



Planning Commission

AGENDA

SPECIAL MEETING OF THE PLANNING COMMISSION

[Click here to view the entire Agenda Packet](#)

**Wednesday, September 30, 2020
7:00 PM**

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the Planning Commission (PC) will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://zoom.us/j/97055841131>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

To join by phone: Dial **1 669 900 6833** and enter Meeting ID: **970 5584 1131**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

Please be mindful that the video conference and teleconference will be recorded. All rules of procedure and decorum that apply for in-person Planning Commission meetings apply for Planning Commission meetings conducted by teleconference or videoconference.

See **"MEETING PROCEDURES"** below.

All written materials identified on this agenda are available on the Planning Commission webpage: https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx

PRELIMINARY MATTERS

- 1. Roll Call:** **Wiblin, Brad**, appointed by Councilmember Kesarwani, District 1
Martinot, Steve, appointed by Councilmember Davila, District 2
Schildt, Christine, appointed by Councilmember Bartlett, District 3
Lacey, Mary Kay, Vice Chair, appointed by Councilmember Harrison, District 4
Beach, Benjamin, appointed by Councilmember Hahn, District 5
Kapla, Robb, Chair, appointed by Councilmember Wengraf, District 6
Krpata, Shane, appointed by Councilmember Robinson, District 7
Vincent, Jeff, appointed by Councilmember Droste, District 8
Wrenn, Rob, appointed by Mayor Arreguin

2. **Order of Agenda:** The Commission may rearrange the agenda or place items on the Consent Calendar.
3. **Public Comment:** Comments on subjects not included on the agenda. Speakers may comment on agenda items when the Commission hears those items. (See “Public Testimony Guidelines” below):
4. **Planning Staff Report:** In addition to the items below, additional matters may be reported at the meeting.
5. **Chairperson’s Report:** Report by Planning Commission Chair.
6. **Committee Reports:** Reports by Commission committees or liaisons. In addition to the items below, additional matters may be reported at the meeting.
7. **Approval of Minutes:** [Approval of Draft Minutes from the meeting on September 16, 2020.](#)
8. **Future Agenda Items and Other Planning-Related Events:**

AGENDA ITEMS: All agenda items are for discussion and possible action. Public Hearing items require hearing prior to Commission action.

9. **Action:** **Continued Public Hearing: DRAFT Adeline Corridor Plan**
Recommendation: Continue a public hearing that began on September 16 to consider recommending to City Council adoption of the Adeline Corridor Specific Plan (with amendments) and associated General Plan and Zoning Ordinance amendments and certifying the Final Environmental Impact Report (FEIR) on the Adeline Corridor Specific Plan.
Written Materials: [Linked](#)
Presentation: [Linked](#)

ADDITIONAL AGENDA ITEMS: In compliance with Brown Act regulations, no action may be taken on these items. However, discussion may occur at this meeting upon Commissioner request.

Information Items:

- None

Communications:

- [September 21 – Staff, September 16 - Adeline Public Comment List](#)
- [September 19 – Thomas, Southside Plan](#)
- [September 18 – Berkeley Tenants Union, Adeline Corridor Plan](#)
- [September 18 – Berkeley Tenants Union, Social Housing](#)
- [September 14 – Collins, Adeline Corridor Plan](#)
- [September 17 – Selawsky, Adeline Corridor Plan](#)
- [September 17 – Goldmacher, Adeline Corridor Plan](#)
- [September 14 – Wrenn, Adeline Corridor Plan](#)

Late Communications: (Received after the packet deadline):

- Supplemental Packet One – received by noon two days before the meeting
- Supplemental Packet Two – received by 5pm the day before the meeting
- Supplemental Packet Three – received after 5pm the day before the meeting

ADJOURNMENT

****** MEETING PROCEDURES ******

Public Testimony Guidelines:

All persons are welcome to attend the virtual meeting and will be given an opportunity to address the Commission. Speakers are customarily allotted up to three minutes each. The Commission Chair may limit the number of speakers and the length of time allowed to each speaker to ensure adequate time for all items on the Agenda. Customarily, speakers are asked to address agenda items when the items are before the Commission rather than during the general public comment period. Speakers are encouraged to submit comments in writing. See “Procedures for Correspondence to the Commissioners” below.

Procedures for Correspondence to the Commissioners:

All persons are welcome to attend the virtual hearing and will be given an opportunity to address the Commission. Comments may be made verbally at the public hearing and/or in writing before the hearing. The Commission may limit the time granted to each speaker.

Written comments must be directed to the Planning Commission Secretary at the Land Use Planning Division (Attn: Planning Commission Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, or via e-mail to: apearson@cityofberkeley.info. All materials will be made available via the Planning Commission agenda page online at this address: <https://www.cityofberkeley.info/PC/>.

Correspondence received by **12 noon, nine days** before this public hearing, will be included as a Communication in the agenda packet. Correspondence received after this deadline will be conveyed to the Commission and the public in the following manner:

- Correspondence received by **12 noon two days** before this public hearing, will be included in a Supplemental Packet, which will be posted to the online agenda as a Late Communication and emailed to Commissioners one day before the public hearing.
- Correspondence received by **5pm one day** before this public hearing, will be included in a second Supplemental Packet, which will be posted to the online agenda as a Late Communication and emailed to the Commissioners by 5pm on the day of the public hearing.
- Correspondence received **after 5pm one day** before this public hearing will be saved as part of the public record in an additional supplemental packet posted to the online agenda.

Note: It will not be possible to submit written comments at the meeting.

Communications are Public Records: Communications to Berkeley boards, commissions, or committees are public records 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 a City board, commission, or committee, 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, or in person, to the Secretary of the relevant board, commission, or committee. 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 Secretary to the relevant board, commission, or committee for further information.

Communication Access: To request a meeting agenda in large print, Braille, or on audiocassette, or to request a sign language interpreter for the meeting, call (510) 981-7410 (voice), or 981-6903 (TDD). Notice of at least five (5) business days will ensure availability.

Note: If you object to a project or to any City action or procedure relating to the project application, any lawsuit which you may later file may be limited to those issues raised by you or someone else in the public hearing on the project, or in written communication delivered at or prior to the public hearing. The time limit within which to commence any lawsuit or legal challenge related to these applications is governed by Section 1094.6, of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.

Meeting Access: To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist, at 981-6418 (V) or 981-6347 (TDD), at least three (3) business days before the meeting date.

I hereby certify that the agenda for this regular meeting of the Planning Commission 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 **September 23, 2020**.

Alene Pearson
Planning Commission Secretary



Planning Commission

1 **DRAFT MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING**
2 **September 16, 2020**

3 The meeting was called to order at 7:03 p.m.

4 **Location:** Virtual meeting via Zoom

5 **1. ROLL CALL:**

6 **Commissioners Present:** Benjamin Beach, Robb Kapla, Shane Krpata, Mary Kay Lacey,
7 Steve Martinot, Christine Schildt, Jeff Vincent (arrived at 7:20), Brad Wiblin, and Rob Wrenn.

8 **Commissioners Absent:** None.

9 **Staff Present:** Secretary Alene Pearson, Katrina Lapira, Paola Boylan, Alisa Shen, and
10 Jordan Klein.

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

12 **3. PUBLIC COMMENT PERIOD:** 0

13 **4. PLANNING STAFF REPORT:**

- 14
- 15 • September 23 – Special Planning Commission Meeting cancelled
- 16 • September 30 – Special Planning Commission Meeting to continue public hearing on the
- 17 Draft Adeline Corridor Plan, if necessary

18 **Information Items:**

- 19 • None

20

21 **Communications:**

- 22 • September 3 – Staff, Meeting Updates
- 23 • September 3 – Carr, Southside Plan

24

25 **Late Communications:** *See agenda for links.*

- 26 • Supplemental Packet One
- 27 • Supplemental Packet Two
- 28 • Supplemental Packet Three (Read aloud at the meeting)

29 **5. CHAIR REPORT:**

- 30 • Mention of the climate change/ acknowledging the impacts of climate change especially
31 on communities of color
32

33 **6. COMMITTEE REPORT:** Reports by Commission committees or liaisons. In addition to the
34 items below, additional matters may be reported at the meeting.
35

- 36 • None

37 **7. APPROVAL OF MINUTES:**

38 Motion/Second/Carried (Wiblin/Martinot) to approve the Planning Commission Meeting
39 Minutes from September 2, 2020.

40
41 Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wrenn, and Wiblin. Noes: None.
42 Abstain: None. Absent: None. (9-0-0-0)

43

44 **FUTURE AGENDA ITEMS AND OTHER PLANNING-RELATED EVENTS:**

- 45 • None

46 **AGENDA ITEMS**

47 **9. Action:** *Public Hearing: Home Occupations*

48 Staff discussed the proposed amendments to the Home Occupations ordinance, which focus on
49 modifications to enforcement protocols and updating definitions and findings, customer visits,
50 and shipping and receiving. The Planning Commission discussed levels of discretionary permits
51 related third- party shipping and receiving practices with regard to the potential impact to
52 residential neighborhood circulation.

53 **Public Comments: 2**

54 Motion/Second/Carried (Schildt/Krpata) to adopt staff's recommendation with amendments
55 to lines 272 (removal of "receiving") and lines 72 / 73 (addition of language that protects
56 bicycle access within the vicinity of the home occupation).

57
58 Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wrenn, and Wiblin. Noes:
59 None. Abstain: None. Absent: None. (9-0-0-0)
60

61 Motion/Second/Carried (Kapla/Wrenn) to close the public hearing at 7:59pm.

62
63 Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wrenn, and Wiblin. Noes:
64 None. Abstain: None. Absent: None. (9-0-0-0)
65

66

67

68 **10. Action:** ***Public Hearing: DRAFT Adeline Corridor Plan***

69 Related to the draft plan, staff provided background information on the planning process, an
70 overview of the different chapters within the plan, noting stated goals and policies, and reviewed
71 related documents under review. After staff's presentation, the Planning Commission received
72 public comment.

73 **Public Comments: 32**

74 Motion/Second/Carried (Wrenn/Martinot) to continue the public hearing of the Draft Adeline
75 Corridor Plan to a Special Planning Commission meeting on September 30, 2020 and to
76 include language in the agenda that notes the guidelines for receiving public comment.

77

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

80

81 **Members in the public in attendance: 70**

82 **Public Speakers: 37 speakers**

83 **Length of the meeting: 4 hours and 29 minutes**



Planning and Development
Department Land Use Planning Division

MEMORANDUM

DATE: September 16, 2020

TO: Members of the Planning Commission

FROM: Alisa Shen, Principal Planner

SUBJECT: Conduct A Public Hearing to Consider Recommending to the City Council Adoption of the Adeline Corridor Specific Plan and associated General Plan and Municipal Code (Zoning) Amendments (collectively called “Related Actions”) and Certifying the Final Environmental Impact Report (FEIR) on the Adeline Corridor Specific Plan and Related Actions

SUMMARY

The purpose of this public hearing is to receive comments from the Planning Commission and the public on the Final Environmental Impact Report of the Draft Adeline Corridor Specific Plan (“FEIR”), the Final Adeline Corridor Specific Plan (“Final Plan”), General Plan map and text amendments, Municipal Code and Zoning Map amendments (collectively called “Related Actions”), before considering the following actions:

1. Recommend that the City Council adopt the ACSP (as revised), General Plan and Municipal Code and map amendments in **Attachments A, B and C**;
2. Recommend adoption of the CEQA findings for the Adeline Corridor Specific Plan (ACSP) and General Plan and Municipal Code and Map amendments in **Attachment D**, which include certification of the FEIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
3. Recommend adoption of the Mitigation and Monitoring Reporting Program (MMRP) in **Attachment E**;
4. Recommend that the City Council consider a set of companion recommendations from the Planning Commission (**Attachment F**);
5. Authorize staff to make non-substantive, technical conforming edits (e.g. correction of typographical errors and/or clerical errors) to the ACSP, including but not limited to page, figure or table numbering, or zoning regulations in the Municipal Code that may have been overlooked in deleting old sections and cross-referencing new sections of the proposed Adeline Corridor zoning district

prior to formal publication of the amendments in the Berkeley Municipal Code, and to return to the Planning Commission for major revisions only;

6. Authorize staff to create updated versions of the ACSP Implementation Plan (Chapter 8, Table 8.1) as part of the annual progress report on implementation actions to reflect prevailing changes in laws, economic conditions, and the availability of City and other funding sources, which could potentially affect timeframes, responsibilities and potential funding mechanisms.

I. ADELINE CORRIDOR SPECIFIC PLAN AND ASSOCIATED DOCUMENTS

The following documents are under review and consideration by the Planning Commission:

- Revised Draft Adeline Corridor Specific Plan (ACSP), which consists of the May 2019 Public Review Draft, superseded by excerpted sections with revisions shown in ~~strikeout~~/underline text (**Attachment A**)¹;
- Amendments to the Zoning Ordinance, Zoning Map, General Plan and General Plan Map (**Attachments B and C**);
- Environmental Impact Report (EIR) on the above, consisting of the Draft EIR and Response to Comments Document/Final EIR;^{2,3}
- California Environmental Quality Act (CEQA) findings and Mitigation Monitoring Report Program (**Attachments D and E**);
- “Companion Recommendation” from the Planning Commission’s Adeline Corridor Subcommittee (**Attachment F**)

Key components of the Specific Plan and General Plan and zoning amendments are summarized below. The EIR, CEQA findings and MMRP are described below in section V. Environmental Review of this memorandum.

A. Revised Draft Adeline Corridor Specific Plan

The Draft ACSP and the Draft Environmental Impact Report (DEIR) was presented to the Planning Commission at its June 5, 2019 meeting. A detailed summary of the May 2019 Draft ACSP was provided in the staff report for the June 5th meeting.⁴ Proposed revisions to the Draft ACSP, based on review and discussion during Planning Commission Adeline Corridor Subcommittee meetings, are shown as ~~strikeout~~/underline text in the relevant excerpts of the ACSP in **Attachment A**. The ACSP forwarded to the City Council would consist of the May 2019 Public Review

¹ May 2019 Public Review Draft Adeline Corridor Specific Plan:

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Adeline%20Corridor%20Specific%20Plan_Links%20Doc%20for%20website.pdf

² Draft EIR: https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Adeline%20Corridor%20Specific%20Plan%20Draft%20EIR.pdf

³ Response to Comments of the Final EIR:

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-12-12_PCAdeline_Item%20II%20-%20D.pdf

⁴ Planning Commission June 5, 2019, Item 9 – Adeline Corridor Specific Plan and Draft EIR Staff Report:

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-06-05_PC_Item%209.pdf

Draft ACSP, as superseded by excerpted sections with revisions shown in ~~strikeout~~/underline text. An overview of the key components of the ACSP is provided below.

The Adeline Corridor Specific Plan (ACSP) includes eight chapters, consisting of:

- The Introduction chapter (Chapter 1) that provides context about Plan Area conditions, the purpose of the document, and the community engagement process;
- The Vision and Planning Framework chapter (Chapter 2) provides the long-term vision, brief historical context, goals and planning framework for the Plan Area;
- Five chapters focusing on land use, housing affordability, economic opportunity, transportation and public space (Chapters 3 through 7) that each include an overarching goal and related policies and strategies; and
- The Implementation Chapter (Chapter 8) outlines implementation measures or a preliminary set of “next steps” to achieve the long-term vision of the Adeline Corridor Specific Plan. It will be monitored and updated on a regular basis to reflect progress, lessons learned, changing circumstances, new opportunities, and community priorities over time.

The Draft Plan carefully balances aspirational goals and policies with realistic and implementable strategies and actions. The overarching principle of social and racial equity informed the planning process and the development of Draft Plan recommendations. This has resulted in a focus on ensuring that benefits of new development and other Plan policies prioritize the existing community and enhance existing community institutions. Specifically, the ACSP:

- Establishes an ambitious Plan Area goal of at least 50% of all new housing units to be deed-restricted affordable housing serving a range of income levels (i.e., extremely low, very low, low and moderate income);
- Prioritizes public land for new affordable housing and includes a specific policy outlining development parameters, including desired community benefits, and community/stakeholder engagement for the Ashby BART station area (Policy 3.7);
- Establishes new zoning regulations that include an on-site affordable housing incentive that ties increases in density, floor area ratio, and height to the provision of increments of on-site affordable housing;
- Prioritizes development of policies to allow existing tenants and non-profit organizations a right of first offer and a right of first refusal for certain residential properties that are on the market, as well as policies to give preference for new affordable units (i.e. inclusionary Below Market Rate units and/or publicly subsidized units) to current residents or those who have previously been displaced from the neighborhood;
- Includes policies and actions to foster a thriving commercial district, and support and retain existing small businesses and nonprofits;

- Focuses on policies and actions to support existing and future community assets and institutions, including the Berkeley Flea Market, the Juneteenth Festival and the creation of a future African American Holistic Resource Center; and
- Includes a conceptual redesign of the roadway that repurposes sections of the public right-of-way to improve safety and mobility, as well as create opportunities for improved streetscape (e.g., street trees, lighting, bus shelters, benches etc.) and new plazas, parks and other open space.

While no single land use plan can adequately protect neighborhood residents from the impact of the regional housing shortage, the ACSP commits to aggressive strategies and actions tailored for both privately owned land and public land, where public agencies have greater ability to prioritize income-restricted affordable housing. The ACSP includes a number of policies and actions that reflect and respond to community concerns about gentrification and displacement, which are highlighted below. Without these tailored policies and actions, the regional trends would continue to worsen.

B. General Plan and Zoning Ordinance Text and Map Amendments

Portions of the Plan will be implemented through amendments to the Zoning Ordinance, Zoning Map, General Plan and General Plan Map.⁵ Key elements of the zoning and General Plan amendments were included in the Draft ACSP and subsequently further refined to incorporate input received during the public comment period for the Draft Specific Plan and the Draft Environmental Impact Report (DEIR), and developed into complete draft text and map amendments (**Attachments B and C**).

The proposed zoning amendments will create a new Commercial-Adeline Corridor (C-AC) zoning district. The Zoning Map will apply the new C-AC zoning district to parcels within the Plan Area boundary, which consist almost entirely of parcels zoned with the Commercial-South Area (C-SA) zoning district, as well a few parcels zoned as Multi-Family Residential (R-3), Restricted Multiple Family Residential (R-2A) and Restricted Two-Family Residential (R-2). The General Plan amendments are needed to ensure consistency between the Specific Plan and the General Plan and between the Zoning Ordinance and the General Plan. The General Plan changes will involve updating references to the Adeline Corridor Specific Plan, adding a new land use classification (Adeline Corridor Mixed Use) and adding references to the C-AC district as necessary. The General Plan Map will be amended to reflect new land use classifications within the Plan Area resulting from zoning changes. These changes would:

- Incentivize greater quantities of on-site affordable housing in return for allowing increased levels of density (dwelling units/acre), FAR, height, and lot coverage;

⁵ Changes to incorporate zoning ordinance formatting changes resulting from the citywide Zoning Ordinance Revision Project, new State ADU laws and TDM measures will be made to all relevant zoning chapters after these are adopted by City Council (anticipated in late 2020).

- Simplify and clarify development standards and permit processes, in order to provide more certainty for project applicants and community members; and
- Facilitate uses that align with the Plan's Vision.

Major elements of the proposed C-AC District are summarized below.

1. Development Standards and On-Site Affordable Housing Incentive

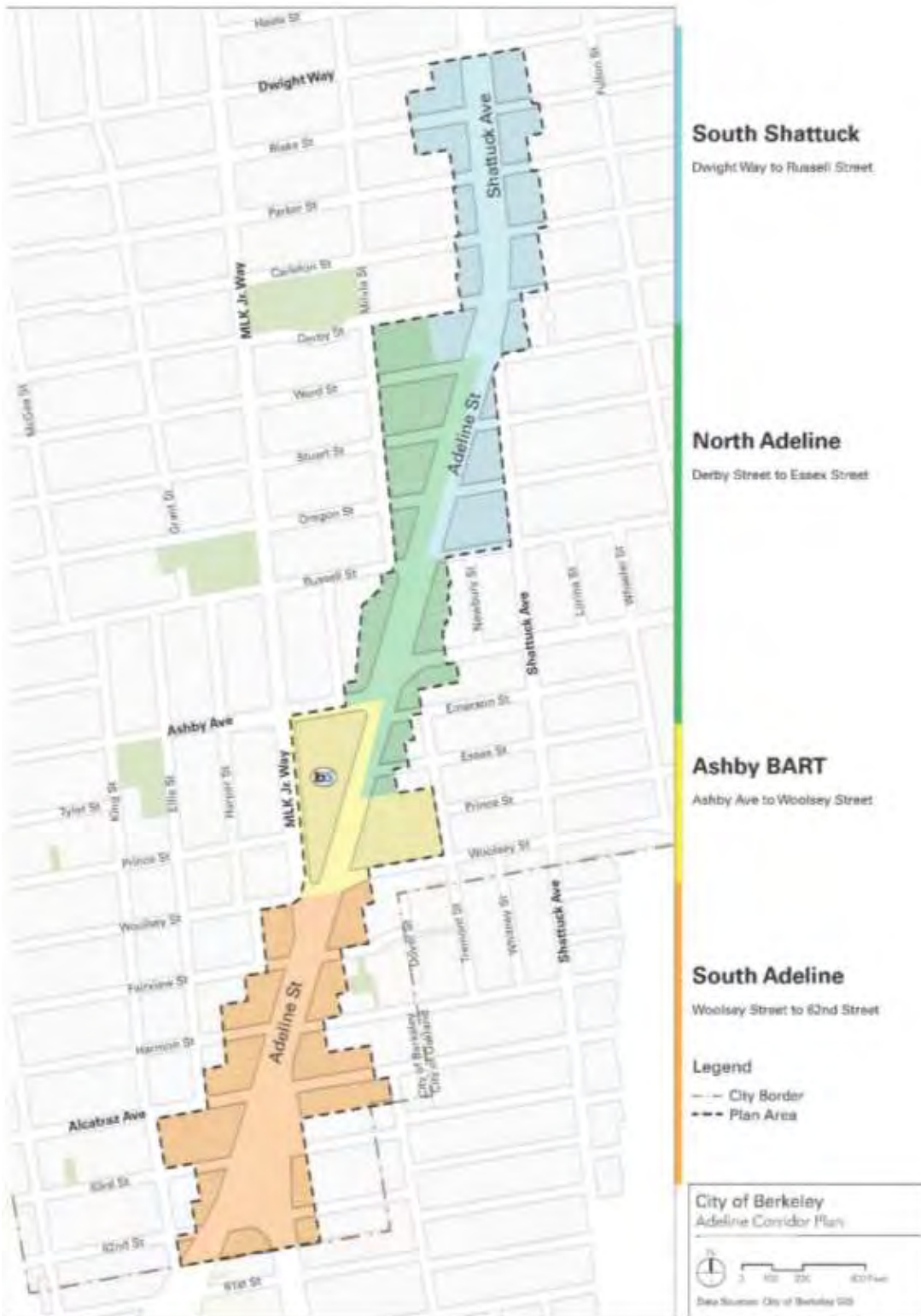
The standards below are designed to meet the Draft Plan goals for affordable housing and respecting the existing neighborhood context.

- On-site affordable housing incentive and density standards (dwelling units per acre). The proposed zoning is designed to increase the amount of on-site affordable housing in the area through two related changes. First, the proposed zoning creates larger base standard ("Tier 1")⁶, in order to generate a higher number of affordable units than the C-SA zoning would otherwise allow (the C-SA District's base standards are based on the more restrictive R-4 District). Second, by offering a new on-site affordable housing incentive, the proposed zoning will achieve an even higher share of affordable units in exchange for higher densities than current practice would allow.
- Plan Subareas (23E.70.040). The new C-AC district is divided into four subareas, based on the different physical and development characteristics found in the area. The four subareas (South Shattuck, North Adeline, Ashby and South Adeline), are described in the draft zoning chapter and shown in **Figure 1 – Plan Area and Subareas**.⁷ In some cases, the draft zoning chapter applies different use limitations and development standards to the subareas, or portions of the subareas, to address the unique built environment and context which exist in each area.
- Development standards by subarea, including density, height, FAR, lot coverage, setback and open space requirements (23E.70.070.B). The draft zoning chapter establishes a "base" (or Tier 1) level of development. Increased heights and densities and slightly lower open space requirements are allowed for projects that provide specified levels of on-site affordable housing. These standards provide an incentive structure for projects to include more on-site affordable housing and better match the scale of development that has been approved/built and is appropriate along streets as wide as Shattuck and Adeline. These standards will provide more predictability for property-owners and community members.

⁶ The proposed draft zoning refers to the height options as Tiers 1, 2, 3 and 4. This is a change from the May 2019 Draft Plan, which used the terms Base, Tier 1, 2 and 3. This change was made to prevent confusion with the definition of "Base Project" pursuant to BMC Section 23C.14.020B for projects utilizing the State Density Bonus.

⁷ The boundary between the South Shattuck and North Adeline subareas has been shifted to move the east side of Adeline between Derby and Russell into the South Shattuck area. The boundary shift is a change from the subareas shown in Figure 2.2 of the May 2019 Draft Plan. The rationale for this change is based on the fact that these are large parcels with potential for development that are buffered from nearby, lower-density residential zones by streets and additional parcels (similar to the Ashby Subarea west parking lot).

Figure 1: Plan Area and Subareas



- Group Living Accommodations (GLA) (23E.70.070.B). GLAs are subject to the Tier 1 development standards of the subarea in which they are located, as well as the R-3 density standards (350 sf/resident). Additional density is possible with the State Density Bonus. This will allow GLAs in the C-AC district, but not make them a more attractive development option than standard dwelling units.
- Non-Residential buildings (23E.70.070.C). Non-residential building heights and FAR requirements are the same as the Tier 1 heights for residential and mixed use buildings. These buildings will not be subject to a lot coverage standard, except to accommodate setbacks required when abutting residentially-zoned lots. Modifications to the development standards are not possible without providing affordable units on the parcel.
- Parking (23E.70.080). The proposed zoning establishes maximum automobile parking standards.⁸ New development will be subject to transportation demand management (TDM) measures currently under development.
- Design standards (23E.70.085). Design standards specify heights and facade transparency for ground floors based on location. This will match the types of uses allowed within the Plan Area, and will ensure that the facade design will positively contribute to the pedestrian experience and street character (**Figure 2** – Diagram of Ground Floor Use Requirements).
- Historic Preservation Incentive (23E.70.070.A.2). Projects involving designated or potential historic resources will not need to provide new parking or open space to convert to a new residential or commercial use. This will make reuse of these buildings easier, and preserve the cultural resources in the area.

2. Approval Process for New Construction

The proposed zoning language creates tiers of development standards. These tiers will allow increased increments of development potential in exchange for increased amounts of on-site affordable housing at specified affordability levels. It is designed to reduce the time and cost required for housing projects and provide more predictability for project applicants and community members.

- Reduced Discretionary Review for dwelling units (23E.70.070). Fewer Use Permits (UPs) will be required, because standards will be linked to on-site affordable housing, and thresholds that would trigger discretionary review will be increased. New units and demolitions will still require UPs, but set levels of development standards will be linked to provision of on-site affordable housing rather than additional discretionary review.

⁸ The minimum automobile parking standards that were part of the Draft Plan (Policy 3.2 Development Standards) have been eliminated to align with concurrent citywide parking policy and transportation demand management (TDM) discussions occurring at the Planning Commission.

Figure 2: Diagram of Ground Floor Use Requirements



- Increased threshold for gross floor area additions (23E.70.050). Building additions will not trigger a UP unless they are over 5,000 sf. In contrast, the C-SA district requires a UP for construction of gross floor area of 3,000 sf or more.
- Eliminated size threshold for changes of use. Changes in use will not be subject to discretionary review based on the size of the new use. The current C-SA district requires an AUP for changes of use of floor area greater than 3,000 sf.

3. Uses

These changes, found in Section 23E.70.030, are intended to create more flexibility for commercial spaces, promote economic opportunity for the residents of the Adeline Corridor and support a pedestrian-friendly environment in specific areas of the Adeline Corridor. They will also provide opportunities for artists to locate more easily in the area, cultivating a dynamic presence of arts and culture.

- “Active” ground-floor uses will be required in those areas which are designed for active pedestrian activity in tenant spaces over the defined size threshold, as shown in **Figure 2**.⁹ Active uses are uses that will generate regular and frequent foot traffic and include retail stores, restaurants, cafes and markets.
- Arts and Crafts Studios will be permitted with a Zoning Certificate (ZC).
- Live/Work uses that generate customer or employee traffic will be permitted with a ZC rather than a UP.
- Restaurants size thresholds will be increased from 1,000 sf to 1,500 sf or 3,000 sf, depending on the subarea in which they are located.
- Vehicle sales will be prohibited pursuant to the 6/12/18 Council referral. Existing vehicle sales will be treated like other legal, non-conforming uses, and will require a UP for a substantial expansion or change in character.

C. Planning Commission Adeline Corridor Subcommittee “Companion Recommendation”

The Planning Commission Adeline Corridor Subcommittee also prepared a “Companion Recommendation” that it would like the full Commission to forward to the City Council (**Attachment F**). The Subcommittee recommends that the City Council should consider the following actions along with adoption of the Adeline Corridor Specific Plan:

- Set-aside at least \$50 million of local funds for affordable housing to be built in (e.g. Measure O, HTF) for Adeline Corridor;

⁹ The ground floor use requirements in the proposed draft zoning (Attachment C) have been revised from what was presented in Table 3.1 of the May 2019 Draft Plan. Commercial uses are no longer required on Adeline between Derby Street and Russell Street to reflect its existing ground floor conditions with a mix of residential and commercial uses. Active ground floor commercial uses are now proposed as required along Adeline between Russell Street and Ashby Avenue, and along Shattuck Avenue between Ward and Russell Streets (to support the existing active restaurant/retail uses).

- Give careful consideration to revising the Affordable Housing Mitigation Fee Ordinance to allow Moderate Income units to count towards the required percentage of affordable housing if it is provided as a combination of Moderate Income (at 100% of Area Median Income) and Extremely Low Income units, to the extent permitted by law;
- Consider support and funding for feasibility and environmental analysis of a two-lane right-of-way design option for Adeline Avenue; and
- Identify and pursue funding for the creation of parks for the Adeline Corridor.

II. PUBLIC PARTICIPATION AND PLANNING PROCESS

The ACSP and related General Plan and zoning amendments reflect input gathered through surveys and at dozens of community meetings, workshops/open houses and stakeholder/focus group meetings held since the planning process kicked off in 2015. After publication of the Draft ACSP and Draft EIR in May 2019, a Subcommittee established by the Planning Commission held twelve public meetings from May 2019 through August 2020 to discuss the ACSP and the proposed amendments to the General Plan and Zoning Ordinance. A summary of the community engagement and Commission/Council meetings is provided in **Attachment G**.

In addition, staff and partners in the community are already making progress at advancing key Plan priorities identified in the ACSP Implementation Action Plan. There are also several planning processes relevant to the Adeline Corridor planning process that are moving forward, in response to Council referrals, other legal mandates and/or the availability of grant funding. For informational purposes, these efforts are outlined below and briefly described:

- **Tenants Opportunity to Purchase Act/Community Preference.** The City is partnering with the East Bay Community Law Center to advance the design and implementation of two policies highlighted in the Draft Plan to protect against displacement and preserve and expand affordable housing access within the local community through developing a Tenant's Right to Purchase Act and a Local Housing Preference Policy, including studying options for those at-risk of being displaced and those who have already been displaced.
- **Ashby BART Station Area Planning.** The City is working closely with BART to develop zoning and site planning parameters that meet the requirements of Assembly Bill 2923 (AB 2923), and City and BART goals and objectives for the Ashby and North Berkeley BART stations, as reflected in the ACSP and other City and BART plans, policies and applicable laws and regulations.¹⁰
- **Citywide Affordable Housing Requirements Update.** Some of the issues raised during the Adeline planning process related to affordable housing need to be addressed at a citywide level, such as analyzing fee amounts, basis of fee calculation, menu of requirements and alternative compliance options, among other topics. Staff is working with a consultant to review applicable ordinances

¹⁰ For more information, go to: <http://www.cityofberkeley.info/bartplanning>

and related City Council referrals in order to consolidate these requirements into a more consistent framework and propose detailed changes based on specific challenges with the current programs.

- **Zoning Changes to Support Small and Independent Businesses.** In addition to zoning changes addressed in the Adeline Corridor planning process, the City Council has referred to the Planning Commission several policy changes that support Berkeley businesses and bolster Berkeley's commercial districts and commercial businesses citywide.¹¹ Citywide zoning ordinance updates considered through this process may be folded into the Commercial- Adeline Corridor (C-AC) zone, as applicable.
- **Zoning Ordinance Revision Project (ZORP).** Staff is working with a Subcommittee of the Planning Commission on a long-term project to revise the Zoning Ordinance to improve the City's permitting process, address state and federal law, and implement City goals and policies. The first phase focuses on improving existing Zoning Ordinance organization, format, and writing style. These amendments will not result in any substantive changes to existing rules, regulations, or procedures. The format of the Adeline Corridor zoning will eventually be amended to match the style, format and organization that is adopted through the first phase of the ZORP.¹²

III. KEY ISSUES

The Planning Commission Adeline Corridor Subcommittee held 12 public meetings between May and August 2020 to discuss the draft ACSP and draft General Plan and zoning amendments and potential revisions to these documents to recommend to the full Commission. All of the revisions discussed by the Subcommittee are listed in a summary matrix provided as **Attachment H**.¹³ All four Subcommittee members were in agreement with the proposed recommendations, except where noted. This section highlights key issues relating to major changes in content and/or topics where not all Subcommittee members were in agreement.

A. Affordable Housing Goals and Requirements

The Subcommittee received and discussed many comments on affordable housing goals and policies for the Plan Area overall and at the Ashby BART station, and inclusionary requirements in the proposed new Adeline Corridor zoning district.

¹¹ For more information, go to: https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/Staff_Report_OED_Referrals.pdf

¹² All agendas for the PC ZORP Subcommittee are available online on the Planning Commission webpage: <http://www.cityofberkeley.info/pc>

¹³ The summary matrix is organized into two sections: "substantive changes" consisting of major changes in content and/or topics where not all Subcommittee members were in agreement and "non-substantive changes" consisting of corrections (e.g. typographical or informational errors) or additional clarifying information that did not represent a major change to the original content.

1. **Plan Area Affordable Housing Goal and Proposed Zoning Affordable Housing Requirements.** A key concept of the ACSP is a goal that at least 50% of all new housing built in the Plan Area is deed-restricted affordable housing serving a range of income levels. Much of the discussion about this policy related to whether this goal should or could be higher and how to ensure this goal would be achieved.

The ACSP states that achieving the “at least 50% new affordable housing goal” will be challenging, but possible. During the planning process, many community members repeatedly stressed that the Plan must be **implementable** and **implemented**. An important part of ensuring implementation of the Plan is setting goals that are ambitious and also firmly grounded in a thorough assessment of opportunities and constraints.

The Draft Plan illustrates that the 50% goal is possible under a scenario that primarily relies on reserving some/all of the publicly-owned sites for income-restricted affordable housing units.¹⁴ Additional units that would contribute to achievement of the 50% goal would come from mixed-income projects with inclusionary below-market rate units (as a result of the Draft Plan’s on-site affordable housing incentive). It is important to note that there are other scenarios under which the “at least 50% new affordable housing goal” could be achieved. However, since other scenarios would include many more assumptions/factors that are not in the City or another public entity’s control, those were not illustrated in the Draft Plan.

As noted above (Section II), the ACSP and associated new Adeline Corridor zoning district establish different tiers of additional density, height and floor area ratio, reduced parking, and streamlined approval in return for specified amounts of on-site affordable housing units. The proposed new zoning for the Adeline Corridor (“Commercial -Adeline Corridor” District or C-AC District) substantially restructures how additional density and intensity is allowed, but it does not substantially upzone the area from the existing zoning (C-SA District). Under the proposed zoning, the bonuses for community benefits are specific, predictable, and objective. The proposed zoning is designed to maximize the community benefits derived from housing development projects without compromising the financial feasibility of the development of housing that the community and the region needs. Based on feasibility analyses conducted by the Street Level Advisors, increasing inclusionary affordable housing requirements from the proposed levels would risk making many projects infeasible under recent market conditions (pre-COVID-19 conditions).

¹⁴ For purposes of environmental analysis, an estimate of a reasonably foreseeable amount of development or “project buildout” associated with implementation of the Draft Plan through 2040. This estimate included a total of 1,450 new dwelling units and 65,000 sf net new commercial square feet. It was also used as the basis for analyzing the economic feasibility of achieving the goal of at least 50% new affordable housing units. See Draft Plan, p.1-8 and the Draft Environmental Impact Report on the Adeline Corridor Specific Plan, Chapter 3 Project Description for more information about the projected buildout. See Draft Plan Chapter 4 and Appendix C for more detail on the economic feasibility analysis supporting the affordable housing goal and the proposed on-site affordable housing incentive zoning.

During the planning process, some commenters cited a study that looked at the effects of upzoning over a 5-year period in Chicago and found that property values (or the cost of land) increased in an amount roughly commensurate with the increase in allowed density without seeing an increase in actual units constructed. The study's author recommends that strategies such as "rent stabilization, requiring affordable housing units in market-rate projects, setting aside municipal land, providing direct funding for fully affordable projects; and slimming the regulatory burden to reduce construction costs" to address the potential adverse local consequences to upzoning.^{15,16, 17} All of these strategies are consistent with citywide policies and/or in the ACSP.

2. **Ashby BART.** There was extensive public comment and Subcommittee discussion about affordable housing requirements at the Ashby BART station area. Subcommittee members did not reach consensus about proposed revised language for Policy 3.7 Objective 1. The proposed language supported by three out of four Subcommittee members stated that there should be a goal of "phased development, over the life of the Plan, of 100% below market, deed restricted affordable housing", as shown below in Table 1.

This proposed language, if adopted, would preempt a process outlined in the Memorandum of Understanding (MOU), unanimously adopted by the Berkeley City Council and BART Board, for working together on development at the Ashby and North Berkeley BART stations.¹⁸ This process includes the establishment of a Community Advisory Group (CAG) that is advisory to the City of Berkeley Planning Commission, other community engagement, and additional land use, economic feasibility and other studies to inform decisions about zoning and development at the Ashby and North Berkeley BART station areas. Preliminary economic feasibility analyses of conceptual development scenarios are anticipated to be available in October 2020.¹⁹

¹⁵ Freemark, Y. "Upzoning Chicago: Impacts of Zoning Reform on Property Values and Housing Construction." *Urban Affairs Forum*. <https://www.citylab.com/perspective/2019/02/zoning-reform-house-costs-yonah-freemark-research/582034/>. Accessed 11/22/19.

¹⁶ Baca, A. and Lebowitz, H. "No, Zoning Reform Isn't Magic. But It's Crucial." *City Lab*, February 5, 2019. <https://www.citylab.com/perspective/2019/02/zoning-reform-house-costs-yonah-freemark-research/582034/>. Accessed 11/22/19.

¹⁷ In addition, there are important differences between the context of this study and the Adeline Corridor, such as the degree manner of upzoning. In the Chicago example, floor area ratios (FAR) were ultimately increased by 33% without any of the suggested strategies to blunt potential adverse effects of upzoning. The proposed Adeline Corridor zoning proposes a restructuring of the development standards that mostly fall within the existing zoning (C-SA District) maximum FAR of 4.0 in return for higher inclusionary requirements for on-site affordable housing.

¹⁸ https://www.cityofberkeley.info/Clerk/City_Council/2019/12_Dec/Documents/2019-12-10_Item_31_Approval_of_a_Memorandum.aspx

¹⁹ The conceptual development scenarios will include varying assumptions about the amount residential and non-residential development, levels of affordability, parking, open space, infrastructure improvements. The analyses will begin to shed light on tradeoffs between levels of public subsidy or cross-subsidy required, estimates of project schedule and overall project feasibility.

Table 1. Policy 3.7 Ashby BART, Objective 1 Options

a. *May 2019 Draft Plan (ORIGINAL LANGUAGE):*

OBJECTIVE 1. AFFORDABLE HOUSING. For any future development in the BART subarea, at least 50% of the total housing units produced should be comprised of deed-restricted affordable housing, which could also include supportive services or other spaces associated with the affordable housing. This goal for at least 50% affordable housing at a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) would be calculated across the entire Ashby BART subarea and could be accomplished through multiple phases of development. Any future development agreement should commit to deliver at least this level of affordable housing, and provide a plan to do so. Amounts of affordable housing exceeding 50% of the total square footage and number of units are encouraged.

b. *Subcommittee proposed revised language:*

The City's goal for the Ashby BART subarea is phased development, over the life of the Plan, of 100% below market, deed restricted affordable housing. Following the process outlined in the City and BART Memorandum of Understanding (MOU), the City will work with BART to achieve this goal. This housing should be affordable to moderate, low-, very low- and extremely-low income households at an approximately even distribution. Housing in this subarea could also include supportive services or other spaces associated with affordable housing. Reserving the Ashby BART site for 100% affordable housing development will help achieve the Plan's housing affordability goal that calls for at least 50% of all new housing built in the Adeline Corridor over the next years to be income restricted permanently affordable housing.

c. *Staff-prepared revised language:*

Future development in the Ashby BART subarea shall consist of well-designed, high-quality, transit-oriented development that maximizes the total number of deed-restricted affordable homes, serving a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) and could also include supportive services or other spaces associated with the affordable housing and other desired community benefits. The opportunity to leverage public land for a mix of uses, including significant amounts of affordable housing, will help to safeguard the socio-economic and cultural diversity treasured by the community, as well as have correlated benefits of contributing to the neighborhood's economic prosperity and improving health outcomes.

The City and BART should strive for a goal of 100% deed-restricted affordable housing that could be accomplished through multiple phases of development. The amount of housing and levels of affordability shall be determined through the process outlined in the Memorandum of Understanding (MOU) unanimously adopted by the City Council and the BART Board of Directors (Dec. 2019 and Jan. 2020, respectively) to work together to develop the Ashby BART and North Berkeley BART station areas. This process will involve additional land use and economic feasibility studies, including analysis of 100% affordable housing, to inform further conversation with the Community Advisory Group (CAG), Planning Commission and broader community (see Objective 7).

At a February 4, 2020 Worksession about the Adeline Corridor Specific Plan, the Mayor and Council emphasized the need for the ACSP to be consistent with the Memorandum of Understanding (MOU). BART has also sent multiple comment letters to the Subcommittee and City staff expressing concern about the proposed language from the Subcommittee and supporting alternate language staff prepared that endeavors to synthesize the intent of the Subcommittee proposed language and align with the City of Berkeley and BART-adopted MOU.

Table 1 (above) shows the original text from the May 2019 Draft Adeline Corridor Specific Plan (p.3-22 – 3-23), the Subcommittee proposed revision, and alternative language prepared by staff.

B. Other Zoning/Land Use Related Items

The following components of the proposed zoning are outlined below.

1. Alcoholic Beverage Retail Sales, including liquor stores and wine shops. Staff had originally proposed allowing Alcoholic Beverage Retail Sales, including liquor stores and wine shops, with a Use Permit, and eliminating the specific prohibition on sales of distilled alcoholic beverages “along Adeline Street south of Ashby Avenue” which is in the existing zoning for the area (Commercial – South Area Zoning District). At its February 1, 2020 meeting, the Subcommittee recommended that the restrictions remain in the C-AC zoning, prohibiting alcoholic beverage retail sales south of Ashby Avenue.

Staff recommends that the Planning Commission consider whether to include this restriction in the zoning that is recommended to City Council. Note the following:

- The existing restriction from the existing C-SA zoning to implement the 1990 South Berkeley Area Plan was intended to address nuisance activity of specific liquor stores; these liquor stores have had to comply with code enforcement actions that include strict hours of operation limitations. At the February 1, 2020 Subcommittee meeting, two public commenters expressed a desire that the restriction be maintained.
- This restriction would not only apply to liquor stores and bars. It would also prohibit a new grocery store from selling spirits without seated food service south of Ashby Avenue. No other commercial zoning district has this restriction.
- This restriction could hinder the attraction of new businesses and uses, as articulated in Policy 5.5, whose business model may rely in part on the sale of distilled alcoholic beverages, including small-format grocery stores and entertainment venues.

2. Parking

The proposed C-Adeline Corridor zone includes no parking minimum and a parking maximum of 1 space per unit (**Attachment C**, Table 23E.70.080 Parking Required) for residential uses. The Planning Commission has discussed changes to citywide parking regulations which included consideration of a lower parking maximum of 0.5 spaces per unit. The City Council is anticipated to consider these changes in fall 2020.

3. Lot coverage

The ACSP and C-AC zoning originally proposed maximum lot coverage requirements for Tier 1 for the South Shattuck, North Adeline and South Adeline Subareas to be 80% for interior lots and 90% for corner lots. The Subcommittee discussed a proposal to reduce Tier 1 lot coverage to 60% and 70% for interior and corner lots, respectively. The Subcommittee did not have consensus: three out of four Subcommittee members agreed with moving forward with this proposal. The lack of consensus stemmed from the position that reducing the maximum lot coverage impacted overall project feasibility, reducing the financial feasibility of the Tier 1 level of the proposed zoning.

C. Economic and Workforce Development

Based on community feedback, the Subcommittee has recommended three key changes to the ACSP. These changes are summarized below.

1. The Draft ACSP includes a goal, policy and action to explore the potential to establish a Council-approved Business Improvement District (BID) in order to establish an entity with adequate staff and financial resources to provide services/fund projects to support local businesses (ACSP, Policy 5.3 and Implementation Action EO-3). During the planning process, concern was expressed that the goals of BIDs may sometimes be in conflict with other broader community goals of equity and compassion for the unhoused. The proposed revision to Policy 5.3 and Action EO-3 are intended to ensure that the outreach includes a broader set of stakeholders including existing businesses and property owners and in particular Black business owners, cultural and religious institutions, nonprofits, the Berkeley Community Flea Market, local residents, unhoused people, and other users of the corridor to determine the appropriate strategy/entity could best support a vibrant commercial district (See Attachment A, Revised Policy 5.3 and Implementation Action EO-3).
2. Addition of a new policy to explore development of a targeted workforce development policy is proposed (Attachment A, New Policy 5.8: Workforce Development and Implementation Action EO-15).
3. During the planning process, some members from the business community expressed concern that the ACSP lacked specificity with regards to strategies to support local businesses with respect to placemaking including development of public space, strategies for managing the aging buildings, and strategies for working with derelict property owners, among others. While

the ACSP sets a framework for these topics, further economic development planning and funding will be necessary in order to bring these strategies to fruition at the implementation stage of the ACSP. The ACSP recommends that a Business Improvement District (BID), with the community engagement process necessary to establish it (as noted above) provide the funding and implementation mechanism for these strategies. The ACSP includes policies for near-term placemaking (temporary and permanent) projects, as well as larger projects that will include placemaking components, such as the redesign of the Ashby BART station area and the right-of-way in the Plan Area. Staff has made additional revisions, including adding/replacing plan images to better illustrate recommended policies and ideas.

D. Additional Roadway Redesign Options

The Subcommittee discussed public comments that expressed a desire for the study of additional roadway reconfiguration options for the Adeline right-of-way. These options included a bus-only transit lane or further reductions in the overall number of automobile travel lanes in additional areas along the Corridor than what is currently being proposed, in order to allow for more space for pedestrians, bicyclists, market space and parks and potentially even land for development.

Major changes to roadway configuration such as the reduction of travel lanes would require additional CEQA analysis. However, as noted in the Draft Plan, Chapter 6, Policy 6.2 Street Right-Of-Way Design, the long-term right-of-way design is conceptual and open to further revision and refinement in the future. There are many variables that need to be discussed and studied in order to refine the potential options and further analyze technical and financial feasibility. For example, planning for the Ashby BART station area, with respect to the envisioned civic plaza and Berkeley Flea Market and a potentially relocated Farmers Market, would influence planning and programming for the open space opportunity site in the “South Adeline” subarea (the current location of the Farmers Market).

Furthermore, Implementation Actions T-2, T-7, PS-1 and PS-2 specifically address further work and community engagement needed to build on the ACSP right-of-way concept. The Subcommittee has proposed to revise Implementation Action T-2 to describe additional roadway configuration options that should be studied such as the potential of reducing travel lanes on Adeline from Derby Street to Martin Luther King Jr. Way. State and federal grants secured by BART for station access and transit-oriented development planning will allow for preliminary feasibility studies of additional roadway reconfiguration options around Ashby BART along Adeline Street.

E. Public Space and Parks

Subcommittee members and the public emphasized the lack of sufficient park space in Plan Area and South Berkeley, in general. They expressed that the Draft Plan

should be more specific about the location, size and type of opportunities for parks (as opposed to plazas/hardscaped areas or merely landscaped areas).

Chapter 7 Public Space identifies that there is a need and high community priority on safe, inclusive, attractive and healthy public spaces. Policy 7.3 Public Space Opportunity Sites identifies potential opportunity areas in the four subareas for new public space. However, additional study and community input are needed to narrow down variables regarding the size, type and programming potential spaces, such as opportunities identified as part of the right-of-way redesign concept or for the Ashby BART subarea. A new figure (Figure 7.1) has been prepared to show the location of these opportunity areas; additional text more explicitly stating the community's priority for park space has been included in the proposed revisions (**Attachment A**).

F. Expanding the Plan Area Boundary

Subcommittee members heard public comment requesting the following expansions to the Plan Area boundary in order to include four additional parcels in the South Adeline Subarea. The proposed Plan Area boundary expansion would result in the redesignation of these areas with the proposed General Plan Land Use Classification (Adeline Corridor Mixed Use) and the proposed zoning (Commercial – Adeline Corridor District) with the adoption of the Specific Plan and General Plan and zoning amendments by the City Council. More information about this proposal is shown in **Figure 3** and described in more detail below.

1. Ephesian Church Site. As shown in **Figure 3**, the Ephesian Church owns an approximately 1-acre parcel at the northern corner of King Street and Alcatraz Avenue that is adjacent to, but just outside of, the Plan Area boundary. Current uses on the parcel include the Ephesian Church building, surface parking, and a vacant building. The parcel is currently zoned with two different zoning designations: R-2A Restricted Multiple-Family Residential District (R-2A) and C-SA South Area Commercial District (C-SA). The Ephesian Church is interested in redeveloping 0.52-acres of the site with a 100% affordable senior housing project along King, Harmon, and Ellis Street. Incorporating the Ephesian Church parcel into the Plan Area would result in rezoning this parcel to the new proposed C-AC District, which would facilitate the development of 100% affordable housing, which is consistent with the goals of the Adeline Corridor Specific Plan. In order to maintain a smooth transition between zones, it is also recommended that two adjacent parcels along Alcatraz Avenue that are currently zoned as C-SA (parcels #3 and #4 in Figure 2) are also incorporated into the Plan Area boundary. Existing uses on these two parcels, including a mixed-use building and a six-unit apartment complex, respectively, would not be affected by the change from C-SA to C-AC zoning, as these uses are allowed in both the existing and proposed zoning.



2. Finch Resource Center Site. As shown in **Figure 3**, the 0.1-acre parcel located at the southwestern corner of 62nd and King Streets (3404 King Street) is adjacent to the Plan Area in the R-2A Restricted Multiple-Family Residential District. The Berkeley Municipal Code (BMC) defines “transitional housing”²⁰ as a type of Group Living Accommodation²¹ (GLA), which are not allowed to operate in the R-2A District. According to the City’s permit records, this property was granted a Use Permit (UP) with a Variance in 1978 to allow for a transitional home serving 12 youth. Expanding the Plan Area boundary to incorporate the parcel would rezone the parcel from R-2A to the proposed C-AC zoning, which would permit the current GLA uses and any potential expansion/modification of the use with the granting of a Use Permit.

The Subcommittee agreed with proposed expansion to the Plan Area boundary raised by several community members. Staff recommends that consideration of the addition of the abovementioned parcels to the Plan Area Boundary be addressed separately from

²⁰ Transitional Housing (from Health and Safety Code Section 50675.2(h)): Any dwelling unit or a Group Living Accommodation configured as a rental housing development, but operated under program requirements that call for the termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time.

²¹ Group Living Accommodations: A building or portion of a building designed for or accommodating Residential Use by persons not living together as a Household, but excluding Hospitals, Nursing Homes and Tourist Hotels. (BMC Section 23F.04.010)

the adoption of the ACSP and related documents, in order to ensure that all interested community members are notified and aware of the proposed zoning change. Since the existing Plan Area boundary has been unchanged for the bulk of the five-year planning process, staff recommends a separate focused outreach effort to the surrounding community and other stakeholders to discuss the proposed zoning change for the five parcels in question. The consideration of a map amendment can be initiated at the request of a property owner, or can be referred by the City Council to staff and the Planning Commission.

IV. ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was prepared for the Adeline Corridor Specific Plan (ACSP). The ACSP does not propose specific development projects, but for the purposes of environmental review, includes a buildout projection which represents a reasonably foreseeable maximum amount of development for the Plan Area through 2040. In total, the Adeline Corridor buildout projection would include the total development of 1,450 housing units and 65,000 square feet of commercial space.²²

The EIR was made available for review through the City's website at www.cityofberkeley.info/adelinecorridor, the Planning and Development Department at 1947 Center Street (2ndFloor) and at the following locations in the city:

- Tarea Hall Pittman South Branch Library, 1901 Russell Street
- Judge Henry Ramsey Jr. South Berkeley Senior Center, 2939 Ellis Street
- Central (Downtown) Library, 2090 Kittredge Street.

A summary of the environmental review for the project is as follows:

- A Notice of Preparation (NOP) of a Draft EIR was circulated to potentially interested parties and agencies on July 6, 2018. The City received 22 written responses to the NOP regarding the scope and content of the EIR.
- The City held an EIR scoping meeting as part of the regularly scheduled Planning Commission meeting on July 18, 2018.
- The Draft EIR (DEIR) were made available for public review on Friday, May 17, 2019.
- A Notice of Availability (NOA) for the DEIR was distributed to State and local planning agencies.
- A Planning Commission hearing on the DEIR was held on June 5, 2019.
- The public comment period on the DEIR closed on July 19, 2019.
- A Notice of Availability/Release of Final EIR (FEIR) and the FEIR was published in December 2019.

The following actions are anticipated as part of the environmental review of the project:

- This Planning Commission meeting(s) to consider certification of the Final EIR
- Meeting(s) of the City Council to consider certification of the Final EIR.

²² See Table 2.5 Adeline Corridor Buildout Projection (through 2040), *Adeline Corridor Specific Plan Draft Environmental Impact Report (DEIR)* SCH#2018072009, May 2019, p.2-26.

A. Potentially Significant Impacts Identified in the Draft EIR

All environmental impacts, relevant City Standard Conditions of Approval and mitigation measures are summarized in the CEQA Findings and Statement of Overriding Considerations (see **Attachment D**). Other than the impacts discussed below, all of the environmental effects of the Adeline Corridor Specific Plan (“the Plan”) can be reduced to less than significant levels through implementation of Standard Condition(s) of Approval and/or recommended mitigation measures.

The Draft EIR (DEIR) identifies the following **Significant and Unavoidable** environmental impacts related to Noise and to Transportation and Traffic.

- **Impact N-2.** Construction activities associated with implementation of the proposed Specific Plan would intermittently generate high noise levels within and adjacent to the Plan Area. Mitigation to restrict the hours of construction activity and minimize noise from equipment would reduce construction noise to the extent feasible. However, construction noise could still exceed the City’s standards at sensitive receptors. Therefore, the impact from construction noise would be significant and unavoidable.
- **Impact T-1.** The addition of traffic generated by the development projects facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would cause the signalized Adeline Street/Alcatraz Avenue intersection to deteriorate from LOS D during the AM peak hour and LOS E during the PM peak hour under Existing Conditions to LOS F during both AM and PM peak hours under Existing Plus Project conditions. This impact would be significant and unavoidable.
- **Impact T-3.** The addition of traffic generated by the development projects facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would increase the V/C ratio by more than 0.01 at the signalized Adeline Street/Alcatraz Avenue intersection, which would operate at LOS F during both AM and PM peak hours in 2040 regardless of the proposed Specific Plan. This impact would be significant and unavoidable.
- **Impact T-6.** The addition of traffic generated by the development projects facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would result in the Study CMP roadway segments to deteriorate from LOS E or better to LOS F, or increase V/C ratio by 0.03 or more for a facility operating at LOS F without the Specific Plan. This impact would be significant and unavoidable.

B. Mitigation Monitoring and Reporting Program (MMRP)

The Environmental Impact Report (EIR) identifies the applicable mitigation measures that will be implemented to reduce the impacts associated with the Adeline Corridor Specific Plan. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development

(Attachment E). The table in the Mitigation Monitoring Reporting Program (MMRP) lists the mitigation measures that may be included as conditions of approval for the project.

Mitigation Measure GHG-1: All Electric New Construction has been further updated to clarify requirements consistent with the City's Prohibition of Natural Gas Infrastructure in New Buildings Ordinance, updates to the Berkeley Energy Code and Green Code, and federal law.²³

C. Project Alternatives

As required by Section 15126.6 of the CEQA Guidelines, this section of the EIR examines a range of reasonable alternatives to the proposed Draft Plan that would feasibly obtain most of the Project objectives, and avoid or substantially lessen many of the Project's significant environmental impacts. The following alternatives are evaluated in this EIR:

- **Alternative 1: No Project Alternative.** The No Project Alternative assumes that the proposed Draft Plan is not adopted and that there is no change to the existing configuration of the street and transportation network along the Adeline Corridor, consisting of a street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street. The Plan Area would continue to be designated as *Avenue Commercial* and *Neighborhood Commercial* per the City's General Plan. Under the No Project Alternative, incremental land use development at existing opportunity sites would continue under current land use and zoning regulations. The No Project Alternative would not involve City adoption of the affordable housing targets for development of the Ashby BART Station that go beyond BART's affordable housing policy and other regulatory requirements, as well as the on-site affordable housing incentive for rest of the Plan Area.
- **Alternative 2: No Street Redesign Alternative.** Alternative 2 would involve an alternate vision for the Draft Plan in which the same land uses would be developed but no major changes to the current configuration of the street and transportation network (e.g., street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street) would occur. Development standards and guidelines related to right-of-way improvements along the Adeline Corridor would be removed from the Draft Plan, such as those in Draft Plan Chapter 6, Transportation. All other policies, standards, and guidelines in the proposed Draft Plan would remain.
- **Alternative 3: Office Focus Alternative.** The Office Focus Alternative would involve changes to the land use scenario envisioned under the Draft Plan to prioritize office development in the Plan Area. This alternative would involve the same overall building envelope as the proposed Draft Plan, but approximately 40

²³ BMC Chapter 12.80, Prohibition of Natural Gas Infrastructure in New Buildings, adopted on July 23, 2019; BMC Chapter 19.36, Berkeley Energy Code, as amended on December 3, 2019; BMC Chapter 19.37, Berkeley Green Code, as amended on December 3, 2019; and the federal Energy Policy and Conservation Act, as amended, 42 U.S.C. § 6201 et seq.

percent of the development square footage in the Plan Area would be office instead of residential. As with the proposed Draft Plan, this alternative would include changes to the current configuration of the street and transportation network along the Adeline Corridor, consisting of a street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street.

D. Responses to the Draft EIR Comments (Final EIR)

The City received 80 written comments about the Draft EIR and the Draft ACSP during the public comment period (from May 17 through July 17, 2019), and continued to receive comments about the Draft ACSP after the close of this period. All of the written comments are reproduced in their entirety in the Response to Comments document of the Final EIR. Responses to all of the comments that pertain to the EIR are addressed in the Response to Comments Document of the Final EIR, including certain revisions and changes to text in the Draft EIR. Comments about the Draft Plan received during the public comment period were grouped by category/topic and addressed in a staff memorandum prepared for the Planning Commission Subcommittee on the Adeline Corridor Specific Plan.²⁴

None of the changes to the Draft EIR involve a new significant environmental impact, or a feasible mitigation measure or alternative considerably different from that presented in the Draft EIR. In sum, staff recommends that the Planning Commission adopt the CEQA findings in Attachment A, which include certification of the EIR, rejection of alternatives as infeasible or not environmentally superior, and a Statement of Overriding Considerations.

V. RECOMMENDATIONS

Staff recommends that the Planning Commission take public testimony, close the public hearing and:

1. Recommend that the City Council adopt the ACSP (as revised), General Plan and Municipal Code and map amendments in **Attachments A, B and C**;
2. Recommend adoption of the CEQA findings for the Adeline Corridor Specific Plan (ACSP) and General Plan and Municipal Code and Map amendments in **Attachment D**, which include certification of the FEIR, rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
3. Recommend adoption of the Mitigation and Monitoring Reporting Program (MMRP) in **Attachment E**;
4. Recommend that the City Council consider a set of companion recommendations from the Planning Commission (**Attachment F**);
5. Authorize staff to make non-substantive, technical conforming edits (e.g. correction of typographical errors and/or clerical errors) to the ACSP, including

²⁴ https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2019-12-12_PCAdeline_Item%20II%20-%20C.pdf

but not limited to page, figure or table numbering, or to the zoning regulations in the Municipal Code that may have been overlooked in deleting old sections and cross-referencing new sections of the proposed Adeline Corridor zoning district prior to formal publication of the amendments in the Berkeley Municipal Code, and to return to the Planning Commission for major revisions only;

6. Authorize staff to create updated versions of the ACSP Implementation Plan (Chapter 8, Table 8.1) as part of the annual progress report on implementation actions to reflect prevailing changes in laws, economic conditions, and the availability of City and other funding sources, which could potentially affect timeframes, responsibilities and potential funding mechanisms.

ATTACHMENTS

- A. Proposed Revisions to the May 2019 Public Review Draft Adeline Corridor Specific Plan (excerpts with revisions shown in ~~strikeout~~/underline text)
- B. Proposed General Plan Text and Map Amendments
- C. Municipal Code (“zoning”) Text and Map Amendments
- D. CEQA Findings for the Adeline Corridor Specific Plan
- E. Mitigation Monitoring Reporting Program (MMRP) for the Adeline Corridor Specific Plan EIR
- F. Planning Commission Companion Recommendations
- G. Summary of Community Engagement, Planning Commission and City Council Meetings
- H. Summary Matrix of Planning Commission Adeline Corridor Subcommittee Proposed Revisions

Attachment A – Excerpts from May 2019 Public Review Draft Adeline Corridor Specific Plan with Proposed Revisions Shown in ~~strikeout~~/underline text

The following pages consist of excerpts of the May 2019 Public Review Draft Adeline Corridor Specific Plan with revisions shown in ~~strikeout~~/underline text.¹

The “Revised Draft Adeline Corridor Specific Plan (ACSP)” under consideration by the Planning Commission consists of the May 2019 Public Review Draft, superseded by excerpted sections with revisions shown in ~~strikeout~~/underline text.

Please note that non-substantive differences in the following excerpts (e.g. text font, style/formatting and pagination) may have resulted from transitions between software programs during the editing process and will be corrected to match the 2019 Public Review Draft graphic format.

¹ May 2019 Public Review Draft Adeline Corridor Specific Plan:
https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Adeline%20Corridor%20Specific%20Plan_Links%20Doc%20for%20website.pdf

Prior to World War II, there was a sizeable Japanese population in the neighborhood. During the War, these residents were stripped of their property rights and relocated to internment camps. Thousands of jobs were created in the region to support the war effort. South Berkeley's Black community, which was already well-established, grew larger and more cohesive.

In the 1960s and 70s, Berkeley took center stage in the national dialogue on race, war, poverty, and free speech. Residents like William Byron Rumford fought for civil rights at the national level, while leaders like Mable Howard fought for social and economic justice at the local level. Suburbanization transformed the Bay Area, draining resources from central cities and creating a growing income divide between East Bay communities.

Issues of race and equity came to the forefront during the planning of the San Francisco Bay Area Rapid Transit [District](#) (BART) system in the late 1960s. As initially conceived, BART was to follow the alignment of the former streetcar line on elevated tracks. South Berkeleyans questioned the initial proposal for an elevated line, as it would physically fracture the predominantly white, middle-class neighborhoods east of Adeline from the mostly African-American neighborhood to the west. Mable Howard's political activism and commitment to her community led to a lawsuit against BART. Political support from Berkeley City Council member (and later Congressman) Ron Dellums propelled the lawsuit forward. Then-Mayor Wallace Johnson also played an important role in this effort that resulted in Berkeley residents voting to tax themselves for a bond measure to pay for undergrounding of not only the Downtown Berkeley station but also the North Berkeley and Ashby stations, as well as 3¼ miles of track.

The outcome was a redesign of the Richmond Line, with BART transitioning to a subway from the Oakland border northward, including an underground station at Ashby. While undergrounding the BART facilities was a victory

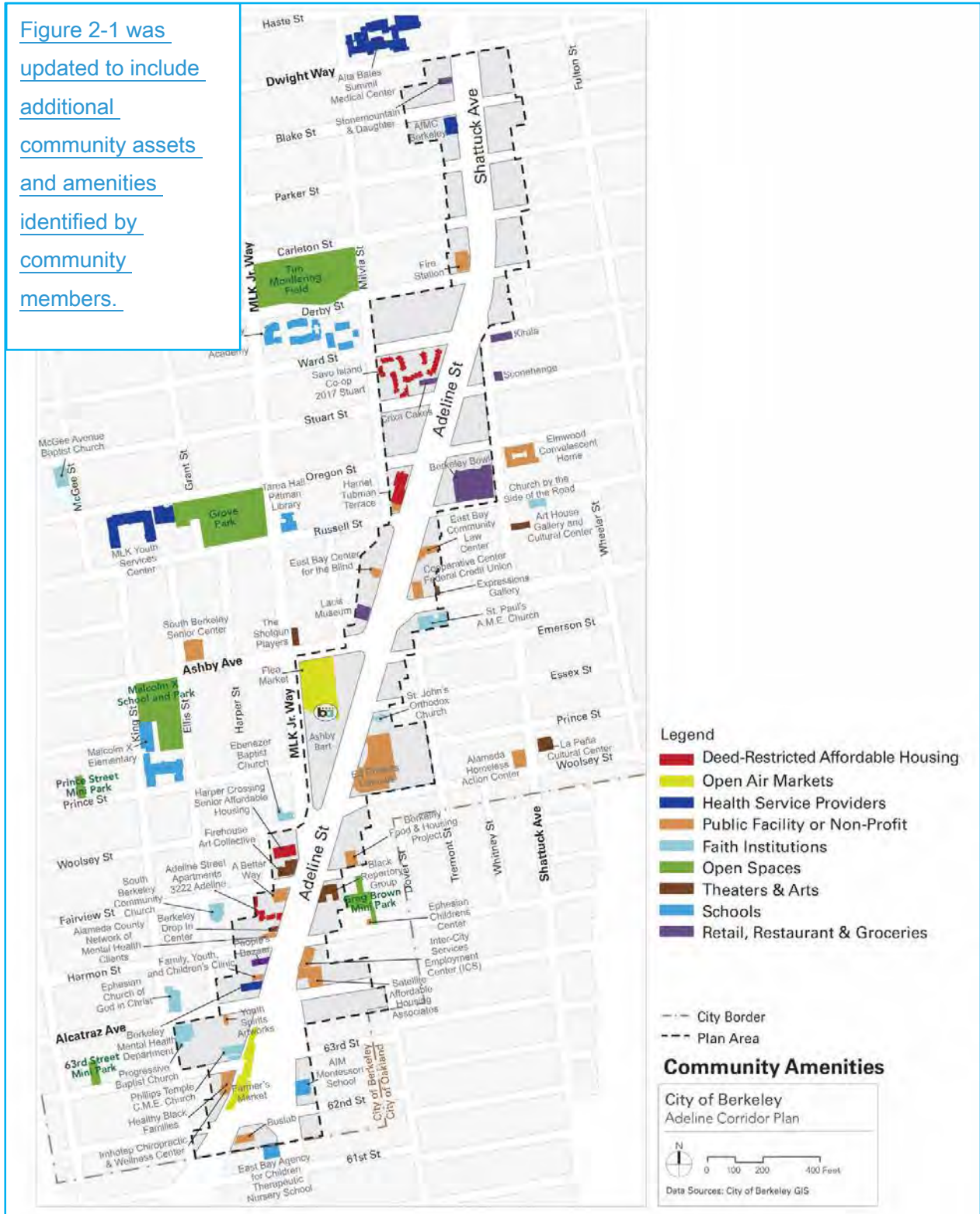
for the community, construction of the tunnel and clearance of several blocks for Ashby Station disrupted a thriving African-American neighborhood. Many homes and businesses were displaced, and the neighborhood businesses that remained struggled through the multi-year construction phase. Service to Ashby Station began on January 29, 1973.

The past five decades have seen the continued evolution of South Berkeley and the Adeline Corridor. The Berkeley Flea Market was established in 1976 on the west Ashby BART parking lot. It has become a neighborhood institution and continues to operate on weekends. A few blocks to the south at 63rd Street, the South Berkeley Farmers' Market has been operating for the last 25 years in South Berkeley and at its current location since 2012. The Ed Roberts Campus opened in 2010, providing a home for several regional organizations serving persons with disabilities. New multi-family housing, including both affordable and market rate projects, has been built along the corridor, and locally-owned businesses and arts organizations have become cherished community institutions.

Figure 2-1 illustrates community assets and amenities along the corridor today.

Figure 2-1 Community Assets and Amenities

Figure 2-1 was updated to include additional community assets and amenities identified by community members.



five **BIG** ideas

Embedded in this Plan are a number of “big ideas” that will help achieve the goals listed above. Each of these ideas corresponds to a project or series of projects that will create new housing, economic, transportation, or public space opportunities for residents and businesses along the Adeline corridor.

1 AFFORDABLE HOUSING. Ensure that at least 50% of all new housing units produced along the Adeline Corridor over the next 20 years are income-restricted housing affordable at a range of income levels including for the lowest income and highest need households. While it is not possible to perfectly predict the number of new housing units that will be built in the area, based on an analysis of available vacant and underutilized sites, this Plan projects that a total of 1,450 new housing units could be built in the corridor over the next 20 years. At least half of this total – 725 units – is the target for affordable units for very low-, low-, and moderate-income households. (Chapter 1 under “Regulatory Framework” and the Draft Environmental Impact Report, Chapter 2 Project Description provide a more detailed description of the “buildout projection” through 2040.) The deepest levels of affordability will be provided on public land, including the Ashby BART Station parking lots. Elsewhere, new zoning standards will create incentives to include substantial numbers of affordable units within market rate projects. See Chapters 3 and 4 of this Plan for more information.

