



Kate Harrison  
Councilmember, District 4

## REVISED AGENDA MATERIAL

**Meeting Date:** April 28, 2023

**Item Number:** 31

**Item Description:** Designating Open Space Adjacent to and in Front of Old Berkeley City Hall as a Linear City Park Pursuant to BMC 6.42

**Submitted by:** Councilmember Harrison

Clarified intent that only the open space adjacent to and in front of Old Berkeley City Hall will be designated as linear City Park.



Kate Harrison  
Councilmember, District 4

CONSENT CALENDAR  
September 12, 2023

To: Honorable Mayor and Members of the City Council  
From: Councilmember Harrison  
Subject: Designating Open Space Adjacent to and in Front of -Old Berkeley City Hall, ~~Alameda County Berkeley Courthouse, and the City of Berkeley Public Safety Building~~ as a Linear City Park Pursuant to BMC 6.42

RECOMMENDATION

Adopt a resolution designating open space in front of Old City Hall as linear City park space and formally dedicate this site for permanent recreational use pursuant to BMC 6.42.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

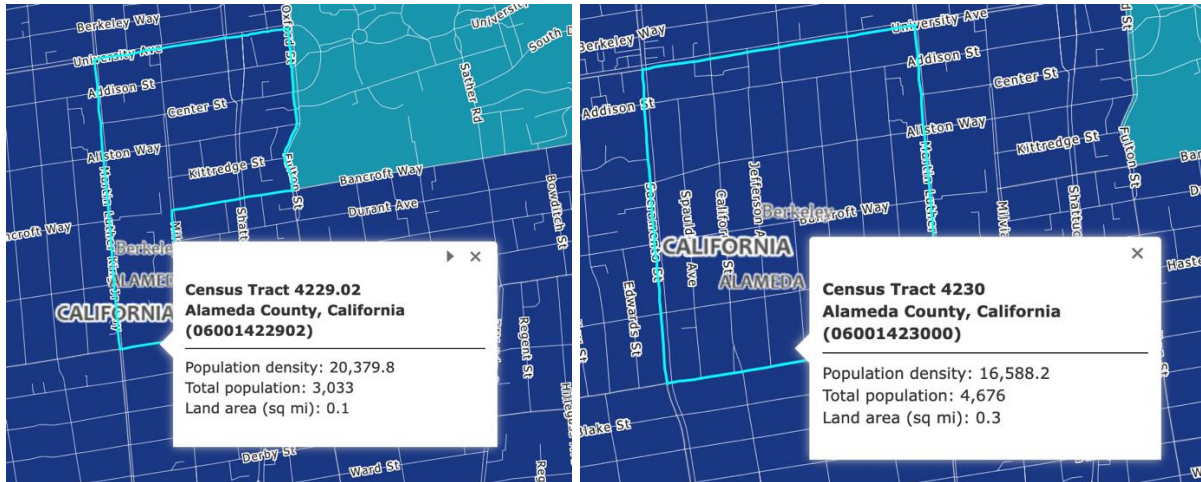
The built environment of Downtown Berkeley lacks an abundance of open space and recreational facilities. Parks and open space are critical for the well-being of residents.

Measure 'L', the *Berkeley Public Parks and Open Space Preservation Ordinance*, adopted by the City of Berkeley in 1986 and codified as Berkeley Municipal Code (BMC) Section 6.42, designates "census tracts containing less than the master plan provision of two acres of parks and open space per one thousand population shall be singled out as having a high priority for funding the acquisition, development and maintenance of parks and recreational facilities."

