

Office of the City Manager

## REVISED AGENDA MATERIAL

**Meeting Date:** December 1, 2020

**Item Number:** 30

**Item Description:** Referral Response: Zoning Ordinance Amendments that Reform Residential Off-Street Parking; Amending Berkeley Municipal Code Title 14 and 23

**Submitted by:** Jordan Klein, Interim Director, Planning & Development Department

This supplemental report includes new language for Section 1 and Section 3 of the proposed ordinance.

The restrictions on issuance of RPP permits in Section 1 of the proposed ordinance (14.72.080 C) have been removed. It was brought to staff's attention that an advisory opinion by the State Attorney General in 2016 interprets Vehicle Code section 22506 to disallow restrictions on RPP permit issuance based on unit size or type.

Revised text has been provided for Section 3 of the proposed ordinance, correcting paragraph lettering in 23C.18.030, and correcting corresponding code references in Section 23C.18.040.

Section 1. That Berkeley Municipal Code Section 14.72.080 is amended to read as follows:

**14.72.080 Issuance of permits.**

A. Residential, local business and neighborhood-serving community facility parking permits shall be issued by the Department of Finance in accordance with requirements set forth in this chapter. Each such permit shall be designed to state or reflect thereon the identification of the particular residential, local business or neighborhood-serving community facility permit parking area for which it is issued. No more than one residential or local business parking permit shall be issued to each motor vehicle for which application is made.

B. When issuing local business and neighborhood-serving community facility permits, the Department of Finance in consultation with the traffic engineering division shall issue permits such that they will not unduly be concentrated on a specific block front in any given residential permit parking area.

~~C.1.~~

~~No permits shall be issued to residents in newly constructed residential units which do not meet the parking requirements established by the Zoning Ordinance unless a variance for parking requirement set forth in the Zoning Ordinance was issued. In the C-T Zoning District, the R-SMU Zoning District, and portions of the R-S Zoning District where no parking is required for residential uses, no residential parking permits will be issued for occupants of residential units created after the effective date of the Southside Plan. The Current Planning division shall provide a listing of newly constructed housing units to the Department of Finance.~~

~~2. No permits shall be issued to residents of Group Living Accommodations as defined in Chapter 23F.04 that are approved after January 1, 2012, unless the Zoning Adjustments Board specifies otherwise when it approves the GLA. The Current Planning division shall provide a listing of addresses subject to this paragraph to the Department of Finance.~~

~~3. In the R-2 and R-2A zoning districts, no permits shall be issued to residents of dwelling units with more than 5 bedrooms to which new bedrooms have been added subsequent to January 1, 2012. The Current Planning division shall provide a listing of addresses subject to this paragraph to the Department of Finance.~~

~~4. This subdivision shall not prevent issuance of permits to residents of permitted and legal nonconforming sororities, fraternities and student cooperatives who are not otherwise prohibited from obtaining them.~~

DC. The Department of Finance and the traffic engineering division are authorized to issue such rules and regulations necessary to implement this chapter, and are not inconsistent with it.

ED. Parking permits shall not be issued for vehicles for which there is any outstanding City of Berkeley notice of violation of parking rules and restrictions that are unpaid for more than 21 calendar days from the issuance of the parking violation.

Section 3. That Berkeley Municipal Code Chapter 23C.18 is hereby added to read as follows:

**Chapter 23C.18: Transportation Demand Management**

**Sections:**

**23C.18.010 Purpose**

**23C.18.020 Applicability of Regulations**

**23C.18.030 Transportation Demand Management Program Requirements**

**23C.18.040 Monitoring, Reporting and Compliance**

**Section 23C.18.010 Purpose**

The purpose of this chapter is to establish a Transportation Demand Management program that supports:

- A. City Transportation Element goals of reducing vehicle trips, encouraging public transit use and promoting bicycle and pedestrian safety, and
- B. City Climate Action Plan goals to reduce private vehicle travel and promote mode shift to more sustainable transportation options.

**Section 23C.18.020 Applicability of Regulations**

A. The following types of projects must comply with the requirements of this Chapter:

- 1. Residential projects, including the residential portion of mixed-use projects, that include ten or more Dwelling Units that have not been issued a Building Permit by the effective date of this ordinance.

B. The following types of projects shall be exempt from the requirements of this Chapter:

- 1. Residential projects, including the residential portion of mixed-use projects, located in the following locations:
  - a. C-DMU Downtown Mixed Use District
  - b. Southside Plan Area
- 2. Residential projects, including the residential portion of mixed-use projects, with the majority of the units subject to recorded affordability restrictions.

**23C.18.030 Transportation Demand Management Program Requirements**

Any project subject to this Chapter shall:

A. Ensure that all parking spaces provided for residents be leased or sold separate from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space(s);

B. Offer at least one of the following transit benefits, at no cost to the resident, for a period of ten years after the issuance of a Certificate of Occupancy. For projects that include 99 dwelling units or fewer, the project shall provide one transit benefit per bedroom, up to a maximum of two benefits per dwelling unit. For projects of 100 dwelling units or more, the project shall provide one transit benefit for every bedroom in

each dwelling unit. A notice describing these transportation benefits shall be posted in a location or locations visible to residents.

1. A monthly pass for unlimited local bus transit service; or
2. A functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited monthly local bus pass. Any benefit proposed as a functionally equivalent transportation benefit shall be approved by the Zoning Officer in consultation with the Transportation Division Manager; and
- C. Provide publicly-available, real-time transportation information in a common area, such as a lobby or elevator bay, on televisions, computer monitors or other displays readily visible to residents and/or visitors. Provided information shall include, but is not limited to, transit arrivals and departures for nearby transit routes.

### **Section 23C.18.040 Monitoring, Reporting and Compliance**

A. For projects subject to this Chapter, prior to issuance of a Certificate of Occupancy, the property owner shall facilitate a site inspection by Planning Department staff to confirm that the physical improvements required in 23C.18.030 (C) and 23D.12.065 (A) have been installed. The property owner shall also provide documentation that the programmatic measures required in 23C.18.030 (A) and (B) will be implemented.

B. The property owner shall submit to the Planning Department TDM Compliance Reports in accordance with Administrative Regulations promulgated by the Zoning Officer that may be modified from time to time to effectively implement this Chapter.

C. Property owners may be required to pay administrative fees associated with compliance with this ordinance as set forth in the City's Land Use Planning Fees schedule.



Office of the City Manager

PUBLIC HEARING  
December 15, 2020  
*(Continued from December 1, 2020)*

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Jordan Klein, Interim Director, Planning & Development Department  
Subject: Referral Response: Zoning Ordinance Amendments that Reform Residential Off-Street Parking; Amending Berkeley Municipal Code Title 14 and Title 23

RECOMMENDATION

Conduct a public hearing and upon conclusion select among proposed ordinance language options and take the following action:

Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Title 14 and Title 23 which would:

1. Modify Minimum Residential Off-street Parking Requirements
2. Impose Residential Parking Maximums in Transit-rich Areas
3. Amend the Residential Preferential Parking (RPP) Permit Program
4. Institute Transportation Demand Management (TDM) Requirements

SUMMARY

This report presents recommendations for implementing a residential off-street parking reform package. This proposal is a response to Policy 1 of the Green Affordable Housing Package (GAHP) Referral, which focuses on parking reform, and the Citywide Green Development Referral, which requests TDM for high-density residential projects. The Planning Commission met eleven times over the past four years to develop recommendations. Staff from multiple departments have been participating in an interdepartmental working group to evaluate and discuss proposals. Council is asked to consider proposals listed as Option A and Option B in the ordinance revisions.

FISCAL IMPACTS OF RECOMMENDATION

Reductions in off-street parking requirements are intended to make land and building area available, and to provide financial incentives, for additional housing units, particularly affordable units. Projects that include additional units will result in proportionally more inclusionary housing units and Affordable Housing Mitigation Fees. Otherwise, these changes are not expected to have a fiscal impact.

CURRENT SITUATION AND ITS EFFECTS

Reforming residential parking requirements and implementing a TDM program addresses Strategic Plan Priorities, advancing the City's goals to create affordable housing and to be a global leader in addressing climate change. City Council asked Planning Commission to review parking policies in 2015 and 2016 through the following two referrals (see Attachment 2):

*Green Affordable Housing Package Referral (October 27, 2015) -- Reduce barriers to affordable housing production by researching two ideas:*

Policy 1: Exchange off-street parking required for new development with affordable units and/or funding for affordable housing through the following ideas:

- Reduce/eliminate parking requirement for housing that offers TDM measures, car-sharing or shared-mobility programs.
- Implement parking maximums.
- Reduce/eliminate parking requirements for new housing that serves populations with low car ownership.
- Reduce/eliminate parking requirements for transit-intensive housing.
- Reduce parking requirements for new residential units near transit hubs.

Policy 2: Remove structural barriers to affordable housing development through improvements and streamlining of the permitting process.

*Citywide Green Development Requirements Referral (April 26, 2016) – Apply the Commercial Downtown Mixed-Use District's (C-DMU) TDM regulations (e.g. bicycle parking, vehicle sharing spaces, RPP, unbundled parking, and transportation benefits) to projects with 75 or more units in commercial zoning districts.*

Initial GAHP discussions focused on capturing affordable housing units in exchange for parking reductions, as requested in the referral. However, the passage of new State laws that mandated parking reductions near transit (see discussion of Assembly Bill 744 in staff reports provided as Links 9, 10, and 11) limited the City's ability to capture benefits. Furthermore, there were complications associated with levying a parking fee that would go towards the Housing Trust Fund (e.g., nexus fee studies required). As a result, the response to Policy 1 of GAHP was focused solely on parking reform. Policy 2 was similarly advanced as a result of new State laws, including amendments to the Housing Accountability Act, State Density Bonus law, and State ADU law and adoption of SB-35 (Streamlined Approval Process), and was addressed with City initiatives such as the Housing Action Plan, initiation of the Zoning Ordinance Revision Project, and the pending Analysis of Development Fees. These efforts are still active and are intended to reduce barriers to affordable housing development, as requested by GAHP referral Policy 2.

The Planning Commission began discussing a comprehensive parking reform package in January 2019. Between then and March 2020, it revisited this topic seven times, having focused discussions on parking minimums, parking maximums and transportation demand management requirements. Links to staff reports from these meetings (Links 2 through 7) are provided at the end of this report. Discussions began with an analysis of current regulations, recent development patterns and regulations in other cities, then moved on to analysis of research requested on specific topics to inform proposals.

The Planning Commission received presentations from City staff from Land Use Planning, Public Works Transportation, and from the non-profit organization TransForm (<https://www.transformca.org/>). The Transportation Commission, which received a presentation on the full parking reform proposal, provided feedback to planning staff at their February 20, 2020 meeting and appointed a representative to speak at the March 4, 2020 Planning Commission public hearing. AC Transit staff attended Planning Commission meetings where TDM was discussed and provided public comment on proposals.

The Transportation Division also engaged a consultant to conduct a Residential Parking Utilization Study to inform proposals (see Attachment 3). The study summarized on- and off-street parking capacity in and near multifamily residential developments of ten or more units<sup>1</sup>. The areas of the City that can accommodate ten or more units are located in the multi-family (R-3, R-4) and high density residential (R-S, R-SMU) and commercial districts. Most of these areas are within walking distance to commercial corridors, transit hubs and/or areas of the city that provide services and amenities to residents and visitors. Findings from the study suggest that on- and off-street parking for multi-family buildings of ten or more units is underutilized and that the average rate of car ownership (for buildings with ten or more units) is one car per two units, based on DMV registration information.

Attachment 4 provides “At-A-Glance Summaries” of parking reform topics that were discussed.

### *Planning Commission Recommendations*

After several meetings to discuss the issues and possible strategies, on March 4, 2020 the Planning Commission held a public hearing and recommended a set of draft Zoning Ordinance amendments to City Council for consideration. Minutes from that meeting are provided as Attachment 5. The Planning Commission’s recommendations are provided below. For Recommendations 1, 2 and 3, the Planning Commission’s recommendation

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<sup>1</sup> Staff chose the threshold of ten or more units for consistency with methodologies followed by King County, Washington, Washington DC, and Chicago when conducting similar parking utilization studies. Additionally, the Zoning Ordinance uses a threshold of ten or more units in higher-density residential districts for off-street parking requirements.

is indicated as Option A, and staff has provided alternate options for Council's consideration that are based on the results of the Residential Parking Utilization Study.

## 1. Modify Minimum Residential Off-Street Parking Requirements

*Option A – Eliminate off-street parking minimums for all new projects (except in ES-R and H Overlay Districts on roads less than 26 feet in width).*

*Option B – Eliminate off-street parking minimums for new projects of ten or more units in high density residential and commercial / mixed-use districts.*

Initial discussions at Planning Commission focused on staff's proposal to eliminate off-street residential parking requirements for projects with ten or more units (see Link 3). This proposal was informed by the Residential Parking Utilization Study's on- and off-street parking utilization rates and automobile registration rates in zoning districts allowing high density residential projects. The study did not include data collection or data analysis for low density residential districts (R-1, R-1A, R-2 or R-2A). Planning Commission expanded the reach of the proposal to include all units in all districts. The Transportation Commission reviewed this proposal as a discussion item at its February 20, 2020 meeting and agreed with the Planning Commission's direction. This bold move resonated with members of the public that participated in the Planning Commission and Transportation Commission meetings and requested visionary, forward-thinking policies. Option B returns to staff's initial recommendation. This option provides a more conservative approach, relying on findings in the Residential Parking Utilization Study. Extending this policy to lower density residential districts, not included in the study, may result in unintended consequences affecting the feasibility of future housing projects and/or create impacts to on-street parking.

For both options, off-street parking would still be required for projects in the Environmental Safety-Residential (ES-R) District, where preservation of off-street parking is an important factor in maintaining clear emergency access and evacuation routes. Similarly Option A applies parking minimums to projects in the Hillside Overlay (H) Districts located on roads that are less than 26 feet in width. To provide flexibility, these requirements could be waived with an AUP with Option A. Option B is more restrictive -- projects within the ES-R District and the H Districts could not reduce off-street parking requirements; however, residential projects in other districts could reduce parking minimums with an AUP.

## 2. Impose Parking Maximums in Transit-Rich Areas

*Option A – Implement parking maximums of 0.5 spaces per unit for projects with two or more units within 0.25 miles of high frequency transit<sup>2</sup> (except in ES-R and H Overlay Districts on roads less than 26 feet in width).*

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<sup>2</sup> High frequency transit includes major transit stops, as defined by Section 21064.3 of the California Public Resources Code or bus stops along a transit corridor with less than 15 minute headways during the morning and afternoon weekday peak periods.



*Option B – Implement parking maximums of 0.5 spaces per unit for projects with ten or more units within 0.25 miles of high frequency transit (except in ES-R and H Overlay Districts).*

Parking maximum proposals are often focused on transit-rich areas in order to encourage a shift from private vehicles to alternative modes where they are readily available. Proposed options would include exceptions for projects where the majority of units are deed-restricted as affordable, to ensure parking maximums would not introduce barriers to affordable housing projects due to possible financing requirements. Proposals also include an exception for projects located in the ES-R District and the H Districts -- or portions of the H Districts (for the same safety reasons stated in Recommendation 1, above). A map of Berkeley's transit-rich areas is provided in Attachment 6.

Option A applies the findings of the Residential Parking Utilization Study (see Link 3) to establish parking maximums on projects with two or more units. As stated in Recommendation 1, the parking study did not include data collection or analysis in low density residential zoning districts (R-1, R-1A, R-2 or R-2A) and did not consider impacts of parking maximums on project feasibility. Option B establishes parking maximums on projects with ten or more units – only applying the results of the Parking Utilization Study to the type and size of project that was studied.

### **3. Amend the Residential Preferential Parking (RPP) Permit Program**

*Option A: Prohibit residents of new projects of five or more units from obtaining RPP permits.*

*Option B: Prohibit residents of new projects of ten or more units from obtaining RPP permits.*

Current zoning and RPP regulations provide that residents of new projects that do not include parking in the C-DMU and the Car-Free Housing Overlay in the Southside Plan Area, as well as other projects that do not meet minimum parking requirements based on a Use Permit or Density Bonus concession, cannot obtain RPP permits. The Planning Commission expanded this element in the recommended parking reform package to exclude any new project with five or more units, in order to reduce demand for on-street parking and lessen impacts on RPP areas, which are generally located in lower density residential districts. Option B, the first proposal the Planning Commission considered, applies to projects with ten or more units, sharing the recommended threshold for the TDM proposal (see Link 1).

### **4. Institute TDM Requirements**

*Require the following TDM measures for projects of ten or more units:*

- *Provide off-street bicycle parking per the 2017 [Berkeley Bicycle Plan](#);*
- *Provide real-time transportation information displayed on monitors in project common areas;*

- Offer residents free monthly transit passes (one per bedroom, with a maximum of two passes per unit for projects with less than 100 units and one pass per bedroom for projects with 100 units or more), or equivalent Clipper Card credit, provided by the property manager for a period of ten years; and
- Require “unbundling” of off-street parking.

Many TDM options were researched and considered by the Planning Commission. Chosen measures were selected for their demonstrated effectiveness in reducing private vehicle travel and for their ease of administration (see Links 4 and 5). This proposal includes exemptions from the TDM requirements for projects with a majority of deed-restricted affordable units (for reasons stated in Recommendation 2, above) and projects located in the C-DMU District (where TDM requirements already exist) and in the Southside Plan Area (which is predominantly populated by students who receive transit passes from UC Berkeley).

Summary of Options

The table below shows how options relate to projects of different sizes:

| Regulation       | Projects Affected<br>(number of units) |             |              |             |
|------------------|----------------------------------------|-------------|--------------|-------------|
|                  | One or More                            | Two or More | Five or More | Ten or More |
| Parking Minimums | Option A                               | --          | --           | Option B*   |
| Parking Maximums | --                                     | Option A    | --           | Option B    |
| RPP              | --                                     | --          | Option A     | Option B    |
| TDM              | Option A                               |             |              |             |

\* NOTE: Option B of Parking Minimums cannot be paired with Option A of Parking Maximums because Parking Maximums is less than required Parking Minimums.

Environmental Review

Pursuant to CEQA Guidelines Sections 15378(a), 15060(c)(2) and 15064(d)(3), environmental review is not required because the proposed Zoning Ordinance amendments are not a Project. The proposed Zoning Ordinance amendments do not meet the definition of a Project under CEQA Guidelines Section 15378(a), nor do they constitute activities covered by CEQA under CEQA Guidelines Section 15060(c)(2), because passage of the amendments themselves do not constitute a direct physical impact on the environment, nor would they result in an indirect, reasonably foreseeable physical impact on the environment. Due to the city-wide nature of the proposed amendments, and the diffuse impacts, if any, of physical changes to the environment that may result from the types of development encouraged by the proposed amendments, identifying and quantifying such potential changes would be highly speculative. Underlying zoning standards for density and lot development would remain unchanged. Pursuant to CEQA Guidelines Section 15064(d)(3), any change that is

speculative is not considered reasonably foreseeable. The proposed amendments do not include any provisions that would exempt or otherwise reduce environmental review required under CEQA for individual development projects.

**BACKGROUND**

Most zoning districts in the City of Berkeley establish minimum off-street parking requirements for residential development.<sup>3</sup> Table 1 summarizes the basic parking requirements.

**Table 1 - Current Off-Street Parking Requirements**

| <b>Zone(s)</b>                                                                                                                                                                                                                                                                        | <b>Required Off-Street Parking Spaces</b>                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| R-1, R-1A, ES-R, R-2, R-2A                                                                                                                                                                                                                                                            | One space per unit                                                                                                                                                    |
| R-3, R-4<br>C-1, C-N, C-NS, C-SO, C-SA                                                                                                                                                                                                                                                | One space per unit for projects of 10 or fewer units <sup>a</sup> OR<br>One space per 1,000 GSF* of residential space for projects of more than 10 units <sup>a</sup> |
| C-W                                                                                                                                                                                                                                                                                   | One space per unit                                                                                                                                                    |
| C-DMU                                                                                                                                                                                                                                                                                 | One space per three units <sup>b</sup>                                                                                                                                |
| C-T                                                                                                                                                                                                                                                                                   | None                                                                                                                                                                  |
| M-UR                                                                                                                                                                                                                                                                                  | One space per unit <sup>a,b,c</sup>                                                                                                                                   |
| <sup>a</sup> 25% reduction for projects that house senior citizens<br><sup>b</sup> Can be reduced with Use Permit and TDM measures<br><sup>c</sup> May be satisfied by off-site leased parking and may be reduced 10% by providing motorcycle parking.<br>*GSF = gross square footage |                                                                                                                                                                       |

Use Permits are also available to reduce these parking requirements in most districts subject to a traffic and parking study, offsetting measures such as TDM, and findings related to the adequacy of the remaining parking, non-detriment to neighborhoods, and restrictions on the availability of RPP permits. State Density Bonus Law separately provides for reduced parking standards and for waivers and concessions that are intended to address the affordability of housing development and the provision of additional housing units.

To aid with a response to parking reform referrals, Land Use Planning convened an inter-departmental working group with staff from the Transportation Division, Office of Economic Development, Office of Energy and Sustainable Development, Office of Emergency Services, and Fire Department to discuss parking-related policies and to ground-truth proposals. This multi-departmental collaboration was extremely helpful in identifying unintentional consequences of proposals and provided additional options for City Council to consider.

**ENVIRONMENTAL SUSTAINABILITY**

Reducing minimum parking requirements and increasing the supply of housing near transit in the City of Berkeley would reduce vehicle miles traveled and greenhouse gas

<sup>3</sup> MU-LI, MM and M Districts do not permit residential development.

emissions. Instituting new TDM requirements would encourage mode shift away from private vehicle travel and towards more sustainable modes of transportation.

**RATIONALE FOR RECOMMENDATION**

Off-street parking is often underutilized and adds to the cost of new housing. Parking minimums and parking maximums, if applied appropriately, encourage a supply that meets demand. TDM requirements encourage alternatives to private vehicle use and provide support for more sustainable travel modes. The adoption of the proposed RPP restrictions would control on-street parking impacts.

The latest update to the City of Berkeley’s Climate Action Plan indicated that approximately 59% of greenhouse gas emissions in Berkeley are attributable to transportation.<sup>4</sup> In order to achieve the goals laid out in the Climate Action Plan, it is essential that we employ strategies to reduce these emissions.

**ALTERNATIVE ACTIONS CONSIDERED**

A variety of alternate options were discussed as explained in the Planning Commission Recommendation section, starting on page 3 above.

The Planning Commission also considered establishing a fee amount for the existing Transportation Services Fee (TSF), or establishing a new Transportation Impact Fee. These these ideas were not recommended as part of this package because of the time and funding needed to conduct an impact fee study. City Council could refer this as a future action if there is a desire to implement these measures.