2 ASHBY BART STATION. Redevelop the Ashby BART Station Area as a vibrant neighborhood center with high-density mixed-use development, [structured parking \(including some replacement parking for BART riders\)](#), ground floor commercial and civic uses, and new public space. The BART development should incorporate green construction and become a model for sustainable transit-oriented development. It should unify both sides of Adeline Street, and provide public space for community gatherings, special events, and civic celebrations. See Chapters 3, 4 and 7 of this Plan for more information.

- 3 BUSINESS IMPROVEMENT DISTRICT.** Create a Business Improvement District (BID) or similar entity, serving the Adeline Corridor, with fees from business and/or property owners used to support physical improvements, special events, public safety, street cleanliness/maintenance, and programming. Engagement to explore BID creation should extend to the broader community, including not only existing business and property owners, but also non-profits, Black-owned businesses advocacy organizations, and the unhoused. This entity would be similar to the Downtown and Telegraph Avenue BIDs and would leverage the efforts of the Lorin Business Association and other merchant groups along the corridor. The City would be a partner in this effort and could provide assistance and seed money to get it started. See Chapter 5 of this Plan for more information.
- 4**

STREET RE-DESIGN. Redesign Adeline Street from the Oakland border north to Derby Street, repurposing large areas of pavement as public open space, reducing crossing distances, and making the street a more comfortable place for pedestrians and cyclists. The redesign would retain Adeline’s function as a major cross-town thoroughfare while improving bike lanes and crosswalks to make the street safer and more attractive. The most substantial changes would be on the segment between Ashby and Shattuck Avenues, where the median could be shifted to one side of the right-of-way and improved as a linear park or plaza, and in the area south of Alcatraz Avenue where open space “islands” could be extended and made more functional. See Chapters 6 and 7 of this Plan for more information.

5

COMMUNITY ASSETS AND RESOURCES. Support capital improvements that strengthen existing community institutions such as the Berkeley Flea Market, the South Berkeley Farmers Market and the annual Juneteenth Festival, as well as future institutions such as the African American Holistic Resource Center. For example, this Plan commits to incorporating a large civic plaza as part of any future redevelopment of the Ashby BART west parking lot that could be designed and programmed to accommodate the Flea Market and potentially a relocated Farmers Market, as well as support the Juneteenth Festival and other music and entertainment events. Space in new mixed-use development at the Ashby BART area and/or in a new or existing building elsewhere in the Adeline Corridor could potentially accommodate the African American Holistic Resource Center and other community-desired uses. See Chapters 3, 5 and 7 for more information.

plan CONCEPT

The Plan promotes a transition of Adeline Street from a wide, auto-centric “divider” to a “seam” that knits the east and west sides of the street into a more walkable, mixed-use neighborhood with a diversity of complementary uses, while still acknowledging the Adeline Corridor’s importance as a major circulation route. From an urban design perspective, the primary focus is on promoting placemaking strategies that give better definition to the private and public realm and create an active and appealing pedestrian environment. From a land use perspective, the emphasis is on facilitating uses that support existing neighborhood activity centers. These would include uses that serve to bring residents who are also customers, business owners and employees next to transit that will support community-building and “complete neighborhoods.”

New mixed-use development is envisioned on infill sites along the corridor, accented by new and improved open spaces and a redesigned right-of-way. The older and historic structures along Adeline Street will be retained, as will existing multi-family housing. Although mid-rise construction (generally four to seven stories) is envisioned along the entire corridor, taller buildings would generally be located at the BART station and at the north end of the corridor (along South Shattuck) adjacent to Downtown Berkeley. The emphasis will be on affordable housing, designed for a range of household types and income levels.

The busiest intersections along Adeline will be redesigned to improve conditions for bicycles, pedestrians, and transit users. Major improvements are planned at Ward/Shattuck, [and at the Adeline intersections of](#) Ashby, Woolsey/Martin Luther King Jr. Way, and the “southern gateway” near Stanford Avenue. The street will become a safer, more attractive place, with active public spaces, art, murals, additional street trees, and landscaped open space. Ground floor building space facing

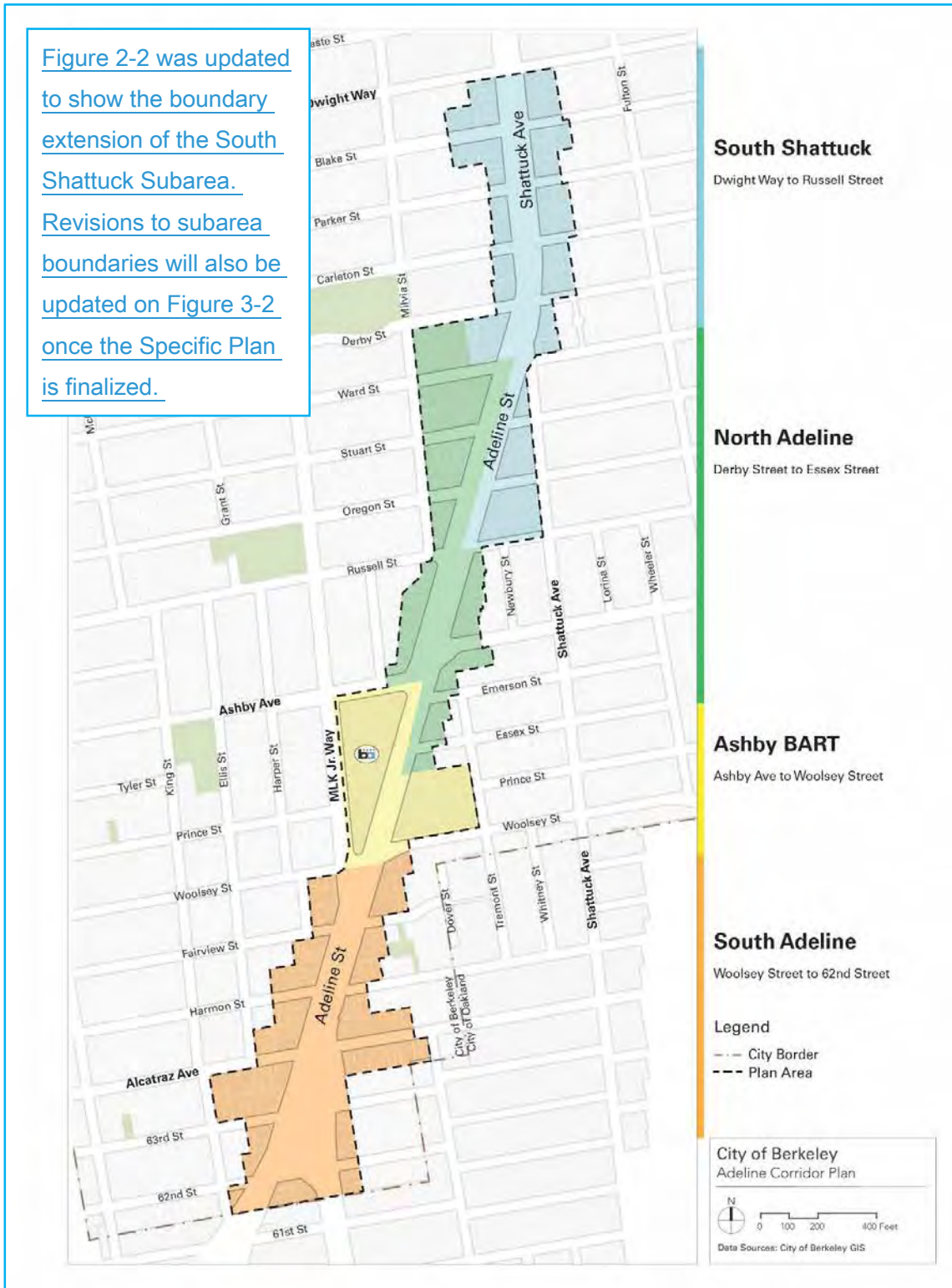
Adeline will be occupied by a mix of new and established businesses, providing space for retail and services, restaurants, cultural venues, and community institutions. Retail uses will generally cluster in the areas with a strong retail presence today, including the Lorin Business District (near Alcatraz Avenue), the Antiques District (at Ashby Avenue), the Berkeley Bowl area (near Russell Street), and the north end of the corridor along Shattuck Avenue.

Adeline Street passes through multiple neighborhoods between the Oakland City limits and Downtown Berkeley. The physical characteristics of the street vary in each neighborhood, creating a different context for long-range planning on different segments of the corridor. This Specific Plan identifies four distinct subareas. The subareas are not intended as rigid boundaries; rather, they are a way of communicating location-specific standards on topics such as building height, parking requirements, and specific desired uses. While some of the recommendations of this Plan apply to the entire corridor, others are communicated at the subarea level.

From north to south the subareas are South Shattuck, North Adeline, Ashby BART, and South Adeline. Figure 2-2 shows their locations. The text below provides an overview of the context and planning strategy for each.

Figure 2-2 Plan Subareas

Figure 2-2 was updated to show the boundary extension of the South Shattuck Subarea. Revisions to subarea boundaries will also be updated on Figure 3-2 once the Specific Plan is finalized.



SOUTH SHATTUCK

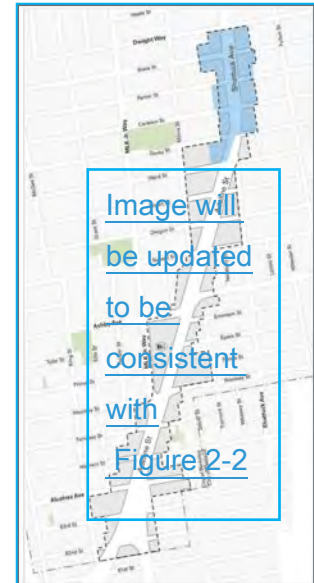
Context and Character

South Shattuck is the northernmost subarea, extending along Shattuck Avenue from Dwight Way to [Derby–Russell Street](#). This subarea functions as an extension of Downtown Berkeley. It includes a range of land uses including retail and commercial businesses, small offices, housing, and car dealerships. The subarea has some of the same streetscape and design features as Shattuck Avenue in Downtown Berkeley, including a center median and parking aisles with diagonal parking bays. Some blocks have historic, pedestrian-oriented stores and buildings, while others are characterized by more auto-oriented uses.

Planning Strategy

The South Shattuck subarea will continue to have a range of retail, residential, and commercial uses during the lifetime of this Plan. While it will not have the same retail intensity as Downtown Berkeley or the Lorin District, it will offer a range of amenities, services, and locally-oriented jobs. [Historical preservation and the adaptive reuse of culturally and historically valuable buildings will be particularly important.](#) A particular priority will be placed on preserving long-tenured businesses and other active ground floor uses in the area's older buildings.

South Shattuck is an appropriate location for higher-density mixed-use development, in part because of its proximity to the Downtown and the University of California campus, and the availability of relatively large, deep parcels. Taller buildings should be massed and oriented toward Shattuck Avenue, stepping down at the rear to respect the scale of adjacent residential uses. South Shattuck also has a relatively high potential for affordable housing, given the availability of publicly-owned sites such as the Fire Station at Adeline and Derby and some larger parcels that are vacant or sparsely developed.



Existing mixed-use building in the South Shattuck subarea



Existing businesses in the South Shattuck sub area

NORTH ADELINE

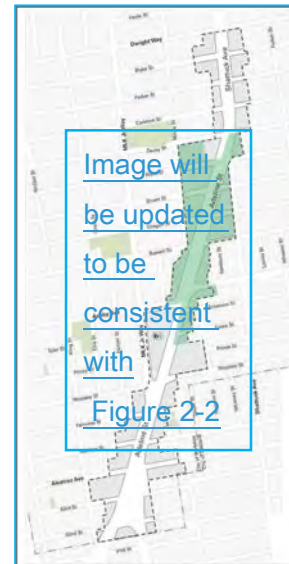
Context and Character

The North Adeline subarea stretches from Adeline Street's northern terminus at Shattuck Avenue/Derby Street to Ashby Avenue. It includes services, small-scale office space, housing, and a number of well-known retail stores, including the Berkeley Bowl grocery. The southern end of this subarea includes the historic Antiques District at the intersection of Ashby and Adeline. The District has been a center of commerce and transit for over a century.

Planning Strategy

North Adeline will continue to support a range of land uses including retail and services, housing, and small-scale offices. Historic preservation and the adaptive reuse of culturally and historically valuable buildings will be particularly important. Infill development should help unify the area's historic buildings, while creating a more consistent and welcoming street environment. New amenities such as outdoor seating and streetscape improvements will be strongly supported.

This section of Adeline Street features a particularly wide median and a variety of sidewalk conditions. The wide right-of-way presents an opportunity to redesign the street, moving the travel lanes and creating a new linear park and/or plaza space and other public amenities that become a destination and community asset.



Existing senior housing in the North Adeline section



Historic mixed-use building in the North Adeline section



The Berkeley Bowl, a popular shopping destination in the North Adeline subarea

ASHBY BART STATION

Context and Character

The Ashby BART subarea is comprised of two large parcels adjacent to the Ashby BART Station, as well as the public street right-of-way and station area between them. The two parcels are owned by BART, but the [City of Berkeley has had an option to purchase the](#) “air rights” over the parcel on the west side of Adeline [have been controlled by the City of Berkeley](#) since 1964 when the station was conceived. The parcel on the east side of Adeline is a 1.9-acre surface parking lot. The parcel on the west side is a 4.4-acre surface parking lot, the northern portion of which is used by the Berkeley Flea Market on weekends.



Beyond the parking lots, this subarea consists of wide, busy streets, with high volumes of station-bound pedestrian, bicycle, and bus traffic. The streets are not as conducive to safe and comfortable pedestrian activity as they might be. There are grade changes and design features that limit the visibility and accessibility of station entrances.

Planning Strategy

This Specific Plan establishes the objectives for future development at Ashby Station (see Chapter 3) but does not present a detailed plan for the Station itself. The design of future development is the subject of a community process and coordination between the City, BART, the community, the Berkeley Flea Market, and other stakeholders. The Ashby BART subarea presents the Corridor’s best opportunity to advance all of the Plan’s strategic goals. It has the potential to become a complete neighborhood center with high-density, transit-oriented housing, at a range of affordability levels, space for community-serving retail, office, and attractive public space for commerce, such as the Berkeley Flea Market and the South Berkeley Farmers Market, for community events and day-to-day interaction. Future changes in this area will also incorporate improvements to bicycle and pedestrian access, transit connections, and new shared mobility technologies that make it easier to get to the station without driving. The Station also presents opportunities to create new public spaces and community-oriented facilities that reinforce Ashby Station’s role as a neighborhood center.



The Ed Roberts Campus, universally designed community and non-profit space adjacent to the Ashby BART Station



The Ashby BART Station

- **Workspaces.** Office use is allowed along the corridor, and will continue to play a secondary but important role in the overall land use mix. The focus should be on smaller, flexible, affordable workspaces including artist workspaces, and including continuation of many of the small office spaces that already exist.
- **Arts and entertainment.** Arts, performance, entertainment, gallery, and studio spaces are allowed and strongly encouraged in the Plan Area. The corridor is anticipated to cultivate a dynamic presence of arts and culture, particularly near centers of community activity such as the Ashby BART Station and existing pedestrian areas such as the historic Lorin District in the South Adeline area.

Active Ground Floor Uses

Providing active ground floor uses that engage and add interest to streets are critical to establishing a pedestrian-friendly district and to creating a successful shopping environment. Such uses add vibrancy to the public realm and increase pedestrian activity. Active ground floor uses are those that generate regular and frequent foot traffic, are physically oriented to the public street, and typically have facades with a high degree of transparency that provides a visual connection between the street and the building interior. Thus, active uses are a combination of land use and physical design. Examples of active ground floor uses include retail stores, restaurants, cafes, markets, banks, galleries, and theaters. [Small offices and residential amenities can also be considered active ground floor uses.](#)

Table 3.1 Ground Floor Uses	
South Shattuck	Ground floor commercial use required.
North Adeline	Ground floor commercial use required.
Ashby BART	Adeline Street: Commercial use required.
	Ashby Avenue frontage: Ground floor commercial use required. Martin Luther King Jr. Way: Residential or commercial use allowed on ground floor.
South Adeline	Ground floor retail or active commercial use required.

**Note: Above requirements only apply to parcels with frontage on South Shattuck, Adeline Street, Martin Luther King Jr. Way, Ashby Avenue and Alcatraz Avenue.*

[Table 3.1 Ground Floor Uses will be replaced with ZO Table 23E.XX.045. Provided below as a reference.](#)

Table 23E.XX.045	
Ground Floor Uses	
Area	Permitted ground floor uses
Shattuck between Dwight and Derby	Commercial uses
Shattuck between Derby and Russell	Active Commercial uses
Adeline between Russell and the City boundary	Active Commercial uses
Ashby east of Adeline	Active Commercial uses
North side of Ashby, west of Adeline	Active Commercial uses

3.2 DEVELOPMENT STANDARDS

Implement site development standards that incentivize the provision of on-site affordable housing.

The development standards in Table 3.2 are intended to be consistent with and codified through zoning code changes adopted concurrently with this Specific Plan. Unless otherwise specified, the standards apply to all areas of the Adeline Specific Plan, and are presented for each of the four subareas in the Plan Area. In some cases development standards vary by subarea; in other cases they do not. The intent of these standards is to provide clarity about what types of projects will be allowed, while ensuring that basic elements of good design and placemaking occur. The development standards are intended to allow a range of building types and intensities consistent with the vision and framework described in Chapter 2, while also allowing increased intensities for projects that provide high levels of affordable housing.

The greatest heights and intensities are focused near Downtown (the South Shattuck area) and near BART (the Ashby BART area), with more moderate intensity allowed in the North Adeline and South Adeline areas. The goal of this approach is to focus density and activity near high-frequency transit and near the existing energy of Downtown, while still allowing context-sensitive infill development along the rest of the corridor. In addition to providing new affordable and market rate housing, future development along the Adeline Corridor should increase pedestrian activity, help local businesses, and support transit.

In addition to height and intensity, Table 3.2 also provides standards for lot coverage, setbacks, on-site parking, and required open area. These are all important tools to encourage appropriate building scale, orientation, and overall site design. They provide foundational design parameters that are complemented by

additional guidance for building design (Policy 3.3), neighborhood transitions (Policy 3.4), and ground floor facades (Policy 3.5). There are no requirements in the Adeline Plan Area for minimum lot area or building separation beyond what is required in the zoning code or for health and safety requirements.

Chapter 4 describes a supplemental affordable housing incentive unique to the Specific Plan Area that offers a bonus for development projects that provide high levels of affordable housing. Any additional density or development capacity pursued through this Adeline-specific affordable housing incentive, or through the State Density Bonus pathway, must be calculated starting from the ~~base~~-residential density values (dwelling units per acre) shown in Table 3.2 BaseTier 1 Development Standards. If a development project pursues the various optional Adeline-specific affordable housing incentive tiers, it may achieve the additional development capacity shown in Tables 3.3, 3.4, and 3.5, as applicable to the project's affordability level and the following streamlined permit process:

- **Table 3.2 BaseTier 1 Standards.** Streamlines permit process to require Use Permits for new construction and if applicable, for demolition. A Project Applicant may select to pay Affordable Housing Mitigation Fees in lieu of providing on-site units.
- **Tables 3.3, 3.4 and 3.5 - Tiers 1, 2, 3 and 3A.** Streamlines permit process to require Use Permits for new construction and if applicable, for demolition. On-site affordable units at specified affordability levels required; no option to pay Affordable Housing Mitigation Fees in lieu of providing on-site units.

These density bonuses that are a part of the Adeline-specific affordable housing incentives are only applied to the dwelling units per acre development standard, and they are to be used in lieu of (and not on top of) the State Density Bonus.

Table 3.2 Base Tier 1 Development Standards

Subarea	Max height ¹		Max FAR	Max density (du/acre)	Max lot coverage		Required setbacks (from lot line) ^{2,3,4}			Usable open space (sf per unit) ⁵	Commercial Parking		Residential Parking		
	Stories	Feet			Interior lots	Corner lots	Front	Side	Rear		MIN.	MAX.	MIN.	MAX.	
South Shattuck	4	45'	2.5	120 du/acre	60% 80%	70% 90%	0' min	0' min	0-40' 0-40' min	80-40 sf per unit	None or 1/1000 sf, depending on size	1.5 per 1,000 sf	4-per 3	1 per unit	
North Adeline	3	35'	2.0	100 du/acre	60% 80%	70% 90%	0' min	0' min	0-40' 0-40' min				None	1.5 per 1,000 sf	1 per unit
South Adeline	3	35'	2.0	100 du/acre	60% 80%	70% 90%	0' min	0' min	0-40' 0-40' min						
Ashby BART	Any future development in the Ashby BART area would be subject to a negotiated development agreement, consistent with the policy and objectives provided in this Specific Plan for the Ashby BART subarea, in Policy 3.7 of this Chapter.														

Table 3.3 Tier 1- Incentive Development Standards (Tier 2: At least 2014% of Base Total Units Affordable, Mix of 50% Low and 50% Very Low)

Subarea	Max height ¹		Max FAR	Max density (du/acre)	Max lot coverage		Required setbacks (from lot line) ^{2,3,4,5}			Usable open space (sf per unit) ⁶	Commercial Parking		Residential Parking		
	Stories	Feet			Interior lots	Corner lots	Front	Side	Rear		MIN.	MAX.	MIN.	MAX.	
South Shattuck	5	55'	3.5	170 du/acre	80%	90%	0' min	0' min	0-40' 0-40' min	80-40 sf per unit	None or 1/1000 sf, depending on size	1.5 per 1,000 sf	4-per 3	1 per unit	
North Adeline	4	45'	2.8	140 du/acre	80%	90%	0' min	0' min	0-40' 0-40' min				None	1.5 per 1,000 sf	1 per unit
South Adeline	4	45'	2.8	140 du/acre	80%	90%	0' min	0' min	0-40' 0-40' min						
Ashby BART	Any future development in the Ashby BART area would be subject to a negotiated development agreement, consistent with the policy and objectives provided in this Specific Plan for the Ashby BART subarea, in Policy 3.7 of this Chapter.														

¹ In the case of a roof with parapet walls, building height shall be measured to the top of the roof and parapets may exceed the height limits above by up to five (5) feet as of right.

² For a lot that abuts the interior side or rear lot line of a residentially-zoned lot, new construction shall be set back from the shared property line by 20 feet for the portion of the building that exceeds 35 feet in height ~~unless a Use Permit is granted to reduce the setback where it is found to be unnecessary to protect neighborhood sunlight access and privacy.~~

³ For a lot that confronts (i.e. is located across the street from) a residentially-zoned lot, any new building shall be set back 10 feet from the street-facing property line where that portion of the building that exceeds 45 feet in height ~~unless a Use Permit is granted to reduce the setback where it is found to be unnecessary to protect neighborhood sunlight access and privacy.~~

⁴ No side or rear setback required except if abutting a lot with R-district zoning, in which case the side setback shall be 10 feet ~~unless a Use Permit is granted to reduce the setback where it is found to be unnecessary to protect neighborhood sunlight access and privacy.~~

⁵ Each square foot of such open space that is provided as publicly accessible open space shall be counted as two square feet of required on-site open space.

CHAPTER 3: LAND USE

Table 3.4 Incentive Development Standards (Tier 23: at least 3521% of BaseTotal Units Affordable, Mix of 50% Low and 50% Very Low)

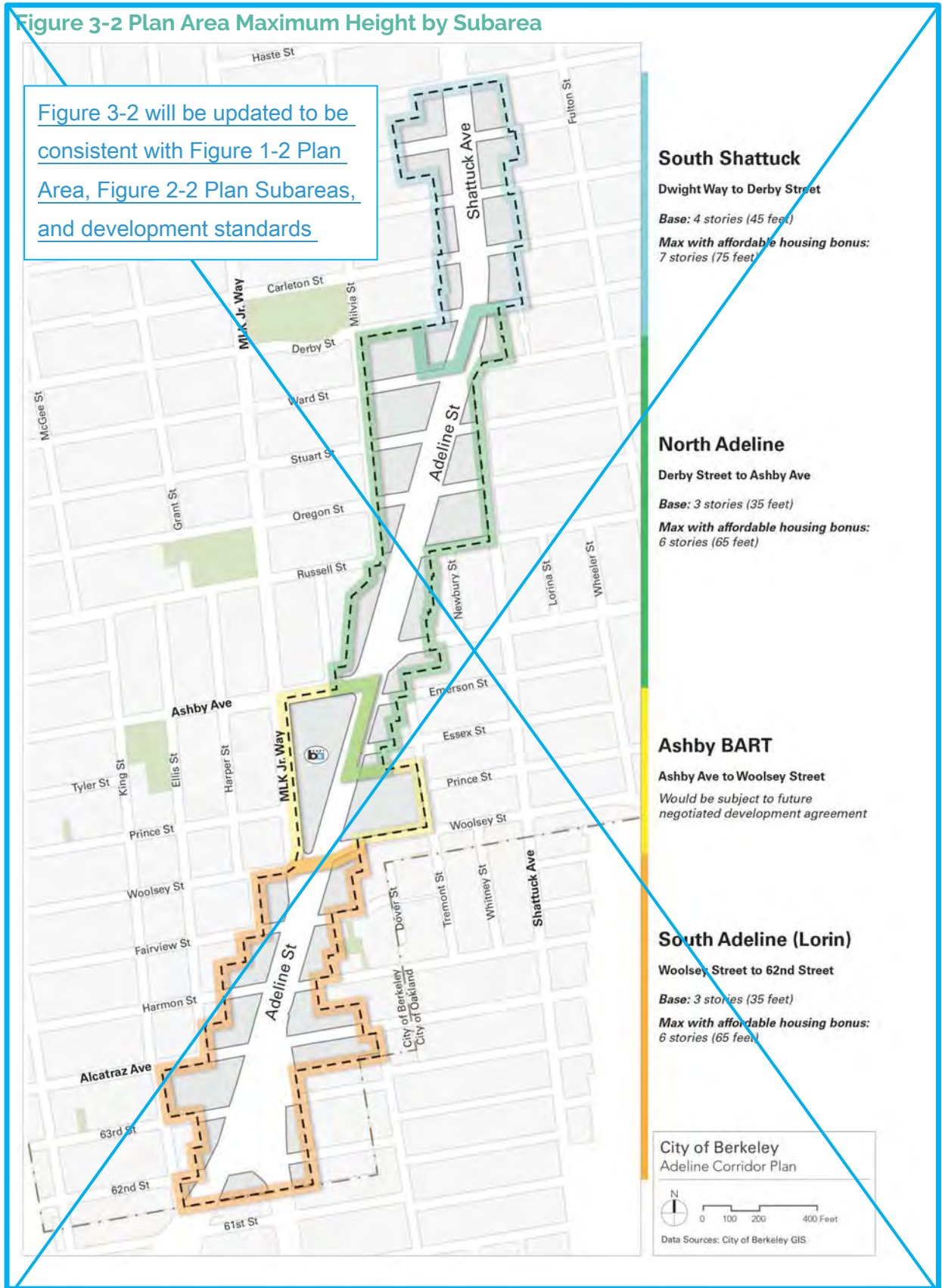
Subarea	Max height ¹		Max FAR	Max density (du/acre)	Max lot coverage		Required setbacks (from lot line) ^{2,3,4}			Usable open space (sf per unit) ⁵	Commercial Parking		Residential Parking	
	Stories	Feet			Interior lots	Corner lots	Front	Side	Rear		MIN.	MAX.	MIN.	MAX.
South Shattuck	6	65'	4.3	200 du/acre	9085%	8590%	0' min	0' min	040'	50-40 sf per unit	None or 1/1000 sf depending on size	1.5 per 1,000 sf	1 per unit	1 per unit
North Adeline	5	55'	3.4	170 du/acre	9085%	8590%	0' min	0' min	040'				4 units	None
South Adeline	5	55'	3.4	170 du/acre	9085%	8590%	0' min	0' min	040'					
Ashby BART	Any future development in the Ashby BART area would be subject to a negotiated development agreement, consistent with the policy and objectives provided in this Specific Plan for the Ashby BART subarea, in Policy 3.7 of this Chapter.													

Table 3.5 Incentive Development Standards (Tier 34: at least 5025% of BaseTotal Units Affordable, Mix of 50% Low and 50% Very Low)

Subarea	Max height ¹		Max FAR	Max density (du/acre)	Max lot coverage		Required setbacks (from lot line) ^{2,3,4}			Usable open space (sf per unit) ⁵	Commercial Parking		Residential Parking	
	Stories	Feet			Interior lots	Corner lots	Front	Side	Rear		MIN.	MAX.	MIN.	MAX.
South Shattuck	7	75'	5.0	240 du/acre	90%	95%	0' min	0' min	040'	50-40 sf per unit	None or 1/1000 sf depending on size	1.5 per 1,000 sf	None	1 per unit
North Adeline	6	65'	4.0	200 du/acre	90%	95%	0' min	0' min	040'				None	1 per unit
South Adeline	6	65'	4.0	200 du/acre	90%	95%	0' min	0' min	040'					
Ashby BART	Any future development in the Ashby BART area would be subject to a negotiated development agreement, consistent with the policy and objectives provided in this Specific Plan for the Ashby BART subarea, in Policy 3.7 of this Chapter.													

Figure 3-2 Plan Area Maximum Height by Subarea

Figure 3-2 will be updated to be consistent with Figure 1-2 Plan Area, Figure 2-2 Plan Subareas, and development standards



on ground floors. This includes retail and services, restaurants and cafes, community rooms and kitchens, building amenities, small professional offices, recreation and arts facilities, residential lobby spaces, and/or individual residential unit entrances and stoops.

- **Facades Facing Public Street.** For non-residential space, design all facades facing a public space (street, sidewalk, open space, or walkway) to be active, transparent, and visually interesting. Variations such as changes in color, material, and/or texture are encouraged.
- **Reduced Blank Walls.** Blank walls (facades without doors, windows, landscaping treatments, or other elements of pedestrian interest) should be less than 30 feet in length along sidewalks, pedestrian paths, or open space.
- **Humanizing Design Elements.** Provide awnings, signage, and other humanizing design elements to generate a pedestrian scale.
- **Vary Ground Floor Facades from Upper Floors.** Design the street-facing facades of ground floors with a distinctly different character from upper floors (distinguished by a greater floor-to-ceiling height, greater articulation, finer design details, unique colors, enhanced ground floor entrances, and/or architectural variation).



Setback provides an outdoor dining plaza



Changes in color and texture provide interest

Table 3.6 Summary of Numerical Frontage and Facade Guidelines by Use Type			
Ground Floor Use	Minimum <u>Ground-to-Ceiling</u>-Height	Minimum Transparency %¹	Entrance Frequency (Average)
Commercial	15' <u>floor to floor</u> 12' <u>floor to ceiling</u>	65% - 75% <u>based on</u> <u>location</u>	30' (retail) 100' (office or other commercial uses)
Residential	12' <u>floor to floor</u>	30%	50'

¹ Transparency percentages apply to the portion of the facade between 3' and 10' above grade.

2. GUIDELINES FOR ACTIVE GROUND FLOOR ~~RETAIL~~ FRONTAGE AND FACADES

The following design guidelines apply to active ground floor facades along retail frontages designated for Active Ground Floor Uses and facades whenever they occur in the Adeline Plan Area:

- **Activate Sidewalk and Street.** Incorporate shopfronts, outdoor seating/dining areas, retail stands, or kiosks to activate the sidewalk and street.
- **Ground Floor Minimum Height.** For the ground floor, provide a minimum 4512-foot indoor floor-to-ceiling height.
- **Street Corner Building Entrance.** For buildings situated on a street corner, provide a corner entrance or an entrance along each street frontage.
- **Minimize Curb Cuts.** Minimize the number of curb cuts along any given block to improve pedestrian safety by consolidating driveways.
- **Transparent Doors and Windows.** Provide at least 75% transparency between 3 and 10 feet (doors and transparent windows) to allow maximum visual interaction between sidewalk areas and the interior. Do not use dark or mirrored glass.
- **Entrances.** Provide entrances at least every 30 feet along street-facing frontage.



Example of engaging, active restaurant and café frontage

3. GUIDELINES FOR RESIDENTIAL FRONTAGE AND FACADES

The following design guidelines apply to ground floor residential frontages and facades whenever they occur in the Adeline Plan Area:

- **Private Frontage and Public Right of Way Transition.** Provide a physical and visual transition between the public right-of-way and private frontage by including features such as landscaping, stoops, terraces, and/or porches.
- **Direct Pedestrian Access.** Provide direct pedestrian access from all ground floor residential lobby spaces or individual units to the adjacent street, sidewalk, or open space.
- **Ground Floor Minimum Height.** For the ground floor, provide a minimum 12-foot floor-to-floor height.
- **Elevate Ground Floor Residential Units.** Elevate ground floor residential units a minimum of 24 inches and a maximum of 48 inches from the sidewalk plane.
- **Residential Lobby Width Limits.** Limit residential lobbies to a width of 40 feet along street-facing frontage.
- **Transparent Doors and Windows.** Provide at least 30% transparency between 3 and 10 feet (doors and transparent windows) to allow maximum visual interaction between sidewalk areas and the interior of residential units. Do not use dark mirrored glass.
- **Entrances.** Provide an average of at least one entrance for every 50 feet of street-facing frontage.



Example of transparent active retail frontage

4. GUIDELINES FOR COMMERCIAL OFFICE FRONTAGE AND FACADES

The following design guidelines apply to ground floor ~~commercial office facades along~~ frontages ~~designated for Commercial Uses and facades~~ whenever they occur in the Adeline Plan Area:

- **Front Setback Area Designs for Guests and Employees.** In front setback areas, include landscaping or seating for guests and employees, public amenity areas, and other spaces that promote gathering, social activity, and pedestrian activity.
- **Ground Floor Minimum Height.** For the ground floor, provide a minimum ~~45~~12-foot indoor floor-to-ceiling height.
- **Employee Entrances.** Provide at least one main entrance for employees and the public accessed from the primary street frontage or adjacent sidewalk.
- **Transparent Doors and Windows.** Provide at least 65% transparency between 3 and 10 feet (doors and transparent windows) to allow maximum visual interaction between sidewalk areas and the interior of office spaces. Do not use dark or mirrored glass.
- **Window Glazing.** Window glazing should provide a high degree of light transmittance and be non-reflective.
- **Entrances.** Provide an average of at least one entrance for every 100 feet of street-facing frontage.

5. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

Use Crime Prevention through Environmental Design strategies (CPTED) in the design of new buildings and building frontages, particularly where there are transitions from public to private space:



Door yards provide a transition between public and private space

- **Location.** Locate active uses and public spaces along the ground floor.
- **Eyes on the Street.** Maximize “eyes on the street” through excellent transparency and lighting.
- **Private and Public Space.** Create clear physical and aesthetic delineation between private and public space.
- **Prevention.** Use fencing, bollards, or landscaping to prevent or discourage access into unmonitored areas.
- **Maintenance.** Regularly maintain public space; remove and/or repair vandalism or broken property.
- **Doors.** Ensure that doors to common facilities are transparent and access-controlled. Courtyard gates and shared building entrances that access individual units should automatically lock when closed.

3.6 HISTORIC RESOURCES, HISTORIC PRESERVATION, AND ADAPTIVE REUSE

Actively preserve, adapt, and reuse historic structures and resources throughout the Adeline Area, particularly landmarked structures of merit and those within historic districts.

Figure 3.3 shows the many structures of historical merit that exist in the Adeline Plan Area, along with existing historic districts. Many of these specific resources are shown and described in more detail in the description of subareas in Chapter 2. Preserving historical and cultural resources is a critical strategy for preserving neighborhood character, promoting sustainability, and supporting community institutions. It also can provide a valuable contribution to the local economy, image and appeal, while also contributing to the long-term enhancement of property values and neighborhood stability. Historic buildings are often the most recognizable landmarks in a neighborhood, and provide an emotional touchstone and sense of place that cannot be replaced. Adaptive reuse of historic structures can also offer an option for smaller-scale community uses or businesses looking for space that is affordable and accessible to the community. The role of historic preservation is particularly important in the South Adeline area – which includes large portions of the Lorin District – as well as the North Adeline area, particularly in the Antiques District and other historic buildings oriented around the intersection of Adeline Street and Ashby Avenue.

Strategies to support adaptive reuse:

- **Historic Preservation Zoning Incentives.** CEQA historic resources or potential CEQA historic resources will not be required to provide new parking or open space to convert from a commercial to residential use or vice versa. Also, if a CEQA historic resource or a potential CEQA historic resource is incorporated as part of a larger project, that area that is incorporated will be exempt from parking and open space requirements.
- **Historic Resource Evaluation.** Identification of historic and cultural resources is an important step to historic preservation. The City currently requires project applicants to prepare Historic Resource Evaluations (HRE) for projects involving demolition or major alteration to a structure or building that is more than 40 years old. In addition to this practice, the City could consider seeking grant funding to prepare a Plan Area-wide HRE (as was prepared for the Downtown area) to identify any remaining resources that should be protected.
- **Historic Recognition.** [Appreciation for historical resources within the Plan Area, including physical and online interpretative materials on the history of the area and its communities should be implemented whenever possible. Examples include enabling the placement of history plaques and ensuring the City's online GIS Portal featuring Historical Resources and Districts is updated periodically with the most up-to-date information. Uplifting community assets and history are also discussed in Policy 5.7 Placemaking and 7.4 Streetscape Amenities, Lighting and Wayfinding.](#)



New development preserves the historic storefront facade

Figure 3.3 Historic Resources in the Plan Area (as of December 2019)

Figure 3.3 was updated for clarity and to include additional "Landmarks/Structures of Merit" identified since the Existing Conditions Report.

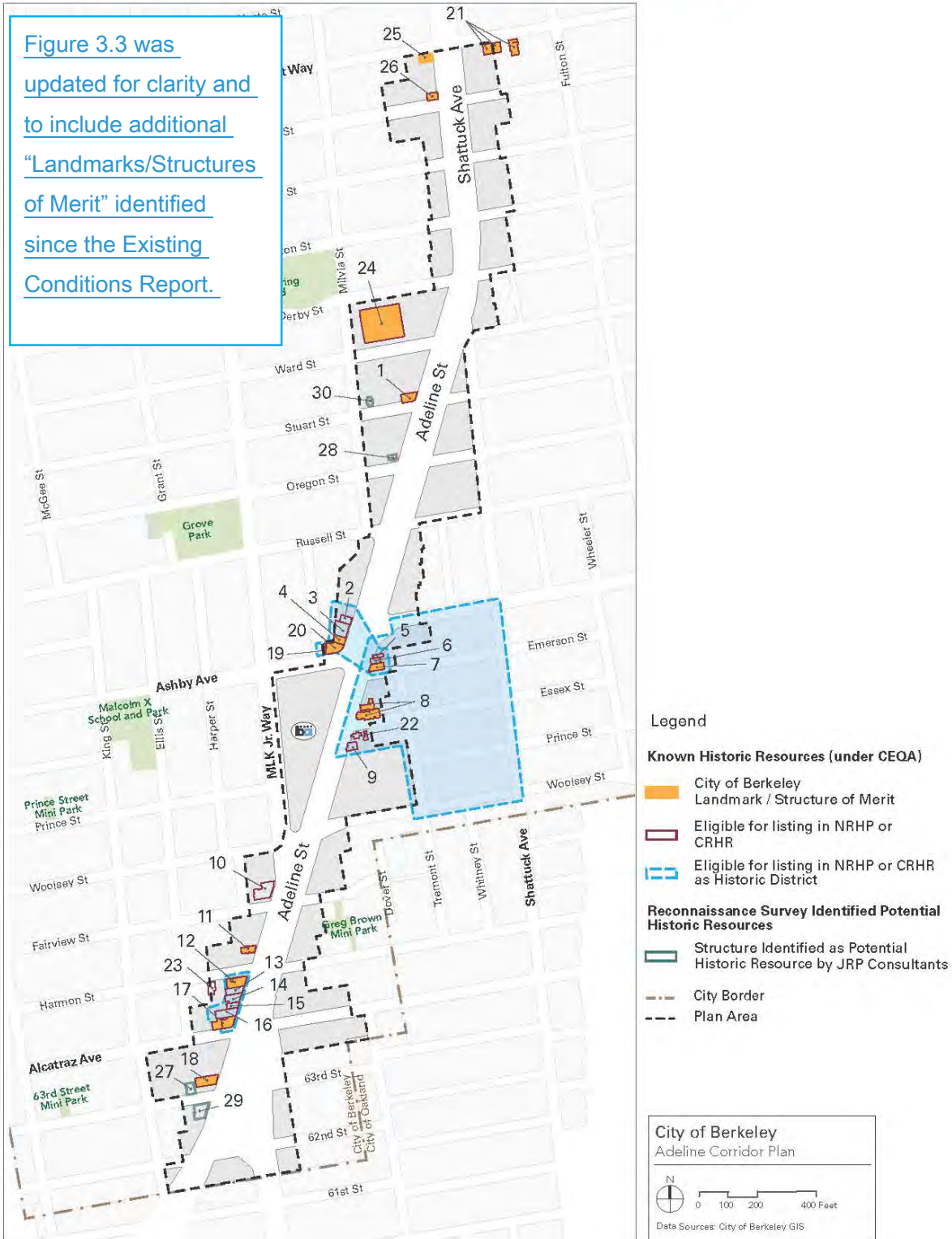


Table 4.4 Known Historical Resources

Figure 4.3-1 ID #	APN	Address	Year Built	Name	Status
1	54-1722-6	2750 Adeline St	1906	Frederick H. Dakin Warehouse	3S, BLM
2	53-1598-16	2970-2976 Adeline St	1905	Adeline St	3D
3	53-1598-17	2982 Adeline St	1910		3D
4	53-1598-18-1	2988-2990 Adeline St	1905	Hoffman Building	3D; BSOM
5	52-1592-16	3021 Adeline St	1901-02		3D
6	53-1592-15	3025 Adeline St	ca. 1901		3D
7	53-1592-14	3027 Adeline St	1905	William Clephane Corner Store	1S; BLM
8	53-1595-9-3	3031-3051 Adeline St	1922	Hull & Durgin Funeral Chapel & Little Chapel of Flowers	3S; BLM
9	53-1703-7	3061 Adeline St	1910		3D
10	52-1551-8-1	3192 Adeline St	1909	T.M. Lucks Nickelodeon	3S
11	52-1530-5	3228 Adeline St	1903	Carlson's Block	3S; BLM
12	52-1531-1	3250 Adeline St	1903	India Block	3B; BLM
13	52-1531-2	3258 Adeline St	1923		3D
14	52-1531-3	3264 Adeline St	1925		3D
15	52-1531-4-2	3278 Adeline St	1928		3D
16	52-1531-5	3280 Adeline St	1953		3D
17	52-1531-6	3286 Adeline St	1906	South Berkeley Bank, Wells Fargo Bank	3B; BLM
18	52-1532-4-3	3332 Adeline St	1920	Lorin Theater	3S; BLM
19	53-1598-20	1979-1981 Ashby Ave	1907		3D
20	53-1598-19	1985 Ashby Ave	1905	Webb Block	3B; BLM
21	55-1823-13	2120-2122 Dwight Way	1905	Luther M. Williamson Building	3S; BLM
22	53-1703-1	1900 Essex St	1936		3D
23	52-1531-16	1808 Harmon St	1909	IT Theatre, Haws Plumbing	3S
24	54-1723-2	2727 Milvia St	1940	Berkeley Iceland	2S; BLM
25	55-1822-1	2500 Shattuck Ave	1923	George A. Mattern/Berkeley Bank Building	BSOM
26	55-1822-6	2526-2530 Shattuck Ave	1905	Berkeley French Laundry, The Hall, Washing Well	3S; BLM

[1S](#): Individually listed in the NRHP & CRHR

[2S](#): Individual property determined eligible for NR by the Keeper. Listed in the CR.

[3S](#): Appears eligible for NR as an individual property through survey evaluation.

[3B](#): Eligible for listing in the NRHP or CRHR as an individual property and as a contributor to a historic district

[3D](#): Eligible for listing in the NRHP or CRHR as a contributor to a historic district

[3S](#): Eligible for listing in the NRHP or CRHR as an individual property

[BLM](#): City of Berkeley Landmark

[BSOM](#): City of Berkeley Structure of Merit

Table 4-5 Potential Historical Resources*

<u>Figure 4.3-1 ID #</u>	<u>APN</u>	<u>Address</u>	<u>Year Built</u>
<u>27</u>	<u>52-1532-7</u>	<u>1719-1721 63rd Street</u>	<u>1907</u>
<u>28</u>	<u>52-1681-10-1</u>	<u>2820 Adeline Street</u>	<u>1895</u>
<u>29</u>	<u>52-1524-3</u>	<u>3350 Adeline Street</u>	<u>1920</u>
<u>30</u>	<u>54-1722-11</u>	<u>2005 Stuart Street</u>	<u>1895</u>

*This table reflects potential significance for architectural merit and retention of integrity based on reconnaissance survey only.

Source: JRP Historical Consultants 2015 and City of Berkeley 2019

3.7 ASHBY BART

Future development within the Ashby BART subarea shall provide public space, community-oriented facilities, and affordable housing, consistent with the objectives, parameters, and process outlined in the Adeline Corridor Specific Plan.

The Ashby BART Station is one of the most prominent landmarks and amenities along the Adeline Corridor, with the potential to support and advance all five key topic areas addressed in this Plan – land use, housing, economic opportunity, transportation, and public space.

As stated in Chapter 2, the Ashby BART subarea is envisioned to be redeveloped as a vibrant neighborhood center with high-density mixed-use development that unifies and knits back together the east and west sides of Adeline Street. The Ashby BART development will be a model for sustainable transit-oriented development, incorporating high levels of affordable housing and complementary commercial and civic uses; public space for community gatherings, special events, and civic celebrations; and green construction.



The Plan lays the groundwork for future engagement with the community and BART by outlining key objectives that apply to future development and describing a process for evaluating development proposals for these sites. Future development in the Ashby BART subarea shall be consistent with the seven objectives below, which shall be incorporated into any future master plan and development agreements with potential developers.

OBJECTIVE 1. AFFORDABLE HOUSING. The City's goal for the Ashby BART subarea is phased development, over the life of the Plan, of 100% below market, deed restricted affordable housing. Following the process outlined in the City and BART Memorandum of Understanding (MOU), the City will work with BART to achieve this goal. This housing should be affordable to moderate, low-, very low- and extremely-low income households at an approximately even distribution. The City of Berkeley shall exercise its option to purchase the air rights above the BART parking lot. Housing in this subarea could also include supportive services or other spaces associated with affordable housing.



The Ashby BART Station

CHAPTER 3: LAND USE

~~Reserving the Ashby BART site for 100% affordable housing development will help achieve the Plan's housing affordability goal that calls for at least 50% of all new housing built in the Adeline Corridor over the next years to be income restricted permanently affordable housing. For any future development in the BART subarea, at least 50% of the total housing units produced should be comprised of deed restricted affordable housing, which could also include supportive services or other spaces associated with the affordable housing. This goal for at least 50% affordable housing at a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) would be calculated across the entire Ashby BART subarea and could be accomplished through multiple phases of development. Any future development agreement should commit to deliver at least this level of affordable housing, and provide a plan to do so. Amounts of affordable housing exceeding 50% of the total square footage and number of units are encouraged.~~

OBJECTIVE 2. PUBLIC SPACE. Any future development shall include one or more publicly accessible spaces incorporated onto the development parcels within the Ashby BART subarea. The public space could potentially be provided as plazas, green space, pedestrian paseos, rooftop patios, flexible event space, or other pedestrian-accessible spaces that are open to the public. Incorporating elements of "green infrastructure" in these elements is highly encouraged (See Chapter 7).

Future redevelopment of the Ashby BART west parking lot ~~shall~~should incorporate a large civic plaza that could be designed and programmed to accommodate the Berkeley Flea Market and potentially a relocated Farmers Market, as well as support the Juneteenth Festival and other music and entertainment events. This space could include dedicated flexible space on the site and/or in a nearby location such as on Adeline Street. The space ~~shall~~should be designed with the general and specific needs of the Flea Market and Farmers Market (if the operators of the Markets are interested), as well as allow flexibility for other programming such as the Juneteenth Festival, music and entertainment, civic events, or other public uses

– at different times of the week or in complementary locations. This could include dedicated flexible space on the site or in a nearby location such as on Adeline Street. The City will oppose the relocation of the Flea Market will not be relocated away from the BART parking lot without the consent of the designated representative of the vendors, currently Community Services United. The City is committed to supporting the Berkeley Flea Market as it works with BART to redevelop the Ashby BART subarea through the process outlined in the Memorandum of Understanding adopted by City Council and the BART Board of Directors (Dec. 2019 and Jan. 2020, respectively). This process will include engagement with the Berkeley Flea Market individually and through the Community Advisory Group (CPGCAG), which will include a representative from Flea Market management, currently Community Services United.

OBJECTIVE 3. ADDITIONAL DEVELOPMENT

PARAMETERS. The following general development parameters will be further refined as implementation steps of this Specific Plan:

Building Height. To achieve the affordable housing goal, climate action goals and maximize community benefits from development of public land, high density mixed-use development is envisioned that are generally up to four to seven stories. The City will continue to coordinate with BART as it refines development parameters as part of implementation of Assembly Bill 2923. In general, development fronting on Adeline Street and Ashby Avenue should "step down" or transition to lower heights where development fronts on Martin Luther King Jr. Way, Woolsey, Tremont and Essex Streets.

Ground-Floor Uses. As noted in Policy 3.1, the following types of uses shall be required for ground floor uses for the Ashby BART subarea:

- Adeline Street frontage: Ground floor retail or active commercial use required.
- Ashby Avenue frontage: Ground floor commercial use required.
- Martin Luther King Jr. Way: Residential or commercial use allowed on ground floor.
- Tremont, Woolsey and Fairview Streets: Residential or commercial use allowed on ground floor.

WHAT IS ASSEMBLY BILL (AB) 2923?

Assembly Bill 2923 was signed into law by Governor Jerry Brown on September 30, 2018. AB2923 grants BART the authority to establish transit-oriented development (TOD) zoning standards that apply to its property across the Bay Area, including the North Berkeley and Ashby BART Station sites. The intent of the law is to enable BART to work together with cities to maximize the public benefit of scarce transit-adjacent land (see Appendix B for more information). Although BART has the ultimate authority to establish zoning standards for its property, BART has indicated that it intends to work in close collaboration with local elected officials and community stakeholders. Furthermore, since the City ~~controls~~ has the option to purchase the “air rights” for the west Ashby BART parking lot, it would have a direct role in approving any future master plan and development agreement for that site, and would work with BART to implement the Objectives described in the Adeline Corridor Specific Plan for any redevelopment of the Ashby BART subarea.

Additional Land Uses. Additional land uses that would be encouraged in the Ashby BART area include the following:

- Potential space for a new African American Holistic Resource Center (see Chapter 5 for more information)
- Ground floor retail, restaurants and family-oriented entertainment;
- Affordable space for neighborhood non-profits
- Small, affordable workspaces
- Universally-accessible community event and recreation space, or performance venues.

[Constuction Phasing.](#) Future development should minimize construction impacts to the Flea Market and other existing businesses, including extensive outreach and engagement as part of developing potential construction phasing plans.

OBJECTIVE 4. PUBLIC ART. Future redevelopment should maximize opportunities to incorporate permanent and/or temporary public art installations that celebrate neighborhood history, cultural heritage and identity (see Chapters 2, 5 and 7 for more information).

OBJECTIVE 5. PEDESTRIAN AND BICYCLE CONNECTIONS. Future development should include pedestrian and bicycle connections that serve users of all abilities and ages. Development of the west parking lot should incorporate the following key bicycle connections at minimum, consistent with the City of Berkeley Bike Plan and as described in the Transportation Chapter of this Plan:

- Connection of the Woolsey/Prince bicycle boulevard facility across the Ashby site
- Provision of an off-street/protected bicycle facility along Adeline Street between Ashby and the intersection with MLK Jr. Way.

WHAT ARE “AIR RIGHTS?”

Ownership of land can be divided into rights on the surface, subsurface (i.e. mining or mineral rights) and air rights. The City of Berkeley acquired air rights over both parking lots at Ashby BART Station back in 1966 after the voters approved undergrounding the BART lines. In 1999, the City executed a contract with the Ed Roberts Campus to assign the City’s option to the air rights over the eastern Ashby BART parking lot (the current Ed Roberts Campus site and the remainder parking lot behind it), to facilitate development of the Ed Roberts Campus. An agreement between the City and the Ed Roberts Campus in 2008 confirmed that the City assigned the air rights over the eastern BART parking lot to the Ed Roberts Campus, but the City still retained the option over the western BART parking lot. The air rights generally refer to the space starting 10 feet above the average finished grade location.

CHAPTER 3: LAND USE

OBJECTIVE 6. PARKING AND TRANSPORTATION DEMAND MANAGEMENT.

Any future development must include aggressive and innovative Transportation Demand Management strategies to reduce demand for parking and single-use automobile trips (See Chapter 6). Consistent with BART Transit-Oriented Design Guidelines and the City's Climate Action Plan, any future mixed-use development shall provide parking at ratio not to exceed 0.5 spaces/residential unit and 1.6 spaces per 1000 sqft of commercial space. ~~Because of the urban environment of the station, replacement parking for BART patrons can be provided at a ratio of 0.5 spaces per existing space or less while access improvements are incorporated to offset the loss of parking and ride spaces and offer viable non-auto alternatives to BART patrons. Because Ashby BART Station is considered an Urban with Parking station, BART's Access and TOD policies strive to have little to no BART parking replacement. To offset the loss of parking spaces, future development must incorporate non-auto, multimodal access alternatives to BART patrons.~~

OBJECTIVE 7. PROCESS AND ENGAGEMENT.

Because of the importance of the BART site both to the success of the proposed housing strategy and to the overall character of the neighborhood, any development process should include a deliberate and extensive community decision making process. The City will work with BART to complete a planning process which includes a Station Area Advisory Group or similar body comprised primarily of representatives of local stakeholder organizations. This stakeholder group should participate in decisions regarding the site requirements to be included in any Request for Proposals (RFP). In addition, any RFP that is issued for development at the BART site will outline specific requirements that a selected developer continue to invest in proactive community engagement throughout the development process and to identify appropriate additional community benefits as part of the project design process. A development team's proven track record of managing this kind of community engagement/community benefits process will be one criteria for selection.

The local community should continue to be closely involved in development of these key public sites. Chapter 4 (Housing Affordability) includes additional information and considerations for future phasing, funding, programming, and affordable housing strategies for the Ashby BART area.

3.8 Sustainable Building Design and Energy Use

Ensure that the design of new buildings incorporates features that address energy use and further the goals of Berkeley's Climate Action Plan.

Berkeley's Climate Action Plan (CAP) was adopted in 2009 with the goal of reducing the City's greenhouse gas (GHG) emissions by 80% by the year 2050. Reducing the energy used in Berkeley's residential, commercial and institutional buildings through energy efficiency retrofits and use of renewable energy, along with building electrification, is key to meeting this goal.

The following measures shall be required of all new buildings in the Adeline Corridor Specific Plan Area:¹

- All new buildings constructed in the Plan area shall be built as all-electric with no natural gas infrastructure connected to the building. This includes all appliances such as electric cooking, clothes drying, water heating, space heating, and air conditioning.

¹ The following measures reflect required mitigation measures as reflected in the Mitigation Measure Monitoring Program for the Adeline Corridor Specific Plan (GHG Mitigation Measures 1 through 3) and BMC Chapter 12.80 (Prohibition of Natural Gas Infrastructure in New Buildings, BMC Chapter 19.36 (Berkeley Energy Code) and BMC Chapter 19.37 (Berkeley Green Code).

Projects which cannot be built as all-electric must qualify for an exception or public interest exemption based on the following, or on an equivalent City of Berkeley adopted ordinance² which meets or exceeds these standards:

- Exception: Natural gas infrastructure may only be permitted for specific systems, devices, or appliances within the building that are subject to the California Energy Code (Title 24, Part 6) and cannot demonstrate compliance with the requirements of that regulation if electric.
- Public Interest Exemption: Upon evaluating alternative technologies and the impacts on the health, safety, and welfare of the public, the entity issuing the zoning permit for the new building may allow minimally necessary and specifically tailored natural gas infrastructure in the building, if it is established that the use serves the public interest.

For any projects permitted to include natural gas components, the City of Berkeley shall require electric readiness to facilitate future full building electrification.³

- All new development projects in the Plan Area shall conform to the following EV

²Current ordinance, BMC Chapter 12.80, adopted by Berkeley City Council on July 23, 2019:

³Current ordinance, BMC Chapter 19.36, adopted by Berkeley City Council on December 3, 2019.

infrastructure requirements or an equivalent City of Berkeley adopted ordinance⁴ which meets or exceeds those standards:

- Single Family Homes and Duplexes
 - At least one parking space per dwelling unit with on-site parking to be equipped with raceway, wiring, and power to support a future Level 2⁵ EV charging station.
- Multi-Family Buildings
 - 20% of parking spaces to be equipped with raceways, wiring, and power to support future Level 2 EV charging stations.
 - 80% of parking spaces to be equipped with connecting raceways (no additional electrical service capacity required).
- Non-Residential Buildings
 - 10% of parking spaces must have Level 2 charging stations installed (a DC Fast Charge station may be installed in place of 10 required Level 2 stations).
 - 40% of parking spaces to be equipped with connecting

raceways (no additional electric service capacity required).

- Building to meet a zero net energy is encouraged for all new buildings in the Plan Area. All new buildings, with the exception of accessory buildings and structures, proposed in the Plan Area shall install solar photovoltaic energy systems in compliance with City of Berkeley adopted ordinance.⁶ Buildings that meet the exceptions in the adopted ordinance for solar photovoltaic energy systems must purchase 100% renewable energy available through an electric utility serving Berkeley. For new multi-family buildings and non-residential buildings, solar photovoltaic energy systems shall cover no less than 15% of total roof area and are encouraged to at least provide all electricity used in interior and exterior building and pathway lighting.

⁴ Current ordinance, BMC Chapter 19.37, adopted by Berkeley City Council on December 3, 2019

⁵ Level 2 circuit: 40+ Amp, 208/240v AC (standard household washer/dryer outlet), charges approximately 25-30 mile driving distance per hour.

⁶ Current ordinance, BMC Chapter 19.36 (Berkeley Energy Code), was adopted by Berkeley City Council on December 3, 2019.

WHAT IS “AFFORDABLE HOUSING”?

Housing is typically considered affordable if housing costs do not exceed 30 percent of household income. Affordability is generally discussed in terms of different income groups. Households are typically categorized as **Extremely Low-Income**, **Very Low-Income**, **Low-Income**, or **Moderate-Income** based on household size and how household income compares to the Area Median Income (AMI) for other households of the same size. Income limits for each household size and income group are established annually by State and Federal agencies. These income limits are used to determine the maximum rents or sales prices for “affordable housing” units.

Any housing that has rent or sales price restrictions is often called “affordable housing.” Berkeley offers several options to access affordable housing including non-profit income-subsidized units (typically built together in a single development) and “Below Market Rate” or BMR units (included as part of a market-rate development project). Affordable housing generally provides housing for households that otherwise could not afford adequate housing at market rates.

The City of Berkeley itself does not build affordable housing. Rather, the City collects fees from new market-rate residential or commercial development that it pools with State and federal funding sources into the City’s Housing Trust Fund (HTF). With approval from the City Council, the City uses HTF funding to support non-profit developers’ affordable housing projects. Market-rate developers have the option to pay fees into the HTF or build affordable housing units (at specified levels of affordability) on-site as part of a proposed project. The developer signs a contract that guarantees that the units are income restricted for the life of the project.

WHAT IS “AREA MEDIAN INCOME”?

Percentages of Area Median Income (AMI) are frequently used to determine eligibility for affordable projects. The area median income is the household income for the median -- or middle -- household in a region. Typically, to be eligible, your income must be less than 30%-80% of the AMI for your size household, depending on the property. Sample AMI thresholds for a one person or four-person household is shown below.

Table 4.1 Income Categories

Household Size	Extremely Low Income (ELI) <30% AMI	Very Low Income (VLI) Between 30%–Up to 50% AMI	Low Income (LI) Between 50%–Up to 80% AMI	Moderate Income (MI) Between 80%–Up to 120% AMI
One Person	\$26,050	\$43,400	\$69,000	\$104,100
	\$24,400	\$40,700	\$62,750	\$87,700
Four Person	\$37,150	\$61,950	\$98,550	\$148,700
	\$34,850	\$58,100	\$89,600	\$113,900
<u>Unit Size</u>				
<u>Studio</u>	\$651	\$1,085	\$1,736	\$2,604

One Bedroom	\$697	\$1,162	\$1,860	\$2,790
Two Bedroom	\$837	\$1,395	\$2,232	\$3,348

[Source: U.S. Department of Housing and Urban Development 2019 Sample Income Limits and California Tax Credit Allocation Committee \(TCAC\). Note that the TCAC does not set 120% rents; these were calculated by City staff using TCAC's methodology.](#)

EXISTING PLANS, PROGRAMS AND REGULATIONS

The City of Berkeley has a strong history of programs and initiatives to protect existing affordable housing, fight displacement and create new supplies of affordable housing. These programs and initiatives are administered primarily by the Health, Housing and Community Services Department, Berkeley Housing Authority, Rent Stabilization Board and Planning Department.

The Housing Element of the City's General Plan serves as the City's framework for housing goals, policies, and programs for meeting existing and future housing needs and increasing affordable housing opportunities. The 2015-2023 Housing Element addresses the planning period of January 31, 2015 to January 31, 2023 as required by the State Housing Element Law. The most relevant major efforts are summarized below.

Affordable Housing Information

The City provides contact information and addresses for all local non-profit and below-market-rate affordable housing developments to assist residents with accessing leasing and waitlist opportunities (www.cityofberkeley.info/affordable/). This webpage also includes resources for affordable housing and homeless resources throughout the region, including Alameda County 211 and One Home Bay Area.

Affordable Housing Bond Funding (Measure O)

In November 2018, Berkeley voters authorized the City to issue up to \$135 million in bonds to fund affordable housing projects for a variety of low and moderate-income ranges and target populations.

Affordable Housing, Anti-Displacement and Homeless Funding (Measure U1 and Measure P funding from the City's General Fund)

Voters in Berkeley approved Measure U1 in 2016 which included an increase in the Business License Tax charged on properties that consist of five or more residential units. In 2018, Berkeley voters approved a one percent tax increase on property sales and transfers over \$1.5M to help fund services for Berkeley's homeless population.

Affordable Housing Mitigation Fee

The City enacted an Affordable Housing Mitigation Fee in response to a court ruling preventing cities from requiring affordable rental units be included in new developments. As a result, developers of new market-rate rental projects must pay a fee of \$37,962 per unit, which is adjusted bi-annually to reflect the California Construction Cost Index. Developers can reduce this fee by including units affordable to low-income households, and the fee is waived if at least 20% of a development's units are affordable (with half affordable to Very Low-Income households and half to Low Income households.) Revenues generated from these fees go to the City's Housing Trust Fund and are used to develop or preserve affordable housing. The legislature has recently enacted new laws that could allow the City to require that new rental development projects include affordable units instead of the mitigation fee; the issue is being studied further.

Tenant Buyout Ordinance

The Tenant Buyout Ordinance provides rights and obligations to tenants and landlords entering into “buyout” agreements. Such agreements include a promise by the tenant to permanently vacate a controlled rental unit in Berkeley in exchange for compensation from the landlord. Landlords must provide tenants with a written disclosure of tenants’ rights prepared by the Rent Board prior to making any buyout offer. Tenants have the right to rescind any buyout agreement at any time during the first 30 days after all parties sign.

Tenant Protection Ordinance

The Tenant Protection Ordinance prohibits illegal evictions through the use of fraudulent and/or misleading representations, intimidating conduct, and coercive conduct. The ordinance requires landlords to provide notice to tenants disclosing the existence of the Ordinance’s protections on a form prepared by the city. This disclosure notice is required to be provided at the inception of any tenancy beginning after April 2017, and must be included with any eviction notice. Failure to include this notice is a defense to an eviction.

HUD’s Mainstream Voucher Program

The U.S. Department of Housing and Urban Development (HUD) issues notices for housing authorities to apply competitively for allocations of Mainstream Vouchers. Berkeley’s Housing Authority (BHA) has been allocated two rounds thus far: 40 Mainstream Vouchers in 2018 and 30 in 2019. These vouchers support a specific target population of non-elderly (between the ages of 18 – 61) disabled, homeless or at risk of homelessness; current clients in supportive or rapid re-housing; at risk of institutionalization or already institutionalized. Referrals for these vouchers come from BHA’s partner organizations: the Homeless Coordinated Entry System (operated by BACS), and two agencies servicing disabled and/or institutionalized populations and the Center for Independent Living, and East Bay Innovations

HUD’s VASH Program

Through HUD-issued notices of availability applications, the Veteran’s Affairs Supportive Housing (VASH) provides homeless veterans and their families a voucher to rent affordable housing, while providing supportive services offered through the U.S Department of Veterans Affairs (VA). VA medical facilities refer eligible HUD-VASH families to the partnering housing authorities. Berkeley’s Housing Authority (BHA) has received a total of 40 VASH vouchers from HUD, in 2017-2019.

Source of Income Non-Discrimination

The City of Berkeley is committed to providing and preserving fair and affordable housing for all income levels. This is reinforced by the Berkeley Municipal Code which works to eliminate discrimination in property rentals (BMC 13.31.010). The BMC was amended, effective July 25, 2017 to prohibit against discrimination on the basis of “source of income” including rental assistance from any Federal, State, local or non-profit administered benefit or subsidy program. While landlords may establish procedures to evaluate an applicant’s financial ability to pay rent and refuse to rent to someone with insufficient income or a poor credit history, landlords may not advertise a preference for, nor refuse to rent to a person based on their source of income, as long as it is lawful.

Coordinated Entry and Housing Resource Center

Berkeley’s Coordinated Entry System (CES) is a policy that works towards Alameda County’s comprehensive strategy to address homelessness more efficiently and equitably. CES sets a strategy to intentionally serve those least able to serve themselves first through providing standardization, prioritization, and coordination. In the City of Berkeley, Coordinated Entry happens at the Housing Resource Center (HRC) which operates a centrally coordinated system to help access homeless services, emergency shelter, transitional housing and other homeless housing resources.

CHAPTER 4: HOUSING

Below Market Rate (BMR) Program and Section 8 requirements in new BMR units

The City's BMR program includes privately-owned affordable rental apartments created through the Inclusionary Housing (IHO) (BMC 23C.12) and Affordable Housing Mitigation Fee (AHMF) (BMC 22.20.065) ordinances. This program regulates apartments with affordable rents set at fixed "below market" rates within market-rate developments. As of January 2020, there are 38 properties with a total of 471 BMR units. Tenants who receive Section 8 may live in a BMR unit as long as they meet the income limits under the BMR program. All projects developed after 2016 must make a portion of the BMR units available to Housing Choice Voucher and Shelter Plus Care certificate holders.

Shelter Plus Care Vouchers

The Berkeley Shelter Plus Care Program is a housing subsidy program for individuals who are chronically homeless in Berkeley. The Program is funded by the U.S. Department of Housing and Urban Development and operated by the Berkeley Health, Housing and Community Services Department in collaboration with several community agencies. Participants pay approximately 30% of their income towards rent, and receive ongoing supportive services. Recipients can utilize vouchers to find housing in the private market in Oakland, Emeryville, Albany, or Berkeley.

Section 8 Housing Choice Vouchers

The Housing Choice Voucher Program, commonly referred to as "Section 8", provides rental subsidy to low-income families. This tenant-based rental assistance program allows families flexibility in selecting a community or neighborhood in which to live. The voucher covers a portion of the rent and the tenant is expected to pay the balance. The tenant's share of rent is an affordable percentage of their income, which is generally between 30 to 40 percent of their monthly-adjusted gross income for rent and utilities. Seventy-five percent of new vouchers issued must be made available to families earning less than 30 percent of the area median income (AMI). The program is the largest United States affordable housing program funded by the Department of Housing and Urban Development (HUD).

a total of 1,450 new housing units over the next 20 years (see Adeline Corridor Specific Plan Draft Environmental Impact Report and Chapter 2 Project Description for more detail on projected buildout thresholds 2040). If these sites were all developed as market rate/mixed-income projects, Berkeley's existing Affordable Housing Mitigation Fee together with the State Density Bonus for affordable housing would ensure that some share of the units were restricted affordable housing. Berkeley currently requires payment of \$37,962 per new housing unit unless a project includes 20% Affordable Housing. While many projects may choose to pay this fee, the State Density Bonus allows projects that include at least 10% Low-Income or 5% Very Low-Income units to build bigger projects than would otherwise be allowed. This additional density has motivated many recent projects to include on-site affordable units. While both of these policies are likely to change over the next 20 years, our projections assume that about half of new market-rate rental projects would elect to produce on-site affordable units.

The City estimates that under current rules, if the projected buildout the development of 1,450 dwelling units were to be built in new market rate projects, it would result in about 175 new deed-restricted affordable housing units (12% of the total) as well as about \$14 million in mitigation fees to support the Housing Trust Fund, which can be leveraged with State and federal funding to develop about 100 units of deed-restricted affordable housing.

The on-site affordable housing incentive described in Chapter 3 aims to encourage a higher share of projects to choose to provide on-site affordable units and provides benefits to projects that include as much as 50% of base units as affordable housing (half low-income and half very low income). However, our economic analysis indicates that, even with the incentives, including such high shares of affordable housing will not be economically feasible for most projects. As a result, it is likely that the share of affordable units in mixed-income buildings will remain well below 50%.

However, assuming that even a handful of key public sites (most notably the BART parking lots) are reserved primarily for affordable housing buildings, it is possible to achieve an overall affordable housing share above 50% of new housing and a total of more than 725 new affordable housing units. Avoiding a one-size-fits-all strategy enables a more ambitious outcome. By maximizing the existing affordable housing opportunity sites to build primarily affordable housing buildings in addition to mixed-income buildings, we can build far more permanently affordable units than would be practical any other way. This approach requires greater transparency and accountability - a simple requirement of a specific percentage of affordable units in all projects is easier for community stakeholders to monitor, but the benefits of a more nuanced strategy are worth the trouble.

