



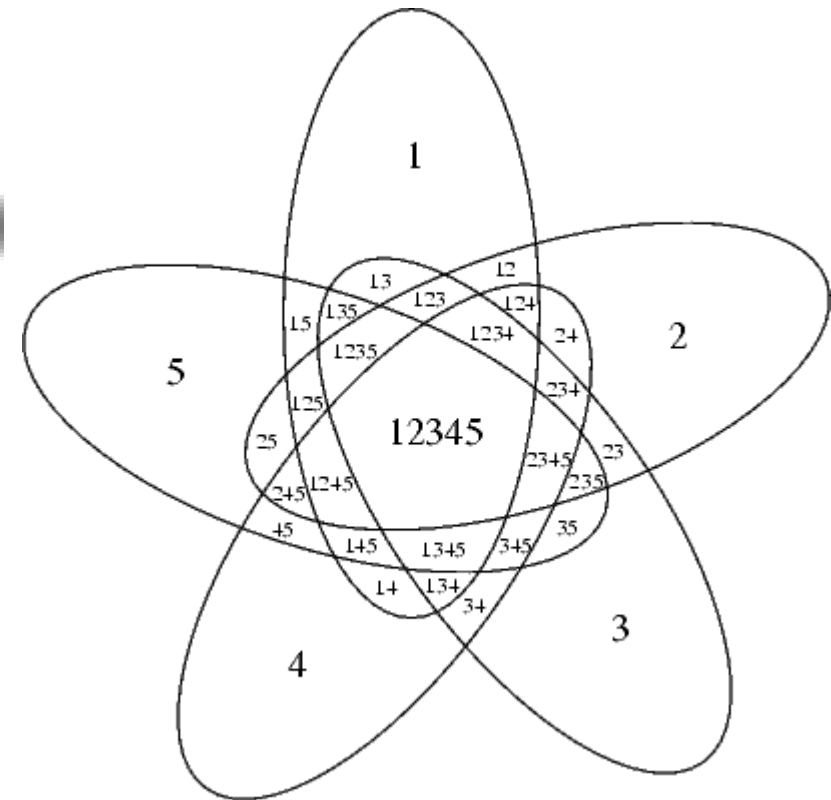
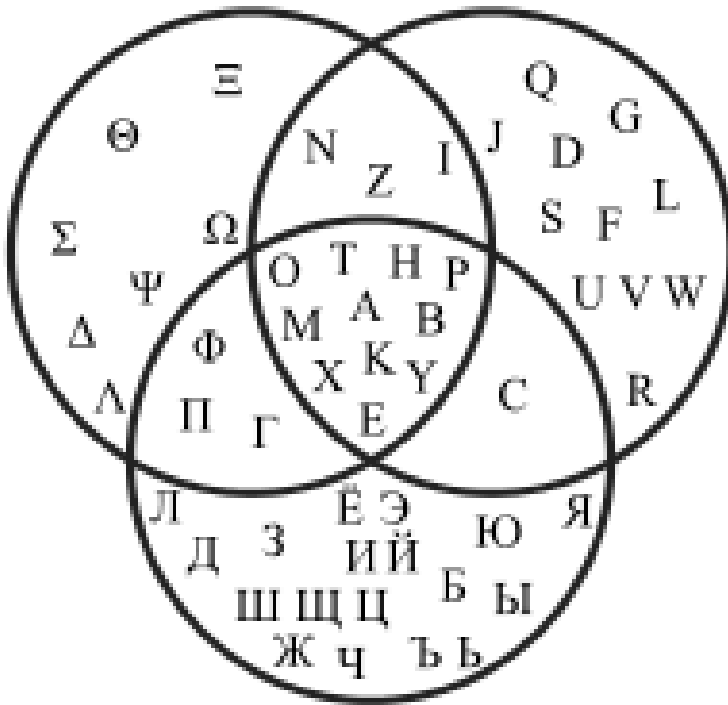
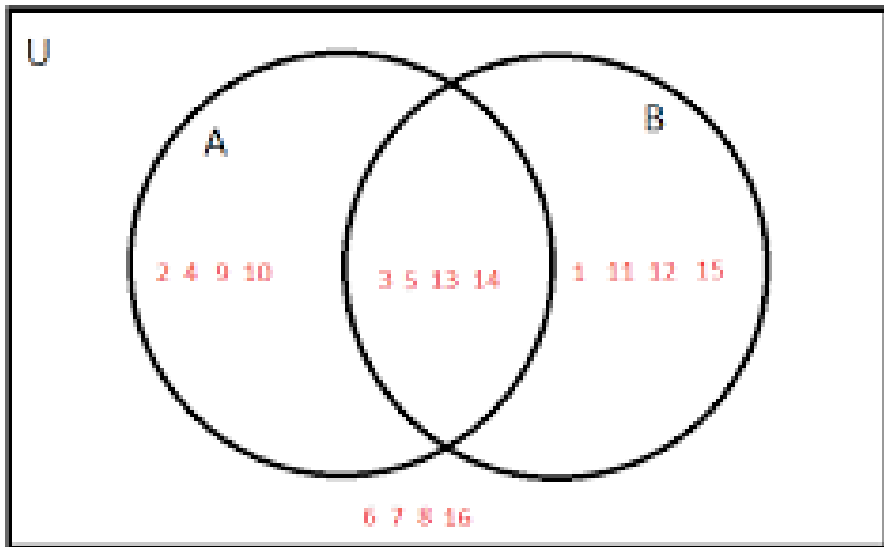
# SB35 IN BERKELEY