In addition, staff considered recommending a citywide TDM program (the current recommendation excludes the C-DMU and the Southside). Staff proposed to Planning commission exempting these areas from the program – C-DMU because it operates a TDM program and Southside because the student population is provided AC Transit EZ passes. However, upon further consideration and after Planning Commission made their recommendation, staff has recognized the benefits of a citywide TDM program – the most apparent being consistency across all districts. Some of the discrepancies between the programs are listed below:

|                          | <b>C-DMU TDM Program</b>                 | <b>Parking Reform TMD Package</b>                                                                                                        |
|--------------------------|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Project Applicability    | Projects greater than 20,000 square feet | Projects with ten or more units                                                                                                          |
| Number of Transit Passes | 1 per unit                               | 1 per bedroom, with a cap of two passes per unit for projects with 100 units or fewer, and no cap for projects with more than 100 units. |

<sup>4</sup> See “Climate Action Plan and Resilience Update”, July 21, 2020.  
[https://www.cityofberkeley.info/Clerk/City\\_Council/2020/07\\_Jul/Documents/2020-07-21\\_Special\\_Item\\_05\\_Climate\\_Action\\_Plan\\_pdf.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/Documents/2020-07-21_Special_Item_05_Climate_Action_Plan_pdf.aspx)

|                                   |               |               |
|-----------------------------------|---------------|---------------|
| Duration of Transit Pass Offering | In perpetuity | For ten years |
|-----------------------------------|---------------|---------------|

Planning Commission recommended that transit passes be offered to residents for a period of ten years based on analysis provided by staff, comparing the cost of off-street parking to the cost of offering transit passes. Additionally, the ten year cap was chosen because travel behavior has evolved significantly over the past ten years -- due to car-share, bike-share and ridesharing innovations – and Planning Commission wanted flexibility to establish new TDM measures at a later date that meets future residents' needs.

To resolve this issue, City Council can refer to the Planning Commission development of amendments that apply the new TDM program citywide. These actions would need a public hearing at Planning Commission since they were not considered by Planning Commission at a previous meeting.

### CONTACT PERSONS

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Alene Pearson, Principal Planner, Planning and Development, 510-981-7489

### Attachments:

1. Zoning Ordinance Amending Title 14 And Title 23 To Modify Minimum Residential Off-street Parking Requirements, Impose Residential Parking Maximums in Transit-rich Areas, Institute Transportation Demand Management (TDM) Requirements and Amend the Residential Preferential Parking (RPP) Permit Program
2. Green Affordable Housing Referral and Citywide Green Development Standards Referral
3. Residential Parking Utilization Study
4. At-A-Glance Summaries of Parking Reform Topics under Consideration
5. Minutes from March 4, 2020 Planning Commission meeting
6. Map Identifying Areas in Berkeley 0.25 Miles from Major Transit Stops and High Quality Transit Corridors
7. Public Hearing Notice

### Links to Planning Commission Staff Reports:

1. [March 4, 2020 – Parking Reform Package Public Hearing  
https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2020-03-04\\_Item%209\\_Staff%20Report\\_Parking%20Reform.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2020-03-04_Item%209_Staff%20Report_Parking%20Reform.pdf)

2. [January 15, 2020 – Parking Maximums](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2012-01-15_ITEM%2013_with%20all%20ATT_Parking%20Maximums%20Staff%20Report%201-15.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2012-01-15\\_ITEM%2013\\_with%20all%20ATT\\_Parking%20Maximums%20Staff%20Report%201-15.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2012-01-15_ITEM%2013_with%20all%20ATT_Parking%20Maximums%20Staff%20Report%201-15.pdf)
3. [December 4, 2019 – TDM and Parking Requirements](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/ITEM%209%20-%20combined.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/ITEM%209%20-%20combined.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/ITEM%209%20-%20combined.pdf)
4. [October 2, 2019 – Proposed TDM Program](https://www.cityofberkeley.info/uploadedFiles/PLANNING_-_New/2019-10-02_PC_Item%209.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/PLANNING\\_-\\_New/2019-10-02\\_PC\\_Item%209.pdf](https://www.cityofberkeley.info/uploadedFiles/PLANNING_-_New/2019-10-02_PC_Item%209.pdf)
5. [July 17, 2019 – TDM and Parking Requirements](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3)
6. [May 1, 2019 – Parking Referrals](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-05-01_PC_Item%2010.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2019-05-01\\_PC\\_Item%2010.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-05-01_PC_Item%2010.pdf)
7. [February 6, 2019 – Green Affordable Housing Referral](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-02-6_Item_10_GAH%20.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2019-02-6\\_Item\\_10\\_GAH%20.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-02-6_Item_10_GAH%20.pdf)
8. [October 18, 2017 – Consider Close-Out Referrals](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2017-10-18_Item_10_Staff_Report_Close_Out_Complete.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2017-10-18\\_Item\\_10\\_Staff\\_Report\\_Close\\_Out\\_Complete.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2017-10-18_Item_10_Staff_Report_Close_Out_Complete.pdf)
9. [February 15, 2017 – Green Affordable Housing Package](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2017-02-15_Item%209_Green%20Affordable%20Housing-Combined.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2017-02-15\\_Item%209\\_Green%20Affordable%20Housing-Combined.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2017-02-15_Item%209_Green%20Affordable%20Housing-Combined.pdf)
10. [October 19, 2016 – Green Affordable Housing – Refining and Focusing Direction](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2016-10-19_Item%2010-Combined.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2016-10-19\\_Item%2010-Combined.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2016-10-19_Item%2010-Combined.pdf)
11. [September 21, 2016 – Green Affordable Housing Package](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2016-09-21_Item%209_Combined.pdf)  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2016-09-21\\_Item%209\\_Combined.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2016-09-21_Item%209_Combined.pdf)

ORDINANCE NO. -N.S.

AMENDING TITLE 14 AND TITLE 23 OF THE BERKELEY MUNICIPAL CODE TO MODIFY MINIMUM RESIDENTIAL OFF-STREET PARKING REQUIREMENTS, IMPOSE RESIDENTIAL PARKING MAXIMUMS IN TRANSIT RICH AREAS, INSTITUTE TRANSPORTATION DEMAND MANAGEMENT REQUIREMENTS AND AMEND THE RESIDENTIAL PREFERENTIAL PARKING (RPP) PERMIT PROGRAM

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 14.72.080 is amended to read as follows:

**14.72.080 Issuance of permits.**

A. Residential, local business and neighborhood-serving community facility parking permits shall be issued by the Department of Finance in accordance with requirements set forth in this chapter. Each such permit shall be designed to state or reflect thereon the identification of the particular residential, local business or neighborhood-serving community facility permit parking area for which it is issued. No more than one residential or local business parking permit shall be issued to each motor vehicle for which application is made.

B. When issuing local business and neighborhood-serving community facility permits, the Department of Finance in consultation with the traffic engineering division shall issue permits such that they will not unduly be concentrated on a specific block front in any given residential permit parking area.

C. 1. **[OPTION A]** No permits shall be issued to residents of newly constructed projects that include 5 or more dwelling units. **[OPTION B]** No permits shall be issued to residents of newly constructed projects that include 10 or more dwelling units. No permits shall be issued to residents in newly constructed residential units which do not meet the parking requirements established by the Zoning Ordinance unless a modification variance for of the parking requirements set forth in the Zoning Ordinance was issuedapproved. In the C-T Zoning District, the R-SMU Zoning District, and portions of the R-S Zoning District where no parking is required for

residential uses, no residential parking permits will be issued for occupants of residential units created after the effective date of the Southside Plan. The Current Planning division shall provide a listing of newly-constructed housing units to the Department of Finance.

2. No permits shall be issued to residents of Group Living Accommodations as defined in Chapter 23F.04 that are approved after January 1, 2012, unless the Zoning Adjustments Board specifies otherwise when it approves the GLA. The Current Planning division shall provide a listing of addresses subject to this paragraph to the Department of Finance.

3. In the R-2 and R-2A zoning districts, no permits shall be issued to residents of dwelling units with more than 5 bedrooms to which new bedrooms have been added subsequent to January 1, 2012. The Current Planning division shall provide a listing of addresses subject to this paragraph to the Department of Finance.

4. This subdivision shall not prevent issuance of permits to residents of permitted and legal nonconforming sororities, fraternities and student cooperatives who are not otherwise prohibited from obtaining them.

D. The Department of Finance and the traffic engineering division are authorized to issue such rules and regulations necessary to implement this chapter, and are not inconsistent with it.

E. Parking permits shall not be issued for vehicles for which there is any outstanding City of Berkeley notice of violation of parking rules and restrictions that are unpaid for more than 21 calendar days from the issuance of the parking violation.

Section 2. That Berkeley Municipal Code Section 23B.44.010 is amended to read as follows:

**23B.44.010 Variances**



The Board may grant Variances to vary or modify the strict application of any of the regulations or provisions of this Ordinance with reference to the use of property; the height of buildings; the yard setbacks of buildings the percentage of lot coverage; the lot area requirements; or the off-street parking requirements of this Ordinance; provided, however, that a use permit, rather than a variance, may be approved to vary or modify the strict application of any of the regulations or provisions of this Ordinance with reference to the yard setbacks of buildings; the percentage of lot coverage; or the non-residential off-street parking space requirements of this Ordinance when development is proposed on property which is located within thirty feet of an open creek and where varying from or modifying existing regulations is necessary to enable the property owner to comply with BMC Chapter 17.08, Preservation and Restoration of Natural Watercourses.

Section 3. That Berkeley Municipal Code Chapter 23C.18 is hereby added to read as follows:

**Chapter 23C.18: Transportation Demand Management**

**Sections:**

**23C.18.010 Purpose**

**23C.18.020 Applicability of Regulations**

**23C.18.030 Transportation Demand Management Program Requirements**

**23C.18.040 Monitoring, Reporting and Compliance**

**Section 23C.18.010 Purpose**

The purpose of this chapter is to establish a Transportation Demand Management program that supports:

- A. City Transportation Element goals of reducing vehicle trips, encouraging public transit use and promoting bicycle and pedestrian safety, and
  
- B. City Climate Action Plan goals to reduce private vehicle travel and promote mode shift to more sustainable transportation options.

**Section 23C.18.020 Applicability of Regulations**

- A. The following types of projects must comply with the requirements of this

Chapter:

1. Residential projects, including the residential portion of mixed-use projects, that include ten or more Dwelling Units that have not been issued a Building Permit by the effective date of this ordinance.

B. The following types of projects shall be exempt from the requirements of this Chapter:

1. Residential projects, including the residential portion of mixed-use projects, located in the following locations:

- a. C-DMU Downtown Mixed Use District
- b. Southside Plan Area

2. Residential projects, including the residential portion of mixed-use projects, with the majority of the units subject to recorded affordability restrictions.

### **23C.18.030 Transportation Demand Management Program Requirements**

Any project subject to this Chapter shall:

A. Ensure that all parking spaces provided for residents be leased or sold separate from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space(s);

B. Offer at least one of the following transit benefits, at no cost to the resident, for a period of ten years after the issuance of a Certificate of Occupancy. For projects that include 99 dwelling units or fewer, the project shall provide one transit benefit per bedroom, up to a maximum of two benefits per dwelling unit. For projects of 100 dwelling units or more, the project shall provide one transit benefit for every bedroom in each dwelling unit. A notice describing these transportation benefits shall be posted in a location or locations visible to residents.

- 1. A monthly pass for unlimited local bus transit service; or
- 2. A functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited monthly local bus pass. Any benefit proposed as a functionally equivalent transportation benefit shall be approved by the Zoning Officer in consultation with the Transportation Division Manager; and

B. Provide publicly-available, real-time transportation information in a common area, such as a lobby or elevator bay, on televisions, computer monitors or other displays readily visible to residents and/or visitors. Provided information shall include, but is not limited to, transit arrivals and departures for nearby transit routes.

### **Section 23C.18.040 Monitoring, Reporting and Compliance**

- A. For projects subject to this Chapter, prior to issuance of a Certificate of Occupancy, the property owner shall facilitate a site inspection by Planning Department staff to confirm that the physical improvements required in 23C.18.020 (C) (3) and 23D.12.065 (A) have been installed. The property owner shall also provide documentation that the programmatic measures required in 23C.18.020 (C) (1) and (2) will be implemented.
- B. The property owner shall submit to the Planning Department TDM Compliance Reports in accordance with Administrative Regulations promulgated by the Zoning Officer that may be modified from time to time to effectively implement this Chapter.
- C. Property owners may be required to pay administrative fees associated with compliance with this ordinance as set forth in the City's Land Use Planning Fees schedule.

Section 4. That Berkeley Municipal Code Chapter 23C.19 is hereby added to read as follows:

### **Chapter 23C.19: Off-Street Parking Maximums for Residential Development**

#### **Sections:**

- 23C.19.010 Purpose**
- 23C.19.020 Applicability of Regulations**
- 23C.19.030 Off-street Parking Maximums**
- 23C.19.040 Excess Off-street Parking**

#### **Section 23C.19.010 Purpose**

The purpose of this chapter is to institute off-street parking maximums for residential development in order to achieve:

- A. City Transportation Element goals of reducing vehicle trips, encouraging public transit use and promoting bicycle and pedestrian safety,

B. City Climate Action Plan goals of reducing private vehicle travel and promoting mode shift to more sustainable transportation options

C. Housing Element goals for developing housing at all affordability levels by limiting the amount of on-site vehicle parking allowed.

**Section 23C.19.020 Applicability of Regulations**

**A. [OPTION A]** The provisions of this Chapter shall apply to new residential projects that have been issued a Building Permit by the effective date of this ordinance, including the residential portion of mixed-use projects, that include two or more Dwelling Units located on a parcel, any portion of which is located within 0.25 miles of a major transit stop, as defined by Section 21064.3 of the California Public Resources Code or along a transit corridor with service at 15 minute headways during the morning and afternoon peak periods.

**A. [OPTION B]** [The provisions of this Chapter shall apply to new residential projects that have been issued a Building Permit by the effective date of this ordinance, including the residential portion of mixed-use projects, that include ten or more Dwelling Units located on a parcel, any portion of which is located within 0.25 miles of a major transit stop, as defined by Section 21064.3 of the California Public Resources Code or along a transit corridor with service at 15 minute headways during the morning and afternoon peak periods.

B. The following project types shall be exempt from the provisions of this Chapter:

1. Residential projects, including the residential portion of mixed-use projects, with the majority of the units subject to recorded affordability restrictions.

**2. [OPTION A]** Projects located on a roadway with less than 26 feet in pavement width in the Hillside Overlay.

**2. [OPTION B]** Projects located in the Hillside Overlay.

3. Projects located in the Environmental Safety-Residential District.

**Section 23C.19.030 Off-street Parking Maximums**

Any project subject to this Chapter shall not include off-street residential parking at a rate higher than 0.5 parking spaces per Dwelling Unit.

**Section 23C.19.040 Excess Off-street Parking**

A. Any request for off-street residential parking in excess of values specified in Section 23C.19.030 shall require an Administrative Use Permit.

B. In order to approve any Administrative Use Permit under this Chapter the Zoning Officer or Board shall make one the following Findings:

(i) Trips to the use or uses to be served, and the apparent demand for additional parking, cannot be satisfied by the amount of parking permitted by this Chapter, by transit service which exists or is likely to be provided in the foreseeable future, or by more efficient use of existing on-street and off-street parking available in the area; or

(ii) The anticipated residents of the proposed project have special needs or require reasonable accommodation that relate to disability, health or safety that require the provision of additional off-street residential parking.

Section 5. That Berkeley Municipal Code Section 23D.12.010 is amended to read as follows:

#### **23D.12.010 Purposes**

The purposes of the parking regulations contained in this Chapter are:

A. To ~~prevent the worsening of the already serious deficiency of~~ efficiently allocate parking spaces ~~existing in many areas of~~ in the City.

B. To ~~require regulate~~ the provision of off-street parking spaces ~~for traffic-generating uses of land~~ within the City.

C. To reduce the amount of on-street parking of vehicles, thus increasing the safety and capacity of the City's street system.

Section 6. That Berkeley Municipal Code Section 23D.12.020 is amended to read as follows:

#### **23D.12.020 Applicability**

A. The requirements of this Chapter apply to all uses commenced hereafter, to all buildings and structures hereafter constructed or moved onto a lot in an R- District and to any modifications to existing uses and structures which enlarge or increase capacity, including, but not limited to, adding or creating dwelling units, guest rooms, floor area, seats or employees, except to the extent that provisions in the individual R- District provide otherwise.

B. In addition, no building, structure, alteration, fence, landscaping or other site feature may be constructed, erected, planted or allowed to be established that would impede the access of a vehicle to any off-street parking space required under this Chapter.

C. No Zoning Certificate or Use Permit may be granted, and no permit other than a Variance from the requirements of this Chapter may be issued or approved, for any use, building or structure, unless all requirements of this Chapter are met.

~~D. In the event a Zoning Certificate is granted, the subsequent use of such building or structure is conditional upon the unqualified continuance, availability and proper maintenance of off-street parking in compliance with this Chapter.~~

Section 7. That Berkeley Municipal Code Section 23D.12.050 is amended to read as follows:

#### **23D.12.050 Number of Parking Spaces Required**

A. **[OPTION A]** Off-street parking spaces for non-residential uses may not be reduced below or, if already less than may not be further reduced below, the requirements of this chapter for similar uses or structures. Off-street parking spaces for new residential uses may be reduced below the requirements of this Chapter with issuance of an AUP.

A. **[OPTION B]** Off-street parking spaces for non-residential uses may not be reduced below or, if already less than may not be further reduced below, the requirements of this chapter for similar uses or structures. Off-street parking spaces for new residential uses maybe reduced below the requirements of the Chapter with issuance of an AUP except as provided below:

1. Projects located in the Hillside Overlay.

2. Projects located in the Environmental Safety-Residential District.

~~B. As a condition of any Permit, the Zoning Officer and Board may require more off-street parking spaces the the minimum required by the applicable residential District, if he/she or it finds that If the expected demand for parking spaces will is found to exceed the minimum requirement, additional off-street parking may be required as a condition of approval on a Permit.~~

C. When the formula for determining the number of required off-street parking spaces results in a requirement of a fractional space, any fraction below one-half shall be disregarded and fractions including and over one-half shall be counted as requiring one parking space.

~~D. No Off-street parking space requirements under this Code may be satisfied by tandem off-street parking space(s) unless with the issuance of an AUP. approved by both the City Traffic Engineer and the Board except that a tandem space may be allowed to meet the parking requirement for an Accessory Dwelling Unit..~~

~~E. An applicant may count existing off-street parking spaces towards meeting the parking requirements of this Ordinance when both the existing use or portions of the use that is to remain and the proposed use and/or structure are used in computing the required number of off-street parking spaces.~~

Section 8. That Berkeley Municipal Code Section 23D.12.065 is hereby added to read as follows:

**23D.12.065 Bicycle Parking**

A. For residential projects, including the residential portion of mixed-use projects, of five or more units, in all districts, bicycle parking shall be provided as follows:

| <u>Use</u>                           | <u>Long Term Parking<sup>1</sup> Requirement</u> | <u>Short-Term Parking<sup>1</sup> Requirement</u> |
|--------------------------------------|--------------------------------------------------|---------------------------------------------------|
| <u>Dwelling Units (1 to 4 units)</u> | <u>None required</u>                             | <u>None required</u>                              |

|                                                                                                                                                                                                                   |                                                             |                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------|
| <u>Dwelling Units (5 units or more)</u>                                                                                                                                                                           | <u>1 space per 3 bedrooms</u>                               | <u>2, or 1 space per 40 bedrooms, whichever is greater</u> |
| <u>Group Living Accommodations, Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses, Transitional Housing)</u>                                                                               | <u>2, or 1 space per 2.5 bedrooms, whichever is greater</u> | <u>2, or 1 space per 20 bedrooms, whichever is greater</u> |
| <u><sup>1</sup> Long-Term Parking and Short-Term Parking shall meet the design standards included in Appendix F of the 2017 Berkeley Bicycle Plan, or as subsequently amended by the Transportation Division.</u> |                                                             |                                                            |

Section 9. That Berkeley Municipal Code Section 23D.16.080 is amended to read as follows:

**[OPTION A]**

**23D.16.080 Parking -- Number of Spaces**

A. A lot shall contain the following minimum number of Off-street Parking Spaces:

| <b>Table 23D.16.080</b>                    |                                                                                                           |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                    |                                                                                                           |
| <b>Use</b>                                 | <b>Number of spaces</b>                                                                                   |
| <b>Dwellings</b>                           | <b>One per unit if project is located on a roadway less than 26 feet in width in the Hillside Overlay</b> |
| <b>Employees Community Care Facilities</b> | <b>One per two non-resident employees for a Community Care Facility*</b>                                  |



| <b>Table 23D.16.080</b>                                                                                                                                   |                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                                                                   |                                                                                                                                   |
| <b>Use</b>                                                                                                                                                | <b>Number of spaces</b>                                                                                                           |
| Libraries                                                                                                                                                 | One per 500 sq. ft. of floor area that is publicly accessible                                                                     |
| Rental of Rooms                                                                                                                                           | One per each two roomers or boarders <b>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</b> |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence |                                                                                                                                   |

B. Other Uses requiring Use Permits, including, but not limited to, Child Care Centers, Clubs, Lodges, and Community Centers, shall provide the number of Off-street Parking Spaces determined by the Board, based on the amount of traffic generated by the particular Use and comparable with specified standards for other Uses.

C. Schools ~~with~~having a total gross floor area exceeding 10,000 square feet, shall provide off-street loading spaces at the rates of:

1. One space for the first 10,000 square feet of gross floor area; and
2. One additional space for each additional 40,000 square feet of gross floor area.

**[OPTION B: No changes]**

Section 10. That Berkeley Municipal Code Section 23D.20.080 is amended to read as follows:

**[OPTION A]**

**23D.20.080 Parking -- Number of Spaces**

A. The following parking requirements shall apply to new floor area or conversion of space. A lot shall contain the following minimum number of Off-street Parking Spaces:

| <b>Table 23D.20.080</b>                                                                                                                                   |                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                                                                   |                                                                                                                            |
| <b>Use</b>                                                                                                                                                | <b>Number of spaces</b>                                                                                                    |
| Dwellings                                                                                                                                                 | One per unit if project is located on a roadway less than 26 feet in width in the Hillside Overlay                         |
| Employees Community Care Facilities                                                                                                                       | One per two non-resident employees for a Community Care Facility*                                                          |
| Libraries                                                                                                                                                 | One per 500 sq. ft. of floor area that is publicly accessible                                                              |
| Rental of Rooms                                                                                                                                           | One per each two roomers or boarders if project is located on a roadway less than 26 feet in width in the Hillside Overlay |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence |                                                                                                                            |

B. Other Uses requiring Use Permits, including, but not limited to, Child Care Centers, Clubs, Lodges, and Community Centers, shall provide the number of Off-street Parking Spaces determined by the Board, based on the amount of traffic generated by the particular Use and comparable with specified standards for other Uses.

C. Schools having with a total gross floor area exceeding 10,000 square feet, shall provide off-street loading spaces at the rates of:

1. One space for the first 10,000 square feet of gross floor area; and
2. One additional space for each additional 40,000 square feet of gross floor area.

