



Planning and Development Department
Land Use Planning Division
1947 Center Street
Berkeley CA 94704

Ashby and North Berkeley BART Station Planning Frequently Asked Questions (FAQ's)

1. What is the Ashby and North Berkeley BART Station Zoning Standards and Site Planning process about?

The City of Berkeley is developing new zoning standards for the Ashby and North Berkeley BART stations. Every property in Berkeley has a zoning designation. Zoning determines how big a new development can be and what kinds of activities are permitted in that development.

The zoning at the North Berkeley and Ashby BART stations will primarily permit housing, but will also likely permit other uses like stores, restaurants and civic spaces.

Zoning is *not* development. Zoning only sets the rules for what is allowed and/or required on a particular piece of property. Ultimately, BART, the property owner, will choose the developer for the actual project.

2. Why is the City of Berkeley doing this now?

In September 2018, Governor Gavin Newsom signed Assembly Bill 2923, a bill authored by San Francisco Assemblymember David Chiu. AB 2923 requires cities to create zoning for BART stations by July 2, 2022, and the bill lays out some minimum standards for that zoning. The current zoning at the North Berkeley and Ashby BART stations do not comply with those minimum requirements.

If the City does not develop zoning for both BART stations by July 1, 2022, the minimum standards will become local zoning on July 1, 2022 for those portions of City's zoning code that don't comply.

For more information, see:

- [Text of AB 2923](#)
- [BART's AB 2923 Implementation Page](#)

In December 2019 the Berkeley City Council directed staff to bring zoning alternatives to the Planning Commission for discussion and recommendation to the City Council.

3. How will the City of Berkeley develop the zoning standards?

Changes in zoning require the approval of the City Council. The City Planning Commission must first make a recommendation to the City Council about any changes in zoning before the City Council can act. The zoning standards also require the preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA).

The City of Berkeley is working closely with BART to develop zoning that meets the requirements of AB 2923 and other development parameters that could be included in eventual Requests for Qualifications/Proposals (RFQs/RFPs) that meet the goals of the City, and the goals of BART as the property owner. The City and BART signed a Memorandum of Understanding (MOU) that outlines the responsibilities of each party and the timeline for the development of the zoning standards.

Since 2015, the City has undertaken a community-wide process to develop a long-term plan for the Adeline Corridor (the Adeline Corridor Specific Plan) which includes the Ashby BART station. The community's vision for the Ashby BART station area, as captured in the Adeline Corridor Specific Plan, will play a major role in informing the zoning standards process for Ashby BART.

In 2018 and 2019, Mayor Jesse Arreguin led a community visioning process for the North Berkeley BART station. The City Council subsequently adopted a North Berkeley BART Development Goals and Objectives document that outlined a vision for development of the BART station area. The Goals and Objectives document will play a major role in informing the zoning standards process for North Berkeley BART.

As part of this planning process, the City Council has created a Community Advisory Group (CAG) to provide input to the City Planning Commission. The responsibilities of the CAG, and the process by which they will make their recommendations to the City Planning Commission can be found [here](#).¹ CAG member biographies can be found [here](#).² Building on the community work done for the Adeline Corridor Specific Plan and the North Berkeley BART Development Goals and Objectives document, the CAG was convened to gather feedback and priorities for the development of zoning standards and site planning parameters. The CAG has so far held three meetings. The agendas and video recordings of CAG meetings can be found on the [BART Planning project website](#).³

This process also includes meetings for the general public to allow Berkeley residents and other interested parties to share ideas and provide feedback on zoning proposals.

¹ [https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Berkeley_Bart_CAG_Resp_Resources052820\(1\).pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Berkeley_Bart_CAG_Resp_Resources052820(1).pdf)

² <https://www.jessearreguin.com/bart/cag>

³ <http://www.cityofberkeley.info/bartplanning>

Information about the project, CAG meetings, and meetings of the general public, as well as background documents is available on the City of Berkeley's [BART Planning project website](#).

For more information, see:

- City of Berkeley's [BART Planning Project website](#)
- [The City Council's December 10, 2019 agenda item](#) approving the Memorandum of Understanding between the City of Berkeley and BART.
- [The Draft Adeline Corridor Specific Plan](#)
- [North Berkeley BART Development Goals and Objectives](#)

4. **What are the minimum zoning standards set out in AB 2923 for the Ashby and North Berkeley BART stations?**

AB 2923 assigns different minimum zoning standards for each BART station, based on what BART calls their "TOD Place Type." There are three TOD Place Types: Regional Center, Urban Neighborhood/City Center, and Neighborhood/Town Center. The North Berkeley and Ashby BART stations are classified as Urban Neighborhood/City Center Place Types. AB 2923 says that zoning standards developed for any Urban Neighborhood/City Center Place Type must allow the following:

- Development at a density of 75 units per acre (the locality where the station is located determines the amount of acreage eligible for development);
- Development at a height of 7 stories (the locality where the station is located, through its zoning code, determines the height of a story);
- Development with a Floor Area Ratio (FAR) of 4.2 At least one secure bicycle parking space per residential unit;
- No minimum vehicle parking space requirement;
- A maximum of 0.5 vehicle parking spaces per residential unit; and
- A maximum of 1.6 vehicle parking spaces per 1,000 square feet of office space.

The current zoning at the North Berkeley and Ashby BART stations do not comply with these minimum requirements.

For more information, see:

- [Text of AB 2923](#)
- [BART's AB 2923 Implementation Page](#)
- [BART's Transit Oriented Development Guidelines](#)

5. How did Ashby and North Berkeley BART stations get classified as “Urban Neighborhood/City Center” Place Types in AB 2923? Could that designation be changed?