STEVEN BUCKLEY, LAND USE PLANNING MANAGER

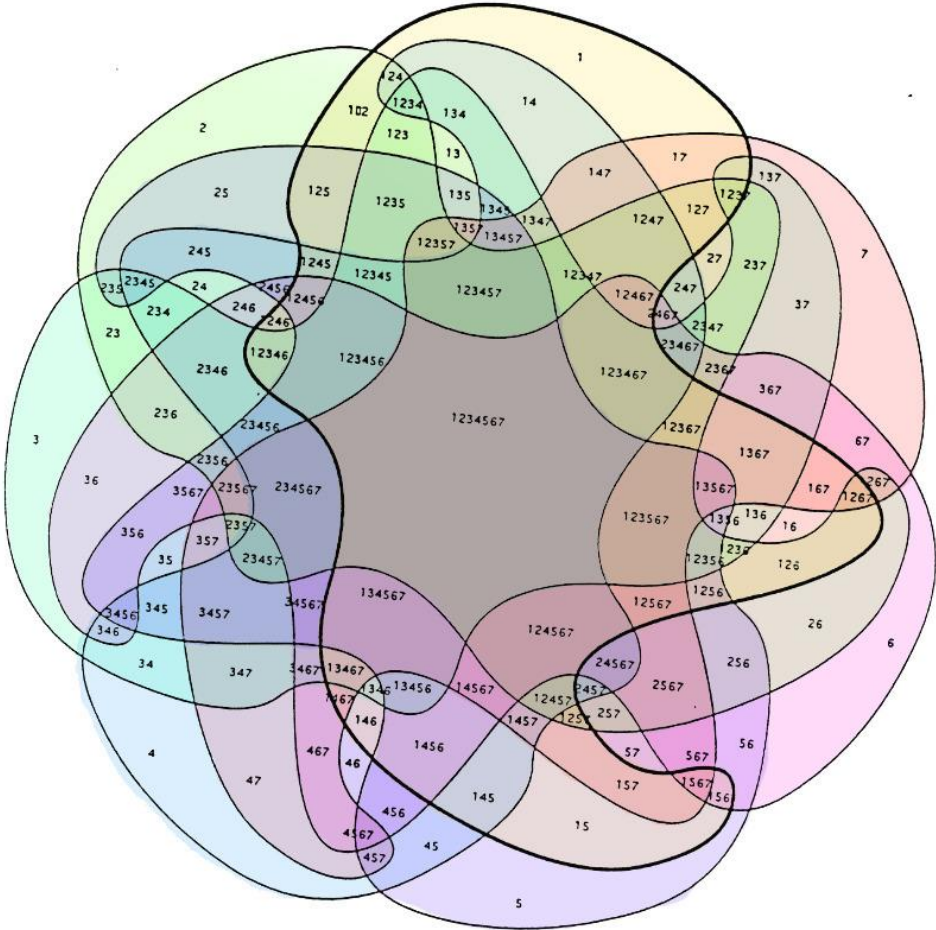
BAPDA PRESENTATION, MAY 5, 2018

PRESERVATION PARK, OAKLAND

# HOUSING LAW AND LOCAL PLANNING

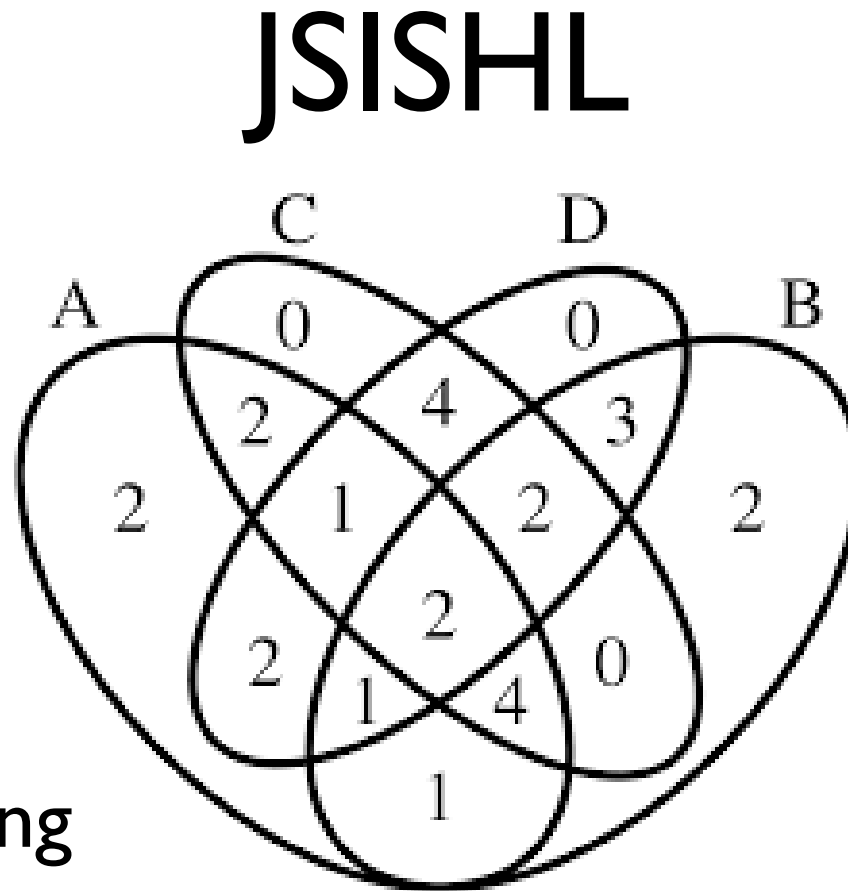


# 2017 HOUSING BILLS



## WHAT GOES IN THE DIAGRAM

- AHMF
- CONDOS
- DEMO.
- LPO
- NPO
- ADUs
- STRs
- DB
- Student Housing
- Tiny Homes



- SB35
- HAA
- PALMER / COSTA  
HAWKINS /  
PALMER FIX
- DENSITY BONUS
- ADUs
- NO NET LOSS
- REPORTING

## Planning Commission & Policy Group Work Plan Land Use Planning Division

DESCRIPTION	RANKING		Look Up (Row # in PC Referral Table)	2018												2019											
	RRV	HAP		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Toxic Remediation Regulations	started		8			cc																					
R-1A Zoning Amendments	started		15			cc																					
Premier Cru	SHORT TERM							cc																			
1050 Parker Rezone	SHORT TERM		47		pc/ph		ph	cc																			
ADU Ordinance Amendments	-	13		ph				cc																			
Urban Garden Package	30, 36		6, 26			pc		ph				cc															
Zoning Ordinance Revision Project	started		5	sc				sc		sc		sc			pc				cc								
Comprehensive Cannabis Ordinance	started		11, 39, 40		pc/ph					ws					cc												
Density Bonus Package	started, NR, NR, NR	3, 5	18, 31, 36, 44		sc	ph			cc	phase 2						phase 3											
Land Value/Community Benefits (Adeline)	NR, NR		37, 38																								
Housing Linkage Fees	started	8																									
Green Affordable Housing	started	12, 17	2																								
Ground Floor Uses (OED SBP)	7, 24	18	23, 28																								
Parking Regulations in the R-4 District	started	17	10																								
Moderate Impact Use Zoning Changes	started	7						pc				pc			cc												
Streamline Permitting for AH (JSISHL)	started, NR	12	17, 46				sc																				
Student Housing - Southside	started, NR, NR	4, 17	18, 31, 44					pc																			
Operating Hours in C-Districts (OED SBP)	46		19																								
Commercial Square Footage in C-E (OED SBP)	51		24																								
Demolition Ordinance	-	16																									
San Pablo Ave Specific Area Plan	13		14																								
4th Street Specific Area Plan	43		12																								
Air Pollution	NR		34																								
Junior ADUs	NR		29																								