**[OPTION B: No changes]**

Section 11. That Berkeley Municipal Code Section 23D.28.080 is amended to read as follows:

**[OPTION A]**

**23D.28.080 Parking -- Number of Spaces**

The following parking requirements shall apply to new floor area or conversion of space

| <b>Table 23D.28.080</b>                                                                                                                                    |                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                                                                    |                                                                                                                            |
| Use                                                                                                                                                        | Number of spaces                                                                                                           |
| Dwellings                                                                                                                                                  | One per unit if project is located on a roadway less than 26 feet in width in the Hillside Overlay                         |
| Employees Community Care Facilities                                                                                                                        | One per two non-resident employees for a Community Care Facility*                                                          |
| Libraries                                                                                                                                                  | One per 500 sq. ft. of floor area that is publicly accessible                                                              |
| Rental of Rooms                                                                                                                                            | One per each two roomers or boarders if project is located on a roadway less than 26 feet in width in the Hillside Overlay |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence. |                                                                                                                            |

1. Other Uses requiring Use Permits, including, but not limited to, Child Care Centers, Clubs, Lodges, and Community Centers, shall provide the number of Off-street Parking Spaces as determined by the Board, based on the amount of traffic generated by the particular Use and comparable with specified standards for other uses.

2. Schools, when having with a total gross floor area exceeding 10,000 square feet, shall satisfy the following off-street loading requirements:

- a. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area.
- b. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area of above the first 10,000 square feet.

**[OPTION B: No changes]**

Section 12: That Berkeley Municipal Code Section 23D.32.080 is amended to read as follows:

**[OPTION A]**

**23D.32.080 Parking -- Number of Spaces**

A. The following parking requirements shall apply to new floor area or conversion of space

A. A lot shall contain, for each of the following uses, the following minimum number of Off-street Parking Spaces:

| <b>Table 23D.32.080</b>                                                                                                                                          |                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                                                                          |                                                                                                                                                                                        |
| Use                                                                                                                                                              | Number of spaces                                                                                                                                                                       |
| <p><del>Dwellings, Multiple</del><br/><del>Dwellings, one and two family</del></p>                                                                               | <p><del>One per unit (75% less for seniors, see below.) if project is located on a roadway less than 26 feet in width in the Hillside Overlay</del></p> <p><del>One per unit</del></p> |
| <p><del>Employees Community Care Facilities</del></p>                                                                                                            | <p><del>One per two non-resident employees for a Community Care Facility*</del></p>                                                                                                    |
| <p>Libraries</p>                                                                                                                                                 | <p>One per 500 sq. ft. of floor area that is publicly accessible</p>                                                                                                                   |
| <p>Nursing Homes</p>                                                                                                                                             | <p>One per each five residents, plus one per each three employees</p>                                                                                                                  |
| <p>Rental of Rooms</p>                                                                                                                                           | <p>One per each two roomers or boarders if project is located on a roadway less than 26 feet in width in the Hillside Overlay</p>                                                      |
| <p>Senior Congregate Housing</p>                                                                                                                                 | <p>One per each five residents plus one for manager if project is located on a roadway less than 26 feet in width in the Hillside Overlay</p>                                          |
| <p>*This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence</p> |                                                                                                                                                                                        |

B. Other uses requiring Use Permits issued by the Board, including, but not limited to, Child Care Centers, Clubs, Lodges and Ceommuunity Ceenters, shall provide the number of Off-street Parking Spaces as determined by the Board based on the amount of traffic generated by the particular Use and comparable with specified standards for other Uses.

~~C. For multiple dwellings where the occupancy will be exclusively for persons over the age of 62, the number of required Off-street Parking Spaces may be reduced to 25% of what would otherwise be required for multiple-family dwelling use, subject to obtaining a Use Permit.~~

~~CD. Senior Congregate Housing, Nursing Homes and Schools with, when having a total gross floor area exceeding 10,000 square feet, shall satisfy the following requirements:~~

- ~~1. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area;~~
- ~~2. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area of above the first 10,000 square feet. (Ord. 7599-NS § 11, 2018; Ord. 7426-NS § 19, 2015; Ord. 6763-NS § 19 (part), 2003; Ord. 6478-NS § 4 (part), 1999)~~

**[OPTION B: No changes]**

Section 13: That Berkeley Municipal Code Section 23D.36.080 is amended to read as follows:

**23D.36.080 Parking -- Number of Spaces**

A. The following parking requirements shall apply to new floor area or conversion of space

A lot shall contain the following minimum number of Off-street Parking Spaces:

**[OPTION A]**

Table 23D.36.080

| Parking Required                                                                                                                                           |                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use                                                                                                                                                        | Number of spaces                                                                                                                                                         |
| Dormitories; Fraternity and Sorority Houses; Rooming and Boarding Houses; and Senior Congregate Housing                                                    | One per each five residents, plus one for manager <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u>                           |
| Dwellings, <del>Multiple</del> (fewer than ten)                                                                                                            | One per unit <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u> (75% less for seniors, see below)                              |
| Dwellings, <del>Multiple</del> (ten or more)                                                                                                               | One per 1,000 sq. ft. of gross floor area (75% less for seniors, see below) <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u> |
| <del>Dwellings, One and Two Family</del>                                                                                                                   | <del>One per unit</del>                                                                                                                                                  |
| <del>Employees Community Care Facilities</del>                                                                                                             | One per two non-resident employees <del>for a Community Care Facility*</del>                                                                                             |
| Hospitals                                                                                                                                                  | One per each four beds, plus one per each three employees                                                                                                                |
| Libraries                                                                                                                                                  | One per 500 sq. ft. of floor area that is publicly accessible                                                                                                            |
| Nursing Homes                                                                                                                                              | <del>One per each five residents, plus One</del> per each three employees                                                                                                |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence. |                                                                                                                                                                          |

[OPTION B]

Table 23D.36.080

| Parking Required                                                                                                                                           |                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Use                                                                                                                                                        | Number of spaces                                                                                                                     |
| Dormitories; Fraternity and Sorority Houses; Rooming and Boarding Houses; and Senior Congregate Housing                                                    | One per each five residents, plus one for manager <del>if project is located in the Hillside Overlay</del>                           |
| Dwellings, <del>Multiple</del> (fewer than ten)                                                                                                            | One per unit <del>(75% less for seniors, see below)</del>                                                                            |
| Dwellings, <del>Multiple</del> (ten or more)                                                                                                               | One per 1,000 sq. ft. of gross floor area <del>(75% less for seniors, see below)</del> if project is located in the Hillside Overlay |
| Dwellings, One and Two Family                                                                                                                              | One per unit                                                                                                                         |
| Employees <del>Community Care Facilities</del>                                                                                                             | One per two non-resident employees <del>for a Community Care Facility*</del>                                                         |
| Hospitals                                                                                                                                                  | One per each four beds, plus one per each three employees                                                                            |
| Libraries                                                                                                                                                  | One per 500 sq. ft. of floor area that is publicly accessible                                                                        |
| Nursing Homes                                                                                                                                              | <del>One per each five residents, plus One</del> per each three employees                                                            |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence. |                                                                                                                                      |

B. Other uses requiring Use Permits, including, but not limited to, Child Care Centers, Clubs, Lodges, and ~~C~~ommunity ~~C~~enters, shall provide the number of Off-street Parking Spaces determined by the Board based on the amount of traffic generated by the particular use and comparable with specified standards for other uses.

~~C. For multiple dwellings where the occupancy will be exclusively for persons over the age of 62, the number of required Off-street Parking Spaces may be reduced to 25% of what would otherwise be required for multiple family dwelling use, subject to obtaining a Use Permit.~~

~~CD.~~ Senior Congregate Housing, Hospitals, Nursing Homes, and Schools ~~with, when having~~ a total gross floor area exceeding 10,000 square feet, shall satisfy the requirements of Chapter [23E.32](#) and the following requirements:

1. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area.
2. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area above the first 10,000 square feet.

Section 14: That Berkeley Municipal Code Section 23D.40.080 is amended to read as follows:

**23D.40.080 Parking -- Number of Spaces**

A. The following parking requirements shall apply to new floor area or conversion of space

~~A. A lot shall contain the following minimum number of Off-street Parking Spaces:~~

**[OPTION A]**

| <b>Table 23D.40.080</b>                                                                                 |                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                 |                                                                                                                                                |
| Use                                                                                                     | Number of spaces                                                                                                                               |
| Dormitories; Fraternity and Sorority Houses; Rooming and Boarding Houses; and Senior Congregate Housing | One per each five residents, plus one for manager <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u> |



Table 23D.40.080

## Parking Required

| Use                                                                                                                                                        | Number of spaces                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dwellings, Multiple (fewer than ten)                                                                                                                       | One per unit ( <del>75% less for seniors, see Section C below</del> ) if project is located on a roadway less than 26 feet in width in the Hillside Overlay                                       |
| Dwellings, Multiple (ten or more)                                                                                                                          | One per 1,000 sq. ft. of gross floor area ( <del>75% less for seniors, see Section C below</del> ) required if project is located on a roadway less than 26 feet in width in the Hillside Overlay |
| Dwellings, One and Two Family                                                                                                                              | One per unit                                                                                                                                                                                      |
| Employees Community Care Facilities                                                                                                                        | One per two non-resident employees for a Community Care Facility*                                                                                                                                 |
| Hospitals                                                                                                                                                  | One per each four beds, plus one per each three employees                                                                                                                                         |
| Hotels                                                                                                                                                     | One per each three guest rooms, plus one per each three employees                                                                                                                                 |
| Libraries                                                                                                                                                  | One per 500 sq. ft. of floor area that is publicly accessible                                                                                                                                     |
| Nursing Homes                                                                                                                                              | <del>One per each five residents, plus one</del> per each three employees                                                                                                                         |
| Offices, Medical                                                                                                                                           | One per 300 sq. ft. of gross floor area                                                                                                                                                           |
| Offices, Other                                                                                                                                             | One per 400 sq. ft. of gross floor area; (may be reduced, see Section D below)                                                                                                                    |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence. |                                                                                                                                                                                                   |

**[OPTION B]**

| <b>Table 23D.40.080</b>                                                                                 |                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                 |                                                                                                                                                         |
| Use                                                                                                     | Number of spaces                                                                                                                                        |
| Dormitories; Fraternity and Sorority Houses; Rooming and Boarding Houses; and Senior Congregate Housing | One per each five residents, plus one for manager <u>if project is located in the Hillside Overlay</u>                                                  |
| Dwellings, <del>Multiple</del> (fewer than ten)                                                         | One per unit ( <del>75% less for seniors, see Section C below</del> )                                                                                   |
| Dwellings, <del>Multiple</del> (ten or more)                                                            | One per 1,000 sq. ft. of gross floor area ( <del>75% less for seniors, see Section C below</del> ) <u>if project is located in the Hillside Overlay</u> |
| Dwellings, One and Two Family                                                                           | One per unit                                                                                                                                            |
| <del>Employees</del> Community Care Facilities                                                          | One per two non-resident employees for a Community Care Facility*                                                                                       |
| Hospitals                                                                                               | One per each four beds, plus one per each three employees                                                                                               |
| Hotels                                                                                                  | One per each three guest rooms, plus one per each three employees                                                                                       |
| Libraries                                                                                               | One per 500 sq. ft. of floor area that is publicly accessible                                                                                           |
| Nursing Homes                                                                                           | One <del>per each five residents, plus one</del> per each three employees                                                                               |
| Offices, Medical                                                                                        | One per 300 sq. ft. of gross floor area                                                                                                                 |
| Offices, Other                                                                                          | One per 400 sq. ft. of gross floor area; (may be reduced, see Section D below)                                                                          |

|                                                                                                                                                            |                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <b>Table 23D.40.080</b>                                                                                                                                    |                         |
| <b>Parking Required</b>                                                                                                                                    |                         |
| <b>Use</b>                                                                                                                                                 | <b>Number of spaces</b> |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence. |                         |

B. Other uses requiring Use Permits, including, but not limited to, Child Care Centers, Clubs, Lodges and Community Centers, shall provide the number of Off-street Parking Spaces determined by the Board based on the amount of traffic generated by the particular use and comparable with specified standards for other uses.

~~C. For multiple dwellings where the occupancy will be exclusively for persons over the age of 62, the number of required Off-street Parking Spaces may be reduced to 25% of what would otherwise be required for multiple family dwelling use, subject to obtaining a Use Permit.~~

DC. For offices, other than medical offices, the Board may reduce the parking requirement from one Off-street Parking Space per 400 square feet of gross floor area to a minimum of one parking space per 800 square feet of gross floor area, subject to making the required finding under Section 23D.40.090.C. In addition, any parking supplied jointly with multiple family residential uses shall be subject to the requirements set forth in Section 23D.12.060.B.

ED. Senior Congregate Housing, Hotels, Hospitals, Nursing Homes, Offices (including Medical Offices) and Schools with, when having a total gross floor area exceeding 10,000 square feet, shall satisfy the requirements of Chapter 23E.32 and the following requirements:

1. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area.
2. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area of above the 10,000 square feet.

Section 15: That Berkeley Municipal Code Section 23D.44.080 is amended to read as follows:

**23D.44.080 Parking -- Number of Spaces**

A. The following parking requirements shall apply to new floor area or conversion of space

A lot shall contain the following minimum number of Off-street Parking Spaces:

**[OPTION A]**

| <b>Table 23D.44.080</b>                                                                             |                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                             |                                                                                                                                                                                             |
| <b>Use</b>                                                                                          | <b>Number of spaces</b>                                                                                                                                                                     |
| Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses, Senior Congregate Housing | One per each five residents, plus one for manager <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u>                                              |
| Dwellings, <del>Multiple</del> (fewer than ten)                                                     | One per unit <del>(75% less for seniors, see Section C below)</del> <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u>                            |
| Dwellings, <del>Multiple</del> (ten or more)                                                        | One per 1,200 sq ft of gross floor area <del>(75% less for seniors, see Section C below)</del> <u>if project is located on a roadway less than 26 feet in width in the Hillside Overlay</u> |
| <del>Dwellings, One and Two Family</del>                                                            | <del>One per unit</del>                                                                                                                                                                     |
| <del>Employees</del> <u>Community Care Facilities</u>                                               | One per two non-resident employees for a <u>Community Care Facility*</u>                                                                                                                    |
| Hospitals                                                                                           | One per each four beds, plus one per each <u>three employees</u>                                                                                                                            |

| <b>Table 23D.44.080</b>                                                                                                                                   |                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                                                                   |                                                                             |
| <b>Hotels</b>                                                                                                                                             | One per each three guest rooms, plus one per each three employees           |
| <b>Libraries</b>                                                                                                                                          | One per 500 sq ft of floor area that is publicly accessible                 |
| <b>Nursing Homes</b>                                                                                                                                      | One per each five residents, plus one per each three employees              |
| <b>Offices, Medical</b>                                                                                                                                   | One per 300 sq ft of gross floor area                                       |
| <b>Offices, Other</b>                                                                                                                                     | One per 400 sq ft of gross floor area (may be reduced, see Section D below) |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence |                                                                             |

**[OPTION B]**

| <b>Table 23D.44.080</b>                                                                                    |                                                                                                 |
|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                    |                                                                                                 |
| <b>Use</b>                                                                                                 | <b>Number of spaces</b>                                                                         |
| <b>Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses, Senior Congregate Housing</b> | One per each five residents, plus one for manager if project is located in the Hillside Overlay |
| <b>Dwellings, <del>Multiple</del> (fewer than ten)</b>                                                     | One per unit ( <del>75% less for seniors, see Section C below</del> )                           |
| <b>Dwellings, <del>Multiple</del> (ten or more)</b>                                                        | One per 1,200 sq ft of gross floor area ( <del>75% less for seniors, see Section C</del> )      |

| <b>Table 23D.44.080</b>                                                                                                                                   |                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <b>Parking Required</b>                                                                                                                                   |                                                                             |
|                                                                                                                                                           | below)if project is located in the Hillside Overlay                         |
| Dwellings, One and Two Family                                                                                                                             | One per unit                                                                |
| EmployeesCommunity Care Facilities                                                                                                                        | One per two non-resident employees for a Community Care Facility*           |
| Hospitals                                                                                                                                                 | One per each four beds, plus one per each three employees                   |
| Hotels                                                                                                                                                    | One per each three guest rooms, plus one per each three employees           |
| Libraries                                                                                                                                                 | One per 500 sq ft of floor area that is publicly accessible                 |
| Nursing Homes                                                                                                                                             | One per each five residents, plus one per each three employees              |
| Offices, Medical                                                                                                                                          | One per 300 sq ft of gross floor area                                       |
| Offices, Other                                                                                                                                            | One per 400 sq ft of gross floor area (may be reduced, see Section D below) |
| *This requirement does not apply to those Community Care Facilities which under state law must be treated in the same manner as a single family residence |                                                                             |

B. Other uses requiring Use Permits, including, but not limited to, Child Care Centers, Clubs, Lodges and Community Centers, shall provide the number of Off-street Parking Spaces as determined by the Board based on the amount of traffic generated by the particular use and comparable with specified standards for other uses.

~~C. For multiple dwellings where the occupancy will be exclusively for persons over the age of 62 years, the number of required Off-street Parking Spaces may be reduced to 25% of what would otherwise be required for multiple family dwelling use, subject to obtaining a Use Permit.~~

**DC.** For offices, other than medical offices, the Board may reduce the parking requirement from one Off-street Parking Space per 400 square feet of gross floor area to a minimum of one parking space per 800 square feet of gross floor area, subject to making the required finding under Section [23D.44.090.C](#). In addition any parking supplied jointly with multiple family residential uses shall be subject to the requirements set forth in Section [23D.12.060.B](#).

**ED.** Senior Congregate Housing, Hotels, Hospitals, Nursing Homes, Offices (including Medical Offices) and Schools ~~with, when having~~ a total gross floor area exceeding 10,000 square feet, shall satisfy the requirements of Chapter [23E.32](#) and the following requirements:

1. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area.
2. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area of above the first 10,000 square feet.

Section 16: That Berkeley Municipal Code Section 23D.48.080 is amended to read as follows:

**23D.48.080 Parking -- Number of Spaces**

**[OPTION A]**

A. All parking shall be provided in accordance with the requirements of this section and Chapter 23D.12, except as set forth in this Section.

B. The following provisions shall apply to properties within the R-S District:

1. No Off-street Parking Spaces shall be required for new Dwelling Units, Group Living Accommodations ~~rooms~~, or ~~for~~ Accessory Dwelling Units. ~~located within the Car-Free Housing Overlay. The Car-Free Housing Overlay area is as follows:~~

~~The complete block bounded by:~~

• ~~Dana, Haste, Ellsworth and Channing;~~

~~The partial blocks bounded by:~~

• ~~Bowditch, Haste, Telegraph and Channing, minus the portion of the block within 150 feet of Telegraph Avenue;~~

• ~~Dana, Channing, Ellsworth and Durant, minus the lot abutting the west side of Dana; and~~

• ~~Ellsworth, Channing, Fulton and Durant, minus the north-west corner with 130 feet of frontage along Fulton and 100 feet of frontage along Durant.~~

~~Additional properties as described below:~~

• ~~The properties abutting the east side of College Avenue between Bancroft Way and Channing Way, and including 2709 Channing Way;~~

• ~~The properties abutting both sides of Channing between Fulton and Shattuck, except those abutting Shattuck, and also excluding the parcel at 2111-2113 Channing;~~

• ~~The properties abutting the west side of Fulton Street from Channing Way extending north along Fulton 127.5 feet and extending south along Fulton 180 feet; and~~

• ~~The properties abutting the north side of Haste, beginning 150 feet west of Fulton Street, and extending an additional 200 feet west along Haste.~~

~~2. For properties not included in the Car-Free Housing Overlay, and for non-residential uses within the Car-Free Housing Overlay, Off-Street parking requirements shall be determined by the parking requirements of Section 23D.40.080 (R-4).~~

~~32. Bicycle parking spaces shall be provided at the ratio of one space per 2,000 square feet of gross floor area of commercial space, and in accordance with the requirements of Section 23E.28.070.~~



~~C. Occupants of Dwelling Units and Group Living Accommodation rooms constructed without parking after the effective date of this Chapter shall not be entitled to receive parking permits under the Residential Permit Parking Program (RPP), under Section 14.72 of the BMC. Occupants of residential projects within the Car-Free Housing Overlay area that are constructed without parking after the effective date of this Chapter shall not be entitled to receive parking permits under the Residential Permit Parking Program (RPP), under Chapter 14.72 of the BMC.~~

D. Existing parking spaces for Main Buildings may be reduced if approved through a Use Permit with findings that the parking reduction is consistent with the purposes of the District and meets the findings in Section 23E.28.140.

E. Any construction which results in the creation of 10,000 square feet of new or additional non-residential gross floor space shall satisfy the loading space requirements of Chapter 23E.32 as follows:

1. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area of non-residential space; and
2. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area of non-residential space above the first 10,000 square feet.

F. All Use Permits under this Chapter shall be subject to a condition of approval requiring payment of a Transportation Services Fee (TSF) if and when adopted.

**[OPTION B: No changes]**

Section 17: That Berkeley Municipal Code Section 23D.52.080 is amended to read as follows:

**[OPTION A]**

**23D.52.080 Parking -- Number of Spaces**

A. All parking shall be provided in accordance with the requirements of Chapter 23D.12 and this Section.

1. No Off-Street Parking Spaces shall be required for new Dwelling Units, or Group Living Accommodation rooms, or for Accessory Dwelling Units.

2. For non-residential uses and for Main Buildings with no Dwelling Units or Group Living Accommodations, Off-Street Parking Spaces shall be provided in accordance with the following requirements:

a. The minimum standard parking requirement for commercial floor area is two spaces per 1,000 square feet of gross floor area of commercial space. Uses listed in Table 23D.52.080 shall meet the requirements listed or the district minimum, whichever is more restrictive, for newly constructed floor area or changes of use.

**Table 23D.52.080**

| Parking Required                  |                                                                                     |
|-----------------------------------|-------------------------------------------------------------------------------------|
| Use                               | Number of spaces                                                                    |
| Hotels                            | One per each three guest/sleeping rooms or suites plus one per each three employees |
| Libraries                         | One per 500 sq. ft. of floor area that is publicly accessible                       |
| Medical Practitioner Offices      | One per 300 sq. ft. of gross floor area                                             |
| Quick or Full Service Restaurants | One per 300 sq. ft. of gross floor area                                             |
| Nursing Homes                     | <del>One per each three employees. Refer to R-3 Standards, Section</del>            |

~~b. Parking requirements for changes in use of existing floor area where the new use has a higher parking standard than the existing use may be modified as set forth in Section 23E.28.130.~~

cb. Other uses requiring Use Permits, including but not limited to, Child Care Centers, Clubs, Lodges and Community Centers, shall provide the number of

Off-Street Parking Spaces determined by the Board based on the amount of traffic generated by the particular use and comparable with specific standards for other uses.

3. For non-residential uses in Main Buildings that include Dwelling Units or Group Living Accommodations, parking requirements may be waived if approved through an Administrative Use Permit with a finding that the parking reduction is consistent with the purposes of the District.

4. Existing parking spaces for Main Buildings may be reduced if approved through a Use Permit with findings that the parking reduction is consistent with the purposes of the District and meets the findings in Section 23E.28.140.

5. Bicycle parking spaces shall be provided at the ratio of one space per 2,000 square feet of gross floor area of new commercial space, and in accordance with the requirements of Section 23E.28.070.

B. Occupants of Dwelling Units and Group Living Accommodation ~~rooms~~ constructed without parking after the effective date of this Chapter shall not be entitled to receive parking permits under the Residential Permit Parking Program (RPP), under Section 14.72 of the BMC.

