impact fees could be much higher. We encourage the DOSP team to explore increasing the affordable housing requirements for buildings that would otherwise qualify under the ZIP given this analysis.
- 5) The ZIP program should be used to encourage additional community benefits that can't be obtained through impact fees.

Thank you for your consideration of our comments and efforts to include SPUR in finalizing the ZIP. Should you have any questions, please do not hesitate to contact us.

Sincerely,



Ronak Davé Okoye  
SPUR Acting Oakland Director & Chief of Strategic Initiatives