ECONOMIC INTEGRATION

Relative to many other communities, South Berkeley already has a high share of income-restricted affordable housing units. In recent years, research on economic mobility has led to a growing concern about over-concentration of affordable housing. Research has shown that children, in particular, are harmed by communities with high concentrations of poverty. This has led policymakers at the local, State and federal level to place a higher emphasis on economic integration and 'access to opportunity' when selecting locations for affordable housing. In light of this trend, some may argue that planning for a high share of affordable housing in the Adeline corridor is inappropriate. But it is important to keep in mind that, in spite of the history of disinvestment in the area, the Adeline Corridor is a relatively high opportunity neighborhood, with very strong transit access, access to jobs, high quality local schools, retail and health care facilities.

In addition, because the likely rate of future development is modest, even if a high share of *new* housing is set aside as income restricted affordable housing, the majority of all housing in the neighborhood will continue to be unrestricted market-rate housing.

4.2 NEW ON-SITE AFFORDABLE HOUSING INCENTIVE

Increase the share of affordable units included in market rate buildings by creating stronger incentives for on-site development

The level of community concern about housing affordability and the ongoing rate of displacement of existing residents suggests that increasing the share of affordable units that are provided on-site in new market rate housing projects should be a key goal for the Adeline Corridor. The limited number of units that will be built in this way will not solve the housing crisis but they can make an important contribution to stabilizing the neighborhood.

This plan proposes to increase the share of on-site affordable housing through two related changes. First by introducing new density standards that will generate a higher number of affordable units even from market rate buildings when applicants choose to apply the State Density Bonus. Second, by offering a new

on-site affordable housing incentive, we can achieve an even higher share of affordable units in exchange for higher densities than current practice would allow.

Chapter 3 outlines a new set of base development standards for the Adeline Corridor. Projects that take advantage of the State Density Bonus will continue to be able to increase the overall density by 35% above this new base in exchange for providing affordable units (either 11% of base units for Very Low Income or 20% for Low Income households). While the specifics vary from site to site, in general the proposed densities are roughly consistent with what recent multi-family housing projects have been able to achieve in the Corridor through the use of use permits together with the State Density Bonus. However, in order to increase the share of affordable units, the City will develop an Adeline Corridor-specific on-site affordable housing incentive program. This program will allow density bonuses of up to 100% in exchange for up to 50% of base units as affordable housing (with half serving Very Low Income and half *Low-Income* households).

Table 4.2 On-Site Affordable Housing Incentive

	South Shattuck Subarea			North Adeline and South Adeline Subareas		
	Affordable Units as % of Base-Project Total Units	Max density (du/acre)	Max FAR	Affordable Units as % of Base-Project Total Units	Max density (du/acre)	Max FAR
Base-Level Tier 1	(0%)	120	2.5	(0%)	100	2
Tier 42	20 14%	168	3.5	20 14%	140	2.8
Tier 23	35 21%	204	4.3	35 21%	170	3.4
Tier 34	50 25%	240	5.0	50 25%	200	4.0

Notes:

1. Half of the affordable units would be provided at Low Income (LI) and half at Very Low Income (VLI) levels.
2. Affordability levels for development in the Ashby BART subarea will be subject to a separate negotiated development agreement. See Chapter 3, Policy 3.8 for more information.

The economic feasibility of the proposed affordable housing incentive program was evaluated during the planning process and is described in more detail in Appendix C. The analysis found that the profitability of typical projects at the increased density together with the increased affordability requirements would be similar to what would be realized by projects using the State Density Bonus (with lower density and less affordable housing). While many projects will not choose to include the highest levels of affordability available under the new Adeline-specific program, the proposed program makes high levels of affordability a practical option under current market conditions and this option may become even more attractive as market conditions, state laws, and available financing tools change in the future. It may be desirable to offer additional options to providing the required on-site affordable housing in order to maximize the likelihood that below market rate housing is actually constructed creation of deed-restricted affordable housing. Options include providing the required affordable units off-site as newly constructed units or through the acquisition and rehabilitation of existing development as permanent, deed-restricted affordable housing under certain circumstances. A potential framework to consider for an off-site affordable program for the Adeline Corridor should consider include:

- Replacement ratio of units;
- Location requirement (e.g. off-site units should be located in South Berkeley
- Timing: units at the "receiving site" should be approved made available either concurrently or prior to the units asat the "sending site";
- Acquisition and Rehabilitation: a physical needs assessment should be developed to identify that the units being acquired are rehabilitated to a comparable level of amenity and useful life to the otherwise required amount of (new) on-site affordable housing. Additional research would be required to determine the appropriate development approval processes; enforcement mechanisms needed to ensure completion of off-site units; as well as how to address rehabilitation of units (and if those units already have some

WHY NOT JUST REQUIRE 50% AFFORDABLE IN EVERY BUILDING?

As part of the Adeline Corridor planning process, a series of "what if" scenarios were tested to determine the feasibility of higher affordable housing requirements (see Appendix C). The analysis showed that market rate projects could, indeed, support higher affordable housing percentages — although a 50% requirement would be too high for most projects to move forward. So instead, the Plan proposes a local density incentive that rewards builders of affordable housing with more market rate units as well, in order for the development economics to work.

kind of formal affordability requirement such as rent control).

• Length of affordability: both newly constructed or acquired units should be required to be deed restricted affordable for either the life of the building, or the life of the initial project, whichever is longer.

During the planning process, many residents expressed a strong desire to maximize the amount of deed-restricted, affordable housing along the corridor. The City should explore additional strategies to require and/or incentivize affordable housing along the corridor, such as increasing the Affordable Housing Mitigation Fee for the plan area, eliminating the fee option and requiring on-site development, or other strategies.

WHY INCLUDE MARKET RATE HOUSING AT ALL?

The rising cost of housing and the ongoing displacement of area residents were raised over and over again as top community concerns in the outreach meetings to inform this plan. Many area residents are concerned that new housing development along the Adeline Corridor will primarily serve a new higher income demographic than the area's existing housing does. This is an important concern and this plan commits to aggressive action to ensure that new housing serves all income groups; with at least half being income restricted to lower income households. But the commitment to providing housing opportunities for all income levels includes the production of market rate housing even though much of that housing will serve higher income residents. There are important reasons for this strategy.

First, no land use plan can adequately protect neighborhood residents from the impact of the regional housing shortage. The Bay Area as a whole is building far less housing than we need to keep up with job growth. The clear and unavoidable result of this shortage is higher housing prices. If we build no new housing, higher income households will inevitably be drawn into communities like south Berkeley where they will end up pushing the rents and prices on existing housing higher. In a 2016 Housing Production study, researchers at UC Berkeley's Urban Displacement Project found that the new market rate housing development was associated with lower rates of displacement in surrounding areas. When higher income residents have more new housing options, they seem to be less likely to move into more moderately priced existing housing.

The same UC Berkeley researchers found that new affordable housing development had an even greater benefit in reducing displacement. But the number of affordable units we can build is limited by the scarce public subsidies and it is not realistic to expect that Berkeley could ever build enough to serve every income-qualified household. Most families will find housing in the market – and the market rent or price will be determined largely by the overall supply. Combining affordable and market rate development is the only strategy likely to result in enough new housing to stem the tide of displacement.

4.4 AFFORDABILITY LEVELS AND TENANT TYPES IN NEW HOUSING

Promote a range of affordability levels for a range of tenant types in new housing development along the Adeline Corridor.

The social, economic, and environmental well-being of a community is enhanced when individuals and families are retained, workforce housing is available, and the needs of residents with changing or special circumstances are met. In order to preserve the diversity that makes the Adeline Corridor area so unique, the City should work to promote new housing development that accommodates a range of affordability levels for a range of tenants. The area should provide both market rate and below market rate housing units at a range of affordability levels. In addition, the City, through land use regulations and housing policies, will encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes, and densities that meet the housing needs of a variety of tenant groups, such as:

- Senior housing
- Family and multi-generational housing [\(e.g. 2-3 bedroom units and other family-friendly amenities, such as childcare\)](#)
- Housing for those with disabilities
- Transitional housing for formerly homeless
- Supportive housing
- Youth housing
- Student housing (primarily close to campus in the South Shattuck area)
- Artist housing
- Workforce housing

This Plan calls for an ambitious combination of on-site affordable units included in otherwise market rate projects and new 100% affordable housing projects built with public subsidy in many cases on public land. Under the City's current inclusionary housing program new ownership projects must include 20% of units at prices affordable to households earning 80% or less of Area Median Income (AMI). As described above, for rental projects, developers may choose between paying the Affordable Housing Mitigation Fee for each new unit or providing 20% onsite affordable housing (with half of those units affordable below 80% of AMI and half below 50% of AMI).

By including 100% affordable housing projects, the strategy can reach much further down the income ladder and provide housing for households with even lower incomes and generally greater needs. The Low-Income Housing Tax Credit program is restricted to households earning less than 60% of AMI and the majority of units are priced to be affordable to households earning much less. Table 4.3 shows the mix of incomes served by LIHTC projects statewide. The largest group of units are limited to households earning 40-50% of AMI but 20% target households below 30% of AMI.

Table 4.3 Mix of Incomes Served by Low Income Housing Tax Credit (LIHTC) Projects. (See Table 4.1 for Income Categories.)

Below 30% AMI	30-40% AMI	40-50% AMI	50-60% AMI
20%	15%	44%	21%

Source: California Tax Credit Allocation Committee

4.7 LOCAL PREFERENCE POLICY FOR AFFORDABLE HOUSING

Develop a preference policy to prioritize new affordable housing units to current area residents or those who have previously been displaced from the neighborhood.

A number of cities, including San Francisco, Oakland, Santa Monica, Portland, New York, and Cambridge (MA), have developed policies to prioritize affordable housing projects (inclusionary Below-Market Rate units and/or non-profit developer affordable units) for residents who live or work in the community where the project is located. In some cases, these policies prioritize both those who currently live near an affordable development and those who have been displaced from the community for specific reasons (such as no-fault evictions or redevelopment/urban renewal actions). See sidebar for more information on how cities are implementing these policies.

Government and banking policies displaced and segregated residents of the Adeline neighborhood for decades. Today, as the region's growth outpaces wage growth, housing price spikes in the neighborhood are pricing out many long-term residents. While many of the institutions that connect the community remain (churches, shops), the supporting community is forced to leave or commute from outer suburbs. This unravels the social and community fabric that gives Berkeley and Adeline its unique identity. Preference policies are a tool to facilitate the retention of long-term residents, and ensure the local neighborhood benefits from new affordable housing development.

While neighborhood-based preferences for affordable housing have sometimes been challenged in court or by federal regulators on the basis of the Fair Housing Act, preference policies that are tailored to address specific policy concerns such as displacement and neighborhood stability can be designed to withstand legal challenges. The Fair Housing Act defines the following aspects of a person's identity as protected classes: race, color, national origin, religion, sex, familial status, and disability. As new affordable housing opportunities are created in the plan area, the City will, within the limits of state and federal law, ~~explore options to~~ prioritize current and former local residents. Potential preferences could include, as part of a point system, people currently living near new affordable developments, ~~as well and as~~ former Berkeley residents who have been displaced from the community, particularly those subject to no-fault evictions and adverse government actions under certain conditions.

Across the country, community preference policies have enabled current and former residents to continue living in their communities. For example, in San Francisco, those displaced by the Redevelopment Agency during urban renewal in the 1960s and 70s can receive a Certificate of Preference that gives them top priority in all lotteries for affordable housing, regardless of whether they still live in the city. The City of Cambridge, Massachusetts, maintains an applicant pool of everyone applying for BMR units, and the list is sorted to prioritize current residents. As a result, 90% of tenants placed in BMR units last year were Cambridge residents.

- **Outdoor Markets and Festivals.** The Adeline Corridor is home to the Berkeley Flea Market, a neighborhood institution established in 1975 that operates on weekends at the Ashby BART Station west parking lot, and the South Berkeley Farmers' Market that has been operating on Tuesdays at its current Adeline and 62nd Street location since 2012. In addition, the five-block area of Adeline between Ashby and Alcatraz Avenues has also been home to the annual Juneteenth Festival since 1986—a celebration that attracts visitors from all over the region and beyond.
- **Non-Profits and Community Organizations.** In addition to public social service agencies, the Adeline Corridor is home to a wealth of non-profit community service organizations and churches that provide a range of services such as job training, legal assistance, housing, medical and mental health services, and banking/financial assistance for the community, including the homeless, low-income, seniors, youth, and disabled communities. Examples of these organizations include: the Drop-In Center, Healthy Black Families, Inter City Services, Ed Roberts Campus, East Bay Center for the Blind, Youth Spirit Artworks and Rebuilding Together.

During the planning process, many community members voiced their desire to enhance local qualities that could attract more businesses and customers to the Corridor while simultaneously addressing the issues that currently create challenges for the business community such as the cost, time and complexity of permitting processes, cleanliness of streets and sidewalks and need for additional services to assist the

homeless population. A survey of businesses within the Adeline Corridor found that more than two-thirds intend to stay and grow, suggesting sustainability and business strength in the Corridor. This Plan calls for supporting that strength and helping to grow existing businesses, as well as helping new businesses thrive and expand.

This chapter outlines a series of policies and strategies to promote economic opportunity for businesses, entrepreneurs, and workers ranging from technical assistance to changes to the physical environment (e.g. building storefronts, signs, awnings, sidewalks, and streets). In some cases, these strategies can be undertaken by the City and in other cases they must be led by private entities/organizations or a partnership of both. Fostering economic growth is deeply intertwined with ensuring a nearby customer base, safe and easy access, and a welcoming street environment. While this chapter touches upon these issues, other chapters in this Plan – Land Use, Housing Affordability, Transportation, and Public Space – address them in more detail.

During the planning process, many creative ideas from the local business community and other stakeholders were raised with regards to strategies to support local businesses with respect to placemaking including development of public space, strategies for managing the aging buildings, and strategies for working with derelict property owners, among others. While the Plan sets a framework for these topics, further economic development planning and funding will be necessary in order to bring these strategies to fruition at the implementation stage of the Plan.

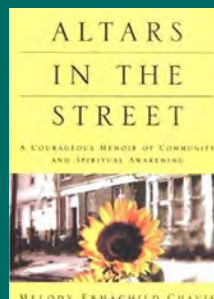
DOCUMENTING HISTORY



Throughout the planning process, many community members have expressed the concern that with the accelerating pace of change in the neighborhood, local histories are in danger of being lost and forgotten. There have been many community-lead efforts to document and commemorate the area's rich history and cultural heritage in the form of public art, oral histories, documentaries, photos and other personal artifacts.

There is an opportunity and a need to ensure that the assets created from these efforts are preserved, documented and accessible to the public in perpetuity. The City should continue to support community-lead initiatives and partnerships to preserve and disseminate existing assets and to build upon past efforts. This will ensure that the younger generations, current residents, visitors to the area, the City of Berkeley and beyond, will be aware and respectful of local history.

Some examples of the numerous community-lead initiatives to celebrate local history include (from top to bottom left, clockwise): The Invisible Becomes **myVisible** (2018), a community mural about South Berkeley's history overseen by muralist Edythe Boone; HereStories, South Berkeley Seniors (2007; a collection of oral history recordings and murals at Malcolm X Elementary School based on South Berkeley's community history; South Berkeley Oral History Project (2016), a community oral history project in partnership with five community elders, Youth Spirit Artworks, historian Susan Anderson, UC Berkeley History-Social Science Project, Berkeley Community Media and the City of Berkeley; Love is a Dream House in Lorin (2006), a play by Marcus Gardley about the history of South Berkeley performed at Shotgun Players Theater; Welcome to the Neighborhood (2018) a documentary about the history of the Lorin District by Pam Uzzell; and Altars in the Street (1997); a memoir by Melody Ermachild Chavis, chronicling her neighbors and neighborhood in South Berkeley in the 90s.



ECONOMIC OPPORTUNITY GOAL: Foster economic opportunity for South Berkeley residents and businesses by facilitating job training and workforce development opportunities, active community spaces, and a thriving environment for commerce along the Adeline Street/South Shattuck Corridor.

5.1 EXISTING BUSINESS RETENTION AND EXPANSION

Continue to strengthen and maintain existing businesses and non-profits by providing financing assistance, case management, consulting, and other relevant services.

Helping existing businesses survive and grow is a vital strategy to preserve the unique and eclectic character of the Adeline Corridor and ensure its continued economic success. This is particularly important as many of the longtime businesses along the Adeline Corridor are micro- and very small businesses or non-profits that face increasing rents and a changing market for their products and services.

Berkeley's Office of Economic Development (OED) currently provides a range of services to existing and prospective Berkeley businesses, including offering assistance that helps businesses better understand and navigate City processes, as well as connecting potential business operators with commercial real estate brokers, training, networking, and loan/grant opportunities. OED will continue to offer these services and partner

with qualified non-profit organizations that have specialized staff focused on providing targeted business assistance (e.g. training, consultation, loans, or other resources). Examples of non-profits that the City has partnered with or could partner with in the future include the Renaissance Entrepreneurship Center, Project Equity, East Bay Community Law Center, Bay Area [Organization of Black-Owned Businesses](#) (BAOBOAB), Prospera, Mainstreet Launch, Inter City Advisors, NAACP, Greenlining, and the Northern California Community Loan Fund.

5.3 BUSINESS IMPROVEMENT DISTRICTS/ORGANIZATIONS

Explore the potential to establish Business Improvement District(s) or similar entity.

A Business Improvement District is an independent non-profit organization funded primarily through property-owners and/or business owners who agree to assess (or tax) themselves an amount that is proportional to a defined set of capital improvements and/or services (beyond those that the City provides). A BID would provide a management entity with reliable resources and transparency requirements (e.g. a Board, work plan and budget) that has a unified voice. This increases a District's clout and ability to work effectively with the City and other civic and social organizations within the community. A BID could be the lead for a number of the strategies in this chapter to: operating "ambassador programs" (where BID's hire staff who usually wear distinctive uniforms, for safety, cleaning, hospitality, outreach, and landscaping services), clean-up and beautification programs, District marketing and promotions, and volunteer coordination and special events.

The concept of a BID has been critical to the success of numerous commercial corridors in Berkeley including: Downtown Berkeley (whose business district now includes the northern portion of the Adeline Corridor from Dwight Way to [Carleton Parker Street](#)), North Shattuck, Telegraph, Solano, and Elmwood. A BID could be an effective mechanism to provide property and business owner services and funding to supplement City services. A BID could include the entire Plan Area or a subsection of the Area.

Because approval of a BID requires a majority vote (with votes weighted by the calculated benefit to the property or business), an important first step is for the community to demonstrate

that there is support among property owners and business owners to form such a District. ~~The Office of Economic Development will assist interested community groups/business organizations with the process.~~

During the community process, concern was expressed that the goals of BIDs may sometimes be in conflict with other broader community goals of equity and compassion for the unhoused. Exploration of whether there is community support for a BID or similar entity should include stakeholder meetings including existing businesses and property owners and in particular Black business owners, cultural and religious institutions, nonprofits, the Berkeley Community Flea Market, local residents, unhoused people, and other users of the corridor to determine the appropriate strategy/entity could best support a vibrant commercial district. Discussion should also include the development of equity goals/principles, possible boundary, desired scope of services and capital improvements and funding potential. Examples to draw upon include Black cultural districts around the country (e.g. Oakland, Austin, Denver, Seattle, etc.). Part of the northern portion of the Plan Area is already part of the Downtown Berkeley Association (DBA), a property-based Business Improvement District, which collects fees from property owners to fund Downtown services. The Lorin Business Association (LBA), a volunteer membership organization that has membership dues could choose to explore creation of a BID. The Office of Economic Development will assist interested community groups/business organizations with the process.

Figure 5.1 shows the boundary of the DBA as well as the geographic range of participating businesses in the LBA.

5.8 WORKFORCE DEVELOPMENT

Explore development of a targeted hiring program.

The City has a number of existing hiring programs and requirements. These include Community Workforce Agreements, the First Source Program and the Housing and Urban Development Department's Section 3 program. The City should explore building on these programs to develop a targeted hiring program that requires new businesses in the Adeline Corridor to hire a required percentage local resident that meet defined criteria for construction and non-construction jobs. Examples of criteria that could be used include: low income and/or formerly incarcerated, chronically unemployed or homeless or paying more than 50% of income for shelter, formerly in foster care, lacking a GED or high school diploma, a custodial single parent, receiving public assistance or a US Veteran. Exploration of such a program would include analysis of options to administer, monitor and enforcement mechanisms, as well as potential for linkages to job training programs.

CHAPTER 6: TRANSPORTATION

Pedestrian Master Plan (2010)

Adopted in 2010, the Pedestrian Master Plan guides the development and enhancement of the pedestrian environment within the City of Berkeley. The Plan includes goals and policies that are consistent with those in the General Plan, defines the existing pedestrian network within the City, and provides a list of recommended projects and programs to improve pedestrian accessibility and safety in Berkeley. At the time of this Plan's writing, an update of the City's 2012 Pedestrian Master Plan is underway and scheduled to be completed in July 2019.

Street Repair Program

Berkeley maintains a rolling 5-Year Street Rehabilitation Plan for paving and reconstructing City streets. The Plan is generated with the aid of a sophisticated Pavement Management System developed by the Metropolitan Transportation Commission. The Plan was most recently updated for Fiscal Years 2018 and 2019 by Resolution 68,279-N.S. adopted by Council on December 19, 2017. The Street Rehabilitation and Repair Policy created by Resolution 55,384-N.S. and updated by Resolution 64,733-N.S. to include permeable paving, contains the basic criteria for developing the plan.

Truck Routes

Designated truck routes for trucks over seven tons are found on [Shattuck Avenue](#), Adeline Street, [Martin Luther King Jr Way between Adeline Avenue \(62nd Street\) and south city limits](#), and Ashby Avenue in the Plan Area. The heavy truck route network within Berkeley is defined in Berkeley Municipal Code (BMC) Section 14.56.060.

Other Relevant Agencies

There is an ongoing need to coordinate with additional regional and state agencies such as:

- **Alameda-Contra Costa Transit (AC Transit).** Alameda-Contra Costa Transit (AC Transit) completed a Major Corridors Study report in 2016 to identify infrastructure investments that will help buses run faster and more reliably on key transit corridors. The study's goal is to improve customer satisfaction and increase ridership.

The study was coordinated with ACTC's Countywide Transit Plan development and calls for increased bus service and transfer opportunities along Adeline Street.

- **Alameda County Transportation Commission.** The Alameda County Transportation Commission (ACTC) has prepared and administers several plans that affect roadways in the Adeline Corridor Specific Plan Area. This includes the Congestion Management Program (CMP), Countywide Multimodal Arterial Plan, Countywide Transit Plan, and Countywide Goods Movement Plan.
- **California Department of Transportation (Caltrans).** Ashby Avenue (State Route 13) is under Caltrans' authority. Major modifications to this street will be coordinated with Caltrans.
- **San Francisco Bay Area Rapid Transit District (BART).** San Francisco Bay Area Rapid Transit District (BART) is a rapid transit public transportation system serving the San Francisco Bay Area in California. There are underground tracks and facilities, as well as the Ashby BART station and surface parking lots located in the Adeline Specific Plan Area. BART has a range of planning policies for its properties related to transit-oriented development, affordable housing, multi-modal access, and public art, among other topic areas.

6.2 STREET RIGHT-OF-WAY DESIGN

Redesign the Adeline Street and Shattuck Avenue rights-of-way to provide better public space, improve multi-modal transportation access, create a more attractive street, and improve safety for persons of all means and abilities.

Adeline Street presents an exciting opportunity to transform a street that is currently very auto-oriented, challenging for pedestrians and bicyclists, and lacking in usable public space. Figure 6-1 provides a long-term redesign concept for the Adeline Street right-of-way, as well as a portion of Shattuck Avenue. The concept is the result of extensive community feedback to “re-imagine” the street so it functions safely for multiple modes of transportation, while providing more public space for recreation, relaxation, socializing, and civic life (see Chapter 7 Public Space). The right-of-way redesign also supports other community goals, such as providing more sustainable infrastructure and green space, enlivening the street to support commerce and economic activity (see Chapter 5 Economic Opportunity), and creating potential sites for new community facilities or affordable housing (see Chapter 4 Housing Affordability).

The redesign concept is a refinement of street and public space concepts initially presented at the Re-Imagine Adeline public exhibit in 2017, and further refined and presented at a community workshop and online survey in 2018. It reflects community feedback received throughout the Adeline planning process, as well as detailed analysis of issues like emergency access, intersection alignment, bicycle and pedestrian facilities, and the location of underground utilities and the BART tunnel.

LONG-TERM + INTERIM IMPROVEMENTS

Policy 6.2 “Street Right-of-way Design” describes a long-term concept for major redesign of the street right-of-way. Subsequent policies in this chapter describe other improvements that could be implemented in the interim before the long-term concept is fully realized.

The long-term right-of-way design is conceptual, and is anticipated to undergo continued refinements and design improvements; as well as study additional roadway configuration options such as further reduction of travel lanes. This will require continued input from community stakeholders, elected officials, and City staff, as well as further engineering and design work including:

- Detailed circulation studies
- Assessment of on-street parking demand and curbside activities, such as commercial deliveries, bus stops, and space for mobility services to pick up and drop off riders
- Detailed design of intersection geometries, design details, and signalization for all modes
- Coordination with AC Transit regarding stop locations and amenities
- Detailed assessment of load-bearing capacity of the BART tunnel, and resulting constraints on potential public space, landscaping, facilities, or structures on top of the tunnel
- Detailed balancing of public space programming needs and street redesign
- Detailed balancing of streetscape maintenance needs and available funding-
- Detailed assessment on BART’s access needs resulting from redevelopment

RIGHT-OF-WAY DESIGN OBJECTIVES AND REQUIREMENTS

The long-term right-of-way concept shown in Figure 6-1 was informed by the following design requirements and objectives. These objectives reflect community input as well as a detailed review of the technical needs of different users of the street:

- **Pedestrian comfort and safety.** Increase comfort and safety for pedestrians of all ages and abilities, including pedestrians accessing BART and other transit, businesses, services, nearby neighborhoods, and residential uses along South Shattuck and Adeline.
- **Access for those with disabilities.** Comply with and exceed requirements included in the U.S. Access Board guidelines for pedestrian facilities in the public right-of-way.
- **Bicycle facilities.** Provide low stress, “family-friendly” bicycle facilities to accommodate bicyclists of all ages and riding abilities to access destinations along Adeline Street.
- **Citywide bicycle network.** Connect to the citywide bicycle network, including the bicycle boulevards on Russell Street, Milvia Street, and Woolsey Street (proposed), and the buffered bike lane on Adeline Street in Oakland (see Policy 6.6 Bicycle Facilities).
- **Balance motorized and non-motorized modes.** Balance pedestrian and bicycle comfort and safety with the design criteria/function of buses, delivery vehicles and automobiles in a mixed-use commercial district.
- **Improve intersection safety.** Improve safety for all modes of transportation at the following intersections of Adeline and major cross streets (see also Policy 6.3 Intersection Design), as well as at minor, unsignalized intersections:
 - Shattuck Avenue and Adeline Street
 - Adeline Street and Ashby Avenue
 - Adeline Street and MLK Jr. Way
 - Adeline Street and Stanford/MLK.
- **Accommodate emergency vehicles.** Maintain the Corridor’s function as a primary route for emergency vehicles and fire trucks, including the current requirements for a 26-foot clear fire lane space (including hose deployment and staging space for ladder trucks, with fire lane parallel to building facades and no farther from building than 30 feet).
- **Provide buffers between public space and traffic.** Increase safety and comfort for pedestrians and users of public spaces by including landscape buffers, low fences/railings, bollards, and other buffers between public space and moving traffic.
- **Curbside management.** Balance the needs of all users with the growth of transportation network companies (TNCs) or “ride hailing services,” as well as other shared-use mobility providers.
- **Identify opportunities to repurpose excess right-of-way for useable public space or development.** Identify opportunities to increase the amount and diversity of usable public space including parks, plazas, outdoor markets such as the Berkeley Flea Market and the South Berkeley Farmers’ Market, or potentially for development of affordable housing and/or community facilities (see Chapter 4 Housing Affordability and Chapter 7 Public Space).
- **Trees.** Increase the number of trees and tree canopy cover in the right of way. Avoid removal of healthy, mature trees. Any removal of trees should be offset by a net increase in trees and tree canopy cover across the right of way.

DESIGN DETAILS BY SUBAREA

The summaries below provide an overview of the design features and elements included in the long-term right-of-way improvement concept, as illustrated in Figure 6-1. These overviews provide additional design details and considerations for street segments in each subarea (South Shattuck, North Adeline, Ashby BART, and South Adeline). The designs included here are conceptual, and could be refined or varied in the future, with further design work to identify detailed features such as exact intersection geometries, bicycle facility types and alignments, pedestrian crossing facilities, and the exact location of street trees and public space. Improvements to the different segments could be implemented in phases or concurrently.

1 SOUTH SHATTUCK (SHATTUCK AVENUE BETWEEN DWIGHT AND ADELINE)

This segment of Shattuck Avenue (shown in Figure 6-2) connects the reconfigured Shattuck/Adeline intersection with the rest of Shattuck as it extends north towards Downtown Berkeley. Dwight Way constitutes the boundary between the Adeline Specific Plan and the rest of Downtown Berkeley, which is covered by the Downtown Streets and Open Space Improvement Plan (SOSIP). At this location, the design of Shattuck will transition to the configuration of Shattuck Avenue proposed in the SOSIP. To achieve this design transition, the City could choose to extend the Adeline Specific Plan design (Figure 6-4) further north of Dwight Way. Alternatively, the City could choose to extend the SOSIP design further south of Dwight

Way, or resolve this design transition in some other way. Proposed improvements along South Shattuck include the following key features and design elements:

- **Eliminate Medians and Consider Back-In Angled Parking.** Elimination of the existing side medians between travel lanes and the parking access aisle, and [consider the](#) conversion of angled parking to back-in angled parking.
- **Raised One-Way Cycle Track.** Raised one-way cycle track (Class 4, separated bikeway) on both sides of Shattuck Avenue.
- **Tree-lined Sidewalks.** Tree-lined sidewalks widened to 20 feet.
- **Ingress and Egress Accommodations.** Design the intersection of Shattuck Avenue and Derby Street to accommodate all ingress and egress needs of the Fire Station located at the northwest corner of the intersection while still improving conditions for people walking across Shattuck at this intersection.

2 NORTH ADELINE (ADELINE STREET BETWEEN SHATTUCK AND ASHBY)

The long-term right-of-way concept for North Adeline, between Shattuck Avenue and Ashby Avenue, is shown in Figure 6-3. It is consistent with the community goal of making Adeline safer for people walking and cycling, more attractive for businesses and residents, and better served by parks and public spaces. The key element of this right-of-way concept is the provision of public space along one side of Adeline Street. Design considerations incorporated into the redesign for North Adeline include the following:

- **Narrow Medians.** Two vehicle travel lanes in each direction separated by narrow medians along the center of the main roadway. The median is paved and configured to meet Fire Department access requirements to properties on the east side of the street.
- **Perpendicular Alignment of Intersection.** A more perpendicular alignment of the intersection at Adeline and Shattuck Avenue, resulting in a small opportunity area for a community-oriented facility or affordable housing to the south of the intersection on the east side of Adeline.
- **Public Space.** Conversion of the 56-foot wide existing center median into an approximately 38-foot wide linear public space along the western side of the street that can include landscaped open space, plazas, and/or modestly sized programmed elements. (See also Chapter 7 Public Space for a more detailed discussion of these opportunities).
- **Local Drive Aisle.** A local drive aisle provides access to businesses, residences, and other uses along western edge of Adeline. Drive aisle includes parking, one narrow vehicular travel lane, and a raised cycle track, all configured to satisfy the Fire Department's 26-foot clear access and staging area requirements. The narrowness of the lane will help to manage drivers to travel at or below the speed limit. To further convey that the drive aisle is a low-speed environment for cars, it should be constructed using a paving material that is different from regular asphalt. In addition, the entry and exit points of the drive aisle should be raised above the adjoining roadway surfaces on Adeline and cross streets by up to 3 inches.
- **Back-in Angled On-Street Parking.** Back-in angled on-street parking along one-lane drive aisle on west side of the street at commercial uses (north of the Ashby intersection to approximately Russell Street)
- **Parallel On-Street Parking.** Parallel on-street parking on east side of the street.
- **Raised One-Way Cycle Track.** Raised one-way cycle track (Class 4, separated bikeway) on east side of Adeline has a beveled curb so that its width can be included in the 26-foot clear space required for fire access.
- **Two-Way Cycle Track.** Two-way cycle track on west side of street between Russell Street and Ashby Avenue establishes convenient connection between the existing Russell Street and Milvia Street bicycle boulevards to Ashby BART to the south of Ashby Avenue.
- **Tree-lined Sidewalks.** 13-foot and 16-foot wide, tree-lined sidewalks on the west and east side of Adeline, respectively.
- [Senior Housing Access Needs. On streets adjacent to senior housing, street configuration should take into account loading and unloading, emergency vehicle access, and bus access that doesn't block vehicle, bicycle, or pedestrian access.](#)

6.4 UNIVERSAL ACCESSIBILITY

Encourage universal accessibility improvements along the corridor, and continue to work with the community to identify priority locations for improvements for those with disabilities.

The City of Berkeley strives to be a leader in providing accessible public facilities. Providing safe and accessible streets, sidewalks, and public spaces helps support an inclusive community and promotes safety and independence for seniors and those with disabilities. The Adeline Corridor is a particular priority for designing for those disabilities, given the presence of the Ed Roberts Campus, the Ashby BART Station, the East Bay Center for the Blind, multiple service providers and non-profits, senior housing projects, and other important destinations and facilities regularly used by those with a wide range of abilities.

The overarching goal is to improve accessibility throughout the Plan Area's public rights-of-way. This will be done through the design of crosswalks, curb ramps, pedestrian signals, and other features that provide ease of access for wheelchairs and people with disabilities. When designing improvements to the pedestrian right-of-way, the City should consult with accessibility and other special needs groups to prioritize improvements and ensure that all needs are accommodated.

Universal design techniques that should be implemented include audible pedestrian signals, accessible curb ramps, and the many pedestrian crossing improvements shown in Figure 6-13 Pedestrian Improvements. Priority locations for audible pedestrian signals and accessible curb ramps include Adeline at Ashby, Adeline at Alcatraz, and other large, busy intersections along the corridor.

Around senior housing, particular consideration should be made to ensure adequate parking for people with disabilities is available.

6.5 PEDESTRIAN CIRCULATION

Improve pedestrian facilities and amenities that create a safe and attractive environment that encourages walking and accommodates increased pedestrian activity.

While there is already a network of continuous sidewalks throughout the Plan Area, there are still many opportunities to improve pedestrian mobility and safety by:

- Reducing street crossing distances
- Lengthening pedestrian crossing signal times
- Increasing pedestrian visibility
- Reducing speeding
- Eliminating existing and minimizing future driveways and curb-cuts along key pedestrian routes.
- Consider traffic signals on Shattuck Avenue at Blake, Parker, and Derby Street and Adeline Street at Stuart, Russell, Essex, Woolsey, Fairview, and Harmon Streets.
- Creating sidewalks where they are lacking, such as along Martin Luther King between 62nd and 63rd St, to the east of the BART tracks.

As noted above, Policy 6.2 describes a long-term major right-of-way redesign concept that will need additional study and community engagement. Figure 6-13 and Table 6.2 show pedestrian circulation and safety improvements that could be completed in the interim and would be compatible with a potential longer-term redesign.

For example, crossing improvements are not only important where the crossing distance is very large, such as at Ashby Avenue, but also at secondary intersections with long crossing distances and heavy pedestrian activity, such as at Derby, Russell, and Fairview Streets. Recommended interim improvements include high visibility crosswalks, curb extensions or bulb-outs, pedestrian signals or beacons, and median pedestrian refuge islands. There are also near-term opportunities along Adeline to improve signal timing, which could reduce speeding and improve traffic flow.

Off the Adeline and Shattuck Corridors and within adjacent neighborhoods, traffic calming measures could include new stop signs, chicanes, speed humps, special striping or textured pavement, diverters, turn restrictions, or traffic circles on certain streets. These treatments are typically not appropriate for major arterials like Adeline, Ashby, or Alcatraz, but are important strategies for improving pedestrian connections between the Adeline Corridor and surrounding neighborhoods.

Table 6.2 Summary of Recommended Interim Pedestrian Improvements (as shown in Figure 6-13)

Intersection	High Visibility Crosswalks	Bulb-outs	Signal or Beacon	Median Refuge Island	Additional Notes
Dwight Way	X				
Blake St	X	<u>X</u>	<u>X</u>		
Parker St	X		X		
Carleton St	X				
Derby St	X	X (unless Fire Dept conflict)	X		Bicycle facility crossing (see Figure 6-14)
Ward St	X	X (to shield right-hand turn)			New sidewalk needed along McKeivitt frontage
Stuart St	X		X		
Oregon St	X				
Russell St	X	X	X	X (south of Russell)	Bicycle facility crossing (see Figure 6-14)
Ashby Ave	X			X (north of Ashby)	
Essex St	X				
Adeline/MLK/Woolsey St	Comprehensive Redesign (see Policy 6.2)				Bicycle facility crossing (see Figure 6-14)
Fairview St	X		X	X (north and south of Fairview)	Consider adding second crosswalk
Harmon St	X		<u>X</u>		
Alcatraz Ave	X	X (SW corner)			Bicycle facility crossing (see Figure 6-14)
Adeline/MLK/Stanford	Comprehensive Redesign (see Policy 6.2)				
62nd St	X	X	X		

6.6 BICYCLE FACILITIES

Focus bicycle facility improvements on Adeline and at locations where the Berkeley Bicycle Plan's existing and planned bicycle network crosses Adeline.

BICYCLE NETWORK

A continuous and connected bikeway system encourages non-motorized travel, provides recreational opportunities, and creates links to other modes of transportation, such as transit. Overall, the City should continue to implement new and improved bikeway facilities along and across the Adeline Corridor, consistent with the City's Bicycle Plan. Figure 6-14 Bicycle Network Improvements illustrates bicycle network improvements both in and around the Plan Area that should continue to be implemented as funding becomes available and as repaving occurs. These include:

- Converting Derby Street into a bicycle boulevard
- Converting Fulton Street into a bicycle boulevard
- Adding sharrows to Grant Street
- Converting Prince Street and Woolsey Street into bicycle boulevards
- Continuing bicycle lanes across Alcatraz Avenue to the King Street bicycle boulevard to connect to existing City of Oakland bicycle lanes along Alcatraz.

The short-term priorities for this Specific Plan are to provide an interim protected bikeway along Adeline in conjunction with repaving projects (such as the planned repaving of Adeline between Shattuck and Ashby funded by the City's T1 Bond) and to improve bicycle crossings at the four locations where the bicycle network intersects Adeline Street. These four locations are at Derby Street, Russell Street, Woolsey Street, and Alcatraz Avenue, as shown in Figure 6-14.

BICYCLE PARKING

Private developers are required ~~and encouraged~~ to ~~install bicycle amenities~~ provide bicycle parking and storage as specified by the Berkeley Municipal Code (BMC 23E.28.070); ~~wayfinding, and signage~~ that will and encouraged to install other bicycle amenities such as wayfinding and signage to promote bicycling around the neighborhood and to/from BART and key commercial areas. To guarantee adequate on-street bicycle parking for short-term use by visitors and shoppers, the City should conduct a physical survey of the blocks within the Specific Plan area to assess where additional bicycle racks should be installed, with the goal of providing a minimum of 12 racks per 200 feet of block face.

Emerging shared mobility choices further expand options for first and last mile connection, and demand for parking spaces for such devices is expected to grow. In developing and monitoring shared mobility programs, the City prioritizes accessibility for people with disabilities and pedestrian safety. Some of the program requirements anticipated to be placed on shared micromobility providers include the provision of adaptive shared electric scooters as a portion of the shared electric scooter fleet, the adoption and enforcement of an ordinance prohibiting adults from riding electric scooters on sidewalks, and the inclusion of a tethering mechanism on shared bicycles and scooters to encourage users to park them at existing racks or within the furnishing zone of the sidewalk, outside of the walking zone.



On-street bicycle parking

6.7 BUS AND SHUTTLE TRANSIT

Work closely with AC Transit to support continued and improved bus transit and shuttle service along the Adeline corridor.

A robust public transportation service is critical to meet the needs of both residents and visitors to the corridor, improve accessibility, and reduce vehicle trips. The Adeline Corridor is designated as a “Primary Transit Route” by the Berkeley General Plan Transportation Element and the Alameda County Transportation Commission Countywide Multimodal Arterial Plan. Maintaining high-quality transit service is a priority for the corridor.

Currently, AC Transit operates several routes within or near the Plan Area, as shown in Figure 6-15. Bus stops are located at regular two- or three-block intervals along all routes:

- Transbay F along Adeline Street and Shattuck Avenue
- 18 along Shattuck Avenue
- 12 along MLK Jr. Way and along Adeline between Martin Luther King Jr. Way and Stanford Avenue
- 80 along Ashby Avenue
- School Route 688 along Alcatraz Avenue (not in operation during summer)
- Late night Transbay 800 service along Shattuck, Adeline between Shattuck and Ashby, and Ashby from Adeline east to Telegraph.

The City does not operate or control AC Transit service. The City’s goal is to support and coordinate with AC Transit as it continues to operate and improve bus service to the area. The City is supportive of AC Transit efforts to undertake physical and programmatic bus transit improvements and related efforts to increase service frequency, reliability, and

ridership along the Adeline Corridor. Continued coordination with AC Transit (and other local/regional transit agencies as needed) will be key to improving service in the Plan Area.

In the near term, the City will coordinate with AC Transit to identify opportunities for improved transit efficiency and reduced bus-stop dwell times through the provision of bus boarding islands, [transit signal priority at appropriate intersections and signal timing favorable to transit operations](#), and for improved bus stop waiting areas and their environs to increase safety and encourage ridership. Existing bus shelters should be improved so they all meet a minimum standard by adding benches, lighting, and signage. This is especially important at high-value destinations such as Ashby BART, locations where multiple lines intersect, and/or at major street connections such as Alcatraz Avenue. Longer-term concepts for the Adeline Street right-of-way, which would require coordination with AC Transit, are described in Policy 6.2.

There may be future opportunities to provide local shuttles to major employers, the university, major housing sites, BART stations, or other destinations. This could occur in coordination with AC Transit, with local employers and institutions such as UC Berkeley, or in coordination with service in neighboring cities such as the Emery-Go-Round shuttle operated by the Emeryville Transportation Management Association. Expansion of service on the existing West Berkeley Shuttle, which connects Ashby BART to the West Berkeley employment district, also could be considered.

Figure 6-15 Existing Transit Service



CONTEXT

Public space is made up of the places that shape everyday experience in our neighborhoods and communities: sidewalks, medians, public squares, parks and green spaces, playgrounds, streets, and infrastructure. Providing better and more usable public spaces and parks was an important community priority expressed throughout the planning process. Types of desired public spaces identified through the process included community gardens, gathering and performance spaces, dog parks, tot lots and playgrounds, recreational facilities, spaces for retail kiosks and street vending, and other attractive, accessible, and well-maintained plaza spaces and landscaped areas.

Although local, regional, and State parkland is available in Berkeley, the geographic distribution of recreational facilities across the city is uneven [and reflects past and ongoing racial and economic disparities in Berkeley](#). The southeast portion of the City, which includes the Plan Area, has the fewest facilities by number and acreage. No public parks occur within the Plan Area. Of the parks near the Plan Area tend to be small and residents and users of the Plan Area, have to travel farther than some Berkeley residents to parks that are not committed primarily to school use (see Table

7-1). The health and environmental benefits of well-maintained landscaping, public space and recreation programs are measurable, well-documented and quantified in numerous studies including:

- **Physical Activity.** Offers opportunities for physical activity which help to increase fitness and lower levels of obesity.
- **Connection with Nature.** Enables people to connect with nature, which is known to confer certain health benefits and enhance well-being.
- **Mental Health.** Improves mental health as attractive and well-maintained public space can serve as venues for stress reduction.
- **Climate Change.** Mitigates the effects of climate change, and air and water pollution impacts on public health.
- **Community Interaction.** Facilitates community interaction as parks –can serve as formal and informal places where people meet.

Park	Size	Features
Greg Brown Mini-Park	0.58 acre	sport courts, an open grassy lawn, playground, picnic areas, and a clubhouse the city leases out
Grove Park	3 acres	baseball/softball field, a multi-purpose turf area, two full basketball courts, two lighted tennis courts, a volleyball court, play areas for both tots and school-age children; a picnic area with barbeque, a gym, and a recreation building/clubhouse
Prince Street Mini Park	0.15 acre	a playground and a picnic area, as well as a small turf area
63rd Street Mini Park	0.19 acres	playground and a picnic area, as well as a small turf area
Tim Moellering Field (Owned and operated by BUSD)	3.48 acres	primarily programmed for organized sports

7.3 PUBLIC SPACE OPPORTUNITY SITES

Identify specific public space opportunity sites and improve public space in the Adeline Corridor.

Opportunities for public space improvements for the South Shattuck, North Adeline, Ashby BART, and South Adeline areas are discussed below and shown in Figure 7.1. These opportunities are consistent with the long-term right-of-way redesign concept in Chapter 6 (Figure 6.1), but also address interim improvements and refinements to existing public facilities such as parks, seating areas, plazas, landscaping, and curb extensions. [A goal of this plan is to at least maintain, if not improve, the ratio of park area to residents in the Plan Area.](#)

1. SOUTH SHATTUCK SUBAREA

Most opportunities for public space in the South Shattuck subarea involve improvements and refinements to existing sidewalk areas which have seating areas, curb extensions, small plazas, and other streetscape amenities. These small spaces play an important part of the overall array of the neighborhood's public spaces, providing opportunities for respite and greenery. Portions of the South Shattuck subarea are within the assessment boundary of the Downtown Berkeley Association (Property-based Business Improvement District) which may be able to facilitate the improvement and management of these small public spaces.

2. NORTH ADELINE SUBAREA

As described in Chapter 6 and shown in Figure 6.1, this Plan identifies a future long-term redesign of the South Shattuck – Adeline Street right-of-way: the conversion of the existing 56-foot median into a linear space ranging between 38 and 52 feet wide, that runs along the west side of Adeline Street between Derby Street and Ashby Avenue. This provides substantial

opportunities to accommodate many of the public space types that were identified during the planning process. The linear space could accommodate a flexible array of programming elements such as:

- **Landscaping and Greenery.** Ornamental and native landscaping, community gardens, and “edible landscapes” using native plants.
- **Program Elements.** Fixed program elements, such as a dog park, tot lot(s) and playground(s), restrooms, and small-scale courts for sports activities or exercise stations.
- **Gathering Spaces.** Public gathering spaces for organized or informal activities, such as pop-up or kiosk commercial uses, or space for other civic or social events.

Substantially widened sidewalks (see Figure 6-2) would also provide opportunities for a range of streetscape amenities such as street furniture and landscaping.

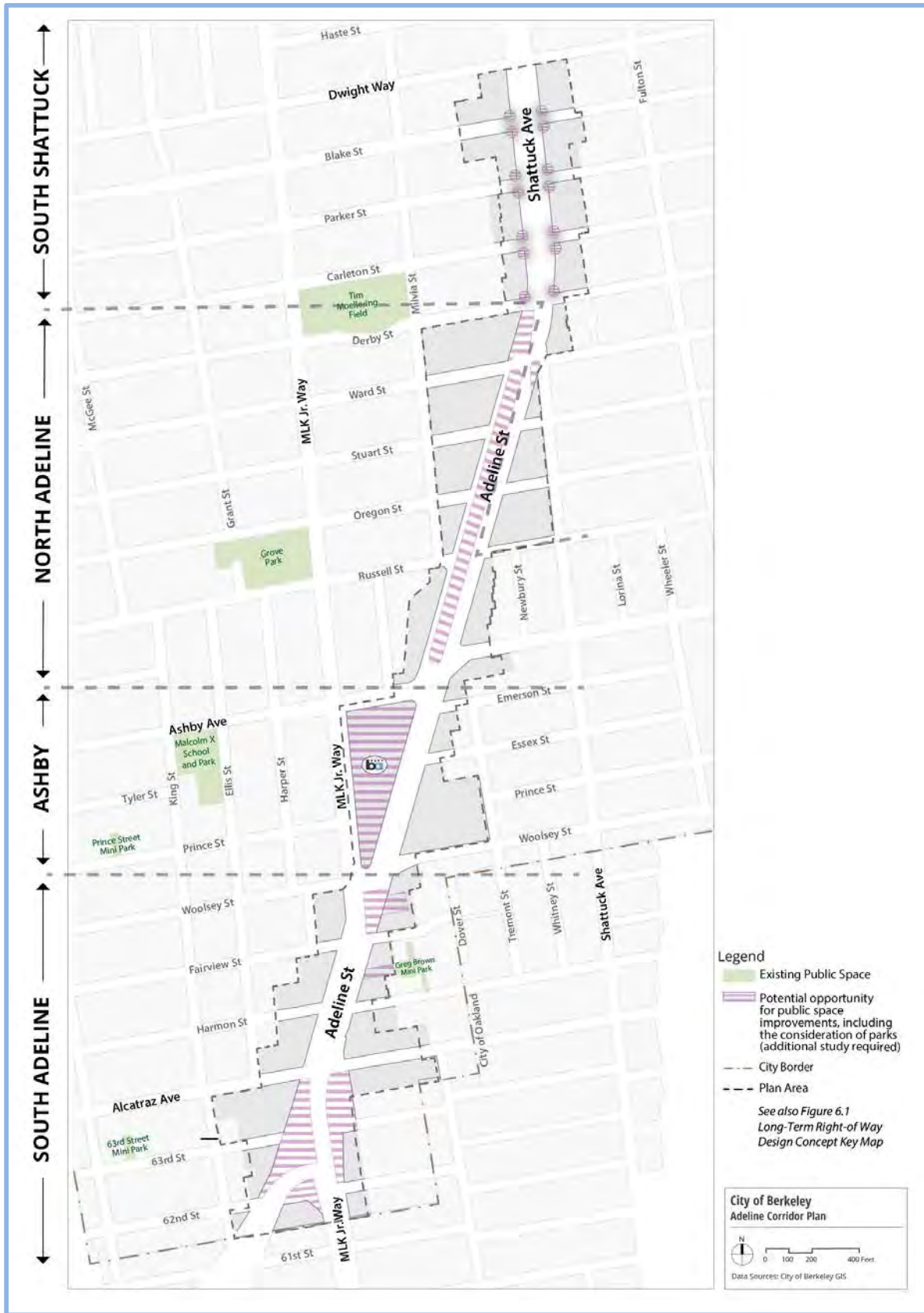
3. ASHBY BART SUBAREA

As noted in previous chapters, the Ashby BART subarea is envisioned to be a vibrant neighborhood center with high-density mixed-use development and new public spaces for community gatherings, commerce, civic celebrations and other special events. Public open space within the Ashby BART sites should improve access for people walking and cycling from surrounding streets to and from the BART Station.

A major opportunity exists with future redevelopment of the Ashby BART west parking lot to establish an attractive public plaza that functions as a gathering place and marketplace that can accommodate the Berkeley Flea Market and potentially the South Berkeley Farmers Market. As part of a redevelopment of the west parking lot, refinement of the long-term right-of-way redesign concept should analyze options to

CHAPTER 7: PUBLIC SPACE

Figure 7-1 Opportunity for Public Spaces



ADELINE CORRIDOR IMPLEMENTATION ACTIONS

NOTE: This content will be further refined in Fall 2019 after gathering and reviewing feedback about the Draft Plan from the community and the City’s advisory bodies and City Council.

Preliminary implementation actions, responsibilities, timeframe as well as potential funding sources are shown in Table 8.1. These actions should be considered in tandem with the corresponding goals, strategies and policies discussed in Chapters 3 through 7, which provide a more robust explanation and context. The timeframes shown are generally defined as short-term (0 to 3 years) or a continuation of on-going activities. Although the implementation actions indicate lead responsibility to undertake and/or coordinate a particular action and partners, it does not preclude other responsible parties from being added or changed as Plan implementation takes place.

Some implementation actions involve City-led capital improvements or coordinated physical improvements with other partners (e.g., Ashby BART redevelopment or the long-term right-of-way redesign concept); others are policy or program initiatives to be implemented by the City in coordination with the community and other stakeholders (e.g., development of community preference policies for new affordable housing); and other measures will be led by community leaders, with the City government in a supporting role.

8.1 ABBREVIATIONS IN TABLE 8.1

City of Berkeley

- CMO – City Manager’s Office
- CAO – City Attorney Office
- HHCS – Health, Housing and Community Services
- OED – Office of Economic Development
- PLNG – Planning and Development Department
- PR&W – Parks, Recreation and Waterfront Department
- PW – Public Works
 - Transportation Division (“PW Trans”)
 - Engineering Division (“PW Eng”)
- RSB – Rent Stabilization Board and Staff
- BHA – Berkeley Housing Authority

Funding Sources

- See Funding Context Section on page 8-11

Note: Although the Specific Plan includes program initiatives and physical improvements that may require longer timeframes to realize or be built, the actions identified in this chapter are the preliminary actions needed in the short-term to be able to move forward towards a longer-term project or program or are a continuation of on-going activities. To the extent feasible, the timeframe for short-term actions will be further refined and reflected in future annual progress reports about the Adeline Corridor Specific Plan.

Other Organizations

- AC Transit – Alameda Contra Costa Transit
- ACTC – Alameda County Transportation Commission
- Alameda County SBDC – Alameda County Small Business Development Center
- BART – [San Francisco](#) Bay Area Rapid Transit District
- BBDN – Berkeley Business District Network
- Caltrans – California Department of Transportation
- DBA – Downtown Berkeley Association
- LBA – Lorin Business Association
- SBA – Small Business Administration

Timeframe

- S – Short-term (0 to 3 years)
- O – On-going

TABLE 8.1 Implementation Actions

ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
PLAN ADMINISTRATION				
PA-1. Establish quarterly meetings with implementation team to review progress, challenges, and next steps.	PLNG	HHCS, OED, PW Eng, PW Trans, PR&W	General Fund	S
PA-2. Provide annual progress update to the City Council and community, including performance metrics, challenges, and next steps. <u>The City will hold interim regular meetings with community stakeholders to address updates and provide an opportunity for input and feedback with notice to residents of the Plan Area and self-identified stakeholders.</u>	PLNG	HHCS, OED, PW Eng, PW Trans, PR&W	General Fund	S
PA-3. Coordinate and monitor grant and other funding opportunities that relate to Specific Plan priorities.	PLNG	HHCS, OED, PW Eng, PW Trans, PR&W	General Fund	S
LAND USE				
LU-1. Amend the City’s General Plan, zoning regulations and zoning map including changes to development standards to promote on-site affordable housing, to implement the Specific Plan. <i>See Policies/Strategies: LU-3.1 – 3.7 and HA-4.2, HA- 4.4 and HA-4.5.</i>	PLNG		General Fund	S (Amendments will be considered in parallel with Specific Plan adoption)
LU-2. Ashby BART Station Area Planning <u>Pursuant to the A. Develop a Memorandum of Understanding (MOU) between the City and BART unanimously approved by the Berkeley City Council and the San Francisco BART Board, the City will:</u> that outlines the project planning process, including but not limited to, timeline, engagement, development parameters, funding, and roles and responsibilities. BA. Conduct needed technical analyses and Coordinate and implement community engagement engage with the Ashby and North Berkeley Community Advisory Committee (CAG) and the community to develop zoning and to refine development parameters <u>for the Ashby BART station area</u> based and additional technical analyses to on Specific Plan Objectives, and consistent with AB2923, City of Berkeley and BART policies. <u>B. Discuss potential allocation of local affordable housing funding</u>		HHCS, PW, OED, <u>Measure O, Oversight Committee Council, CMO</u>		

<p>EC. Coordinate with BART and other partners on next steps, such as preparing and issuing a Request for Proposal(s), to advance development in the Ashby BART Subarea.</p> <p>ED. Coordinate with other public agencies and funders (e.g. AC Transit, Caltrans, ACTC, MTC) to identify and leverage funding opportunities, and coordinate grant applications for affordable housing and capital improvements.</p> <p><i>See Policies/Strategies: LU-3.1 - LU -3.7 and HA-4.3 through HA-4.7.</i></p>	<p>PLNG, BART</p>	<p>Community Partners AC Transit, ACTC, Caltrans</p>	<p>General Fund, BART, Grant funding_</p>	<p>S</p>
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ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
LAND USE				
<p>LU-3. Prepare application for SB2 Planning Grants Program that includes measures to refine and expedite proposed affordable housing and infrastructure improvements in the Specific Plan.</p> <p><i>See Policies/Strategies: LU 3.1 – 3.7, HA 4.2, 4.4 and 4.5, Trans 6.2 and P 7.3.</i></p>	PLNG	PW Trans, PW Eng, HHCS	SB 2 Planning Grants Program	<p>S (First Round Application deadline, Nov. 30, 2019) Completed (Nov. 2019)</p>
HOUSING AFFORDABILITY				
<p>HA-1. Monitor and report progress on Specific Plan 50% affordable housing target, including tracking and reporting income ranges of units of affordable housing built to ensure that there is a range of affordability levels being met by housing production.</p> <p><i>See Policies/Strategies: HA-4.1 and HA-4.4.</i></p>	PLNG	HHCS	General Fund	s
<p>HA-2. Allocate Measure O dollars and continue to identify new, locally controlled funding sources and expand financing mechanisms to fund affordable housing in the Adeline Corridor.</p> <p><i>See Policies/Strategies: HA-4.6.</i></p>	PLNG, HHCS	Measure O, Oversight Committee Council, CMO	Housing Trust Fund, Measure O, Grant funding (e.g. SB 2 and AHSCS), Additional future bond financing	O
<p>HA-3. Develop a preference policy to prioritize new affordable housing units (inclusionary Below Market Rate units and/or Housing Trust Fund/subsidized units) to current residents or potentially those who have previously been displaced from the neighborhood, as consistent with Fair Housing law.</p> <p><i>See Policies/Strategies: HA-4.7.</i></p>	HHCS	CAO, BHA, PLNG, EBCLC , Black-led community groups	General Fund, Grant funding	Underway
<p>HA-4. Explore ways to strengthen the City's Housing Retention program including measures such as increasing funding allocation to the City's homeowner assistance and anti-eviction programs.</p> <p><i>See Policies/Strategies: HA-4.9.</i></p>	City Council, RSB, HHCS	BHA	General Fund	O

ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
HOUSING AFFORDABILITY				
<p>HA-5. Continue to work with property owners and tenants alike to provide education, technical assistance, and public information about protecting existing affordable housing.</p> <p><i>See Policies/Strategies: HA-4.10.</i></p>	City Council, RSB, HHCS	BHA	General Fund	O
<p>HA-6. Identify additional funding sources, in addition to Measure P funding, to implement the City's 1000-Person Plan priorities, including seeking additional funding sources.</p> <p><i>See Policies/Strategies: HA-4.11.</i></p>	HHCS	Non-profit partners and other County organizations	General Fund, Measure P, Grant funding	S
<p>HA-7. <u>Analyze additional alternatives to providing the required on-site affordable housing units in order to maximize the likelihood that below-market rate housing is actually constructed. Options should define requirements regarding replacement ratio, location/proximity of units, timing and rehabilitation/acquisition of existing units.</u></p> <p><i>See Policies/Strategies: HA-4.2.</i></p>	<u>PLNG</u>	<u>HHCS</u>	<u>General Fund</u>	<u>Underway</u>
<p>HA-8. <u>As part of its annual progress report, the City will document the number of income-restricted affordable units within the Plan area (at the time of Plan adoption). In the event that the total number of income-restricted units falls below the number at the time of Plan adoption, the City will, within 60 days of reporting such decrease, propose that the City Council consider amendment(s) to the Plan that would increase the number of restricted affordable units in the Plan area.</u></p>	<u>PLNG</u>	<u>HHCS</u>	<u>General Fund</u>	<u>S</u>
ECONOMIC OPPORTUNITY				
<p>EO-1. Continue to provide technical assistance from City staff and consultants who provide specialized services to small, independent businesses regarding: preparing business plans, succession planning, alternative ownership models such as worker cooperatives.</p> <p><i>See Policies/Strategies: EO-5.1.</i></p>	OED	Alameda County SBDC, SBA, Uptima Business Bootcamp, Project-Equity	General Fund	O
<p>EO-2. Continue to foster collaboration, information sharing and partnerships with the Lorin Business Association and the Downtown Berkeley Association through meetings of the Berkeley Business District Network (BBDN) and other networking opportunities.</p> <p><i>See Policies/Strategies: EO-5.2.</i></p>	OED	LBA, DBA and individual businesses and community organizations	General Fund	O

<p>EO-3. Outreach to <u>and engage the broader community including not only existing business and property owners, but also non-profits, Black-owned businesses, advocacy organizations, and the unhoused to gauge interest and develop proposal for the boundary, scope of services and capital improvements for a to discuss the potential for new Business Improvement District(s) or similar organizing entity for all or part of the Plan Area. Discussion should include development of equity goals/principles, possible boundary, desired scope of services and capital improvements and funding potential.</u></p> <p><i>See Policies/Strategies: EO-5.2, EO-5.3.</i></p>	<p>Business and Property Owners, LBA</p>	<p>OED</p>	<p>General Fund, Grant funding</p>	<p>S</p>
<p>EO-4. Continue to provide technical assistance to the Berkeley Flea Market including technical assistance and capacity building to develop a business plan and organizational structure for long-term viability.</p> <p><i>See Policies/Strategies: LU 4.8, EO 5.1 and 5.4, T 6.2 and PS 7.2.</i></p>	<p>OED</p>	<p>PLNG</p>	<p>General Fund</p>	<p>S</p>

ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
ECONOMIC OPPORTUNITY				
<p>EO-5. Work with the Berkeley Flea Market, Farmers Market/Ecology Center and developers to create a new and/or enhanced location with the appropriate infrastructure at a publicly-accessible space that is part of the Ashby BART redevelopment and/or a redesigned segment of the public right-of-way.</p> <p><i>See Implementation Action: LU-1 above and TRANS 6.3 below for more detail.</i></p>	OED, PLNG	BART	General Fund, Grant funding	S
<p>EO-6. Market the Plan Area as a desirable location for new desired businesses, organizations and amenities.</p> <p><i>See Policies/Strategies: EO 5.5 and 5.8.</i></p>	LBA, DBA	OED, PLNG	LBA, DBA, General Fund	O
<p>EO-7. Work with local business associations and community organizations to develop ideas for some near-term and interim or temporary events or projects that promote the existing assets and identity of the Plan Area and subareas to build on what is working (e.g. arts, theater, antiques, history and culture); activate the area, such as pop-up events; temporary street closures.</p> <p><i>See Policies/Strategies: EO 5.6, EO 5.7, PS 7.2 and PS 7.8.</i></p>	Community Organizations, Individual artists	OED, PW, PR&W, PLNG	City Civic Arts Grants, Grant funding	S
<p>EO-8. Continue to amend the Zoning Ordinance to streamline the review process and reduce the amount of time it takes for desirable businesses and organizations to establish within the plan area.</p> <p><i>See Policies/Strategies: EO 5.1, EO 5.2, EO 5.5 and LU 3.1.</i></p>	OED, PLNG	BBDN	General Fund	O
<p>EO-9. Facilitate partnerships and space sharing agreements in the Plan Area among arts organizations and others.</p> <p><i>See Policies/Strategies: EO 5.2.</i></p>	OED – (Civic Arts Division)	Civic Arts Commission	General Fund	O
<p>EO-10. Identify vacant underutilized buildings and City owned property that can be converted or created for use as artist housing, workspaces and display areas.</p> <p><i>See Policies/Strategies: EO-5.2 and, EO-5.5 and EO-5.8.</i></p>	OED – (Civic Arts Division)	BBDN, LBA, DBA, Property Owners	General Fund, Grant funding	S
<p>EO-11. Increase outreach and engagement within the Plan Area to promote the Civic Arts Grants for art and festivals.</p> <p><i>See Policies/Strategies: EO-5.7 and EO-5.8.</i></p>	OED – (Civic Arts Division)	Civic Arts Commission	General Fund, Grant funding	S

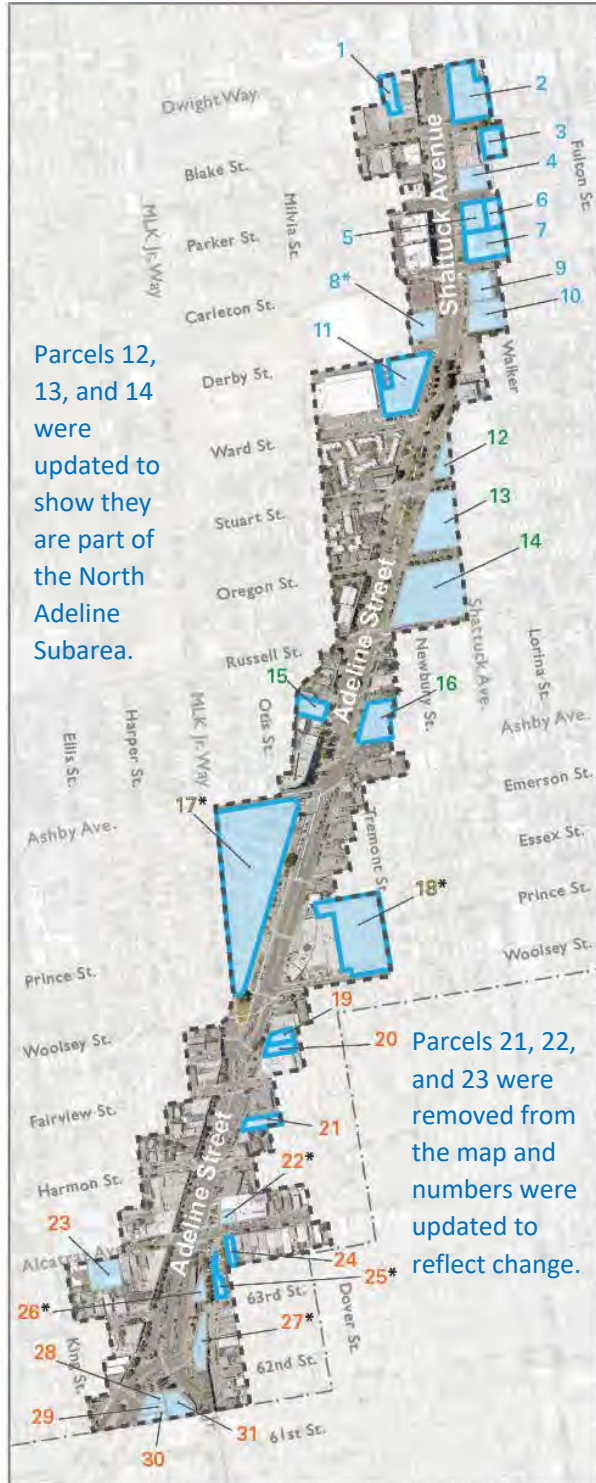
ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
ECONOMIC OPPORTUNITY				
<p>EO-12. Implement district marketing and creative placemaking projects such as murals, banners, signage, decorative trash cans, in-street paintings, parklets, mixed-media advertising campaigns, and other projects.</p> <p><i>See Policies/Strategies: EO 5.7 and EO 7.8.</i></p>	OED	LBA, DBA	General Fund, Grant funding	S
<p>EO-13. Facilitate a shared marketing campaign among arts and culture organizations to improve the visibility and awareness of the Plan Area as a location and destination for the arts.</p> <p><i>See Policies/Strategies: EO-5.7 and EO-5.8.</i></p>	OED – (Civic Arts Division)	Civic Arts Commission, LBA, DBA	General Fund, Grant funding	S
<p>EO-14. Centralize and organize existing information about neighborhood history and develop ways to share it and new efforts to document neighborhood history.</p> <p><i>See Policies/Strategies: EO-5.7.</i></p>	LBA, DBA, Other Community Organizations	OED	Grant funding (e.g. City of Berkeley, UC Berkeley Chancellor Community Partnership Fund, other national, state and local grants), Private Fundraising	S
<p><u>EO-15.</u> Explore building on these existing City-funded programs to develop a targeted hiring program that requires new businesses in the Adeline Corridor to hire local residents that meet defined criteria for construction and non-construction jobs.</p> <p><i>See Policies/Strategies: EO-5.8.</i></p>	<u>HHCS</u>	<u>OED</u>	<u>General Fund, Grant funding</u>	<u>S</u>
TRANSPORTATION				
<p>T-1. Amend the Berkeley Strategic Transportation (BeST) Plan to include the Adeline Corridor as a priority so that the City can prioritize applying for grant funding and leverage other sources of funding.</p> <p><i>See Policies/Strategies: T-6.1 through T-6.6.</i></p>	PW Trans	PLNG	General Fund, Grant funding	S

<p>T-2. Refine public right-of-way concepts for each Plan Area subarea identified through the community process, including further study of additional roadway configuration options such as the potential of reducing travel lanes on Adeline from Derby Street to Martin Luther King Jr. Way; developing planning-level cost estimates, and working with agency partners to identify and leverage respective funding sources.</p> <p><i>See Policies/Strategies: T-6.1, T-6.2, T-6.3 and PS-7.1 through PS-7.8.</i></p>	<p>PW Trans, PLNG</p>	<p>PW Eng, PR&W, Community</p>	<p>General Fund, Grant funding, T1</p>	<p>S</p>
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ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
PUBLIC SPACE				
<p>PS-1. Building on the public right-of-way concepts for each Plan Area, work with the community to develop a comprehensive public realm and streetscape plan (see also T-1 above)</p> <p><i>See Policies/Strategies: PS 7.4 and 7.5.</i> <i>See also Implementation Action T-1 above.</i></p>	PW, PLNG	PR&W	General Fund, Grant funding	S
<p>PS-2. Work with BART and community stakeholders to refine Specific Plan concepts, including physical and operational parameters for a new civic plaza and other public space as part of redevelopment of the Ashby BART west parking lot.</p> <p><i>See Policies/Strategies: LU 3.7, EO 5.4, T 6.1 and PS 7.3.</i> <i>See also Implementation Actions LU-2, EO-5 and T-2 above.</i></p>	PLNG, BART	PW Eng, PW Trans, PR&W	General Fund, Grant funding	S
<p>PS-3. Assess scope, develop cost estimate and identify funding source to repair irrigation line(s) serving a portion of the South Adeline subarea.</p> <p><i>See Policies/Strategies: PS 7.4, PS 7.5 and PS 7.6.</i></p>	PW Eng	PR&W, PW Trans, PLNG	Capital Improvement Program, T1	S
<p>PS-4. Work with community partners to support temporary activation of public space such as pop-up pavement to parks events, street closures and street murals (see Chapter 7)</p> <p><i>See Policies/Strategies: PS 7.2, PS 7.7 and PS 7.8.</i> <i>See also Implementation Action EO-7 above.</i></p>	OED	LBA, DBA, PLNG, CMO, PW	General Fund, Grant funding	S
<p>PS-5. <u>Identify and pursue funding sources for the creation of parks in the Adeline Corridor, such as Proposition 68, the next round of T1 funding or future bond funding.</u> Ensure process to develop next priority for T1 funding is aligned with and help to implement the goals of the Adeline Corridor Specific Plan.</p> <p><i>See Policies/Strategies: PS 7.4 and 7.5.</i></p>	PW Trans, PW Eng, PR&W	PLNG	General Fund, T1	S

Appendix D – Opportunity Sites in Plan Area

Opportunity Sites in the Plan Area



Parcels 12, 13, and 14 were updated to show they are part of the North Adeline Subarea.

