



Z O N I N G A D J U S T M E N T S B O A R D S T A F F R E P O R T

FOR BOARD DISCUSSION
DECEMBER 11, 2014

SUPPLEMENTAL REPORT

2211 Harold Way

Review and comment on the community benefits package proposed by the project sponsor for a proposed 18-story, mixed-use development in Downtown Berkeley. Proposed benefits include a project labor agreement, new cinemas to replace the existing theater, transportation demand management features, a public plaza and Harold Way streetscape improvements. The proposed project would include 302 dwelling units, a six-screen cinema complex, about 10,500 square feet of ground-floor commercial space, and a 171-space underground parking garage.

I. Policies Applicable to Proposed Benefits

Staff has identified additional policies from the General Plan, Downtown Area Plan (DAP) and other City documents that are relevant to the applicant's proposed community benefits, but were not mentioned in the main staff report. Because the staff report cited a number of such policies in its discussion of other potential benefits, staff would also like to provide the following policies relevant to the proposed benefits for the ZAB's consideration. The following is not intended to be an exhaustive list, and there may be other relevant policies not listed here.

Project Labor Agreement:

- DAP Policy LU-2.3 discusses "Voluntary Green Pathway" provisions, which were later incorporated into Zoning Ordinance Chapter 23B.34. These provisions allow for "streamlined entitlement processing" for projects satisfying certain requirements beyond what would otherwise be required. While the proposed project has not elected to pursue the Green Pathway, the following Green Pathway requirements are relevant to the project's union labor

agreement:

23B.34.060 Additional Green Pathway Requirements Applicable to Large Buildings and Hotels

In addition to the requirements of Section [23B.34.050](#), any Green Pathway project that includes either a hotel, a building over 75 feet in height, or a building with more than 100 units of housing, shall be subject to the following requirements:

- A. All construction workers shall be paid state prevailing wage as established by the California Department of Industrial Relations.
 - B. To the extent that a sufficient number of qualified apprentices are reasonably available, no less than 16% of the construction workers shall be apprentices from a State Certified Apprenticeship program with a record of graduating apprentices.
- DAP Policy HC-5.1 states, in part: “Encourage developers to hire local youth who are enrolled in State-approved construction apprenticeships programs with a proven record of success.”

Cinema “Retention and Modernization”:

- DAP Policy LU-1.2 includes the following language that is relevant to the applicant’s proposal to rebuild the existing cinema complex: “Retain and support Downtown’s cinemas. Consider incentives for retaining existing movie theaters and upgrading their facilities.”
- DAP Policy LU-7.1, Item C, states: “Encourage long-term and affordable space for arts, culture, and other desirable uses that cannot pay market rents.”

Transportation Demand Management (TDM) Features: The TDM policies cited in the following section would also be relevant to the applicant’s proposed TDM program.

Public Plaza/Streetscape Improvements: Many of the policies cited below regarding open space would also be relevant to the proposed plaza and streetscape improvements.

II. Policies Applicable to Potential Additional Benefits

The main staff report also includes a list of potential community benefits that could be considered in addition to, or instead of, the applicant’s proposed benefits. This list cites policies from the City’s General Plan, DAP, and other policy documents, but does not provide the actual text of these policies. In order to facilitate the ZAB’s consideration of these additional benefits, the actual text of the cited policies is provided below, in the same order in which they appear in the main report. Links to further information about community programs and organizations cited in the report are also provided. The

following is not intended to be an exhaustive list, and there may be other relevant policies not listed here.

Affordable Housing:

- Affordable Housing Mitigation Fee:
<http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=74682>
- General Plan Policy H-1 – Extremely Low, Very Low, Low and Moderate Income Housing: Increase the number of housing units affordable to Berkeley residents with lower income levels. (*Also see Land Use Policies LU-18 and LU-25*)

Actions:

- A. Continue to support and implement programs to encourage below-market-rate housing with incentives for affordable housing development including but not limited to density bonuses under State law, fee deferrals, and below market rate development loans.
 - B. Allow increases in density to promote the production of below market rate housing consistent with State density bonus law.
 - C. Use existing City programs, such as the Housing Trust Fund, to provide housing to households at the lowest income levels, including extremely low income households, and units that are deeply affordable housing for people with disabilities, the homeless, the elderly, and very low-income families.
 - D. Ensure that below-market-rate housing is distributed as evenly as possible throughout the community.
 - E. Maintain zoning provisions requiring inclusion of affordable units in new housing developments where legally feasible. Advocate for the California legislature to restore cities' abilities to require below-market-rate rental units in new housing developments. Consider all available options to provide alternatives to inclusionary housing (see Policy H-2).
- General Plan Policy H-2 – Funding Sources: Aggressively search out, advocate for, and develop additional sources of funds for permanently affordable housing, including housing for people with extremely low incomes and special needs. (*Also see Land Use Policy LU-28*)

Actions:

- A. Look for all available funding sources, including but not limited to local bond financing and local, State and Federal tax sources, such as a special tax and/or the real property transfer tax, to generate additional resources for the Housing Trust Fund and other housing programs.

