

INFORMATION CALENDAR

November 14, 2023

To: Honorable Mayor and Members of the City Council

From: Planning Commission

Submitted by: Workplan Subcommittee of the Planning Commission (Jeff Vincent, Chair; Elisa Mikiten; Emily Marthinsen)

Subject: Planning Commission Fiscal Year 2023-24 Work Plan

INTRODUCTION

The City of Berkeley Planning Commission (PC) hereby submits a work plan for Fiscal Year 2023-24. The attached spreadsheet identifies specific items prioritized.

PRIORITY ITEMS

For Fiscal Year 2023-24, the PC will focus on high priority items, which include emphasis on state-mandated items and Housing Element Programs. These include:

- Accessory Dwelling Unit Updates 2023;
- State Law & Technical Edit Updates 2023;
- Southside Zoning Amendments 2022-2023;
- BART - North Berkeley Transit-Oriented Development (TOD);
- Middle Housing + Demolition Ordinance + Parking Zoning Amendments (Max/RPP);
- Residential Feasibility Study (HHCS lead);
- State Law & Technical Edits Updates 2024;
- Accessory Dwelling Unit Updates with Evacuation Study; and
- Gilman PacSteel Manufacturing - Research and Development (M-RD) Zoning.

We also plan to discuss the following items: San Pablo Specific Plan, Commercial Corridor Upzoning, and General Plan (GP) Safety and Environmental Justice Element efforts.

DRIVERS OF PLANNING COMMISSION FOCUS

Three factors dictate the PC's workload and calendaring:

- **Referrals from City Council.** Currently, there are approximately 33 referrals from Council. The PC's work is almost exclusively dictated by these ranked referrals, some of which have state mandated deadlines. Thus, the PC has less latitude than other City commissions in establishing and prioritizing its workload.
- **State-mandates.** New state laws often establish deadlines for local adherence.
- **Planning & Development Department staff capacity.** Land Use Policy staff must have adequate time to prepare items that come before the PC. Significant staff time is required to conduct research, prepare reports, and draft zoning language. In some cases, consultants assist staff. As of this writing, the Land Use Policy team has two outstanding vacancies for Assistant Planner positions.

STRATEGIC OUTCOME AREAS

In addition to prioritizing items to meet state-imposed deadlines and be in compliance with state law, the PC has identified the following policy outcome priorities to guide workplan development:

1. **Increased housing options and improved affordability.** Allowing greater density and lower levels of discretionary review in residential districts should have substantial cumulative impacts over the coming decade. The Planning Commission can review the volume of completed projects and the average approval period for applications within two years of revised regulations.
2. **Promote healthy, livable communities.** This includes ensuring Berkeley residents live in safe, healthy, and accessible communities with parks, schools, local businesses, and cultural institutions, and promoting healthy mobility options for all resident.
3. **Support community economic development and commercial vitality.** This includes preserving and enhancing Berkeley's neighborhood commercial areas, and ensuring a vibrant downtown.

BACKGROUND

The mission of the PC, as outlined in the City Charter, reads:

"The Commission recommends modifications to the City of Berkeley General Plan and related policy documents. All Zoning Ordinance amendments are developed through this Commission and recommended to the City Council. Other purviews include subdivision map consideration and review and comments on substantial projects from surrounding jurisdictions."

At its meeting of September 6, 2023, the PC voted to adopt this work plan (Vote: 5-0-2-2; Motion/Second: Vincent/Moore. Ayes: Merther, Vincent, Marthinsen, Moore, Frank. Noes: None. Abstain: Oatfield, Yung. Absent: Hauser, Mikiten.)

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The PC's work plan advances the City's sustainability and greenhouse gas reduction goals by focusing on creating housing and business opportunities in areas of high resources and frequent transit.

POSSIBLE FUTURE ACTION

Based on recommendations received from PC, City Council may refer additional work to the City Manager.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Additional referrals to the City Manager will require staff support.

