



Planning Commission

PUBLIC HEARING NOTICE

PROPOSED AMENDMENTS TO THE ZONING ORDINANCE TO REVISE INCLUSIONARY UNIT PRICING REQUIREMENTS FOR OWNERSHIP PROJECTS, TO REVISE RESALE RESTRICTION PRICING REQUIREMENTS, AND TO AUTHORIZE THE CITY MANAGER TO ISSUE REGULATIONS GOVERNING PRICE-SETTING AND QUALIFYING HOUSEHOLDS.

The City of Berkeley Planning Commission will hold a public hearing on the above matter on Wednesday, **December 10, 2003** at the North Berkeley Senior Center, 1901 Hearst Ave (at Martin Luther King), Berkeley. The meeting begins at 7 p.m.

The City of Berkeley is considering changes to the zoning ordinance to amend sale price formulae in the Inclusionary Housing Requirements of the City of Berkeley Zoning Ordinance (Berkeley Municipal Code Section 23C.12 *et seq*). The amendments would:

- State that the basic price of inclusionary ownership units shall be affordable to a household with a gross monthly income of 80 percent of AMI;
- Provide new language for BMC Section 23C.12.070.A that allows per-unit development-cost pricing for inclusionary ownership units, capping prices at three times 120 percent of AMI subject to income and unit size criteria established by Council resolution;
- Require that inclusionary ownership units be affirmatively marketed to Section 8 tenants who are interested in buying a home through the Section 8 homeownership program (see “Mitigating Affordability Impacts” below); and
- Revise BMC Section 23C.12.090 to authorize the City Manager to promulgate rules and regulations for setting and administering sale prices.
- Revise the resale price formula in the Ordinance’s resale restrictions to provide an increase in the price by the lower of either the Bay Area inflation or the growth rate in regional household incomes. The amendment would also apply these new resale restrictions retroactively to existing inclusionary condominium unit owners whose deed restrictions currently limit their equity appreciation to increases in the CPI applied to their original down payment only.

Copies of the complete text of the proposed amendments are available at the Advance Planning Division (2118 Milvia St. Third Floor), 8 a.m. – 5:00p.m. Monday, Tuesday, Thursday, and Friday, and 9:00 a.m. to 5:00 p.m. Wednesday, OR at the City of Berkeley Housing Department, 2180 Milvia Street, 2nd Floor between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Following the public hearing, the Planning Commission may vote to adopt, modify, or reject the proposed amendments. If adopted by the Planning Commission, the proposed amendments will be forwarded for action by the City Council, which may approve, modify, or reject the proposed amendments.

Environmental Review Status: The proposed action is exempt from review under the California Environmental Quality Act per CEQA Guidelines at Section 15061(b)(3).

To obtain copies of the proposed amendments and Staff Report to the Planning Commission regarding this matter please contact Janet Homrighausen, AICP at (510) 981-7484. TDD (510) 644-6915

Notice mailed to: Neighborhood and Community Organizations
Members of the Planning Commission
Members of the Zoning Adjustments Board
Members of the Housing Advisory Committee