- B. Continue to utilize the existing housing mitigation fee applicable to commercial projects. Consider revisions to the fee, including but not limited to updating the fee and applying it to new hotel or conference center uses.
 - C. Consider a range of new funding sources which may include housing mitigation fees applicable to residential projects.
 - D. Work to ensure that local funding is planned and administered in a way that allows project sponsors to maximize their leveraged funding and meet the requirements of other funding sources while accomplishing local goals.
 - E. Support increased funding at the federal and state levels to support the production and operation of permanent, affordable housing.
 - F. Continue to use condominium conversion mitigation fees to support the development, preservation, and maintenance of affordable housing.
- Downtown Area Plan Policy LU-3.1 – Housing Needs: Accommodate a significant portion of Berkeley’s share of regional housing growth as defined by Regional Housing Needs Assessments (RHNA) within the Core Area, Outer Core, Corridor, and Buffer areas, as compared with other appropriate areas in Berkeley.
 - Downtown Area Plan Policy LU-3.2 – Housing Diversity & Affordability: Offer diverse housing opportunities for persons of different ages and incomes, households of varying size and the disabled, and give Downtown a significant role in meeting Berkeley’s continuing need for additional housing, especially affordable housing (see Housing and Community Health & Services chapter).

Supportive Social Services:

- General Plan Policy H-26 – Affordable Accessible Housing: Encourage new construction and rehabilitation of accessible housing units that are permanently affordable, in particular to extremely low-income households.

Note: Although cited in the main staff report, the following policy does not appear to be directly applicable to the topic of “Supportive Social Services”. However, aspects of this policy, particularly Action D, could be used as the basis for community benefits in the “Green Features” category.

- General Plan Policy H-30 – Energy Efficiency and Waste Reduction: Implement provisions of Berkeley’s Climate Action Plan to improve building comfort and safety, reduce energy costs, provide quality housing, and reduce Greenhouse Gas Emissions. (Also see *Environmental Management Policies EM-3, 38, 39 and Urban Design and Preservation Policy UD-33*)

Actions:

- A. Improve local energy and green building standards for new residential construction and renovations.
- B. Continue to support energy efficiency practices in new construction and renovations through consultation, education, incentives and outreach services.
- C. Develop then phase in local minimum energy standards for existing residential buildings. Encourage owners of existing single- and multi-family residential buildings to meet those standards by providing incentives and developing energy services, such as the Smart Solar Program, Berkeley FIRST financing, comprehensive energy audits, energy efficiency upgrades, and education.
- D. Continue and expand weatherization programs that assist low-income homeowners and renters to reduce their energy use.
- E. Continue and expand residential recycling and composting in single and multi-family dwellings through improved assistance and education services, with emphasis on outreach to tenants in multi-family dwellings.
- F. Continue and expand recycling of building materials and construction and demolition debris resulting from both new construction and renovations through improved assistance and education services.
- Downtown Area Plan Policy HC-5.1 – Youth Services: Serve youth in Downtown, and encourage their health, safety and welfare. Expand recreation and other uses that serve youth (see policies under Goal ED-8).
 - a) Expand recreation and other uses that serve youth. Support internships for teens and young adults.
 - b) Encourage developers to hire local youth who are enrolled in State-approved construction apprenticeships programs with a proven record of success.
 - c) Work in partnerships with organizations and institutions (such as Berkeley High School, Berkeley City College, the YMCA, the Adult School, and UC Berkeley) to provide healthful activities, counseling, career planning, job training/placement, medical, and other beneficial services for teens and young adults – including parenting support programs.
 - d) Support initiatives where teens and young adults can contribute to Downtown through internships and civic activities. Encourage developers to hire local youth enrolled in state approved construction apprenticeships programs that have a proven record of success.
- Downtown Area Plan Policy HC-5.4 – Social Services: Maintain and enhance prompt access to social services by Downtown residents and transient populations.

- a) Evaluate existing and future social service needs and opportunities, both citywide and Downtown. Consider how services might be improved and how they might be accommodated in Downtown.
- b) Seek funding to modernize the Veterans Memorial building and make it seismically safe. Consider its continued use as a social service facility.