CONTACT PERSON

Alisa Shen, Secretary to the Planning Commission, Planning and Development Department, 510-981-7409

ATTACHMENTS

- 1: Planning Commission Work Plan spreadsheet 2023-2024
- 2: Open General Referrals from Council

City of Berkeley Land Use Planning - 2023-2024 Planning Commission Work Plan // DRAFT v. 07.10.2023

Land Use Planning - Policy Projects	Location(s)	Source, Council Referral Date(s)	Council Ranking 2023	Project Start Date	Target PC Hearing Date	Target CC Hearing Date
Bird Safe Buildings	Citywide	Ref 11/12/2019	Started	Mar 2022	Mar 2023	Jun 2023
Accessory Dwelling Unit Updates 2023	Citywide	HCD Letter 10/17/2022	N/A	Mar 2023	May 2023	Jul 2023
State Law & Technical Edits Updates 2023	Citywide	StateLaws, Ref 6/28/2022	Started	Mar 2023	Jun 2023	Jul 2023
Southside Zoning Amendments 2022-2023	Southside Plan Area	Ref 4/4/2017, 10/31/2017, 5/1/2018, 11/27/2018	Started	Jul 2022	Sep 2023	Nov 2023
BART - North Berkeley Transit-Oriented Development (TOD)	BART - North Berkeley	City and BART MOU (Mar. 2020) and MOA (Jun. 2022)	N/A	Nov 2022	Oct 2023	Dec 2023
Berkeley Businesses (w/ OED)	Citywide	Ref 12/4/2018, 10/15/2019	Started	Jan 2023	Oct 2023	Dec 2023
Middle Housing + Demolition Ordinance + Parking Zoning Amendments (Max/RPP)	R-1, R-1A, R-2, R-2A, MUR	Ref 4/23/2019	Started	Sep 2021	Apr 2024	Jun 2024
Residential Feasibility Study (HHCS-lead)	Citywide	Ref 11/27/2018	Started	Jun 2023	Apr 2024	Jun 2024
State Law & Technical Edits Updates 2024	Citywide	State Laws	N/A	Feb 2024	May 2024	Jul 2024
Accessory Dwelling Unit Updates with Evacuation Study	Citywide	Pending Referral	Pending	Feb 2024	May 2024	Jul 2024
Gilman PacSteel Manufacturing - Research and Development (M-RD) Zoning	Former Pacific Steel Site	Ref 4/20/2021	Started	Oct 2022	Jun 2024	Aug 2024
General Plan: Local Hazard Mitigation Plan - Appendix of Safety Element (OES Lead)	Citywide	State Laws	N/A	Aug 2023	Sep 2024	Dec 2024
Southside Local Density Bonus	Southside	Ref 7/12/2016, 5/30/2017	Started	Sep 2023	Oct 2024	Dec 2024
Marina Specific Plan (PRW Lead)	Waterfront (U)	PRW Referral	N/A	Jun 2020	Oct 2024	Dec 2024
San Pablo Priority Development Area (PDA) Specific Plan	San Pablo Corridor	ABAG Priority Development Area Grant	N/A	Jun 2023	Jul 2025	Sep 2025
Affordable Housing overlay, to allow increased height/density for 100% affordable projects	Citywide	Ref 11/9/2021	Started	Sep 2022	Sep 2025	Dec 2025
Commercial Corridor Upzoning	N Shattuck, Solano, College	Ref 5/23/2023	Unranked	Sep 2023	Sep 2026	Dec 2026
General Plan Land Use Element Update	Citywide	Consistency with San Pablo, Corridor Upzoning	N/A	Dec 2024	Sep 2026	Dec 2026
General Plan Safety, Environmental Justice Elements	Citywide	Ref 7/11/2017, 9/28/2021, 2/22/2022	18, 43, 13	Nov 2023	Sep 2026	Dec 2026