Parcels 21, 22, and 23 were removed from the map and numbers were updated to reflect change.

Note: The City reviewed the Plan Area on a parcel-by-parcel basis to identify parcels that had the highest likelihood of change or re-development "opportunity" if met certain criteria (eg. over 15,000 sf and/or publicly-owned parcels) and further Plan vision and goals over the long-term. Inclusion on the map does not indicate that a site with an existing use should be replaced or eliminated from the Plan Area. Uses such as a fill-service grocery and a post office are important community-serving amenities and are encouraged to remain in or near the Plan Area. Parcels identified as Opportunity Sites do not imply that the sites will actually be developed. Development of most of the properties in the Plan Area would be implemented through the market-driven decisions that individual landowners make for their properties.

Parcels with a development application under review, already entitled or under construction/ constructed; as well as, parcels with a significant historic or cultural resources for the purposes of environmental review under the California Environmental Quality Act (CEQA) were excluded for the purposes of mapping "Opportunity Sites". Parcels smaller than 10,000 sf were also not included unless they were adjacent to opportunity sites that would, when considered together, be greater than 10,000 sf.

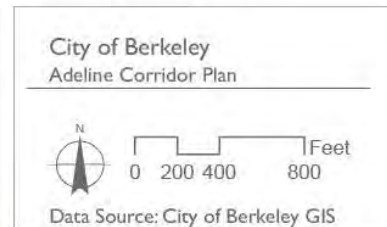
Legend

- Opportunity Site
- Included in Draft EIR Projected Buildout Scenario
- * Publicly Owned

Opportunity Sites are numbered and color coded to indicate plan subarea location

- # South Shattuck
- # North Adeline
- # Ashby BART
- # South Adeline

- - - City Border
- Plan Area



Appendix D – Opportunity Sites in Plan Area

List of Opportunity Sites in Plan Area

Map ID	APN	Address	Owners	Current Use	Lot Size (SF)	Subarea
1	55-1822-3-1	2032 Dwight Way	Herrick Foundation	Surface Parking Lot	12,756	South Shattuck
2	55-1823-11-1	2104 Dwight Way	Alta Bates Corporation	Surface Parking Lot	41,293	South Shattuck
3	55-1824-18-1	2116 Blake St	Berkeley Free Market LLC	Music Lovers(Retail) + Surface Parking Lot	13,500	South Shattuck
4	55-1824-14	2105 Parker St	Thallaug Kirsten TR & Thallaug Haakon E	Viking Trader Furniture Store	18,220	South Shattuck
5	55-1825-19	2609 Shattuck Ave	Valiye Reza	Abandoned building + Surface Parking Lot	15,234	South Shattuck
6	55-1825-20	2110 Parker St	Valiye Reza	Surface Parking Lot	10,125	South Shattuck
7	55-1825-15-2	2621 Shattuck Ave	Valiye Reza	Best Auto Radio(Auto Repair)	26,700	South Shattuck
8	55-1819-3-1	2680 Shattuck Ave	City Of Berkeley	Berkeley Fire Station 5	17,300	South Shattuck
9	55-1826-20	2627 Shattuck Ave	Valiye Reza	Honda Dealership	15,800	South Shattuck
10	55-1826-18-2	2655 Shattuck Ave	S H Kay LLC	DaVita Berkeley Dialysis Center	23,655	South Shattuck
11	54-1723-1	2700 Shattuck Ave	2700 Shattuck LLC	McKevitt Auto Dealership	45,651	South Shattuck
12	54-1721-1	2747 Adeline St	Shattuck Properties LLC & ETAL	Honda Dealership Lot	10,925	North Adeline
13	53-1684-1	2801 Adeline St	2801 Adeline LLC	Walgreens	47,916	North Adeline
14	53-1683-1	2020 Oregon St	2020 Oregon Street Lp & ETAL	Berkeley Bowl Grocery	84,506	North Adeline
15	53-1598-10-1	2926 Adeline St	East Bay Center For The Blind Inc	East Bay Center for the Blind	10,000	North Adeline
16	53-1591-18-3	2001 Ashby Ave	Cooperative Center Federal Credit Union	Cooperative Center Federal Credit Union + Surface Parking	26,303	North Adeline
17	53-1597-39-4	Adeline St	San Francisco Bay Area Rapid Transit District	Surface Parking Lot (Flea Market Site)	194,348	Ashby BART
18*	53-1703-9	Adeline St	San Francisco Bay Area Rapid Transit District	BART Parking Lot (Behind Ed Roberts Campus)	79,542	Ashby BART
19	52-1552-19	3175 Adeline St	Lee Kam M TR & Lee Kam M & Jai Audrey L TRS	Surface Parking Lot	6,850	South Adeline

Included in EIR Buildout Scenario | *Publicly Owned
 Source: Alameda County Assessor

Appendix D – Opportunity Sites in Plan Area

Map ID	APN	Address	Owners	Current Use	Lot Size (SF)	Subarea
<input type="checkbox"/> 20	52-1552-18	3175 Adeline St	Lee Kam M TR & Lee Kam M & Jai Audrey L TRS	US Post Office	6,700	South Adeline
<input type="checkbox"/> 21	52-1529-20	3215 Adeline St	Chin Yong S & Pun S	Washingtown (Coin Laundry)	8,450	South Adeline
22*	52-1528-15-4	Alcatraz Ave	City Of Berkeley	Satellite Affordable Housing Associates Parking Lot	4,897	South Adeline
23	52-1532-16	1728 Alcatraz Ave	Progressive Baptist Church	Progressive Baptist Church Surface Parking Lot	20,250	South Adeline
<input type="checkbox"/> 24	52-1527-15	1806 Alcatraz Ave	Bates Tommie T TR	Euwel's Cleaners	5,288	South Adeline
<input type="checkbox"/> 25*	52-1527-14-3	M L King Jr Way	San Francisco Bay Area Rapid Transit District	Surface Parking Lot	5,352	South Adeline
26*	52-1532-6	Adeline St	City Of Berkeley	BART Railway	5,581	South Adeline
27*	52-1525-7-4	3372 M L King Jr Way	San Francisco Bay Area Rapid Transit District	BART Railway	13,062	South Adeline
28	52-1434-5	3401 Adeline St	Splendorio Steven F TR	parking lot	3,689	South Adeline
29	52-1434-4	3407 Adeline St	Splendorio Steven F TR	Buslab Garage	4,946	South Adeline
30	52-1434-3	3411 Adeline St	Carmack Rashell L TR	Apartment	6,203	South Adeline
31	52-1434-8-8	1728 62nd St	Crisis Support Services Of Alameda County ETAL	Therapeutic Nursery School	15,096	South Adeline
<input type="checkbox"/> Included in EIR Buildout Scenario *Publicly Owned						
Source: Alameda County Assessor						

Attachment B: PROPOSED GENERAL PLAN AND TEXT AMENDMENTS (Revised 9/9/20)

The Land Use Element would be amended to include a new policy and description of the proposed Adeline Corridor Mixed Use Area Land Use Classification.

(New) Policy LU-XX Adeline Corridor Mixed Use

Maintain and improve Adeline Corridor Mixed Use area, along Adeline Street and South Shattuck Avenue (from Dwight Way to Adeline Street), as an economically and culturally diverse, transit-oriented, pedestrian-friendly, visually attractive area of pedestrian scale and ensure that these areas fully serve neighborhood needs as well as a broader spectrum of needs. (See Land Use Diagram for locations of Adeline Corridor Mixed Use areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)¹

Actions:

- A. Encourage development of a variety of types of housing at a range of income levels, especially for those at very low-income levels and who are at high risk of involuntary displacement.
- B. Leverage publicly owned land, such as the Ashby BART Station Area surface parking lots, and the right-of-way to maximize affordable housing, culturally and historically significant uses such as the Berkeley Community Flea Market, community facilities and public improvements desired by the community.
- C. Create a sustainable urban environment that incorporates transit-oriented development, green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.
- D. Require ground-floor commercial uses to be oriented to the street and sidewalks to encourage a vital and appealing pedestrian experience.
- E. Ensure safe, well-lighted, wide walkways and adequate traffic signals for pedestrian street-crossings in commercial areas.
- F. Provide street trees, bus shelters, and benches for pedestrians.
- G. Provide bicycle facilities and ample and secure bicycle parking wherever appropriate and feasible.
- H. Maintain and encourage a wide range of community and commercial services, including basic goods and services.
- I. Encourage sensitive infill development of vacant or underutilized property that is compatible with existing development patterns.
- J. Regulate the design and operation of commercial establishments to assure their compatibility with adjacent residential areas.
- K. Maintain and improve the historic character of Adeline Mixed Use areas with design review and careful land use decisions.

¹General Plan Policy ED-4 "Neighborhood and Avenue Commercial Districts" would be amended to also include Adeline Corridor Mixed Use Districts, in addition to Neighborhood and Avenue Commercial Districts.

Adeline Corridor Mixed Use

These areas of Berkeley are characterized by pedestrian-oriented commercial development and multi-family residential structures. These areas are typically located on multi-lane avenues served by transit or BART. Appropriate uses for these areas include: local-serving and regional-serving commercial, residential, office, community service, and institutional with an overall goal of at least 50% of all new housing units as income-restricted housing. Building intensity will generally range from a Floor Area Ratio (FAR) of 2 to an FAR of 5. Population density will generally range from 100 to 300 persons per acre.

For information purposes, the compatible zoning districts for this classification is shown below with accompanying development standards.

<u>Zoning District: Adeline Corridor</u>	<u>Maximum FAR*</u>	<u>Maximum Height*</u>
South Shattuck Subarea	2.5	45 feet
North Adeline Subarea	2.0	35 feet
South Adeline Subarea	2.0	35 feet
Ashby BART Subarea	Future development at the Ashby BART area would be subject to a negotiated agreement with BART consistent with the policy and objectives projected in the Adeline Corridor Specific Plan (See Chapter 3, Policy 3.7)	

*Note: Maximum FAR and Maximum Height shown are for the Tier 1 development standards. Increases in FAR and height if additional on-site affordable housing units provided at specified quantity and affordability levels.

Attachment B: PROPOSED GENERAL PLAN AND TEXT AMENDMENTS (Revised 9/9/20)

General Plan Land Use Diagram

The General Plan Land Use Diagram would be amended to apply the Adeline Corridor Mixed Use Land Use Classification to all parcels within the Adeline Corridor Specific Plan boundary as shown in Figure B2.

Figure B1. Existing General Plan Land Use Classification



Attachment B: PROPOSED GENERAL PLAN AND TEXT AMENDMENTS (Revised 9/9/20)

Figure B2. Proposed General Plan Land Use Classification



Chapter 23E.70
C-AC Adeline Corridor Commercial District Provisions

Sections:

23E.70.010	Applicability of Regulations
23E.70.020	Purposes
23E.70.030	Uses Permitted
23E.70.040	Special Provisions: Adeline Corridor Specific Plan Subareas
23E.70.045	Special Provisions: Special Provisions: Ground Floor Uses
23E.70.050	Construction of New Floor Area -- Requirements for Use Permits
23E.70.060	Use Limitations
23E.70.070	Development Standards
23E.70.080	Parking -- Number of Spaces
23E.70.085	Design Standards
23E.70.090	Findings

Section 23E.70.010 Applicability of Regulations

The regulations in this Chapter shall apply in all C-AC Districts. In addition, the general provisions in Sub-title 23C shall apply.

Section 23E.70.020 Purposes

The purposes of the Adeline Corridor Commercial (C-AC) District are to:

- A. Implement the General Plan's designation for Adeline Corridor Mixed Use area, as well as the policies of the Adeline Corridor Specific Plan.
- B. Preserve the unique character and cultural legacy of the Adeline Corridor, sustaining the community as a place where all people can live, work, play, learn, worship, dine, shop and thrive.
- C. Promote equitable access to housing by preserving existing affordable housing, preventing displacement, and producing a substantial number of new affordable housing units.
- D. Foster economic opportunity for South Berkeley residents and businesses by facilitating job training and workforce development, active community spaces, and a thriving environment for commerce along the Adeline Street/South Shattuck Corridor.
- E. Provide safe, equitable transportation options that meet the mobility needs of all residents, regardless of age, means and abilities, and that further the attainment of greenhouse gas emission reduction goals.
- F. Provide safe, sustainable, beautiful, healthy, and inclusive public spaces that encourage social interaction, provide opportunities for recreation and environmental health, and support active community life in South Berkeley.
- G. Encourage development and amenities that support pedestrian-oriented uses.
- H. Maintain and encourage a wide range of community and commercial services, including basic goods and services. Provide locations for both community-serving and regional-serving: businesses, cultural and religious institutions, and non-profit organizations.

Section 23E.70.030 Uses Permitted

- A. The following table sets forth the permits required for each listed item. Each use or structure shall be subject to either a Zoning Certificate (ZC), an Administrative Use Permit (AUP), a Use Permit approved after a public hearing (UP(PH)) or is prohibited.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Retail Sales		
All Retail Sales Uses, except those listed below	ZC	As defined in Sub-title F, except otherwise listed (does not include Video Rental Stores)
Alcoholic Beverage Retail Sales, including liquor stores and wine shops	UP(PH)	Includes sale for off-site consumption at restaurants No sales of distilled alcoholic beverages are allowed along Adeline Street south of Ashby Avenue Subject to the requirements of Chapter 23E.16.040
Department Stores Over 3,000 s.f.	ZC UP(PH)	
Firearm/Munitions Businesses	UP(PH)	Prohibited on any property devoted to residential use
Pawn Shops	Prohibited	Including Auction Houses
Pet Stores	UP(PH)	Including Sales and Grooming of Animals (but not Boarding)
Smoke Shops	UP(PH)	Prohibited if within 1,400 feet of a school or public park
Cannabis Storefront Retailer	ZC	ZC shall only be issued after business is approved through the selection process Subject to the requirements of Chapter 23C.25 and BMC Chapters 12.21 and 12.22
Personal and Household Services		
All Personal and Household Services, except those listed below	ZC	As defined in Sub-title F, except those otherwise listed (does not include Massage)

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Laundromats	AUP	
Veterinary Clinics	UP(PH)	Including Pet Hospitals
Offices		
Financial Services, Retail (Banks)	ZC	
Insurance Agents, Title Companies, Real Estate Agents, Travel Agents	ZC	Uses over 2,500 sf or 50' wide limited on ground floor in some areas. See Section 23E.70.045.
Medical Practitioners, including Holistic Health and Mental Health Practitioners	ZC	Uses over 2,500 sf or 50' wide limited on ground floor in some areas. See Section 23E.70.045.
Non-Chartered Financial Institutions	UP(PH)	Prohibited on ground floor in some areas. See Section 23E.70.045. Subject to additional requirements; see Section 23E.16.080
Other Professionals and Government, Institutions, Utilities	ZC	Uses over 2,500 sf or 50' wide limited on ground floor in some areas. See Section 23E.70.045.
Food and Alcohol Service, Lodging, Entertainment, and Assembly Uses		
Adult-oriented Businesses	Prohibited	

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Alcoholic Beverage Service <ul style="list-style-type: none"> • Beer and wine incidental to seated food service • Distilled spirits incidental to food service • Alcoholic Beverage Service not incidental to food service 	ZC AUP UP	All Alcoholic Beverage Service is for on-site consumption only and subject to additional requirements; see Section 23E.16.040 No service of distilled alcoholic beverages is allowed along Adeline Street south of Ashby, except as incidental to seated food service.
Commercial Recreation Center 3,000 s.f. or less Over 3,000 s.f.	AUP UP(PH)	Outdoor use requires UP(PH) Uses which include six or more Amusement Devices (Amusement Device Arcade) are subject to location requirements; see Section 23E.16.050.
Dance, Exercise, Martial Arts and Music Studios	ZC	
Entertainment Establishments	UP(PH)	Including Nightclubs
Food Service Establishments <ul style="list-style-type: none"> • South Shattuck and North Adeline subareas 3,000 s.f. or less Over 3,000 s.f. • South Adeline subarea 1,500 s.f. or less Over 1,500 s.f. 	ZC AUP ZC AUP	
Group Class Instruction for Business, Vocational or Other Purposes	ZC	
Gyms and Health Clubs	ZC	
Hotels, Tourist	UP(PH)	Including Inns, Bed and Breakfasts and Hostels
Motels, Tourist	Prohibited	

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Theaters	UP(PH)	Including Motion Pictures and Stage Performance
Automobile and Other Vehicle Oriented Uses		
Automobile Parts Stores	ZC	Excluding service of auto parts
Automobile and Motorcycle Sales	Prohibited	
Automobile and Motorcycle Repair and Service, including Parts Service	Prohibited	
Automobile and Motorcycle Rentals	Prohibited	
Automobile Washes, Mechanical or Self-Service	Prohibited	
Automobile Wrecking Establishments	Prohibited	
Gasoline/Automobile Fuel Stations	UP(PH)	
Recreational Vehicle and Trailers Sales and Rental	Prohibited	Including Boats
Tire Sales/Service Stores	Prohibited	
Parking, Outdoor and Exterior Service Window Uses		
Activities or Storage Outside of a building		
Not abutting R-District	AUP	
When abutting R-District	UP(PH)	
Automatic Teller Machines	AUP	Exterior and when part of a Retail Financial Service
Drive-in Uses	UP(PH)	Which provide service to customers in their cars; see definition in Sub-title 23F
Parking Lots, Parking Structures	UP(PH)	
Recycling Redemption Centers	AUP	
Outdoor Cafe Seating		
When seating not abutting R-District	ZC	

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
When seating abutting R-District	AUP	
Combination Commercial/Residential Uses		
Live/Work Units	AUP	Subject to the standards of Chapter 23E.20, except that clients, customers and employees are permitted at the site without a Use Permit. Prohibited or limited on ground floor in some areas. See Section 23E.70.045.
Mixed Use Developments	UP(PH)	
Uses Incidental to a Permitted Use		
Amusement Devices (up to three)	UP(PH)	
Art/Craft Studio	ZC	
Food or Beverage for Immediate Consumption	ZC	
Live Entertainment		
Unamplified	ZC	
Amplified	AUP	
Manufacturing Uses	AUP	
Storage of Goods (over 25% of gross floor area)	AUP	
Wholesale Activities	AUP	
Uses Permitted in Residential Districts		
Accessory Dwelling Unit in compliance with Section 23C.24.050	ZC	
Accessory Dwelling Unit that does not comply with requirements under Chapter 23C.24	AUP	Subject to making applicable findings in Chapter 23C.24

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Accessory Uses and Structures	Per R-3 District	See Table 23D.40.030
Accessory Buildings and Structures with Urban Agriculture	ZC	23C.26, 23D.08.010, 23D.08.020, 23D.08.050, and 23D.08.060
Short-Term Rental	ZC	Subject to requirements of Chapter 23C.22
Child Care Centers	UP(PH)	
Clubs, Lodges	UP(PH)	
Community Centers	UP(PH)	
Dwelling Units	UP(PH)	Subject to the standards under Section 23E.70.070 Prohibited or limited on ground floor in some areas. See Section 23E.70.045.
Group Living Accommodations subject to R-3 density standards	UP(PH)	Subject to the standards under Section 23E.70.070. Prohibited or limited on ground floor in some areas. See Section 23E.70.045.
Hospitals	Prohibited	
Hotels, Residential, including Single Room Occupancy (SRO) Hotels	UP(PH)	
Libraries	UP(PH)	
Nursing Homes	UP(PH)	Prohibited on ground floor in some areas. See Section 23E.70.045.
Parks and Playgrounds	ZC	
Public Safety and Emergency Services	UP(PH)	
Religious Assembly Uses	UP(PH)	
Schools, Public or Private	UP(PH)	
Senior Congregate Housing Six or fewer people Seven or more people New construction	ZC AUP UP(PH)	Change of use from an existing dwelling unit Prohibited on ground floor in some areas. See Section 23E.70.045.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Miscellaneous Uses		
Art/Craft Studio	ZC	Limited on ground floor in some areas. See Section 23E.70.045.
Automatic Teller Machines	UP(PH)	When not a part of a Retail Financial Service
Cafeteria, Employee or Residential	UP(PH)	
Cemeteries, Crematories, Mausoleums	Prohibited	
Columbaria	AUP	Allowed with a ZC if incidental to a Community and Institutional Use, limited to 400 niches, no more than 5% of the subject property area, and located within the main building
Circus or Carnival	UP(PH)	
Commercial Excavation	UP(PH)	Including earth, gravel, minerals, or other building materials including drilling for, or removal of, oil or natural gas
Dry Cleaning and Laundry Plants	Prohibited	
Emergency Shelter Up to 25 beds More than 25 beds	ZC UP(PH)	See Chapter 23C.10.
Kennels or Pet Boarding	Prohibited	
Laboratories, Testing	Prohibited	
Mortuaries	Prohibited	
Public Utility Substations, Tanks	UP(PH)	
Radio, Television or Audio/Sound Recording and/or Broadcast Studios	UP(PH)	

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Table 23E.70.030		
Use and Required Permits		
Use	Classification	Special Requirements (if any)
Warehouses or Storage, including Mini-storage Warehouses	Prohibited	
Wireless Telecommunications Facilities Microcell Facilities, Modifications to Existing Sites, and Additions to Existing Sites When the Site Is Not Adjacent to a Residential District All Other Telecommunication Facilities	AUP UP(PH)	Subject to the requirements and findings of Section 23C.17.100 Subject to the requirements and findings of Section 23C.17.100
Urban Agriculture Low-Impact Urban Agriculture (LIUA) High-Impact Urban Agriculture (HIUA)	ZC AUP	Subject to the requirements and findings of Chapter 23C.26
Legend:		
ZC – Zoning Certificate AUP – Administrative Use Permit UP(PH) – Use Permit, public hearing required Prohibited – Use not permitted		

- B. Any use not listed that is compatible with the purposes of the C-AC District shall be permitted subject to securing an Administrative Use Permit. Any use that is not compatible with the purposes of the C-AC District shall be prohibited.
- C. The initial establishment or change of use of floor area of an existing non-residential building, or portion of building, shall be subject to the permit requirements as listed in the legend of Table 23E.70.030.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Section 23E.70.040 Special Provisions: Adeline Corridor Specific Plan Subareas

The Adeline Corridor Specific Plan identifies four distinct subareas which have different physical characteristics and contexts. Different use limitations and development standards may apply to these subareas. See the Adeline Corridor Specific Plan for more specific information about each subarea.

- A. South Shattuck: Parcels that have a frontage abutting Shattuck Avenue.
- B. North Adeline:
 - 1. West of Adeline: Parcels located between Derby Street and Ashby Avenue, which do not front Shattuck Avenue
 - 2. East of Adeline: Parcels located entirely between Russell Street and the point 110 feet south of Essex Street.
- C. Ashby BART:
 - 1. West of Adeline: Parcels bounded by Ashby, MLK Jr. Way and Adeline
 - 2. East of Adeline: Parcels located entirely between Tremont, Woolsey and Adeline, and at least 110 feet south of Essex.
- D. South Adeline: Parcels located south of Woolsey Street.

Section 23E.70.045 Special Provisions: Ground Floor Uses

- A. In addition to other requirements of the District, the first 30 feet of depth of the ground floor, as measured from the frontage which abuts the portions of Adeline Street, Shattuck Avenue, MLK, Jr. Way or Ashby Avenue identified below shall be reserved for either Active Commercial Uses, as defined in Sub-Title 23F.04 or for commercial uses. Ground floor tenant spaces with frontages on streets not identified below can be used for any use permitted in the district.

Table 23E.70.045	
Ground Floor Uses	
Area	Permitted ground floor uses
Shattuck between Dwight and Derby	Commercial uses
Shattuck between Derby and Russell	Active Commercial uses
Adeline between Russell and the City boundary	Active Commercial uses
Ashby east of Adeline	Active Commercial uses
North side of Ashby, west of Adeline	Active Commercial uses

- B. Active Commercial uses are commercial uses which generate regular and frequent foot traffic. Uses include businesses in the following use categories: Retail Sales; Personal and Household Services; Food and Alcohol Service, Lodging, Entertainment, and Assembly Uses; and the following uses: Banks, and Automobile Parts Stores.
- C. The following uses are permitted on the ground floor in areas designated Active Commercial subject to a Zoning Certificate:
 - 1. Office uses in tenant space 2,500 sf or less in area and 50 feet or less in width;
 - 2. Residential amenities (2,500 sf or less in area and 50 feet or less in width), associated with a residential use.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

- D. The following use can be permitted on the ground floor in areas designated Active Commercial subject to an Administrative Use Permit:
1. Office uses over 2,500 square feet in area or 50 feet in width.
 2. Art/Craft Studio
- E. The following use can be permitted on the ground floor in areas designated commercial subject to an Administrative Use Permit:
1. Residential uses where at least 50% of the units are affordable.
- F. The following commercial use is not permitted on the ground floor in areas designated Active Commercial or commercial:
1. Live/Work units

Section 23E.70.050 Construction of New Floor Area -- Requirements for Use Permits

A Use Permit shall be obtained for construction of new floor area which results in either:

- A new Main Building;
- A new dwelling unit (except ADUs); or
- A gross floor area addition of 5,000 sf or more.

Section 23E.70.060 Use Limitations

- A. No commercial use shall operate except between the following hours of the specified days: 7:00 a.m. to 12:00 midnight weekdays (Sunday through Thursday); 7:00 a.m. to 2:00 a.m. weekend days (Friday and Saturday); and in accordance with Section 23E.16.010, provided, however, that the hours may be extended to other times subject to obtaining a Use Permit.
- B. Any use which is incidental to the primary use of a building or property shall be subject to the permit requirements identified in the Uses Incidental to a Permitted Use heading in Table 23E.70.030.
- C. Any activity or use which occurs outside of a building shall be subject to the permit requirements identified in the Parking, Outdoor and Exterior Window Uses heading in Table 23E.70.030.

Section 23E.70.070 Development Standards

- A. All Buildings
1. Building Height Measurement: In the case of a roof with a parapet wall, building height shall be measured to the top of the roof and parapets may exceed the height limits by up to five feet by right.
 2. Designated historic resources, potential historic resources, or projects that incorporate either type of historic resource will not be required to provide new parking or open space to convert to a new residential or commercial use.
 3. Setbacks: No yards for Main Buildings, Accessory Buildings or Accessory Structures shall be required, except that:
 - a. When the subject lot abuts a residentially-zoned lot, the setback shall be 10 feet.
 - b. When the subject lot abuts a residentially-zoned lot, any portion of new construction that exceeds 35 feet in height shall be setback 20 feet from the shared lot line.
 - c. When the subject lot confronts a residentially-zoned lot, any portion of new construction that exceeds 45 feet in height shall be setback 10 feet from the front property line.
 - d. The setback requirements above supersede the requirements in Sections 23E.04.050 and .060.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

B. Residential and Mixed Use Buildings. The height, Floor Area Ratio (FAR), density, lot coverage and useable open space are based on the percentage of affordable units and shall not exceed the following requirements in each subarea:

1. South Shattuck Subarea

Minimum On-Site Affordable Housing Requirement*	Max height		Max FAR	Max density (du/acre)**	Max lot coverage		Useable open space (sf/unit)
	Stories	Feet			Interior lot	Corner lot	
0% (Tier 1)	4	45'	2.5	120	60%	70%	40
14% (Tier 2)	5	55'	3.5	170	80%	90%	40
21% (Tier 3)	6	65'	4.3	200	85%	90%	40
25% (Tier 4)	7	75'	5.0	240	90%	95%	40

2. North and South Adeline Subareas

Minimum On-Site Affordable Housing Requirement*	Max height		Max FAR	Max density (du/acre)**	Max lot coverage		Useable open space (sf/unit)
	Stories	Feet			Interior lot	Corner lot	
0% (Tier 1)	3	35'	2.0	100	60%	70%	40
14% (Tier 2)	4	45'	2.8	140	80%	90%	40
21% (Tier 3)	5	55'	3.4	170	85%	90%	40
25% (Tier 4)	6	65'	4.0	200	90%	95%	40

3. Ashby BART Subarea

Minimum On-Site Affordable Housing Requirement	Height		FAR	Density (du/acre)	Lot coverage		Useable open space (sf/unit)
	Stories	Feet			Interior lot	Corner lot	
Any future development in the Ashby BART area would be subject to negotiations with BART process outlined in the MOU with BART and AB 2923.							

* Percentage of total project units.

**Group Living Accommodations (GLAs) are subject to Tier 1 height, FAR, lot coverage and open space requirements of the subarea in which they are located. GLAs shall be subject to R-3 density standards. Higher density is possible with a State Density Bonus.

- For the purpose State Density Bonus calculation, the Tier 1 density is the maximum allowable gross residential density.
- Projects that consist of 100% deed-restricted affordable housing units, which can include up to 20% as affordable to moderate income households, ~~or (i.e.,~~ 80% to 120% of Area Median Income) and the remaining up to 80% of the units as affordable to lower income households, ~~or (i.e.,~~ lower than 80% median income), can be four stories or 45 feet to the maximum height allowed under Tier 1.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

6. Minimum on-site affordable housing requirement applies to all residential and mixed use projects and must be provided as a mix of (50) fifty percent at Low Income and (50) fifty percent Very Low Area Median Income (AMI) levels.

~~7.4. An AUP may be granted to reduce useable open space requirements if demonstrated to be necessary to build an all-electric building. In order to approve an AUP for a reduction of the useable open space requirement of 23E.70.070.B, the Zoning Officer must find that:~~

~~8.1. No other placement of the features to support construction of an all-electric building, including solar photovoltaic (PV) energy systems and water tanks for heat pump water heating, on the property is possible; and~~

~~9.7. Placement of the features to support construction of an all-electric building elsewhere on the property is not financially feasible.~~

~~10.8. Publicly Accessible Open Space: Each square-foot of open space that is designated as publicly accessible open space shall be counted as two square-feet of required on-site open space.~~

~~11.9. In mixed use buildings in all subareas and tier levels, all floors above the second story shall be used for residential uses.~~

C. Non-residential Buildings.

1. Non-residential buildings are subject to the Tier 1 height and FAR requirements in the relevant subarea as shown in Section 23E.70.070.B.
2. Non-residential buildings are not subject to lot coverage standards, except to accommodate setbacks required in Section 23E.70.070.A.3.
3. The height and Floor Area Ratio (FAR) shall not exceed the following requirements in each subarea:

Subarea	Max height		Max FAR	Max lot coverage*
	Stories	Feet		
South Shattuck	4	45'	2.5	100%
North and South Adeline	3	45'	2.8	100%
Ashby BART	Any future development in the Ashby BART area would be subject to negotiations with BART.			

*Except when setbacks are required per Section 23E.70.070.A.

Section 23E.70.080 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.
- B. Uses listed in Table 23E.70.080 shall meet the requirements listed for newly constructed floor area.

Table 23E.70.080		
Parking Required		
Use	Number of spaces	
	Minimum	Maximum
Residential	No minimum	1 per unit
Non-Residential New Construction		1.5 per 1,000 sf

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

<ul style="list-style-type: none"> • under 10,000 gsf • 10,000 gsf and greater 	No minimum 1/1,000 sf	1.5 per 1,000 sf
Live/Work Units	No minimum	1.5 per 1,000 sf of work area

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. Any new 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 23E.70.085 Design Standards

A. New buildings and additions shall be reviewed for conformance to the design guidelines described in the Adeline Corridor Specific Plan.

B. Except as set forth below, ground floor frontages of all new buildings are subject to the following design standards:

1. Blank walls along the ground floor shall be less than 30 feet in length along sidewalks, pedestrian paths or open space.
2. Ground floors shall have a minimum floor to floor height of 12 feet.
3. Facades shall provide at least 30% transparency between 3 and 10 feet above grade (doors and transparent windows) to allow maximum visual interaction between the sidewalk areas and building interiors. Dark or mirrored glass will not satisfy this requirement.
4. Window glazing shall provide a high degree of light transmittance and be non-reflective.

C. Ground floor frontages in areas identified as active commercial in Section .045 shall meet the requirements of Section 23E.70.085.B except:

1. Ground floors shall have a minimum floor to floor height of 15 feet and a minimum floor to ceiling height of 12 feet.
2. Facades shall provide at least 75% transparency between 3 and 10 feet above grade (doors and transparent windows) to allow maximum visual interaction between sidewalk areas and the interior. Dark or mirrored glass will not satisfy this requirement.

D. Ground floor frontage in areas identified as commercial in Section 23E.70.045 shall meet the requirements of Section 23E.70.085.B except:

1. Ground floors shall have a minimum floor to floor height of 15 feet and a minimum floor to ceiling height of 12 feet.
2. Facades shall provide at least 65% transparency between 3 and 10 feet above grade (doors and transparent windows) to allow maximum visual interaction between sidewalk areas and the interior of office spaces. Dark or mirrored glass will not satisfy this requirement.

E. Parking provided shall meet the following standards:

1. Parking and loading areas shall be located behind, within or underneath buildings.
2. When the depth of a lot is less than 100 feet, surface parking or above-grade structured parking may be located next to the building, but shall not take up more of the primary frontage than the building.

F. The Design Review Committee or design review staff may grant exceptions to the blank wall and transparency requirements.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Section 23E.70.090 Findings

- A. In order to approve any Use Permit under this chapter, the Zoning Officer or Board must make the finding required by Section 23B.32.040. The Zoning Officer or Board must also make the findings required by the following paragraphs of this section to the extent applicable:
- B. A proposed use or structure must:
1. Be compatible with the purposes of the District;
 2. Be compatible in design and character with the District and the adjacent residential neighborhoods; and
 3. Encourage utilization of public transit and off-street parking facilities in the area of the proposed building.
- C. In addition to the findings above, the Board shall find, for each Use Permit for new residential development, that the proposed use or structure facilitates the construction of affordable housing as defined by the U.S. Department of Housing and Urban Development (HUD) Guidelines.
- D. In order to approve an Administrative Use Permit for an office use over 2,500 sf or over 50 feet wide on the ground floor of an Active Commercial area, the Zoning Officer ~~or Board~~ must find that the use supports the development of a strong retail commercial, pedestrian-oriented environment. Factors the Zoning Officer ~~or Board~~ should consider shall include, but are not limited to, pedestrian activity that is expected to be generated at the site, the placement of store entrances relative to the street and the parking lots, and the size and prominence of display windows and areas facing the sidewalk.
- E. ~~In order to approve an AUP for a reduction of the useable open space requirement of 23E.70.070.B under Section 23E.70.070.B.7, the Zoning Officer must find that:~~
- a. ~~No other placement of the features to support construction of an all-electric building, including solar photovoltaic (PV) energy systems and water tanks for heat pump water heating, on the property is possible; and~~
 - a-b. ~~Placement of the features to support construction of an all-electric building elsewhere on the property is not financially feasible.~~
- ~~D-F.~~ To approve a Permit, the Zoning Officer or Board must find that the project complies with the Adeline Corridor Specific Plan's adopted Mitigation Monitoring Program (MMP).

Amendment to the Berkeley Zoning Map

The City's Zoning Map would be amended to apply C-Adeline Corridor District to all parcels within the Adeline Corridor Specific Plan boundary as shown in Figure B2.

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Figure B1. Existing Zoning



Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Figure B2. Proposed Zoning



Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

Figure B3. Proposed C-Adeline Corridor District Zoning Draft Subarea Map

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Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)

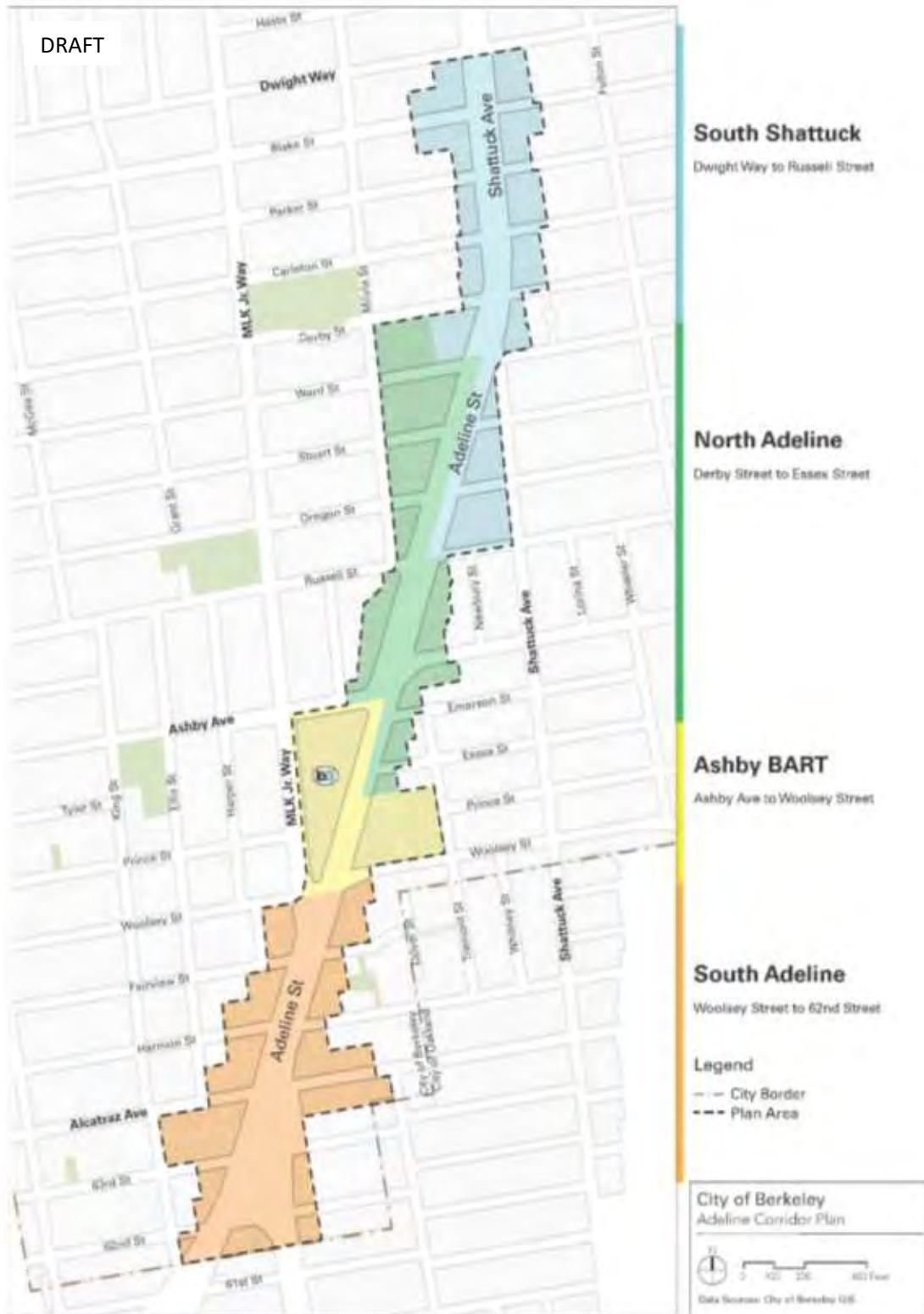


Figure B4. Diagram of Ground Floor Use Requirements

Attachment C: PROPOSED ZONING TEXT AND MAP AMENDMENT (Revised 8/28/20)



ATTACHMENT D

CEQA FINDINGS & STATEMENT OF OVERRIDING CONSIDERATIONS SEPTEMBER 2020

Adeline Corridor Specific Plan

Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code

The Final Environmental Impact Report (Final EIR) prepared by the City of Berkeley (City) for the Adeline Corridor Specific Plan consists of the Draft EIR and Response to Comments on the Draft EIR. The Final EIR identifies significant environmental impacts that will result from implementation of the project. The City finds that the inclusion of certain mitigation measures as part of project approval will reduce all but the following significant impacts to levels that are less than significant: construction-related noise; traffic congestion at Adeline Street/Alcatraz Avenue during existing and cumulative conditions; and traffic congestion at Congestion Management Program (CMP) roadway segments. No feasible mitigation measures have been identified to reduce these impacts to a less-than-significant level or mitigation measures have been identified but the City but would not reduce impacts to a level of less than significant, these impacts will remain significant unavoidable impacts of the project. These impacts will be overridden due to specific considerations that are described within this document.

As required by CEQA, the City, in adopting these CEQA Findings and Statement of Overriding Considerations, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The City finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project. In accordance with CEQA and the *CEQA Guidelines*, the City adopts these findings as part of the project approval. Pursuant to Public Resources Code Section 21082.1(c)(3), the City also finds that the Final EIR reflects the City's independent judgment as the lead agency for the project.

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ATTACHMENT D - CEQA FINDINGS & STATEMENT OF OVERRIDING CONSIDERATIONS
SEPTEMBER 2020

SECTION 1: INTRODUCTION

1.1 Statutory Requirements for Findings

Section 15091 of the *CEQA Guidelines* states that:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that will otherwise occur with implementation of the project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the project lies with another agency.¹

For those significant effects that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.² The *CEQA Guidelines* state in section 15093 that:

"If the specific economic, legal, social, technological, or other benefits of a propos[ed] project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

1.2 Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's decision on the project consists of: a) matters of common knowledge to the City, including, but not limited to, federal, State and local laws and regulations; and b) the following documents which are in the custody of the City:

- Notice of Preparation and other public notices issued by the City in conjunction with the project dated July 6, 2018 (see Appendix A of the Draft EIR for the Notice of Preparation);
- The Draft EIR, which was made available for public review on May 17, 2019;
- All written and verbal comments submitted by agencies, organizations and members of the public during the public comment period and at public hearings on the Draft EIR and responses to those comments (see Response to Comments Document, dated December 2019);
- The Mitigation Monitoring and Reporting Program;

¹ *CEQA Guidelines*, 2012. Section 15091 (a), (b).

² Public Resources Code Section 21081(b).

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- All findings and resolutions adopted by the City in connection with the project, and all documents cited or referred therein;
- All final reports, studies, memoranda, maps, correspondence, and all planning documents prepared by the City or the consultants to each, or responsible or trustee agencies with respect to: a) the City's compliance with CEQA; b) development of the project site; or c) the City's action on the project; and
- All documents submitted to the City by agencies or members of the public in connection with development of the project.

1.3 Organization/Format of Findings

Section 2 of these findings sets forth the objectives of the project and contains a summary description of the project and project alternatives. Section 3 identifies the potentially significant effects of the project which were determined to be mitigated to a less-than-significant level. All numbered references identifying specific mitigation measures refer to numbered mitigation measures found in the Draft EIR and Response to Comments Document. Section 4 identifies the project's potential environmental effects that were determined not to be significant, and do not require mitigation. Section 5 discusses the feasibility of project alternatives. Section 6 identifies the significant impacts of the project, including cumulative impacts that cannot be mitigated to a less-than-significant level even though all feasible mitigation measures have been identified and incorporated into the project. Section 7 includes the City's Statement of Overriding Considerations.

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SECTION 2: THE ADELIN CORRIDOR SPECIFIC PLAN PROJECT

This section lists the objectives of the proposed Specific Plan, provides a brief description of the proposed Specific Plan, and lists the project alternatives evaluated in the Draft EIR.

2.1 Project Objectives

The Adeline Corridor Specific Plan is intended to achieve the following project objectives and desired outcomes as it is implemented over time (items are grouped topically and the order in which they are presented is not intended to indicate priority):

1. **“Complete Neighborhoods”**. Encourage “complete neighborhoods” that foster a diverse mix of uses to provide safe and convenient access for all people of all ages, abilities and income levels to meet daily needs: to live, work, play, learn, worship, dine, shop, and socialize with one another other. An important feature of an urban, complete neighborhood is that it is transit-oriented and built at a walkable and bikeable human scale.
2. **Leverage Publicly Owned Land to Achieve Community Goals**. Leverage publicly owned land, such as the Ashby BART Station Area surface parking lots, and the right-of-way to maximize affordable housing and other uses, community facilities and public improvements desired by the community;
3. **Equitable Development**. Develop regulations, incentives and guidelines that are aligned with the community’s vision and result in greater opportunities for low income and historically disenfranchised or displaced residents.
4. **Compatibility with Adjacent Neighborhoods**. Ensure compatibility with residential neighborhoods adjacent to parcels that abut the main commercial streets and encourage sensitive design transitions, public amenities and uses that benefit the surrounding neighborhood.
5. **Diverse and Affordable Housing**. Encourage development of a variety of types of housing at a range of income levels, especially for those at very low income levels and who are at high risk of involuntary displacement.
6. **Protections for Existing Affordable Housing and Tenants**. Continue and strengthen existing programs and funding for anti-eviction and technical assistance for tenants and property owners to preserve existing affordable housing.
7. **New and Expanded Funding Sources**. Explore new, locally controlled funding source and expand financing mechanisms to fund affordable housing, public space and other high-priority “community benefits”.
8. **Strong Local Businesses and Non-profit Service Providers and Business Organizations**. Support long-term viability of existing businesses and non-profit service providers and business district and merchant organizations.
9. **Neighborhood Identity Marketing and Support**. Support broader awareness and strengthen the area’s identity as a cultural center for African-Americans and Japanese-Americans; as an arts and cultural district; as home to the Berkeley Juneteenth Festival and the Berkeley Flea and Farmers Markets, and a wealth of community-based non-profit service organizations.
10. **Attractive and Welcoming Environment for Businesses and Workers to Thrive**. Support programs that enhance the attractiveness, cleanliness and safety of Adeline Street and its storefronts/building facades; as well as opportunities for high quality jobs that allow people to live and work in the area,
11. **Better Mobility and Connectivity**. Improve safety, connectivity, accessibility and access along and across Shattuck and Adeline streets for all people of all ages, abilities and income levels to meet daily needs: to live, work, play, learn, worship, dine, shop, and socialize with one another other.
12. **Inclusive Public Space**. Increase the amount of parks, plazas and other public space that encourages pedestrian activity, recreation and access to nature for persons of all abilities, age and incomes.

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13. **Efficient and Shared Parking.** Support Transportation Demand Management and carefully managed parking that addresses businesses' and residents' needs without undermining public transit, walking and bicycling as preferred modes of transportation.
14. **On-going Transparent and Inclusive Plan Implementation Process.** Continue to engage the community, including those who are typically under-represented in city planning processes in meaningful ways to ensure implementation of Plan goals over the long-term.
15. **Environmental Sustainability.** Create a sustainable urban environment that incorporates green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.

2.2 Project Description

The Specific Plan seeks to articulate and implement a long-range vision for the Plan Area by establishing a broad set of goals, principles, and strategies. The Plan's Vision Statement expresses the desired outcome from implementation of the Specific Plan.

Over the next 20 years, the Adeline Corridor will become a national model for equitable development. Existing affordable housing will be conserved, while new affordable and market rate housing for a range of income levels will be added. The Corridor will provide local economic opportunity through independent businesses, community non-profits, arts organizations, community markets, and an array of merchants and service providers. It will feature public spaces that are walkable, bikeable, green, and accessible to persons of all ages and abilities. It will be the center of a healthy community that cares for its most vulnerable residents, cherishes its elders, nurtures its youth, and welcomes households of all types. It will be a place where the people, places and institutions that have made South Berkeley what it is today are not only recognized---but celebrated. It will be a place where all people can thrive.

Five broad, interrelated goals serve as the framework for the policies, strategies and actions that are presented in the five corresponding topical chapters of the Plan and summarized below:

- Preserve the unique character and cultural legacy of the Adeline Corridor, sustaining the community as a place where all people can live, work, play, learn, worship, dine, and thrive.
- Foster economic opportunity for South Berkeley residents and businesses by facilitating job training and workforce development, active community spaces, and a thriving environment for commerce along the Adeline Street /South Shattuck Corridor.
- Promote equitable access to housing by producing new affordable housing, preserving existing affordable housing, and preventing displacement.
- Provide safe, equitable transportation options that meet the mobility needs of all residents, regardless of age, means and abilities, and that further the attainment of the City's greenhouse gas reduction goals.
- Provide safe, sustainable, healthy and inclusive public spaces that encourage social interaction, provide opportunities for recreation and environmental health, and support active community life in South Berkeley.

More detail about the proposed Specific Plan is included in Section 2, *Project Description*, of the Draft EIR.

2.3 Alternatives

Based on the project objectives and anticipated environmental consequences, and pursuant to Section 15126.6 of the *CEQA Guidelines*, the following project alternatives were selected for analysis:

- **Alternative 1: No Project Alternative.** The No Project Alternative assumes that the proposed Specific Plan is not adopted and that there is no change to the existing configuration of the street and transportation network along the Adeline Corridor, consisting of a street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street. The Plan Area would continue to be designated as Avenue Commercial and Neighborhood Commercial per the City's General Plan. Under the No Project

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Alternative, incremental land use development at existing opportunity sites would continue under current land use and zoning regulations.

- **Alternative 2: No Street Redesign.** Alternative 2 would involve an alternate vision for the Specific Plan in which the same land uses would be developed but no major changes to the current configuration of the street and transportation network (e.g., street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street) would occur. Development standards and guidelines related to right-of-way improvements along the Adeline Corridor would be removed from the Specific Plan, such as those in Specific Plan Chapter 6, Transportation. All other policies, standards, and guidelines in the proposed Specific Plan would remain. As with the proposed Specific Plan, this alternative assumes development of 1,450 residential units with 65,000 square feet of retail/commercial uses distributed throughout the four Subareas.
- **Alternative 3: Office Focus.** The Office Focus Alternative would involve changes to the land use scenario envisioned under the Specific Plan to prioritize office development in the Plan Area. This alternative would involve the same overall building envelope as the proposed Specific Plan, but approximately 40 percent of the development square footage in the Plan Area would be office instead of residential. As with the proposed Specific Plan, this alternative would include changes to the current configuration of the street and transportation network along the Adeline Corridor, consisting of a street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street. This alternative assumes development of 870 residential units (a 60 percent decrease), 65,000 square feet of retail/commercial use, and 500,000 square feet of office use.

Refer to Chapter 6, *Alternatives*, of the Draft EIR for the complete alternatives analysis.

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SECTION 3: EFFECTS DETERMINED TO BE MITIGATED TO LESS-THAN-SIGNIFICANT LEVELS

The Draft EIR identified certain potentially significant effects that could result from the project. However, the City finds for each of the significant or potentially significant impacts identified in this section (Section 3) that based upon substantial evidence in the record, changes or alterations have been required or incorporated into the project which avoid or substantially lessen the significant effects as identified in the Final EIR³ and, thus, that adoption of the mitigation measures set forth below will reduce these significant or potentially significant effects to less-than-significant levels. Adoption of the recommended mitigation measures will effectively make the mitigation measures part of the project. In addition, City Conditions of Approval and compliance with City and other regulations will further reduce project impacts.

3.1 Air Quality

Impact AQ-2: Buildout of the proposed Specific Plan would result in the temporary generation of air pollutants during construction, which would affect local air quality. Compliance with the BAAQMD Basic Construction Mitigation Measures would require future projects within the Plan Area to implement measures to reduce construction emissions. Impacts would be significant but mitigable to less than significant.

Mitigation Measure AQ-1: Construction Emissions Measures. As part of the City's development approval process, the City shall require applicants for future development projects in the Plan Area to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the May 2017 BAAQMD CEQA Guidelines).

Finding: The City finds that the foregoing mitigation measure has been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

Facts in Support of Finding: Implementation of Mitigation Measure AQ-1 would require future development projects in the Plan Area to comply with measures to reduce air pollution emissions during construction. Impacts would be less than significant with implementation of Mitigation Measure AQ-1 to require the BAAQMD Basic Construction Measures and required application of the City's air quality standard condition of approval.

Impact AQ-2: Buildout of the proposed Specific Plan may expose sensitive receptors to additional sources of toxic air contaminants. Impacts would be significant but mitigable to less than significant.

Mitigation Measure AQ-2: Health Risk Assessments. As part of the City's development approval process, the City shall require applicants for future development projects in the Plan Area to implement the Bay Area Air Quality Management District Guidelines and State Office of Environmental Health Hazard Assessment policies and procedures requiring health risk assessments (HRA) for residential development and other sensitive receptors near sources of toxic air contaminants, including freeways and roadways with over 10,000 vehicles per day. Based on the results of the HRA, identify and implement measures (such as air filtration systems, waterproofed caulking on windows and doors, and/or requirements for closed windows) to reduce potential exposure to particulate matter, carbon monoxide, diesel fumes, and other potential health hazards. Measures identified in HRAs shall be included into the site development plan as a component of a proposed project.

Finding: The City finds that the foregoing mitigation measure has been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

³ CEQA Guidelines, 2012. Section 15091.

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Facts in Support of Finding: Implementation of Mitigation Measure AQ-2 would require future development projects in the Plan Area to implement measures to reduce health impacts related to toxic air contaminants. With implementation of Mitigation Measure AQ-2, impacts related to TACs would be less than significant.

3.1 Biological Resources

Impact BIO-1: The Plan Area is highly urbanized and no special-status species have been recorded in the Plan Area. Implementation of the proposed Specific Plan may result in impacts to Special Status nesting birds or nesting birds protected under California Fish and Game Code; this impact would be significant but mitigable to less than significant.

Mitigation Measure BIO-1: **Special-status Bat Species Avoidance and Minimization.** For projects in the Plan Area, focused surveys to determine the presence/absence of roosting bats shall be conducted prior to the initiation of demolition of buildings and removal of mature trees large enough to contain crevices and hollows that could support bat roosting. If active maternity roosts are identified, a qualified biologist shall establish avoidance buffers applicable to the species, the roost location and exposure, and the proposed construction activity in the area. If active non-maternity day or night roosts are found on the project site, measures shall be implemented to passively relocate bats from the roosts prior to the onset of construction activities. Such measures may include removal of roosting site during the time of day the roost is unoccupied or the installation of one-way doors, allowing the bats to leave the roost but not to re-enter. These measures shall be presented in a Bat Passive Relocation Plan that shall be submitted to, and approved by, CDFW.

Finding: The City finds that the foregoing mitigation measure has been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

Facts in Support of Finding: With implementation of Mitigation Measure BIO-1, impacts to special status bat species during implementation of the proposed Specific Plan would be avoided. This impact would be less than significant.

3.2 Greenhouse Gas Emissions

Impact GHG-1: A project that is consistent with a Qualified GHG Reduction Plan as described in the CEQA Guidelines Section 15183.5 is considered to have a less than significant impact. The proposed Specific Plan would be consistent with the 2017 Scoping Plan with mitigation. Therefore, this impact would be significant but mitigable to a less than significant level.

Mitigation Measure GHG-1: **All-Electric New Construction.** All new buildings constructed in the Plan Area shall be built as all-electric with no natural gas connection to the building, except where new natural gas connections are permitted under the City's Natural Gas Infrastructure Ordinance (BMC Chapter 12.80). This includes all appliances such as electric cooking, clothes drying, water heating, space heating, and air conditioning.

Projects shall not be required to employ methods of construction that exceed the requirements of the California Building Standards Code (inclusive of any local amendments approved for enforcement in the City of Berkeley) or install appliances that exceed standards for energy efficiency established under the federal Energy Policy and Conservation Act, as amended, 42 U.S.C. § 6201 et seq

Mitigation Measure GHG-2: **Electric Vehicle (EV) Readiness and EV Chargers.** All new development projects in the Plan Area shall conform to the following EV infrastructure requirements or an equivalent City of Berkeley adopted ordinance which meets or exceeds those standards:

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- Single Family Homes and Duplexes
 - One At least one parking space per dwelling unit with on-site parking to be equipped with raceway, wiring, and power to support a future Level 2¹ EV charging station
- Multi-Family Buildings
 - 20% of parking spaces to be equipped with raceways, wiring, and power to support future Level 2 EV charging stations
 - 80% of parking spaces to be equipped with connecting raceways (no additional electric service capacity required)
- Non-Residential Buildings
 - 10% of parking spaces must have Level 2 charging stations installed (a DC Fast Charge station may be installed in place of 10 required Level 2 stations)
 - 40% of parking spaces to be equipped with connecting raceways (no additional electric service capacity required)
 - ¹ Level 2 circuit: 40+ Amp, 208/240v AC (standard household washer/dryer outlet), charges approximately 25-30 mile driving distance per hour

Mitigation Measure GHG-3: Solar Photovoltaic Power. All new buildings, with the exception of accessory buildings and structures, proposed in the Plan Area shall install solar photovoltaic energy systems or purchase 100% carbon neutral or renewable energy through an electric utility that serves Berkeley. Solar photovoltaic equipment shall be shown on all plans submitted for individual projects in the Plan Area

Finding: The City finds that the foregoing mitigation measures have been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

Facts in Support of Finding: Mitigation Measure GHG-1 This mitigation measure addresses 2017 Scoping Plan Goals 12, 25, 36, and 37 relating to energy efficiency and electrification. While it may not be feasible to require buildings to achieve net-zero GHG emissions, buildings can feasibly be built to use only electricity for their energy demands. Requiring electrification of buildings developed within the Plan Area would effectively result in building energy use becoming carbon neutral by 2045 due to the renewable electricity and carbon neutrality requirements imposed by SB 100. In order to achieve the deep greenhouse gas reductions required to achieve net-zero carbon by 2045, it is imperative that natural gas infrastructure is kept to a minimum in new construction. Therefore, with implementation of Mitigation Measure GHG-1, new buildings constructed in the Plan Area would be required to be built as all-electric. All electric buildings have been shown to be cost effective in California especially for new construction (Point Energy Innovations 2017). It is not always cost effective to renovate existing buildings because the benefit of not installing natural gas infrastructure is lost. Therefore, it is critical that the amount of new natural gas infrastructure is limited. Furthermore, building electrification, while not yet mandatory, is not dis-incentivized in the 2019 Energy Code and may become mandatory in the following code cycle. With the all-electric mitigation measure, the Specific Plan can reduce its GHG emissions associated with building energy to zero by 2045 and be consistent with the 2017 Scoping Plan Goals 12, 37, 25, and 36.

While the proposed Specific Plan limits parking requirements in order to incentivize alternative forms of transportation, it is expected that many projects would include private vehicle parking (albeit at lower rates than outside the Plan Area). Therefore, to be consistent with the 2017 Scoping Plan Goals 2 and 32, Mitigation Measure GHG-2 requires a significant increase in spaces that have conduit access to at least a 240v (Level 2) power source. While any single development cannot require all vehicles be electric, they can provide the infrastructure to support the City's and State's long term electrification goals.

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To be consistent with the 2017 Scoping Plan, 100 percent of new construction within the Plan Area must be constructed to be consistent with the solar PV requirements of the 2019 Energy Code (Title 24 2019) or future Energy Code requirements that are in effect at the time of development. Future Title 24 Energy Code requirements will likely be more stringent than current requirements. Mitigation Measure GHG-3 satisfies the goals of 2017 Scoping Plan Goal 11.

3.3 Noise

Impact N-3: Construction activities associated with implementation of the proposed Specific Plan would intermittently generate groundborne vibration within and adjacent to the Plan Area. Institutional land uses with sensitive daytime activities could be exposed to vibration levels exceeding FTA guidelines. This impact would be significant but mitigable to less than significant.

Mitigation Measure N-3: Vibration Reduction Measures. Applicants for new development that would involve construction activity in the Plan Area shall implement the following measures to reduce exposure to vibration from construction activities:

- Best Available Technology. The applicant shall use the best available technology to reduce construction-related vibration on construction sites within 100 feet of institutional land uses that are sensitive to vibration, and within 50 feet of historic buildings, so that vibration levels do not exceed guidelines in the Federal Transit Administration's Transit Noise and Vibration Impact Assessment Manual for annoyance and damage to fragile structures. Appropriate technology may include, but is not limited to:
 - Drilling of piles instead of pile driving for foundation work
 - Static rollers instead of vibratory rollers for paving activity
 - Smaller and well-maintained equipment
- Construction Scheduling. The applicant shall coordinate with adjacent institutional land uses that are sensitive to vibration and schedule vibration-generating construction activities during less sensitive times of day.

Finding: The City finds that the foregoing mitigation measure has been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

Facts in Support of Finding: With implementation of Mitigation Measure N-3, individual projects developed under the proposed Specific Plan would avoid the use vibration-generating equipment near sensitive receptors and potentially fragile buildings, where possible, or schedule such construction activity to less sensitive times of day. These measures would ensure that sensitive daytime activities at institutional land uses are not subject to vibration levels exceeding the FTA guideline of 75 VdB, and that historic buildings are not exposed to vibration levels exceeding the threshold of 100 VdB for minor cosmetic damage. Therefore, the impact of vibration generated by construction equipment would be less than significant after mitigation.

3.4 Transportation and Traffic

Impact T-2: The addition of traffic generated by the development projects facilitated by the Specific Plan may add 10 or more peak hour trips to the critical movement of an unsignalized intersection that operates at LOS F and result in the peak hour signal warrant (MUTCD, Warrant 3) being met under Existing Plus Project conditions. This impact would be significant but mitigatable to less than significant.

Mitigation Measure T-2: Signal Warrant Study and Signalization. Development projects tiering from the Adeline Street Specific Plan EIR with primary automobile access on one of the following local streets that

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is currently controlled by a stop-sign at the intersection with a major street shall evaluate traffic operations and the MUTCD signal warrants at the intersection:

- Shattuck Avenue at Blake, Parker, and Derby Streets
- Adeline Street at Stuart, Russell, Essex, Woolsey, Fairview, and Harmon Streets

The signal warrant study shall be completed as part of the environmental review process for the development project. If the intersection meets the signal warrants and the development project would add ten or more trips to the critical movement that operates at LOS F during the AM and/or PM peak hour, the study shall identify improvements to mitigate the impact. The improvements may consist of signaling the intersection, and/or restricting one or more movements at the intersection. The study shall also evaluate the secondary effects of the identified improvement, such as traffic diverted to other streets due to turn restrictions. The development project shall install the identified improvement.

Finding: The City finds that the foregoing mitigation measure has been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

Facts in Support of Finding: Mitigation Measure T-2 would reduce the impact to a less than significant level because it would install a signal at a side-street stop-controlled intersection that may meet signal warrants as a result of a development project facilitated by the Specific Plan.

Impact T-4: The addition of traffic generated by the development projects facilitated by the Specific Plan may add 10 or more peak hour trips to the critical movement of an unsignalized intersection that operates at LOS F and result in the peak hour signal warrant (MUTCD, Warrant 3) being met under 2040 Plus Project conditions. This impact would be significant but mitigatable to less than significant.

Mitigation Measure T-2: Signal Warrant Study and Signalization as described under Impact T-2.

Finding: The City finds that the foregoing mitigation measure has been incorporated into the project to avoid or substantially lessen the significant environmental effect identified in the Final EIR to a less-than-significant level.

Facts in Support of Finding: Mitigation Measure T-2 would reduce the impact to a less than significant level because it would install a signal at a side-street stop-controlled intersection that may meet signal warrants as a result of a development project facilitated by the Specific Plan.

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SECTION 4: EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT OR NOT SIGNIFICANT

The City finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are not significant or are less than significant. The Draft EIR provides a detailed analysis of the less-than-significant impacts of the proposed Specific Plan for all issue areas.

4.1 Aesthetics

Senate Bill (SB) 743 was signed into law on September 27, 2013. According to SB 743, which became effective January 1, 2014, "aesthetics...impacts of a residential, mixed-use, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." Pursuant to Section 21099 of the California Public Resources Code, a "transit priority area" is defined in as an area within 0.5 mile of an existing or planned major transit stop. A "major transit stop" is defined in Section 21064.3 of the California Public Resources Code as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

The proposed Specific Plan provides a vision and planning framework for future growth and development in the Plan Area that includes infill residential, mixed-use, and employment center projects. The entire Plan Area is within a transit priority area and as such meets the criteria of SB 743. The Ashby BART Station, a regional transit facility, is located in the central/southern portion of the Plan Area. The area between the southern boundary of the Plan Area (at approximately Stanford Avenue) and Ward Street are within 0.5 mile of this major transit stop. The northern Plan Area boundary north of Parker Street is also within 0.5 mile of the Downtown Berkeley BART station which is a major transit stop. For the areas along Shattuck Avenue between Ward Street and Parker Street, which are not within 0.5 miles of a BART station, there is frequent AC Transit bus service via multiple fixed routes. The section of the Plan Area along Shattuck Avenue from Dwight Way to Ward Street is within 0.5 mile of a major transit stop at Shattuck and Durant Avenue. This stop is served by AC Transit's routes 6 and 51B, which operate at service intervals of 10 minutes during morning and afternoon peak commute periods.

Because implementation of the proposed Specific Plan would result in residential, mixed-use, and employment center projects on infill sites within a transit priority area, aesthetics impacts may not be considered significant impacts on the environment.

4.2 Agricultural and Forest Resources

There are no agricultural zones or forest lands on or near the Plan Area, which is in a fully urbanized community (DOC 2012). Therefore, the Specific Plan would not result in significant impacts to agricultural for forest resources.

4.3 Air Quality

Impact AQ-1. The proposed Specific Plan would be consistent with BAAQMD's 2017 Clean Air Plan. Impacts would be less than significant.

Impact AQ-4. The proposed Specific Plan would not create objectionable odors that would affect neighboring properties. Impacts related to odors would be less than significant.

4.4 Biological Resources

Impact BIO-2. Implementation of the proposed Specific Plan would not result in impacts to riparian habitat or other sensitive habitats. This impact would be less than significant.

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Impact BIO-3. Implementation of the proposed Specific Plan would not result in impacts to federally protected wetlands. No impact would occur.

Impact BIO-4. Implementation of the proposed Specific Plan would not impact the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. This impact would be less than significant.

Impact BIO-5. Implementation of the proposed Specific Plan would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This impact would be less than significant.

Impact BIO-6. Implementation of the proposed Specific Plan would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.

4.5 Cultural Resources

Impact CR-1. The Plan Area contains 25 known historical resources and three potential historic districts. Development in the Plan Area could impact the identified historical resources and historic districts and has the potential to impact unknown historical resources. However, adherence to the City's General Plan policies, existing City requirements, and to the strategies and vision of the proposed Specific Plan would reduce impacts to less than significant.

Impact CR-2. The Plan Area does not contain known archaeological resources. Nonetheless, development facilitated by the proposed Specific Plan has the potential to impact unrecorded archaeological resources. However, with compliance with City of Berkeley standard conditions of approval, impacts would be less than significant.

Impact CR-3. Ground-disturbing activities associated with development facilitated by the proposed Specific Plan could result in damage to or destruction of paleontological resources. However, with compliance with City of Berkeley standard conditions of approval, impacts would be less than significant.

Impact CR-4. Ground-disturbing activities associated with development under the proposed Specific Plan could result in damage to or destruction of human burials. However, adherence to existing regulations regarding the discovery of human remains and to City of Berkeley standard conditions of approval would reduce potential impacts to a less than significant level.

Impact CR-5. Site preparation and construction associated with development and right-of-way improvements under the proposed Specific Plan could adversely impact tribal cultural resources (TRC). However, with compliance with City of Berkeley standard conditions of approval, impacts would be less than significant.

4.6 Geology and Soils

Impact GEO-1. The Plan Area is near the Hayward Fault Zone and other faults. Therefore, the Plan Area is subject to seismically-induced ground shaking and other seismic hazards, including liquefaction, which could damage structures in the Plan Area and result in loss of property and risk to human health and safety. However, incorporation of State-mandated building standards and compliance with General Plan policies would ensure impacts would be less than significant.

Impact GEO-2. With adherence to applicable laws and regulations, the proposed Specific Plan would not result in substantial soil erosion or the loss of topsoil. Therefore, impacts would be less than significant.

Impact GEO-3. The Plan Area is located on expansive soils. Proper soil engineering practices would be required to ensure that soil conditions would not result in significant adverse impacts. With required

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implementation of standard engineering practices, impacts associated with unstable or expansive soils would be less than significant.

Impact GEO-4. The proposed Specific Plan would not include septic tanks or alternative wastewater disposal systems. No impact would occur.

4.7 Hazards and Hazardous Materials

Impact HAZ-1. Implementation of the proposed Specific Plan would include development of residential or commercial land uses that could involve the use, storage, disposal, or transportation of hazardous materials. Upset or accident conditions in the Plan Area could involve the release of hazardous materials into the environment. Required adherence to existing regulations, programs, and Berkeley General Plan policies would ensure that impacts would be less than significant.

Impact HAZ-2. Implementation of the proposed Specific Plan would not involve facilities that would produce or emit hazardous materials near schools. This impact would be less than significant.

Impact HAZ-3. There is one property in the Plan Area with potentially localized contamination or concentrations of hazardous substances in the Plan Area. However, projects in the Plan Area would be required to comply with existing regulations related to hazardous materials and wastes. Therefore, workers or residents in the Plan Area would not be exposed to hazards resulting from development of a hazardous materials site and this impact would be less than significant.

Impact HAZ-4. The Plan Area is not located in an airport land use plan or in the vicinity of a private airstrip. Impacts related to airports would not occur.

Impact HAZ-5. Implementation of the proposed Specific Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant.

Impact HAZ-6. Implementation of the proposed Specific Plan would not expose people or structures to a significant risk from wildland fires because the Plan Area is located in an urbanized setting. No impact would occur.

4.8 Hydrology and Water Quality

Impact HYD-1. Future development under the Specific Plan would involve ground-disturbing activities and the use of heavy machinery that could release materials, including sediments and fuels, which could adversely affect water quality. In addition, operation of potential future development could also result in discharges to storm drains that could be contaminated and affect downstream waters. However, compliance with required permits and existing regulations, and implementation of Best Management Practices contained therein, would ensure that potential water quality impacts would be less than significant.

Impact HYD-2. Construction of future development under the Specific Plan would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. Further, implementation of low impact development measures and on-site infiltration required under the C.3 provisions of the MRP, compliance with the General Plan goals and policies, the Berkeley Municipal Code, and the Specific Plan strategies, policies, guidelines, and standards would increase the potential for groundwater recharge. Impacts would be less than significant.