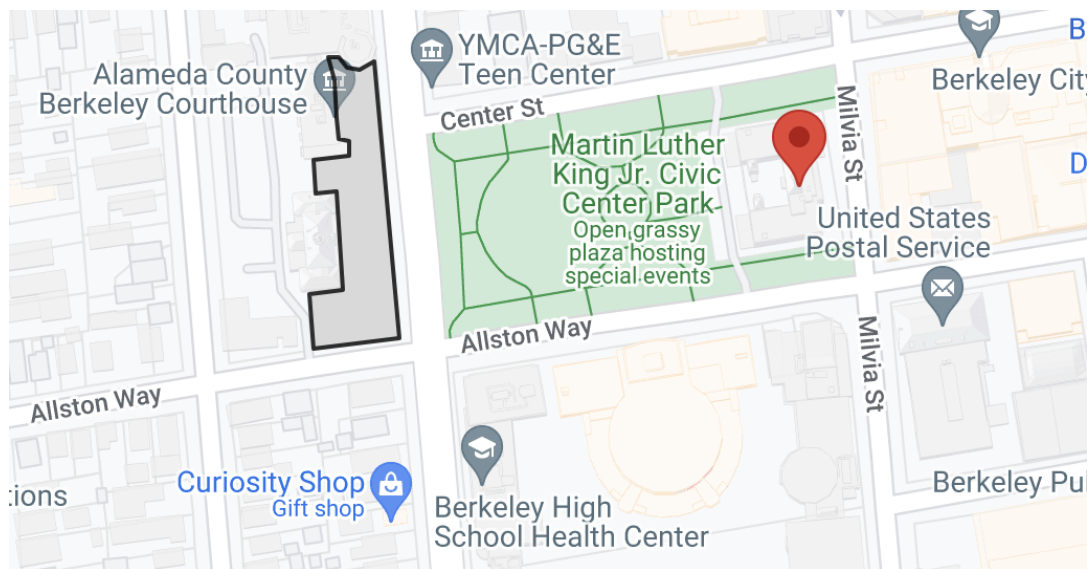
The Downtown Census tracts 4229.02 and 4230 with respective populations of 3,033 and 4,676 fall short of this threshold and should be prioritized for additional open space. The only park in Census tract 4229.02 is Civic Center Park with 3.46 acres of open space, nearly half the amount of space recommended by Measure L. Similarly, tract 4230 in Central Berkeley has a mere .63 acres of open space, when according to Measure L it should have approximately just under 10 acres.

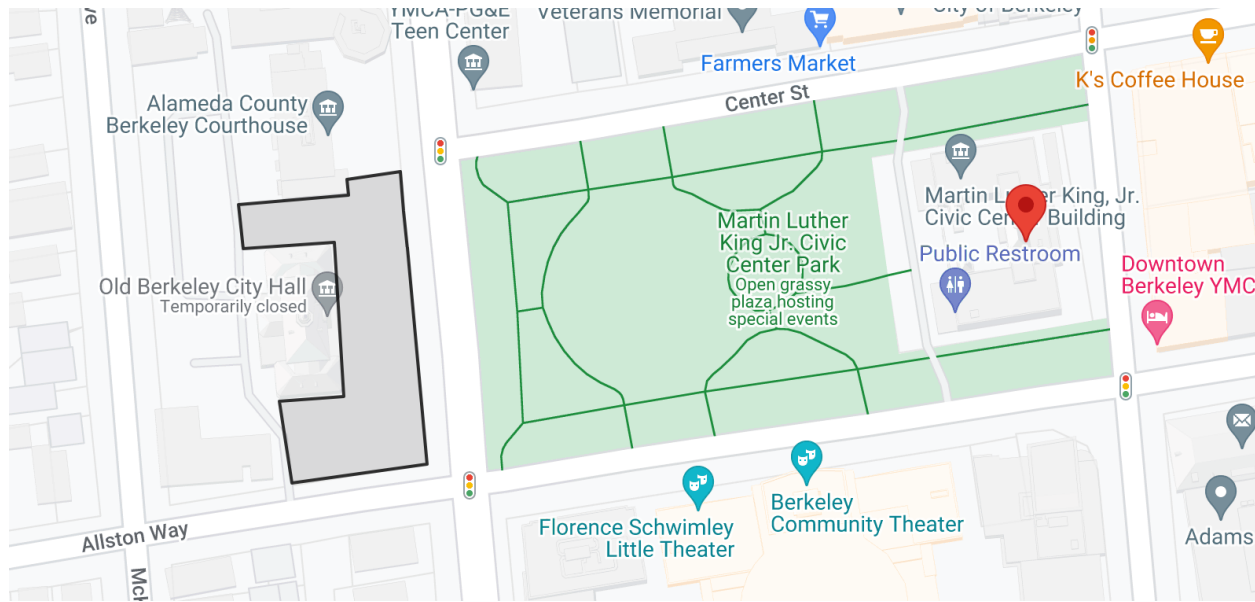
Designating Open Space Adjacent to ~~and in Front of~~ Old Berkeley City Hall, ~~Alameda County Berkeley Courthouse, and the City of Berkeley Public Safety Building~~ as a Linear City Park Pursuant to BMC 6.42

CONSENT CALENDAR  
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Pursuant to BMC 6.42, this item would contribute approximately an additional .68 acres of Parks and Open space for use by residents and visitors to these two Central/Downtown census tracts by converting the open space in front of Old City Hall, ~~the Alameda County Berkeley Courthouse and the City of Berkeley Public Safety Building~~.