BART - Ashby BART TOD	BART - Ashby	City and BART MOU (Mar. 2020) and MOA (Jun. 2022)	N/A	Jan 2023	n/a	Dec 2023
Annual Progress Reports (APR) (HCD, DoF)	Citywide	State Laws	N/A	Ongoing	N/A	N/A
Council Memo - West Berkeley Service Center	1900 Sixth St	Ref 5/28/2019	Started	Mar 2023	N/A	Jul 2023
Council Memo - APR 2022, 2023	Citywide	State Laws	N/A	Apr 2023	N/A	Jul 2023
Give Zoning discretion to deny new permits to individuals with outstanding code violations at other Berkeley sites	Citywide	Ref 9/9/2014	46	Not Started	Not Started	Not Started
Update 2005 Nexus study and propose changes to establish new Transportation Impact Fee (PW Lead)	Citywide	Ref 7/7/2016	Unranked	Not Started	Not Started	Not Started
PC to consider protecting Live-Work spaces to cannabis uses, per Civic Arts Comm concerns	Citywide	Ref 4/2/2019	41	Not Started	Not Started	Not Started
PC/HAC: Policies to prevent displacement, gentrification of Berkeley residents of color *PC memo to endorse Rent Board memo.	Citywide	Ref 4/30/2019	17	Not Started	Not Started	Not Started
PC and City Atty to consider a "dark skies" policy	Citywide	Ref 11/12/2019	Unranked	Not Started	Not Started	Not Started
PC to consider revisions to Short-term Rental Ord. based on model used by City of Santa Monica. Also referred to LUHED Policy Cmte	Citywide	Ref 7/28/2020	Not Started	Not Started	Not Started	Not Started
Consolidate the Cannabis Commission into the PC. Modify BMC 12.26.110.	Citywide	Ref 6/15/2021	Not Started	Not Started	Not Started	Not Started
Streamline ADU process, inclu Universal checklist and webpage, pre-approved designs, and an "ADU Ally" staff position	Citywide	Ref 12/14/2021	19	Not Started	Not Started	Not Started
Bird Safe: 1) report back in 3 years; 2) consider changes to policy	Citywide	Ref 6/2/2023	Unranked	Not Started	Not Started	Not Started
"Keep Innovation in Berkeley" by amending Zone Ord in several places to facilitate R&D uses in more zones / with fewer restrictions	Non-Residential	Ref 9/13/2022	12	Not Started	Not Started	Not Started
PC to consider changes to Zoning and Mini-Dorms Ords to give flexibility for conversion of accessory buildings to home office uses in some cases	R, C Districts	Ref 9/13/2018	40	Not Started	Not Started	Not Started
PC and HAC: Civic Arts Comm ideas to promote artists housing, including use of ground floor retail space	Citywide	Ref 1/25/2022	28	Not Started	Not Started	Not Started
Develop objective standards for efficiency units, similar to recent actions by Cities of Davis and Santa Barbara	Citywide	Ref 9/13/2022	25	Not Started	Not Started	Not Started
Explore Zoning mods for added density as way to help offset costs added to projects by new HARDHATS ord	Citywide	Ref 5/2/2023	Unranked	Not Started	Not Started	Not Started
Planning Commission	N/A	State Laws	N/A	Ongoing	Ongoing	Ongoing