C. Any new construction which results in the creation of 10,000 square feet of new or additional non-residential floor space shall satisfy the loading space requirements of Chapter 23E.32 as follows:

1. Off-street loading spaces at the ratio of one space for the first 10,000 square feet of gross floor area of non-residential space; and

2. Off-street loading spaces at the ratio of one space for each additional 40,000 square feet of gross floor area of non-residential space above the first 10,000 square feet.

D. All Use Permits under this Chapter shall be subject to a condition of approval requiring payment of a Transportation Services Fee (TSF) if and when adopted.

**[OPTION B: No changes]**

Section 18: That Berkeley Municipal Code Section 23E.28.010 is amended to read as follows:

**23E.28.010 Purposes**

The purposes of the parking regulations in this chapter are:

- A. To ~~prevent the worsening of the already serious deficiency of~~efficiently allocate parking spaces ~~in existing in many areas of~~ the City.
- B. To ~~require~~regulate the provision of off-street parking spaces for traffic-generating uses of land within the City.
- C. To reduce the amount of on-street parking of vehicles, and thus increase the safety and capacity of the City's street system.

Section 19: That Berkeley Municipal Code Section 23E.28.020 is amended to read as follows:

**23E.28.020 Applicability**

- A. The requirements of this chapter apply to all uses commenced hereafter, to all buildings and structures hereafter constructed or moved onto a lot in a C-, M- or MU-District and to any modifications to existing uses and structures which enlarge or increase capacity, including, but not limited to, adding or creating dwelling units, guest rooms, floor area, seats or employees, except to the extent that provisions in the individual C-, M- or MU- District provide otherwise.
- B. ~~N~~In addition, no building, structure, alteration, fence, landscaping or other site feature may be constructed, erected, planted or allowed to be established that would impede ~~the access of a vehicle to any~~ required off-street parking space ~~required under this Ordinance~~.
- C. ~~No Zoning Certificate or Use Permit may be granted and no permit other than a Variance from the requirements of this chapter, may be issued or approved, for any use, building or structure, unless all requirements of this chapter are met.~~

~~D. In the event a Zoning Certificate is granted, the subsequent use of such building or structure is conditional upon the unqualified continuance, availability and proper maintenance of off-street parking in compliance with this chapter.~~

Section 20: That Berkeley Municipal Code Section 23E.28.050 is amended to read as follows:

**23E.28.050 Number of Parking Spaces Required**

A. Off-street parking spaces provided in conjunction with a use or structure existing on October 1, 1959, on the same property or on property under the same ownership, may not be reduced below, or if already less than, may not be further reduced below, the requirements of this chapter for similar use or structure. However, required parking spaces may be removed to meet ADA compliance or traffic engineering standards.

~~B. In the case of an AUP, a Use Permit, or a variance the Zoning Officer and Board may require more off-street parking spaces than the minimum required by the applicable District, if they or it finds that If the expected demand for parking spaces will is found to exceed the minimum requirement, additional off-street parking may be required as a condition of approval on a Permit.~~

C. When the formula for determining the number of required off-street parking spaces results in a requirement of a fractional space, any fraction below one-half shall be disregarded, and fractions including and over one-half shall be counted as requiring one parking space.

~~D. One off-street parking space requirements may be satisfied by tandem off-street parking space(s) with the issuance of an AUP. under this Ordinance may be satisfied by a tandem off-street parking space, unless approved by both the City Traffic Engineer and the Board.~~

~~E. Existing off-street parking spaces shall be counted towards meeting the overall parking requirements where new floor area is added to an existing site or project. An applicant may count existing off-street parking spaces towards meeting the parking requirements of this Ordinance when both the existing use, or portions of the use that is~~

~~to remain, and the proposed use and/or structure are used in computing the required number of off-street parking spaces.~~

F. When the number of off-street parking spaces required ~~for a structure or use~~ is based on the number of employees, it shall be based upon the shift or employment period during which the greatest number of employees are present ~~at the structure or use~~.

G. When the number of off-street parking spaces required is based on the floor area for a specified use, the definition of Floor Area, Gross as set forth in Sub-title [23F](#) shall apply. In addition, unenclosed areas of a lot, including, but not limited to, outdoor dining areas, garden/building supply yards and other customer-serving outdoor areas for retail sales, shall also be counted toward the floor area for those commercial uses with specified off-street parking requirements.

Section 21: That Berkeley Municipal Code Section 23E.28.070 is amended to read as follows:

**23E.28.070 Bicycle Parking**

A. Bicycle parking spaces required by each District’s bicycle parking requirements shall be located in either a locker, or in a rack suitable for secure locks, and shall require location approval by the City Traffic Engineer and Zoning Officer. Bicycle parking shall be located in accordance to the design review guidelines.

B. Except in C-E and C-T Districts, Bicycle Parking shall be provided for new floor area or for expansions of existing industrial, commercial, and other non-residential buildings at a ratio of one space per 2,000 square feet of gross floor area.

C. For residential projects, including the residential portion of mixed-use projects, of five or more units, in all districts, bicycle parking shall be provided as follows:

| <u>Use</u> | <u>Long Term Parking<sup>1</sup><br/>Requirement</u> | <u>Short-Term Parking<sup>1</sup><br/>Requirement</u> |
|------------|------------------------------------------------------|-------------------------------------------------------|
|            |                                                      |                                                       |

|                                                                                                                                                                                                                          |                                                             |                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------|
| <u>Dwelling Units (1 to 4 units)</u>                                                                                                                                                                                     | <u>None required</u>                                        | <u>None required</u>                                       |
| <u>Dwelling Units (5 units or more)</u>                                                                                                                                                                                  | <u>1 space per 3 bedrooms</u>                               | <u>2, or 1 space per 40 bedrooms, whichever is greater</u> |
| <u>Group Living Accommodations, Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses, Transitional Housing)</u>                                                                                      | <u>2, or 1 space per 2.5 bedrooms, whichever is greater</u> | <u>2, or 1 space per 20 bedrooms, whichever is greater</u> |
| <u><sup>1</sup> Long-Term Parking and Short-Term Parking shall meet the design standards included in Appendix F of the 2017 <i>Berkeley Bicycle Plan</i>, or as subsequently amended by the Transportation Division.</u> |                                                             |                                                            |

**DG.** The Zoning Officer in consultation with the City Traffic Engineer may modify the requirement with an Administrative Use Permit for Tourist Hotels in the C-DMU District.

Section 21: That Berkeley Municipal Code Section 23E.64.080 is amended to read as follows:

**23E.64.080 Off-Street Parking and Loading Requirements**

A. All parking shall be provided in accordance with the requirements of this section and Chapter 23E.28, ~~except as set forth in this section.~~

B. The district minimum standard parking requirement for commercial floor area is two spaces per 1,000 square feet of gross floor area. Uses listed in Table 23E.64.080 shall meet the requirements listed, for newly constructed floor area, except as otherwise modified in this subsection, and Subsections F through ~~H~~ below.

**[OPTION A]**

| <b>Table 23E.64.080</b>                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                      |
| Use                                                                                                    | Number of spaces                                                                                                                                                                                                                                                                                                                                                                                     |
| Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses and Senior Congregate Housing | One per each five residents; plus one for manager <u>None required</u>                                                                                                                                                                                                                                                                                                                               |
| Dwelling Units                                                                                         | One per unit, except as modified by provisions for shared parking in Section 23E.64.080.G; 75% less for Seniors (see below). <u>None required</u>                                                                                                                                                                                                                                                    |
| Hospitals                                                                                              | One per each four beds; plus one per each three employees                                                                                                                                                                                                                                                                                                                                            |
| Hotels                                                                                                 | One per each three guest/sleeping rooms or suites; plus one per each three employees                                                                                                                                                                                                                                                                                                                 |
| Libraries                                                                                              | One per 500 sq. ft. of floor area that is publicly accessible                                                                                                                                                                                                                                                                                                                                        |
| Live/Work Units                                                                                        | One per unit, provided, however, that if any <u>non-resident</u> workers and/or clients are permitted in any work area, there shall be one <u>additional</u> parking space for the first 1,000 sq. ft. of work area, one <u>further additional</u> parking space for each additional 750 sq. ft. subject to any additional requirements for parking pursuant to Section <a href="#">23E.20.040.B</a> |
| Manufacturing uses (assembly, production, storage and testing space only)                              | One per 1,000 sq. ft. of floor area                                                                                                                                                                                                                                                                                                                                                                  |



| <b>Table 23E.64.080</b>                                                            |                                                                         |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                           |                                                                         |
| Use                                                                                | Number of spaces                                                        |
| Medical Practitioner Offices                                                       | One per 300 sq. ft. of floor area                                       |
| Motels                                                                             | One per each guest/sleeping room; plus one space for owner or manager** |
| Wholesale Trade                                                                    | One per 1,000 sq. ft. of floor area                                     |
| *See Subsection J-1 for substitutions of up to 10% with bicycle/motorcycle parking |                                                                         |
| **Required parking shall be on the same lot as the building it serves              |                                                                         |

**[OPTION B]**

| <b>Table 23E.64.080</b>                                                                                |                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                                               |                                                                                                                                        |
| Use                                                                                                    | Number of spaces                                                                                                                       |
| Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses and Senior Congregate Housing | <del>One per each five residents; plus one for manager</del> <u>None required</u>                                                      |
| Dwelling Units ( <del>fewer than ten</del> )                                                           | <del>One per unit, except as modified by provisions for shared parking in Section 23E.64.080.G; 75% less for Seniors (see below)</del> |
| Dwelling Units ( <u>ten or more</u> )                                                                  | <u>None required</u>                                                                                                                   |
| Hospitals                                                                                              | One per each four beds; plus one per each three employees                                                                              |

| <b>Table 23E.64.080</b>                                                            |                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                           |                                                                                                                                                                                                                                                                                                                                         |
| <b>Use</b>                                                                         | <b>Number of spaces</b>                                                                                                                                                                                                                                                                                                                 |
| <b>Hotels</b>                                                                      | One per each three guest/sleeping rooms or suites; plus one per each three employees                                                                                                                                                                                                                                                    |
| <b>Libraries</b>                                                                   | One per 500 sq. ft. of floor area that is publicly accessible                                                                                                                                                                                                                                                                           |
| <b>Live/Work Units (fewer than ten)</b>                                            | One per unit, provided, however, that if any workers and/or clients are permitted in any work area, there shall be one additional-parking space for the first 1,000 sq. ft. of work area, one further parking space for each additional 750 sq. ft. subject to any additional requirements for parking pursuant to Section 23E.20.040.B |
| <b>Live/Work Units (ten or more)</b>                                               | If any non-resident workers and/or clients are permitted in any work area, there shall be one parking space for the first 1,000 sq. ft. of work area, one parking space for each additional 750 sq. ft. subject to any additional requirements for parking pursuant to Section 23E.20.040.B                                             |
| <b>Manufacturing uses (assembly, production, storage and testing space only)</b>   | One per 1,000 sq. ft. of floor area                                                                                                                                                                                                                                                                                                     |
| <b>Medical Practitioner Offices</b>                                                | One per 300 sq. ft. of floor area                                                                                                                                                                                                                                                                                                       |
| <b>Motels</b>                                                                      | One per each guest/sleeping room; plus one space for owner or manager**                                                                                                                                                                                                                                                                 |
| <b>Wholesale Trade</b>                                                             | One per 1,000 sq. ft. of floor area                                                                                                                                                                                                                                                                                                     |
| *See Subsection 4-1 for substitutions of up to 10% with bicycle/motorcycle parking |                                                                                                                                                                                                                                                                                                                                         |
| **Required parking shall be on the same lot as the building it serves              |                                                                                                                                                                                                                                                                                                                                         |

C. Unless otherwise specified in Subsections F-~~H~~, uses designated in this chapter as Other Industrial Uses; Automobile and Other Vehicle Oriented Uses; Outdoor Uses; Residential and Related Uses or as Miscellaneous Uses shall be required to provide the number of off-street parking spaces determined by the Zoning Officer or Board based of the amount of parking demand generated by the particular use and comparable with specified standards for other uses.

D. The number of parking spaces provided for new commercial floor area shall not exceed four spaces per 1,000 square feet of gross floor area of the commercial use, except that up to five spaces per 1,000 square feet of gross floor area of food service uses may be provided.

E. Bicycle parking spaces shall be provided for new construction at the ratio of one space per 2,000 square feet of gross floor area of non-residential space, in accordance with Section [23E.28.070](#).

F. Any automobile parking required by this section may be leased, provided that the requirements of the general regulations concerning leased parking, Section [23E.28.030](#), are met and provided that the leased parking spaces are within 500 feet of the property where the parking is required; provided that leased parking a greater distance from the property may be approved by Administrative Use Permit and that if the property is located within a designated node, the leased parking spaces are located within the same designated node as the property.

~~G. For multiple dwellings where the occupancy will be exclusively for persons over the age of 62 years, the number of required off-street parking spaces may be reduced to 25% of what would otherwise be required for multiple family dwelling use, subject to obtaining a Use Permit.~~

HG. Any mixed use building (residential and commercial) shall satisfy the off-street parking standards and requirements of this District, provided, however, that the Board or the Zoning Officer may issue a Permit to modify the off-street parking and usable open space requirements where it finds such modification promotes any of the general purposes set forth in [23E.64.020](#). The Permit required shall be an Administrative Use

Permit unless a Use Permit from the Board is required to approve the use or structure, in which case a Use Permit shall be required by the Board.

**H.** If a public parking facility available for use by all members of the public is within 1,000 feet of a proposed use, the Zoning Officer or Board may approve a Use Permit to allow that use to reduce or eliminate the otherwise required parking.

**J.** Subject to the finding in Section [23E.64.090.F](#), an Administrative Use Permit may be issued to designate up to 10% of automobile parking required for a use for bicycle and/or motorcycle parking, unless a Use Permit from the Board is required to approve any part of the application, in which case the Use Permit shall be approved by the Board. Any bicycle parking created by this designation shall be in addition to otherwise required bicycle parking.

**K.** Notwithstanding the requirements of Section [23E.28.080](#) (the general regulations concerning screening and landscaping of off-street parking), there shall be no requirement for screening or landscaping of that portion of any parking lot which is adjacent to Third Street (Southern Pacific Railroad).

**L.** No off-street automobile parking may be provided between the front property line and a main structure within a designated node. Outside of a designated node, no off-street automobile parking may be provided between the front property line and a main structure unless an Administrative Use Permit is obtained; unless a Use Permit is required to approve the use or structure, in which case the Use Permit shall be approved by the Board. In order to approve this Permit, the Zoning Officer or Board shall make the finding under Section [23E.64.090.E](#).

**M.** No building or site shall be altered in such a way as to deprive any leasable space which is used or designated to be used by any manufacturing or wholesale trade use of all loading spaces which meet the general regulations concerning Loading Spaces (Chapter [23E.32](#)).

**N.** Any construction which results in the creation of 10,000 square feet of new or additional commercial gross floor space shall satisfy the loading space requirements of Chapter [23E.32](#).

Section 23: That Berkeley Municipal Code Section 23E.68.080 is amended to read as follows:

**23E.68.080 Parking -- Number of Spaces**

A. All parking shall be provided in accordance with the requirements of this Section and Chapter 23E.28, except as set forth in this Section. No change of commercial use within the existing floor area of a building shall be required to meet the off-street parking requirements of this Section or Chapter 23E.28, unless the structure has been expanded to include new floor area.

B. The District minimum standard vehicle parking space requirement for all floor area is one and a half spaces per each 1,000 square feet of gross floor area or as required for the uses listed in the following table.

**[OPTION A]**

| Use                                                                                                | Number of Parking Spaces Required                 |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Dwelling Units, Single and Multi-Family Buildings                                                  | One per three dwelling units<br>None required     |
| Hotels and Motels, Tourist (Including Inns, Bed and Breakfast and Hostels)                         | One per each three guest/sleeping rooms or suites |
| Group Living Accommodations (Including Single Room Occupancy Residential Hotels) and Nursing Homes | One per eight sleeping rooms<br>None required     |

**[OPTION B]**

| Use                                                              | Number of Parking Spaces Required |
|------------------------------------------------------------------|-----------------------------------|
| Dwelling Units, Single and Multi-Family Buildings fewer than ten | One per three dwelling units      |
| Dwelling Units (ten or more)                                     | None required                     |

| Use                                                                                                                 | Number of Parking Spaces Required                 |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Hotels and Motels, Tourist (Including Inns, Bed and Breakfast and Hostels)                                          | One per each three guest/sleeping rooms or suites |
| Group Living Accommodations (Including Single Room Occupancy Residential Hotels) and Nursing Homes (fewer than ten) | One per eight sleeping rooms                      |
| Group Living Accommodations (Including Single Room Occupancy Residential Hotels) and Nursing Homes (ten or more)    | None required                                     |

1. Additions up to 1,000 square feet of gross floor area, or up to twenty-five percent (25%) of existing gross floor area, whichever is less, are exempt from the parking requirements for new floor area.

2. Parking spaces shall be provided on site, or off site within 800 feet subject to securing an AUP and in compliance with Section [23E.28.030](#).

C. Bicycle parking spaces shall be provided for new construction at the ratio of one space per 2,000 square feet of gross floor area of commercial space, and in accordance with the requirements of Section [23E.28.070](#).

D. The vehicle parking space requirements of this Section may be reduced or waived through payment of an in-lieu fee to be used to provide enhanced transit services, subject to securing a Use Permit subject to the finding in section [23E.68.090](#).H or modified with an AUP subject to the findings in [23E.28.140](#).

E. New construction that results in an on-site total of more than 25 publicly available parking spaces shall install dynamic signage to Transportation Division specifications, including, but not limited to, real-time garage occupancy signs at the entries and exits to the parking facility with vehicle detection capabilities and enabled for future connection

to the regional 511 Travel Information System or equivalent, as determined by the Zoning Officer in consultation with the Transportation Division Manager.

F. Occupants of residential units or GLA units constructed, newly constructed or converted from a non-residential use shall not be eligible for Residential Parking Permit (RPP) permits under Chapter [14.72](#) of the BMC.

G. For any new building with residential units or structures converted to a residential use, ~~required~~ parking spaces shall be leased or sold separate from the rental or purchase of dwelling units for the life of the dwelling unit, unless the Board grants a Use Permit to waive this requirement for projects which include financing for affordable housing subject to the finding in section [23E.68.090.I](#).

H. For new structures or additions over 20,000 square feet, the property owner shall provide at least one of the following transportation benefits at no cost to every employee, residential unit, and/or GLA resident. A notice describing these transportation benefits shall be posted in a location or locations visible to employees and residents.

1. A pass for unlimited local bus transit service; or
2. A functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited monthly local bus pass. Any benefit proposed as a functionally equivalent transportation benefit shall be approved by the Zoning Officer in consultation with the Transportation Division Manager.

I. For residential ~~projects that provide structures constructed or converted from a non-residential use that require~~ vehicle parking ~~under Section [23E.68.080.B](#), required parking spaces shall be designated as,~~ vehicle sharing spaces shall be provided in the amounts specified in the following table. ~~If no parking spaces are provided pursuant to Section [23E.68.080.D](#), no vehicle sharing spaces shall be required.~~

| Number of Parking Spaces <u>Provided</u><br><b>Required</b> | Minimum Number of Vehicle Sharing<br>Spaces |
|-------------------------------------------------------------|---------------------------------------------|
| 0 – 10                                                      | 0                                           |
| 11 – 30                                                     | 1                                           |

| Number of Parking Spaces <b>Provided</b><br><b>Required</b> | Minimum Number of Vehicle Sharing<br>Spaces |
|-------------------------------------------------------------|---------------------------------------------|
| 30 – 60                                                     | 2                                           |
| 61 or more                                                  | 3, plus one for every additional 60 spaces  |

1. The required vehicle sharing spaces shall be offered to vehicle sharing service providers at no cost.
2. The vehicle sharing spaces required by this Section shall remain available to a vehicle sharing service provider as long as providers request the spaces. If no vehicle sharing service provider requests a space, the space may be leased for use by other vehicles. When a vehicle sharing service provider requests such space, the property owner shall make ~~the~~a space available within 90 days.

J. For residential structures constructed or converted from a non-residential use subject to Sections [23E.68.080.G](#), [23E.68.080.H](#), and [23E.68.080.I](#), prior to issuance of a Certificate of Occupancy, the property owner shall submit to the Department of Transportation a completed Parking and Transportation Demand Management (PTDM) compliance report on a form acceptable to the City, which demonstrates that the project is in compliance with the applicable requirements of [23E.68.080.G](#), [23E.68.080.H](#), and [23E.68.080.I](#). Thereafter, the property owner shall submit to the Department of Transportation an updated PTDM compliance report on an annual basis.

K. Any construction which results in the creation of more than 10,000 square feet of new or additional commercial gross floor space shall satisfy the loading space requirements of Chapter [23E.32](#).

Section 23: That Berkeley Municipal Code Section 23E.80.080 is amended to read as follows:

**23E.80.080 Off-Street Parking and Loading Requirements**

A. For each of the following uses the minimum number of off-street parking spaces shall be provided and in accordance with Chapter [23E.28](#) except as set forth in Section [23E.80.080.E](#). Construction of new floor area and changes of use of existing floor area shall satisfy the parking requirements of this section.



**[OPTION A]**

| <b>Table 23E.80.080</b>                                                                                             |                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                                                            |                                                                                                                                                                                                                      |
| Use                                                                                                                 | Number of spaces                                                                                                                                                                                                     |
| Art/Craft Studio                                                                                                    | One per 1,000 sq. ft. of floor area                                                                                                                                                                                  |
| Laboratories                                                                                                        | One per 650 sq. ft. of floor area                                                                                                                                                                                    |
| Live/Work Units                                                                                                     | One per unit; provided however, that if any non-resident employees and/or customers and clients are permitted in any work area, there shall be one additional parking space for each 1,000 sq. ft. of such work area |
| Manufacturing uses (assembly, production, storage and testing space only), Storage, Warehousing and Wholesale Trade | One space per 1,000 sq. ft. of floor area for spaces of less than 10,000 sq. ft.; one space per 1,500 sq. ft. of floor area for spaces of 10,000 sq ft or more                                                       |
| Quick or Full Service Restaurants                                                                                   | One per 300 sq. ft. of floor area                                                                                                                                                                                    |
| All other non-residential uses, unless otherwise specified in Subsection B                                          | Two per 1,000 sq. ft. of floor area                                                                                                                                                                                  |
| * See Subsection E for substitutions of up to 10% with bicycle/motorcycle parking                                   |                                                                                                                                                                                                                      |

**[OPTION B]**

| <b>Table 23E.80.080</b>  |                  |
|--------------------------|------------------|
| <b>Parking Required*</b> |                  |
| Use                      | Number of spaces |

|                                                                                                                     |                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Art/Craft Studio                                                                                                    | One per 1,000 sq. ft. of floor area                                                                                                                                                                                  |
| Laboratories                                                                                                        | One per 650 sq. ft. of floor area                                                                                                                                                                                    |
| Live/Work Units (fewer than ten)                                                                                    | One per unit; provided however, that if any non-resident employees and/or customers and clients are permitted in any work area, there shall be one additional parking space for each 1,000 sq. ft. of such work area |
| Live/Work Units (ten or more)                                                                                       | If any non-resident employees and/or customers and clients are permitted in any work area, there shall be one parking space for each 1,000 sq. ft. of such work area                                                 |
| Manufacturing uses (assembly, production, storage and testing space only), Storage, Warehousing and Wholesale Trade | One space per 1,000 sq. ft. of floor area for spaces of less than 10,000 sq. ft.; one space per 1,500 sq. ft. of floor area for spaces of 10,000 sq ft or more                                                       |
| Quick or Full Service Restaurants                                                                                   | One per 300 sq. ft. of floor area                                                                                                                                                                                    |
| All other non-residential uses, unless otherwise specified in Subsection B                                          | Two per 1,000 sq. ft. of floor area                                                                                                                                                                                  |
| * See Subsection E for substitutions of up to 10% with bicycle/motorcycle parking                                   |                                                                                                                                                                                                                      |

B. Unless otherwise specified in Subsection A, uses designated in this chapter as Other Industrial Uses; Automobile and Other Vehicle Oriented Uses; Outdoor Uses; Residential and Related Uses or as Miscellaneous Uses shall be required to provide the number of off-street parking spaces determined by the Zoning Officer or Board based of the amount of off-street parking demand generated by the particular use and comparable with specified standards for other uses.