Note: The following policy, although not cited in the main staff report, is also applicable to the topic of “Supportive Social Services”.

- General Plan Policy H-19 – Emergency Shelters and Transitional Housing: Recognizing that the City’s priority for new homeless housing opportunities is for permanent housing, to the extent feasible and until they can access permanent housing, provide emergency shelter and transitional housing to homeless individuals and families, including people with mental, physical, and developmental disabilities, victims of domestic violence, youth, and seniors.

Green Features:

- Climate Action Plan, Ch. 4, Goal 5 – Increase Energy Efficiency and Renewable Energy Use in Public Buildings: The GHG emissions that result from energy and water use in municipal buildings account for about one percent of Berkeley’s total community-wide emissions. As such, actions to reduce energy use in City government buildings will have a relatively minor impact on our community’s overall carbon footprint in the long run. However, climate action in municipal buildings and in schools demonstrates leadership that extends beyond the magnitude of the amount of greenhouse gases reduced.

Policy B: Continue to actively identify and implement cost-effective opportunities to utilize renewable energy systems in public buildings.

Implementing Actions:

- Require that re-roofing projects on City buildings evaluate the feasibility of incorporating “solar ready” features, including mounting posts for panels and roof penetrations for conduit and/or pipes.
- Install solar thermal systems on Berkeley Fire Stations to offset natural gas consumed for water heating.
- Identify potential sites for solar parking lot and solar bus stop canopies.
- Partner with KyotoUSA and other community groups and agencies to identify additional solar opportunities on BUSD schools.
- Downtown Area Plan Policy ES-5.1 – Stormwater Quality: New development and public infrastructure should provide “best-practices” to protect and improve

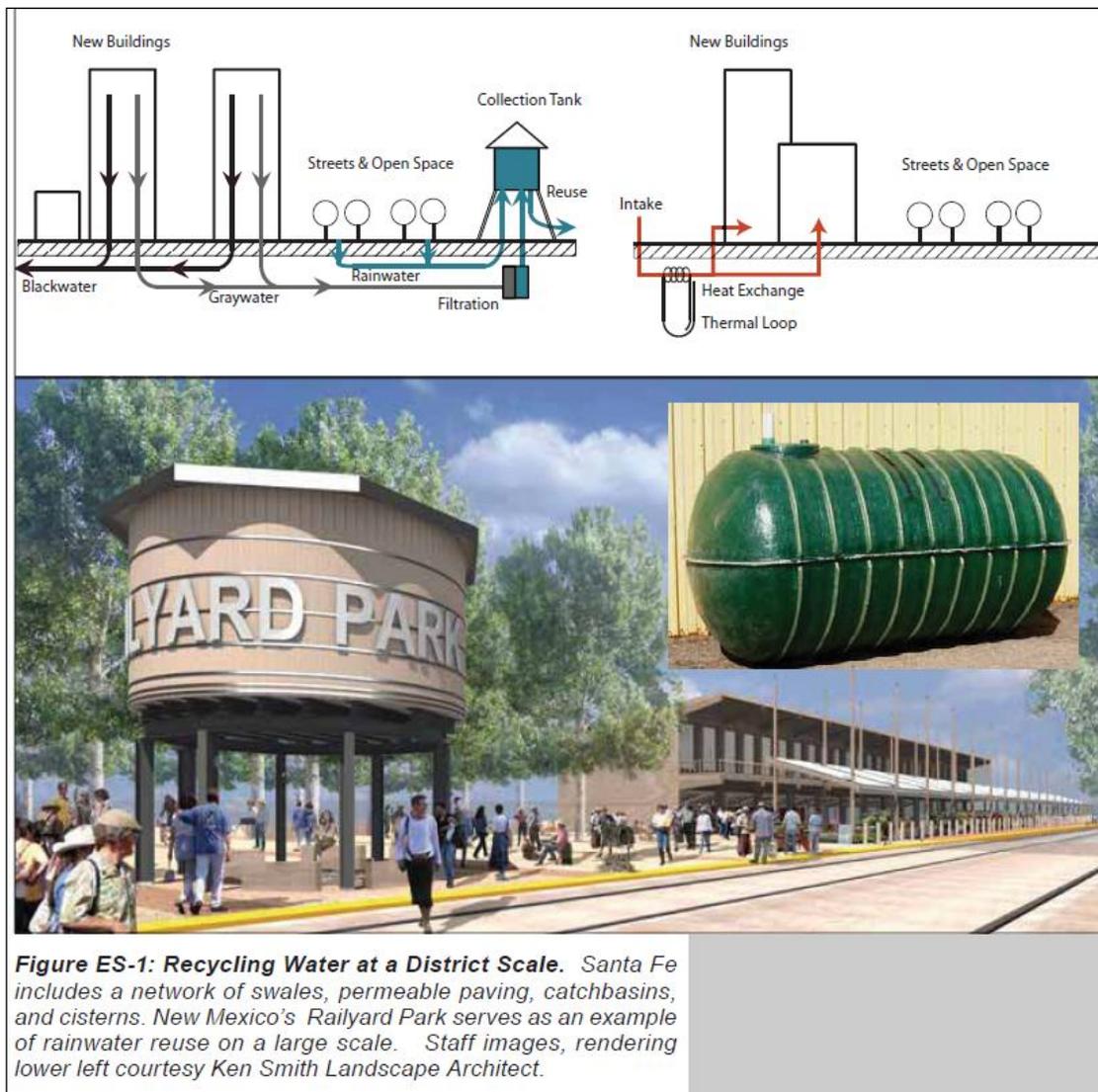
ecological quality and functions relating to stormwater, by treating urban runoff, retaining stormwater, and attaining no net increase in runoff from Downtown (see Policies LU-2.1 and OS-2.1).