#	Referral Date	Open General Referrals from Council, Relevant to the Planning Commission and Planning Dept.	Original Sponsor	RRV (2023)	PC Subcommittee Notes
1	9/9/2014	Give Zoning discretion to deny new permits to individuals with outstanding code violations at other Berkeley sites	HAC	46	
2	7/7/2016	Update 2005 Nexus study and propose changes to establish new Transportation Impact Fee	CM Arreguin		
3	7/12/2016	Referral to City Manager to develop Community Benefits, in association with changes made to Floor Area Ratio, in Telegraph Commercial District dev't standards	CM Worthington	started	
4	4/4/2017	Referral to Planning Comm to amend Zoning Ord to allow non-commercial ground floor uses	CM Worthington	started	
5	5/30/2017	Refer to PlanComm, HAC, CM: Create pilot program for a City Density Bonus in Telegraph Commercial district, to generate in-lieu fees to use to build housing. Consider feasibility of requiring one FT apprentice for every \$3M construction costs.	CMs Worthington and	started	
6	7/11/2017	Referral to PlanComm to consider new Standard Condition of Approval to mitigate effects from outdoor air pollution on Indoor Air Quality	CEAC	43	
7	10/31/2017	Referral to CityMgr and PlanComm to amend Zoning Ord to facilitate Student Housing by increasing max height by 20' and adjust FAR in area bounded by Bancroft, College, Dwight and Fulton	CM Worthington	started	
8	5/1/2018	Refer to CM and PlanComm to consider allowing 4 temporary Zoning amends, to allow conversion of commercial space to residential uses, in area bounded by College, Fulton, Bancroft, and Dwight	CM Worthington	started	
9	9/13/2018	Referral to PlanComm to consider changes to Zoning and Mini-Dorms Ords to give flexibility for conversion of accessory buildings to home office uses in some cases	CM Wengraf	40	
10	11/27/2018	Referral to City Manager to encourage long-term tenant stability by reducing the Affordable Housing Mitigation Fee rate in particular circumstances related to conversion to tenant ownership	CM Maio	started	
11	11/27/2018	City Manager and Planning Dept to promptly move forward with parts of More Student Housing Now reso and SB 1227 implementation	CM Worthington	started	
12	12/4/2018	City Manager and Planning Comm to consider ZO amendments re beer and wine sales in M District	Council	started	
13	4/2/2019	Referral to PlanComm to consider protecting Live-Work spaces to cannabis uses, per Civic Arts Comm concerns	Civic Arts Comm	41	
14	4/23/2019	Refer to CM to analyze and report back on possible ZO changes to foster alternative housing types under a "Missing Middle Initiative"	CM Droste	started	
15	4/30/2019	Refer to the Planning Commission and Housing Advisory Commission to research and recommend policies to prevent displacement and gentrification of Berkeley residents of color	CM Davila	17	
16	5/28/2019	City Mgr to analyze dev't scenarios for using West Berkeley Service Center site for senior housing. PlanComm to consider mods to underlying zoning, possible overlay, to maximize production of senior housing	Mayor Arreguin	started	
17	10/15/2019	Refer to PlanComm to consider Zoning Ord modifications to streamline review processes for the benefit of new and existing small businesses. Includes 8 listed actions requested.	OED	started	
18	11/12/2019	Referral to PlanComm and City Atty to consider Ords adopting bird-safe construction practices and a "dark skies" policy	CEAC	started	
19	11/19/2019	Referral to City Manager to return with an Amnesty Program for Undocumented Secondary Units	CM Wengraf	started	
20	7/28/2020	Refer to City Manager to develop a program to clarify certain areas of confusion within the City's current Short-term Rental Ord; Refer to PlanComm to consider revisions to Short-term Rental Ord. based on model used by City of Santa Monica. Also referred to LUHED Policy Cmte	CM Harrison	started	
21	4/20/2021	Refer to PlanComm to create Zoning overlay at former Pacific Steel site, convert it to MU-LI district, and consider including skilled and trained workforce provisions from SB7 etc.	CM Kesarwani	started	
22	6/15/2021	Consolidate the Cannabis Commission into the Planning Commission	CM Droste		
23	9/28/2021	Refer to CM including environmental mitigations within enhanced Use Permit review process in Manufacturing Zone, e.g. Air Quality monitoring	CM Kesarwani	18	
24	11/9/2021	Refer to City Mgr and PlanComm to consider Affordable Housing overlay, to allow increased height/density for 100% affordable projects, to be integrated within current H.E. update cycle	CM Taplin	started	
25	12/14/2021	Refer to City Manager to streamline ADU process, inclu Universal checklist and webpage, pre-approved designs, and an "ADU Ally" staff position	CM Kesarwani	19	
26	1/25/2022	Refer to CMO, PlannComm and HAC: Civic Arts Comm ideas to promote artists housing, including use of ground floor retail space, and to include it in the Housing Element update process	CM Hahn--FYI LUP	28	
27	2/22/2022	Refer to City Mgr and PlanComm to streamline remediation of toxic sites in manufacturing districts with a single application for Land Use and Toxics, and for PC to reconsider related previous 2012 referral.	CM Taplin; FYI LUP a	13	
28	6/28/2022	Refer to City Mgr and PlanComm to reduce or eliminate minimum parking requirements in various zones including Live-Work, Manufacturing, Mixed-Use and other non-residential areas	CM Taplin	started	
29	9/13/2022	Refer to CMO and PlanComm to "Keep Innovation in Berkeley" by amending Zone Ord in several places to facilitate R&D uses in more zones / with fewer restrictions	CM Robinson	12	
30	9/13/2022	Refer to CMO and PlanComm to develop objective standards for efficiency units, similar to recent actions by Cities of Davis and Santa Barbara	CM Taplin	35	
31	5/2/2023	Explore Zoning mods for added density as way to help offset costs added to projects by new HARDHATS ord	Mayor Arreguin	***	
32	5/23/2023	Housing Element Implementation steps pertaining to "higher-resourced" commercial corridors such as Solano, North Shattuck, and College Ave.	CM Hahn	***	