Impact HYD-3. Future development under the Specific Plan would not substantially alter the existing drainage pattern of the Plan area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of

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surface runoff in a manner which would result in flooding or exceed the capacity of stormwater drainage systems. Impacts related to drainage patterns would be less than significant.

Impact HYD-4. Development under the proposed Specific Plan would not expose people or structures to other flood hazards such as tsunamis, seiches, or flooding including flooding as the result of dam or levee failure. Impacts would be less than significant.

4.9 Land Use and Planning

Impact LU-1. Implementation of the proposed Specific Plan would not result in the physical division of an established community. This impact would be less than significant.

Impact LU-2. The proposed Specific Plan would implement and be consistent with the goals and policies of applicable land use plans and policies adopted for the purpose of avoiding or mitigating an environmental effect. This impact would be less than significant.

Impact LU-3. The proposed Specific Plan would not conflict with an applicable habitat conservation plan or natural community conservation plan. This impact would be less than significant.

4.10 Mineral Resources

There are no known mineral resources in the city of Berkeley and the city has no active mineral resource extraction industries (City of Berkeley 2003). No impacts to mineral resources would occur.

4.11 Noise

Impact N-1: New development facilitated by the proposed Specific Plan would be required to comply with the City's exterior noise standards and with the State standard for the exposure of habitable rooms to noise. The impact related to exposing people or generating noise levels in excess of standards would be less than significant.

Impact N-4: Buildout of the proposed Specific Plan would generate new vehicle trips in the Plan Area. Although new vehicle trips would increase traffic volumes and associated traffic noise on arterial roadways in the Plan Area, the increase in traffic noise would not exceed applicable FTA criteria. Therefore, the Specific Plan would have a less than significant impact related to traffic noise.

Impact N-5: Operational activities associated with buildout of the Specific Plan would generate noise that may periodically be audible to noise-sensitive receptors near the Plan Area. Noise sources would include stationary equipment, such as rooftop ventilation and heating systems, and delivery and trash hauling trucks. However, operational noise would not exceed ambient noise levels at nearby noise-sensitive receptors. Therefore, operational noise impacts would be less than significant.

Impact N-6: The Plan Area is located outside of noise contours associated with airports. Therefore, new development under buildout of the Specific Plan would not be exposed to excessive noise levels from aircraft operations, and no impact would occur.

4.12 Population and Housing

Impact PH-1: Implementation of the proposed Specific Plan could produce an additional 1,450 residential units and 65,000 square feet of commercial uses, which would result in an additional approximately 3,466 residents and 195 jobs. The proposed Specific Plan would not cause substantial unanticipated population growth in Berkeley. Impacts would be less than significant.

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Impact PH-2: Implementation of the proposed Specific Plan could displace existing housing units or people; however, implementation of the Specific Plan would increase the Plan Area's housing stock overall, including its stock of below market rate housing. Impacts resulting from potential displacement would be further reduced with adherence to the proposed Specific Plan policies and existing City programs. Impacts would be less than significant.

4.13 Public Services and Recreation

Impact PS-1: Projected buildout under implementation of the proposed Specific Plan would increase development intensity and population growth in the Plan Area, contributing to the potential future need for a new fire station in South Berkeley. If the Fire Department proposes a new station and identifies an appropriate site, the City will conduct a separate evaluation of the station's environmental impacts under CEQA. While no location has been identified for a new fire station in the Adeline Corridor as part of the proposed Specific Plan, the Plan Area is entirely developed and urbanized. A potential future facility would likely be developed as infill development and is unlikely to cause additional significant environmental impacts beyond those identified in this EIR. Therefore, the Specific Plan would have a less than significant impact related to fire protection facilities.

Impact PS-2: Implementation of the proposed Specific Plan would add new residential and non-residential uses to the Plan Area, generating additional need for the City of Berkeley Police Department's protection services. While no new police station location has been identified as part of the proposed Specific Plan, the Plan Area is entirely developed and urbanized. A potential future facility would likely be developed as infill development and is unlikely to cause additional significant environmental impacts beyond those identified in this EIR. If the Police Department proposes a new station serving the Plan Area and identifies an appropriate site, the City will conduct a separate evaluation of the station's environmental impacts under CEQA. Therefore, the Specific Plan would have a less than significant impact related to police protection services.

Impact PS-3: Implementation of the proposed Specific Plan would add an estimated 277 students to the Plan Area. However, with payment of State-mandated school impact fees, impacts related to public school operating capacity would be less than significant.

Impact PS-4: Implementation of the proposed Specific Plan would add an estimated 1,450 residential units and an estimated 3,466 residents to the Plan Area, which would increase use of parks. However, the Specific Plan would result in the development of new parkland to meet demand for recreational spaces in the Plan Area. Further, development under the Specific Plan would not cause Berkeley to fall below the City's goal of 2 acres of parkland per 1,000 residents. Therefore, impacts would be less than significant.

Impact PS-5: Implementation of the proposed Specific Plan would add an estimated 1,450 residential units and an estimated 3,466 residents to the Plan Area, including senior citizens who might rely on services offered by the City's senior centers. However, existing senior facilities would have adequate capacity to accommodate an incremental increase in demand in the Plan Area. This impact would be less than significant.

4.14 Transportation and Traffic

Impact T-5: The roadway modifications proposed by the Specific Plan would not cause Streetscore+ of 3 or higher for pedestrians and bicyclists on the street segments along the Adeline Corridor. This impact would be less than significant.

Impact T-7: The proposed Specific Plan would not Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. This impact would be less than significant.

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Impact T-8: The proposed Specific Plan would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). This impact would be less than significant.

Impact T-9: The proposed Specific Plan would not result in inadequate emergency access. This impact would be less than significant.

Impact T-10: The proposed Specific Plan would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This impact would be less than significant.

4.15 Utilities and Service Systems

Impact UTL-1: New development under the proposed Specific Plan would generate new sources of wastewater, which would flow through the existing pipe network and to EBMUD's Main Wastewater Treatment Plant (MWWTP). The wastewater treatment plant has adequate capacity to serve development associated with the Specific Plan. Local conveyance infrastructure would be upgraded as necessary during implementation of the proposed Specific Plan, in already developed utility corridors. Impacts related to wastewater infrastructure would be less than significant.

Impact UTL-2: Development under the proposed Specific Plan would increase water demand. Existing and projected water supply would be adequate to serve the Plan Area demands through 2040 (the horizon year of the proposed Specific Plan), with demand management measures required by EBMUD. Impacts related to water supplies would be less than significant.

Impact UTL-3: Implementation of the proposed Specific Plan would generate an increase of approximately 1.1 tons of solid waste per day, or 2.2 cubic yards per day. Because landfills that serve the City of Berkeley have adequate capacity to serve development under the proposed Specific Plan, impacts related to solid waste facilities would be less than significant.

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SECTION 5: FEASIBILITY OF PROJECT ALTERNATIVES

5.1 Project Alternatives

The Final EIR included three alternatives: the No Project alternative, the No Street Redesign Alternative, and the Office Focus Alternative. The City hereby concludes that the Final EIR sets forth a reasonable range of alternatives to the Adeline Corridor Specific Plan that address the significant impacts of the project, so as to foster informed public participation and informed decision making. The City finds that the alternatives identified and described in the Final EIR were considered and further finds them to be infeasible for the specific economic, social, or other considerations set forth below pursuant to Public Resources Code section 21081(c).

5.1.1 Alternative 1 - No Project Alternative. The No Project Alternative assumes that the proposed Specific Plan is not adopted and that there is no change to the existing configuration of the street and transportation network along the Adeline Corridor, consisting of a street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street. The Plan Area would continue to be designated as Avenue Commercial and Neighborhood Commercial per the City's General Plan. Under the No Project Alternative, incremental land use development at existing opportunity sites would continue under current land use and zoning regulations.

Findings: The No Project Alternative would reduce all of the proposed Specific Plan impacts and would be environmentally superior to the proposed Specific Plan. Although overall impacts would be lower than those of the proposed Specific Plan, the beneficial effects associated with the proposed Specific Plan (i.e., affordable housing; economic opportunities; pedestrian facility, bicycle facility, and roadway improvements; and public space and infrastructure) would not occur. In addition, the No Project Alternative would not fulfill the project objectives; especially as existing development conditions do not offer connectivity along and across Shattuck and Adeline streets. While the goals and policies associated with the Plan Area's existing Avenue Commercial, Neighborhood Commercial, and Low to Medium Density Residential land uses would apply, the overall intent for development as envisioned by local and regional goals would not be implemented to the extent that it would under the policies, standards, and guidelines of the proposed Specific Plan. No mitigation measures would be required for the No Project alternative. Overall impacts would be lower than those of the proposed Specific Plan.

The City rejects the No Project alternative because it would not achieve any of the objectives of the proposed Specific Plan.

5.1.2 Alternative 2 – No Street Redesign Alternative: Alternative 2 would involve an alternate vision for the Specific Plan in which the same land uses would be developed but no major changes to the current configuration of the street and transportation network (e.g., street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street) would occur. Development standards and guidelines related to right-of-way improvements along the Adeline Corridor would be removed from the Specific Plan, such as those in Specific Plan Chapter 6, Transportation. All other policies, standards, and guidelines in the proposed Specific Plan would remain. As with the proposed Specific Plan, this alternative assumes development of 1,450 residential units with 65,000 square feet of retail/commercial uses distributed throughout the four Subareas.

Findings: Alternative 2 would reduce the magnitude of environmental impacts in certain areas but increase the magnitude of impacts in other areas. Alternative 2 would slightly reduce impacts related to cultural resources but would increase land use and planning impacts. Alternative 2 could be considered the environmentally superior alternative as it would reduce the significant and unavoidable impact related to the CMP network. In addition, because this alternative maintains the current street configuration, it would reduce the magnitude of the impacts at the intersection of Adeline Street/Alcatraz Avenue. Although Alternative 2 would be considered the environmentally superior alternative, this alternative would result in an additional significant and unavoidable impact associated with bicycle and pedestrian comfort. This alternative would meet most of the project objectives as it would include the policies and standards that support residential and economic growth,

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neighborhood compatibility, and diverse affordable housing. However, it would not fulfill all of the project objectives, as it would not meet Objective 11, “Better mobility and connectivity”, Objective 12, “Inclusive public space”, and Objective 13, “Efficient and shared parking”, when compared to the proposed Specific Plan.

The City rejects the No Street Redesign Alternative because it would not fulfill all of the project objectives and because it would result in an additional significant and unavoidable impact associated with bicycle and pedestrian comfort.

5.1.3 Alternative 3 – Office Focus Alternative. The Office Focus Alternative would involve changes to the land use scenario envisioned under the Specific Plan to prioritize office development in the Plan Area. This alternative would involve the same overall building envelope as the proposed Specific Plan, but approximately 40 percent of the development square footage in the Plan Area would be office instead of residential. As with the proposed Specific Plan, this alternative would include changes to the current configuration of the street and transportation network along the Adeline Corridor, consisting of a street redesign, implementation of bicycle/pedestrian lanes, and elimination of a traffic lane along Adeline Street. This alternative assumes development of 870 residential units (a 60 percent decrease), 65,000 square feet of retail/commercial use, and 500,000 square feet of office use.

Findings: Alternative 3 would reduce the magnitude of environmental impacts in certain areas but increase the magnitude of impacts in other areas. Alternative 3 would slightly reduce impacts related to geology and soils but would increase noise impacts. Alternative 3 would increase trips, therefore, it would increase the magnitude of traffic-related impacts which is why it is not considered to be the environmentally superior alternative.

This alternative would meet most of the project objectives as it would include the policies and standards that support residential and economic growth, neighborhood compatibility, diverse affordable housing, and better mobility and connectivity. This alternative would further Objective 1 to provide “complete neighborhoods” by supporting development of housing and jobs near transit (such as the Ashby BART station). However, it would not fulfill Objective 6, Diverse and Affordable Housing, to the same extent as the proposed Specific Plan since this alternative would involve fewer units as those envisioned in the horizon year (2040) under the proposed Specific Plan.

The City rejects the Office Focus Alternative because this alternative would not achieve all of the project objectives and would increase the magnitude of the unavoidably significant traffic impacts.

5.2 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be identified among the selected alternatives. While the No Project Alternative would be the overall environmentally superior alternative since it would avoid all project impacts. However, the No Project Alternative would not achieve the basic project objectives as stated in Section 2, Project Description.

Among the development options, Alternative 2 would be considered the environmentally superior alternative as it would reduce the significant and unavoidable impact related to the CMP network and would reduce the magnitude of impacts at the intersection of Adeline Street/Alcatraz Avenue. However, this alternative fails to meet all of the project objectives and would result in an additional unavoidably significant impact related to pedestrian and bicycle safety and comfort. Therefore, the City rejects the No Street Redesign alternative.

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SECTION 6: SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

As discussed in the Draft EIR, the proposed Specific Plan would result in significant unavoidable impacts related to noise and traffic. A number of mitigation measures are presented, but none would reduce these impacts to a less-than-significant level.

6.1 Noise

Impact N-2: Construction activities associated with implementation of the proposed Specific Plan would intermittently generate high noise levels within and adjacent to the Plan Area. Mitigation to restrict the hours of construction activity and minimize noise from equipment would reduce construction noise to the extent feasible. However, construction noise could still exceed the City's standards at sensitive receptors. Therefore, the impact from construction noise would be significant and unavoidable.

Mitigation Measure N-2: Construction-Related Noise Reduction Measures. Development projects in the Plan Area that involve construction activities shall apply the following measures during construction for the purpose of reducing construction-related noise:

- **Construction Timing.** Construction activities shall be restricted to the daytime hours of between 7:00 AM and 7:00 PM on weekdays, or between 9:00 AM and 8:00 PM on weekends and legal holidays.
- **Mufflers.** Construction equipment shall be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds, as applicable, shall be in good condition and appropriate for the equipment. During construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards.
- **Electrical Power.** Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.
- **Equipment Staging.** All stationary equipment shall be staged as far away as feasible from adjacent noise-sensitive receptors.
- **Equipment Idling.** Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.
- **Workers' Radios.** All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.
- **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.
- **Disturbance Coordinator.** The applicant shall designate a disturbance coordinator who shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.
- **Additional Noise Attenuation Techniques.** During construction activity that is immediately adjacent to noise-sensitive receptors, temporary sound barriers may be installed and maintained, at the discretion of the City's Department of Planning and Development. Temporary sound barriers, if installed, shall block line of sight between noise-generating construction equipment and adjacent residential windows and shall be placed as close to the source equipment as feasible. Mobile sound barriers may be used as appropriate to attenuate construction noise near the source equipment.

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During the building construction phase, temporary sound barriers may be applied to generators and cranes used on-site.

Finding: The City finds impacts related to construction noise have been mitigated to the maximum extent feasible. Despite the implementation of mitigation measures, impacts would remain significant and unavoidable. The City finds that although this impact would be significant and unavoidable, the impact is acceptable when weighed against the overriding social, economic, and other considerations set forth in the Statement of Overriding Considerations (Section 7 of these Findings).

Facts in Support of Finding: Without implementation of mitigation measures, it is estimated that construction activity in the Plan Area would expose sensitive receptors to noise levels exceeding 90 dBA Leq. With implementation of Mitigation Measure N-2, individual projects developed under the proposed Specific Plan would minimize the exposure of sensitive receptors to construction noise, to the extent feasible. Nonetheless, sensitive receptors located adjacent to construction sites in the Plan Area would still be exposed to substantial noise levels from construction activity. To meet the City's quantitative standards for construction noise from stationary sources, reductions of at least 30 dBA Leq in the C-SA zoning district and 40 dBA Leq in the R-2 and R-2A zoning districts may be necessary. It is expected that implementation of Mitigation Measure N-2 would not be sufficient to fully attain these reductions in construction noise. Therefore, the impact from construction noise would be significant and unavoidable.

6.2 Transportation and Traffic

Impact T-1: The addition of traffic generated by the development projects facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would cause the signalized Adeline Street/Alcatraz Avenue intersection to deteriorate from LOS D during the AM peak hour and LOS E during the PM peak hour under Existing Conditions to LOS F during both AM and PM peak hours under Existing Plus Project conditions. This impact would be significant and unavoidable.

Mitigation Measures: no feasible mitigation measures are available.

Finding: The city finds no feasible mitigation measures are available to reduce impacts at the Adeline Street/Alcatraz Avenue intersection during Existing plus Project conditions. This impact would remain *significant and unavoidable*.

Facts in Support of Finding: Traffic operations at the Adeline Street/Alcatraz Avenue intersection can be improved by providing additional automobile travel lanes, such as third through lanes on the northbound and southbound Adeline Street approaches of the intersection. However, these modifications cannot be accommodated within the proposed automobile right-of-way and would require additional right-of-way, and/or loss of planned bicycle and/or pedestrian facilities, and are considered to be infeasible because they would be in conflict with the Specific Plan and City of Berkeley General Plan goals to promote pedestrian and bicycle travel. Since the mitigation measure would result in secondary significant impacts, it is considered infeasible.

The development projects facilitated by the Specific Plan would be required to implement a TDM Plan, which is not reflected in the trip generation assumed in this EIR. TDM strategies would reduce the automobile trips generated by development projects and reduce the magnitude of the impact at the Adeline Street/Alcatraz Avenue intersection. Since the exact strategies that would be implemented for each development project is not known at this time, the effectiveness of the TDM Plans cannot be estimated. Therefore, it cannot be guaranteed that the required TDM plans would reduce the impact to a level below significance.

No feasible mitigation is available to reduce the LOS-based impact at this intersection. Therefore, the impact is considered significant and unavoidable. This finding is consistent with the City's General Plan

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Policy T-18 (Level of Service), which requires the City to consider how a plan or project affects all modes of transportation, including transit riders, bicyclists, pedestrians, and motorists, to determine the transportation impacts of a plan or project. The Specific Plan would trigger a LOS-based impact at this intersection; however, the Specific Plan would also include a number of improvements at this intersection, which would benefit pedestrians and bicyclists, such as dedicated Class 4 cycletracks and shorter pedestrian crossings. As shown in Table 4.12-11, the Specific Plan improvements would improve the Streetscore+ at the intersection from 4 to 2 for both pedestrians and bicyclists. Considering the improvement in safety and comfort for pedestrians and bicyclists which would encourage walking and biking in the project area, and consistent with the City's General Plan Policy T-18, the mitigation measures to mitigate the LOS-based impact at this intersection are considered infeasible because they would preclude the Specific Plan's significant benefits for pedestrian and bicyclists.

Impact T-3: The addition of traffic generated by the development projects facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would increase the V/C ratio by more than 0.01 at the signalized Adeline Street/Alcatraz Avenue intersection, which would operate at LOS F during both AM and PM peak hours in 2040 regardless of the proposed Specific Plan. This impact would be significant and unavoidable.

Mitigation Measures: no feasible mitigation measures are available.

Finding: The city finds no feasible mitigation measures are available to reduce impacts at the Adeline Street/Alcatraz Avenue intersection during Cumulative plus Project conditions. This impact would remain *significant and unavoidable*.

Facts in Support of Finding: Traffic operations at the Adeline Street/Alcatraz Avenue intersection can be improved by providing additional automobile travel lanes, such as third through lanes on the northbound and southbound Adeline Street approaches of the intersection. However, these modifications cannot be accommodated within the proposed automobile right-of-way and would require additional right-of-way, and/or loss of planned bicycle and/or pedestrian facilities, and are considered to be infeasible because they would be in conflict with the Specific Plan and City of Berkeley General Plan goals to promote pedestrian and bicycle travel. Since the mitigation measure would result in secondary significant impacts, it is considered infeasible.

The development projects facilitated by the Specific Plan would be required to implement a TDM Plan, which is not reflected in the trip generation assumed in this EIR. TDM strategies would reduce the automobile trips generated by development projects and reduce the magnitude of the impact at the Adeline Street/Alcatraz Avenue intersection. Since the exact strategies that would be implemented for each development project is not known at this time, the effectiveness of the TDM Plans cannot be estimated. Therefore, it cannot be guaranteed that the required TDM plans would reduce the impact to a level below significance.

No feasible mitigation is available to reduce the LOS-based impact at this intersection. Therefore, the impact is considered significant and unavoidable. This finding is consistent with the City's General Plan Policy T-18 (Level of Service), which requires the City to consider how a plan or project affects all modes of transportation, including transit riders, bicyclists, pedestrians, and motorists, to determine the transportation impacts of a plan or project. The Specific Plan would trigger a LOS-based impact at this intersection; however, the Specific Plan would also include a number of improvements at this intersection, which would benefit pedestrians and bicyclists, such as dedicated Class 4 cycletracks and shorter pedestrian crossings. As shown in Table 4.12-11, the Specific Plan improvements would improve the Streetscore+ at the intersection from 4 to 2 for both pedestrians and bicyclists. Considering the improvement in safety and comfort for pedestrians and bicyclists which would encourage walking and biking in the project area, and consistent with the City's General Plan Policy T-18, the mitigation measures to mitigate the LOS-based impact at this intersection are considered infeasible because they

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would preclude the Specific Plan's significant benefits for pedestrian and bicyclists.

Impact T-6: The addition of traffic generated by the development projects facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would result in the Study CMP roadway segments to Deteriorate from LOS E or better to LOS F, or increase V/C ratio by 0.03 or more for a facility operating at LOS F without the Specific Plan. This impact would be significant and unavoidable.

Mitigation Measures: no feasible mitigation measures are available.

Finding: The city finds no feasible mitigation measures are available to reduce this impact and it would remain significant and unavoidable.

Facts in Support of Finding: As discussed under Impacts to Impacts T-1 and T-3, traffic operations along this segment of Adeline Street can be improved by providing additional automobile travel lanes, such as third through lanes on the northbound and southbound Adeline Street approaches of the intersection. However, these modifications cannot be accommodated within the proposed automobile right-of-way and would require additional right-of-way, and/or loss of planned bicycle and/or pedestrian facilities, and are considered to be infeasible because they would be in conflict with the Specific Plan and City of Berkeley General Plan goals to promote pedestrian and bicycle travel, and would reduce the project benefits in improving the Streetscore+ for pedestrian and bicycle safety and comfort. Therefore the mitigation measure is considered infeasible. This impact would remain significant and unavoidable.

6.3 Cumulative Impacts

The City finds that the proposed Specific Plan, in conjunction with the foreseeable increase in population and employment through 2040, will result in cumulatively considerable impacts.

Under Cumulative (2040) plus project traffic conditions, increases in traffic for the proposed Specific Plan would cause operating conditions to fall below the LOS standard at the intersection of Adeline Street/Alcatraz Avenue. In addition, traffic generated by the development facilitated by the Specific Plan and the roadway modifications proposed by the Specific Plan would contribute to increases in traffic congestion along the studied CMP roadway segments under both 2020 and 2040 conditions and would cause a significant impact in both directions of Adeline Street between the two separated segments of MLK Jr. Way. Mitigation measures are not available for three of the significantly impacted intersections or roadway segments therefore impacts at would be significant and unavoidable. Therefore, the project's impacts are therefore also cumulatively considerable.

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SECTION 7: STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance the benefits of a project against its significant unavoidable impacts when determining whether to approve a project. If the benefits of the project outweigh its unavoidable adverse environmental effects, those effects may be considered acceptable.⁴ CEQA requires the agency to state in writing the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record.⁵ The proposed Specific Plan would result in significant unavoidable impacts related to construction noise and traffic, even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are identified and discussed in Section 6 of these Findings. The City further finds that these significant unavoidable impacts are outweighed by the proposed Specific Plan's benefits, each of which, independently of the others, constitutes overriding consideration warranting approval of the proposed Specific Plan. Those benefits, and additional considerations related to this finding, are as follows:

- The proposed Specific Plan will encourage "complete neighborhoods" that foster a diverse mix of uses to provide safe and convenient access for all people of all ages, abilities and income levels to meet daily needs: to live, work, play, learn, worship, dine, shop, and socialize with one another other.
- The proposed Specific Plan will encourage affordable housing, community facilities, and public improvements desired by the community.
- The proposed Specific Plan will encourage development of a variety of types of housing at a range of income levels, especially for those at very low income levels and who are at high risk of involuntary displacement.
- The proposed Specific Plan will continue and strengthen existing programs and funding for anti-eviction and technical assistance for tenants and property owners to preserve existing affordable housing.
- The proposed Specific Plan will support long-term viability of existing businesses and non-profit service providers and business district and merchant organizations.
- The proposed Specific Plan will improve safety, connectivity, accessibility and access along and across Shattuck and Adeline streets for all people of all ages, abilities and income levels to meet daily needs: to live, work, play, learn, worship, dine, shop, and socialize with one another other.
- The proposed Specific Plan will facilitate new parks, plazas and other public space that encourages pedestrian activity, recreation and access to nature for persons of all abilities, age and incomes.
- The proposed Specific Plan will support Transportation Demand Management and carefully managed parking that addresses businesses' and residents' needs without undermining public transit, walking and bicycling as preferred modes of transportation.
- The proposed Specific Plan will create a sustainable urban environment that incorporates green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.
- The proposed Specific Plan will put the City in a better position to apply for grants because granting entities often prioritize applications for programs/capital improvements that are included in approved community plans that have undergone CEQA review.

On balance, the City finds that there are specific considerations associated with the Specific Plan that serve to override and outweigh the Specific Plan's significant unavoidable effects. Therefore, pursuant to *CEQA Guidelines* Section 15093(b), these adverse effects are considered acceptable.

⁴ *CEQA Guidelines*, 2019. Section 15093(a)

⁵ *CEQA Guidelines*, 2019. Section 15093(b)

Mitigation Monitoring and Reporting Program

The Environmental Impact Report (EIR) identifies the applicable mitigation measures that will be implemented to reduce the impacts associated with the Adeline Corridor Specific Plan. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Berkeley departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
AIR QUALITY						
AQ-1: Construction Emissions Measures.						
As part of the City's development approval process, the City shall require applicants for future development projects in the Plan Area to comply with the current Bay Area Air Quality Management District's basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the May 2017 BAAQMD CEQA Guidelines).	Review of all demolition, grading, and building permits to ensure compliance.	Prior to permit approval and during construction.	City of Berkeley Department of Planning & Development.			
AIR-2: Health Risk Assessments.						
As part of the City's development approval process, the City shall require applicants for future development projects in the Plan Area to implement the Bay Area Air Quality Management District Guidelines and State Office of Environmental Health Hazard Assessment policies and procedures requiring health risk assessments (HRA) for residential development and other sensitive receptors near sources of toxic air contaminants, including freeways and roadways with over 10,000 vehicles per day. Based on the results of the HRA, identify and implement measures (such as air filtration systems, waterproofed caulking on windows and doors, and/or requirements for closed windows) to reduce potential exposure to particulate matter, carbon monoxide, diesel fumes, and other potential health hazards. Measures identified in HRAs shall be included into the site development plan as a component of a proposed project.	Verify HRA completed and measures to reduce TACs have been incorporated into plans as appropriate.	Prior to issuance of building permit.	City of Berkeley Department of Planning & Development.			
BIOLOGICAL RESOURCES						
BIO-1: Special-status Bat Species Avoidance and Minimization.						
For projects in the Plan Area, focused surveys to determine the presence/absence of roosting bats shall be conducted prior to the initiation of demolition of buildings and removal of mature trees large enough to contain crevices and hollows that could support bat roosting. If active maternity roosts are identified, a qualified biologist shall establish avoidance buffers applicable to the species, the roost location and exposure, and the proposed construction activity in the area. If active non-maternity day or night roosts are found on the project site, measures shall	If applicable, project plans shall include project-specific mitigation measures to reduce impacts to bat species.	During individual environmental review	City of Berkeley Department of Planning & Development.			

Attachment E Mitigation Monitoring and Reporting Program

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
<p>be implemented to passively relocate bats from the roosts prior to the onset of construction activities. Such measures may include removal of roosting site during the time of day the roost is unoccupied or the installation of one-way doors, allowing the bats to leave the roost but not to re-enter. These measures shall be presented in a Bat Passive Relocation Plan that shall be submitted to, and approved by, CDFW.</p>						
GREENHOUSE GAS EMISSIONS						
GHG-1: All-Electric New Construction.						
<p>All new buildings constructed in the Plan Area shall be built as all-electric with no natural gas connection to the building, except where new natural gas connections are permitted under the City's Natural Gas Infrastructure Ordinance (BMC Chapter 12.80). This includes all appliances such as electric cooking, clothes drying, water heating, space heating, and air conditioning.</p> <p>Projects shall not be required to employ methods of construction the exceed the requirements of the California Building Standards Code (inclusive of any local amendments approved for enforcement in the City of Berkeley) or install appliances the exceed standards for energy efficiency established under the federal Energy Policy and Conservation Act, as amended, 42 U.S.C. § 6201 <i>et seq</i></p>	<p>Verify project plans are all-electric, or GHG reduction has occurred through specified means.</p>	<p>Prior to issuance of building permit</p>	<p>City of Berkeley Department of Planning & Development</p>			
GHG-2: Electric Vehicle (EV) Readiness and EV Chargers						
<p>All new development projects in the Plan Area shall conform to the following EV infrastructure requirements or an equivalent City of Berkeley adopted ordinance which meets or exceeds those standards:</p> <ul style="list-style-type: none"> ▪ Single Family Homes and Duplexes <ul style="list-style-type: none"> ▫ One At least one parking space per dwelling unit with on-site parking to be equipped with raceway, wiring, and power to support a future Level 2¹ EV charging station ▪ Multi-Family Buildings <ul style="list-style-type: none"> ▫ 20% of parking spaces to be equipped with raceways, wiring, and power to support future Level 2 EV charging stations 	<p>Verify project plans meet EV requirements.</p>	<p>Prior to issuance of building permit</p>	<p>City of Berkeley Department of Planning & Development</p>			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
<ul style="list-style-type: none"> ▫ 80% of parking spaces to be equipped with connecting raceways (no additional electric service capacity required) ▪ Non-Residential Buildings <ul style="list-style-type: none"> ▫ 10% of parking spaces must have Level 2 charging stations installed (a DC Fast Charge station) may be installed in place of 10 required Level 2 stations) ▫ 40% of parking spaces to be equipped with connecting raceways (no additional electric service capacity required) <p>¹ Level 2 circuit: 40+ Amp, 208/240v AC (standard household washer/dryer outlet), charges approximately 25-30 mile driving distance per hour</p>						
GHG-3 Solar Photovoltaic Power.						
All new buildings, with the exception of accessory buildings and structures, proposed in the Plan Area shall install solar photovoltaic energy systems or purchase 100% carbon neutral or renewable energy through an electric utility serving Berkeley. Solar photovoltaic equipment shall be shown on all plans submitted for individual projects in the Plan Area	Verify project plans meet solar requirements.	Prior to issuance of building permit	City of Berkeley Department of Planning & Development			
NOISE AND VIBRATION						
N-2: Construction-Related Noise Reduction Measures.						
Development projects in the Plan Area that involve construction activities shall apply the following measures during construction for the purpose of reducing construction-related noise: <ul style="list-style-type: none"> ▪ Construction Timing. Construction activities shall be restricted to the daytime hours of between 7:00 AM and 7:00 PM on weekdays, or between 9:00 AM and 8:00 PM on weekends and legal holidays. ▪ Mufflers. Construction equipment shall be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds, as applicable, shall be in good condition and appropriate for the equipment. During construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with 	Review and approve site-specific noise reduction program for the project. Monitor compliance with approved noise reduction program.	Monitoring during construction.	City of Berkeley Department of Planning and Development.			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
<p>properly operating and maintained mufflers, consistent with manufacturers' standards.</p> <ul style="list-style-type: none"> ▪ Electrical Power. Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities. ▪ Equipment Staging. All stationary equipment shall be staged as far away as feasible from adjacent noise-sensitive receptors. ▪ Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use. ▪ Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity. ▪ Smart Back-up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction. ▪ Disturbance Coordinator. The applicant shall designate a disturbance coordinator who shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site. ▪ Additional Noise Attenuation Techniques. During construction activity that is immediately adjacent to noise-sensitive receptors, temporary sound barriers may be installed and maintained, at the discretion of the City's Department of Planning and Development. Temporary sound barriers, if installed, shall block line of sight between noise-generating construction equipment and adjacent residential windows and shall be placed as close to the source equipment as feasible. Mobile sound barriers may be used as appropriate to attenuate construction noise near the source equipment. During the 						

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
building construction phase, temporary sound barriers may be applied to generators and cranes used on-site.						
N-3: Vibration Reduction Measures.						
Applicants for new development that would involve construction activity in the Plan Area shall implement the following measures to reduce exposure to vibration from construction activities:	Review and approve site-specific vibration reduction program.	Monitoring during construction.	City of Berkeley Department of Planning and Development.			
<ul style="list-style-type: none"> ▪ Best Available Technology. The applicant shall use the best available technology to reduce construction-related vibration on construction sites within 100 feet of institutional land uses that are sensitive to vibration, and within 50 feet of historic buildings, so that vibration levels do not exceed guidelines in the Federal Transit Administration's <i>Transit Noise and Vibration Impact Assessment Manual</i> for annoyance and damage to fragile structures. Appropriate technology may include, but is not limited to: <ul style="list-style-type: none"> ▫ Drilling of piles instead of pile driving for foundation work ▫ Static rollers instead of vibratory rollers for paving activity ▫ Smaller and well-maintained equipment ▪ Construction Scheduling. The applicant shall coordinate with adjacent institutional land uses that are sensitive to vibration and schedule vibration-generating construction activities during less sensitive times of day. 	Monitor compliance with approved noise reduction program.					
TRANSPORTATION AND TRAFFIC						
T-2 Signal Warrant Study and Signalization.						
Development projects tiering from the Adeline Street Specific Plan EIR with primary automobile access on one of the following local streets that is currently controlled by a stop-sign at the intersection with a major street shall evaluate traffic operations and the MUTCD signal warrants at the intersection:	Verify evaluation of signal warrants has occurred. If signal warrant met, verify improvements developed and installed.	Prior to issuance of building permit.	City of Berkeley Department of Planning and Development.			
<ul style="list-style-type: none"> ▪ Shattuck Avenue at Blake, Parker, and Derby Streets ▪ Adeline Street at Stuart, Russell, Essex, Woolsey, Fairview, and Harmon Streets 						

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
<p>The signal warrant study shall be completed as part of the environmental review process for the development project. If the intersection meets the signal warrants and the development project would add ten or more trips to the critical movement that operates at LOS F during the AM and/or PM peak hour, the study shall identify improvements to mitigate the impact. The improvements may consist of signalizing the intersection, and/or restricting one or more movements at the intersection. The study shall also evaluate the secondary effects of the identified improvement, such as traffic diverted to other streets due to turn restrictions. The development project shall install the identified improvement.</p>						

**Attachment F:
Subcommittee on the Adeline Corridor Specific Plan Companion Recommendation**

The Subcommittee recommends that the City Council should consider the following actions along with adoption of the Adeline Corridor Specific Plan:

1. Set-aside at least an initial allocation of \$50 million of local funds for affordable housing (e.g. Measure O, Measure U1, Measure P, Housing Trust Fund) for the Adeline Corridor, and in particular, for the Ashby BART subarea. In addition to this initial set aside, the City Council should also identify potential funding sources and take action to provide additional funds that can be used to create additional affordable housing over the life of the Adeline Corridor Plan.
2. Give careful consideration to revising the Affordable Housing Mitigation Fee Ordinance to allow Moderate Income units to count towards the required percentage of affordable housing if it is provided as a combination of Moderate Income (at 100% of Area Median Income) and Extremely Low Income units to the extent permitted by law;
3. Consider support and funding for environmental analysis of a two-lane street right-of-way design option for Adeline Avenue, which would reduce travel lanes to one lane in each direction. Such a design could, by shrinking the amount of space provided to motor vehicles, potentially improve pedestrian safety and could provide more space for the development of public open space and affordable housing along the corridor. Environmental analysis of a two-lane option should look at the impact such a design would have on the City's Designated Truck Routes and Emergency Access & Evacuation Routes, on the operation of buses on the corridor, and on traffic, including possible traffic spillover onto Martin Luther King or other area streets; and
4. Identify and pursue funding for the development, operation and maintenance of parks for the Adeline Corridor.

Attachment G: Summary of Community Engagement and Commission/Council Meetings

VISIONING AND EXISTING CONDITIONS

Introductory Community Forum (January 31, 2015). The Community Forum hosted by then-Mayor Tom Bates and then-District 3 Councilmember Max Anderson, was intended to introduce the project scope, City, and consultant staff and to solicit community ideas about the best way to outreach to the community prior to starting the planning process.

Adeline Community IDEA Centers (April – June 2015). The “IDEA Center” provided a unique and convenient opportunity for community members to participate in the planning process. Over 500 people dropped-in during this 3-month period to learn about the Adeline Corridor Plan process; share input on community goals related to affordable housing, local jobs, historic preservation, transportation, and other topics; and discuss ideas and priorities for physical improvements to the corridor such as streetscape design, public art, pedestrian safety, and improved connectivity. City and consultant staff were available at the Firehouse Art Collective (3192 Adeline Street) for 2 weekdays per week and on five Saturdays at different locations within the Plan Area during the visioning phase of the planning process in April – June 2015.

Pop-Up Event and Walking/Bike Tours (June 13, 2015). The primary goal of the “pop-up” event was to collect public input on how to better use public spaces along Adeline and South Shattuck and check out temporary “pop-up” ideas for the future of the Adeline/South Shattuck corridor. By transforming a normally quiet sidewalk area into a bustling public plaza complete with food, music, live art, and community activities, the 150+ event participants were able to experience and envision potential changes within their community. The event also included two walking tours and one biking tour for community members to share their thoughts on the pedestrian and cyclist experience along the Adeline/South Shattuck corridor. Over 50 community members participated in the three tours.

Community Workshop: Existing Conditions and Visioning (August 31, 2015). The visioning workshop presented members of the community with an opportunity to review and discuss the ideas emerging from community feedback collected to-date and the data in the Existing Conditions Report. The workshop also provided a large-scale forum for residents and community members to work collectively to develop a clear vision for the character of the corridor.

Surveys. City staff and consultants, in partnership with the community, conducted several surveys to help collect information about needs and opportunities. Surveys conducted included: Community Opportunities and Needs Survey (April – June 2015 – 1,118 responses); Business Survey (April/May 2015 – 102 responses out of 340 mailings – 30% response rate); Flea Market Vendor Survey (December 2015 – Feb. 2016 – 41 responses); Shopper/Employee/Business Owner Transportation Intercept Survey (May – June 2017).

Community Learning Sessions (November 2015 – April 2016). In response to community requests for more background information relating to key areas of concern/interest, City staff organized three “101 sessions” that included speakers from City departments, other public agencies, and community partners on the following topics: affordable housing, zoning and planning, and “complete streets” (planning for all modes of transportation to increase safety, access, and mobility).

Attachment G: Summary of Community Engagement and Commission/Council Meetings

DEVELOPING PLAN DIRECTION

Community Workshop: Building the Plan Together. Affirming the Community Vision, Exploring Options for Transportation/ROW and Publicly-Owned Land (May 21, 2016). The primary goals of the community workshop were to review and affirm the community vision and to discuss options to identify the community's preferred direction for transportation options and uses of both right-of-way (ROW) opportunity areas and publicly-owned sites to better serve community goals.

Re-imagine Adeline Open House Exhibits (January/March 2017). The purpose of this event was to present refined design concepts to redesign the right-of-way based on community feedback collected over the past two years with technical studies conducted by staff and consultants. The exhibit consists of display boards and 3-dimensional models to visualize potential changes to the Adeline corridor. The exhibit was hosted at the Ed Roberts Campus at 3075 Adeline Street for two viewing periods. The first viewing period took place between January 28 and February 4, 2017 and began with a "kickoff" event including remarks from City officials. The second viewing period took place between March 25 and March 31, 2017. Additionally, a web-based version of the exhibit was created, including a video and on-line questionnaire that included the same questions presented at the exhibit itself.

Adeline Corridor Open House and Workshops. Plan Concepts (March and June 2018). Members of the public were asked to provide input about draft Plan concepts that would become the basis for preparing a draft Plan. The open house was first presented as a two-week exhibit along with four topic-specific workshops about equity, affordable housing and community benefits, redesigning the public right-of-way to improve mobility and safety and increase open space, and strategies to foster economic opportunity. The open house took place at the Ed Roberts Campus at 3075 Adeline Street from March 10 - March 23, 2018. Additionally, a web-based version of the open house exhibits was created using the City's online forum "Berkeley Considers" to give the public additional opportunities to provide input from May 17 through June 3, 2018.

Community Meeting about a Vision for the Ashby BART Station Area (August 2, 2018). Mayor Jesse Arreguin, Councilmember Ben Bartlett, and BART Director Lateefah Simon hosted a community meeting to have a deeper conversation about the long-term vision for the Ashby BART Station Area. The Mayor, Councilmember, Director Simon and City of Berkeley Planning Director Timothy Burroughs provided brief opening remarks to frame the discussion. Verbal and written community input was documented and incorporated into the Adeline Corridor Plan.

Stakeholder/Focus Group Meetings. The project team conducted meetings with numerous groups and individuals throughout the planning process, including but not limited to: the Flea Market Board and vendors; the South Berkeley Farmer's Market, the Berkeley Chapter of the NAACP, Friends of Adeline; Lorin Business Association; groups of church members and the pastors of (historically black) churches in the area; Healthy Black Families; Ed Roberts; the East Bay Center for the Blind; senior housing residents; youth groups; the Drop-In Center clients (homeless); non-profit affordable housing advocates/developers; and non-profit service providers in the area.

Attachment G: Summary of Community Engagement and Commission/Council Meetings

PLAN REVIEW AND ADOPTION¹

Planning Commission Adeline Corridor Specific Plan Subcommittee Meetings. The Planning Commission established an Adeline Corridor Specific Plan Subcommittee, which has been meeting since May 2019 review the documents and develop guidance and/or a draft recommendation for the full Planning Commission. Agendas for the meetings are available online at the Planning Commission webpage (www.cityofberkeley.info/PC).

- May 21, 2019 - Subcommittee Kick-Off Meeting
- June 18, 2019 - Land Use and Housing Affordability
- July 31, 2019 - Land Use and Housing Affordability (cont'd)
- August 8, 2019 - Transportation and Public Space
- August 19, 2019 - Economic Opportunity and Workforce Development
- November 21, 2019 - Overview of Proposed General Plan and Zoning Amendments
- December 12, 2019 - Overview of Responses to Plan and EIR Comments
- January 29, 2020 - Additional Information on Proposed Zoning and Discuss Subcommittee Recommendation on Draft Plan, General Plan and Zoning Amendments and EIR (“Plan and Associated Documents”)
- February 1, 2020 - Discuss Subcommittee Recommendation on Plan and Associated Documents
- March 18, 2020 - Finalize Subcommittee Recommendation - Meeting cancelled due to Shelter-In-Place order
- July 15, 2020 - Finalize Subcommittee Recommendation (cont'd)
- July 20, 2020 - Finalize Subcommittee Recommendation (cont'd)
- August 19, 2020 - Finalize Subcommittee Recommendation

Planning Commission. The Planning Commission will consider its Subcommittee recommendation and prepare a recommendation from the full Commission to the City Council regarding the Adeline Corridor Specific Plan and associated General Plan and Zoning Amendments and certification of the Environmental Impact Report (EIR).

City Council. The City Council will consider the Planning Commission’s recommendation and will be the body that adopts and certifies the Final Adeline Corridor Specific Plan and associated General Plan and Zoning Amendments and certification of the Environmental Impact Report (EIR).

¹ Additional stakeholder group and community engagement will continue throughout the Plan Review and Adoption phase.

Planning Commission Adeline Corridor Subcommittee Proposed Revisions to Specific Plan and Proposed General Plan and Zoning

Attachment H

#	Document	Page # or section	Comment/Issue	Proposed Revision	Rationale/Notes	Status After 7/15 Subcommittee Meeting	[Prev. #]
A. SUBSTANTIVE PROPOSED CHANGES							
1	PLAN - Ch 2	Vision	Revise BID language in the Five BIG Ideas section should be more in line with changes in Policy 5.3 (Commissioner C. Schildt, 8/19/20)	Create a Business Improvement District (BID) or similar entity, serving the Adeline Corridor, with fees from business and/or property owners used to support physical improvements, special events, public safety, street cleanliness/maintenance, and programming. <u>Engagement to explore BID creation should extend to the broader community, including not only existing business and property owners, but also non-profits, Black-owned businesses advocacy organizations, and the unhoused.</u> This entity would be similar to the Downtown and Telegraph Avenue BIDs and would leverage the efforts of the Lorin Business Association and other merchant groups along the corridor. The City would be a partner in this effort and could provide assistance and seed money to get it started. See Chapter 5 of this Plan for more information.		Subcommittee agreed with proposed revision (8/19/20)	98
2	PLAN - Ch 2, Ch 3 (and Zoning)	p.2-19	Boundary of South Shattuck subarea in Figure 2-2 Plan Subarea. The 3 parcels bounded by Shattuck Avenue, Adeline and Russell Streets are within the North Adeline Subarea and are being proposed to be moved to the South Shattuck Subarea. (See also Zoning - Subarea Map below)	Modify South Shattuck subarea boundary to include the parcels bounded by Shattuck Avenue, Adeline and Russell Streets.	Many parcels in the Plan Area are limited in development potential due to small parcel sizes, multiple owners and because they abut lower density residential uses. The area being proposed to be included in the South Shattuck Subarea includes large parcels are separated from nearby residential uses by streets. The proposed change helps to support the goal of maximizing affordable housing by putting these parcels into the South Shattuck Subarea which has a slightly higher development potential and corresponding, higher on-site affordable housing requirements.	Subcommittee agreed with proposed revision (2/1/20). Changes to Plan Area/Subarea boundaries in graphics for the Plan, GP and zoning will be deferred until the PC/City Council.	4
3		p.3-10	Modify South Shattuck subarea boundary in Figure 3-2 Maximum Height by Subarea (consistent with edit to p.2-19, listed above)	See description of edit to p.2-19 (listed above as row #4)		Subcommittee agreed with proposed revision (2/1/20). Changes to Plan Area/Subarea boundaries in graphics for the Plan, GP and zoning will be deferred until the PC/City Council.	9
4	PLAN - Ch 3	Global	Policies 3.1 to 3.6 will need to be revised based on discussion of proposed zoning	Will update after associated issues are resolved regarding proposed zoning (see issues/proposed revisions to draft zoning) Updated policies 3.1 to 3.6 to be consistent with proposed zoning to-date (9/9/20)		Subcommittee agreed with proposed revision (2/1/20)	8

Planning Commission Adeline Corridor Subcommittee Proposed Revisions to Specific Plan and Proposed General Plan and Zoning

Attachment H

5	PLAN - Ch 3	p.3-22 to 3-24	<p>Policy 3.7 - Revise language the % affordable housing; including more specific language about the Flea Market and stronger language (e.g. from "shoulds" to "shall"). *Note: this item has been broken into three items, 13a, 13b and 13c for ease reference for each agreed upon revision.</p>	<p>To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Subcommittee discussed potential revisions to Policy 3.7, Objective 1: 3/18 Staff Memo, p.16</p> <p>Subcommittee agreed to the following revision (3 yes, 1 no): Replace the following text: " For any future development in the BART subarea, at least 50% of the total housing units produced should be comprised of deed-restricted affordable housing, which could also include supportive services or other spaces associated with the affordable housing. This goal for at least 50% affordable housing at a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) would be calculated across the entire Ashby BART subarea and could be accomplished through multiple phases of development. Any future development agreement should commit to deliver at least this level of affordable housing, and provide a plan to do so. Amounts of affordable housing exceeding 50% of the total square footage and number of units are encouraged." with:</p> <p><u>The City's goal for the Ashby BART subarea is phased development, over the life of the Plan, of 100% below market, deed restricted affordable housing. Following the process outlined in the City and BART Memorandum of Understanding (MOU), the City will work with BART to achieve this goal. This housing should be affordable to moderate, low-, very low- and extremely-low income households at an approximately even distribution. The City of Berkeley shall exercise its option to purchase the air rights above the BART parking lot. Housing in this subarea could also include supportive services or other spaces associated with affordable housing. Reserving the Ashby BART site for 100% affordable housing development will help achieve the Plan's housing affordability goal that calls for at least 50% of all new housing built in the Adeline Corridor over the next years to be income restricted permanently affordable housing.</u></p>		Subcommittee agreed with proposed revision - (7/20/20)	13 a
6	PLAN - Ch 3	p.3-22 to 3-24	<p>Policy 3.7 - Revise language the % affordable housing; including more specific language about the Flea Market and stronger language (e.g. from "shoulds" to "shall"). *Note: this item has been broken into three items, 13a, 13b and 13c for ease reference for each agreed upon revision.</p>	<p>To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Subcommittee discussed revisions to Policy 3.7, Objective 2. Public Space : See 3/18 Staff Memo, p.4.</p> <p>Subcommittee agreed to update language to read as follows:</p> <p><u>Future redevelopment of the Ashby BART west parking lot shall should incorporate a large civic plaza that could be designed and programmed to accommodate the Berkeley Flea Market and potentially a relocated Farmers Market, as well as support the Juneteenth Festival and other music and entertainment events. This space could include dedicated flexible space on the site and/or in a nearby location such as on Adeline Street. The space shall should be designed with the general and specific needs of the Flea Market and Farmers Market (if the operators of the Markets are interested), as well as allow flexibility for other programming such as the Juneteenth Festival, music and entertainment, civic events, or other public uses – at different times of the week or in complementary locations. This could include dedicated flexible space on the site or in a nearby location such as on Adeline Street. The City will oppose the relocation of the Flea Market. will not be relocated away from the BART parking lot without the consent of the designated representative of the vendors, currently Community Services United. The City is committed to supporting the Berkeley Flea Market as it works with BART to redevelop the Ashby BART subarea through the process outlined in the Memorandum of Understanding adopted by City Council and the BART Board of Directors (Dec. 2019 and Jan. 2020, respectively). This process will include engagement with the Berkeley Flea Market individually and through the Community Advisory Group (CPG), which will include a representative from Flea Market management, currently Community Services United.</u></p>		Subcommittee agreed with proposed revision (7/20/20)	13 b

Planning Commission Adeline Corridor Subcommittee Proposed Revisions to Specific Plan and Proposed General Plan and Zoning

Attachment H

7	PLAN - Ch 3	Ch. 3 p.3-22 to 3-24 Ch. 8 LU-2	Policy 3.7 - Revise language the % affordable housing; including more specific language about the Flea Market and stronger language (e.g. from "shoulds" to "shalls"). *Note: this item has been broken into three items, 13a, 13b and 13c for ease reference for each agreed upon revision.	<i>To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Subcommittee discussed revisions: See 3/18 Staff Memo</i> <i>Subcommittee agreed to the following: Objective 7. Process and Engagement</i> <i>Add the following sentence to Policy 3.7, Objective 7 (p. 3-24): "The City will work with the Flea Market to prevent construction impacts."</i> <i>In Implementation LU-2, add new text to reference to CAG and that CoB will make a decision on the set aside.</i>		Subcommittee agreed with proposed revision (7/20/20); new text for revised Implementation Action LU-2 drafted by staff after 7/20 meeting	13 c
8	PLAN - Ch 3	N/A	Include new policy about Sustainable Design and Energy Use - include mitigation measures (GHG MM-1, GHG MM-2 and GHG MM-3) as revised in Final EIR) for all-electric new construction, electric vehicle (EV) readiness and EV chargers for residential and commercial buildings and solar photovoltaic power.	<i>To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Staff will prepare new language based on Commissioner Wrenn's 1/29 Memo and ensure consistency with the City's recently adopted regulations and EIR mitigation measures Staff drafted new language - see 9/16 Staff Memorandum, Attachment A (Draft Plan Chapter 3, New Policy 3.8).</i>		Subcommittee agreed with proposed approach (2/1/20) New Policy 3.8 language drafted by staff after 7/20/20 meeting	15
9	PLAN - Ch 4	Policy 4.2	Add language regarding incentivizing affordable housing along corridor (Commissioner C. Schildt, 8/19/20)	Add a paragraph at the end: "During the planning process, many residents expressed a strong desire to maximize the amount of deed-restricted, affordable housing along the corridor. The City should explore additional strategies to require and/or incentivize affordable housing along the corridor, such as increasing the Affordable Housing Mitigation Fee for the plan area, eliminating the fee option and requiring on-site development, or other strategies."		A majority of the Subcommittee agreed with this revision (3-1, Wiblin voting no, 8/19/20).	93
10	PLAN - Ch 4	Policy 4.2	Add language regarding the length of affordability of units. (Commissioner C. Schildt, 8/19/20)	Add a bullet: "Length of affordability: both newly constructed or acquired units should be required to be deed-restricted affordable for either the life of the building, or the life of the initial project, whichever is longer."		Subcommittee agreed with proposed revision (8/19/20)	95
11	PLAN - Ch 4	Policy 4.7 p. 4.20	Modify Preference Policy	Revise last two sentences as follows: As new affordable housing opportunities are created in the plan area, the City will, within the limits of state and federal law, explore options to prioritize current and former local residents. Potential preferences could include, <u>as part of a point system</u> , people currently living near new affordable developments, as well as <u>and</u> former Berkeley residents who have been displaced from the community, <u>particularly those subject to no-fault evictions and adverse government actions under certain conditions.</u>	Discussed at 7/20 meeting. Designed to strengthen existing language. Changes based on Beach and Wiblin suggestions.	Subcommittee agreed with proposed revision (7/20/20)	85

12	Zoning-PLAN, Ch 4 and 8	Dev- Standards/Aff. Hsg- Required Policy 4.2 and (new) Housing Affordability Action	<p>Explore Additional options to providing the on-site affordable housing:</p> <ul style="list-style-type: none"> -Require Affordable Housing Mitigation Fee (AHMF) collected for projects in the Adeline Corridor be earmarked for affordable housing in the Plan Area or in South Berkeley; -Allow option to provide affordable units off-site (new construction or acquiring existing development and making it permanently affordable housing (owned/managed by an entity other than the City); -Allow payment of AHMF instead of providing on-site BMR units under certain circumstances. 	<p>To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Plan Policy 4.2, p. 4-13: Add new text after the end of the paragraph: <u>"It may be desirable to offer additional options to providing the required on-site affordable housing in order to maximize the likelihood that below-market rate housing is actually constructed. Options include providing the required affordable units off-site as newly constructed units or through the acquisition and rehabilitation of existing development as permanent, deed-restricted affordable housing under certain circumstances. A potential framework to consider for an off-site affordable program for the Adeline Corridor should consider:</u> -Replacement ratio of units; -Location requirement (e.g. off-site units should be located in South Berkeley -Timing: units at the "receiving site" should be approved either concurrently or prior to the units as the "sending site"; -Acquisition and Rehabilitation: a physical needs assessment should be developed to identify that the units being acquired are rehabilitated to a comparable level of amenity and useful life to the otherwise required amount of (new) on-site affordable housing. Additional research would be required to determine the appropriate development approval processes; enforcement mechanisms needed to ensure completion of off-site units; as well as how to address rehabilitation of units (and if those units already have some kind of formal affordability requirement such as rent control). (new) Implementation Action HA-7. Analyze additional alternatives to providing the required on-site affordable housing units in order to maximize the likelihood that below-market rate housing is actually constructed. Options should define requirements regarding replacement ratio, location/proximity of units, timing and rehabilitation/acquisition of existing units. See Policies/Strategies: HA-4.2, p. 5-9, Revise Policy 5.3 as follows: "5.3 Business Improvement Districts/<u>Organizations</u>. Explore the potential to establish Business Improvement District(s) or similar entity." Revision beginning on the 3rd paragraph, 2nd column: "Because approval of a BID requires a majority vote (with votes weighted by the calculated benefit to the property or business), an important first step typically is for the community to demonstrate that there is support among property owners and business owners to form such a District. The Office of Economic Development will assist interested community groups/business organizations in the process. During the community process, concern was expressed that the goals of BIDs may sometimes be in conflict with other broader community goals of equity and compassion for the unhoused. Exploration of whether there is community support for a BID or similar entity should include stakeholder meetings including existing businesses and property owners and in particular Black business owners, cultural and religious institutions, nonprofits, the Berkeley Community Flea Market, local residents, unhoused people, and other users of the corridor to determine the appropriate strategy/entity could best support a vibrant commercial district. Discussion should also include the development of equity goals/principles, possible boundary, desired scope of services and capital improvements and funding potential. Examples to draw upon include Black cultural districts around the country (e.g. Oakland, Austin, Denver, Seattle, etc.). Part of the northern portion of the Plan Area already is part of the Downtown Berkeley Association (DBA), a property-based Business Improvement District, which collects fees from property owners to fund Downtown services. The Lorin Business Association (LBA), a volunteer membership organization that has membership dues could choose to explore creation of a BID or other entity. <u>The Office of Economic Development will assist interested community groups/business organizations in the process.</u></p>	<p>See Staff Memo for 12/12/19 Subcommittee Meeting for more details; Subcommittee discussed revisions 2/1 and 7/15. See 3/18 Staff Memo. The options included allowing for the provision of the required affordable units off-site as newly constructed or as acquisition and rehabilitation of existing development as permanent, deed-restricted affordable housing under certain circumstances. Staff recommends that this concept is added to the description in Draft Plan Chapter 4, Policy 4.2: On-site Affordable Housing Incentive, and as an implementation action.</p>	<p><i>Outstanding-See 3/18 Staff Memorandum- Subcommittee agreed with proposed revision in concept (7/15/20); Staff drafted text for addition to Policy 4.2 and new Implementation Action HA-7 after 7/20 meeting</i></p>	60
13	PLAN - Ch 5	Ch. 5 Policy 5.3 and Ch. 8 Action EO-3.	<p>Plan Policy 5.3 Business Improvement Districts - should reference outreach to broader set of stakeholders including non-profits, Black-owned businesses and the homeless, and that the entity should support the racial and economic diversity of the neighborhood.</p>	<p>Revision beginning on the 3rd paragraph, 2nd column: "Because approval of a BID requires a majority vote (with votes weighted by the calculated benefit to the property or business), an important first step typically is for the community to demonstrate that there is support among property owners and business owners to form such a District. The Office of Economic Development will assist interested community groups/business organizations in the process. During the community process, concern was expressed that the goals of BIDs may sometimes be in conflict with other broader community goals of equity and compassion for the unhoused. Exploration of whether there is community support for a BID or similar entity should include stakeholder meetings including existing businesses and property owners and in particular Black business owners, cultural and religious institutions, nonprofits, the Berkeley Community Flea Market, local residents, unhoused people, and other users of the corridor to determine the appropriate strategy/entity could best support a vibrant commercial district. Discussion should also include the development of equity goals/principles, possible boundary, desired scope of services and capital improvements and funding potential. Examples to draw upon include Black cultural districts around the country (e.g. Oakland, Austin, Denver, Seattle, etc.). Part of the northern portion of the Plan Area already is part of the Downtown Berkeley Association (DBA), a property-based Business Improvement District, which collects fees from property owners to fund Downtown services. The Lorin Business Association (LBA), a volunteer membership organization that has membership dues could choose to explore creation of a BID or other entity. <u>The Office of Economic Development will assist interested community groups/business organizations in the process.</u></p>	<p>See 3/18 meeting packet (Schildt memo)</p>	<p>Subcommittee agreed with proposed revision in concept (7/15/20); staff drafted new proposed text for Subcommittee's review at 7/20 meeting. Subcommittee agreed with proposed revisions (7/20/20)</p>	75

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14	PLAN - Ch 5	Ch. 5 Policy 5.3 and Ch. 8 Action EO-3.	Plan Policy 5.3 Business Improvement Districts - should reference outreach to broader set of stakeholders including non-profits, Black-owned businesses and the homeless, and that the entity should support the racial and economic diversity of the neighborhood.	Revise Implementation Action EO.3 as follows: "EO-3. Outreach to <u>and engage the broader community including not only</u> existing business and property owners, <u>but also non-profits, Black-owned businesses advocacy organizations, and the unhoused to gauge interest and develop a proposal for the boundary scope of services and capital improvements discuss the potential for</u> a new Business Improvement District(s) or similar organizing entity for all or a part of the Plan Area. <u>Discussion should include development of equity goals/principles, possible boundary, desired scope of services and capital improvements and funding potential.</u>	See 3/18 meeting packet (Schildt memo)	Subcommittee agreed with proposed revision in concept (7/15/20); staff drafted new proposed text for Subcommittee's review at 7/20 meeting. Subcommittee agreed with proposed revisions (7/20/20)	75
15	PLAN - Ch 5	(new) Policy 5.8 and Ch. 8 Action EO-15	Plan needs policy about workforce development/targeted hiring	Add new <u>Policy 5.8: Workforce Development: Explore development of a targeted hiring program. The City has a number of existing hiring programs and requirements. These include Community Workforce Agreements, the First Source Program and the Housing and Urban Development Department's Section 3 program. The City should explore building on these programs to develop a targeted hiring program that requires new businesses in the Adeline Corridor to hire a required percentage of "local" workers that meet defined criteria for construction and non-construction jobs. Examples of criteria that could be used include: low income and/or formerly incarcerated, chronically unemployed or homeless or paying more than 50% of income for shelter, formerly in foster care, lacking a GED or highschool diploma, a custodial single parent, receiving public assistance or a US Veteran. Exploration of such a program would include analysis of options to administer, monitor and enforcement mechanisms, as well as potetial for linkages to job training programs.</u> Add new Implementation Action EO-15. Explore building on existing City-funded programs to develop <u>a targeted hiring program that requires new businesses in the Adeline Corridor to hire local residents that meet defined criteria for construction and non-construction jobs.</u>	See 3/18 meeting packet (Beach email)	Subcommittee agreed with proposed revision in concept (7/15/20); staff drafted text after the meeting. Subcommittee agreed with proposed revisions (7/20/20)	76
16	PLAN - Ch 5	Econ Opp Context	Add language to describe the need for additional public discussion. (Commissioner C. Schildt, 8/19/20)	Add language based on the following recommended language: "During the planning process, many creative ideas from the local business community and other stakeholders were raised. While this plan incorporates some of these ideas where it could, many are still underdeveloped and further conversation is needed to bring them to fruition. These include social equity, specific ideas for placemaking including development of public space, strategies for managing the aging buildings, and strategies for working with derelict property owners, among others. Future economic development efforts should include conversations among city staff, Planning Commissioners, City Council, business owners, property owners, residents and other stakeholders to further develop these strategies to support a thriving, vibrant commercial area."		Subcommittee agreed with proposed revision (8/19/20)	99
17	PLAN - Ch 6	p.6-7 to p.6-20	Multiple comments related to addressing more detail in long term Right-Of-Way redesign concept	None	Policy 6.2 (p.6-7) of the Draft Plan includes language that emphasizes that the long-term ROW design is conceptual and needs further input from community stakeholders, elected officials, and City staff, as well as further engineering and design work, including addressing types and amount of on-street parking, bicycle facilities, programming and type of public space and streetscape design. Implementation Actions T-2, T-7, PS-1 and PS-2 specifically address further work and community engagement needed to build on the Draft Plan's ROW concept and other implementation actions address needing to identify funding for advancing this work (e.g. planning, construction and operations and maintenance).	<i>Outstanding: See 3/18 Staff Memorandum See Row #81 below</i>	23a

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18	PLAN - Ch 6 and 8	Policy 6.2 p.6-7 & Ch. 8 Action T2	Revise text to reference more study of alternative roadway configurations including further reduction of lanes	<p>p.6-7: Revise first paragraph of 2nd column to read: The long-term right-of-way design is conceptual and is anticipated to undergo continued refinements and design improvements; <u>as well as study additional roadway configuration options such as a further reduction of travel lanes.</u> This will require continued input..."</p> <p>Implementation Action T-2: Revise action to state: "Refine public right-of-way concepts for each Plan Area subarea identified through the community process, including <u>further study of additional roadway configuration options such as the potential of reducing travel lanes on Adeline from Derby Street to Martin Luther King Jr. Way;</u> developing planning-level cost estimates, and working with agency partners to identify and leverage respective funding sources."</p>	Discussed at 7/15 meeting	Subcommittee agreed with proposed revision in concept (7/15/20); staff drafted new proposed text for Subcommittee's review at 7/20 meeting. Subcommittee agreed with proposed revisions (7/20/20)	84
19	PLAN - Ch 7		Be more specific about locations to analyze for new park space	<p><i>To discuss further with Subcommittee (at 1/29 or 2/1 meeting)</i> Policy 7.3 Public Space Opportunity Sites referenced a "Figure 7.1" but there was no such figure in the Draft Plan (May 2019). A Figure 7.1 will be included in the plan that shows the opportunity areas for public space (which includes the potential for parks and plazas) with approximate sizes of the sites. Policy 7.3 and the context section of Chapter 7 (p.7-2) will be revised to include text that references the neighborhood's need for park space ("and reflects past and ongoing racial and economic disparities in Berkeley.") Policy 7.3 will also be revised to include language that the ratio of park space to residents will be maintained or improved. "A goal of this plan is to at least maintain, if not improve, the ratio of park area to residents in the Plan Area."</p> <p>Figure 7.1 was developed and shows the opportunity areas for public space (which includes the potential for parks and plazas). The context section of Chapter 7 (p.7-2) was revised to include text that references the neighborhood's need for park space ("and reflects past and ongoing racial and economic disparities in Berkeley."). Policy 7.3 was also be revised to include language that the ratio of park space to residents will be maintained or improved. "A goal of this plan is to at least maintain, if not improve, the ratio of park area to residents in the Plan Area."</p>	Chapter 7 Public Space identifies that there is a need and an high community priority on safe, inclusive, attractive and healthy public spaces. Policy 7.3 Public Space Opportunity Sites identifies potential sites in the four subareas for new public space. As identified in the Implementation Chapter, additional study and community input are needed to refine the size, type and programming potential spaces, such as opportunities identified as part of the right-of-way redesign concept or for the Ashby BART subarea.	Outstanding: See 3/18 Staff Memorandum. Subcommittee agrees with the proposed revision approach (7/15/20)	28
20	PLAN - Ch 8	Action PA - 2	<p>increase frequency of implementation reporting from annual to twice/year. Maintain frequency of implementation reporting to once a year.</p>	<p>Keep implementation reporting to annual frequency.</p> <p>Subcommittee discussed revisions at their 7/20/20 meeting and agreed add the following language: PA-2. Provide annual progress update to the City Council and community, including performance metrics, challenges, and next steps. <u>The City will hold interim-regular meetings with community stakeholders to provide plan implementation updates and opportunities for input and feedback with notice to residents of the Plan Area and self-identified stakeholders.</u></p>	At 12/12/19 Subcommittee meeting, matching the frequency of the City's Development Pipeline report was expressed as the appropriate frequency. The Development Pipeline Report is presented annually (in July). Staff was mistaken that it was produced bi-annually. Staff recommends that the frequency of the implementation update should remain on an annual basis. There will be many opportunities for Staff to share progress with the community public process for upcoming implementation actions, including but not limited to, the work with the Community Advisory Group (CAG) and the Planning Commission for the Ashby and North Berkeley BART stations and the development of the Tenant Opportunity to Purchase Act (TOPA) and Local Preference Policy for new affordable housing.	Subcommittee agreed with proposed revision (7/20/20)	29
21	PLAN - Ch 8	New Implementation Action	Create new implementation action for City to track deed-restricted affordable housing units to avoid net loss of such housing	<p>New Implementation Action HA-8: As part of its annual progress report, the City will document the number of income-restricted affordable units within the Plan area (at the time of Plan adoption). In the event that the total number of income-restricted units falls below the number at the time of Plan adoption, the City will, within 60 days of reporting such decrease, propose that the City Council consider amendment(s) to the Plan that would increase the number of restricted affordable units in the Plan area.</p>	Discussed at 7/20 meeting. See B. Beach Memo 3/18 meeting packet	Subcommittee agreed with proposed revision intent at 7/20 meeting; staff drafted new implementation action based on discussion and text provided by B.Beach after 7/20 meeting	86