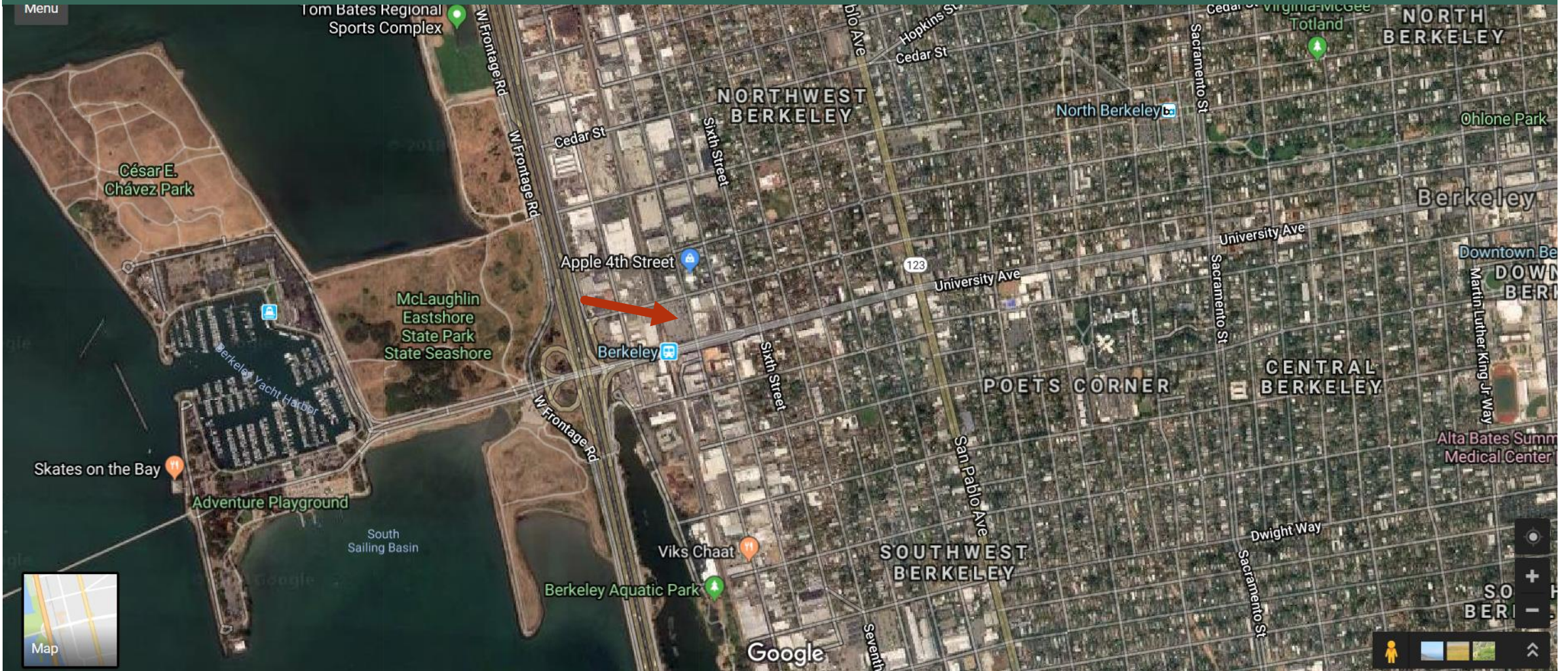
**LEGEND:**

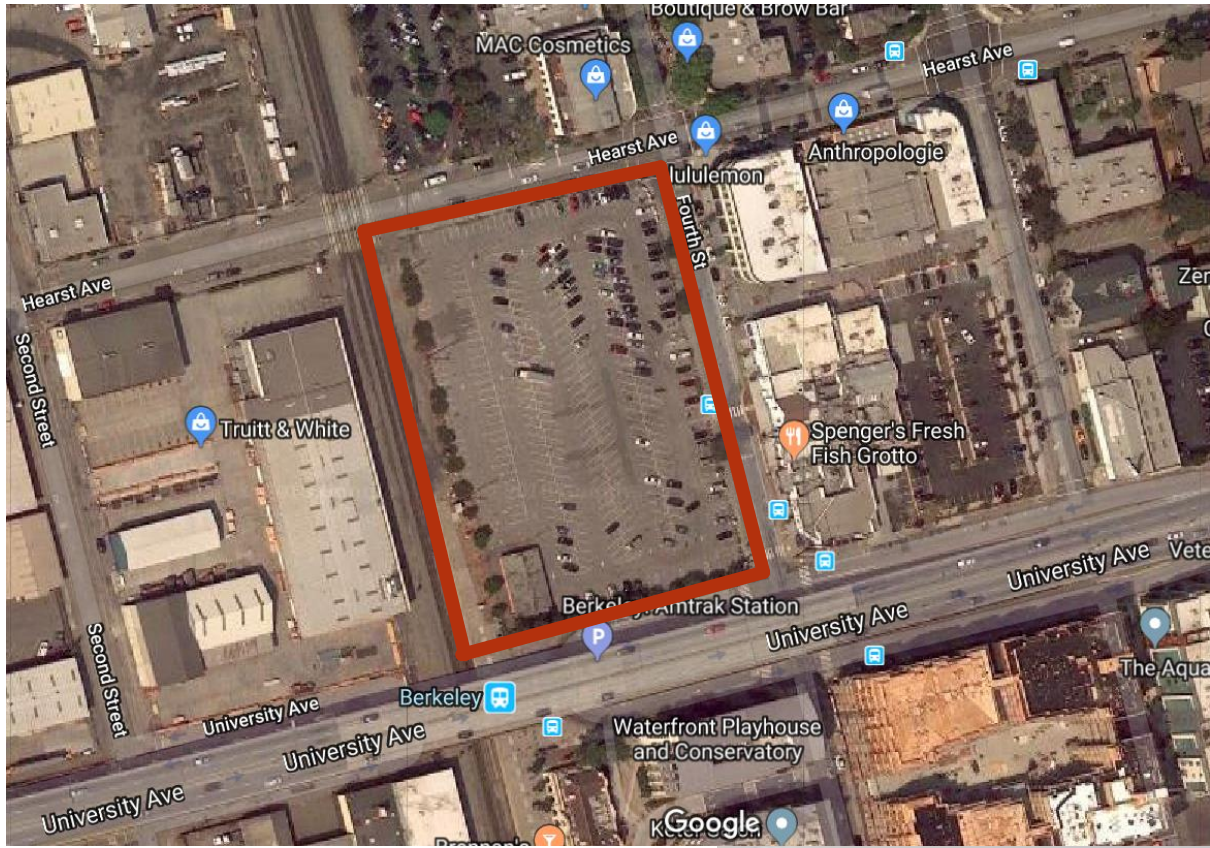
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<span style="background-color: #ffff00; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> next (major effort)	<span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> complete
<span style="background-color: #d9ead3; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> next	<span style="background-color: #ffffff; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span> not started

**Abbreviations:**

cc = City Council    sc = Sub Committee of the Planning Commission    pc = Planning Commission    ph = Public Hearing at Planning Commission    ws = worksession  
 AH = Affordable Housing    ADU = Accessory Dwelling Unit    NR = Not Ranked    RRV = Reweighted Range Voting    HAP = Housing Action Plan    OED SBP = Office of Economic Dev Small Business Package