The Ashby and North Berkeley BART stations were classified as Urban Neighborhood/City Center Place Types in BART's 2017 *Transit Oriented Development Guidelines (2017 TOD Guidelines)*. AB 2923 specifically referenced the *2017 TOD Guidelines* and designated that document as the legal source for each station's Place Type.

The *2017 TOD Guidelines* were developed by BART staff under direction from BART's Transit Oriented Development Policy. Because both North Berkeley and Ashby BART stations are within close proximity to jobs, are more dense than many places within the BART system, are located within a walkable street network with a mix of land uses, and include frequent BART and AC Transit bus service, both were classified as Urban Neighborhood/City Center Place Types in the *2017 TOD Guidelines*.

BART did not participate in writing AB 2923 and did not take a position on the bill. Its *2017 TOD Guidelines* were originally developed to serve as *guidance* to local jurisdictions and were never intended to be adopted as official land use requirements. However, the authors of AB 2923 specifically referenced the Place Types in the *2017 TOD Guidelines*, so for the purposes of AB 2923 compliance, the Place Types are now legally binding.

As AB 2923 is State law, neither the City of Berkeley nor BART have the authority to alter any of the legislation's requirements, including any station's Place Type designation. Place Type designations could only be changed by an action of the State legislature to amend AB 2923.

6. Given the current COVID pandemic, what are the considerations for future economic growth and ridership?

The current COVID-19 pandemic has resulted in a slowdown in economic growth and the shelter-in-place orders in the Bay Area have significantly reduced the need to travel to work, school and recreational activities for most of the population. Many have transitioned to remote working and education and other online activities. Like all other transit agencies across the nation, this current scenario has significantly impacted BART's ridership.

BART will suffer from these impacts over the next few years, even after the COVID-19 pandemic is suppressed. However, the development timeline for implementation is longer term, with a goal of completing the developments within 5 years of receiving city planning approvals, by no later than 2030.

Given the diversity of the Bay Area economy and Berkeley's premiere educational/research centers, BART is assuming a conservative recovery over a 5-year period with ridership eventually returning to 2019 levels at the Berkeley BART stations. The uptick in traffic and congestion resulting from the economic recovery will drive the gradual return to BART. While

BART recognizes that travel patterns may change and remote working will continue to be a real option for some industries, we also understand that with economic growth comes more trips, trips of all types. Additionally, many of BART's riders will not have remote options for work, education and other essential activities.

7. How will BART accommodate future riders for the Berkeley TOD projects and other regional growth?

As the region grows, more people will ride BART. Without a reliable transit system, the Bay Area will face worse traffic congestion and reduced economic competitiveness.

In response, BART is in the process of expanding the system's capacity with the Transbay Core Capacity project which includes four elements:

- The purchase of additional rail cars (in addition to replacement rail cars currently being delivered as BART retires its aging fleet) to run all 10-car trains at rush hour, with more trains per hour;
- Train control modernization that will allow for more trains per hour through the Transbay Tube;
- Traction power substation systemwide upgrades to allow for more frequent and longer trains; and
- A new railcar storage yard at the Hayward Maintenance Complex to accommodate the additional railcars needed for longer trains and more frequent service.

The project will allow for an increase in train frequencies between San Francisco and Oakland by more than 30%, and overall capacity by approximately 45%.

More detail can be found here: <https://www.bart.gov/about/projects/corecapacity>

8. Will BART continue the [North Berkeley Bicycle and Pedestrian Improvements](#) during this process?

Yes. BART will continue working with the City on advancing the pedestrian/bicycle access project that will make it safer and easier to walk and bike to North Berkeley BART. The project design minimizes the inclusion of elements that would likely be removed with the development of a project at the North Berkeley BART site.

The current improvements include dedicated bicycle lanes, a widened Ohlone Greenway, raised crosswalks and bulb-outs, improved pedestrian lighting and storm water management strategies. Fifty-seven percent of North Berkeley BART patrons currently walk or bike, so these improvements for the station will improve safety and security and reduce congestion on the Ohlone Greenway. The improvements will also encourage more people to walk and bike to the stations rather than drive and park.

This project is fully funded by Measure RR and the State's Affordable Housing & Sustainable Communities (AHSC) Program. BART anticipates completing design by Summer 2021 and starting construction in Winter 2021 with completion by Winter 2022.

9. When and how will BART patron parking replacement levels be determined for the Ashby and North Berkeley BART stations?

BART has not yet determined specific replacement parking numbers for each station. BART applied for and received around \$900,000 from Caltrans and the Federal Transportation Agency to study corridor-wide access improvements for developments at the Ashby, North Berkeley and El Cerrito Plaza stations. This work will take place between Winter 2020 and Winter 2022 and will include community input and technical analysis of different access alternatives. The study will consider effects on ridership, the environment, equity and the user experience, and will evaluate the feasibility of proposed improvements. BART's current [TOD](#) and [Access](#) policies will inform the range of parking replacement levels considered in the study.

Once the developers for each station have been selected and are able to advance their own development plans, BART will conduct more detailed station-specific access plans, which will include consideration of patron parking. Final decisions on project design (including anticipated parking and ridership levels) will be made prior to the granting of entitlements and will need to be approved by the BART Board.

The majority of BART riders using the Ashby and North Berkeley BART stations prior to COVID-19 arrived at the stations by walking, biking, getting dropped off, or taking transit, and this share of non-driving BART patrons has increased over time. For this reason, BART classified these stations as "Urban with Parking." Per Board-adopted policy, BART aims to retain and enhance station access while minimizing the need and expense of structured on-site parking replacement by making walking, biking, transit and carpooling safer and more viable, and exploring the shared use of existing offsite parking.