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22	Zoning	Uses	Ground floor uses: allow residential uses with at least 50% affordable units to locate in "Active Use" areas. However, this could result in larger parcels to turn from commercial ground floor to residential uses in established commercial areas (e.g. the Lorin or Antiques District)	Prohibit in Active Ground floor areas. Allow in "Commercial Area" with Administrative Use Permit (AUP)	Continuous commercial storefronts in limited areas is important to maintaining the vibrancy of existing business districts. Allowing these types of projects in Commercial Areas with an AUP and in the areas that allow residential on the ground floor provides ample opportunity for these projects.	Subcommittee agreed with proposed revision (2/1/20)	46
23	Zoning	Uses	Ground floor uses: Consider Office uses (in addition to financial offices) an Active Ground Floor use (specifically to allow locally serving non-profits that are considered Office uses)	Prohibit in Active Ground floor areas. Allow in "Commercial Area" with Administrative Use Permit (AUP)	This would allow Office uses to locate on the ground floor if they include design elements that encourage pedestrian orientation, such as placement of store entrances relative to street and the prominences of display windows and areas facing the sidewalk.	Subcommittee agreed with proposed revision with the addition of "residential amenities" under the same size restriction (e.g. community meeting rooms/space) are allowed on the ground floor. Staff clarified that art/craft uses can also be permitted in Active Commercial with an AUP. (2/1/20)	47
24	Zoning	Uses	Ground floor uses: allow Financial Service/Bank uses on ground floor in active use areas	Add banks to "Active Ground Floor Use" category	This change would benefit the commercial environment in the Adeline Corridor. Per OED, Adeline has very limited banking services – banking services support other businesses.	Subcommittee agreed with proposed revision (2/1/20)	48
25	Zoning	Uses	Review overall ground floor use requirements to ensure changes meet overall intent to ensure ground floor uses contribute to active, pedestrian-oriented environment	<i>To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Per 2/1 meeting: Add definition of "Active Uses" to BMC and in Specific Plan</i>		<i>Outstanding- See 3/18 Staff Memorandum Subcommittee agreed with proposed revision (7/20/20)</i>	49
26	Zoning	Dev. Standards/Aff. Hsg. Required	Express minimum on-site affordable housing requirement of Tiers as a % of total project units instead of % of Tier 1 Density	Express requirement as a % of total project units in the zoning text; and use both (equivalent metrics) in Specific Plan and in any Planning Department informational materials. Revise Section 23E.XX.070 A and B of the proposed zoning to express the minimum on-site affordable housing requirement for the four tiers as a percent of total project units follows: 0% (Tier 1) 14% (Tier 2) 21% (Tier 3) 25% (Tier 4)	Both metrics are helpful. Community input favors expressing the requirement as a % of total project units. Project applicants want to know how the Tiers compare with the option to use the State Density Bonus which is based on the % of the Tier 1 (or "base" density).	Subcommittee agreed with proposed revision (2/1/20)	57
27	Zoning	Dev. Standards/Aff. Hsg. Required	Eliminate minimum parking requirement for residential development for the first three tiers (instead of the proposed minimum requirement of 1 space per 3 units for the first two tiers and 1 space per 4 units for the third tier)	Eliminate parking minimums for the first three tiers.	With this change, all four Tiers are consistent with no parking minimums.	Subcommittee agreed with proposed revision (2/1/20)	63
28	Zoning	Dev. Standards/Aff. Hsg. Required	What are the implications of AB1763 on the proposed zoning tiers?	Revise Section 23E.XX.070B to include a new note #7 between #4 and #5 that allows for projects meeting the criteria of AB1763 (GC 65915) to add one additional story to the maximum Tier 1, to the bonuses allowed under State Law. The additional density/height for applicable projects would be applied to the Tier 1 standards. For example, a 100% affordable housing project would be allowed (3 stories + 1 story as a bonus on top of the Tier 1 maximum height limit). Added after the 7/20/20 Subcommittee meeting: In order to eliminate the need for cross referencing, the following text is proposed to implement the intended additional 1 story above the 3 story bonus allowed by AB1763: 23E.XX.040.B5. Projects that consist of 100% deed-restricted affordable housing units, which can include up to 20% of the units as affordable to moderate income households (i.e., 80% to 120% of Area Median Income) and up to the remaining 80% of the units as affordable to lower income households (i.e., lower than 80% median income), can be four stories or 45 feet to the maximum height allowed under Tier 1.	AB 1763 modifies State Density Bonus law (GC 65915) to provide additional density and other incentives for projects that provide 100% affordable housing projects (which would include all base and bonus units, except manager unit(s)). 100% affordable projects could include up to 20% units affordable to moderate income households (80% - 120% Area Median Income) and 80% to lower income households (Less than 80% AMI). Under this program, 100% affordable projects do not have to provide off-street parking. Projects that are more than half a mile from major transit stops receive an 80% density bonus. Projects that are within half a mile of major transit stop have no maximum density, receive four incentives or concessions, and are provided an additional three stories or 33 feet in height. An applicant is allowed an additional three stories or 33 feet within ½ mile of a major transit stop for 100% affordable projects. (Gov. Code 65915(d)(2)(D).)	<i>Outstanding- See 3/18 Staff Memorandum Subcommittee agreed to the proposed revision and staff drafted proposed text after 7/20 meeting - See 8/19 Staff Memo, Attachment B, C-AC Zoning District Section 23E.XX.070.B.7.</i>	68

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29	Zoning	Subarea/Map	The 3 parcels bounded by Shattuck Avenue, Adeline and Russell Streets are within the North Adeline Subarea and are being proposed to be moved to the South Shattuck Subarea.	Modify South Shattuck subarea boundary to include the parcels bounded by Shattuck Avenue, Adeline and Russell Streets. See description of edit to p.2-19 (listed above as row #4)	Many parcels in the Plan Area are limited in development potential due to small parcel sizes, multiple owners and because they abut lower density residential uses. The area being proposed to be included in the South Shattuck Subarea includes large parcels are separated from nearby residential uses by streets. The proposed change helps to support the goal of maximizing affordable housing by putting these parcels into the South Shattuck Subarea which has a slightly higher development potential and corresponding, higher on-site affordable housing requirements.	Subcommittee agreed with proposed revision (2/1/20). Changes to Plan Area/Subarea boundaries in graphics for the Plan, GP and zoning will be deferred until the PC/City Council.	69
30	Zoning	Add item 23E.XX.070.B.8	Restrict second floor use to residential	Create 23E.XX.070.B.8 " In mixed use buildings in all subareas and tier levels, all floors above the second story shall be used for residential uses". Allow for some office use.		Subcommittee agreed with proposed revision (7/20/20)	88
31	Zoning	Dev. Standards/Aff. Hsg. Required	Consider eliminating option to pay in-lieu fee for Tier 1 of proposed zoning (Commissioner C. Schildt 7/20/20)	No revision to Draft Plan or C-AC zoning is proposed at this time due to requirements of AB 1505 that may apply to Berkeley for "alternative means of compliance" for rental housing and the citywide study of affordable housing requirements, currently underway (by Street Level Advisors) which includes analyzing the potential of "alternative means of compliance" such as the off-site construction, or acquisition and rehabilitation of existing units, land dedication, etc.	Per AB 1505, Section 65850(g) "Require, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households specified in Sections 50079.5, 50093, 50105, and 50106 of the Health and Safety Code. The ordinance shall provide alternative means of compliance that may include, but are not limited to, in-lieu fees, land dedication, off-site construction, or acquisition and rehabilitation of existing units."	Subcommittee agreed with this topic at their 7/20 meeting for discussion at their 8/19 meeting	89
32	Zoning	Dev. Standards/Aff. Hsg. Required	Reduce the interior/corner lot coverage for all zoning districts in Tier 1 to 60%/70%	See proposed C-AC zoning district, section 23E.XX.070B.	See 2/1/20 Meeting Packet, R.Wrenn Memo; discussed at 2/1/20 meeting	Subcommittee agreed with proposed revision (2/1/20). This was inadvertently omitted from earlier versions of the matrix. New text was added to the proposed C-AC zoning.	90
33	Zoning	Dev. Standards/Aff. Hsg. Required	Parking requirements are currently being addressed at a city-wide level. Update parking maximum to be consistent with City Council approved parking requirements (expected fall 2020).	Staff will track citywide parking requirements policy discussion and update plan to reflect decision by City Council.	Parking requirements for the Adeline Corridor should be consistent with citywide standards.	Subcommittee agreed with proposed revision (2/1/20)	92
34	Plan Area Expansion		Add parcel with Fred Finch to the Plan Area	As requested by the Subcommittee, additional information provided in 3/18 Staff recommends that consideration of the addition of the abovementioned parcels to the Plan Area Boundary be addressed separately from the adoption of the ACSP and related documents, in order to ensure that all interested community members are notified and aware of the proposed zoning change. See 9/16/20 PC Meeting Staff Memorandum for more information.		Outstanding- See 3/18 Staff Memorandum- Subcommittee agreed with proposed revision to add parcel (7/15/20). See 9/16/20 PC Meeting Staff Memorandum for staff recommendation.	72
35	Plan Area Boundary Expansion		Add parcels that are part of Ephesians Church project to the Plan Area	As requested by the Subcommittee, additional information provided in 3/18 Staff recommends that consideration of the addition of the abovementioned parcels to the Plan Area Boundary be addressed separately from the adoption of the ACSP and related documents, in order to ensure that all interested community members are notified and aware of the proposed zoning change. See 9/16/20 PC Meeting Staff Memorandum for more information.		Outstanding- See 3/18 Staff Memorandum- Subcommittee agreed with proposed revision to add parcel (7/15/20). See 9/16/20 PC Meeting Staff Memorandum for staff recommendation.	73

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			<p>"Companion Recommendation" that City Council should:</p> <ol style="list-style-type: none"> 1. Set-aside at least \$50 million of local funds for affordable housing to be built in (e.g. Measure O, HTF) for Adeline Corridor; 2. Give careful consideration for citywide adoption of revising AHMF Ordinance to count moderate income units if it is a combo of Moderate (at 100% of AMI?) and Extremely Low Income; 3. Consider support and funding for environmental analysis of a two-lane right-of-way design option for Adeline Avenue; 4. Identify and pursue funding for the creation of parks for the Adeline Corridor. 	<p>Subcommittee discussed revisions at their 7/20/20 meeting and agreed to the following changes to the previous four points:</p> <p>"Companion Recommendations" that City Council should:</p> <ol style="list-style-type: none"> 1. Set aside at least an initial \$50 million of local funds for affordable housing to be built in (e.g. Measure O, HTF) for Adeline Corridor, <u>and identify and take action to raise additional revenue;</u> 2. Give careful consideration for citywide adoption of revising AHMF Ordinance to count moderate income units if it is a combo of Moderate (at 100% of AMI) and Extremely Low Income, <u>to the extent permitted by law.</u> 		<p><i>Outstanding-See 3/18 Staff Memorandum Subcommittee agreed to the proposed revision (7/20/20)</i></p>	74
B. CORRECTIONS, CLARIFICATIONS AND OTHER NON-SUBSTANTIVE PROPOSED CHANGES							
37	General Plan		<p>Add to Action B: "culturally and historically significant uses such as the Berkeley Community Flea Market" to the list of uses desired by the community</p>	<p>Revise section as follows: B. Everage publicly owned land, such as the Ashby BART Station Area surface parking lots, and the right-of-way to maximize affordable housing, <u>culturally and historically significant uses such as the Berkeley Community Flea Market and other uses</u>, community facilities and public improvements desired by the community.</p>		<p><i>Outstanding-See 3/18 Staff Memorandum Subcommittee agreed with proposed revision (7/15/20)</i></p>	40
38	General Plan		<p>Land Use Diagram Classifications: Add to first paragraph a reference to "overall goal of 50% affordable at a range of income levels for the Plan Area"</p>	<p>Revise section as follows: These areas of Berkeley are characterized by pedestrian-oriented commercial development and multi-family residential structures. These areas are typically located on wide, multi-lane avenues served by transit or BART. Appropriate uses for these areas include: local-serving and regional-serving commercial, residential, office, community service, and institutional <u>with an overall goal of at least 50% of all new housing units as income-restricted housing.</u> Building intensity will generally range from a Floor Area Ratio (FAR) of 2 to an FAR of 5. Population density will generally range from 100 to 300 persons per acre.</p>		<p><i>Outstanding-See 3/18 Staff Memorandum Subcommittee agreed with proposed revision (7/15/20)</i></p>	43
39	General Plan		<p>Action E: Clarify what it means to have "walkways" that are appropriately shaded for compatibility with upper-story residential units"</p>	<p>Revise section as follows: E. Ensure safe, well-lighted, wide walkways that are appropriately shaded for compatibility with upper-story residential units and adequate traffic signals for pedestrian street-crossings in commercial areas.</p>	<p>The text was brought forward from actions under the Avenue Commercial and Neighborhood Commercial General Plan Land Use Classifications. Staff agrees that the reference is unclear so it was deleted.</p>	<p><i>Outstanding-See 3/18 Staff Memorandum Subcommittee agreed with proposed revision (7/15/20)</i></p>	41
40	General Plan		<p>Action F: Desire by community members for Action F to be available in commercial and residential areas - is this possible?</p>	<p>Revise section as follows: Delete "commercial areas" so that Action F reads: "Provide street trees, bus shelters, and benches for pedestrians"</p>	<p>The new General Plan land use classification is only mapped to parcels within the Adeline Corridor Plan boundary which for all intents and purposes only includes commercial/mixed use areas</p>	<p><i>Outstanding-See 3/18 Staff Memorandum Subcommittee agreed with proposed revision (7/15/20)</i></p>	42
41	General Plan		<p>Land Use Diagram Classifications: Update note to remove reference to "base development standards" (since that term is no longer used in the proposed zoning)</p>	<p>Land Use Diagram Classifications: Revise note to refer to "Tier 1 development standards" instead of "base development standards"</p>	<p>Correction/Clarification</p>	<p><i>Outstanding-Non-substantive-Recommend no further discussion-Subcommittee agreed with proposed recommendation (2/1/20)</i></p>	44
42	PLAN - Ch 1	p 1-11	<p>Need to revise "How This Plan Was Prepared" section to update "Plan Adoption" section</p>	<p><i>Will update after Plan is adopted to reflect accurate timeframes for Planning Commission Adeline Corridor Subcommittee, Planning Commission and City Council</i></p>	<p>Correction/Clarification</p>	<p>Subcommittee agreed with proposed revision (2/1/20)</p>	1
43	PLAN - Ch 2	p.2-7	<p>Figure 2-1 Community Assets and Amenities should include: McGee Avenue Baptist Church, Imhotep Chiropractic & Wellness Center, Healthy Black Families</p>	<p>Update Figure 2-1 Community Assets and Amenities to include: McGee Avenue Baptist Church (outside of Plan Area), Imhotep Chiropractic & Wellness Center, Healthy Black Families</p>	<p>Correction/Clarification</p>	<p>Subcommittee agreed with proposed revision (2/1/20)</p>	2
44	PLAN - Ch 2	p. 2-16	<p>Delete reference to type of parking at the Ashby BART subarea</p>	<p>Under "Ashby BART Station", delete reference to parking such that the first sentence reads "Redevelop the Ashby BART Station Area as a vibrant neighborhood center with high-density mixed use development, structured parking (including some replacement parking for BART riders), ground floor commercial and civic uses, and new public space.</p>	<p><u>Correction/Clarification</u> Parking will be addressed in the upcoming process to work with BART and the Community Advisory Group (CAG) to develop zoning for the Ashby and North Berkeley BART station areas that is consistent with AB2923 and BART TOD Guidelines. It is premature to include a specific description of type of parking envisioned for the area.</p>	<p>Subcommittee agreed with proposed revision (2/1/20)</p>	3

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45	PLAN - Ch 2	p. 2-18	Commenter proposed additional language	"Major improvements are planned at Ward/Shattuck, <u>and at the Adeline intersections of</u> Ashby, Woolsey/Martin Luther King Jr. Way, and the "southern gateway" near Stanford Avenue."	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	5
46	PLAN - Ch 2	p.2-20	Include historical preservation language as seen in the North Adeline section in the area description for South Shattuck under Planning Strategy.	Proposed additional language: The South Shattuck subarea will continue to have a range of retail, residential, and commercial uses during the lifetime of this Plan. While it will not have the same retail intensity as Downtown Berkeley or the Lorin District, it will offer a range of amenities, services, and locally-oriented jobs. <u>Historical preservation and the adaptive reuse of culturally and historically valuable buildings will be particularly important.</u> A particular priority will be placed on preserving long-tenured businesses and other active ground floor uses in the area's older buildings.	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	6
47	PLAN - Ch 2	p. 2-22 (and p.3-22)	Revise text to precisely describe the City's control over the air rights for the Ashby BART west parking lot	ASHBY BART STATION Context and Character The Ashby BART subarea is comprised of two large parcels adjacent to the Ashby BART Station, as well as the public street right-of-way and station area between them. The two parcels are owned by BART, but the City of Berkeley has had an option to purchase the "air rights" over the parcel on the west side of Adeline have been controlled by the City of Berkeley since 1964 when the station was conceived. The parcel on the east side of Adeline is a 1.9-acre surface parking lot. The parcel on the west side is a 4.4-acre surface parking lot, the northern portion of which is used by the Berkeley Flea Market on weekends.	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	7
48	PLAN - Ch 3	p. 3-21	Update Figure 3-3 Historic Resources Map	Replace with updated version that includes additional "Landmarks/Structures of Merit" designated since Existing Conditions Report was published.	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	10
49	PLAN - Ch 3		Include table listing Historic Resources shown on Map	Include (corrected) table of Historic Resources that is also in Final EIR	Addition of table corresponding to figure provides helpful information for the reader	Subcommittee agreed with proposed revision (2/1/20)	11
50	PLAN - Ch 3	p.3-19	Include a provision for physical and on-line interpretive materials on the history of the Plan Area and its communities.	Add a new bullet under Policy 3.6 as follows: <u>Historic Recognition. Appreciation for historical resources within the Plan Area, including physical and online interpretive materials on the history of the area and its communities should be implemented whenever possible. Examples include enabling the placement of history plaques and ensuring the City's online GIS Portal featuring Historical Resources and Districts is updated periodically with the most up-to-date information. Uplifting community assets and history are also discussed in Policy 5.7 Placemaking and 7.4 Streetscape Amenities, Lighting and Wayfinding.</u>	Provides additional examples of how historic resources can be recognized and commemorated for the public.	Subcommittee agreed with proposed revision (2/1/20)	12
51	PLAN - Ch 3	p. 3-24	Revise language under Objective 6 "Parking and TDM" to accurately reflect BART's parking replacement policy	Replace the following text: "Because of the urban environment of the station, replacement parking for BART patrons can be provided at a ratio of 0.5 spaces/per existing space or less while access improvements are incorporated to offset the loss of parking and ride spaces and offer viable non-auto alternatives to BART patrons" with: "Because Ashby BART Station is considered an Urban with Parking station, BART's Access and TOD policies strive to have little to no BART parking replacement. To offset the loss of parking spaces, future development must incorporate non-auto, multimodal access alternatives to BART patrons."	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	14
52	PLAN - Ch 4	p.4-4	Update/revise Table 4.1 Income Categories	Update to latest HUD income categories; provide range of income (not just upper level) and associated rent levels	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	16
53	PLAN - Ch 4	p.4-5 - 4-8	Add programs to "Existing Plans, Programs and Regulations"	Add descriptions of Below Market Rate Program (and Section 8 requirements in new BMR units), Source of Income Non-Discrimination, HUB and Homeless Services, including Shelter Plus Care Vouchers, Section 8 Housing Choice, Mainstream and VASH Vouchers	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	17
54	PLAN - Ch 4	p.4-10	Should state "development of 1,450 units in new market rate projects..." rather than "1,450 market rate projects".	Revise text of first full paragraph as follows: "The City estimates that under current rules, if <u>the projected buildout the development of 1,450 dwelling units were to be built in</u> new market rate projects, it would result in about 175 new <u>deed-restricted</u> affordable housing units (12% of the total) as well as about \$14 million in mitigation fees to support the Housing Trust Fund..."	Correction/Clarification	Outstanding- Non-substantive-- Recommend no further discussion- Subcommittee agrees with proposed revision (7/15/20)	18

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55	PLAN - Ch 4	Policy 4.2	Change language regarding maximization of affordable housing. (Commissioner C. Schildt, 8/19/20)	Strike the phrase "in order to maximize the likelihood that below-market rate housing is actually constructed" and replace with "in order to maximize the creation of deed-restricted affordable housing".		Subcommittee agreed with proposed revision (8/19/20)	94
56	PLAN - Ch 4	Policy 4.2	Modify language regarding options for off-site affordable housing (Commissioner C. Schildt, 8/19/20)	Modify second half of paragraph on page 4.13 as follows: "It may be desirable to offer additional options to providing the required on-site affordable housing in order to maximize the likelihood that below-market rate housing is actually constructedcreation of deed-restricted affordable housing. Options include providing the required affordable units off-site as newly constructed units or through the acquisition and rehabilitation of existing development as permanent, deed-restricted affordable housing under certain circumstances. A potential framework to consider for an off-site affordable program for the Adeline Corridor should considerinclude: <ul style="list-style-type: none"> •Replacement ratio of units; •Location requirement (e.g. off-site units should be located in South Berkeley •Timing: units at the "receiving site" should be approvedmade available either concurrently or prior to the units at the "sending site";" 		Subcommittee agreed with proposed revision (8/19/20)	96
57	PLAN - Ch 5	p.5-4	Typo: The name of the referenced mural is "The Invisible Becomes Visible", not "the Invisible Becomes Invisible"	Correct name of the mural is "The Invisible Becomes Visible"	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	19
58	PLAN - Ch 5	p.5-7	Typo: Correct name of organization: Bay Area Organization of Black Owned Businesses (BAOBOB) not "Bay Area Black-Owned Businesses"/BAOBAB	Correct name of organization to read: Bay Area Organization of Black Owned Businesses (BAOBOB)	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	20
59	PLAN - Ch 5	p.5-9	The boundary of the Downtown BID is described differently in the text.	The Draft Plan says Downtown BID voted to extend Southern Boundary to Parker. Correct boundary is Carleton Street.	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	21
60	PLAN - Ch 6	p.6-7	Add additional bullet of text	• "Detailed assessment of BART's access needs resulting from redevelopment"	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	22
61	PLAN - Ch 6	p.6-22	Existing mature trees in median on Shattuck between Derby and Ward do not appear on Figure 6-9	The tree symbols were inadvertently omitted. The figure will be revised to include tree symbols in this area.	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	24

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62	PLAN - Ch 6	p.6-31	Add language to discuss parking for shared mobility devices.	Private developers are required and encouraged to install bicycle amenities – bicycle parking and storage, wayfinding, and signage – that will encourage bicycling around the neighborhood and to/from BART and key commercial areas. Emerging shared <u>mobility choices further expand options for first and last mile connection, and demand for resting spaces for such devices is expected to grow.</u> <u>New bike parking facilities present an opportunity to incorporate adequate resting spaces to accommodate a variety of emerging options, such as bike share and electric scooters, and should be considered.</u> To guarantee adequate on-street bicycle parking for short-term use by visitors and shoppers, the City should conduct a physical survey of the blocks within the Specific Plan area to assess where additional bicycle racks should be installed, with the goal of providing a minimum of 12 racks per 200 feet of block face.	<u>Correction/Clarification.</u> Staff revised this text to further clarify what measures are "required" vs. "encouraged" as follows: Private developers are required and encouraged to provide bicycle parking and storage as specified by the Berkeley Municipal Code (BMC 23E.28.070) and encouraged to install <u>other</u> bicycle amenities <u>such as bicycle parking and storage</u> , wayfinding and signage <u>to promote</u> – that will encourage bicycling around the neighborhood and to/from BART and key commercial areas. To guarantee adequate on-street bicycle parking for short-term use by visitors and shoppers, the City should conduct a physical survey of the blocks within the Specific Plan area to assess where additional bicycle racks should be installed, with the goal of providing a minimum of 12 racks per 200 feet of block face. <u>Emerging shared mobility choices further expand options for first and last mile connection, and demand for parking spaces for such devices is expected to grow. In developing and monitoring shared mobility programs, the City prioritizes accessibility for people with disabilities and pedestrian safety. Some of the program requirements anticipated to be placed on shared micromobility providers include the provision of adaptive shared electric scooters as a portion of the shared electric scooter fleet, the adoption and enforcement of an ordinance prohibiting adults from riding electric scooters on sidewalks, and the inclusion of a tethering mechanism on shared bicycles and scooters to encourage users to park them at existing racks or within the furnishing zone of the sidewalk, outside of the walking zone.</u>	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	25
63	PLAN - Ch 6	p.6-33	Definition of Class III Bikeways are not shared with pedestrians	Update definition of Class III Bikeways to: "Provides for shared use with pedestrians or motor vehicle traffic, typically on lower volume roadways."	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	26
64	PLAN - Ch 6	p.6-35	Update Figure 6-15 Existing Transit Service	Updates to show current transit stops	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)	27
65	PLAN - Ch 6	Policy 6.2 p. 6-8	Plan, p. 6-8: Right of Way Design Objectives and Requirements	Add bullet: <u>Trees. Increase the number of trees and tree canopy cover in the right of way. Avoid removal of healthy, mature trees. Any removal of trees should be offset by a net increase in trees and tree canopy cover across the right of way.</u>	See 7/15 meeting packet (Wrenn memo)	Subcommittee agreed with proposed revision (7/15/20)	78
66	PLAN - Ch 6	Policy 6.2 p. 6-10	Plan, p.6-10 Design Details by Subarea, South Shattuck	Revise text in p.6-10 to read as follows: "Eliminate Medians and <u>Consider</u> Back-In Angled Parking. Elimination of the existing side medians between travel lanes and the parking access aisle, <u>and consider</u> the conversion of angled parking to back-in angled parking."	See 7/15 meeting packet (Wrenn memo)	Subcommittee agreed with proposed revision (7/15/20)	79
67	PLAN - Ch 6	Policy 6.5 p. 6-28	Plan, p.6-28, Pedestrian Circulation	Add bullet to include traffic signals listed in EIR: - Shattuck Avenue at Blake, Parker, and Derby Streets - Adeline Street at Stuart, Russell, Essex, Woolsey, Fairview, and Harmon Streets	See 7/15 meeting packet (Wrenn memo)	Subcommittee agreed with proposed revision (7/15/20)	80
68	PLAN - Ch 6	Policy 6.5 p. 6-28	Plan, p.6-28, Pedestrian Circulation	Add bullet to list of "opportunities to improve pedestrian mobility and safety by..." to include: <u>Creating sidewalks where they are currently lacking, such as along MLK between 62nd and 63rd St, to the east of the BART tracks.</u>	See 3/18 meeting packet (Schildt memo)	Subcommittee agreed with proposed revision (7/15/20)	81
69	PLAN - Ch 6	Transp.	Add language regarding considerations for senior access needs. (Commissioner C. Schildt, 8/19/20)	Add bullet to North Adeline design considerations (p. 6-12): "-Senior Housing Access Needs. On streets adjacent to senior housing, street configuration should take into account loading and unloading, emergency vehicle access, and bus access that doesn't block vehicle, bicycle, or pedestrian access."		Subcommittee agreed with proposed revision (8/19/20)	100

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70	PLAN - Ch 6	Transp.	Add language regarding need for parking for people with disabilities, especially around senior housing. (Commissioner C. Schildt, 8/19/20)	Add sentence to end of Policy 6.4 (Universal Accessibility): "Around senior housing, particular consideration should be made to ensure adequate parking for people with disabilities is available."		Subcommittee agreed with proposed revision (8/19/20)	101
71	PLAN - Ch-7-6	p.6-10-5	Should add Shattuck Ave. between Dwight and Adeline to list of truck route system in the Plan Area; as well as reference to the section of Martin Luther King Jr. Way from 62nd and Adeline to the Berkeley/Oakland border, in order to reflect existing truck routes designated in Berkeley Municipal Code.	This will be added to paragraph about truck routes. Designated truck routes for trucks over seven tons are found on <u>Shattuck Avenue</u> , Adeline Street, <u>Martin Luther King Jr Way between Adeline Avenue from (62nd Street) and south city limits to the Oakland border</u> , and Ashby Avenue in the Plan Area. The heavy truck route network within Berkeley is defined in Berkeley Municipal Code (BMC) Section 14.56.060.	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed recommendation (7/15/20) but asked staff to re-check the description. The description has been revised to exactly match the Berkeley Municipal Code, Section 14.56.060 Designated truck route system	23
72	PLAN - Ch 8	Action EO-10	There is a reference to Policies/Strategies EO 5.8 which does not exist.	Delete reference to Policy/Strategy EO- 5.8.	Correction/Clarification	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees with proposed revision (7/15/20)— See Row 76: a new policy 5.8 was added per 7/20/20 Subcommittee meeting.	30
73	PLAN - Ch 8	N/A	Can the City condition the construction of new market rate housing in the Adeline Corridor on meeting targets for the construction of affordable housing?	None	No. SB 330 (Gov. Code § 66300(b)(1)(B)) prohibits cities and counties in urbanized areas from "[i]mposing a moratorium or similar restriction or limitation on housing development, including mixed-use development, within all or a portion of the jurisdiction of the affected county or city, other than to specifically protect against an imminent threat to the health and safety of persons residing in, or within the immediate vicinity of, the area subject to the moratorium or for projects specifically identified as existing restricted affordable housing."	Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees, no further discussion (7/15/20)	31
74	PLAN - Ch 8	Table 8.1, Action HA-3	Add community groups to list of partners developing a preference policy (Commissioner C. Schildt, 8/19/20)	Add "Black-led community groups" to Partners list.		Subcommittee agreed with proposed revision (8/19/20)	97
75	PLAN - Ch 8	Table 8.1, Action PS.5	Change action re funding for parks to identify and pursue funding for parks (??)	Change Action PS-5 to read "Identify and pursue funding sources for the creation of parks in the Adeline Corridor, such as Proposition 68, the next round of T1 funding or future bond funding.		???	102
76	PLAN - Ch. 6	Table 6-2 p.6-30	Table 6.2 Recommended Interim Pedestrian Improvements	Revise Table 6.2 to add: "x" to "bulbouts" column for Blake Street. "x" to "Signal or Beacon" colum for Blake Street and Hamon Street.	See 7/15 meeting packet (Wrenn memo)	Subcommittee agreed with proposed revision (7/15/20)	82
77	PLAN - Ch. 6	Policy 6.7 p.6-34	Bus and Shuttle Transit	Add to first full paragraph in right-hand column: "In the near term, the City will coordinate with AC Transit to identify opportunities for improved transit efficiency and reduced bus-stop dwell times through the provision of bus boarding islands, <u>transit signal priority at appropriate intersections and signal timing favorable to transit operations</u> , and for improved bus stop waiting areas..."	See 7/15 meeting packet (Wrenn memo)	Subcommittee agreed with proposed revision (7/15/20)	83
78	PLAN - OTHER	Global	BART should be spelled out as "San Francisco Bay Area Rapid Transit District" (e.g. p.2-6, 6-5 and 8-3)	Globally revise	Correction/Clarification	Outstanding: Non-substantive - Recommend no further discussion	38
79	PLAN - OTHER	Cover	Update cover page with photos showing new BART trains at Ashby	Update cover page with photos showing new BART trains at Ashby	Correction/Clarification	Outstanding: Non-substantive - Recommend no further discussion	39
80	PLAN App		Appendix A: General Plan and Zoning Concepts	<i>Will update after associated issues are resolved regarding proposed zoning (see issues/proposed revisions to draft zoning)</i>		Outstanding: Non-substantive— Recommend no further discussion— Subcommittee agrees, no further discussion (7/20/20)	32

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81	PLAN App		Appendix B: AB2923 and BART TOD Guidelines	Appendix will be updated to reflect the most up-to-date information before it moves to City Council		Outstanding- Non-substantive- Recommend no further discussion- Subcommittee agrees, no further discussion (7/20/20)	33
82	PLAN App		Appendix C: Affordable Housing Background	Appendix will be updated to reflect the most up-to-date information before it moves to City Council		Outstanding- Non-substantive- Recommend no further discussion- Subcommittee agrees, no further discussion (7/20/20)	34
83	PLAN App		Include an Opportunity Sites Map and Table (as seen in the Southside Area Plan)	Add as new Appendix D: Opportunity Sites Map and Language to include as an attachment to the Plan.	See Opportunity Sites Map provided in Staff Memo for 12/12/19 Subcommittee Meeting	Subcommittee agreed with proposed revision (2/1/20)	35
84	PLAN App		Changes to Opportunity Sites Map and Table: Remove City-owned parcels that have the Black Repertory Group	The three parcels will not be shown on the Opportunity Sites Map	Community feedback	Subcommittee agreed with proposed revision (2/1/20)	36
85	PLAN App		Changes to Opportunity Sites Map and Table: Remove the parcels where the following uses are currently located: the Berkeley Bowl, the US Post Office, the Fire Station because these are important uses in the community.	None. -(Per 7/15 meeting): These parcels will remain on the figure. The first paragraph of the Note on the figure will be revised as follows: "The City reviewed the Plan Area on a parcel-by-parcel basis to identify parcels that had the highest likelihood of change or re-development "opportunity" <u>if it met certain criteria (e.g. over 15,000 sf and/or publicly-owned parcels) and further Plan vision and goals over the long-term. Inclusion on the map does not indicate that a site with an existing use should be replaced or eliminated from the Plan Area. Uses such as a full-service grocery and a post office are important community-serving amenities and are encouraged to remain in or near the Plan Area.</u> Development of most of the properties in the Plan Area would be implemented through market-driven decisions that individual land-owners make for their properties.	As noted in 12/12 Staff memo, sites shown do not indicate that the existing use should be replaced or eliminated from the Plan Area; the Opportunity Sites Map is meant to show parcels that meet criteria (e.g. over 15,000 sf and/or publicly-owned parcels) to potentially redevelop (including keeping the existing use on-site and intensifying development or on a nearby site) and further Plan vision and goals over the long-term. Per 7/15 meeting: The Subcommittee agreed to keep these parcels on the map but add text to emphasize the importance of a full service grocery store and post office.	Outstanding- See 3/18 Staff Memorandum- Subcommittee agreed with proposed revision in concept (7/15/20); staff drafted text after the meeting	37
86	PLAN Ch 4 p.4-17	Policy 4.4	Clarify housing type	Add to Family and multi-generational housing bullet " e.g. 2-3 bedroom units and other family-friendly amenities, such as childcare".	Discussed and approved at 7/20 meeting	Subcommittee agreed with proposed revision (7/20/20)	87
87	Zoning	Purpose	Section H: include mention of non-profits and cultural and religious institutions	Revise section H as follows: H. Maintain and encourage a wide range of community and commercial services, including basic goods and services. "Provide locations for both community-serving and regional-serving: businesses, cultural and religious institutions and non-profit organizations.		Outstanding- See 3/18 Staff Memorandum- Subcommittee agreed to proposed revision (7/20/20)	45
88	Zoning	Uses	Change auto parts sales from ZC to prohibited (as it is for all auto-related uses)	None	Sale of auto parts is considered a retail use	Subcommittee agreed with proposed revision (2/1/20)	50
89	Zoning	Uses	Live/Work: Proposed zoning allows with a ZC to make consistent with other C-Districts and provide more options for space for artists/makers. Concern is that these spaces are often used for residential only.	Revise to require AUP and state that it is "subject to the standards of Chapter 23E.20, <u>except that</u> clients, customers and employees are permitted at the site without a Use Permit."	Live/Work is allowed in most C districts in the City with a ZC as long as there are no employee or customer visits. Live/Work requires a UP in C-SA and at least AUP in C-W. The proposed revision would allow for some level of review but also flexibility for a use/housing desired in the area. The citywide live/work regulations (23E.20.080) includes an inclusionary affordability requirement for projects with 5 units or more.	Subcommittee agreed with proposed revision (2/1/20)	51
90	Zoning	Uses	Live/Work - Proposed zoning is missing does not have a parking standard	Revise Section 23E.XX.080 to include a parking standard for live/work (to be consistent with other zoning district chapters) as follows: Add a row for "Live/Work" which has no parking minimum and a parking maximum equal to 1.5 space per 1000 sf of work area.	Proposed revision simplifies existing live/work regulations for parking which generally require parking minimums of: 1 space per unit, and, if generating customer or employee visits: an additional 1 space per first 1000 sf of work area; and, 1 space for each additional 750 sf of work area. The C-W district is the only district that has a minimum parking requirement for L/W units. Proposed revision reflects most other commercial districts, which do not have a minimum parking requirements for L/W units, and the direction of the C-AC district, which does not require parking for residential units and small commercial uses. A maximum parking requirement was added to be consistent with the other parking requirements in the C-AC.	Outstanding- See 3/18 Staff Memorandum- Subcommittee agreed with proposed revision (7/20/20) Subcommittee agreed to maintain current regulations (keep prohibition) (2/1/20)	52
91	Zoning	Uses	Remove prohibitions on distilled alcohol sales and service along Adeline Street south of Ashby	Remove prohibition on distilled alcohol sales and service; allow with Use Permit (UP)	This is the only restriction in the City that limits alcohol sales and service based on street address.	Subcommittee agreed to maintain current regulations (keep prohibition) (2/1/20)	53

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92	Zoning	Uses	Limit telecom locations	None	By federal law, telecom sites must be permitted if there is a need, and the need is defined by telecom firms. Local and state governments cannot adopt ordinances that prohibit the provision of telecommunication services, and must approve requests for collocation, removal or replacement of transmission equipment that doesn't substantially change the physical dimensions of the tower or base station. <i>Federal Telecommunications Act of 1996, Middle Class Tax Relief and Job Creation Act of 2012.</i>	Subcommittee agreed to maintain current regulations. (2/1/20)	54
93	Zoning	Uses	Prohibit sales of firearms	None	This change has not been discussed as part of the Adeline planning process. Planning staff recommends that this change be studied and discussed at a citywide level.	Subcommittee agreed to maintain current regulations. This issue should be addressed at a citywide level. (2/1/20)	55
94	Zoning	Dev. Standards/Aff. Hsg. Required	Renaming the four levels of proposed zoning as Tiers 1 through 4 to eliminate the word "base"	The four levels of development standards will be renamed as Tier 1 through 4 instead of "Base" and Tiers 1 through 3.	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	56
95	Zoning	Dev. Standards/Aff. Hsg. Required	Alternatives for required on-site affordable housing (e.g. mix and % of income levels)	To discuss at 1/29/20 Subcommittee meeting Per 2/1 Subcommittee meeting: Keep proposed zoning "as-is" to address Very Low and Low Income affordability levels.	Keep proposed zoning "as-is" to address Very Low and Low Income affordability levels because redevelopment of Ashby BART parcels will address Extremely Low Income (ELI) housing (as well as other levels of deed-restricted affordable housing and because the option to include ELI and moderate income units would require changes to the Affordable Housing Mitigation Fee in order to be feasible. Changes to the AHMF should be considered on a citywide basis. See Street Level Advisors Memo for 1/29/20 Subcommittee Meeting and Staff Memo for 12/12/19 Subcommittee Meeting	Outstanding- See 3/18 Staff Memorandum- Note: Subcommittee decided to keep proposed zoning "as-is" at 2/1/20 meeting - this was marked "outstanding for discussion" in error	58
96	Zoning	Dev. Standards/Aff. Hsg. Required	Changes to on-site affordable housing requirements due to potential for Opportunity Zone financing	To discuss further with Subcommittee (at 1/29 or 2/1 meeting) Discussed at 2/1/20 meeting	See Street Level Advisors Memo for 1/29/20 Subcommittee Meeting and Staff Memo for 12/12/19 Subcommittee Meeting	Subcommittee agreed to maintain current regulations. This is a citywide issue that is not confined to the Adeline Plan. (2/1/20)	59
97	Zoning	Dev. Standards/Aff. Hsg. Required	Requirements when rent controlled unit(s) are demolished	None because this has been addressed with recent changes in State Law effective as of January 1, 2020.	SB330 added a new section to State zoning law (GC 66300) that mimics the Density Bonus law on replacement units, applying the same rules to any housing development, not just Density Bonus projects. It includes a blanket prohibition on demolition of any existing dwelling units unless at least as many new units will be developed, and a requirement that "protected units" must be replaced one-for-one (those include BMRs, rent controlled units, units occupied by lower income residents, and Ellis Act units).	Subcommittee agreed with proposed revision (2/1/20)	61
98	Zoning	Dev. Standards/Aff. Hsg. Required	Correct typo in Tier 3 (originally Tier 2) as shown in May 2019 Draft Plan Policy 3.2 for the interior and corner lot coverage. The interior lot coverage should be the lower number (or 85%) and the corner lot should have a higher number (or 90%)	Interior Lot coverage should be shown as 85% and corner lot coverage should be shown as 90%	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	62
99	Zoning	Dev. Standards/Aff. Hsg. Required	Include a minimum parking requirement for non-residential uses (the proposed zoning includes a parking maximum of 1.5 spaces per 1000 sf and no minimum).	Consider requiring minimum parking for newly constructed non-residential uses over a certain size threshold OR keeping the proposed zoning as-is (with no minimums). Staff is in the process of researching other cities to see if a similar approach and thresholds exist. Per 3/18 staff memo recommendation: parking minimum should only apply to newly constructed tenant spaces over 10,000 sf (Discussed 7/15/20)	The Plan has strong transit and pedestrian oriented goals. The parking maximums allow project applicants to "right-size" the parking based on their business model. There are several strategies that have not yet been pursued in the area such as on-street parking permit programs, metered parking, or shared parking with uses that have surplus parking and/or different peak parking times. New off-street parking has the potential to increase driveways to access the parking that would detract from the pedestrian environment and increase points of conflict with pedestrians and cyclists.	Outstanding- See 3/18 Staff Memorandum- Subcommittee agreed with proposed revision (7/15/20)	64

Planning Commission Adeline Corridor Subcommittee Proposed Revisions to Specific Plan and Proposed General Plan and Zoning

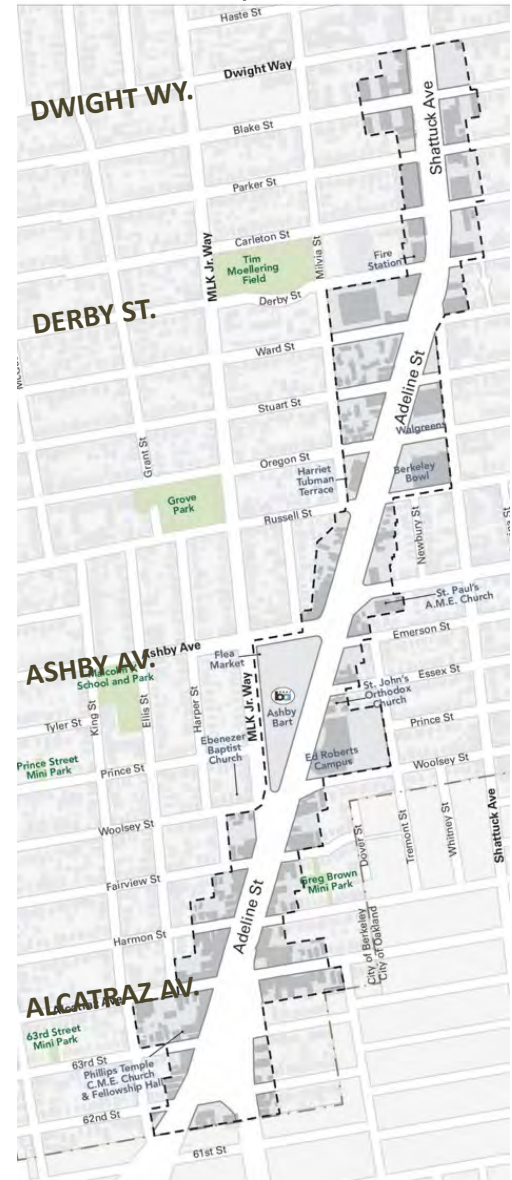
Attachment H

100	Zoning	Dev. Standards/Aff. Hsg. Required	Require new buildings to meet all findings in 23E.XX.090.C, not just one.	Revise Section 23E.XX.090 B and C as follows: A. A proposed use or structure must: 1. Be compatible with the purposes of the District; 2. Be compatible in design and character with the District and the adjacent residential neighborhoods; 3. To encourage utilization of public transit and existing off-street parking facilities in the area of the proposed building; B. In addition to the findings above, the Board shall find, for each Use Permit for a new residential development building, that the proposed use or structure satisfies at least one of the following general purposes: 1. To encourage utilization of public transit and existing off-street parking facilities in the area of the proposed building; 2. To provide consistency with the purposes of the District as listed in Section 23E.XX.020. 3. To facilitate the construction of affordable housing as defined by the U.S. Department of Housing and Urban Development (HUD) Guidelines.	Tightens up findings and removes redundancy to ensure that new buildings encourage utilization of transit (non-residential buildings) and those with residential development also facilitate construction of affordable housing (residential buildings)	Subcommittee agreed to maintain current regulations. (2/1/20). Note in this column was incorrect/unclear and updated as follows: Subcommittee agreed to proposed revision at its Feb. 1, 2020 meeting (as shown in matrix).	65
101	Zoning	Dev. Standards/Aff. Hsg. Required	Eliminate option to reduce setbacks with Use Permit (23E.XX.090.D) Eliminate option to reduce setbacks with Use Permit for footnotes 2, 3,4 in Ch. 3 Table 3.2.	Keep discretionary review option currently proposed (e.g. can reduce setbacks with a Use Permit) and modify once objective standards are developed through the JSISHL process.	Staff needs to have flexibility in unusual cases when there are small parcels that have frontage on smaller side streets and abut a residentially-zoned parcel where the required set backs can be reduced if it is demonstrated that they are not necessary for solar access or privacy. The deliberation would still be subject to a public process. Staff proposes to replace this Use Permit option with the objective standards once they have been developed through the JSISHL process.	Subcommittee agreed to eliminate option for discretionary review (Use Permit) in the proposed zoning at this time. The Subcommittee recommended updating zoning later, as needed to be consistent with forthcoming recommendations by the Joint Subcommittee on the Implementation of State Housing Laws (JSISHL) (2/1/20)	66
102	Zoning	Dev. Standards/Aff. Hsg. Required	Insert language that explicitly states that State Density Bonus can only be combined with lowest Tier (Tier 1)	Revise Section 23E.XX.070B to clarify that Tier 1 is the maximum allowable gross residential density, and that Tiers 2-4 are optional local (Adeline Corridor) programs.	Correction/Clarification. The revision clarifies that the State Density Bonus may only be combined with the Tier 1 density standards and not Tiers 2 through 4, as stated in the Draft Plan, Policy 3.1 Development Standards.	Subcommittee agreed with proposed revision (2/1/20)	67
103	Zoning	Process	Create local version of SB35 (streamlining for projects that provide 50% of total project units as affordable housing) that does not expire when the City has achieved its RHNA goals	None	Staff agrees with the intent of this revision but recommends that this be considered on a citywide basis and not as part of the Adeline process. It is likely that it will take some time for the City to meet (and exceed) it's RHNA goals, given constraints on funding for affordable housing and construction costs, the pace of development.	Subcommittee agreed no changes needed at this time (2/1/20)	70
104	Zoning	Formatting	Fix inconsistencies in formatting of Permitted Use table	Will clean up formatting in use table; recognizing that this chapter will be migrated to the new format being developed by the Zoning Ordinance Revision Project (ZORP), anticipated later this year.	Correction/Clarification	Subcommittee agreed with proposed revision (2/1/20)	71
105	Zoning	Dev. Standards/Aff. Hsg. Required	Reduce the useable open space for all subareas and tiers to 40 sq.ft/unit. Require mixed use projects to have the same minimum on-site affordable housing requirement as residential projects.	See proposed C-AC zoning district, section 23E.XX.070B.	See 2/1/20 Meeting Packet, R.Wrenn Memo; discussed at 2/1/20 meeting	Subcommittee agreed with proposed revision (2/1/20). This was inadvertently omitted from earlier versions of the matrix. New text was added to the proposed C-AC zoning.	91
106	Zoning	23E.70.070.B.6	Require mixed use projects to have the same minimum on-site affordable housing requirement as residential projects.	Change 23E.70.070.B.6 from "all residential projects" to "all residential and mixed use projects".	Correction/clarification	Subcommittee agreed with proposed revision (8/19/20)	103

Adeline Corridor Specific Plan General Plan and Zoning Amendments and Environmental Impact Report



PRESENTATION TO:
CITY OF BERKELEY PLANNING COMMISSION
09.16.20



DOCUMENTS UNDER REVIEW

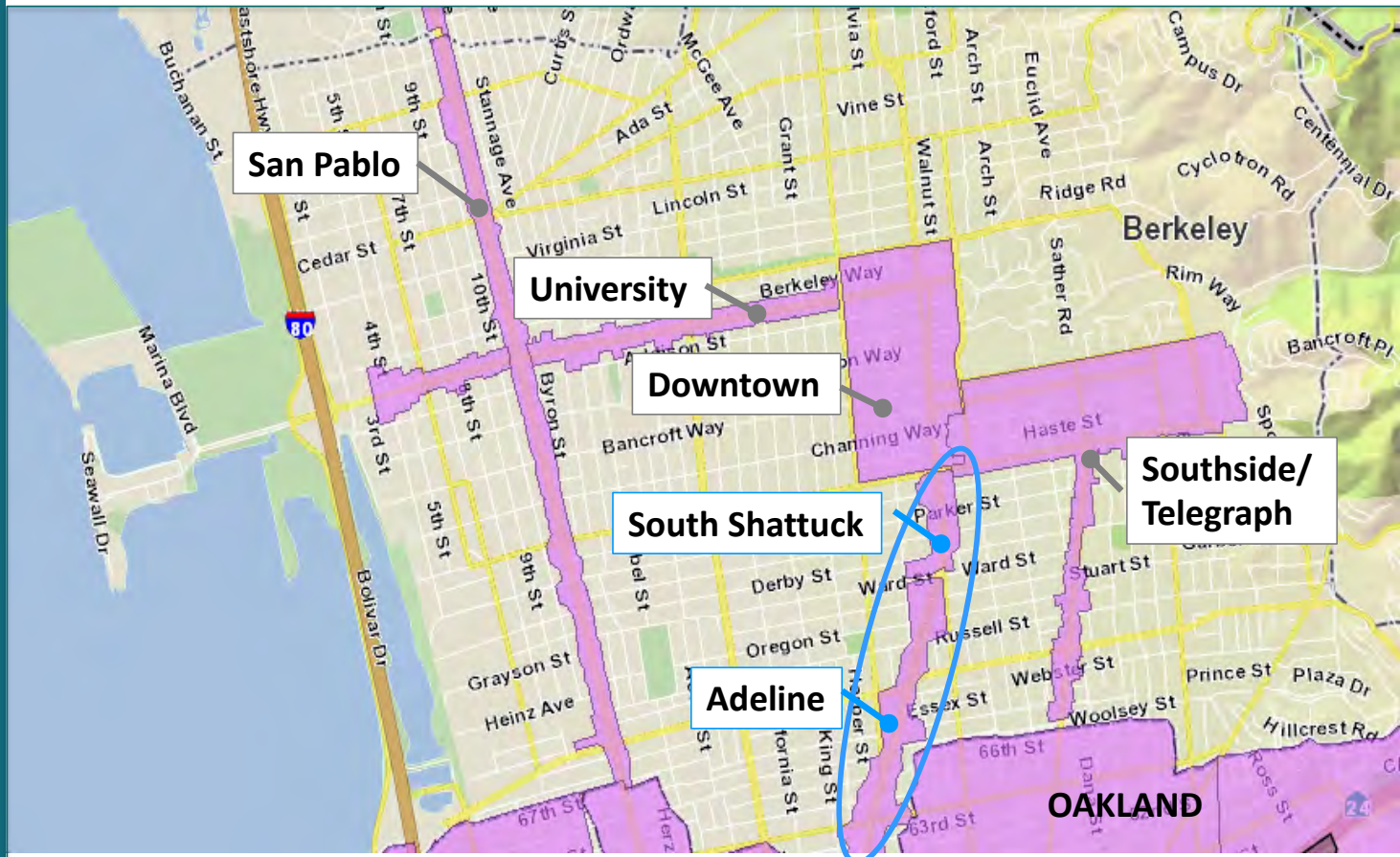
Document	Staff Memo
Revised Draft Adeline Corridor Specific Plan (ACSP) <ul style="list-style-type: none"> May 2019 Public Review Draft*, superseded by excerpted sections with revisions shown in strikeout/underline text 	Attachment A (revisions only)
Amendments to the General Plan and General Plan	Attachment B
Amendments to the Zoning Ordinance and Zoning Map	Attachment C
Environmental Impact Report (EIR) * <ul style="list-style-type: none"> Draft EIR (May 2019), Response to Comments/FEIR (Dec. 2019) 	
California Environmental Quality Act (CEQA) Findings and Mitigation Monitoring Report Program	Attachment D, Attachment E
“Companion Recommendation” from the Planning Commission’s Adeline Corridor Subcommittee	Attachment F

*May 2019 ACSP and EIR available online at: www.cityofberkeley.info/adelinecorridor

TONIGHT'S PRESENTATION

- Background: Planning Process
- Specific Plan and General Plan and Zoning Amendments
 - Overview
 - Key Issues for Discussion
- Environmental Documents
- PC Subcommittee “Companion Recommendation”

BACKGROUND: PLANNING PROCESS



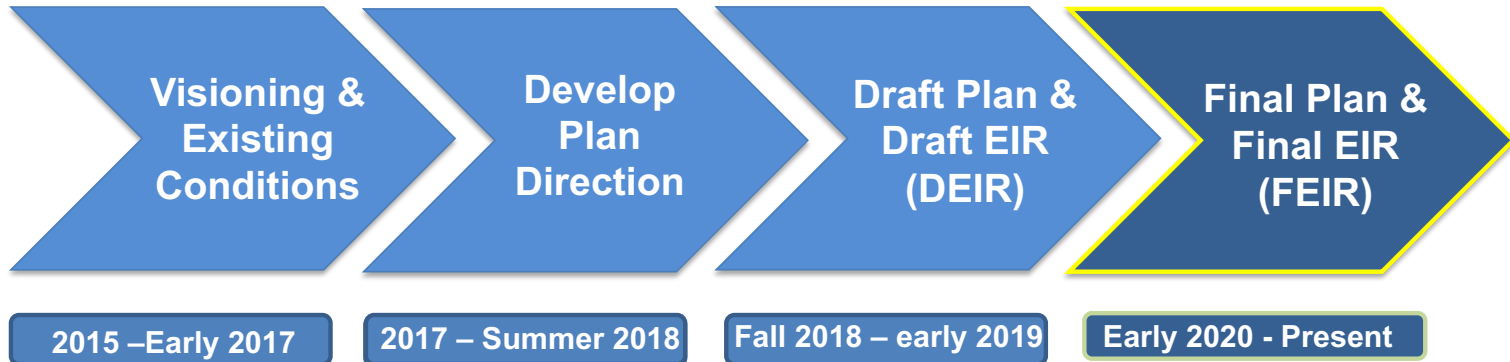
Six Council-designated “Priority Development Areas” (PDAs) - 2007

BACKGROUND: PLAN AREA

- Funded by a grant from the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG)
- Planning process initiated in 2015



BACKGROUND: PLANNING PROCESS

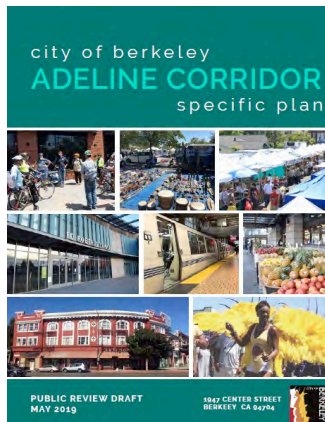


BACKGROUND: PLANNING PROCESS

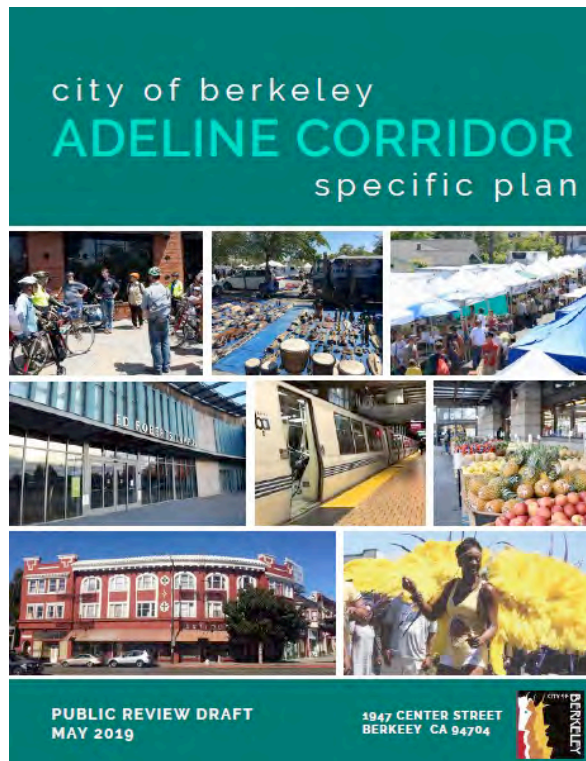
Date	Planning Commission Subcommittee
May 21, 2019	Subcommittee Kick-Off Meeting
June 18, 2019	Land Use and Housing Affordability
July 31, 2019	Land Use and Housing Affordability (cont'd)
August 8, 2019	Transportation and Public Space
August 19, 2019	Economic Opportunity and Workforce Development
November 21, 2019	Overview of Proposed General Plan and Zoning Amendments
December 12, 2019	Overview of Responses to Plan and EIR Comments
January 29, 2020	Additional Information on Plan and Associated Documents
February 1, 2020	Finalize Subcommittee Recommendation
July 15, 2020	Finalize Subcommittee Recommendation (cont'd)
July 20, 2020	Finalize Subcommittee Recommendation (cont'd)
August 19, 2020	Finalize Subcommittee Recommendation

OVERVIEW: PLAN AND RELATED DOCUMENTS

- Adeline Corridor Specific Plan (as revised)
- Draft General Plan and Zoning Amendments
- Environmental Review Documents

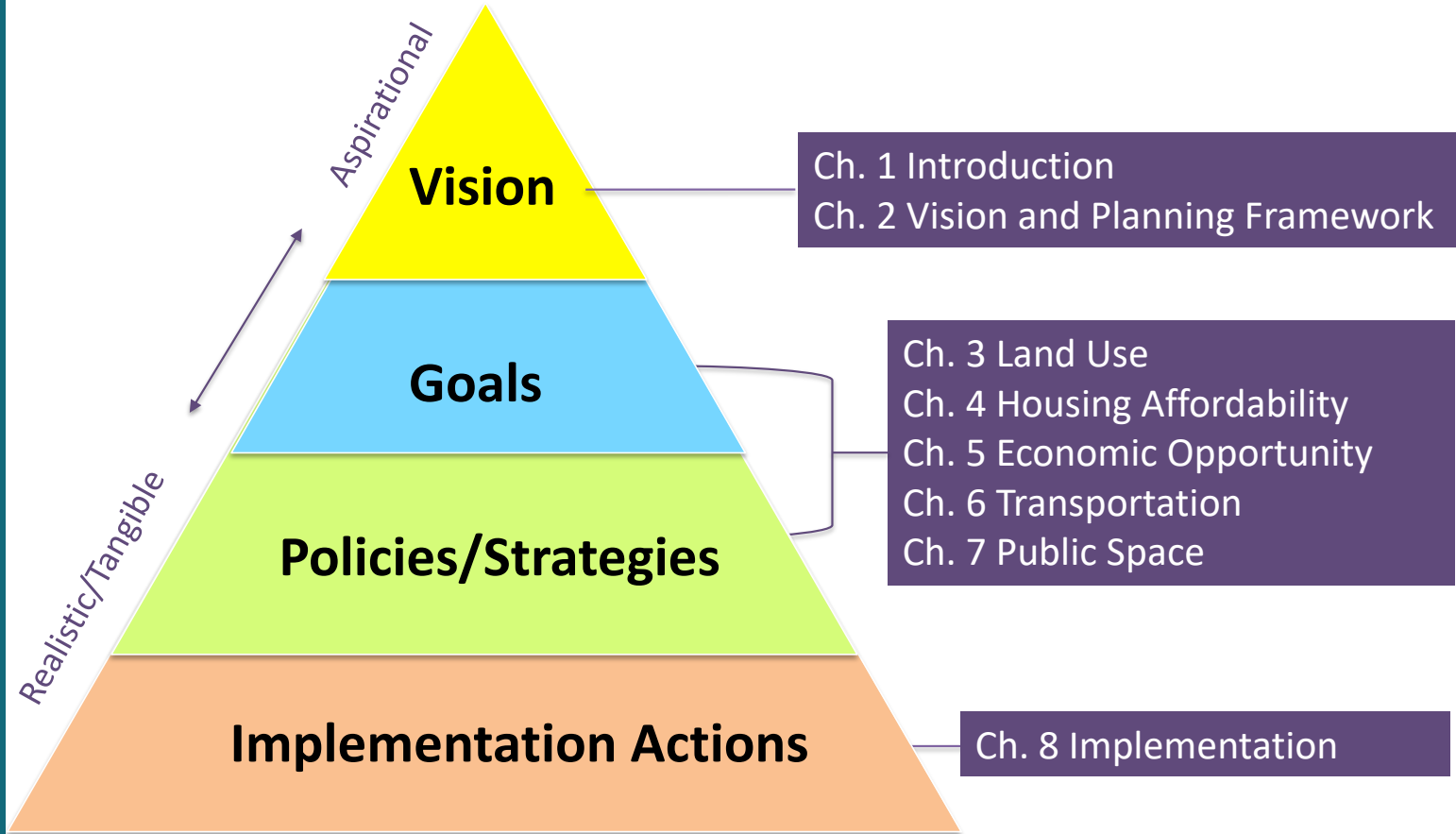


PLAN OVERVIEW



- Public Review Draft Plan (May 2019) as superseded by proposed Revisions shown in ~~strikeout~~/underline (9/16/20 Staff Memorandum Attachment A)

PLAN OVERVIEW



VISION AND PLANNING FRAMEWORK (CH.2)



Over the next 20 years, the Adeline Corridor will become a national model for equitable development. Existing affordable housing will be preserved, while **new affordable and market rate housing** for a range of income levels will be added.

The corridor will provide **local economic opportunity** through independent businesses, community non-profits, arts organizations, community markets, and an array of merchants and service providers.

It will feature public spaces that are **walkable, bikeable, green, and accessible** to persons of all ages and abilities. It will be the center of a **healthy community** that cares for its most vulnerable residents, cherishes its elders, nurtures its youth, and welcomes households of all types. It will be a place where the people, places, and institutions that have made South Berkeley what it is today are recognized and celebrated.

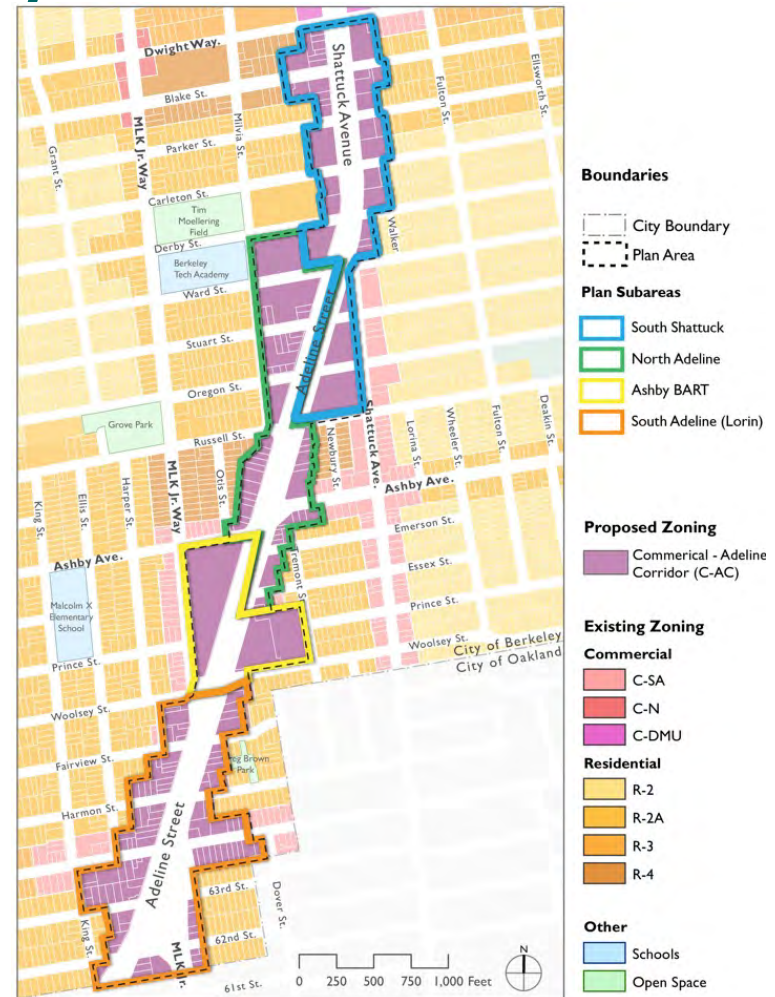
It will be a **place where all people can thrive.**

VISION AND PLANNING FRAMEWORK (CH.2)

FIVE STRATEGIC GOALS	
LAND USE	Preserve the unique character and cultural legacy of the Adeline Corridor, sustaining the community as a place where all people can live, work, play, learn, worship, dine, shop, and thrive.
HOUSING AFFORDABILITY	Promote equitable access to housing by producing new affordable housing, preserving existing affordable housing, and preventing displacement.
ECONOMIC OPPORTUNITY	Foster economic opportunity for South Berkeley residents and businesses by facilitating job training and workforce development, active community spaces, and a thriving environment for commerce along the Adeline Street/South Shattuck Corridor.
TRANSPORTATION	Provide safe, equitable transportation options that meet the mobility needs of all residents, regardless of age, means, and abilities, and that further the attainment of the City's greenhouse gas emission reduction goals.
PUBLIC SPACE	Provide safe, sustainable, beautiful, healthy, and inclusive public spaces that encourage social interaction, provide opportunities for recreation and environmental health, and support active community life in South Berkeley.

PLAN SUBAREAS (CH.2)

- South Shattuck
 - Dwight Way to Derby St.
- North Adeline
 - Derby St. to Ashby Av.
- Ashby BART
 - Ashby Av. to Woolsey St.
- South Adeline
 - Woolsey St. to 62nd St.



LAND USE (CH. 3)

Policies Address:

- “Complete Neighborhoods”
- Historic Preservation
- Development Standards and Design Guidelines
- Affordable housing
- Ashby BART Future Development Objectives
- Sustainable Building Design and Energy Use (new)



HOUSING AFFORDABILITY (CH. 4)

Policies Address:

- Strategies to achieve goal of Plan area goal of 50% new affordable housing at a range of types and affordability levels
- Preserving existing Affordable Housing
- Tenant protections and other anti-displacement measures
- Citywide efforts to address homelessness



ECONOMIC OPPORTUNITY (CH. 5)

Policies Address:

- Supporting existing businesses and community institutions
- Attraction of new businesses
- Creation of a new business improvement district or similar entity
- Placemaking strategies that rely on the area's culture and history
- Exploring targeted workforce hiring policy (new)



TRANSPORTATION (CH. 6)

Policies Address:

- “Complete Streets”
- Right-of-Way Improvements (interim and long-term)
- Universal Accessibility
- Pedestrian and Bicycle Circulation and Facilities
- Transit and Shuttles
- Parking and Transportation Demand Management



PUBLIC SPACE (CH. 7)

Policies Address:

- Public Space Types and Programming
- Public Space Opportunity Sites
- Streetscape Amenities and Wayfinding
- “Green infrastructure”
- Safety and Maintenance
- Public Art and Other Ways to Activate and Beautify Public Space



IMPLEMENTATION ACTIONS (CH. 8)

- Provides specific next steps, identifies responsible parties and potential funding
- Designed to promote transparency and accountability

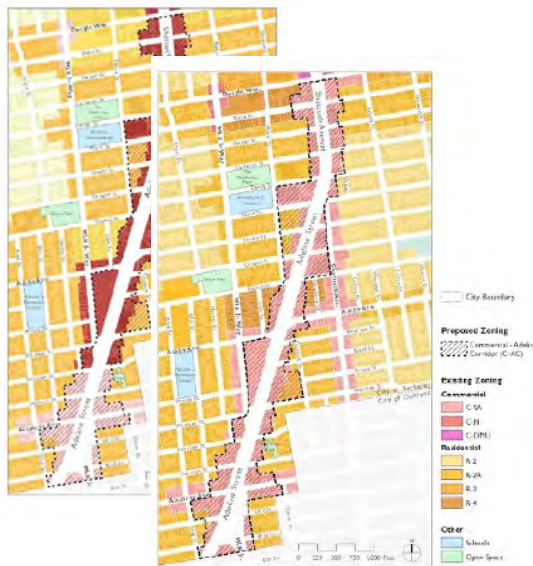
TABLE 8.1 Implementation Actions

ACTION DESCRIPTION	LEAD RESPONSIBILITY	PARTNERS	POTENTIAL FUNDING SOURCE	TIME FRAME
PLAN ADMINISTRATION				
PA-1. Establish quarterly meetings with implementation team to review progress, challenges, and next steps.	PLNG	HHCS, OED, PW Eng, PW Trans, PR&W	General Fund	S
PA-2. Provide annual progress update to the City Council and community, including performance metrics, challenges, and next steps.	PLNG	HHCS, OED, PW Eng, PW Trans, PR&W	General Fund	S
PA-3. Coordinate and monitor grant and other funding opportunities that relate to Specific Plan priorities.	PLNG	HHCS, OED, PW Eng, PW Trans, PR&W	General Fund	S
LAND USE				
LU-1. Amend the City's General Plan, zoning regulations and zoning map including changes to development standards to promote on-site affordable housing, to implement the Specific Plan. <i>See Policies/Strategies: LU-3.1 – 3.7 and HA-4.2, HA- 4.4 and HA-4.5.</i>	PLNG		General Fund	S (Amendments will be considered in parallel with ...)

