

## AH Committee

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**From:** Radu, Peter <PRadu@oaklandca.gov>  
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Hello,

I have been invited as a presenter at next Monday's 6/28 Affordable Housing Committee meeting. I am attaching slides that I will be referencing during my presentation. Please let me know if there is anything else you might need from me.

Looking forward,

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# Encampment Management Policy Overview

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Office of the Mayor

Oakland, Calif.

June 28, 2021



## Agenda:

1. What precipitated Oakland's new encampment management policy?
2. What is in the new policy?
3. What were the trade-offs we confronted?



## Why did Oakland need a new encampment policy?

1. Dramatic increase in street homelessness
2. Martin v. Boise and the new legal landscape
3. COVID/CDC guidance on encampments



## What is in Oakland's new policy?

1. City Zones – high and low sensitivity
2. Public health and safety criteria for intervention
3. Ranges/types of interventions:
4. Compliance



## High Sensitivity Zones

- All vehicular traffic lanes, bike lanes, and sidewalks (at least on one side of the street) must comply with American Disabilities Act (ADA) sidewalk and street requirements and must allow for passage of emergency vehicles.
- Locations designated as High Fire Severity Zones (HFSZ) by the Oakland Fire Department and/or CalFIRE.
- Within 150 feet of an elementary, middle, pre-school or child care center, and 100 feet from a high school.
- Within 50 feet of a protected waterway as established by any governing body.
- Within 50 feet of a residence.
- Within 50 feet of a retail business, and 50 feet from the main entrance and any emergency exits from all other businesses, including places of worship.
- Within 50 feet of a city park or other public land that has a children's playground, play structure, tot lot, or recreation center in which children participate in city-sponsored programs/classes
- Areas directly adjacent (within 25 feet) to emergency shelter interventions.



## Low Sensitivity Zones

- Shall be limited to one side of the street.
- Shall not impede vehicle, bike, or pedestrian traffic (on at least one side of the street).
- Shall not impede ADA access points, consistent with goal of limiting encampments to one side of street.
- Shall not impede emergency ingress/egress routes.
- Compliance with applicable and generally enforced state codes and local ordinances.
- Encampment footprint shall not exceed 12 x 12 sq. ft per person.
- Area directly adjacent to a vehicle dwelling must remain clear at all times.
- No gray or black water dumping.
- No illegal electrical or water taps.
- No storage of tires, gasoline, generators, or propane tanks, or unsafe storage of combustible materials or accumulation of combustible waste.
- Structures, tents, and vehicle dwellings shall maintain not less than six (6) feet distance between one another.



## Health and Safety

1. Public Health findings include confirmed cases of infectious disease, vector hazards, bio hazards, etc.
2. Public Safety findings include impeding emergency access, excessive fire hazards, illegal wire tapping, excessive garbage/debris, etc.
3. Types of Interventions to address these
  1. Health and hygiene interventions
  2. Deep cleaning
  3. Partial closure
  4. Full closure





## Compliance

1. In high sensitivity zones and low sensitivity zones that violate standards, the city will schedule a closure, **which requires shelter offers for everyone in the encampment.**
2. With respect to Oakland Police:
  - Will never cite nor arrest for the status of being homeless, even if shelter offers are declined.
  - However, the status of being unsheltered does not create immunity from any other generally enforced codes and ordinances.



## What trade-offs did we confront?

1. Land use and planning/building code issues
2. Enforcement



Thank you

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