C. Bicycle parking spaces shall be provided for new construction at the ratio of one space per 2,000 square feet of gross floor area of non-residential space, in accordance with Section [23E.28.070](#).

D. Off-street parking required by this section may be satisfied by the provision of leased spaces, provided that the requirements of Section [23E.28.030](#) are met; however, the leased parking spaces may be within 500 feet of the property it serves, provided that leased parking at a distance greater than 500 feet may be approved by an Administrative Use Permit.

E. Subject to the finding in Section [23E.80.090](#).H, an Administrative Use Permit may be issued to designate up to 10% of automobile parking required for a use for bicycle and/or motorcycle parking, unless a Use Permit from the Board is required to approve any part of the application, in which case the Use Permit shall be approved by the Board. Any bicycle parking created by this designation shall be in addition to otherwise required bicycle parking.

F. Notwithstanding the requirements of Section [23E.28.080](#) (the general regulations concerning screening and landscaping of off-street parking), there shall be no requirement for screening or landscaping of that portion of any parking lot which is adjacent to Third Street (Southern Pacific Railroad).

G. In buildings with one or more manufacturing, wholesale trade or warehouse use, all uses shall satisfy the loading space requirements of Chapter [23E.32](#). All uses which have one or more loading spaces shall retain at least one such space.

H. Any construction which results in the creation of 10,000square feet of new or additional commercial or manufacturing gross floor area shall satisfy Chapter [23E.32](#).

Section 24: That Berkeley Municipal Code Section 23E.84.080 is amended to read as follows:

**23E.84.080 Off-Street Parking and Loading Requirements**

A. Unless otherwise specified in Subsections ~~B or F~~, or in Table [23E.84.080](#), the district minimum standard parking requirement is two spaces per 1,000 square feet of gross floor area of non-residential space, in accordance with the requirements of Chapter [23E.28](#).

**[OPTION A]**

| <b>Table 23E.84.080</b>                                                          |                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                         |                                                                                                                                                                                                                                                                                      |
| <b>Use</b>                                                                       | <b>Number of spaces</b>                                                                                                                                                                                                                                                              |
| <b>Art/Craft Studio</b>                                                          | One per 1,000 sq. ft. of floor area                                                                                                                                                                                                                                                  |
| <b>Community Care Facilities</b>                                                 | One per two non-resident employees                                                                                                                                                                                                                                                   |
| <b>Dwelling Units</b>                                                            | <del>One per unit, except as provided in Section 23E.84.080.E;</del><br>75% less for Seniors (see Subsection E)<br>None required                                                                                                                                                     |
| <b>Libraries</b>                                                                 | One per 500 sq. ft. of floor area that is publicly accessible                                                                                                                                                                                                                        |
| <b>Live/Work Units</b>                                                           | <del>One per unit; provided however, that</del> If any non-resident employees and/or clients are permitted in any work area there shall be one parking space for the first 1,000 sq. ft. of work area and one additional parking space for each additional 750 sq. ft. of work area. |
| <b>Manufacturing Uses (assembly, production, storage and testing space only)</b> | One per 1,000 sq. ft. of floor area                                                                                                                                                                                                                                                  |
| <b>Medical Practitioner Offices</b>                                              | One per 300 sq. ft. of floor area                                                                                                                                                                                                                                                    |
| <b>Nursing Homes</b>                                                             | <del>One per each five residents; plus o</del> One per each three employees                                                                                                                                                                                                          |
| <b>Restaurants and Food Service</b>                                              | One per 300 sq. ft. of floor area                                                                                                                                                                                                                                                    |
| <b>Storage, Warehousing and Wholesale Trade</b>                                  | One per 1,000 sq. ft. of floor area for spaces of less than 10,000 sq.ft.; one per 1,500 sq. ft. for spaces of 10,000 sq. ft. or more                                                                                                                                                |

| <b>Table 23E.84.080</b>                                                            |                  |
|------------------------------------------------------------------------------------|------------------|
| <b>Parking Required*</b>                                                           |                  |
| Use                                                                                | Number of spaces |
| *See Subsection H-G for substitutions of up to 10% with bicycle/motorcycle parking |                  |

**[OPTION B]**

| <b>Table 23E.84.080</b>         |                                                                                                                                                                                                                                                                                      |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>        |                                                                                                                                                                                                                                                                                      |
| Use                             | Number of spaces                                                                                                                                                                                                                                                                     |
| Art/Craft Studio                | One per 1,000 sq. ft. of floor area                                                                                                                                                                                                                                                  |
| Community Care Facilities       | One per two non-resident employees                                                                                                                                                                                                                                                   |
| Dwelling Units (fewer than ten) | One per unit, <del>except as provided in Section 23E.84.080.E;</del><br><del>75% less for Seniors (see Subsection E)</del>                                                                                                                                                           |
| Dwelling Units (ten or more)    | None required                                                                                                                                                                                                                                                                        |
| Libraries                       | One per 500 sq. ft. of floor area that is publicly accessible                                                                                                                                                                                                                        |
| Live/Work Units (fewer than 10) | One per unit; provided however, <del>that</del> if any non-resident employees and/or clients are permitted in any work area there shall be one parking space for the first 1,000 sq. ft. of work area and one additional parking space for each additional 750 sq. ft. of work area. |
| Live/Work Units (ten or more)   | If any non-resident employees and/or clients are permitted in any work area there shall be one parking space for the first                                                                                                                                                           |

| <b>Table 23E.84.080</b>                                                                   |                                                                                                                                       |
|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parking Required*</b>                                                                  |                                                                                                                                       |
| <b>Use</b>                                                                                | <b>Number of spaces</b>                                                                                                               |
|                                                                                           | 1,000 sq. ft. of work area and one additional parking space for each additional 750 sq. ft. of work area.                             |
| Manufacturing Uses (assembly, production, storage and testing space only)                 | One per 1,000 sq. ft. of floor area                                                                                                   |
| Medical Practitioner Offices                                                              | One per 300 sq. ft. of floor area                                                                                                     |
| Nursing Homes                                                                             | <del>One per each five residents; plus o</del> One per each three employees                                                           |
| Restaurants and Food Service                                                              | One per 300 sq. ft. of floor area                                                                                                     |
| Storage, Warehousing and Wholesale Trade                                                  | One per 1,000 sq. ft. of floor area for spaces of less than 10,000 sq.ft.; one per 1,500 sq. ft. for spaces of 10,000 sq. ft. or more |
| *See Subsection <u>H-G</u> for substitutions of up to 10% with bicycle/motorcycle parking |                                                                                                                                       |

B. Unless otherwise specified in Subsection H-G or in Table 23E.84.080, uses designated in this chapter as Automobile and Other Vehicle Oriented Uses; Outdoor Uses; or as Miscellaneous Uses shall be required to provide the number of off-street parking spaces determined by the Zoning Officer or Board based on the amount of parking demand generated by the particular use and comparable with specified standards for other uses.

C. Bicycle parking spaces shall be provided at the ratio of one space per 2,000 square feet of gross floor area of non-residential space, and in accordance with the requirements of Section 23E.28.070.

D. Off-street parking required by this section may be satisfied by the provision of leased spaces, provided that the requirements of Section [23E.28.030](#) are met; however, the leased parking spaces may be within 500 feet of the property it serves, provided that leased parking at a distance greater than 500 feet may be approved by an Administrative Use Permit.

~~E. For multiple dwellings where the occupancy will be exclusively for persons over the age of 62, the number of required off-street parking spaces may be reduced to 25% of what would otherwise be required for multiple family dwelling use, subject to obtaining a Use Permit.~~

~~FE.~~ If the Zoning Officer or Board finds that existing evening parking supply is adequate and/or that other mitigating circumstances exist on the property, the requirement for an additional off-street parking space may be waived through a Use Permit when an additional residential unit is added to a property with one or more residential units.

~~GF.~~ No off-street parking space which is required by this Ordinance, including Use Permits issued under this Ordinance, shall be removed; provided, however, any off-street parking spaces which are provided in excess of the number required at the time of application may be removed.

~~HG.~~ Subject to the finding in Section [23E.84.090.J](#), an Administrative Use Permit may be issued to designate up to 10% of automobile parking required for a use for bicycle and/or motorcycle parking, unless a Use Permit from the Board is required to approve any part of the application, in which case the Use Permit shall be approved by the Board. Any bicycle parking created by this designation shall be in addition to otherwise required bicycle parking.

~~IH.~~ In buildings with manufacturing, wholesale trade or warehouse uses, loading spaces shall be maintained so as to meet the requirements of Chapter [23E.32](#).

~~JJ.~~ Any construction which results in the creation of 10,000 square feet of new or additional commercial or manufacturing gross floor area shall satisfy Chapter [23E.32](#).

Section 25. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



OCT 27 2015

OFFICE OF THE CITY CLERK  
CITY OF BERKELEY

ACTION CALENDAR  
October 27, 2015  
(continued from October 6, 2015)

To: Honorable Mayor and Members of the City Council  
From: Councilmember Lori Droste  
Subject: Councilmember Lori Droste's Green Affordable Housing Package - Amendments

**RECOMMENDATION**

Request that the Planning Commission and City Manager investigate the feasibility of reducing barriers for the creation of new affordable housing. City Council requests that commissions and staff address and propose solutions and/or an implementation plan using the following recommendations by October 1, 2016.

**Policy 1: Designate units and funding for affordable housing by prioritizing housing over parking spaces in new developments**

1. Reduce or eliminate minimum residential parking requirements if car-sharing spaces, shared mobility devices, or transit passes or other TDM measures are provided.
2. Consider a cap on residential parking maximums.
3. Reduce or eliminate minimum parking requirements for new housing that serves populations that do not have high rates of car ownerships.
4. Reduce or eliminate minimum parking requirements for transit-intensive housing.
  - Transit-intensive housing is defined as within 1,200 feet of a transit center or within 1,200 feet of an overlap between major transit corridor and a commercial or mixed-use district.
  - Broadly defined, a *transit corridor* generally refers to a geographic area that accommodates travel or potential travel. A transit corridor is best defined as the areas around all of the stations along a transit line that have destinations or residences within reasonable distance for walking, biking, or other transit connections. ■
  - Broadly defined, a *transit hub* refers to a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or a major bus route with frequencies of service intervals of 15 minutes or less during the morning and afternoon peak commute periods. ■
5. Re-evaluate and/or reduce parking space requirements per new residential unit in areas within ½ mile of a transit hub.

*Determine a process whereby the costs saved by parking reductions will be designated for affordable units or the Affordable Housing Trust Fund.*

*Evaluate and account for impacts of parking policies on access and routes for emergency vehicles and evacuations.*

**Policy 2: Remove the structural barriers to creating more housing**

1. Improve and streamline the development review process, particularly for permanently affordable housing projects. ~~and smaller residential housing proposals~~ Review and compare Berkeley's process to that of neighboring cities.



Jesse Arreguín  
 City Councilmember, District 4

ACTION CALENDAR  
 April 26, 2016

To: Honorable Mayor and Members of the City Council  
 From: Councilmember Jesse Arreguín  
 Subject: Referral to Planning Commission: City-Wide Green Development Requirements

RECOMMENDATION

Refer to the Planning Commission to draft an ordinance requiring the same Green Building and Transportation Demand Management (TDM) measures required in the Commercial Downtown Mixed Use District (C-DMU) for projects of 75 units or more throughout the City of Berkeley’s commercial zoning districts.

The following standards would apply to larger projects city-wide:

1. Bicycle parking spaces shall be provided for new construction at the ratio of one space per 2,000 square feet of gross floor area of commercial space, and in accordance with the requirements of Section 23E.28.070.

| Number of Parking Spaces Required | Minimum Number of Vehicle Sharing Spaces   |
|-----------------------------------|--------------------------------------------|
| 0-10                              | 0                                          |
| 11-30                             | 1                                          |
| 30-60                             | 2                                          |
| 61 or more                        | 3, plus one for every additional 60 spaces |

- For residential structures constructed or converted from a non-residential use that require vehicle parking under Section 23E.68.080.B, required parking spaces shall be designated as vehicle sharing spaces in the amounts specified in the adjacent table. If no parking spaces are provided pursuant to Section 23E.68.080.D, no vehicle sharing spaces shall be required.

- The required vehicle sharing spaces shall be offered to vehicle sharing service providers at no cost.

2. The vehicle sharing spaces required by this section shall remain available to a vehicle sharing service provider as long as providers request the spaces. If no vehicle sharing service provider requests a space, the space may be leased for use by other vehicles. When a vehicle sharing service provider requests such space, the property owner shall make the space available within 90 days.

3. Occupants of residential units or GLA units constructed, newly constructed or converted from a non-residential use shall not be eligible for Residential Parking Permit (RPP) permits under Chapter 14.72 of the BMC.
4. For any new building with residential units or structures converted to a residential use, required parking spaces shall be leased or sold separate from the rental or purchase of dwelling units for the life of the dwelling unit, unless the Board grants a Use Permit to waive this requirement for projects which include financing for affordable housing subject to the finding in section 23E.68.090.I.
5. Construction of new developments of at least 75 units shall attain a LEED Gold rating or higher as defined by the U.S. Green Building Council (USGBC), or shall attain building performance equivalent to this rating, as determined by the Zoning Officer.
6. New developments of at least 75 units shall be required to meet all applicable standards of the Stopwaste Small Commercial Checklist, or equivalent, as determined by the Zoning Officer. The rating shall be appropriate to the use type of the proposed construction.
7. New developments of at least 75 units, the property owner shall provide at least one of the following transportation benefits at no cost to every employee, residential unit, and/or GLA resident. A notice describing these transportation benefits shall be posted in a location or locations visible to employees and residents.
  - A pass for unlimited local bus transit service; or
  - A functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited monthly local bus pass. Any benefit proposed as a functionally equivalent transportation benefit shall be approved by the Zoning Officer in consultation with the Transportation Division Manager.

#### BACKGROUND:

One of the main goals of the 2012 Downtown Area Plan (DAP) is promoting sustainability in the Downtown by *“Integrat[ing] environmentally sustainable development and practices in the Downtown, and in every aspect of the Downtown Area Plan”* and to *“Model best practices for sustainability”*.<sup>1</sup>

The DAP and its implementing zoning includes a number of green building and sustainable transportation requirements for new projects throughout the Downtown. These green measures are resulting in sustainable projects with bike and car share parking, and meeting LEED Gold standards. These forward thinking policies go a long way in helping Berkeley meet its climate action goals, but they only apply to projects in the Downtown area. Large projects throughout the city should be held to the same standard. This will result in further reducing greenhouse gases from transportation and building energy use.

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<sup>1</sup> 2012 Downtown Area Plan, page IN-18

An update on the Climate Action Plan (CAP) presented to the City Council in November 2015 showed that the City is not on track to achieve the goals set by the Plan. While Berkeley has achieved more reductions compared to the rest of the State, despite population increases, it is clear that more must be done if we are to reach the targets set forward in the CAP. By holding large developments to the same standards as those in Downtown, we can achieve the goals of sustainability by reducing greenhouse gases.

FINANCIAL IMPLICATIONS:

Staff time to prepare zoning amendments for Planning Commission consideration.

ENVIRONMENTAL SUSTAINABILITY

Applying the same standards to large developments citywide can significantly improve the City's ability to meet the goals of the Climate Action Plan.

CONTACT PERSON

Jesse Arreguin, City Councilmember, District 4

510-981-7140



## MEMORANDUM

To: Justin Horner, City of Berkeley  
From: Nelson\Nygaard Team  
Date: November 25, 2019  
Subject: Berkeley Residential Parking Capacity Study

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### INTRODUCTION AND STUDY PURPOSE

By analyzing actual usage (i.e. occupancy) of residential parking, the purpose of this study is to “right size” off-street parking requirements to meet the City of Berkeley’s goals of developing more housing at all affordability levels and encouraging more sustainable transportation modes. In addition to studying off-street parking behavior, compared to what is provided, assessing the efficiency of on-street parking facilities is intended to help meet the City of Berkeley’s goals of encouraging more sustainable transportation modes.

The overall purpose of this assessment is to analyze the parking required, provided and utilized at these buildings in order to determine how existing off-street parking regulations match actual usage.

### METHODOLOGY

#### Property Selection Process

The City identified residential properties located within a variety of neighborhoods.

City Staff made initial contact with property’s/property managers to request they take a short survey about the property and secondly confirm whether they would allow access to the property for on-site parking survey. A total of 28 survey responses were received, and of that 20 properties were selected for further data collection multi-unit residential buildings (with 10 units or more) in consultation with the city. Selection criteria included:

- Geographical distribution within multifamily zoned areas
- Mix of affordable/inclusionary and 100% market rate facilities; and
- A range of property sizes (by number of units)

**Berkeley Residential Capacity Study**  
City of Berkeley

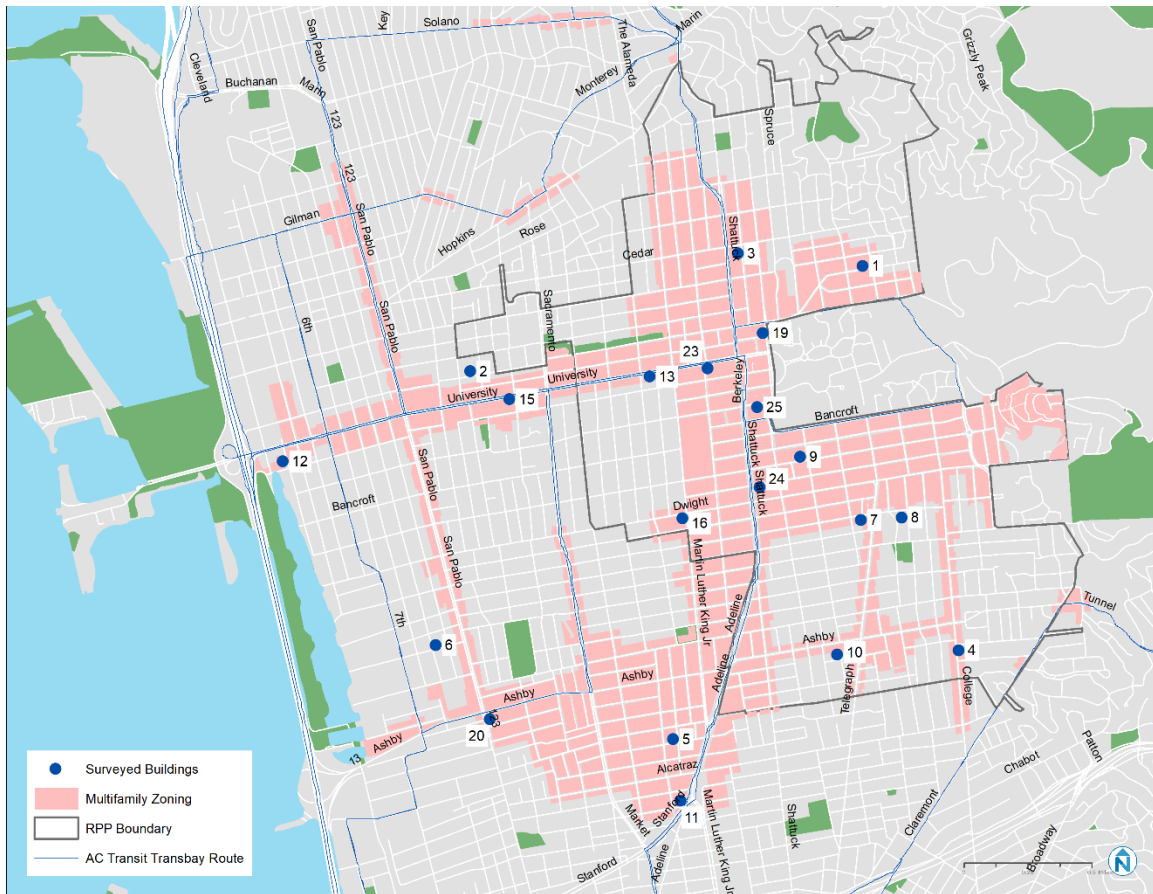
The surveyed properties are listed in Table 1 and displayed on the Figure 1 on the following page.

**Table 1 - Surveyed Properties**

| ID | Address                        | Total Units | % Affordable Housing |
|----|--------------------------------|-------------|----------------------|
| 1  | 2575 Le Conte Avenue           | 11          | 0%                   |
| 2  | 1277 Hearst Avenue             | 8           | 0%                   |
| 3  | 1612 Walnut Street             | 9           | 0%                   |
| 4  | 3001 College Avenue            | 10          | 0%                   |
| 5  | 3140 Ellis Street              | 10          | 0%                   |
| 6  | 2777 Ninth Street              | 21          | 0%                   |
| 7  | 2414 Parker Street             | 16          | 0%                   |
| 8  | 2610 Hillegass Avenue          | 23          | 0%                   |
| 9  | 2239 Channing Way              | 14          | 0%                   |
| 10 | 2321 Webster Street            | 18          | 0%                   |
| 11 | 3380 Adeline Street            | 14          | 0%                   |
| 12 | 651 Addison Street             | 94          | 4%                   |
| 13 | 1812 University Avenue         | 44          | 9%                   |
| 15 | 1370 University Avenue         | 71          | 97%                  |
| 16 | 2500 Martin Luther King Jr Way | 10          | 20%                  |
| 19 | 1910 Oxford Street             | 56          | 20%                  |
| 20 | 3015 San Pablo Avenue          | 98          | 15%                  |
| 23 | 2004 University Avenue         | 35          | 20%                  |
| 24 | 2110 Haste Street              | 100         | 20%                  |
| 25 | 2116 Allston Way               | 91          | 20%                  |

Berkeley Residential Capacity Study  
City of Berkeley

Figure 1 - Study Area Map



Note: The number label in each surveyed property in the map corresponds to the ID number in Table 1

### Residential Property Manager Survey

A short on-line survey was developed and distributed for the residential property managers to get basic information about their buildings, including total units, total parking spaces, unit vacancies, the number of affordable units, unbundled parking and transportation demand management programs available to residents. A copy of the survey instrument is included in the appendix.

### Parking Data Collection

A parking survey was conducted at each property including off-street inventory of parking spaces and total vehicles observed. The survey was conducted when UC Berkeley was in session on a typical weekday evening, between midnight and 5:00am in order to more reliably reflect a time when most residents would be at home.