# SB 35 / 1900 FOURTH STREET

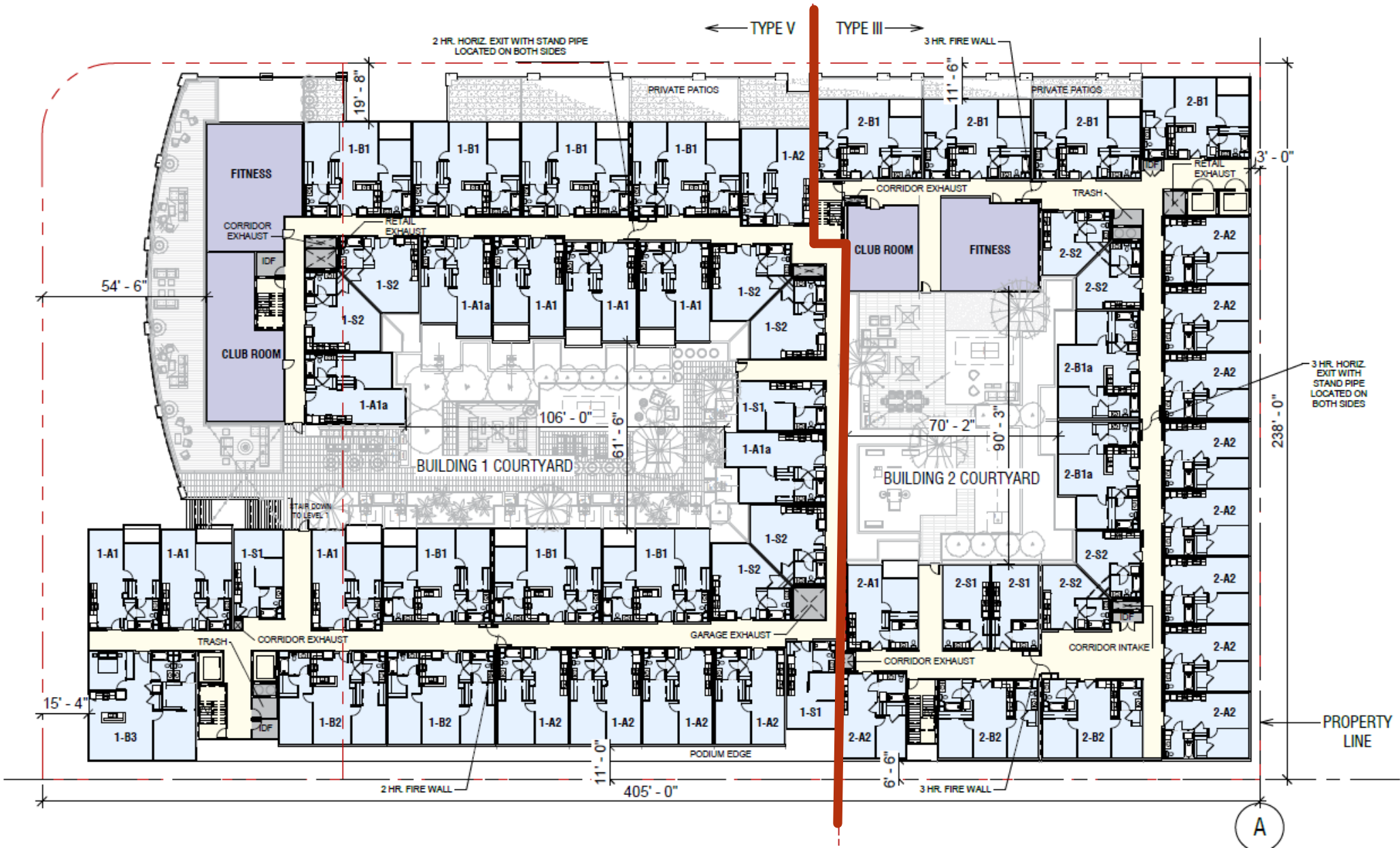












A

## SB35 PROCESS

- 30-DAY LETTER – Standard Use Permit under PSA
- 60/90-DAY LETTER – Qualifications and Objective Standards
- 90/180-DAY REVIEW – Final Action

## ELIGIBILITY CRITERIA - GOVT. CODE § 65913.4(A)(6)

- *Number of Units.*
- *Zoning and Residential Uses.*
- *Location.*
- *Demolition of Residential Units.*
- *Historic Resources.*
- *Consistent with Objective Standards.*
- *Prevailing Wages.*
- *Skilled and Trained Workforce Provisions.*

## OBJECTIVE STANDARDS

“Objective zoning standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

## QUESTIONS / ISSUES

- QUALIFYING CRITERIA
- OBJECTIVE STANDARDS
- MITIGATION MEASURES
- AFFORDABILITY
- WHO DECIDES?