IMPLEMENTATION: RELATED PLANNING EFFORTS UNDERWAY

- Ashby and North Berkeley BART station area
- Community Preference for Affordable Housing and Tenant Opportunity to Purchase Act
- Citywide Affordable Housing Requirements Update
- Other zoning updates: parking, small business support, Zoning Ordinance Revision Project

PROPOSED GENERAL PLAN AND ZONING AMENDMENTS



- New General Plan Land Use Policy and Classification: Adeline Corridor Mixed Use
- New Commercial Adeline Corridor (C-AC) Zoning District

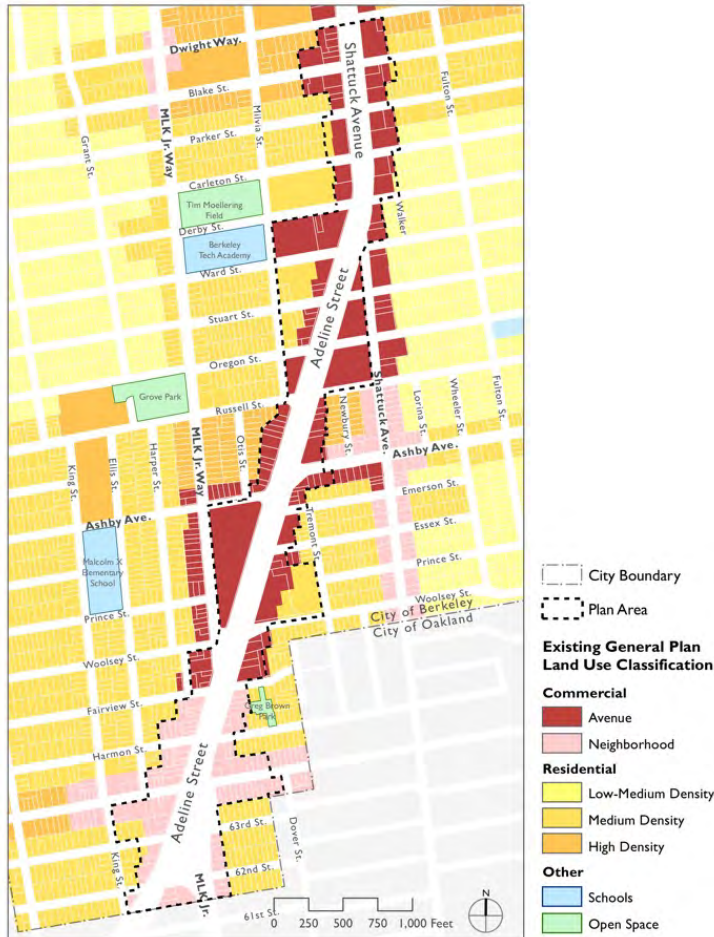
PROPOSED GENERAL PLAN AND ZONING AMENDMENTS

Intent:

- Incentivize on-site affordable housing
- Increase predictability of development standards and streamline process
- Promote uses that align with Plan vision

PROPOSED GENERAL PLAN AMENDMENTS

Existing

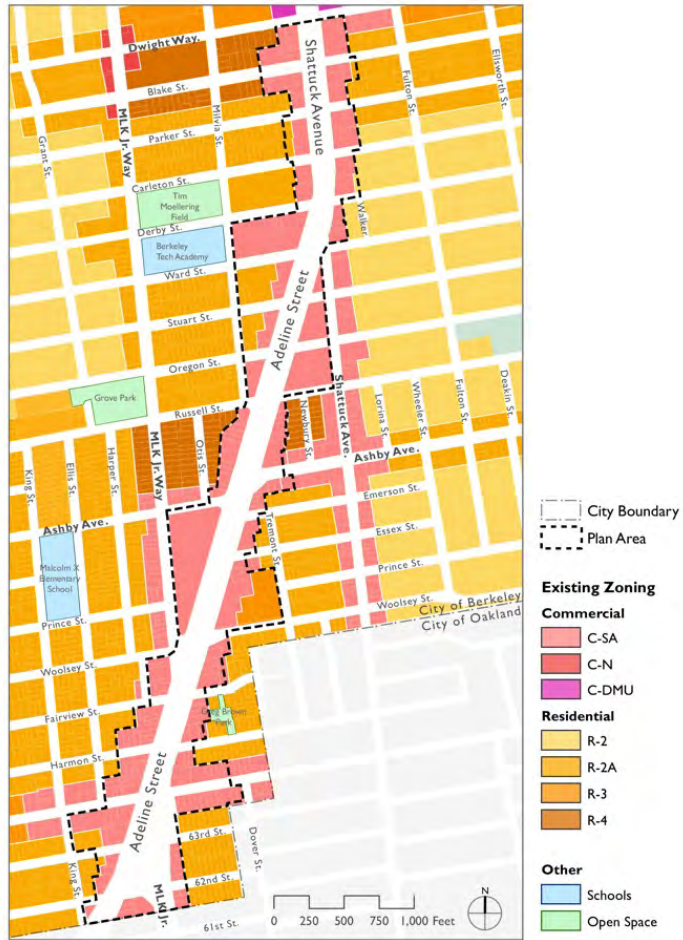


Proposed



PROPOSED ZONING AMENDMENTS:

Existing

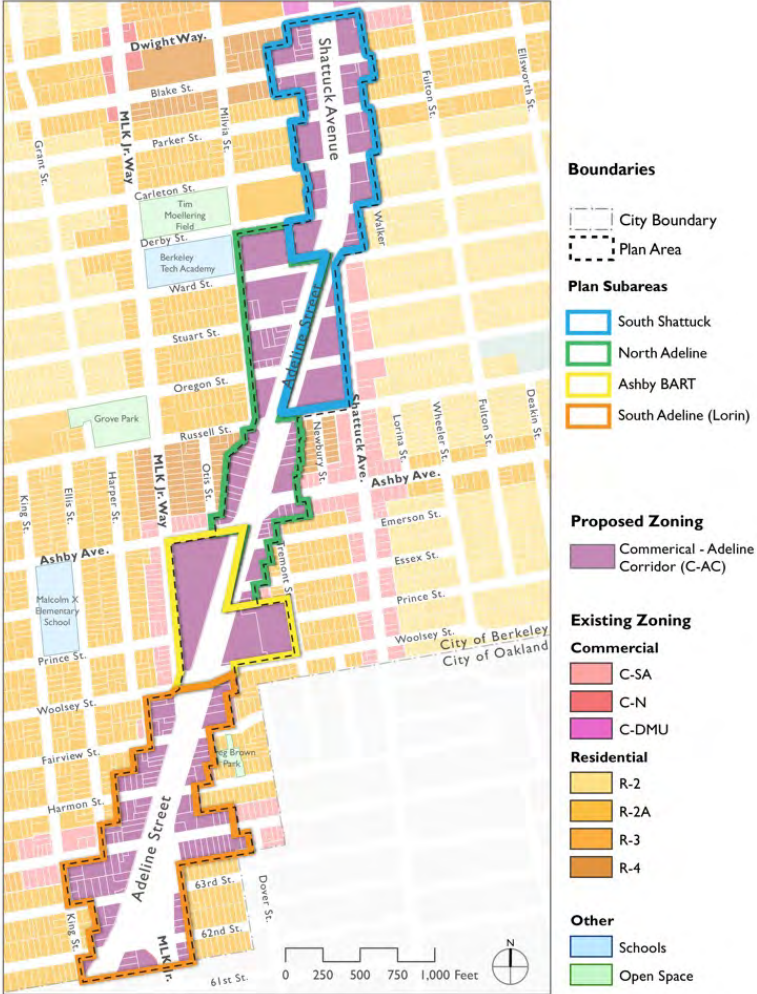


Proposed C-AC District



C-AC DISTRICT ZONING: SUBAREAS

- Location-specific development standards
- Established tiers of increasing density, FAR and height tied to provision of on-site affordable housing



C-AC DISTRICT: SOUTH SHATTUCK

Minimum On-Site Affordable Housing Requirement*	Max height		Max FAR	Max density (du/acre)	Max lot coverage		Useable open space (sf/unit)
	Stories	Ft**			Interior lot	Corner lot	
0% (Tier 1)	4	45'	2.5	120	<u>60%</u>	<u>70%</u>	40
14% (Tier 2)	5	55'	3.5	170	80%	90%	40
21% (Tier 3)	6	65'	4.3	200	85%	90%	40
25% (Tier 4)	7	75'	5.0	240	90%	95%	40



Can combine with State Density Bonus and opt to pay in-lieu fees



Cannot combine with State Density Bonus nor opt to pay in-lieu fees

*On-site affordable housing is expressed as % of total project units and must be provided at 50% Very Low and 50% Low Income

**Plus up to 5 feet to top of parapet (same as C-DMU District)

C-AC DISTRICT: NORTH ADELINE AND SOUTH ADELINE

Minimum On-Site Affordable Housing Requirement*	Max height		Max FAR	Max density (du/acre)	Max lot coverage		Useable open space (sf/unit)
	Stories	Ft**			Interior lot	Corner lot	
0% (Tier 1)	3	45'	2.0	100	<u>60%</u>	<u>70%</u>	40
14% (Tier 2)	4	55'	2.8	140	80%	90%	40
21% (Tier 3)	5	65'	3.4	170	85%	90%	40
25% (Tier 4)	6	75'	4.0	200	90%	95%	40



Can combine with State Density Bonus and opt to pay in-lieu fees



Cannot combine with State Density Bonus nor opt to pay in-lieu fees

*On-site affordable housing is expressed as % of total project units and must be provided at 50% Very Low and 50% Low Income

**Plus up to 5 feet to top of parapet (same as C-DMU District)

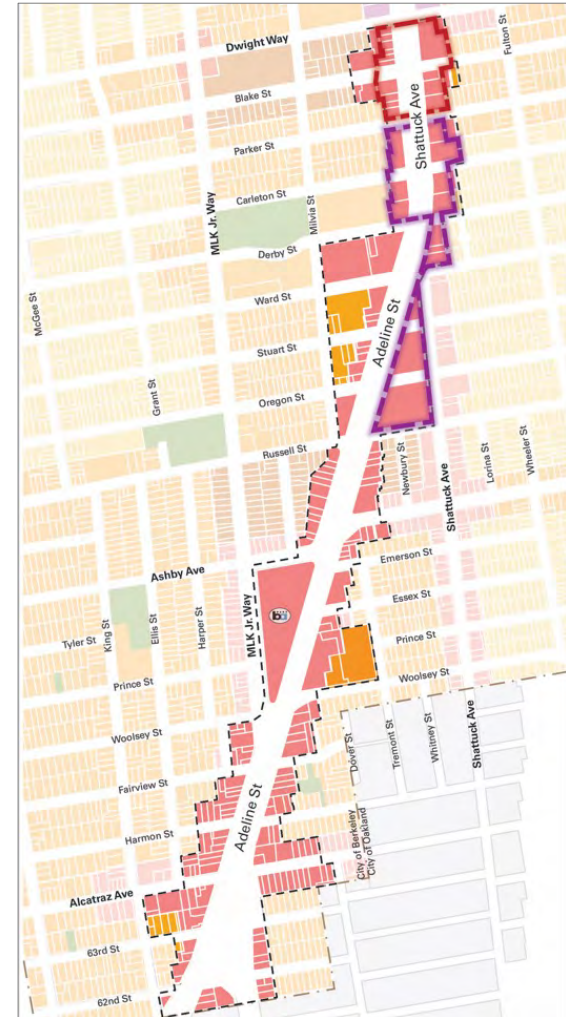
EXISTING C-SA ZONE: DEVELOPMENT STANDARDS

Allowed without Use Permits:

- Height (ft)/Stories (#) based on three height areas
- R-4 Multifamily Residential District standards for lot coverage, setbacks (“required yards”), density, and off-street parking

With Use Permits

- Any development standards may be modified up to a maximum FAR of 4.0

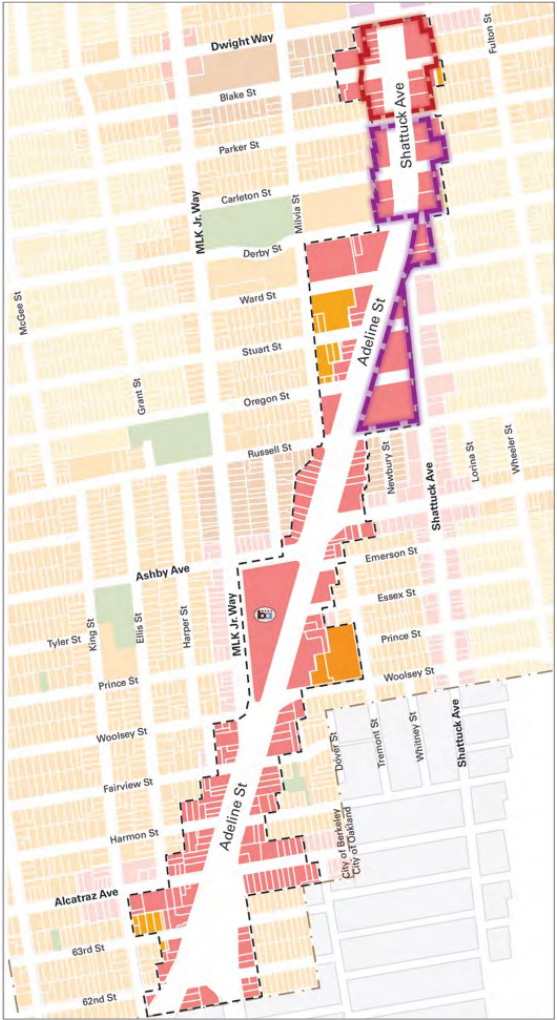


EXISTING C-SA ZONE: DEVELOPMENT STANDARDS

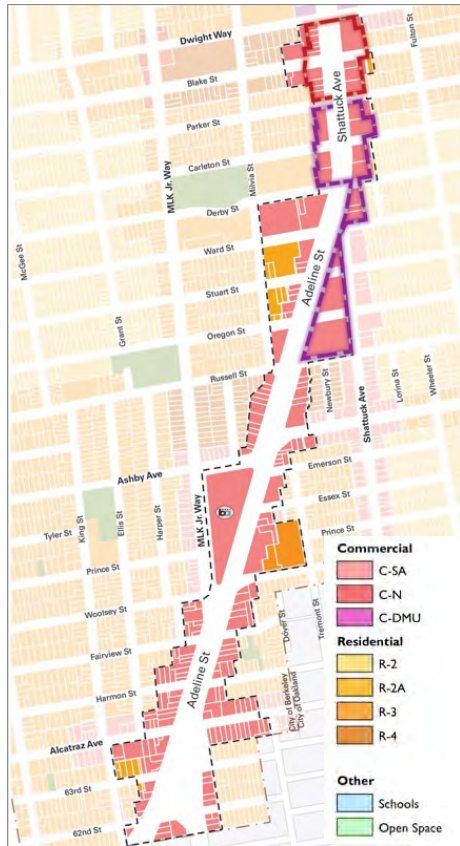
Allowed without Use Permits:

- Height (ft)/Stories (#) for mixed-use

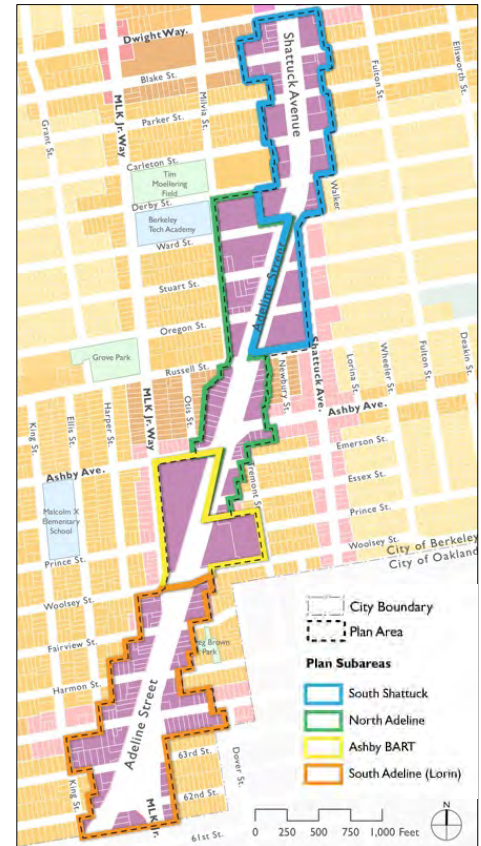
<u>Height Area</u>	<u>Height</u>	<u>Stories</u>
Height Area #1: Parcels adjacent to Shattuck between Dwight way and Parker St.	60 ft	5
Height Area #2: Adjacent to Shattuck Ave. from Parker St. to Ward St. or within area bounded by Adeline St./Shattuck Ave./Russell St.	50 ft	4
Height Area #3: ALL OTHER AREAS	36 ft	3



COMPARISON: C-SA AND C-AC ZONING



**Existing C-SA zoning
 (Height areas)**



**Proposed C-AC zoning
 (Subareas)**

Standards applicable to State Density Bonus (Allowed ***without*** Use Permits or Tier 1)

	Existing C-SA	Proposed Adeline Zoning
Location	Approximately Height Areas 1 and 2	South Shattuck Subarea
Height (ft/# stories)	60 ft./5 stories 50 ft./4 stories	45 ft./4 stories (up to 5 feet additional for roof/parapet)
Lot Coverage	35% (for a 4-6 story building)	60% interior lot, 70% corner lot*
Required Yards	Front: 15 ft. Rear: 15 ft. - 21 ft. Side: 4 ft. - 12 ft.	Rear: 10 ft. (additional rear/side only if project abuts/confronts residentially-zoned parcel)
Density (Maximum)	No set numeric standard	120 units/acre
Floor Area Ratio (FAR)	<i>Maximum 4.0 with Use Permit (UP) (Effective FAR is 1.75 for a 5-story building without UP)</i>	<i>Maximum 2.5 (up to 3.5, 4.3 or 5.0 with specified amount of on-site affordable housing per Tiers 2 - 4)</i>

C-AC ZONING DISTRICT: RECAP

- New density standard results in higher number of affordable units than existing zoning
- Creates known standards that align with development standards for mixed-use commercial corridor
- Restructuring of development potential in C-SA and modest upzoning to recapture value for on-site affordable housing requirements

C-AC ZONING DISTRICT

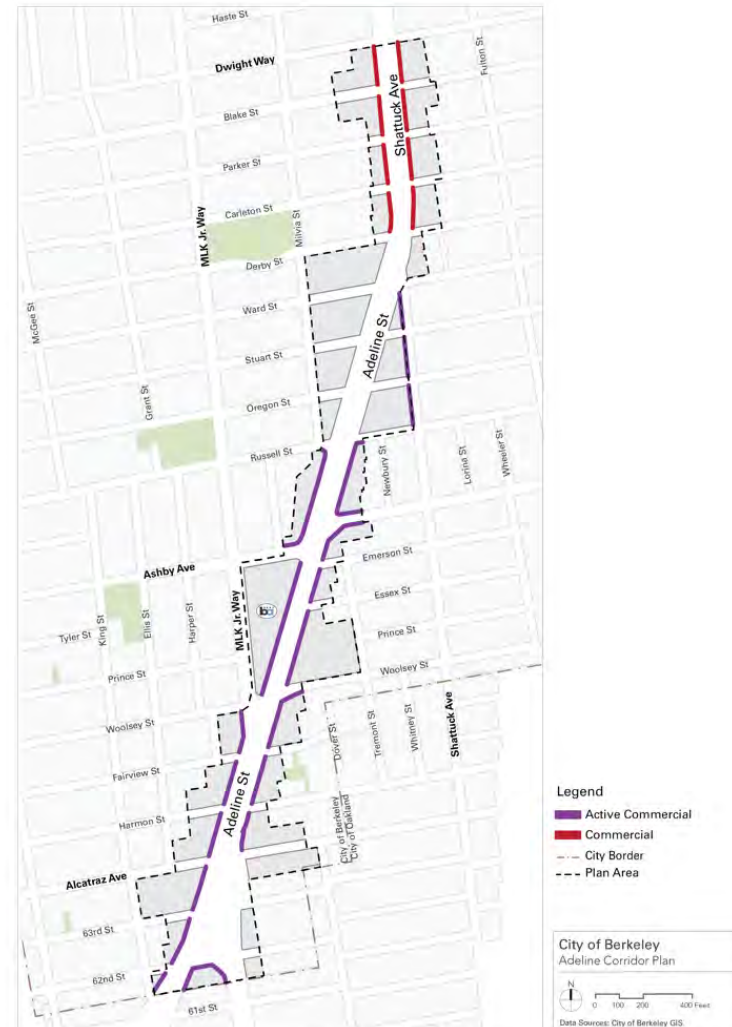
Additional changes aligned with Plan Vision with respect to land uses, building form, design and community character

- Requirements for ground floor commercial and/or “active ground floor commercial uses”
- Development standards and design guidelines related to building design and transitions to adjacent residentially-zoned areas
- Design guidelines for the minimum ground-to-floor ceiling height, percent ground floor facade transparency and average entrance frequency
- Historic Preservation Zoning Incentives
- Prohibition on new auto and motorcycle sales

C-AC DISTRICT: GROUND FLOOR REQUIREMENTS

Active Commercial Uses:

- Uses that generate regular and frequent foot traffic, are physically oriented to the street and have a high degree of transparency
- Required in first 30 feet of depth of the ground floor



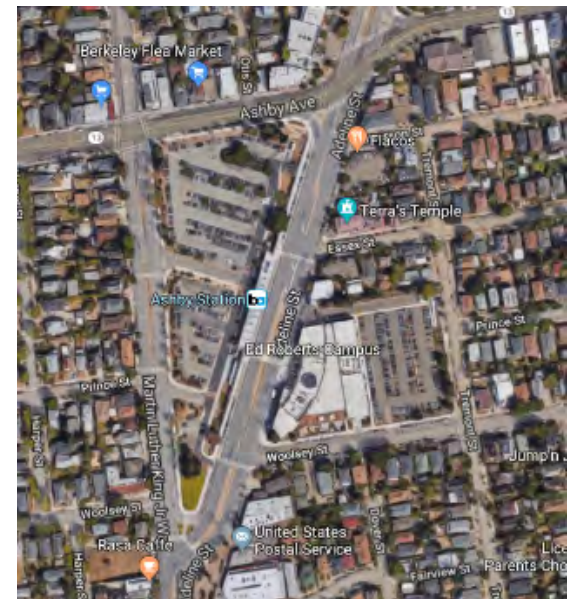
KEY ISSUES

- Economic and Workforce Development
- Additional Roadway Redesign Options
- Public Space and Parks



KEY ISSUES

- Zoning: Alcohol Beverage Sales, Parking and Lot Coverage Requirements
- Affordable Housing Goals and Requirements for the Plan Area, Ashby BART and proposed zoning



ECONOMIC AND WORKFORCE DEVELOPMENT

- Revised Policy 5.3 and implementation action EO-3 to emphasize broader engagement to explore formation of a Business Improvement District or similar entity
- New policy/implementation action to explore development of targeted workforce policy
- Implementation actions address more detailed outcomes business community stakeholders desire regarding placemaking initiatives, marketing and business attraction

ADDITIONAL ROADWAY OPTIONS

- Extensive feedback to include more specific language in Plan to study other roadway reconfigurations
- Options would need additional design feasibility and CEQA review
- Policy 6.2 and Actions T-2, T-7, PS-1 and PS-2 address further analysis and stakeholder engagement
- Ashby and North Berkeley Station area planning underway and State and federal grants secured by BART will undertake some preliminary analysis

PUBLIC SPACE AND PARKS

- Community feedback emphasized the need for new park space and that the Plan should include more specificity about location and size of potential park space
- A new figure 7.1 was added to illustrate opportunity sites described in Policy 6.1
- Many variables must be studied to narrow down the options for design and programming of opportunity sites
- BART station area planning is a first step that is funded and underway
- Actions PS-1 and PS-2 also address next steps to refine options

ALCOHOLIC BEVERAGE SALES

- Existing restriction in C-SA prohibits sales of distilled alcoholic beverages “along Adeline south of Ashby Avenue”
- Originally targeted at nuisance activity from specific liquor stores
- Restriction would also prohibit new grocery stores from selling distilled spirits
- All other zoning districts in the City allow with Use Permit
- Could have unintended effects to business attraction for desired uses

ALCOHOLIC BEVERAGE SALES

For Planning Commission consideration:

- Keep prohibition on sales of distilled alcoholic beverages along Adeline and south of Ashby Avenue or allow with a Use Permit?

PARKING REQUIREMENTS

- New C-AC District proposes no parking minimum and parking maximum of 1 space per unit for residential uses
- Citywide Parking Reform proposals will be considered by Council by end of 2020

For Planning Commission consideration:

- Parking requirement that is specific to Adeline Corridor or consistent with citywide requirements?

LOT COVERAGE REQUIREMENTS

- New C-AC District originally proposed maximum lot coverage for Tier 1 of Subareas to be 80% for interior and 90% corner lots
- Subcommittee proposed reducing Tier 1 maximum lot coverage to 60% for interior and 70% corner lots; no consensus on this topic.

For Planning Commission consideration:

- To confirm maximum lot coverage for Tier 1 zoning

AFFORDABLE HOUSING REQUIREMENTS

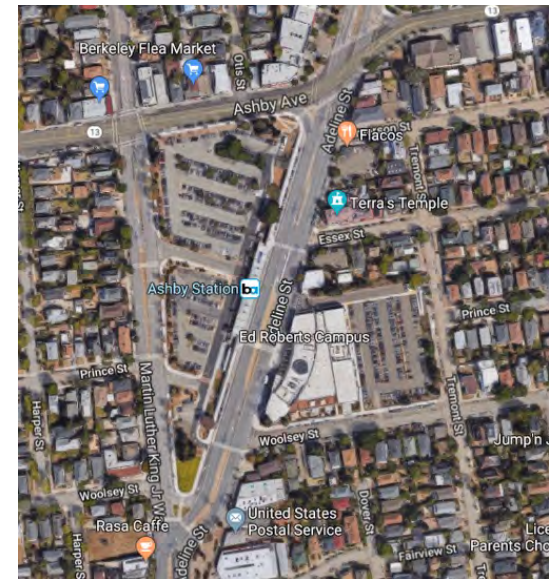
- Plan Area Goal of 50% of all new housing units affordable to a range of income levels
- Zoning On-site affordable housing incentive
- Ashby BART (Policy 3.7, Objective 1)

AFFORDABLE HOUSING REQUIREMENTS

Ashby BART Station Area Objectives

1. Affordable Housing
2. Public Space
3. Additional Development Parameters
4. Public Art
5. Pedestrian and Bicycle Connections
6. Parking and Transportation Demand Management
7. Process and Engagement

See Specific Plan Policy 3.7 and Policy 4.3



AFFORDABLE HOUSING REQUIREMENTS

Ashby BART: City – BART MOU

- Community Advisory Group (CAG) and Community Engagement
- Zoning and Development Parameters
- BART Implementation of Assembly Bill 2923
- City of Berkeley affordable housing funding
- Developer(s) solicitation
- Station access studies

*Adopted unanimously by the City Council (Dec. '19) and BART Board (Jan. '20)

Table 1. Policy 3.7 Ashby BART, Objective 1 Options

May 2019 Draft Plan (ORIGINAL LANGUAGE):

OBJECTIVE 1. AFFORDABLE HOUSING. For any future development in the BART subarea, at least 50% of the total housing units produced should be comprised of deed-restricted affordable housing, which could also include supportive services or other spaces associated with the affordable housing. This goal for at least 50% affordable housing at a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) would be calculated across the entire Ashby BART subarea and could be accomplished through multiple phases of development. Any future development agreement should commit to deliver at least this level of affordable housing, and provide a plan to do so. Amounts of affordable housing exceeding 50% of the total square footage and number of units are encouraged.

Subcommittee proposed revised language:

The City's goal for the Ashby BART subarea is phased development, over the life of the Plan, of 100% below market, deed restricted affordable housing. Following the process outlined in the City and BART Memorandum of Understanding (MOU), the City will work with BART to achieve this goal. This housing should be affordable to moderate, low-, very low- and extremely-low income households at an approximately even distribution. Housing in this subarea could also include supportive services or other spaces associated with affordable housing. Reserving the Ashby BART site for 100% affordable housing development will help achieve the Plan's housing affordability goal that calls for at least 50% of all new housing built in the Adeline Corridor over the next years to be income restricted permanently affordable housing.

Staff-prepared revised language:

Future development in the Ashby BART subarea shall consist of well-designed, high-quality, transit-oriented development that maximizes the total number of deed-restricted affordable homes, serving a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) and could also include supportive services or other spaces associated with the affordable housing and other desired community benefits. The opportunity to leverage public land for a mix of uses, including significant amounts of affordable housing, will help to safeguard the socio-economic and cultural diversity treasured by the community, as well as have correlated benefits of contributing to the neighborhood's economic prosperity and improving health outcomes.

The City and BART should strive for a goal of 100% deed-restricted affordable housing that could be accomplished through multiple phases of development. The amount of housing and levels of affordability shall be determined through the process outlined in the Memorandum of Understanding (MOU) unanimously adopted by the City Council and the BART Board of Directors (Dec. 2019 and Jan. 2020, respectively) to work together to develop the Ashby BART and North Berkeley BART station areas. This process will involve additional land use and economic feasibility studies, including analysis of 100% affordable housing, to inform further conversation with the Community Advisory Group (CAG), Planning Commission and broader community (see Objective 7).

Table 1. Policy 3.7 Ashby BART, Objective 1 Options

May 2019 Draft Plan (ORIGINAL LANGUAGE):

OBJECTIVE 1. AFFORDABLE HOUSING. For any future development in the BART subarea, **at least 50% of the total housing units produced** should be comprised of deed-restricted affordable housing, which could also include supportive services or other spaces associated with the affordable housing. This goal for at least 50% affordable housing at a range of income levels (e.g. Extremely Low, Very Low, Low and Moderate) would be calculated across the entire Ashby BART subarea and could be accomplished through multiple phases of development. Any future development agreement should commit to deliver at least this level of affordable housing, and provide a plan to do so. **Amounts of affordable housing exceeding 50% of the total square footage and number of units are encouraged.**

Subcommittee proposed revised language:

The City's goal for the Ashby BART subarea is **phased development, over the life of the Plan**, of 100% below market, deed restricted affordable housing. Following the process outlined in the City and BART Memorandum of Understanding (MOU), the City will work with BART to achieve this goal. This housing should be affordable to moderate, low-, very low- and extremely-low income households **at an approximately even distribution**. Housing in this subarea could also include supportive services or other spaces associated with affordable housing. Reserving the Ashby BART site for 100% affordable housing development will help achieve the Plan's housing affordability goal that calls for at least 50% of all new housing built in the Adeline Corridor over the next years to be income restricted permanently affordable housing.

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The **City and BART should strive for a goal of 100% deed-restricted affordable housing that could be accomplished through multiple phases of development**. The amount of housing and levels of affordability shall be determined through the process outlined in the Memorandum of Understanding (MOU) unanimously adopted by the City Council and the BART Board of Directors (Dec. 2019 and Jan. 2020, respectively) to work together to develop the Ashby BART and North Berkeley BART station areas. This process will involve additional land use and economic feasibility studies, including analysis of 100% affordable housing, to inform further conversation with the Community Advisory Group (CAG), Planning Commission and broader community (see Objective 7).

AFFORDABLE HOUSING REQUIREMENTS

Ashby BART Station Area

For Planning Commission consideration:

- Recommend language that balances aspirational goals and also supports the process outlined in the recently adopted City – BART MOU, including additional land use, engineering, economic feasibility and funding studies to inform the Community Advisory Group and community wide discussion.

Background: Affordable Housing goals and zoning tiers economic analysis

- Presentation by Rick Jacobus, Street Level Advisors

ENVIRONMENTAL REVIEW DOCUMENTS



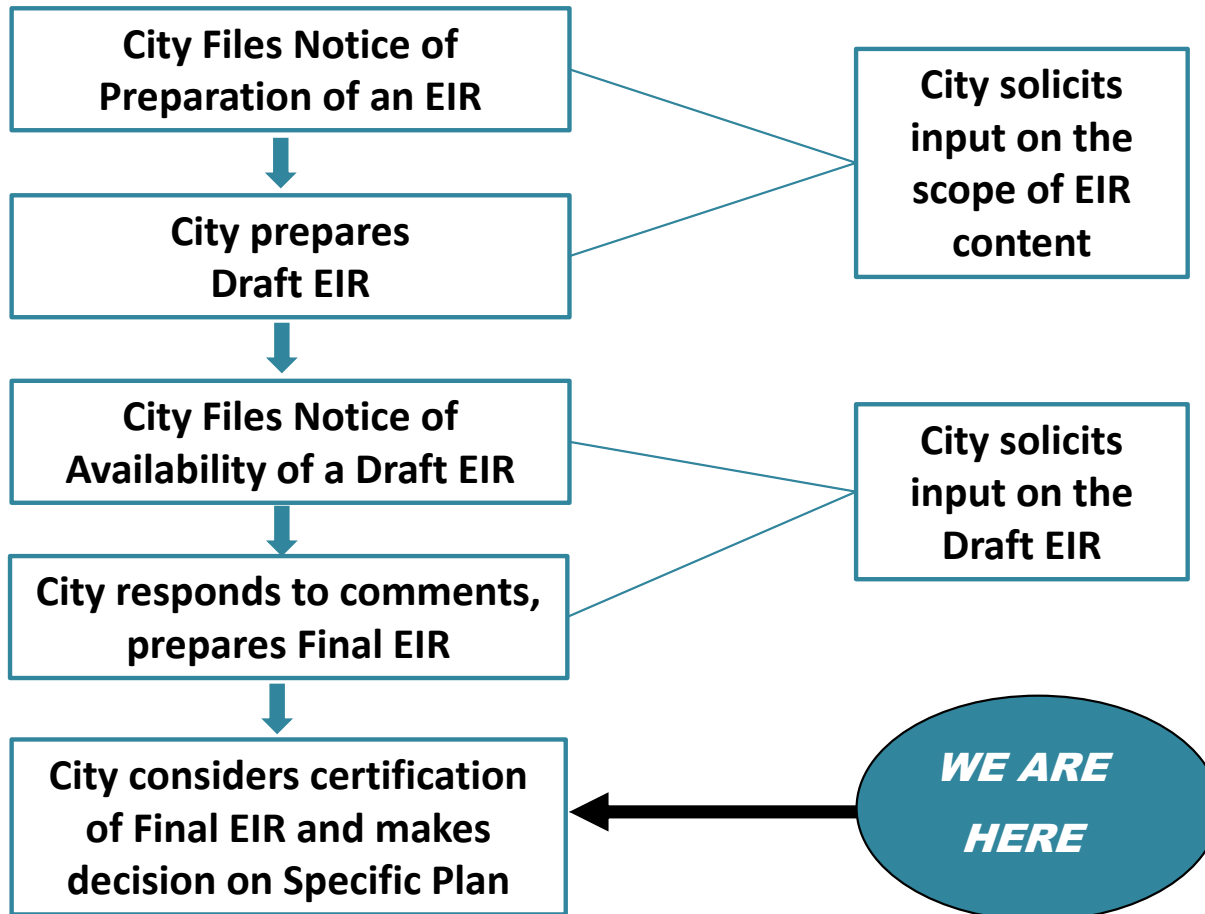
- EIR
 - Draft EIR
 - Response to Comments Document/FEIR
- CEQA Findings and Statement of Overriding Considerations
- Mitigation Monitoring and Reporting Program

Environmental Impact Report (EIR) Overview

PURPOSE OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

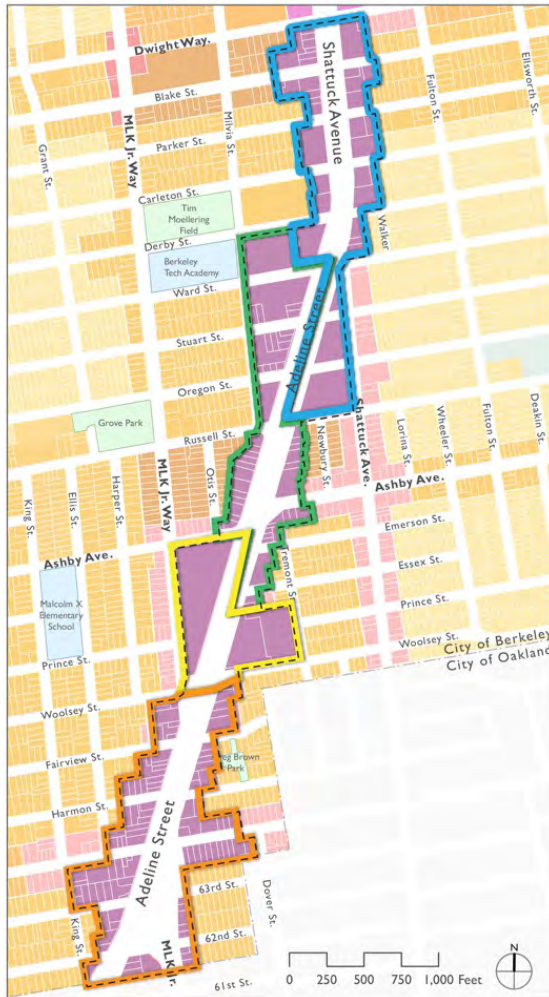
- Disclose the potential significant environmental effects of proposed actions
- Identify ways to avoid or reduce adverse environmental effects
- Consider feasible alternatives to proposed actions
- Foster interagency coordination in the review of projects
- Enhance public participation in the planning process

EIR PROCESS



EIR: PROJECTED BUILDOUT

*Reasonably foreseeable
 maximum development through
 plan horizon year of 2040*



<u>Plan Subarea</u>	<u>Residential</u>	<u>Commercial</u>
South Shattuck	300 units	20,000 sf
North Adeline	200 units	-5,000 sf
Ashby BART	850 units	50,000 sf
South Adeline	100 units	0 sf
TOTAL	1,450 units	65,000 sf

DRAFT ENVIRONMENTAL IMPACT REPORT

EIR analyzes physical environmental impacts to the environment based on thresholds defined by CEQA Guidelines Appendix G. Environmental topics analyzed in depth in the EIR include:

- 4.1 Air Quality
- 4.2 Biological Resources
- 4.3 Cultural Resources
- 4.4 Geology and Soils
- 4.5 Greenhouse Gases
- 4.6 Hazards and Hazardous Materials
- 4.7 Hydrology and Water Quality
- 4.8 Land Use and Planning
- 4.9 Noise
- 4.10 Population and Housing
- 4.11 Public Services
- 4.12 Transportation and Traffic
- 4.13 Utilities and Service Systems

DRAFT ENVIRONMENTAL IMPACT REPORT

- Issues found to potentially significant, mitigation measures required
 - 4.1 Air Quality
 - 4.2 Biological Resources
 - 4.5 Greenhouse Gases

- Issues found to have significant and unavoidable impacts
 - 4.9 Noise
 - 4.12 Transportation and Traffic

ADDITIONAL CEQA DOCUMENTS

- Response to Comments (RTC) document for EIR-related comments
- Responses to Plan-Related Comments - December 12, 2019 Adeline Subcommittee Meeting Staff Memo
- CEQA Findings and Statement of Overriding Considerations
- Mitigation Monitoring Reporting Program

RESPONSE TO COMMENTS –FEIR

- Updated GHG-Mitigation MM-1 to reflect Code and other Ordinances adopted
- CEQA Findings and Statement of Overriding Considerations
- Mitigation Monitoring Reporting Program

Adeline Corridor

Affordable Housing Incentives

September 16m



Rick Jacobus
Street Level Advisors

Agenda

1. Recap Prior Findings on Feasibility
2. Changes in Market

Recap of Findings



Land Value Capture

When we change the rules to allow more building, land becomes more valuable. Where does that money go?

Example Project
1/3 acre

C-SA Zoning

Roughly 27 units

~80 units per acre

\$977,000 Housing Fee

Yield on Cost: 5.3%

Yield on Cost

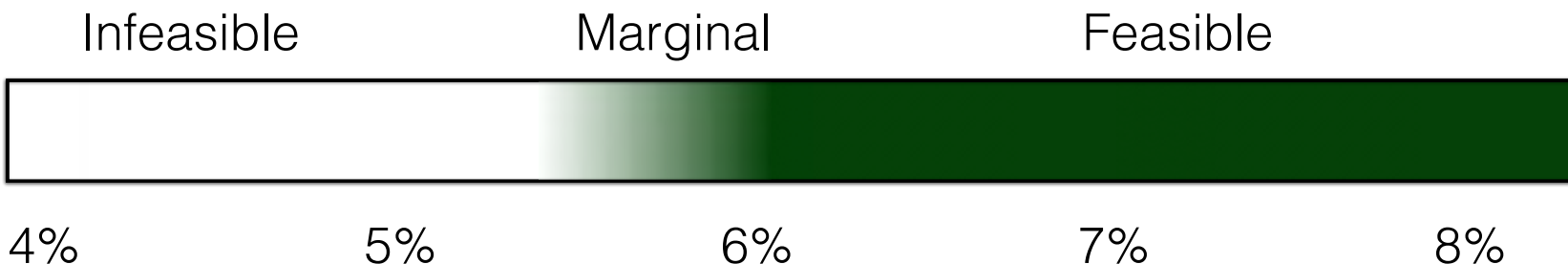
Yield on Cost is a simple measure commonly used to compare the profitability of real estate investments

Example:

Total Development Cost (TDC)	\$1,000,000
------------------------------	-------------

Annual Net Operating Income (NOI)	\$60,000
-----------------------------------	----------

Yield on Cost (NOI/TDC)	6.0%
--------------------------------	-------------



Example Project

1/3 acre

C-SA Zoning

Roughly 27 units

~80 units per acre

\$977,000 Housing Fee

Yield on Cost: 5.3%

C-SA + Use Permit + State Bonus

Up to 72 units

~215 units per acre

3* VLI Units +\$1,814,000

Yield on Cost: 5.8%

** Per state law this is 11% of 'base' units only 4% of total units*

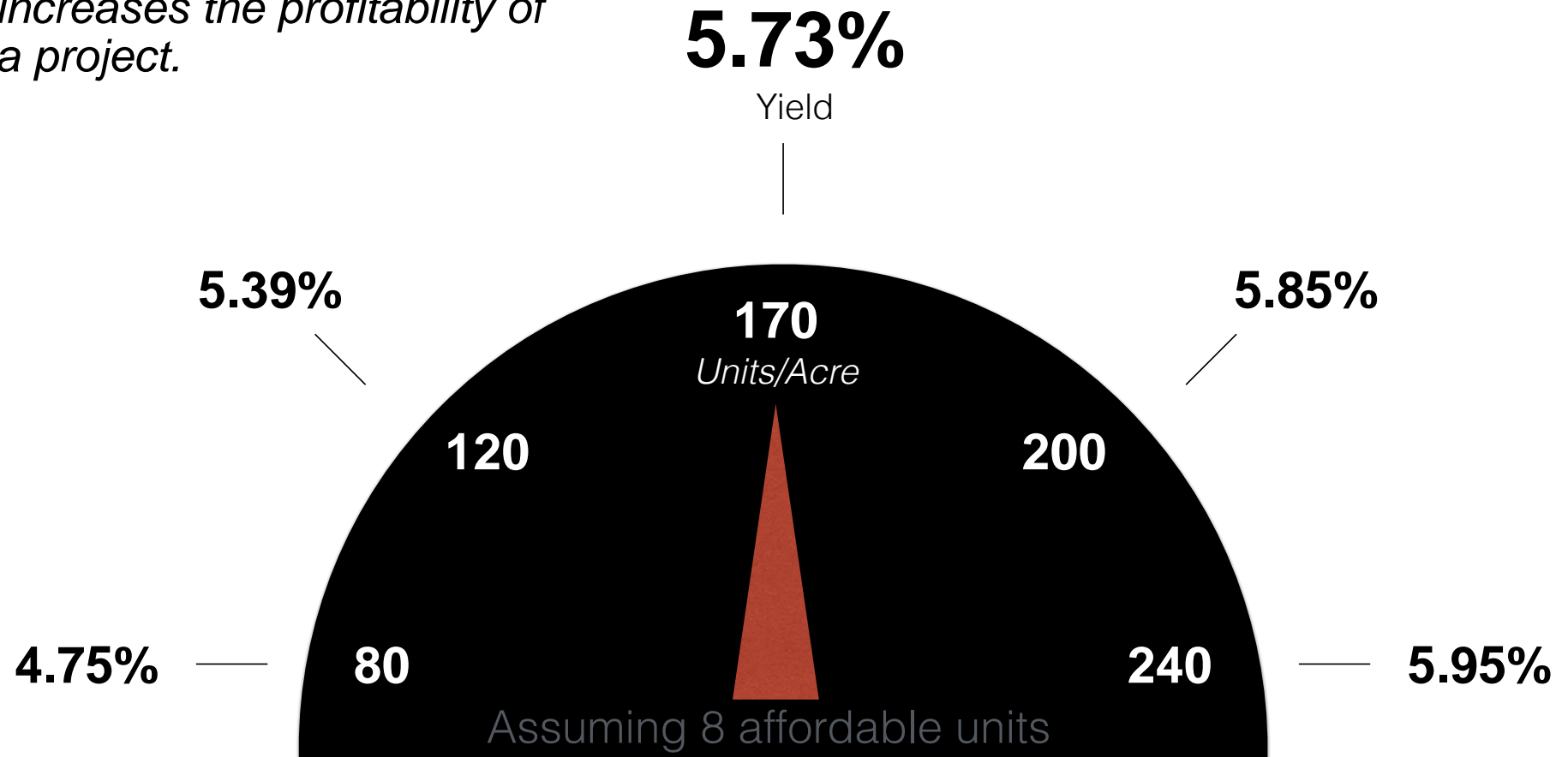
Updated Project Feasibility - Jan 2020

South Shattuck Example

	Units/Acre	Affordable Housing	Yield
Tier 1	120	\$1.36M	5.57%
Tier 2 (+40%)	170	8 Units + \$977K	5.61%
Tier 3 (+70%)	200	14 Units + \$558K	5.57%
Tier 4 (+100%)	240	20 Units	5.49%

Increasing the allowable density (without adding affordable housing) increases the profitability of a project.

How much does density matter?



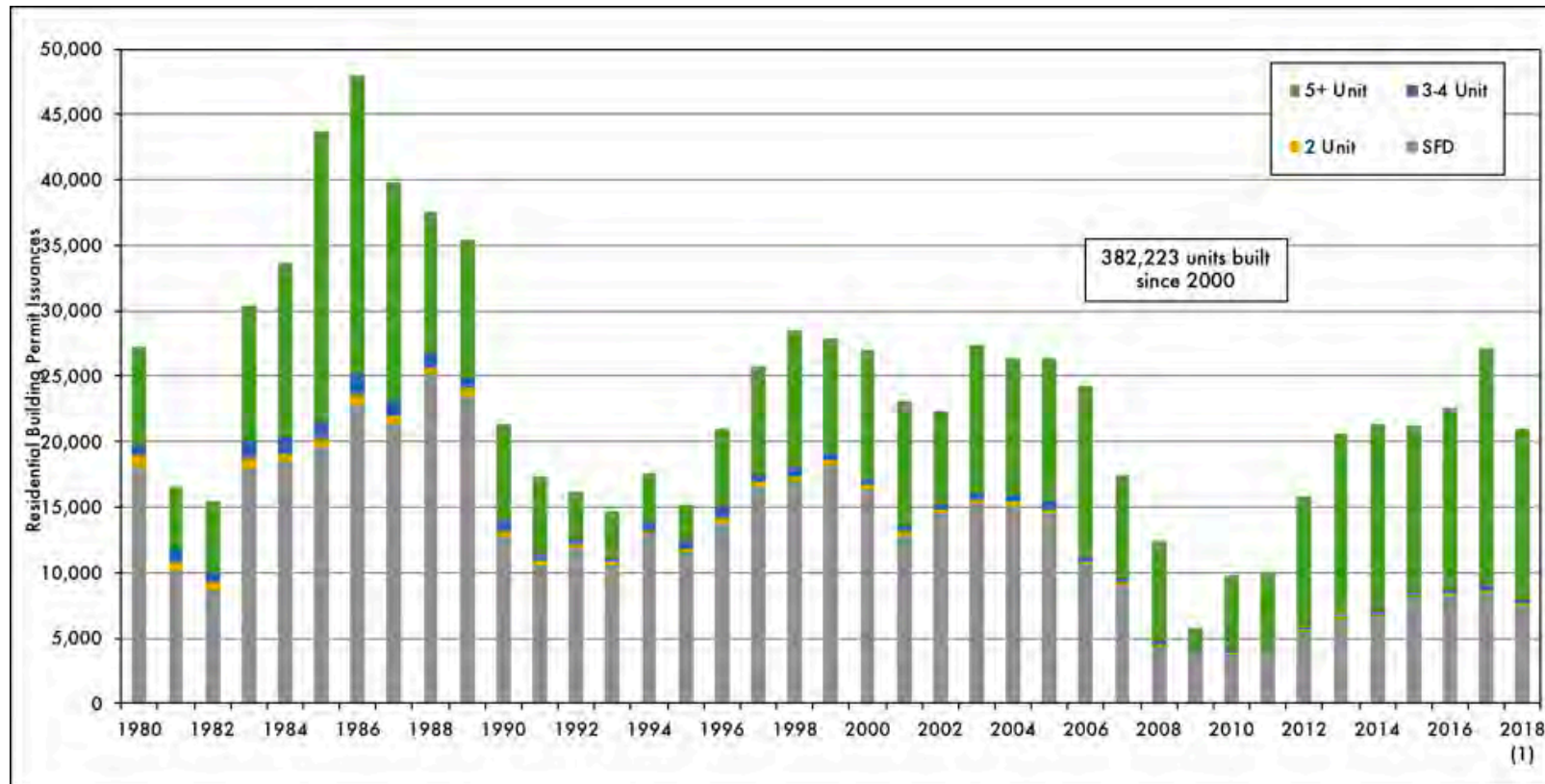
Changes in the Market



No one knows what will happen next

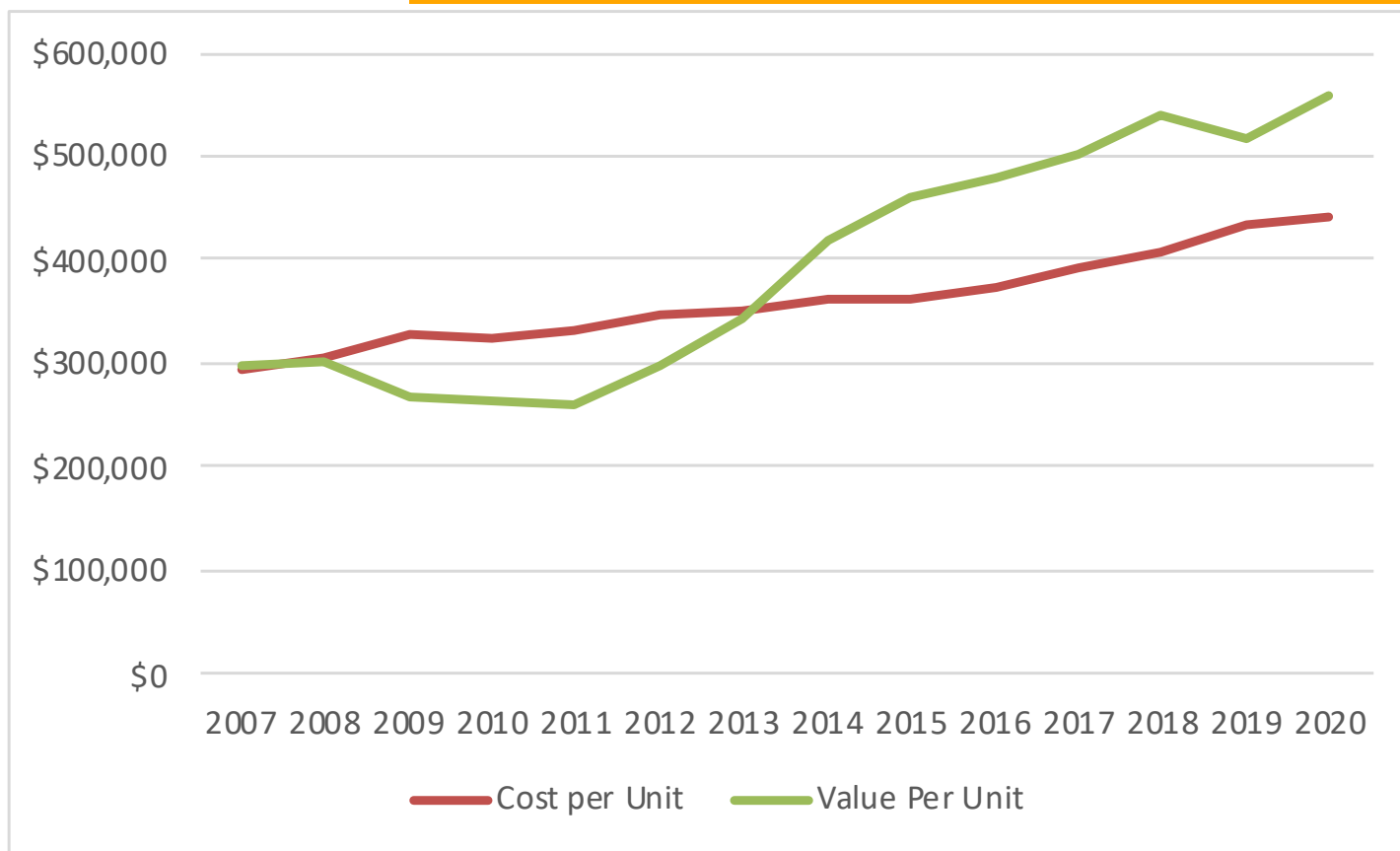
- COVID 19 has created enormous uncertainty
- Rents have come down
- Construction costs have not been reduced (yet)
- Expected yields have come down
- Developers express doubt that new projects will be moving forward next year
- Projects are generally continuing (for now)

Bay Area Housing Production



Source: spur.org

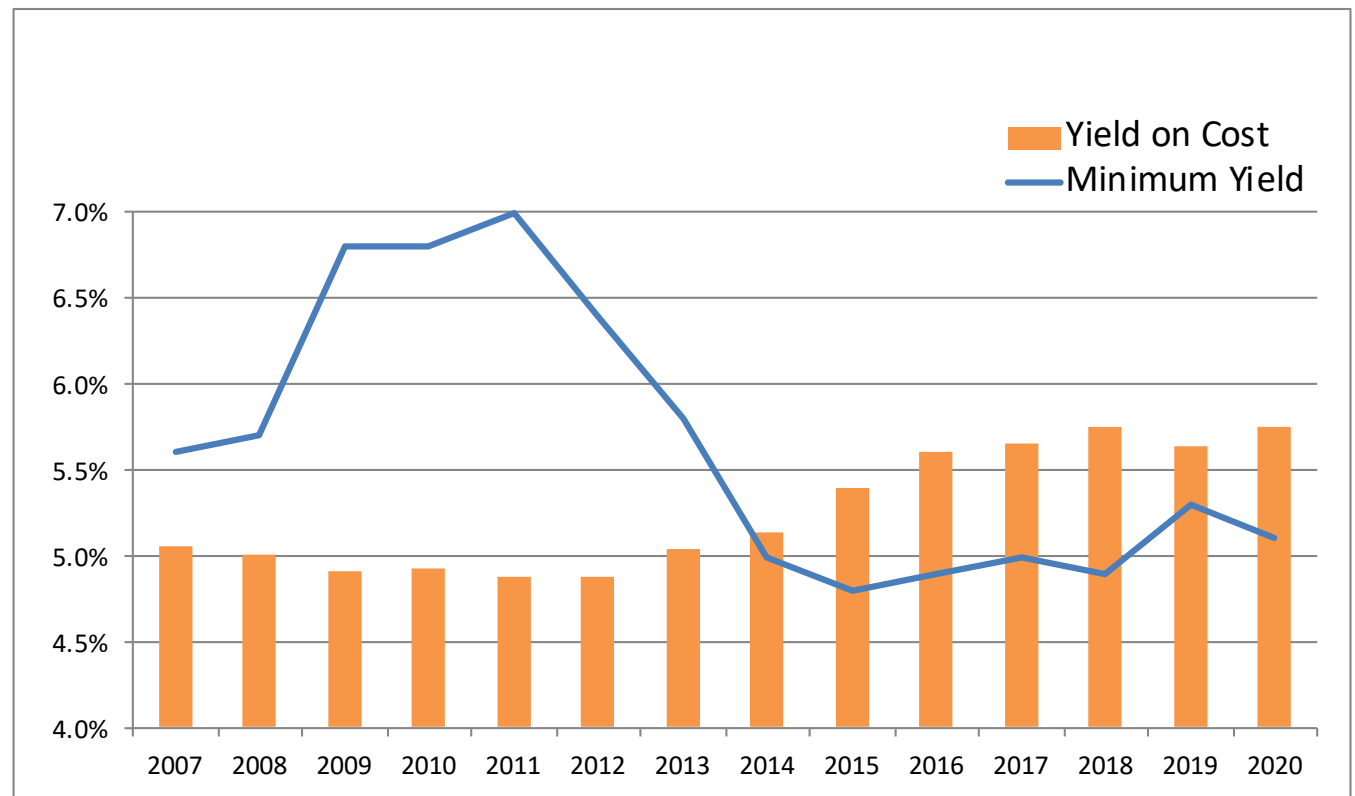
Historical Trends



Source: Street Level Advisors Calculations

Historical Feasibility Estimates

During the last recession, the returns that investors required rose at the same time that project profitability was falling



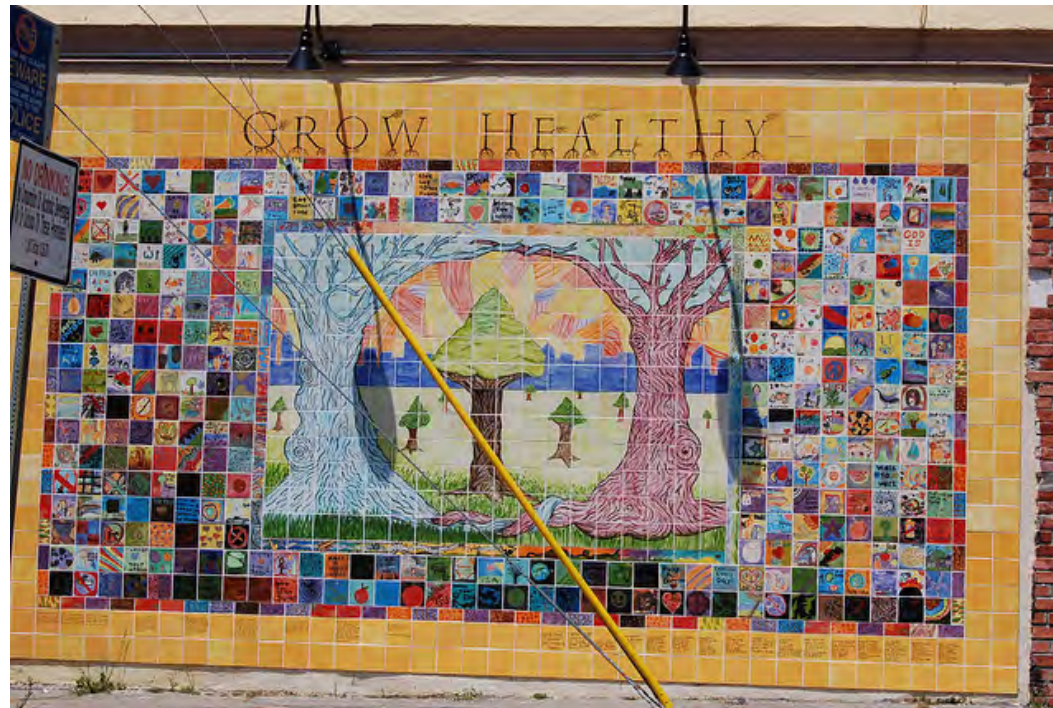
Source: Street Level Advisors Calculations

Adjusting requirements later

Street Level Advisors Scope of Work

- Citywide update to “Affordable Housing Requirements”
 - Onsite units vs Fees
 - Incentivizing onsite units (Density bonus tiers)
 - Different requirements in different zones
 - Incentivizing Family sized units and ELI Units
- Public Feedback sessions on Policy Options
- Financial Feasibility Analysis - *fall 2020*
- Housing Economics Study Group - *Winter*
- Develop options for Hardship Waiver Process
- Recommended changes to Affordable Housing Mitigation Fee and Inclusionary Housing Ordinances - *Feb 2021*

Thank You



Lapira, Katrina

From: Pearson, Alene
Sent: Monday, September 21, 2020 3:12 PM
To: Lapira, Katrina
Cc: Shen, Alisa
Subject: continuation of Planning Commission public hearing on Draft Adeline Corridor Plan

Dear Commissioners,

Thank you making yourselves available for a Special Planning Commission meeting on September 30th to continue the public hearing on the Draft Adeline Corridor Plan. As discussed at the September 16th meeting, members of the public are provided an opportunity to address the Commission once per public hearing. The list below provides the names or partial phone numbers of those who provided comments on September 16th.

Thanks,
Alene

September 16 - Speakers

Katharine Bierce
Katy Guimond
Michael Katz
510****749
Igor Tregub
Robert Allen
Liat Zavodivker
Darell Owens
Michai
510****503
Nico Nagle (BayHAC)
Ariella Granett
Dana Perls
Paul Lee
Peter Waller
AJ Fox
Teresa Clarke
Betsy Thagard
Wyndy Knox
Meannette McNeil
Betsy and Raines
Eugene Turitz
Helen Walsh
Abby Thorne-Lyman, BART
Matthew Lewis, Berkeley Tenants Union
Paul Bickmore
Howard Beale
Chimey
Edward Stres
Charles Gary
Andrew Nathenson

Turley Anderson (read by staff)
Emily Chow (read by staff)
Mayor Arreguin and Ben Bartlett (read by staff)

Alene Pearson

Principal Planner, Land Use Planning Division
Planning and Development Department
City of Berkeley
apearson@cityofberkeley.info

Lapira, Katrina

From: Janice Thomas [mailto:mountainlionsandbears@gmail.com]
Sent: Saturday, September 19, 2020 12:36 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Fwd: deadline for receipt of comments on the revisions to the southside zoning amendments

WARNING: This email originated outside of City of Berkeley.
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Hi Ms. Pearson. Is it too late to submit comments on the Zoning Amendments to the Southside Plan?

Janice Thomas

----- Forwarded message -----

From: Janice Thomas <mountainlionsandbears@gmail.com>
Date: Sat, Sep 19, 2020 at 12:32 PM
Subject: deadline for receipt of comments on the revisions to the southside zoning amendments
To: Greene, Elizabeth <EGreene@ci.berkeley.ca.us>
Cc: Lori Droste <ldroste@cityofberkeley.info>, Birnbach, Kerry <KBirnbach@cityofberkeley.info>, Arreguin, Jesse L. <JARreguin@cityofberkeley.info>

Hello Ms. Greene.

I would like to send a comment on the Southside Zoning Amendments but might have missed the deadline. Was the deadline Sept. 9?

I live on Panoramic Hill which is designated a Historic District by the National Register of Historic Places. I noticed that this historic resource was not mentioned in the Initial Study even though the single family, historic neighborhood abuts Prospect. From glancing at the document, I also noticed that there is no mention of CA Memorial Stadium which is also listed on the National Register and which abuts Prospect.

The omission of CA Memorial Stadium is primarily disturbing because the omission shows a gross lack of understanding of **existing conditions** in the area on game days, during capacity events, and even during the unlimited number of events of "less than capacity" (<30,000 people) which are allowed in the SCIP EIR and the Settlement Agreement with the Panoramic Hill Association. A keyword search shows no mention of the stadium.

Presently, the drive to increase development in the least accessible part of Berkeley, the east end of town, shows a grave misunderstanding of the area. Moreover, this area is not south of Central Campus but rather east of the Stadium. This is not quibbling. Access to this area is severely constrained and limited. In addition to adding residential building in the Alquist Priolo Fault Hazard Zone, the Southside Plan also brings more people in proximity to the wildland urban interface. Panoramic Hill residents are particularly sensitive to the dangers of living in this area because our neighborhood is surrounded on three sides by wildlands. We only have one road out of the neighborhood, at the bottom of the hill where Panoramic Hill intersects with Bancroft across from Prospect Court. Increasing density in this area only worsens pre-existing problems.

I regret that the combination of COVID, a full-time job done remotely, a death in the family, and UC developments that affect Panoramic Hill residents have distracted me from participating in this important scoping period.

Also, again as a reminder, if you could please let me know if I've missed the deadline for the comment period, I'd be most grateful. Thank you.

Regards,

Janice Thomas
Panoramic Hill Association - VP - UC Liaison
Strawberry Canyon

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J a n i c e T h o m a s

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J a n i c e T h o m a s

Lapira, Katrina

From: adeline corridor
Sent: Friday, September 18, 2020 10:01 AM
To: Pearson, Alene
Cc: Lapira, Katrina
Subject: FW: PPP Social Housing White Paper (9/30 Meeting Communication)

From: Berkeley Tenants Union [mailto:berkeleytenants@gmail.com]
Sent: Thursday, September 17, 2020 11:29 PM
To: adeline corridor <adelinecorridor@cityofberkeley.info>; Shen, Alisa <AShen@cityofberkeley.info>
Subject: PPP Social Housing White Paper (9/30 Meeting Communication)

WARNING: This email originated outside of City of Berkeley.
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

During last night's Planning Commission meeting, the Chair requested that the Berkeley Tenants Union resend the People's Policy Project white paper on social housing, which may be found [here](#). In addition to supporting the general demands of Friends of Adeline, the Berkeley Tenants Union specifically calls on the Planning Commission to have its approval of the Adeline Corridor Plan include a companion recommendation that the City explore the creation of a municipally owned-and-controlled public real estate developer to develop mixed-income social housing in-lieu of private developers doing so. As the white paper makes clear, (through revenue bonds) the city can do so in a way that is both revenue-neutral and also produces more affordable housing than a private developer. (Along with requiring housing developed on public land to be 100% affordable), doing so is crucial in order to ensure at least 50% of housing developed in the Adeline Corridor is permanently affordable.

Sincerely,
Matthew Lewis
Secretary | [Berkeley Tenants Union](#)

P.S. In addition to the body of this email, please include the actual white paper (as opposed to just the link) as part of our formal communication to the commission for its September 30 meeting.

BTU is having technical problems for outgoing mail from our servers, so this may be coming from our gmail account.

SOCIAL HOUSING IN THE UNITED STATES



PETER GOWAN
& RYAN COOPER

People's Policy Project

COVER & SECTIONS

Bauer, Paul. *Study #2.*

Photographs of Alt-Erlaa in Vienna. Images appear through license by the artist.

PAULBAUER.NET

ABOUT

People's Policy Project is a think tank founded in 2017. The primary mission of 3P is to publish ideas and analysis that assist in the development of an economic system that serves the many, not the few.

PEOPLESPOLICYPROJECT.ORG

AUTHORS

Peter Gowan is a Dublin-based researcher. His work has appeared in *Jacobin*; and he has performed research on housing and labor markets for the Irish Social Democrats.

Ryan Cooper is a National Correspondent at *TheWeek.com*. His work has appeared in the *Washington Monthly*, *The New Republic*, and the *Washington Post*.

COLOPHON

Titles are set in Futura PT.

Body is set in Neutraface Text.

Data values are set in Franklin Gothic.

Design by **Jon White.**



America faces a major shortage of affordable housing. Nearly half of all renters are paying 30% of their income on rent—or more. And the number of households who are renting is near postwar highs. Meanwhile, private market-focused policies have proven completely inadequate for ameliorating this problem.

In this paper, we shall argue that large-scale municipal housing, built and owned by the state, is by far the best option for solving the affordability crisis. In **PART I**, we will examine the history and policy failures that created the crisis. In **PART II**, we will make the case for municipal housing.



1

THE AFFORDABILITY CRISIS



THE AMERICAN POOR AND WORKING CLASS HAVE NEVER BEEN WELL-

housed, but the 2008 financial crisis made a bad problem worse. It dramatically expanded the population of people seriously burdened by the need for shelter. The crash was rooted in the housing market, and the ensuing tidal wave of foreclosures (see People's Policy Project report: *Foreclosed*) resulted in a drop in the homeownership rate of 6 percentage points.¹

Most of those people ended up on the rental market. A 2017 study by Harvard's **Joint Center for Housing Studies (JCHS)** details how the population of renters has grown over the last decade to a total of about 43 million households. That increase of about 9 million² since the financial crisis roughly matches the number of homes lost during and after the crisis,³ and the growth in demand drove up rents across the country.

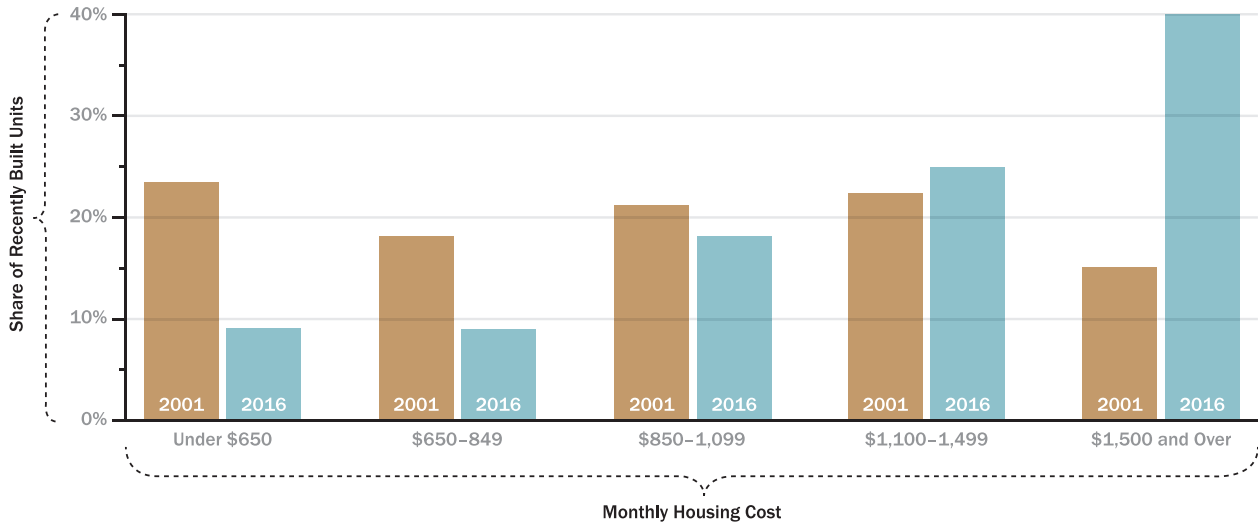
The growth in demand, in tandem with federal government stimulus spending,⁴ eventually sparked a construction boom. After an initial collapse to record lows for years after the crisis, residential investment increased sharply, led by new rental construction. By 2015, however, new unit construction had only reached 400,000 per year⁵—this matches unit construction levels in the late 1980s, when the population was 25 percent smaller.⁶

Meanwhile, new construction has been heavily concentrated in the luxury markets in major metropolitan areas. Where in 2001, construction was fairly equally distributed between cheap, mid-range, and luxury rentals, now the luxury market is by far the largest:

FIGURE 1 ON NEXT PAGE >

FIGURE 1

Additions to the Rental Stock Are Increasingly at the Higher End



NOTES: Recently built units in 2001 (2016) were constructed in 1999-2001 (2014-2016). Monthly housing costs include rent and utilities and are in constant 2016 dollars, adjusted for inflation using the CPI-U for All Items Less Shelter. Data exclude vacant units and units for which no cash rent is paid.

SOURCE: JCHS tabulations of US Census Bureau, 2001 and 2016 American Community Survey 1-Year Estimates.

Over the last year, the growth in rental households has stopped or even reversed—but rent prices are still growing (at 2-4 percent in 2017, down from 3-6 percent in 2015). And the number of burdened renters remains substantially above its pre-crisis level. In 2007, 8 million households spent 30-50 percent of their income on rent; in 2017, that number was at 9.8 million. In 2007, 9 million households spent 50 percent or more of their income on rent; in 2017, that number was at 11 million. These burdened renters (paying 30 percent of their income or more on rent) now account for 47 of all renters.⁸ Meanwhile, some people who would have been homeowners in decades past now appear leery of incapable of home buying. The share of households making over \$100,000 and renting has increased from

12 percent in 2006 to 18 percent in 2016,⁹ while stagnant or declining wages for many demographics mean a down payment is simply out of reach.¹⁰ Both developments mean further pressure on rental markets.

Despite the fact that rent pressure remains severe and future growth prospects for rental construction remain fairly strong, the construction boom is already slowing. As the Joint Center for Housing Studies concludes, “The rental market thus appears to be settling into a new normal where nearly half of renter households are cost burdened.” That includes many middle and upper-middle class households: 50 percent of those making \$30,000-45,000, and 23 percent of those making \$45,000-75,000.¹¹

The situation for poor and working-class households, of course, is even worse. An Urban Institute study identified 11.8 million **extremely low-income (ELI)** renter households (defined as those making less than 30 percent of the median income in their area), and only enough “adequate, affordable and available” housing for 46 percent of them—even when accounting for USDA and Housing and Urban Development subsidy programs¹² (see below).