On-street parking capacity (inventory and occupancy) in the areas around selected buildings was surveyed on the two blockfaces nearest the immediate pedestrian entrance

to each property.<sup>1</sup> This data was collected to help understand neighborhood parking, potential spillover and local context.

### Vehicle Registration

The City provided anonymized DMV (Department of Motor Vehicle) and RPP (Residential Parking Permits) data associated with each of the residential properties. The purpose of the analysis was to determine how many vehicles are associated with each property and how many vehicles take advantage of the available Residential Preferential Permit Program rather than parking on the property.

### Socioeconomic Assessment

In addition to the property related data collected, a socioeconomic assessment of multifamily housing was performed. It focused on aspects related to vehicle ownership and commute choices in areas zoned for multifamily housing. The team used 2017 ACS 5-year data at census block group (CBG) level and compared ownership and rental tenure, and income.

## KEY FINDINGS

### Property Survey

- Surveyed properties averaged 41.5 units per building. The median apartment building surveyed had 23 housing units.
- The residential usage rate was relatively high, ranging from 94% to 100%.
- 9 of the 20 buildings studied contained some affordable housing units, with most around 15-20% affordable.
- All 20 properties were within a reasonable walking distance (half mile or less) and 17 within very walkable distance (quarter of mile or less) of high-frequency transit service (BART or Transbay Bus).
- The average built parking ratio was 0.82 per unit.
- Properties with the fewest vehicle registrations per unit appear to be closer to downtown Berkeley.

### Parking Survey

- The average parking occupancy across all properties, both on and off-street, is 55%

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<sup>1</sup> In some cases where there were multiple entrances, the immediate blockfaces on each entrance were collected.



- There are slightly less than 0.5 vehicles registered per unit on average, yet there is an average 0.82 parking spaces per unit off-street.
- The average and median off-street occupancy for all properties is 0.45 and 0.53 per unit respectively.
- The average and median on-street occupancy for all properties was 60% and 61% respectively.

### **Socioeconomic Analysis**

- In multifamily areas less than 25% of people drive to work alone as opposed to more than 40% in single-family areas.
- In multifamily areas slightly more than 30% of people walk to work as opposed to approximately 7% in single-family areas.
- In general, the share of zero car households in multifamily areas is higher than in single family areas.
- Of the total households in multifamily areas, 40% of renter households do not own a car and about 10% of owner households do not own a car.
- There is more available on-street and off-street parking (particularly near Downtown Berkeley) in those areas that have more renters, have fewer cars and have more residents that commute either on-foot or on transit.

## PROPERTY ANALYSIS

Property managers responded to an online survey, providing relevant details for this analysis. The number of housing units in these properties ranges from 8 to 100, with an average of 41.5 units per building. The median apartment building surveyed had 23 housing units. Table 1, above, provides the number of units in each surveyed building. While there are a few vacant units in these properties, the occupancy rate is relatively high, ranging from 94% to 100%. Additionally, 9 of the 20 buildings studied contained some affordable housing units. The share of affordable housing ranged from 4% of the total units to 97%, with most around 15-20% of all units being affordable.

Ninety percent of surveyed properties had unbundled parking, meaning that the cost of parking charged separately from the apartment lease. Only two out of the twenty surveyed buildings did not charge separately for parking. Properties with unbundled parking all reported charging more than \$50 per month for a parking space.

All 20 properties were within a reasonable walking distance of high-frequency BART and AC Transit Transbay service.

Sixteen (16) of the properties included secure bike parking within their premises. The number of bicycles these facilities can store ranges from 4 (for a 10-unit apartment building) to 60 (for a 98-unit apartment building). In terms of per-unit bicycle storage, buildings that included secure parking ranged from 0.3 spaces unit to 3 spaces per unit.

All the surveyed properties include parking. The parking supply ranged from 10 parking spaces to 129 parking spaces. The following table summarizes parking supply in per-unit basis. The average built parking spaces was 0.82 per unit.

Table 2 - Built Parking Spaces per Unit

|                | Median | Mean | Min  | Max  | 20 <sup>th</sup> percentile | 80 <sup>th</sup> percentile |
|----------------|--------|------|------|------|-----------------------------|-----------------------------|
| Parking Spaces | 0.82   | 0.84 | 0.20 | 1.70 | 0.54                        | 1.15                        |

Similarly,

summarizes DMV vehicle registrations per unit for the surveyed properties. Registrations range from 0 to 69 vehicles per property, with an average of 0.49 vehicle registrations per unit. The data indicate a wide distribution. Figure 2 illustrates the distribution of vehicle registrations per unit across the 20 study properties. Red dots indicate a property with no vehicle registrations, while a large blue dot indicates a ratio of over one (1) vehicle per unit.

Table 3 - DMV Registrations per Unit

|  | Median | Mean | Min | Max | 20 <sup>th</sup> percentile | 80 <sup>th</sup> percentile |
|--|--------|------|-----|-----|-----------------------------|-----------------------------|
|--|--------|------|-----|-----|-----------------------------|-----------------------------|

Berkeley Residential Capacity Study  
City of Berkeley

|                              |      |      |   |      |      |      |
|------------------------------|------|------|---|------|------|------|
| <b>Vehicle Registrations</b> | 0.38 | 0.49 | 0 | 1.80 | 0.25 | 0.71 |
|------------------------------|------|------|---|------|------|------|

A handful of properties have 15 or more registrations while many have very few. Those properties with the least vehicle registrations per unit as illustrated in Figure 2 appear to be closer to downtown Berkeley.

Figure 2 – Vehicle Registrations per Unit

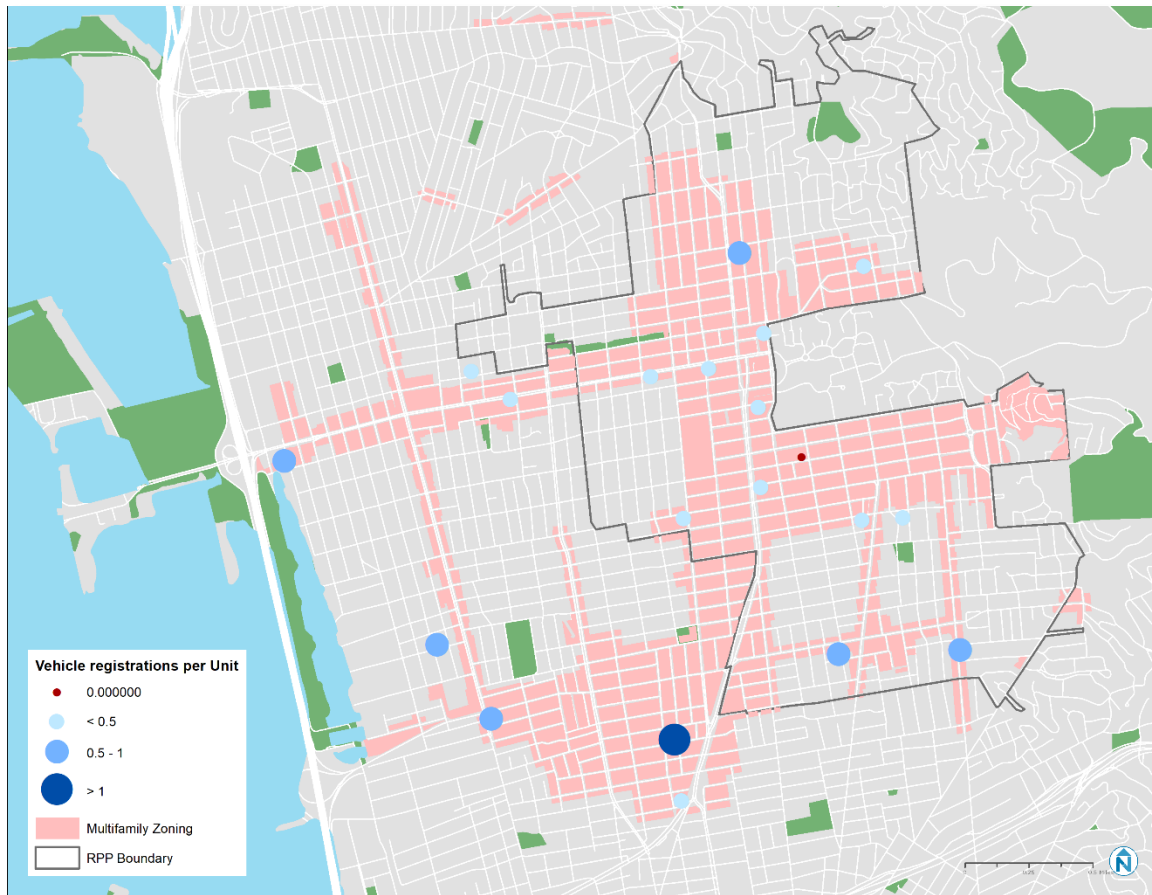
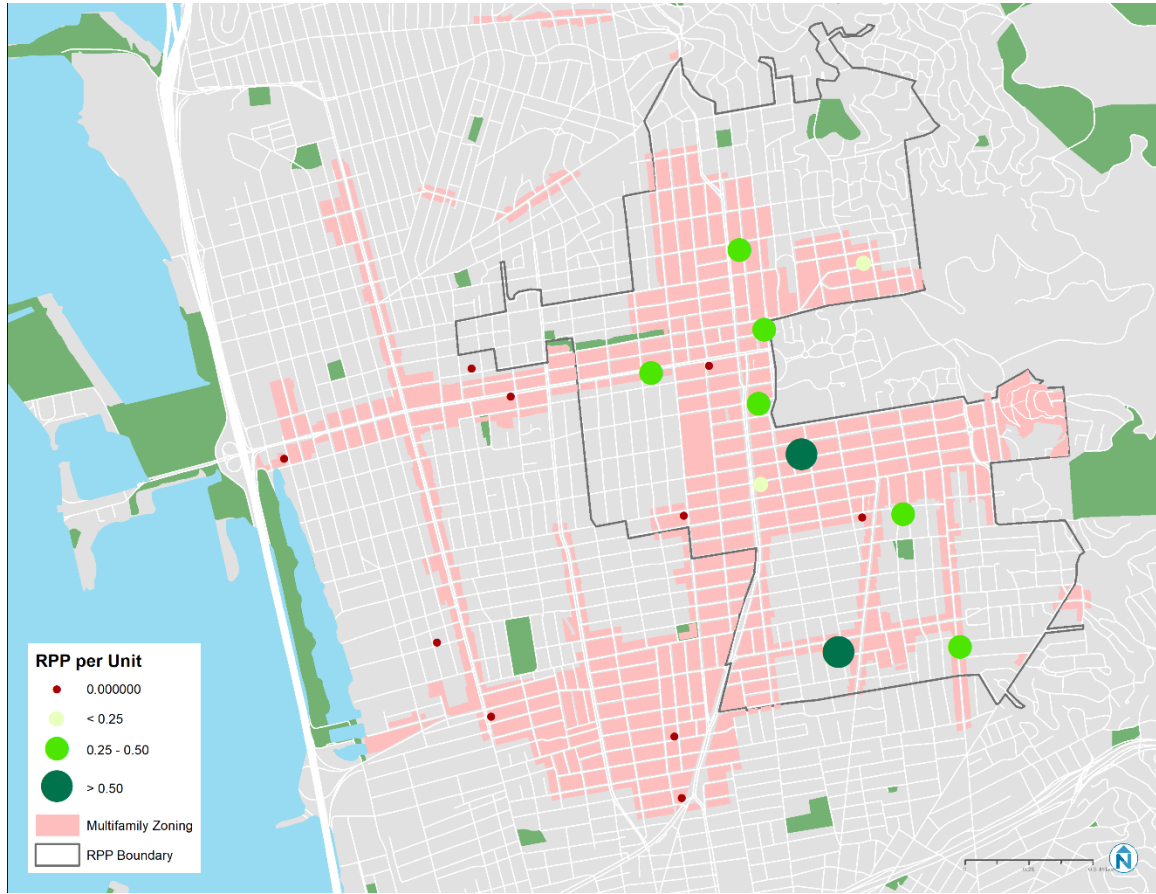


Figure 3 illustrates the distribution of residential preferential permit registrations per unit across the 20 study properties. Red dots indicate a property with no permits, while a large dark green dot indicates a ratio of more than 0.5 permit per unit. As to be expected, only properties within the RPP boundary are associated with residential permit registrations.

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City of Berkeley

Figure 3 - RPP per Unit



## PARKING ANALYSIS

The following analysis combines the different data sources and studies trends and patterns on parking supply and parking usage within the surveyed properties and their adjacent streets.

### Occupancy

The average parking occupancy across all properties is summarized in Table 4 at 55%. Diving deeper into per unit occupancy and occupancy rates illustrates greater differences in properties with affordable and market rate units.

Table 4 – Parking Occupancy Across all Properties

|            | Total # Spaces | Occupancy | Occupancy (%) |
|------------|----------------|-----------|---------------|
| On-Street  | 448            | 297       | 61%           |
| Off-Street | 592            | 279       | 54%           |
| Total      | 1040           | 576       | 55%           |

### Off-Street

Table 5 shows parking occupancy and supply by unit. Properties with affordable units also lower occupancy across all categories as compared to purely market rate. This is corroborated with research indicating that lower income/ affordable housing residents are more transit dependent and less likely to own a vehicle.<sup>2</sup>

Table 5 – Off-Street Parking Occupancy and Supply per Unit

|                          | Off-Street Supply | Off-Street Usage |
|--------------------------|-------------------|------------------|
| Average                  | 0.84              | 0.45             |
| Market rate              | 0.89              | 0.55             |
| Affordable/ Inclusionary | 0.78              | 0.33             |

Table 6 summarizes the range of occupancies across the properties. The mean and median off-street occupancy for all properties is 0.45 and 0.54 per unit respectively.

<sup>2</sup> <https://www.jtlu.org/index.php/jtlu/article/view/1129/986>

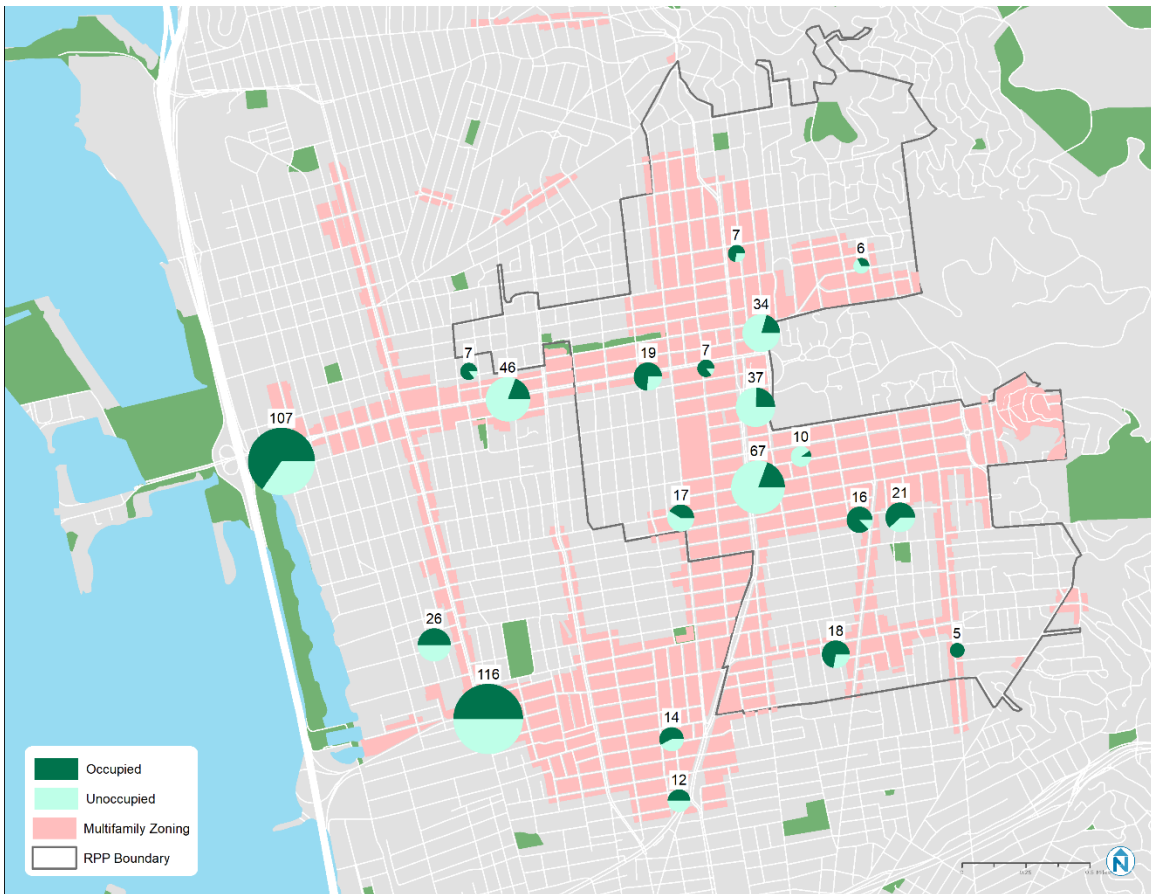
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Table 6 – Off-Street Parking Occupancy and Supply per Unit

|           | Median | Mean | Min  | Max  | 20 <sup>th</sup> percentile | 80 <sup>th</sup> percentile |
|-----------|--------|------|------|------|-----------------------------|-----------------------------|
| Supply    | 0.82   | 0.84 | 0.20 | 1.17 | 0.54                        | 1.15                        |
| Occupancy | 0.53   | 0.45 | 0.07 | 0.88 | 0.13                        | 0.73                        |

Figure 4 shows the distribution of off-street occupancy counts collected at the 20 study properties. The size of the pie chart indicates the total inventory of off-street parking available at the site and the dark green vs. light green is an indication of how much parking was occupied. There appears to be a larger proportion of unoccupied off-street parking when the buildings are located closer to UC Berkeley campus and the downtown area, which could be explained by student populations and proximity to BART.

Figure 4 - Off-Street Parking

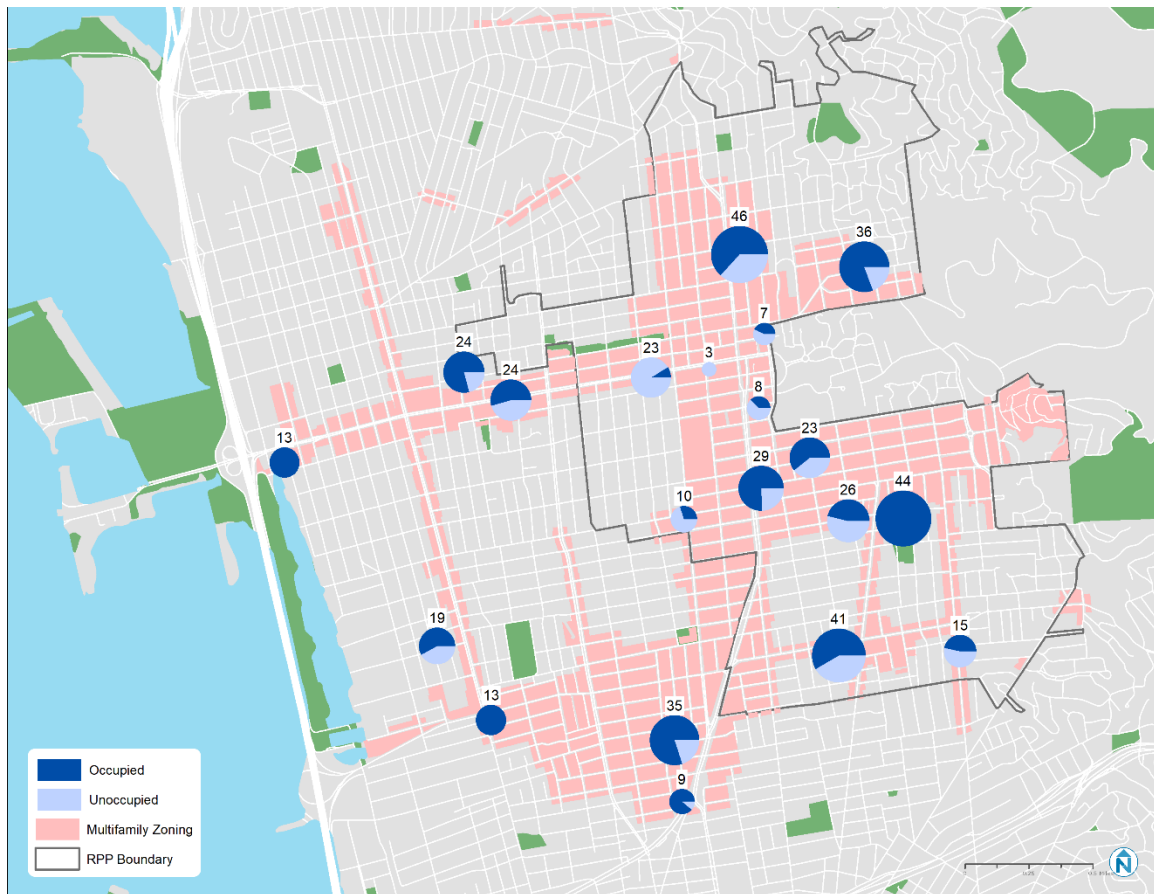


Note: Size of the pie chart and number on top indicate the total parking spaces

### On-Street

Figure 5 shows the distribution of on-street occupancy counts collected at the 20 study properties. On-street parking capacity in the areas around selected buildings was surveyed on the two blockfaces nearest the immediate pedestrian entrance to each property.<sup>3</sup> The size of the pie chart indicates the total inventory of on-street parking counted at the site and the dark blue vs. light blue is an indication of how much parking was occupied. Table 6 summarizes the range of occupancies across the properties. The average on-street occupancy for all properties was 61%. There did not appear to be any noticeable on-street occupancy pattern based on neighborhood.

Figure 5 - On-Street Parking



Note: Size of the pie chart and number on top indicate the total parking spaces

<sup>3</sup> In some cases where there were multiple entrances, inventory and occupancy at the immediate blockfaces on each entrance were collected.