## BACKGROUND

The District 4 Council District, where Old City Hall is located, contains nearly 14,082 residents according to the 2020 census but only contains roughly 4.02 acres of open space and park land. This means that, according to Measure L, District 4 has a high priority for funding, acquisition, development, and maintenance of new open space.

The open space and landscaping along the western side of MLK and in front of and to the sides of Old City Hall, ~~the Courthouse and Public Safety Building~~ is currently designated a landscaping associated with civic buildings. The space does not currently enjoy the same status of a City park, which would confer additional maintenance and protection benefits via the Parks, Recreation & Waterfront Department.

The open space in front of these three public buildings is already often used for variety of civic events and as a lunch spot for residents, workers, and Berkeley High students.

Within Berkeley's Open Space and Recreational Element of the General Plan, adopted April 3, 2002, the objectives are stated as follows and are consistent with the goals of this item:

- preserving, maintaining, and repairing the city's existing open space and recreational resources and facilities;
- expanding open space and recreational resources to meet the evolving open space and recreational needs of all segments of this community through land acquisitions and improvements;
- increasing funding for parkland, recreational facilities, and open space maintenance, improvement, and expansion; and

In addition, designating this area as an official public park would help achieve the goals ED-2 and OS-1 of the Berkeley Downtown Area Plan, to "maintain a safe and inviting

streets, parks and plazas that contribute to the success of businesses and the wellbeing of residents” and “create new public gathering places that support nearby uses and Downtown as a destination.”

In 2019, Council previously designated Berkeley’s portion of Ohlone Greenway and the West Street Bike Path as linear City parks pursuant to BMC 6.42. It is the public interest to similarly designate the Berkeley-owned open space and land included in this item as an official part of Berkeley park infrastructure.

#### FISCAL IMPACTS OF RECOMMENDATION

This area is already owned and maintained by the City of Berkeley so the fiscal impacts of making it an official park would be small. A minimal use of staff time would be required to dedicate the area as a park and add park signage.

#### ENVIRONMENTAL SUSTAINABILITY

Designating the open space ~~along the western stretch of MLK as linear City parks adjacent to and in front of Old City Hall~~ will enable the City to better maintain these dedicated these spaces as safe and enjoyable low-carbon and carbon sequestering recreation areas.

#### CONTACT PERSON

Councilmember Kate Harrison, (510) 981-7140

#### ATTACHMENTS

1. Resolution
2. Voter Information Pamphlet Text of Measure L

RESOLUTION ##,###-N.S.

DESIGNATING THE BERKELEY-OWNED OPEN SPACE ADJACENT TO AND IN FRONT TO OF OLD CITY HALL, ~~THE ALAMEDA COUNTY BERKELEY COURTHOUSE, AND THE PUBLIC SAFETY BUILDING~~ AS AN OFFICIAL PART OF CITY PARK INFRASTRUCTURE

WHEREAS, in Berkeley's Open Space and Recreational Element of the General Plan, adopted April 3rd, 2002, the objectives are stated as:

- preserving, maintaining, and repairing the city's existing open space and recreational resources and facilities;
- expanding open space and recreational resources to meet the evolving open space and recreational needs of all segments of this community through land acquisitions and improvements;
- increasing funding for parkland, recreational facilities, and open space maintenance, improvement, and expansion; and

WHEREAS, in Berkeley's Downtown Area Plan, adopted March 20th, 2012, the objectives are stated as:

- maintaining a safe and inviting streets, parks and plazas that contribute to the success of businesses and the wellbeing of residents;
- creating new public gathering places that support nearby uses and Downtown as a destination; and

WHEREAS, Measure L, the *Berkeley Public Parks and Open Space Preservation Ordinance* adopted by the City of Berkeley in 1986 requires the Council "To preserve and maintain the public parks and open space which exist in Berkeley, as well as To acquire and maintain public parks and open space in the census tracts and Neighborhoods of Berkeley having less than the minimum amount of open Space relative to population (2 acres per 1,000)"; and

WHEREAS, District 4 and the census tracts therein adjacent to Old City Hall contains less than 2 acres of public parks and open space per 1,000 residents and therefore has a high priority for funding, acquisition, development, and maintenance of open space; and

WHEREAS, the above goals and ordinances establish the protection of open space and the establishment of public parks as an important City priority; and

WHEREAS, the open space and land along the western side of MLK and in front of Old City Hall, ~~the Courthouse and Public Safety Building~~ are already being used for civic and recreational activities and are comparable to existing Park Space in the adjacent Civic Center Park.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Berkeley-owned open space and land adjacent to and in front of Old City Hall, ~~the Alameda County Berkeley Courthouse and the Berkeley Public Safety Building are~~ is designated as an official part of City park land and infrastructure.