In Los Angeles, the homeless population increased nearly 26 percent last year.

Naturally, this tends to push people onto the street. Obama administration programs for homeless shelters and similar institutions precipitated a substantial decline in the number of homeless people between 2007 and 2016, but skyrocketing rents are overwhelming those programs in some cities. From 2016-17, homelessness increased by 0.7 percent overall,¹³ an increase driven mostly by West Coast cities experiencing spectacular rent increases. In Los Angeles, for example, rents have increased by roughly a quarter since 2010—and the homeless population increased nearly 26 percent last year. By itself, the city accounted for well over half of a 9 percent increase in the national unsheltered homeless population.

Efforts to remedy the housing shortage and ease the rent burden have been pitifully inadequate, both at the city and fed-

eral level. The nation's major program to ease rents is the Section 8 voucher program administered by HUD, which assists about 2.5 million ELI households by subsidizing a portion of their market-rate rents.¹⁴ While that is certainly better than nothing, the program only covers about 22 percent of the 11.8 million ELI households who are eligible. Another 21 percent have been able to find market-rate housing, 2.5 percent are covered under the USDA Section 515 program, and the remaining 54 percent are simply left out.¹⁵

Thus, these programs are restricted to ELI households, and only help about a quarter of even that small population. They simply do not touch the vast majority of people trapped by the affordability crisis. What's more, like any open-ended subsidy to private providers, these sorts of rental subsidies can stoke the rental market further, raising prices overall and exacerbating the affordability crisis.



MEANWHILE, THE MAJOR STRATEGY TO CREATE MORE AFFORDABLE UNITS

is to coax the private market using tax incentives and zoning rules. The largest such program is the federal **Low-Income Housing Tax Credit (LIHTC)**, under which some 90 percent¹⁶ of new affordable housing is built. This gives a tax credit to developers for building low-income housing.

Once again, one of the biggest problems with this program is its pitiful size: it only provided about \$300 per rent-burdened household in 2017, at a total investment of just \$8 billion.¹⁷ This would not be remotely adequate to make a serious difference in the size of the housing stock even if the program were exceptionally efficient. But it isn't efficient, either: on the contrary, research suggests¹⁸ that at least some of the new housing created under the tax credit would have been created anyway. Crime also undermines the program's efficiency: a Frontline investigation discovered substantial corruption in the LIHTC process, helping to account for the fact that while the cost of the credit has increased by 66 percent from 1997–2014 the number of units created under the credit has actually fallen from over 70,000 per year to less than 60,000.¹⁹

Moreover, because subsidized units are often placed in poor neighborhoods to avoid political resistance, they tend to increase segregation and concentrate poverty.²⁰ The program also amplifies segregation in the other direction, according to a study from the Institute on Metropolitan Opportunity,²¹ which found that subsidized units occupied by white people (often designated especially for artists) tended to be placed in white neighborhoods.

Finally, the affordability requirements under LIHTC generally lapse after either 15 or 30 years. And the 2017 Republican tax bill also dented the usefulness of the credit (see below).



THE SECOND PRONG OF THIS HOUSING STRATEGY IS “INCLUSIONARY ZONING,” which mandates that new residential projects include some fraction of affordable units. There are a huge variety of approaches under this umbrella, but once again they are plagued by problems of scale and efficiency.

Some cities have tried a smaller version of the federal approach—most importantly New York City, which has a similar tax credit costing the city \$1.4 billion in 2016.²² The program has created some new housing, but some developers have also gamed the system by forcing tenants out of existing affordable units, destroying those buildings, and then collecting city tax money to build a new party high-end development. This is a waste of money and a waste of space: the luxury units private developers naturally include in their inclusionary projects tend to be much larger than affordable or mid-range units, meaning less housing per unit of land overall.

Efficiency problems aside, none of these programs are remotely big enough to match the scale of demand. For example, a

A Brooklyn development that was 80 percent affordable had over 87,000 applications for its 200 affordable units.

Brooklyn development that was 80 percent affordable—a far greater fraction than the usual scheme²³—had over 87,000 applications for its 200 affordable units.²⁴ Between 2013 and October 2017, the NYC government financed a mere 78,000 units.²⁵ And the vast majority of those units weren't new construction; they were existing units maintained at an affordable rate rather than lapsing into the upscale market.

Another strategy is rent control, which has been adopted in various forms in many cities. With "hard" rent control, the rate of rent increase is restricted based on a formula (typically tied to inflation), regardless of occupancy. With more common "weak" rent control, increase is restricted during a period of continuous occupancy, but when the tenant leaves, rent can be reset, typically at the then-prevailing market rate.²⁶

Rent control is a reasonable policy for allowing people to remain in their homes and preserve existing affordable units, especially in the face of a spike in demand.²⁷ However, it does little to enable the construction of new units; and stronger forms may actually impede new private construction when they cut into potential profits.

Many liberals and libertarians argue these sorts of housing regulations are actually a major culprit behind the affordable housing crisis.²⁸ In traditional economic models, if there is a spike in demand but restrictions on supply—in the form of a slow permitting process, low-density zoning requirements mandating single-family homes, parking requirements, setbacks, rent control, and so forth—then the price will increase. Therefore cities should deregulate their housing markets and enjoy cheaper rents.

There are many problems with this argument, however. First, "deregulation" is a questionable concept in general as all economic activities of any kind, market ones included, are fundamentally backstopped by the state. American zoning restrictions are often ludicrously anti-density and pro-automobile,²⁹ but that could easily be ameliorated by changing the zoning rules rather than removing them altogether.

Second, even in a best-case scenario it's not at all clear that removing restrictions on private market activity will lead to a more

affordable neighborhood. If a desirable neighborhood is removed from all market controls, builders will naturally build new luxury units due to greater profits and the simple fact that new buildings command higher rents, as seen above. Construction takes a long time and buildings last even longer—even if market processes do work, it could take decades for such units to “filter” down to lower market segments.³⁰

Private market construction is also self-limiting: it puts downward pressure on rents, which reduces expected future profits. Indeed, that appears to be precisely what has happened in the rental construction market over the past year, long before all potential profitable buildings have been built. (Whether private real estate investors are consciously colluding or not, it is clear that private real estate investors are quite happy with very tight rental markets and a steady stream of easy profits.)

In practice, a simple “deregulatory” agenda can easily create a worst of all worlds scenario that simply replaces affordable neighborhoods with expensive ones, pushing poor and working class families into far-flung exurbs or older houses built with hazardous materials. Owners of new high-end housing will naturally resist new affordable construction that might cut prices and lower their wealth (very often fueled by racist resentment of disproportionately-minority rental households³¹), as will owners of luxury businesses attracted by new development. Indeed, they will push for any new building to be similarly high-end, so as to keep property values up. And wealthy people living in a neighborhood naturally have far more political influence than low-income people who might someday move into that neighborhood, making it relatively easy to block new development once the whole area has been re-developed.

In other words, a neighborhood that is “deregulated” from explicit zoning and rent control can quickly become re-regulated by influential private residents. It is one major method by which neighborhoods become locked in a high-rent, no-change equilibrium—that is, gentrification. Several neighborhoods in New York City selected by then-Mayor Michael Bloomberg for deregulation, notably former industrial neighborhoods in Greenpoint and Williamsburg, have ex-

perienced precisely this process.³²

It's also worth noting that in many high-end cities, foreigners who are using real estate as a sort of safe deposit box—many of them almost certainly criminals laundering money³³—make up a substantial portion of the people buying housing. The American Community Survey conducted by the Census Bureau found that certain tony neighborhoods in Manhattan were over 50 percent vacant at least 10 months a year.³⁴ That adds pressure on rents by further restricting supply.



FINALLY, THE LAST PRONG IN THE US HOUSING STRATEGY IS PUBLIC HOUSING.

This is no longer a major priority for any city, but there are many legacy buildings still housing over 2 million people.³⁵ Despite over 40 years of disinvestment—the nationwide backlog of maintenance in such projects amounts to over \$26 billion³⁶ as of 2010—public housing is virtually the only available housing for poor people in many cities.

However, the American approach to public housing is also inadequate and has severe negative side effects. Two million units is simply not very many in a nation of over 320 million people. Where they do exist, means-testing units to only poor people means that rents will be very low, thus placing a large budgetary burden on cities and the federal government. As a result, even with strict qualifications and vast spending, there are not, in many cities, nearly enough units to house even the officially poor population. In Washington DC, for example, the waiting list for the meager 8,000 public units was closed to new applicants in 2013 when the total number waiting reached 70,000.³⁷

Worse still, poor-only public housing concentrates poverty in particular locations—directly creating³⁸ one of the worst social ills in American cities.³⁹ Concentrated poverty is associated with higher crime, racial segregation, poor educational outcomes, drug abuse, gang violence, and a host of other problems.

Finally, the expense and poor reputation of public housing

have fueled efforts to get rid of public housing altogether. The **HOPE IV** program helps demolish severely dilapidated units and replaces them with mixed-income lower-density ones,⁴⁰ while the **Rental Assistance Demonstration (RAD)** program sells them to private developers outright.⁴¹ As a result, the number of public units has eroded steadily over time, falling by 60,000 between 2006 and 2016.⁴²

Despite the terrific demand for public housing, and the fact that those units continue to provide functional shelter for many people, it is no coincidence that “the projects” are a notorious place in most cities where they exist. Applicants are driven by economic desperation, not a desire to live in run-down apartments in dangerous neighborhoods.

So all the existing policy approaches to fix the housing crisis have failed the American people. What should be done?

2

THE CASE FOR MUNICIPAL HOUSING



THERE IS A PRESSING NEED FOR POLICYMAKERS TO CONSIDER new approaches for delivering affordable housing. An over-reliance on the for-profit private sector has led to underinvestment in communities which produce less profit—and to state subsidies to developers and landlords, simply to maintain some sense of a social fabric. Today, our housing policy bears a marked resemblance to our healthcare policy: an expensive band-aid over a gaping hole, left by the absence of a public sector alternative.

The international community has increasingly recognized that private-only housing models adopted in the 1970s and 1980s have failed. The recently-elected government in New Zealand has committed to restart the construction of state housing,⁴³ the Scottish Government resumed construction of state housing after 2011,⁴⁴ and the Labour Party under Jeremy Corbyn has promised to build 100,000 social houses every year if it wins the next election.⁴⁵ The centre-right Irish government faces mounting criticism from progressive opposition parties for not going further in spending on direct construction of municipal housing.⁴⁶

The United States is almost alone in the fierce resistance of the overwhelming majority of both its major parties to the involvement of federal and local government in the direct provision of affordable housing. We present below a review of several models from developed countries which may prove informative and helpful to campaigners and policymakers wishing to challenge the political consensus—one built on false premises—and to advocate for the development of sustainable, affordable, high-quality housing for all Americans.



INTERNATIONAL MODELS

WE HAVE BROADLY SOUGHT TO EXAMINE MODELS WHICH ADDRESS the flaws and issues with existing housing policy in the United States. To that end, we have selected three jurisdictions whose municipal housing policies have been designed to cater to people of various income levels, rather than just serving the “deserving poor”: **Vienna, Finland** and **Sweden**.

The purpose of this section is to establish that municipal housing does not need to be plagued by inefficiency, deterioration, segregation or poor planning. Throughout the world there are examples of all these things evident in both the public and private sectors. It is of course incumbent upon politicians to learn lessons not just from the United States’ own past, but from challenges and failures of other nations too; thus, the section on Sweden will discuss some problems which should be kept in mind while developing a 21st century housing policy.

To this date, the United States has failed to learn from the successes that many countries have experienced in providing affordable, integrated, and well-maintained municipal housing. It is time that changed.



VIENNA

“Living Side by Side”

The success of municipal housing when pursued as a policy goal with the necessary political will can be clearly seen in Austria’s capital city, where 3 in 5 residents live in houses owned, built or managed by the municipal government.

Austria is a federal republic, and for the last hundred years the Viennese state government has always been led or controlled by the Social Democratic Party, apart from the fascist period from 1934-45. After the First World War, when the party first took pow-

er, housing became their first priority and they began establishing massive publicly-owned housing complexes called *Gemeindebauten* or “municipality buildings.” The planners of what became known as “Red Vienna” started from nothing—and built high quality housing developments which are often still in use today.

By 1934, one in ten residents of Vienna lived in publicly-owned housing. The next eleven years, which saw a fascist coup, the annexation of Austria by Hitler, and the devastation of Second World War, took a massive toll on the city. Despite all this, however, when democracy was restored the new state government immediately got back to work on rebuilding social housing infrastructure.

Unlike the United States, Austria has never treated municipal housing as an option of last resort or a welfare program exclusively for the poor. No less than 80% of the country’s population is eligible to receive social housing by their income.⁴⁷ In Vienna, this threshold is about twice the average annual income.⁴⁸ Welfare recipients, politicians and sports stars live side by side in projects like Alt-Erlaa, which houses approximately 10,000 residents in a visually impressive and spacious community. The municipal government invests in upgrading older properties and in new developments such as SMART flats which have sliding partition walls, allowing residents to change the layout of their home in order to give them a unique character.⁴⁹

In addition to municipal housing, Vienna funds large non-profit housing cooperatives that house almost as many individuals as directly state-owned properties, all under strict conditions set by the government. Consequently, the per-capita living space for Vienna residents rose from 22m² to 38m² between 1961 and 2011.

Unlike public housing in the United States, subsidized rents in Vienna are based on the cost of the property and its maintenance. This has ensured a much higher quality of life in publicly-owned housing than exists in the United States, and indeed in much of Europe. The following table shows the various components of rent in a typical Viennese housing project as calculated by **CECODHAS**, the European Social Housing Observatory.

	€/M ² /MONTH	€/HOME/MONTH	DETAILS
Construction, land, interest payments on loans	5.13	394.9	Falls to €3.29/m ² /month after loans mature.
Maintenance and repairs	0.30	23.1	Statutory maximums increase over time.
Provision for vacancies	0.11	8.4	2% of cost rent, maintenance and repairs.
Cost of management	0.22	17.3	Statutory upper limit.
Utilities	1.50	115.5	Actual costs.
Value Added Tax	0.73	55.9	10% of rent before VAT.
Total	7.99	615	

Source: CECODHAS, July 2013.

The rents are linked to costs over the course of an approximately 35-year maturity period, after which this component falls to a statutory limit. Other components such as utilities, maintenance and repairs increase over time. The rents remain extremely reasonable compared to other major European capital cities, but the small number of residents who are unable to afford rents are covered by the welfare state (though it should be noted that austerity measures adopted after the financial crisis have caused difficulties in meeting costs for some welfare recipients).⁵⁰

Initial financing for social housing development is primarily accomplished through a combination of public and subsidized private loans: public loans with interest rates between 0 and 2 percent cover an average of 35% of construction and land costs, and bank loans (subsidized through tax incentives so as to ensure interest rates that are 50 basis points lower than ordinary loans) cover an average of 43% of the costs. Much of the remainder is financed through “tenant equity”, a quasi-loan by the prospective tenant. If they cannot afford this contribution a public zero-interest loan is provided to them by the provincial government.⁵¹

The Viennese model is attractive insofar as it prevents long-term deterioration of the social housing stock. The upkeep of homes is financed by their residents, who receive social assistance from the welfare state where necessary.

Vienna implements rent controls on many houses, but even those which are exempt from rent controls end up finding that the mass intervention of the state in the supply of housing sets effective caps on market rents, creating a more affordable rental market for everybody, whether renting privately or from the municipal housing system. The Viennese model interacts with the private rental market in a way that functions similarly to American proposals for a robust “public option” in the healthcare market—an initiative supported not just by the most progressive elements in the Democratic Party but by the vast majority of centrist and centre-left politicians.



FINLAND

“Diversity of Dwellers”

The Finnish housing system is remarkable for its success in combating a recent international trend of increasing homelessness. In 2008, the Finnish government officially adopted a model known as **“Housing First”**, which focuses on the provision of permanent supportive housing to long-term homeless individuals. This model has gained some international attention for its considerable success in pushing down the rate of long-term homelessness.

Housing First works by targeting homeless groups with specific needs and providing unconditional housing support to them—much like smaller-scale initiatives undertaken by the Bush and Obama administrations (primarily targeted at those with disabilities). Those programs have seen some success,⁵² though falling well short of the progress needed to meet Obama’s commitment to end homelessness within ten years.⁵³

What is important to note, however—and what has been ignored by some of the international advocates of this model—is that this program works in tandem with other measures that support those who are not adequately served by existing social housing structures. Before Housing First, the number of homeless people in Finland had already fallen to 8,000 people in 2007 from over 18,000

in 1987, when the country first began collecting statistics. Since then, that number has fallen to below 7,000 under the new Housing First program.⁵⁴ (It is worth noting that Finland uses a considerably broader definition of homelessness than the United States; these figures are not comparable on a cross-national basis.)

Finland's first postwar housing program established **ARAVA**, the National Housing Production Board. The board provided low-interest government loans for the construction of housing "for all Finns, not for low-income housing specifically."⁵⁵ Now called ARA, it primarily finances the construction of municipally-owned and non-profit housing through loans, guarantees and interest subsidies while also providing grants for upgrading the energy efficiency of older properties.⁵⁶

Finland has not been immune to the global intrusion of means-testing into universalist welfare states, and there are some concerning developments; though 73% of the population fall beneath the income requirements to obtain social housing, concentrated housing for the very poor has been introduced in some developments since the 1960s.⁵⁷ Nevertheless, the situation remains markedly superior to the United States and United Kingdom models, which are associated with the most extreme form of means-testing and concentrated poverty.

A 2013 CECODHAS study examined a typical ARA-funded property built by a municipally-owned holding company. Like all 43,000 dwellings owned by the Housing Company of the city of Helsinki, the property is built upon land owned by the municipality and leased to the holding company. ARA fixes nominal prices for social housing land at 60% of the market price in the area, and a yearly ground rent is charged to the Housing Company at 4% of that value. This subsidized access to public land is crucial to the viability of such projects, as are the subsidized loans from ARA, which has increased interest subsidies to enable cheaper borrowing by municipalities. For the property in the CECODHAS study, an ARA-subsidized bank loan comprised 95% of the funding, while a loan from the City of Helsinki made up the final 5%.

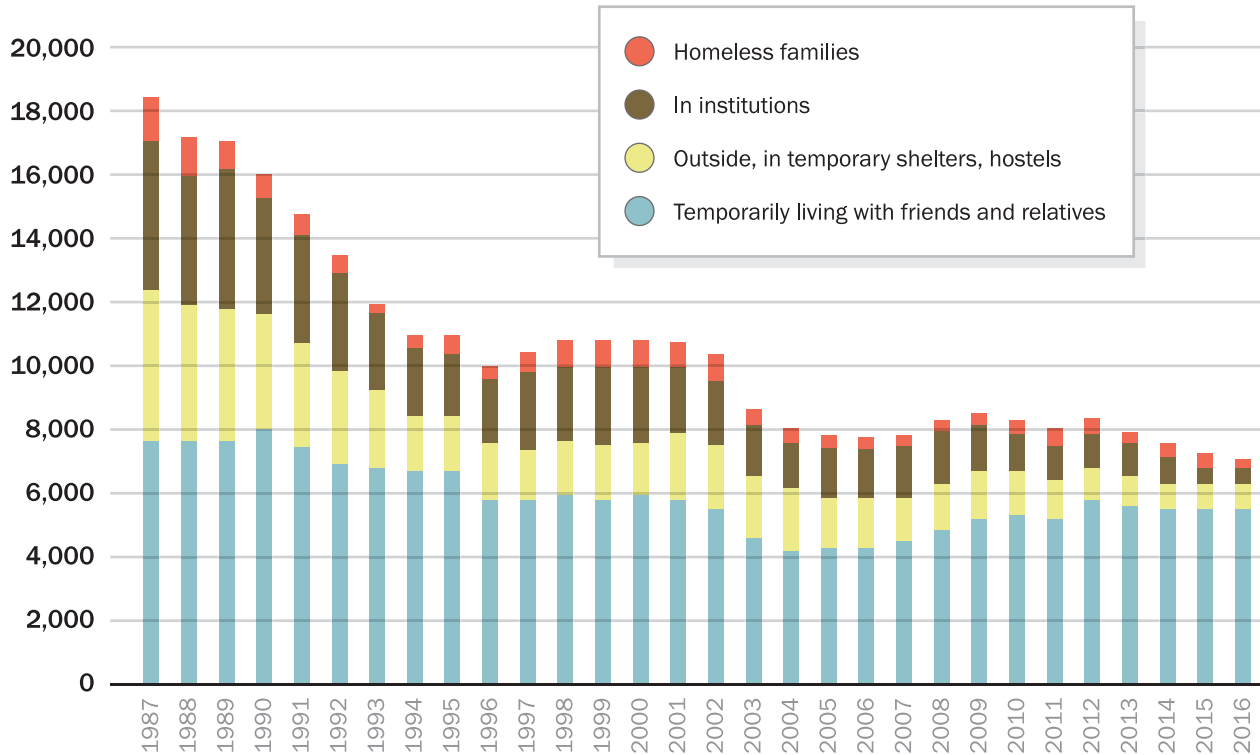
Like in Austria, rents are charged based on costs—divided relatively evenly between a “capital rent” and a “service rent”. The former is used to pay off interest on the property’s loans, and to amortize the old loan stock. The latter covers the cost of maintenance, management and renovations. Unlike Austria, however, properties built with public assistance can after 45 years be sold or let at market rates.⁵⁸

One positive form of targeting in Finland has been the increased recognition that housing policy must accommodate groups with diverse needs. Grants are provided by ARA to create housing specifically oriented towards groups such as the long-term homeless, refugees, students, people with mental health or substance abuse problems, disabled people, people suffering from memory illnesses and old people in poor physical condition—with subsidies between 10 and 50% of the cost of development depending on the number of accommodations required.⁵⁹

There is an important distinction between targeting housing at people because they are poor, and targeting housing at people because they need reasonable accommodations. The way to ensure people are not in poverty is to create a welfare state which eliminates poverty, and the way to ensure everyone has housing adequate to their needs is to build lots of houses, and tailor a portion of those houses to accommodate people who have specific needs. Finland’s Housing First and accommodative housing programs are the right kind of targeted social housing development, and this can be seen in the country’s success in relentlessly pushing down the rate of homelessness.

FIGURE 2 ON NEXT PAGE >

FIGURE 2



Source: Housing Finance and Development Centre of Finland

Rent per square meter per month in Helsinki averaged €10.55 during 2013.⁶⁰ This is higher than in Austria, but the same figure for Manhattan in 2016 was about \$60, and for Washington, D.C. about \$29.61. The Finnish housing development model—focused on providing housing rather than subsidising for-profit developers—has ensured greater levels of affordability and lower levels of homelessness than in countries whose housing models are reliant upon the free market and rental subsidies.



SWEDEN

“A Million Homes”

In the early 1960s, Sweden faced a severe housing shortage caused by an increase in incomes, migration from rural areas to cities, and the post-war generation reaching adulthood and requiring their own accommodation.⁶² Unwilling to tell young baby boomers they should simply live with their parents for the next decade, in 1965 the Social Democratic government embarked on a strikingly ambitious project to build one million homes over the course of ten years, demolishing 400,000 units of inferior or damaged housing stock in the process.⁶³ The scale of the challenge embarked on becomes apparent when one considers that “the total Swedish housing stock at the time was barely three million dwellings.”⁶⁴

To place that in context, the estimated total U.S. housing stock in late 2007 was 129.3 million homes—ten years later, it has risen to 136.7 million. In order to match the net increase in housing stock during the **Million Homes Program** of 600,000 (or 20%), the U.S. would have had to build an additional 18.5 million homes over the decade.

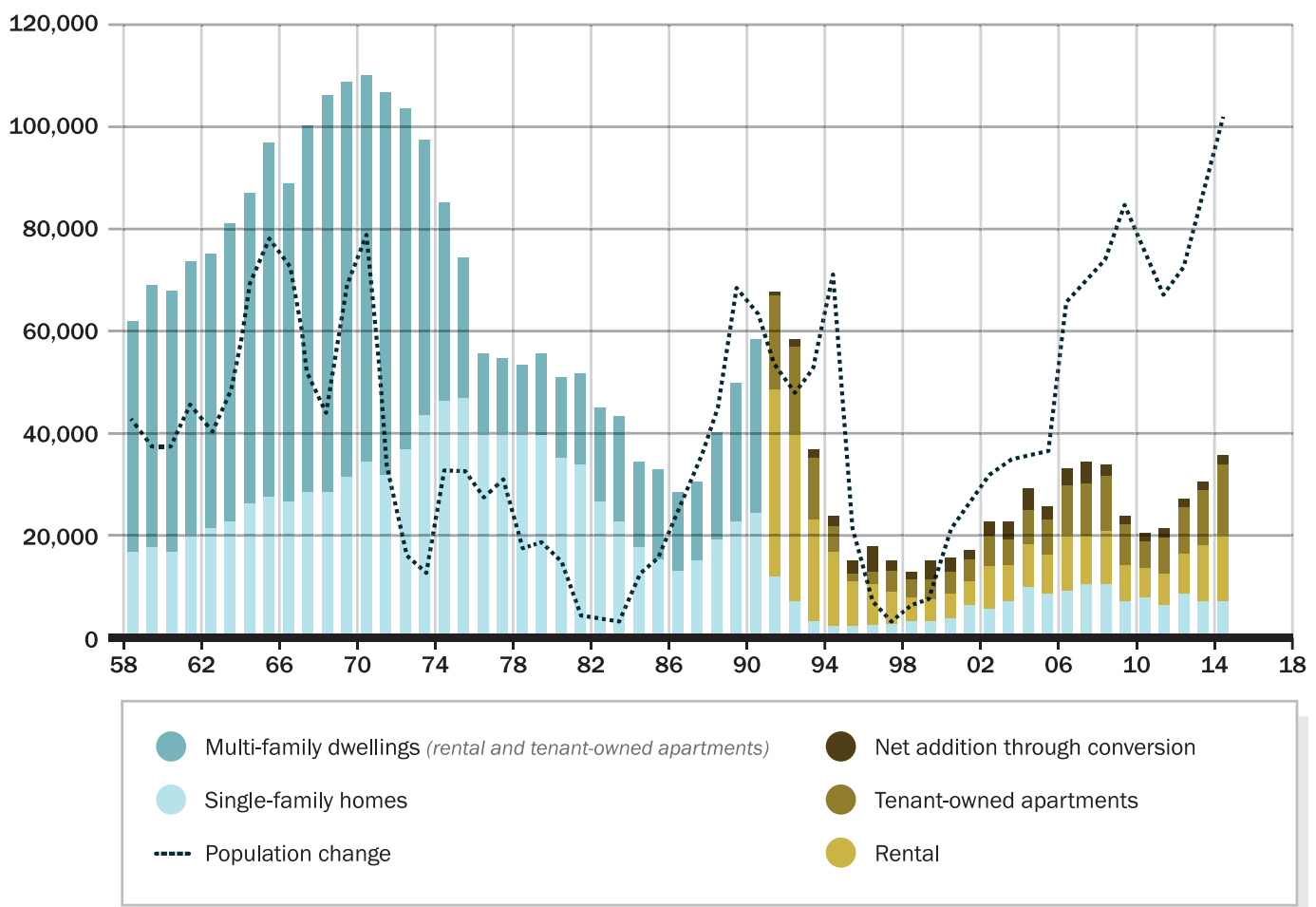
The scale of this accomplishment cannot be overstated: these were not luxury condominiums and McMansions built for the wealthy, they were municipal homes designed *allmännytt*—“for the benefit of everyone,” not just the very poorest—and the rents charged in such housing became the norm for rent levels across the entire economy.⁶⁵ Even though it did not rely on the luxury McMansions and condominiums which created immense gains for property developers in the U.S. housing boom, the Million Homes Program still outperformed that boom in net per-capita housing construction by a considerable margin.

The actors who took on most of the responsibility for building the houses were housing authorities owned by cities, as well as housing cooperatives, such as the Riksbyggen cooperative established by construction workers’ unions in 1940. The central govern-

ment ensured that sufficient credit, capital and labour was available to those who were building the homes, even ordering the central bank to free up more credit for housing construction in 1967 after a drop in pace in 1966.⁶⁶ Throughout the late 1960s, demand continued to fill new houses with new households, and many families moved from “old, deficient and crowded accommodation” into much better-quality flats.

Sweden’s experience isn’t exclusively positive. The Million Homes Program addressed an issue of undersupply and unaffordability in the Swedish housing market, but it also ended up creating an over-supply of multi-family accommodation which caused many of the newly completed flats after 1970 to remain empty for prolonged periods.⁶⁷

FIGURE 3
Number of housing units completed and number of new inhabitants per year



Source: Emanuelson, 2015. Data from Statistics Sweden and the Riksbank.⁶⁸

The drastic reduction in the demand for new housing combined with complaints that the surroundings of many of the housing units were “monotonous” and that some homes had technical defects.⁶⁹ Public transport links were not always integrated into the projects, and in some cases rail connections for large populations were not delivered for years afterwards—in the case of Tensta in Stockholm, the first tenants moved in during 1967 while the Blue Line orbital route did not open until 1975.⁷⁰ Tensta, along with neighboring Husby and Rinkeby, became a centre of concentrated poverty among minority communities and was home to rioting in 2013.

Of course, one cannot dismiss the entire project due to these issues. The Million Homes Program rapidly rebuilt a third of Sweden’s entire housing stock, and any program of that scope is bound to have some unforeseen consequences. Nevertheless, it is important to learn lessons from what went wrong; it appears, for example, that there may have been too many homes built and too little spending on public transport, amenities, and urban beautification.

Such problems are not, as some suggest, inherent in or exclusive to the state funding of housing. Indeed, a review published in *Planning Perspectives* compared housing from the 1960s and 1970s in Sweden to housing in Berlin, Madrid, Rome, Paris, Riga, Budapest, Bratislava and the United Kingdom; it concluded that “in Sweden, the technical quality of the construction is higher, the flats are better planned and equipped, greater interest is devoted to the external environment and public and private services are better developed.”⁷¹

The lesson which should be drawn from the Million Homes Program is that state financing of municipal housing can eliminate a major housing shortage over a short period of time. Sweden still has a housing surplus in most cities, except for Stockholm where a shortage developed in 2011.⁷² Policymakers would be wise to study the allocative and infrastructural issues that caused oversupply, concentrated poverty and segregation in some Swedish developments—but the Swedish example still represents an efficient, ambitious and quantitatively successful example of mass construction of municipal housing.

HOUSING AMERICA

If we are to take the housing crisis in the United States seriously, after reviewing international models, we see only one conclusion—local governments, supported by the federal government, must build a very large amount of affordable, mixed income, publicly-owned housing, initially by developing existing publicly-owned land. Our policy proposal, outlined below, highlights specific targets, principles, and areas of concern.

1. Building Houses

WE BELIEVE THAT A TARGET OF TEN MILLION MUNICIPAL HOMES IN TEN years could be delivered with sufficient political will. This should be funded through a variety of federal policy instruments in addition to local resources. The most important of these would be the provision of low-interest loans and partial capital grants to municipal housing authorities, utilizing the government’s borrowing and taxation powers to close the gap between affordability and costs in the short run. In the long run, “solidarity rents” on wealthier tenants would ensure municipal housing developments are self-sustaining or even profitable.

The form of the federal programs would be as follows. Firstly, the federal government would borrow funds at existing Treasury yields and loan those funds out as required to municipal housing authorities at that rate plus a single basis point. This would provide much-needed capitalization for local housing developments without costing the federal government anything, assuming the loans are repaid.

Secondly, the federal government would provide capital grants to municipalities who construct mixed-income housing developments. The capital grants would be equal in value to whatever a private sector developer would receive from the Low-Income Housing Tax Credit (LIHTC) program for a similar development. Put simply:

the inequality between public sector and private sector access to federal capital subsidies for housing construction would be eliminated. The Faircloth Amendment⁷³ capping the number of units for which local public housing authorities can receive federal subsidies should be immediately repealed.

Thirdly, additional capital grants should be allocated for developing accessible and supportive housing for groups with specific needs. These groups include the formerly homeless, people suffering from drug addiction, refugees, those with disabilities, and elderly people with mobility issues.

The local administration should be responsible for providing adequate sites for municipal housing developments and ensuring a streamlined planning process. Fixed rents for public land should be set to ensure that land is not severely misused, but these charges on housing authorities should be limited to incentivize municipal housing development.

We support the use of the vast quantities of existing public land for municipal housing—and where such sites are unavailable, unusable, or exhausted, we also support the requisitioning of abandoned properties and vacant sites for development (a 2000 survey found huge quantities of such land in most cities⁷⁴). Additionally, public land trusts could be established to identify new potential sites where they come up for sale, and to be responsible for maintaining a supply of viable sites for municipal housing construction.

The scale of the proposed program is moderate compared to major municipal housing initiatives in other countries, reflecting the fact that schemes like the Million Homes Program (which constituted an increase of 20% over the pre-existing housing stock, as against 7.3% in this proposal) were carried out in countries which already had a substantial public-sector housing delivery infrastructure. We see no reason why this target could not be revised upwards after a few years if policymakers decide it is insufficient. We do not anticipate any risk of the United States experiencing a housing oversupply at this juncture.

2. Ensuring Fairness

THERE SHOULD BE CONDITIONS PLACED UPON THESE INCENTIVES

to guarantee that federal money is spent effectively, to prevent discrimination, and to maintain standards and income profiles for housing, thus ensuring quality service provision into the future.

We would urge that the federal government resist the temptation to delegate responsibility for this to states by means of block granting—many states with large minority populations in urban areas are already responsible for de-facto discriminatory policies with regards to voting, welfare, and Medicaid. Instead, the federal government should partner directly with municipal governments who have a need for additional affordable housing in their communities: the administrations in Jackson and Houston are more likely to be willing partners than state governments in Mississippi and Texas.

Mass incarceration has had a grossly disproportionate impact on low-income households and communities of color,⁷⁵ and existing policies by many public housing authorities barring those with arrest records or convictions (and often their families) from accessing affordable or subsidized housing should be repealed or drastically reformed.⁷⁶ Providing stable supportive housing for individuals who have been released from prison and treatment facilities will, in the long term, do more to address anxieties about criminality and drug abuse in public housing than the present failed strategy, which condemns such people to a cycle of homeless shelters and imprisonment.

Inaccessibility for disabled people has serious impacts on their quality of life, and authorities should seek to go beyond the requirements in the ADA to ensure that there is no implicit discrimination in their developments. Direct capital grants should be given out to assist in providing accessible units, and permanent supportive housing should be given to those who suffer from substance abuse issues—along the lines of the Finnish model.⁷⁷

Housing developments should be mixed-income, adequately served by public transport, and have easy access to amenities and shops. They should comply with strong regulations to prevent racial

segregation—including regulations that prevent disparate impacts through reviews. Such reviews are provided for in the Affirmatively Furthering Fair Housing guidelines recently delayed by the Carson HUD department.⁷⁸ The presence of some market-rate tenants in developments can help to ensure quality services and incentivize better-quality housing units and surroundings, as this will increase the potential revenues from each development.

The federal government should not permit its funds for municipal housing to be used for any development which displaces tenants or otherwise reduces the amount of low-income housing available on that site. The aim must be to increase the housing stock, not to socially cleanse areas which local governments consider a “problem.”⁷⁹

It is likely that this program will employ and train a large number of people in the variety of occupations needed to expand housing construction at this scale. One major benefit of an ongoing government investment in municipal housing is an increase in job security for people involved in municipal housing construction—while the supply of housing being built may vary somewhat over time, it need not do so to the same extent that any individual private developer’s workload fluctuates.

Working positively with labor unions to ensure a sustainable, productive and mutually beneficial settlement on increasing the size of the public service is very desirable. A nationwide collective bargaining agreement which regulates training, pay, and working conditions for those involved in publicly-funded housing developments would play an important role in ensuring the process runs smoothly and effectively while avoiding exploitative conditions for the workers involved in delivering affordable housing. Progressive policies should be delivered in a progressive way.

3. Local Initiatives

LOCAL GOVERNMENT COULD IMMEDIATELY BEGIN FUNDING PROJECTS of this type before federal assistance becomes available. We understand that our target of ten million municipal homes over ten years will not materialize without considerably more support than that which can be offered by cities alone, but the municipal bond markets offer a way to immediately begin investing in new housing without subsidizing developers. (See the *Appendix* for a more in-depth discussion of the potential options for self-funding housing projects.)

The capacity of local governments to press ahead with such initiatives in the absence of federal assistance depends on specific conditions, such as their own land endowments, the cost of construction, the interest rates on municipal bonds, and their own willingness to provide shallow subsidies to the initiative to improve its viability where necessary. Though there may be circumstances where municipal housing is comparatively suboptimal, as federal incentives are stacked against them, there are almost certainly a large number of cases where municipal housing would be a beneficial investment even without federal incentives. Local governments struggling with profit-gouging developers should analyze the situation and consider the viability of doing it themselves—obtaining a sustainable asset and putting developers on notice that the administration will consider cutting them out in the future.

This is a long-term reward: a local administration which can build its own housing can never be held hostage by developers expecting an unreasonable profit margin again. Even if local authorities do not wish to end their public-private housing partnership schemes at this minute, developing a publicly owned alternative affords them greater autonomy and bargaining power in future procurement decisions; and it does not require them to release large amounts of public land which they cannot easily recover.

Local administrations might also seek investments from ‘anchor institutions’ such as schools, universities, and hospitals which are largely geographically fixed in the area,⁸⁰ on the understanding that helping to provide lower housing costs will have a positive

impact on both the reputation of those institutions and the cost of living for their locally-based employees. Some of these institutions already own underutilized land and capital endowments which could enable substantial housing developments at a limited cost to the local government.

4. Covering Costs

ASSUMING AN AVERAGE COST PER UNIT OF BETWEEN \$150,000-\$220,000, the government could finance and build ten million houses directly in a revenue-neutral fashion—simply by repealing the Republican tax plan.⁸¹

This is not our proposal; and we acknowledge that the final cost per unit will depend on a range of factors, and indeed may be higher than that range in some cases. What it highlights is the scale of funding available to federal policymakers if they adopted a serious political commitment to housing—indeed, our proposal for ten million houses costs a mere fraction of the giveaway to wealthy donors by Paul Ryan and the Trump administration.

Since tenants in these houses will pay rent that covers ongoing expenses, and since much of the construction costs will be returned through loan repayments, the long-term cost to the federal government will be far lower than the cost of building all the houses itself—and the continuing annual costs will only run as high as the amount of new loans or grants it decides to issue that year. Loans—whether subsidized or profitable—do not cost as much as grants, and issuing grants worth 10% or even 50% of construction costs is still less expensive than paying for the full total.

If we assume a capital cost per unit of \$300,000 and that the federal government absorbs 20% of this capital cost in losses (an immensely pessimistic estimate), ten million houses could be financed through less than half the revenue which would be raised simply by restoring the corporate tax rate to its pre-TCJA level.⁸²

Rents should be set such that a parcel of housing units is able to finance its operating costs, maintenance costs, and capital costs

after subsidies. In some cases, especially where it is difficult to make housing affordable otherwise, primarily market-rate developments may be used to cross-subsidize mixed-income developments, but inter-development subsidization should be strictly limited in its scope; federal authorities could set regional caps between 0–20% of long term operating and capital costs which can be covered through profits from other developments in each city depending on construction costs and market rents. Examples of self-financing rental models can be seen in the **Appendix**.

Investing in large-scale municipal housing developments will have long-term benefits to the public purse—once loans are paid off in a few decades, tenant rents that once merely covered costs will instead begin delivering substantial organic profits to the municipal housing authorities which own the houses, a dividend which could be shared between the existing tenants in the form of lower rents, and the city in the form of an additional funding source for the next generation’s housing developments.

Crucially, we do understand that this is not a simple task. Atrophied public sector housing institutions will take time to rebuild capacity and efficiency, and there is no need to immediately eliminate existing policies while this process takes place. LIHTC, section 8 vouchers, and other rental subsidies may be necessary in the immediate future, but as noted in **Section 1** we caution against over-reliance on their use—they only further deepen the dependence of government upon private developers, and the dependence of private developers upon ever-increasing subsidies.

However, it is our contention that once the public sector has rebuilt its housing delivery infrastructure, learning from a hundred years of lessons and practices at home and abroad, the benefits to the public could be immense: a country where high quality affordable housing is a right available to everyone, not a privilege of the wealthy few.

Building ten million homes in ten years wouldn’t get us all the way there—but it’d be a damn good start.

APPENDIX

**SELF-FINANCING
RENTAL MODELS**

THE FOLLOWING SECTION EXAMINES DIFFERENT SCENARIOS FOR AN entirely theoretical housing development of 500 units. These units are cost-neutral under the finance scheme at a mean rent of \$1,000 per month (or \$500,000 for the entire development). We will assume that market rents are constant at \$1,300 in all cases.

The **area median income (AMI)** is \$70,000, meaning the monthly affordable rent thresholds (30% of monthly income) for various income categories are as follows:

30% AMI	<i>ELI threshold</i>	\$ 525
40% AMI		\$ 700
50% AMI	<i>VLI, HCVP and 20–50 LIHTC threshold</i>	\$ 875
60% AMI	<i>40–60 LIHTC threshold</i>	\$ 1,050
70% AMI		\$ 1,225
80% AMI	<i>LI threshold</i>	\$ 1,400

The following diagrams represents alternative self-financing models for the development. For a municipal housing development to be self-financing, the green area (rents collected in excess of costs, or “profits”) must be the same size or larger than the red area (costs in excess of rents collected, or “losses”). The blue areas show rents paid up to the cost level for each tenant, and the brown areas show profitable rents which have been foregone.

APPENDIX FIGURES BEGIN ON NEXT PAGE >

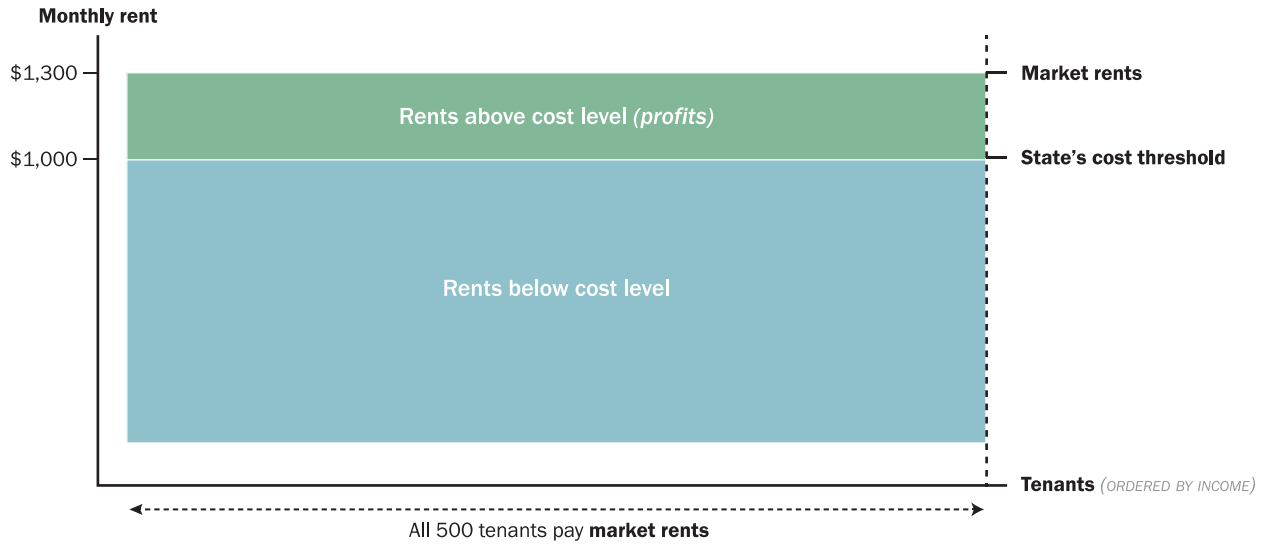


FIGURE 1 (above) shows a profit-maximising use of the development by the state. In this circumstance, the units are rented out at market prices and the profits are put back into the municipal housing authority. These properties are not affordable (at the 30% of monthly income standard) to many people below 80% AMI in the absence of other rental subsidies, but serve a social benefit insofar as they will introduce a supply-side constraint on overpriced rental housing in the private sector, in addition to the potential for using the profits to construct additional affordable housing elsewhere.

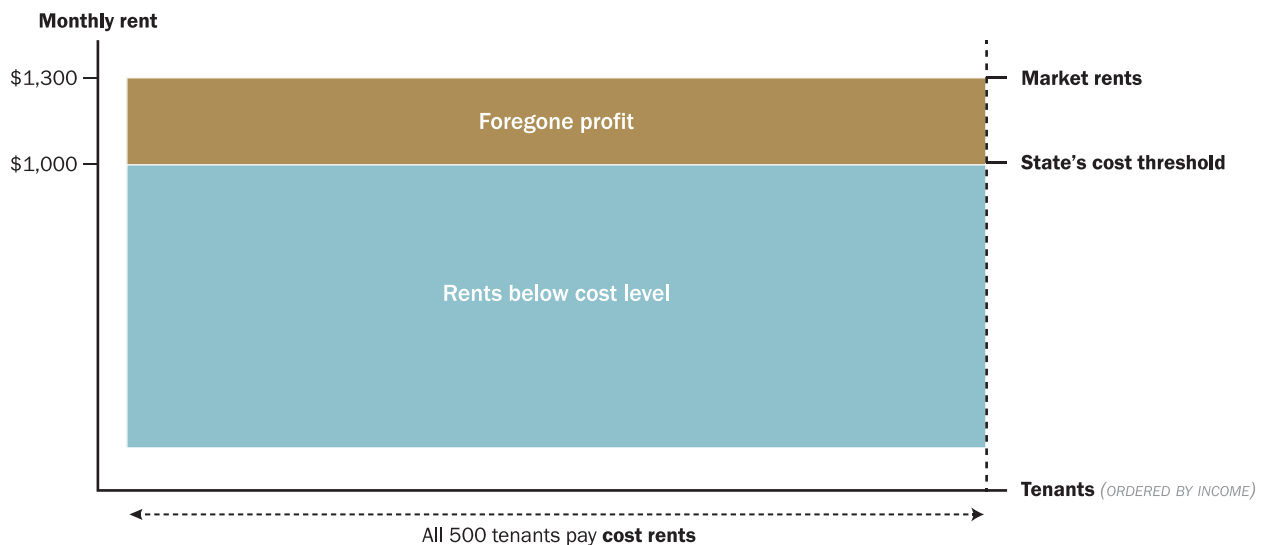


FIGURE 2 shows a Vienna-style cost rent system. In this case, 100% of the tenants pay cost rents of \$1,000—in this area affordable at 60%

AMI, but nobody is subsidized further than that through the rental system. The properties do not make any long-term profit (short-term profits may finance provisions for vacancies, maintenance and repairs over time). In the United States at present, this model may present access difficulties for those on very low incomes in some cities, as rental assistance programs are not universal entitlements.

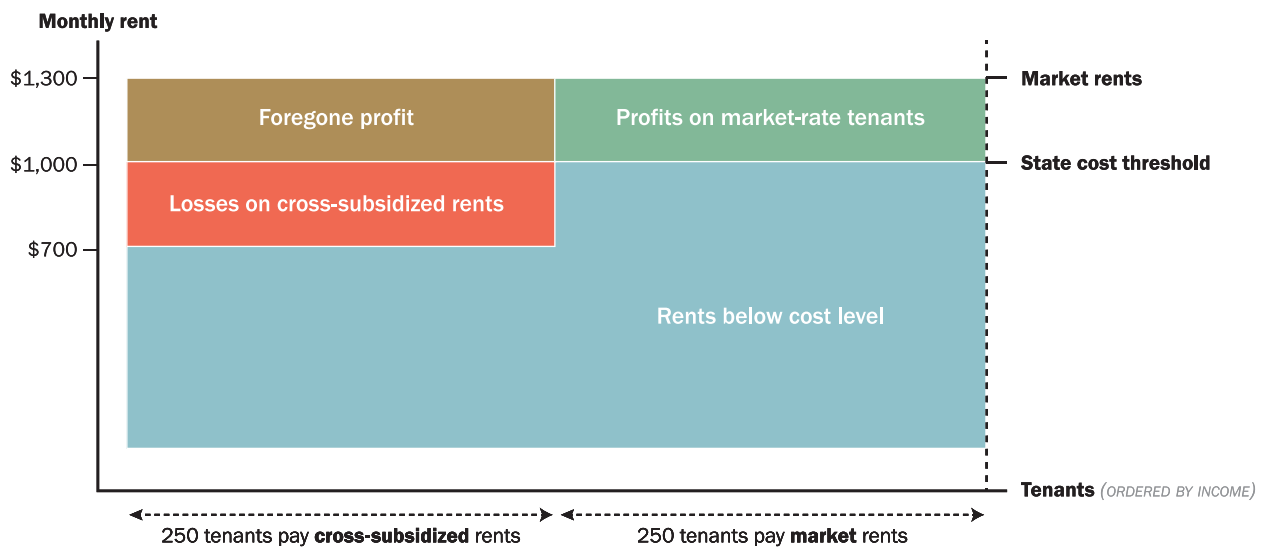


FIGURE 3 (above) shows a 50/50 cross-subsidisation. In this case, 250 market-rate tenants paying \$1,300 subsidize 250 tenants paying \$700, affordable at 40% AMI. However, this is a simple cross-subsidization model which has a rather steep drop-off between the two income categories. Though it is possible to use numerous developments to serve each particular set of housing needs, it is also possible to construct a more complex cross-subsidization model which performs the same role in a single development, as seen below.

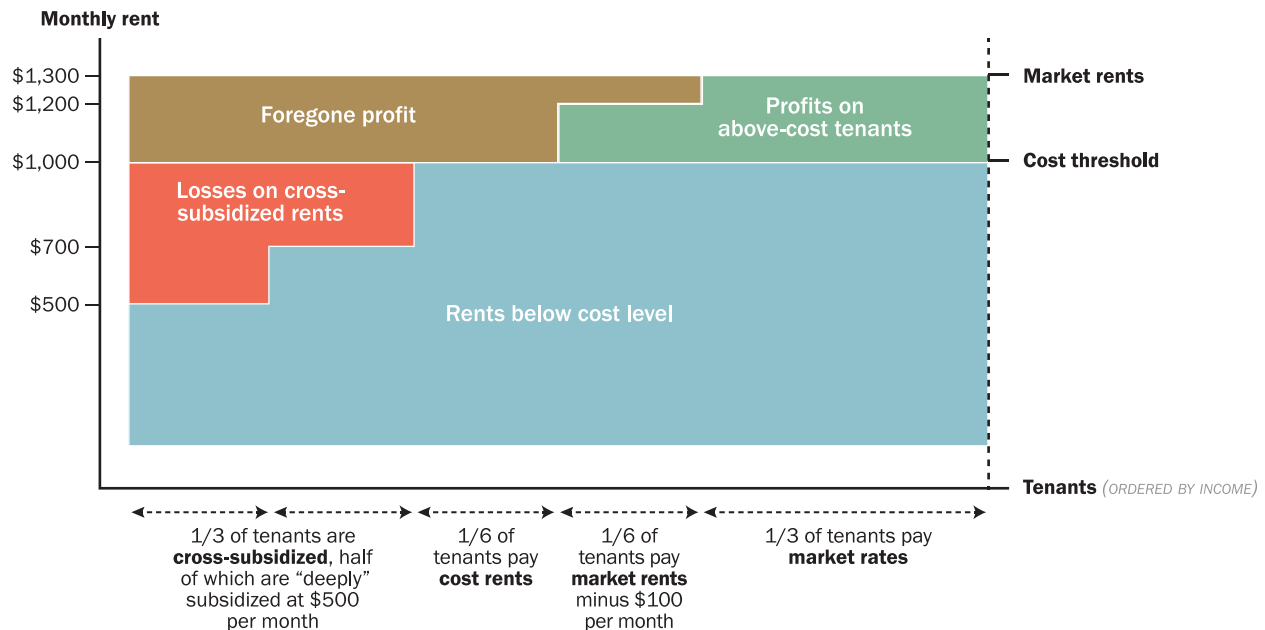
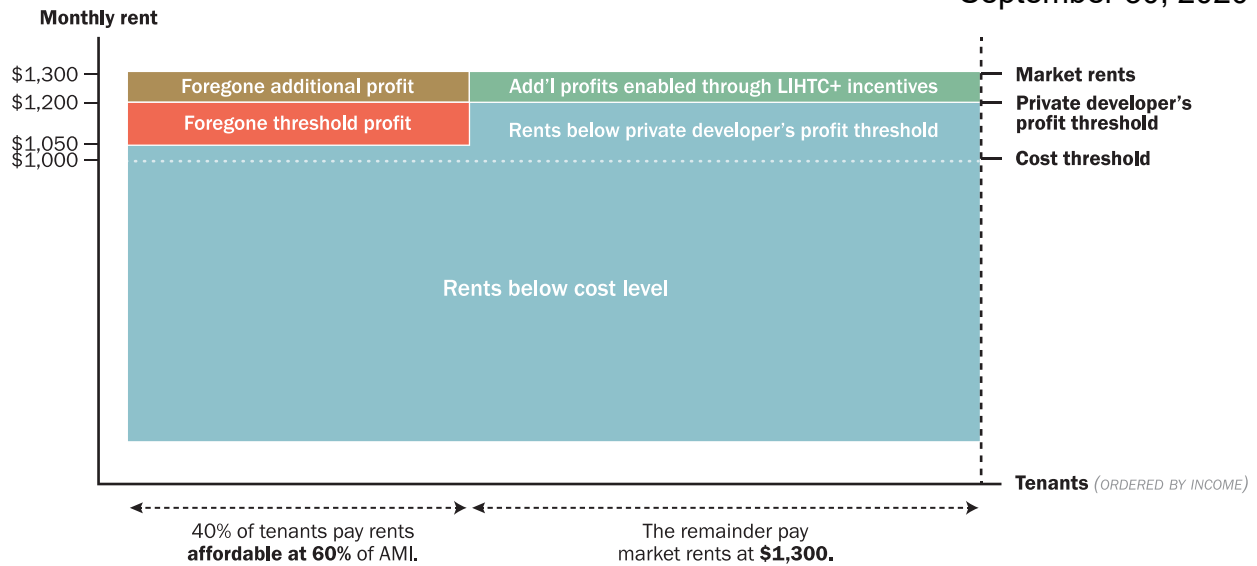


FIGURE 4 (above) shows a cross-subsidization model which serves a variety of low- to middle-income households. 1/6 of houses pay \$500 a month, affordable to ELI households in this area. Another sixth of households pay \$700 a month, affordable to households at 40% AMI. A sixth of households pay cost rents of \$1,000 a month, affordable at 60% AMI; a sixth of households pay limited-profit rents of \$1,200 a month, affordable at 70% AMI; and the final third of units pay market rents.

It is slightly more difficult to see on the graph here, but the profits on the wealthiest half of tenants are equal to the losses on the poorest third of tenants, making the development cost-neutral overall.

In the case of private developers, cost neutrality is largely meaningless. Developers almost always have many potential opportunities they consider, and an affordable housing project is almost always considered alongside other potential profitable developments. This means that the average rent threshold is not set at a self-financing level, but at a percentage above this level (in **FIGURE 5**, below, we assume it is 20%), which as you will see has a severe impact on the affordability of the housing made available.



The most notable thing here is that due to the profit requirement, LIHTC subsidies can be required in order to incentivise the construction of houses in which no tenants are causing the developer to make a loss. Their problem is not that they are unprofitable, but that they are not profitable enough to be worth housing without the state further subsidizing the developer's profit margins. In exchange for the state's investment, 200 housing units are rented out at a small profit while the other 300 are rented at market rates. None of the profits go to the state for further developments.

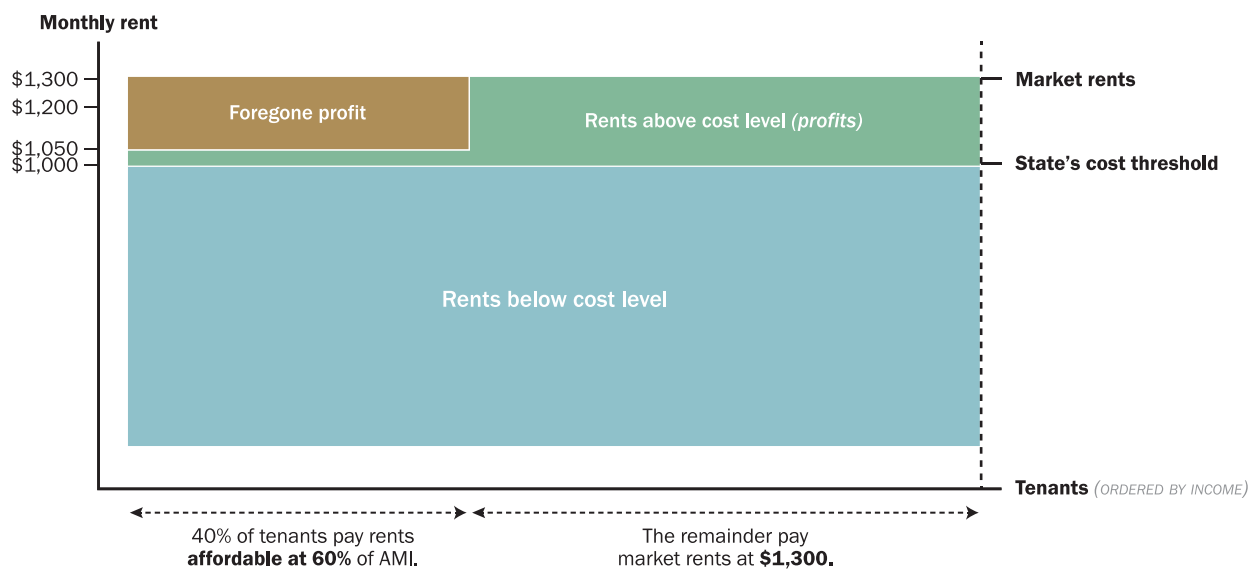


FIGURE 6 (above) shows the exact same development, with the exact same tenants paying the exact same rents, except this time the

property is held in public ownership. Instead of the state making a long-term loss on the property through subsidies, the 500 tenants make them an average \$200 profit each per month. That's \$1.2 million in profits for the local government every year.

Of course, this is not an exhaustive list of potential rental models for publicly-owned housing, but it is intended to demonstrate the manifest case for reducing our dependence on profit-oriented actors for generating affordable housing. Whether the state chooses to spend the developer's profit wedge on cross-subsidization, spends it on new housing developments, or whether it chooses to eliminate it entirely by charging Vienna-style cost rents, additional social benefits will come to be enjoyed by low- and middle-income members of the public rather than capital owners in the real estate sector.

As discussed in **Part II**, in some cities it may not be the case that all developments are fully self-financing, as the diagrams here are—and a proportion of costs (we suggest almost never more than 20%) could be covered out of revenues from connected profitable developments elsewhere. This should not be an ordinary occurrence under a national housing program as it has an inimical impact on both the mixed-income and self-financing principles behind such housing schemes, but in certain areas (especially without the introduction of federal incentives) it might be the case that building profitable houses on high-value land allows for the construction of deeply affordable housing which is sorely needed elsewhere.

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Lapira, Katrina

From: Zipporah Collins <zipporahc@earthlink.net>
Sent: Thursday, September 17, 2020 12:19 PM
To: Pearson, Alene
Cc: All Council
Subject: Ashby BART housing

WARNING: This email originated outside of City of Berkeley.
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

I strongly support the recommendations of the Friends of Adeline subcommittee for the city's Adeline Corridor Plan. Public land must be used for low-income housing—there's no chance of having enough of that housing without a policy to devote public land to it. And Housing Trust Funds should go where the needs are greatest; the subcommittee did the work to determine that South Berkeley is, in fairness, entitled to one-third of those funds. That neighborhood has seen enormous displacement of the city's African-American population, which has adversely affected the culture and rich history of that community in Berkeley to the detriment of all Berkeley residents (I live in North Berkeley myself), and perhaps particularly public school students. Finally, the low-income housing in South Berkeley must include family-size units, which again protect the diversity of our public schools, the diversity of the community in general, and the stability of the neighborhood. Please vote YES on the three recommendations from the Friends of Adeline on Sept. 30 for the good of our beloved city.

Zipporah Collins
768 Peralta Ave.
Berkeley 94707

Lapira, Katrina

From: John Selawsky <websky66@gmail.com>
Sent: Thursday, September 17, 2020 10:37 AM
To: Pearson, Alene
Subject: Adeline Corridor Plan

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DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

I support Friends of Adeline positions on the Adeline Corridor Plan, as expressed below. This is a vitally important issue for the future of South Berkeley.

Friends of Adeline supports the subcommittee's revisions to the Adeline Plan, and we ask the Planning Commission to adopt all of the subcommittee recommendations, including a goal of 100% affordable housing at the Ashby BART station, a guaranteed future for the flea market, hiring local residents for jobs created in the corridor, and a right to return for people who've been displaced or are at risk of displacement.

John T. Selawsky
Berkeley Rent Board
websky66@gmail.com
1912 Blake St
Berkeley CA 94704
510.590.6227

Lapira, Katrina

From: Sheila Goldmacher <sheinaleah@comcast.net>
Sent: Thursday, September 17, 2020 3:07 PM
To: Pearson, Alene
Subject: South Berkeley housing

WARNING: This email originated outside of City of Berkeley.
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Dear People:

What we demand:

1. All housing on publicly-owned land **MUST** be dedicated for 100% low-income housing that our community can actually afford, as well as a guaranteed future for the Ashby community flea market and its vendors.
2. At least half of all housing in our community, both new and old, must be affordable for low-income people, including family-sized units. Developers should not be allowed to pay a fee to get out of building the low-income housing we need.
3. One-third of our housing trust fund must go to South Berkley, with at least a minimum of \$50 million over 10 years.

Friends of Adeline supports the subcommittee's revisions to the Adeline Plan, and we ask the Planning Commission to adopt all of the subcommittee recommendations, including a goal of 100% affordable housing at the Ashby BART station, a guaranteed future for the flea market, hiring local residents for jobs created in the corridor, and a right to return for people who've been displaced or are at risk of displacement.

As a citizen of Berkeley I totally agree with the above demands. We have all waited long enough for low income housing. Now more than ever it is and will be needed for years to come. Do your job! Meet the people's needs.
Thank you.

Sheila goldmacher, 94704

September 14, 2020

To: Berkeley Planning Commission

From: Rob Wrenn, Chair, Planning Commission Adeline Corridor Strategic Plan Subcommittee

Re: Subcommittee recommendation for Asbhy BART

Why there should be a plan goal of phased development of 100% below market affordable housing at Ashby BART

Public land should be used for public benefit.

Public land such as the Ashby BART parking lots should be used to help achieve the city's policy goals and for things that the private sector does not do well. The City's General Plan set a goal of "providing an additional 6400 permanently affordable housing units for low- and very low income households..."(page H-9). The City has fallen far short of achieving this goal. Private for-profit developers have not met, and cannot meet, more than a small proportion of this goal through density bonus units and inclusionary units.

The City's 2020 Housing Pipeline Report shows that during the six years from January 1, 2014 through December 31, 2009 the city achieved 128% of ABAG's 2015-2023 Regional Housing Needs Allocation goal for above moderate income housing, but had only achieved 21% of the allocation for very low income housing and 4% of the allocation for low income housing.¹ The City also did poorly in the 2007-2014 RHNA period, which included the Great Recession, achieving only 25% of the RHNA for very low income households; and 21% for low income households, while achieving 93% of the RHNA for above moderate income households.² Above moderate income households are households with incomes above 120% of area median income (AMI). As of this year, above moderate income for a four person household in Alameda County begins with an income of \$156,600. Households with such incomes are the ones that can afford market rate two bedroom apartments renting for \$4000 or above.

Incomes in Adeline Corridor Strategic Plan Study Area fall far short of what is required to pay for market rate housing. South Berkeley is the city's lowest income area.³ 20% of the resident of the study area are living below the poverty line according to the ACSP's Existing Conditions Report.

¹ Annual Housing Pipeline Report, item 45, July 28, 2020 agenda:

https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/City_Council_07-28-2020_-_Regular_Meeting_Agenda.aspx

² ABAG Sept 2015: https://abag.ca.gov/sites/default/files/rhnaprogress2007_2014_082815.pdf

³ Some student areas close to campus have lower incomes as students generally don't work more than part time. But the households that UC students come from have, on average, higher incomes than South Berkeley households.

A sizable majority of the residents of the study area are tenants, not owners. Tenant households in the four Census Tracts that make up the Adeline Corridor plan study area have median household incomes ranging from \$36,827 in the lowest income tract to \$70,208 in the highest income tract, based on estimates from the most recently available Bureau of the Census American Community Survey data.⁴ A large majority of tenant households in the study area have incomes that qualify them as being extremely low income (30% of AMI), very low income (50% of AMI) or low income (80% of AMI). For a four person household, the upper limit of very low income is \$65,200. Such a household can only afford to pay about \$1800 in rent per month, far below market rent in Berkeley. For a household of four persons, the upper limit for low income is now \$104,400.⁵ Relatively few tenant households in the study area make more than this, and even fewer make enough to afford market rate housing. Displacement will not be prevented by covering the Ashby BART station parking lots with predominantly market rate development.

Housing for people with incomes under \$100,000 a year is badly needed. A sizable proportion of people working in the Bay Area work at low wage service, clerical, restaurant, blue collar and sales jobs. Their income falls far short of what is needed to afford market rate housing. And even teachers in Berkeley, even with the 9.5% raise they received as a result of the passage of Measure E in March, often qualify as low income. Pay for teachers here now ranges from \$49,125 and \$102,115, with pay depending on education and years of service, with median pay in the district closer to the bottom of the scale than to the top.⁶

The City of Berkeley has a good record of using public land for affordable housing. Oxford Plaza on the city's former Oxford surface parking lot downtown is 100% below market affordable housing. The project approved for the Berkeley Way parking lot which recently broke ground will also be 100% below market affordable.

Some BART stations that have been developed also have 100% affordable housing (e.g. San Leandro BART). The second and third phases of development at Fruitvale BART, one built, the other planned, both provide nearly 100% below market affordable housing. Along with an earlier predominantly commercial first phase, that BART station will, when the third phase is completed, have 88% below market units.⁷

⁴ Study area consists of Alameda County Census Tracts 4234, 4235, 4239.01, 4240.01. South Berkeley also includes 4233, and 4240.02 located west of Sacramento, which also have lower median tenant household incomes. Census Bureau site is not very user friendly. The table for this data is Table S2503, Financial Characteristics, which is under Housing. Select "Tract" under geography. You eventually get to it by starting with advanced search:

<https://data.census.gov/cedsci/advanced>

⁵ For income limits for 2020 see:

https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/City_Council_07-28-2020_-_Regular_Meeting_Agenda.aspx

⁶ <http://berkeleyteachers.org/sites/default/files/resources/BFT%20Salary%20Schd.%20Elementary%202020-21%20%28dragged%29.pdf>

⁷ Unity Council, Fruitvale Village Phase II-B: <https://unitycouncil.org/property/fruitvale-village-phase-ii/>

Phased development is necessary to maximize the amount of below market affordable housing that can be built in the Ashby BART subarea. The draft plan notes that “it is not generally possible to finance affordable housing projects with more than 250 units at a time” (page 4-15). With a commitment to achieving a goal of 100% below market affordable units, it would be possible, over the life of the plan, to build, in phases, on the two parking lots many more below market affordable units than would be possible if the site goes to a market rate developer, who would at best provide a minority of affordable inclusionary units.

Non-profit affordable housing developers have difficulty competing with market rate developers for available privately owned commercial parcels that are suitable for development. A public site such as the Ashby BART station parking lot should be reserved for below market affordable housing to ensure that there continue to be enough sites available to non-profit affordable housing developers over the life of the Adeline Corridor Strategic Plan. Phased development will allow for ongoing development as additional public affordable housing funds become available.

Land Cost and Affordable Housing

The high cost of privately owned sites is another reason why public land is important for affordable housing development. It’s in the City’s interest to make sure that available local affordable housing funds stretch as far as possible and produce the largest possible number of units.

One housing project approved on the Adeline Corridor submitted a pro-forma whose development cost assumptions included a land cost that amounted to over 21% of total project development costs. Another Adeline Corridor project had a land cost of 17% according to documents submitted to the City.⁸

Land cost adds substantially to the cost of building below market affordable units. When non-profit developers build below market affordable units on public land, land cost is reduced and sometimes eliminated altogether. BART has adopted a policy of discounting land cost for affordable housing. On April 23, 2020, BART Board of Directors voted to amend its Transit-Oriented Development Policy to support production of affordable housing by allowing for a discount of up to 60% from fair market value for its land for projects with affordable housing.

⁸ 2701 Shattuck pro-forma submitted in 2018:

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2018-06-01_Pro%20Forma%20Updated_2701%20Shattuck.pdf

2902 Adeline feasibility analysis submitted in 2016:

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2016-10-27_ZAB_ATT4_2902%20Adeline_Devt%20Feasibility%20Review.pdf

Projects with greater share of affordable housing, and serving households with lower incomes are eligible for higher discounts.⁹

Clearly the city's Measure O bond money, its Measure U-1 revenue, and its Housing Trust Fund dollars will go further and produce more affordable units if affordable housing developers don't have to spend so much on land cost.

100% at Ashby BART to achieve 50% area wide

The Adeline Corridor Strategic Plan has an ambitious affordability target of 50% for income restricted affordable housing. This goal cannot be achieved unless the percentage of affordable units on the Ashby BART station site greatly exceeds 50%. While the tiered incentive development standards in the plan are designed to encourage developers to provide onsite affordable units rather than paying fees, a tier 2 project will only produce 14% below market units and a tier 3 project 21%. We hope that the incentives will work but we can't be sure that developers won't continue to opt for the state density bonus and the increased density and concessions that go with it, which would result in only a trickle of below market on site units on privately owned sites in the area.

In addition, one of the goals of the plan is to stop displacement and to make it possible through preference policies for some of those who have been displaced to return. Research shows that building subsidized housing is the most effective way to reduce displacement pressures.¹⁰ Developing as much affordable housing as possible at Ashby BART is essential to meet the plan's worthy goals.

⁹ Source: BART news article: <https://www.bart.gov/news/articles/2020/news20200424>

¹⁰ Chapple and Zuk
https://www.urbandisplacement.org/sites/default/files/images/udp_research_brief_052316.pdf