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Table 7 – On-Street Parking Occupancy and Supply (# vehicles/ # spaces %)

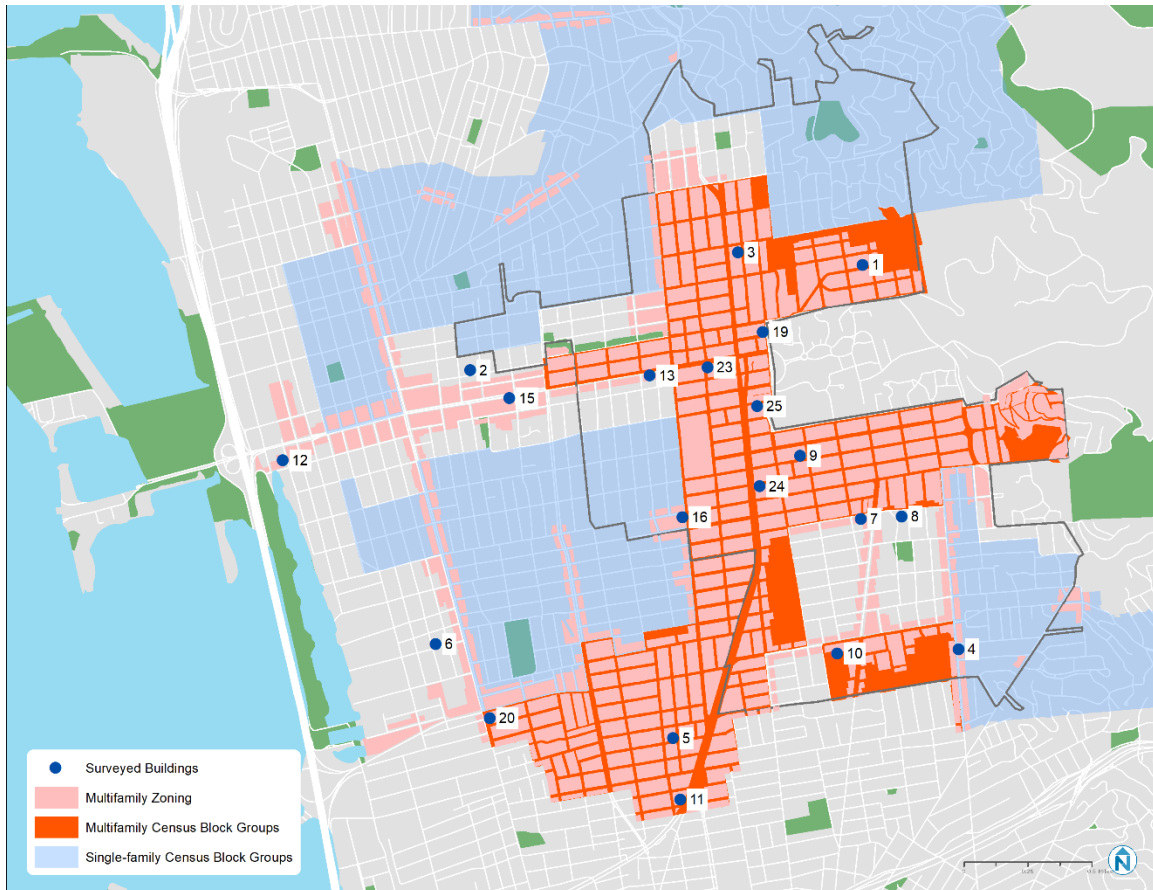
|               | Median | Mean | Min | Max  | 20 <sup>th</sup> percentile | 80 <sup>th</sup> percentile |
|---------------|--------|------|-----|------|-----------------------------|-----------------------------|
| Supply (#)    | 23     | 22   | 3   | 46   | 9.8                         | 35.2                        |
| Occupancy (#) | 13     | 14.9 | 0   | 44   | 3                           | 24.8                        |
| Occupancy (%) | 60%    | 61%  | 0%  | 100% | 42%                         | 82%                         |



## SOCIOECONOMIC ASSESSMENT

The project team evaluated characteristics of multifamily and single-family housing in Berkeley. This city-level assessment focused on aspects related to car-ownership that could provide context to the results of the parking capacity survey analysis. The team used 2017 American Community Survey (ACS) 5-year data at a census block group (CBG) level. A qualitative assessment was made to define CBGs as “multifamily housing” or “single-family housing,” based on the City of Berkeley zoning areas. CBGs were defined as either multifamily or single-family if one of the two types of land use covered most of the CBG. CBGs with an ambiguous mix of single-family and multifamily were excluded from the analysis. Figure 6 shows that most of the surveyed buildings (16) are located within multifamily zoning and in CBGs that the project team defined as multifamily. As a result, the socioeconomic assessment of the multifamily CBG (and its differences with single family areas) complement the conclusions from the survey and observation analysis.

Figure 6 – Multifamily Zoning and Census Block Groups



Note: Census block groups along the University corridor were neither defined as single nor multifamily since it was not clear the dominant zoning type in that CBG.

Figure 7 indicates that more than 40% of workers living in single-family CBGs drive alone to work as opposed to slightly more than 20% in multifamily CBGs. ACS data also shows that the share of workers walking to work in multifamily CBGs is higher (30%) than those living in single-family areas (7%).

Figure 7 - Means of transportation to work, multifamily vs single-family CBG

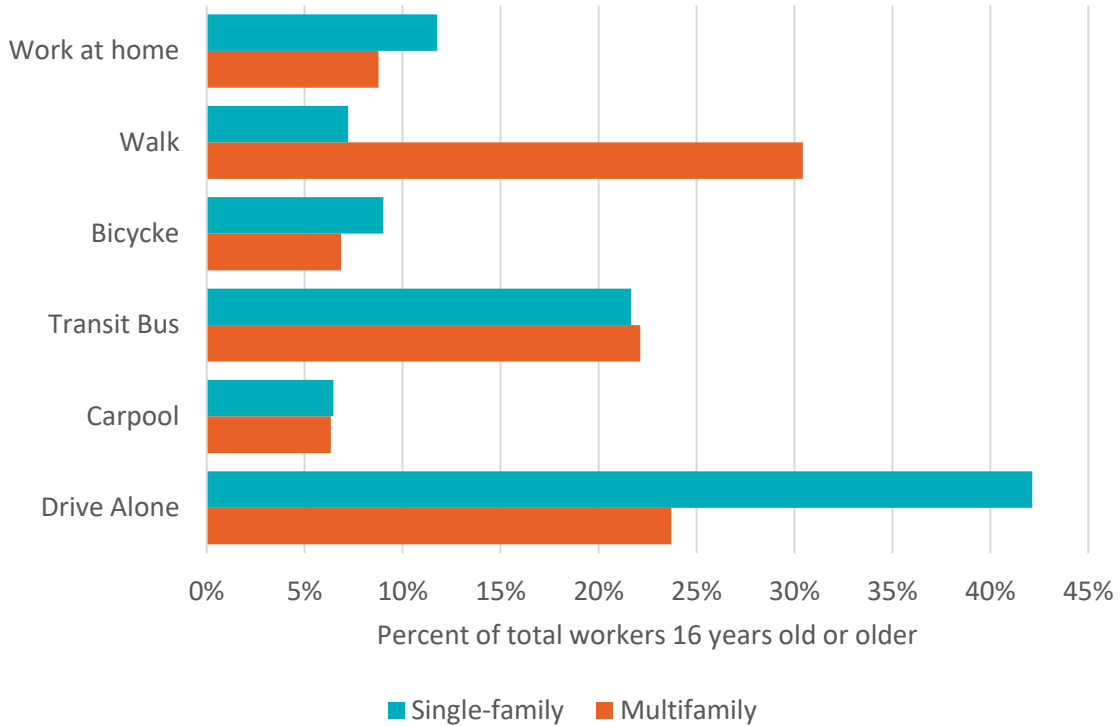


Figure 8 and Figure 9 show car-ownership by tenure in multifamily and single-family areas respectively. Approximately 40% of renters in multifamily areas do not have a car, double that of renters in single-family areas. Interestingly, homeowners show a similar car ownership pattern regardless of housing type. In multifamily housing areas, 89% of owners have at least one car, which is very close to the 95% of owners in single-family areas.

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Figure 8 – Vehicle ownership by tenure, multifamily CBG

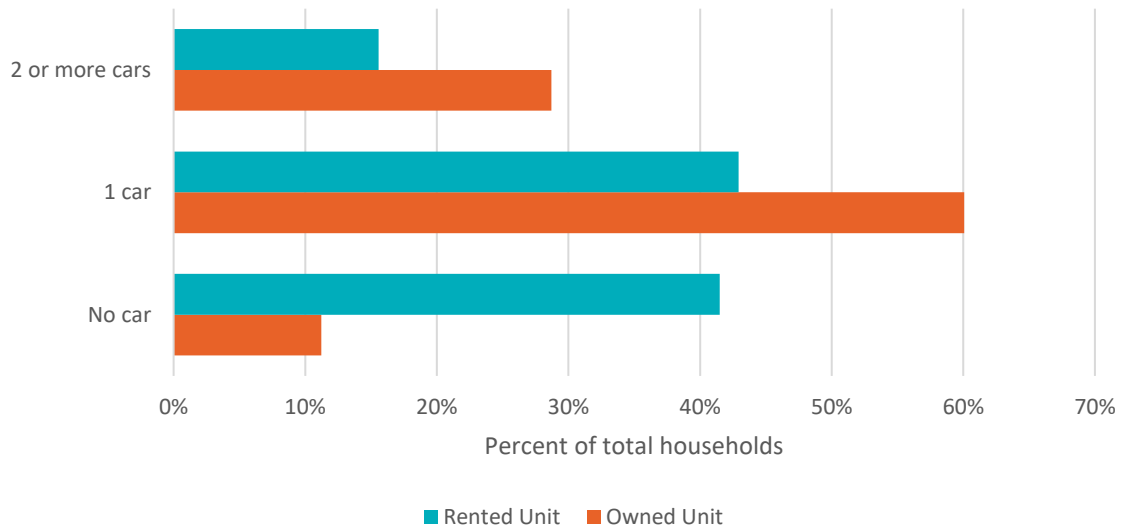
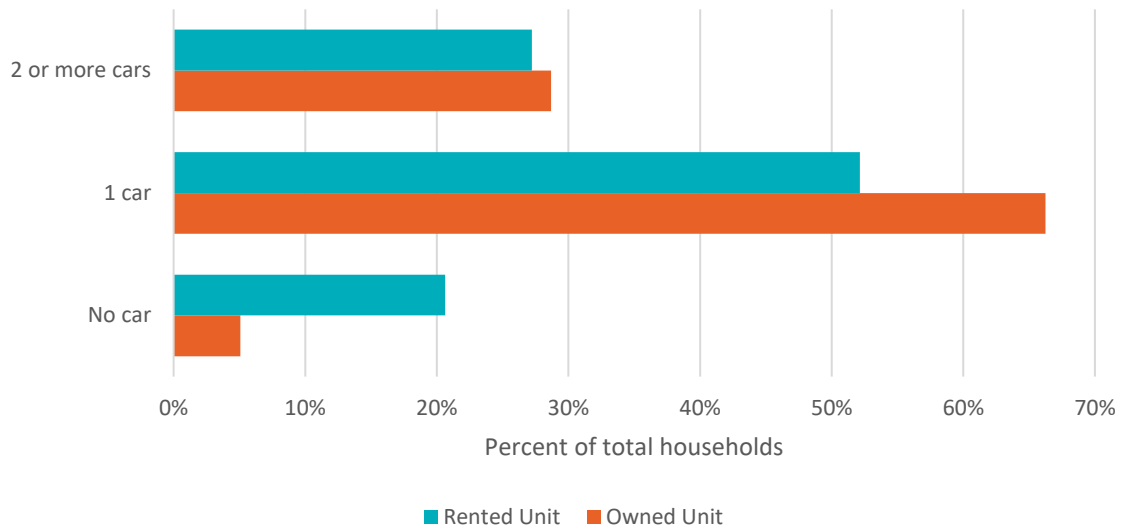


Figure 9 – Vehicle ownership by tenure, single-family CBG



## **APPENDICES**

- A. Property Survey Instrument
- B. Property Survey Parking Data



## Berkeley Parking Utilization Survey

Thank you very much for helping the Berkeley Planning Department by completing this survey. We expect this survey to only take about 5-10 minutes. After you submit the survey, we will contact you to arrange a visit to your building for a one-time parking count. If you have any questions about the survey or need any assistance, please contact Justin Horner, Associate Planner, at 510-981-7476 or [jhorner@cityofberkeley.info](mailto:jhorner@cityofberkeley.info)

\* 1. Residential Building Address

\* 2. Site Contact Name

\* 3. Site Contact Email

\* 4. Is there a Property Management Company?



## Berkeley Parking Utilization Survey

5. Name of the Management Company



## Berkeley Parking Utilization Survey

\* 6. Total Number of Residential Units

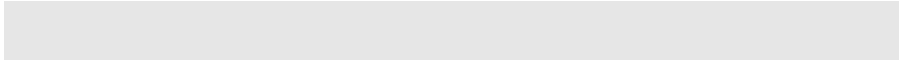
\* 7. Total Number of Occupied Residential Units

\* 8. Does this building have affordable residential units?



## Berkeley Parking Utilization Survey

\* 9. Total Number of Affordable Residential Units







## Berkeley Parking Utilization Survey

\* 10. Do you know how many residential units are occupied with residents that have vehicles?



## Berkeley Parking Utilization Survey

\* 11. Total number of residential units occupied by residents with vehicles



## Berkeley Parking Utilization Survey

\* 12. Total number of parking spaces designated for residential use

\* 13. Are there any parking spaces designated for residential use that are used by non-residents



## Berkeley Parking Utilization Survey

\* 14. Total number of spaces designated for residents that are used by non-residents



## Berkeley Parking Utilization Survey

\* 15. Do residents pay for on-site vehicle parking under separate agreement?

- Yes. Parking is rented/deeded separately
- No. Parking is free or included in rent or condo fee



## Berkeley Parking Utilization Survey

\* 16. Is the monthly cost of parking less or more than \$50/month?

- Less Than \$50
- More Than \$50
- N/A



## Berkeley Parking Utilization Survey

\* 17. Does your building offer any of the following benefits? (select all that apply)

- Secure Bike Parking
- Discounted Transit Passes for Residents
- On-site Car-share vehicles
- None of the Above
- Other (please specify)



## Berkeley Parking Utilization Survey

\* 18. What is the capacity of of your on-site bike parking (i.e. how may bikes can park)?





## Berkeley Parking Utilization Survey

\* 19. Do you think there are residents with cars who are parking off-site?

\* 20. Is there anything special or particular about residential parking in your building that you believe would be helpful for us to understand your building's situation better?

| ID | Residential Building Address              | Name of the Management Company | Total Number of Residential Units | Total Number of Occupied Residential Units | Does this building have affordable residential units? | Total Number of Affordable Residential Units | Do you know how many residential units are occupied with residents that have vehicles? | Total number of residential units occupied by residents with vehicles | Total number of parking spaces designated for residential use | Are there any parking spaces designated for residential use that are used by non-residents | Total number of spaces designated for residents that are used by non-residents | Do residents pay for on-site vehicle parking under separate agreement? | Is the monthly cost of parking less or more than \$50/month? | Does your building offer any of the following benefits? (select all that apply) |
|----|-------------------------------------------|--------------------------------|-----------------------------------|--------------------------------------------|-------------------------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------|
| ID | Open-Ended Response                       | Open-Ended Response            | Open-Ended Response               | Open-Ended Response                        | Response                                              | Open-Ended Response                          | Response                                                                               | Open-Ended Response                                                   | Open-Ended Response                                           | Response                                                                                   | Open-Ended Response                                                            | Response                                                               | Response                                                     | Secure Bike Parking                                                             |
| 1  | 2575 Le Conte Ave.                        | Premium Properties             | 11                                | 11                                         | No                                                    |                                              | Yes                                                                                    | 4                                                                     | 8                                                             | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               |                                                                                 |
| 2  | 1277 Hearst St.                           | Premium Properties             | 8                                 | 8                                          | No                                                    |                                              | Yes                                                                                    | 5                                                                     | 15                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               |                                                                                 |
| 3  | 1612 Walnut St.                           | Premium Properties             | 9                                 | 9                                          | No                                                    |                                              | Yes                                                                                    | 5                                                                     | 9                                                             | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 4  | 3001 College Ave.                         | Premium Properties             | 10                                | 10                                         | No                                                    |                                              | Yes                                                                                    | 6                                                                     | 10                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 5  | 3140 Ellis St.                            | Premium Properties             | 10                                | 10                                         | No                                                    |                                              | Yes                                                                                    | 5                                                                     | 7                                                             | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               |                                                                                 |
| 6  | 2777 9th St.                              | Premium Properties             | 21                                | 21                                         | No                                                    |                                              | Yes                                                                                    | 20                                                                    | 21                                                            | No                                                                                         |                                                                                | No. Parking is free or included in rent or cond                        |                                                              | Secure Bike Parking                                                             |
| 7  | 2414 Parker St.                           | Premium Properties             | 16                                | 16                                         | No                                                    |                                              | Yes                                                                                    | 9                                                                     | 16                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 8  | 2610 Hillegass Ave.                       | Premium Properties             | 23                                | 23                                         | No                                                    |                                              | Yes                                                                                    | 10                                                                    | 22                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 9  | 2239 Channing Way                         | Premium Properties             | 14                                | 14                                         | No                                                    |                                              | Yes                                                                                    | 0                                                                     | 6                                                             | Yes                                                                                        | 4                                                                              | Yes. Parking is rented/d                                               | More Than \$50                                               |                                                                                 |
| 10 | 2321 Webster St.                          | Premium Properties             | 18                                | 18                                         | No                                                    |                                              | Yes                                                                                    | 13                                                                    | 18                                                            | Yes                                                                                        | 1                                                                              | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 11 | 3380 Adeline St.                          | Premium Properties             | 14                                | 14                                         | No                                                    |                                              | Yes                                                                                    | 6                                                                     | 12                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 12 | 651 Addison St, Berkeley, CA 94710        | Avalonbay Communities          | 94                                | 89                                         | Yes                                                   | 4                                            | Yes                                                                                    | 85                                                                    | 101                                                           | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 13 | 1812 University Avenue Berkeley, CA 94703 | SG Real Estate                 | 44                                | 44                                         | Yes                                                   | 4                                            | No                                                                                     |                                                                       | 17                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 15 | 1370 university Ave                       | Equity Residential             | 71                                | 67                                         | Yes                                                   | 69                                           | No                                                                                     |                                                                       | 61                                                            | Yes                                                                                        | 4                                                                              | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 16 | 2500 Martin Luther King Jr., Way          |                                | 10                                | 10                                         | Yes                                                   | 2                                            | Yes                                                                                    | 9                                                                     | 10                                                            | No                                                                                         |                                                                                | No. Parking is free or included in rent or cond                        |                                                              | Secure Bike Parking                                                             |
| 19 | 1910 Oxford Street Berkeley CA 94704      | The Dinerstein Companies       | 56                                | 56                                         | Yes                                                   | 11                                           | No                                                                                     |                                                                       | 36                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 20 | 3015 San Pablo Ave                        | Gerding Edlen                  | 98                                | 92                                         | Yes                                                   | 15                                           | No                                                                                     |                                                                       | 100                                                           | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 23 | 2004 University Ave. Berkeley CA, 94704   | The Dinerstein Companies       | 35                                | 35                                         | Yes                                                   | 7                                            | No                                                                                     |                                                                       | 6                                                             | No                                                                                         | unknown                                                                        | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 24 | 2110 Haste St. Berkeley CA, 94704         | The Dinerstein Companies       | 100                               | 100                                        | Yes                                                   | 20                                           | No                                                                                     |                                                                       | 64                                                            | Yes                                                                                        | unknown                                                                        | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| 25 | 2116 Allston Way                          | The Dinerstein Companies       | 91                                | 91                                         | Yes                                                   | 18                                           | No                                                                                     |                                                                       | 40                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| x  | 2002 Addison St, Berkeley CA, 94704       | The Dinerstein Companies       | 27                                | 27                                         | Yes                                                   | 4                                            | No                                                                                     |                                                                       | 18                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| x  | 2020 Bancroft Way - 2025 Durant Avenue    | Everest Properties             | 105                               | 104                                        | No                                                    |                                              | Yes                                                                                    | 51                                                                    | 106                                                           | Yes                                                                                        | 40                                                                             | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| x  | 1627 University Ave Berkeley CA 94703     | The Dinerstein Companies       | 34                                | 32                                         | Yes                                                   | 6                                            | No                                                                                     |                                                                       | 21                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |
| x  | 1901 Dwight Way Berkeley, CA 94704        | SG Real Estate                 | 21                                | 21                                         | Yes                                                   | 3                                            | Yes                                                                                    | 12                                                                    | 14                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               |                                                                                 |
| x  | 2121 Dwight Way                           | Greystar                       | 99                                | 96                                         | Yes                                                   | 9                                            | No                                                                                     |                                                                       | 41                                                            | No                                                                                         |                                                                                | Yes. Parking is rented/d                                               | More Than \$50                                               | Secure Bike Parking                                                             |

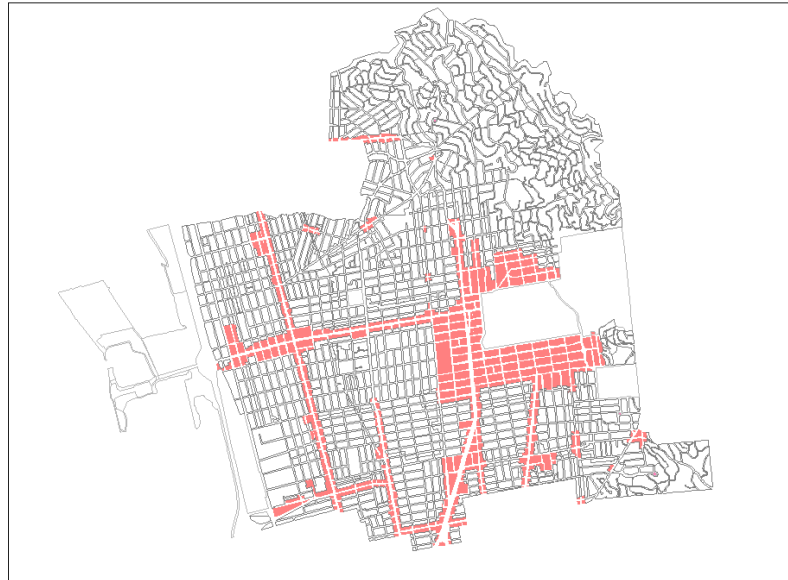
| ID | Residential Building Address              |                                         |               |                   |              | Capacity of of your on-site bike parking? | Are there residents with cars who are parking off-site? | Is there anything special or particular about residential parking in your building that you believe would be helpful for us to understand your building's situation better? | OFF Street   | OFF Street      | ON Street | ON Street       |
|----|-------------------------------------------|-----------------------------------------|---------------|-------------------|--------------|-------------------------------------------|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|-----------|-----------------|
| ID | Open-Ended Response                       | Discounted Tra                          | On-site Car-s | None of the Ab    | Other (pleas | Open-End                                  | Response                                                | Open-Ended Response                                                                                                                                                         | TOTAL Supply | TOTAL Occupancy | TOTAL S   | TOTAL Occupancy |
| 1  | 2575 Le Conte Ave.                        |                                         |               | None of the Above |              |                                           | Yes                                                     | No                                                                                                                                                                          | 6            | 2               | 36        | 29              |
| 2  | 1277 Hearst St.                           |                                         |               | None of the Above |              |                                           | Yes                                                     | No                                                                                                                                                                          | 7            | 6               | 24        | 19              |
| 3  | 1612 Walnut St.                           |                                         |               |                   |              | 4-5                                       | Yes                                                     | No                                                                                                                                                                          | 7            | 5               | 46        | 29              |
| 4  | 3001 College Ave.                         |                                         |               |                   |              | 2-3                                       | Yes                                                     | No                                                                                                                                                                          | 5            | 5               | 15        | 7               |
| 5  | 3140 Ellis St.                            |                                         |               | None of the Above |              |                                           | Yes                                                     | No                                                                                                                                                                          | 14           | 8               | 35        | 28              |
| 6  | 2777 9th St.                              |                                         |               |                   |              | Not sure                                  | Yes                                                     | No                                                                                                                                                                          | 26           | 13              | 19        | 11              |
| 7  | 2414 Parker St.                           |                                         |               |                   |              | Not sure                                  | Yes                                                     | No                                                                                                                                                                          | 16           | 14              | 26        | 12              |
| 8  | 2610 Hillegass Ave.                       |                                         |               |                   |              | Not sure                                  | Yes                                                     | No                                                                                                                                                                          | 21           | 13              | 44        | 44              |
| 9  | 2239 Channing Way                         |                                         |               | None of the Above |              |                                           | Yes                                                     | No                                                                                                                                                                          | 10           | 1               | 23        | 14              |
| 10 | 2321 Webster St.                          |                                         |               |                   |              | Not sure                                  | Yes                                                     | No                                                                                                                                                                          | 18           | 13              | 41        | 24              |
| 11 | 3380 Adeline St.                          |                                         |               |                   |              | Not sure                                  | Yes                                                     | No                                                                                                                                                                          | 12           | 6               | 9         | 8               |
| 12 | 651 Addison St, Berkeley, CA 94710        |                                         |               |                   |              | 27                                        | Yes                                                     | All parking spaces are in the garage & 42 are standard parking spaces with 8 spaces with EV charging stations & 59 stack parking spaces                                     | 107          | 70              | 13        | 13              |
| 13 | 1812 University Avenue Berkeley, CA 94703 |                                         |               |                   |              | 50                                        | Yes                                                     | Thank you                                                                                                                                                                   | 19           | 14              | 23        | 2               |
| 15 | 1370 university Ave                       |                                         |               |                   |              | 40                                        | Yes                                                     | Parking is \$150 per month in our building. Residents are all in affordable units so most residents park on the street surround building                                    | 46           | 9               | 24        | 13              |
| 16 | 2500 Martin Luther King Jr., Way          |                                         |               |                   |              | 30                                        | We ha                                                   | No                                                                                                                                                                          | 17           | 7               | 10        | 3               |
| 19 | 1910 Oxford Street Berkeley CA 94704      |                                         |               |                   |              | 20                                        | Yes                                                     | Parking is located in the garage which is gate controlled access. We have a Klaus system that allows multiple cars to park in the same space                                | 34           | 7               | 7         | 3               |
| 20 | 3015 San Pablo Ave                        |                                         |               |                   |              | 60                                        | Yes                                                     | matrix system - Matthews Mechanical                                                                                                                                         | 116          | 58              | 13        | 13              |
| 23 | 2004 University Ave. Berkeley CA, 94704   |                                         |               |                   |              | unknown                                   | Yes                                                     | We utilize a Klaus machine to optimize garage space                                                                                                                         | 7            | 6               | 3         | 0               |
| 24 | 2110 Haste St. Berkeley CA, 94704         |                                         |               |                   |              | unknown                                   | Yes                                                     | utilize Klaus machine to optimize space in garage                                                                                                                           | 67           | 13              | 29        | 22              |
| 25 | 2116 Allston Way                          |                                         |               |                   |              | unknown                                   | Yes                                                     | our building have a Klaus machine to optimize garage space                                                                                                                  | 37           | 9               | 8         | 3               |
| x  | 2002 Addison St, Berkeley CA, 94704       |                                         |               |                   |              | unknown                                   | Yes                                                     | We utilize a Klaus machine to optimize garage space                                                                                                                         | NA           | NA              | NA        | NA              |
| x  | 2020 Bancroft Way - 2025 Durant Avenue    |                                         |               |                   |              | 40                                        | No                                                      | Mix of outdoor and indoor spaces.                                                                                                                                           | NA           | NA              | NA        | NA              |
| x  | 1627 University Ave Berkeley CA 94703     |                                         |               |                   |              | 20                                        | Yes                                                     | Gated garage                                                                                                                                                                | NA           | NA              | NA        | NA              |
| x  | 1901 Dwight Way Berkeley, CA 94704        |                                         |               | None of the       |              |                                           | Yes                                                     | Thank you                                                                                                                                                                   | NA           | NA              | NA        | NA              |
| x  | 2121 Dwight Way                           | Discounted Transit Passes for Residents |               |                   |              | 50 +                                      | Yes                                                     | spots                                                                                                                                                                       | NA           | NA              | NA        | NA              |

## Parking Minimums At-A-Glance

- Excessive off-street parking requirements in multi-unit residential buildings have been associated with:
  - [Decreased residential densities](https://www.tandfonline.com/doi/abs/10.1080/10511482.2013.767851) -- parking spaces utilize developable square footage that could be used for dwelling units  
<https://www.tandfonline.com/doi/abs/10.1080/10511482.2013.767851>;
  - [Increased development costs](http://shoup.bol.ucla.edu/HighCost.pdf) -- off-street parking can be expensive to build and adds to the overall cost of a project  
<http://shoup.bol.ucla.edu/HighCost.pdf>;
  - [Increased private vehicle ownership and use](https://nyuscholars.nyu.edu/en/publications/does-residential-parking-supply-affect-household-car-ownership-th) – convenient (and inexpensive) parking may encourage car ownership and use  
<https://nyuscholars.nyu.edu/en/publications/does-residential-parking-supply-affect-household-car-ownership-th>.
  
- Surveys from across the country have indicated that multi-unit residential buildings generally include unused required off-street parking spaces.
  - King County, WA. [Right Sized Parking Survey](https://metro.kingcounty.gov/programs-projects/right-size-parking/pdf/rsp-final-report-8-2015.pdf): 38% of required parking was unused  
<https://metro.kingcounty.gov/programs-projects/right-size-parking/pdf/rsp-final-report-8-2015.pdf>
  - Washington DC. [Parking Utilization Study](https://planning.dc.gov/page/parking-utilization-study): 40% of required parking was unused  
<https://planning.dc.gov/page/parking-utilization-study>
  - Chicago. [Stalled Out](https://www.cnt.org/sites/default/files/publications/CNT_Stalled%20Out_0.pdf): 35% of required parking was unused  
[https://www.cnt.org/sites/default/files/publications/CNT\\_Stalled%20Out\\_0.pdf](https://www.cnt.org/sites/default/files/publications/CNT_Stalled%20Out_0.pdf)

- Berkeley conducted a [Parking Utilization Study](#) in October 2019 that focused on multi-unit residential projects of 10 or more units. These types of projects are only permitted in high-density residential districts (R-3 and above) and Commercial districts (see map below) – areas with access to transit and/or a mix of land uses and high walkability.

[https://cityofberkeley.info/uploadedFiles/PLANNING - New/Att%204\\_Parking%20Study.pdf](https://cityofberkeley.info/uploadedFiles/PLANNING_-_New/Att%204_Parking%20Study.pdf)



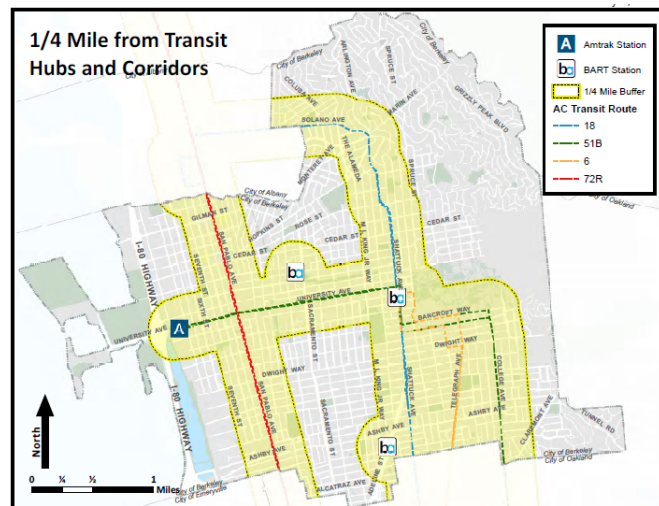
- Berkeley's *Parking Utilization Study* showed that only 54% off-street parking was occupied. It also showed that 60% of on-street parking spaces near surveyed buildings were occupied – suggesting that on-street parking “spillover” was not a concern.
- The *Parking Utilization Study* found that vehicle registration for surveyed buildings was 0.5 registrations per unit. This suggests that car-ownership in these areas of the city is lower than 1 car per unit, regardless of the number of residents in a unit.
- Reducing parking minimums does not mean that parking cannot be built; only that it is not required.

### Parking Maximums At-A-Glance

- Parking maximums limit the amount of land or building area that can be used for off-street vehicle parking. As with parking minimums, parking maximums encourage increased residential densities and can potentially lower the overall cost of development projects.
- Parking maximums are more commonly instituted for commercial development, although some jurisdictions have instituted residential parking maximums. Jurisdictions with residential parking maximums include:

| City              | Maximum                    | Notes                                                                             |
|-------------------|----------------------------|-----------------------------------------------------------------------------------|
| Minneapolis, MN   | 1.5 – 2/unit               | Maximums only apply to downtown zoning districts.                                 |
| Pasadena, CA      | 2/unit                     | Maximum only applies to Sierra Madre Villa Station TOD Area                       |
| Pasadena, CA      | 1.75/unit                  | Maximum only applies to TOD Areas and Central District                            |
| Pittsburgh, PA    | 2/unit                     | Maximum only applies to 1,000 acre Uptown Ecolnnovation District                  |
| San Francisco, CA | 0.5 -1.5/unit              | Maximum depends on zoning district. Maximum is 1.5/unit in most cases             |
| Vancouver, Canada | 125% of base zone standard | Maximums apply in Transit Overlay District only (urban centers and transit nodes) |

- There is no standard methodology for setting parking maximums, although they are typically somewhere in a range of 1.5 to 2 spaces per unit. Note that these levels generally exceed Berkeley's existing parking minimums. Donald Shoup, Professor of Urban Planning at UCLA and author of the *High Cost of Free Parking*, suggested changing off-street parking minimums to parking maximums as a simple measure to achieve more progressive parking regulations.
- Parking maximums are usually associated with specific zoning districts and/or in areas near transit. Below is a map showing areas of Berkeley within ¼ mile of high-frequency transit.

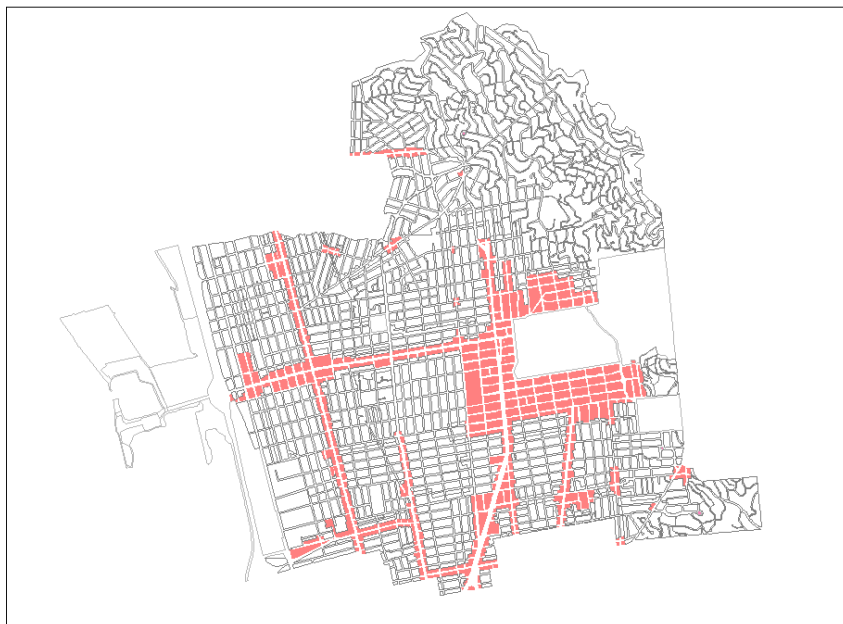


## Transportation Demand Management (TDM) At-A-Glance

- Transportation Demand Management (TDM) measures are intended to provide sustainable transportation alternatives for residents while reducing reliance on private vehicles. TDM measures are often implemented as part of parking reform packages to encourage, incentivize and sometimes subsidize, the shift from one transportation mode to another.
- TDM measures are already required in Berkeley for projects in the C-DMU district that do not supply required off-street parking. The City Council's 2016 [Green Development Requirements](https://www.cityofberkeley.info/uploadedFiles/PLANNING_-_New/Att2_GreenDevReferral.pdf) ([https://www.cityofberkeley.info/uploadedFiles/PLANNING\\_-\\_New/Att2\\_GreenDevReferral.pdf](https://www.cityofberkeley.info/uploadedFiles/PLANNING_-_New/Att2_GreenDevReferral.pdf)) referral specifically called for the expansion of the C-DMU's TDM measures citywide on large residential projects.
- Planning Commission considered two main approaches to TDM: 1) a menu-based approach, similar to [San Francisco's TDM program](https://sfplanning.org/transportation-demand-management-program) (<https://sfplanning.org/transportation-demand-management-program>), which allows a project sponsor to pick among a number of TDM measures; and 2) a proscriptive approach, which dictates which TDM measures would be required. They also considered Transform's [GreenTRIP Certification](https://www.transformca.org/landing-page/greentrip-certification-program) (<https://www.transformca.org/landing-page/greentrip-certification-program>) program.
- Planning Commission selected a proscriptive approach that provides clarity to applicants and residents, screened the required TDM measures for effectiveness, and ensured that the program would be relatively easy for staff to administer.
- The four TDM measures proposed as part of Berkeley Parking Reform package are listed below with a brief rationale:
  - **Off-street bicycle parking will be required for residential projects.** These requirements are taken directly from the recommendations included in the adopted 2017 *Berkeley Bike Plan*.
  - **Transit passes will be required for building residents.** This TDM measure is already established in the C-DMU district. Provision of transit passes has been shown to be an [effective tool in reducing private vehicle use](http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf) (<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>) and a welcome benefit by residents.
  - **Off-street parking will need to be "unbundled" from housing costs.** The required sale or rental of off-street parking, separate from the cost of a dwelling unit, mirrors a TDM measure already required in the C-DMU district. The City's *Parking Utilization Study* revealed that unbundled parking is a common practice among multi-unit building owners in Berkeley, but it is currently not a requirement in all projects.
  - **Real-time transportation information monitors will be required.** This is a simple, and easily implemented, low-cost method to provide transportation options to building residents and visitors using web-based information services.

## Residential Preferential Parking (RPP) Permits At-A-Glance

- The [RPP program](https://www.cityofberkeley.info/Customer_Service/Home/RPP_Residential_Preferential_Parking.aspx) is administered by the Transportation Division in the Department of Public Works. [https://www.cityofberkeley.info/Customer\\_Service/Home/RPP\\_Residential\\_Preferential\\_Parking.aspx](https://www.cityofberkeley.info/Customer_Service/Home/RPP_Residential_Preferential_Parking.aspx)
- The cost of an RPP parking permit, available to residents with cars registered to Berkeley addresses, is \$66 per year. Residents may request up to three parking permits per dwelling unit – and may request to exceed this limit through an appeal process. RPP permits are also available to merchants and in-home care providers.
- The City of Berkeley currently limits RPP permits in [BMC 14.72.080.C](https://www.codepublishing.com/CA/Berkeley/html/Berkeley14/Berkeley1472/Berkeley1472080.html#14.72.080) for projects that provide less parking than required to mitigate any potential impacts to on-street parking. <https://www.codepublishing.com/CA/Berkeley/html/Berkeley14/Berkeley1472/Berkeley1472080.html#14.72.080>
- In the C-DMU and the Car-Free Housing Overlay in the Southside Plan Area, residents of new projects that do not include parking cannot obtain RPP permits.
- If the City Council eliminates minimum parking requirements for projects of 10 or more units in high density residential and commercial districts citywide, restrictions on RPP permits should be similarly expanded to apply existing policy consistently.
- Berkeley conducted a [Parking Utilization Study](https://cityofberkeley.info/uploadedFiles/PLANNING_-_New/Att%204_Parking%20Study.pdf) (October 2019) that focused on multi-unit residential projects of 10 or more units. These types of projects are only permitted in high-density residential districts (R-3 and above) and Commercial districts (see map below) – districts with access to transit and/or a mix of land uses and high walkability. [https://cityofberkeley.info/uploadedFiles/PLANNING\\_-\\_New/Att%204\\_Parking%20Study.pdf](https://cityofberkeley.info/uploadedFiles/PLANNING_-_New/Att%204_Parking%20Study.pdf)





- Berkeley's *Parking Utilization Study* showed that only 54% off-street parking was occupied. It also showed that 60% of on-street parking spaces near surveyed buildings were occupied – suggesting that on-street parking “spillover” was not a concern when residential projects are not fully parked.



Planning Commission

## FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING March 4, 2020

The meeting was called to order at 7:02 p.m

**Location:** South Berkeley Senior Center, Berkeley, CA

### 1. ROLL CALL:

**Commissioners Present:** Benjamin Beach (left at 9:15pm), Robb Kapla, Shane Krpata, Mary Kay Lacey, Steve Martinot, Christine Schildt (left at 9:15pm), Jeff Vincent, Brad Wiblin (arrived at 7:10), and Rob Wrenn.

**Commissioners Absent:** None.

**Staff Present:** Secretary Alene Pearson, Katrina Lapira, and Justin Horner.

2. **ORDER OF AGENDA:** No changes.

3. **PUBLIC COMMENT PERIOD:** 0

### 4. PLANNING STAFF REPORT:

- ZORP Subcommittee Meeting - February 24, 2020
- JSISHL Commission Meeting - February 26, 2020
- Next Adeline Corridor Subcommittee Meeting - March 18, 2020
- Recommended Zoning Ordinance Amendments at City Council - March 24, 2020
- Next Planning Commission Meeting - April 1, 2020
- Emergency Operations Center (EOC) activation in response to COVID- 19. Visit <https://www.cityofberkeley.info/coronavirus/> for most up-to-date information.

### Information Items:

- Comprehensive Cannabis
  - City Council Meeting Annotated Agendas – January 28 + February 11, 2020
  - City Council Staff Report – January 28, 2020

### Communications:

- February 6 – Dumler, Southside EIR
- February 13 – Gold, Parking Reform
- February 13 – Trauss, Southside EIR
- February 21 – Siegel, Parking Reform



Staff discussed proposed Zoning Ordinance amendments that eliminate parking requirements, establish parking maximums, establish transportation demand management (TDM) requirements, and codify bicycle parking requirements from the 2017 Berkeley Bicycle Plan. The Commission adopted the majority of the proposed draft Zoning Ordinance amendments with modifications noted in the motions. Planning Commission asked to revisit accessibility parking requirements at a future date.

Motion/Second/Carried (Wrenn/Vincent) to adopt proposed draft Zoning Ordinance amendments to eliminate parking minimums with modifications to 1) maintain off-street parking requirements for residential projects in the Hillside Overlay on roads less than 26 feet in width; and 2) provide an option to waive these requirements with the approval of an Administrative Use Permit if conditions outlined by the Fire Department are met.

Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wrenn, and Wiblin. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

Motion/Second/Carried (Vincent/Wrenn) to adopt proposed draft Zoning Ordinance amendments to implement parking maximums with modifications to 1) exempt projects with a majority of deed-restricted affordable units; and 2) exempt projects in the Hillside Overlay on streets that are less than 26 feet in width.

Ayes: Kapla, Krpata, Lacey, Martinot, Vincent, Wrenn, and Wiblin. Noes: None. Abstain: None. Absent: Beach and Schildt. (7-0-0-2)

Motion/Second/Carried (Wrenn/Kapla) to adopt proposed draft Zoning Ordinance amendments to implement transportation demand management (TDM) requirements with modifications to 1) require 1 monthly transit pass per bedroom, with a maximum of 2 passes for projects with less than 100 units; 2) require 1 transit pass per bedroom for projects with 100 units or more; and 3) exclude, in all zoning districts, new projects of 5 or more units from the Residential Preferential Parking (RPP) program.

Ayes: Kapla, Krpata, Lacey, Martinot, Vincent, and Wrenn. Noes: Wiblin. Abstain: None. Absent: Beach and Schildt. (6-1-0-2)

Motion/Second/Carried (Kapla/Wiblin) to adopt proposed draft Zoning Ordinance amendments to accept technical edits and minor changes to the Variance Chapter.

Ayes: Kapla, Krpata, Lacey, Martinot, Vincent, Wrenn, and Wiblin. Noes: None. Abstain: None. Absent: Beach and Schildt. (7-0-0-2)

**Public Comments: 8**

**10. Discussion: Planning Commission Workplan**

Staff gave an overview of agenda materials.

**Public Comments: 0**

**11. Discussion: May 20, 2020 Special Meeting**

Planning Commission discussed potential dates for a Special Meeting to discuss the Adeline Corridor Specific Plan. Staff will poll Commissioners and announce final date via email.

**Public Comments: 0**

Motion/Second/Carried (Kapla/Wiblin) to close the public hearing at 10:17pm.

Ayes: Kapla, Krpata, Lacey, Martinot, Vincent, Wrenn, and Wiblin. Noes: None. Abstain: None.  
Absent: Beach and Schildt. (7-0-0-2)

**The meeting was adjourned at 10:33pm**

**Commissioners in attendance: 9**

**Members in the public in attendance: 13**

**Public Speakers: 8 speakers**

**Length of the meeting: 3 hours and 31 minutes**

**Alene Pearson**

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Alene Pearson  
Planning Commission Secretary

**7/6/2020**

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Date



**NOTICE OF PUBLIC HEARING  
BERKELEY CITY COUNCIL  
PUBLIC PARTICIPATION BY REMOTE VIDEO ONLY**

AMENDING TITLE 14 AND TITLE 23 TO MODIFY MINIMUM RESIDENTIAL OFF-STREET PARKING REQUIREMENTS, IMPOSE RESIDENTIAL PARKING MAXIMUMS IN TRANSIT-RICH AREAS, INSTITUTE TRANSPORTATION DEMAND MANAGEMENT (TDM) REQUIREMENTS AND AMEND THE RESIDENTIAL PREFERENTIAL PARKING (RPP) PERMIT PROGRAM

The hearing will be held on December 1, 2020 at 6:00 p.m. The hearing will be held via videoconference pursuant to Governor's Executive Order N-29-20.

The Department of Planning and Development is proposing to amend the Berkeley Municipal Code in order to encourage housing development and the use of sustainable transportation options by:

- 1) Modifying minimum residential off-street parking requirements;
- 2) Imposing parking maximums in transit-rich areas;
- 3) Instituting Transportation Demand Management (TDM) requirements; and
- 4) Amending the Residential Preferential Parking (RPP) permit program.

The ordinance would modify BMC Chapters 14.72, 23B.44, 23D.12, 23D.16, 23D.20, 23D.28, 23E.28, 23D.32, 23D.36, 23D.40, 23D.44, 23D.48, 23D.52, 23E.28, 23E.64, 23E.68, 23E.80, and 23E.84, and would create two new BMC Chapters 23C.18 [Transportation Demand Management] and 23C.19 [Off-street Parking Maximums for Residential Development].

A copy of the agenda material for this hearing will be available on the City's website at [www.CityofBerkeley.info](http://www.CityofBerkeley.info) as of **November 19, 2020**. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology.**

For further information, please contact Alene Pearson, Principal Planner, Planning and Development Department at 510-981-7489 or [apearson@cityofberkeley.info](mailto:apearson@cityofberkeley.info).

Written comments should be mailed directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or emailed to [council@cityofberkeley.info](mailto:council@cityofberkeley.info) in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact

information to be made public, you may deliver communications via U.S. Postal Service. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info) for further information.

**Published:** November 20, 2020 – The Berkeley Voice

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on November 19, 2020.

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Mark Numainville, City Clerk