- a) Address the management and retention of stormwater in a comprehensive way and recharge local aquifers to the extent feasible. Address urban runoff and stormwater quality as part of a Streets & Open Space Improvements Plan (see OS-1.1). The strategy should look beyond the boundaries of Downtown to consider issues and opportunities comprehensively, and should engage the University as a partner in this process.
 - b) Design public improvements, including streets, parks and plazas, to include appropriate “best management practices,” such as for retention and infiltration of urban runoff by diverting urban runoff (which contains waterborne pollutants) to bio-filtration systems (such as landscaped swales), and infiltration areas (at-grade and/or below-grade). Specific opportunities include: streets where travel lanes might be eliminated, median strips that might be retrofitted or widened, parks, and plazas.
 - c) Develop design guidelines and development standards to encourage appropriate “best management practices” for urban runoff retention and infiltration as part of private and institutional development projects, by diverting rainwater to:
 - landscaped retention features (such as swales or “rain gardens”),
 - permeable paving,
 - “green roofs,”
 - below-grade “dry wells,” and
 - rooftop and/or below-grade cisterns.
 - d) Consider the use of cisterns as an emergency source of water, if East Bay Municipal Utility District (EBMUD) service is interrupted.
- Streets and Open Space Improvement Plan Policy 4.3 – District-Level Opportunities: Green Infrastructure and watershed management should be addressed at the scale of the Downtown Area and might extend into surrounding areas in recognition of watershed boundaries. A district-scaled approach should be used to leverage benefits more fully. (Also see DAP Figure ES-1 on following page.)
 - a. Further develop a master plan for Green Infrastructure Features as conceptualized in Figure g.9. Coordinate improvements address unique challenges resulting from relatively small parcels and high-intensity development.
 - b. Consider ways that rainwater could be stored and used to irrigate landscaping, for flushing toilets, or for use during emergencies as San

Francisco has done. Because it is situated at a lower elevation, consider storage facilities in or near the Park Blocks.

- c. Highlight the use of Green Infrastructure to reveal natural processes and communicate Berkeley’s commitment toward sustainability. Use interpretive signage can to teach basic environmental principles and dispel misconceptions regarding Green Infrastructure. Consider demonstration projects to advance best practices in urban settings.
- d. Private development standards and design guidelines should be refined to reinforce district-scaled strategies. Consider ways to encourage green roofs and other on-site infrastructure features. Allow fees to be paid in lieu of some requirements so that private funds can be used to construct improvements on public land, thereby leveraging additional benefits. (Developer fees are further discussed in chapter on Financing Plan.)

DAP Figure ES-1:



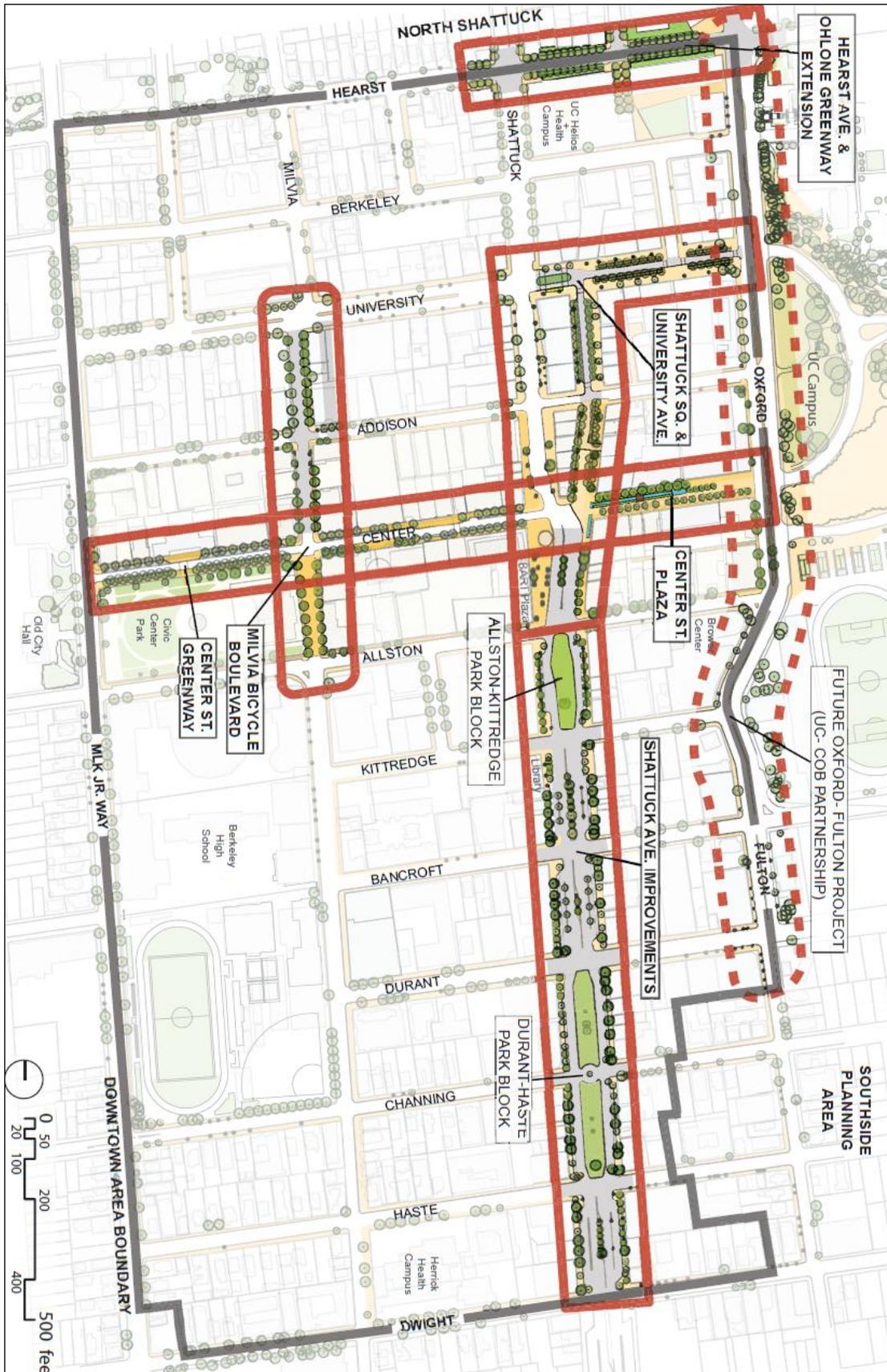
Open Space:

- Streets and Open Space Improvement Plan, Page 18: Using these criteria [for identifying near-term SOSIP priorities], the following projects have been identified as funding priorities. Note however that these priorities do not preclude the City from moving forward on other SOSIP projects if opportunities for grants or developer contributions emerge.

Highest Priorities (Tier I) – *Also see DAP Figure OS-1 on following page*

- a. Center Street Plaza Phase 1. Center Street offers a unique opportunity to create a public gathering space activated by high pedestrian volumes, existing commercial uses, and the future Berkeley Art Museum / Pacific Film Archive. Phase 1 will be constructed on the east end of the block, above where access to the Bank of America parking lot needs to be maintained. Green infrastructure features, such as permeable paving and rain gardens (bio-retention basins), could be incorporated into Phase 1 to demonstrate green infrastructure and make a unique destination. While a water feature that refers to Strawberry Creek appears to be technically infeasible in Phase 1, piping might be put in place below Phase 1 improvements to avoid excavation and additional costs later.
 - b. Shattuck Square and University Avenue Gateway. Reconfigure Shattuck to make traffic operate two-way on the west side of Shattuck Square and provide additional onstreet parking on the eastern leg of Shattuck. This improvement will help implement the Plan's zero-net parking strategy and should be precede other improvements if possible. Establish a transit center on the east side of Shattuck Square if it is determined that this is the preferred location Downtown. On University Avenue between Shattuck and Oxford, travel lanes can be eliminated to allow wider sidewalks and additional landscaping and other amenities. One alternative would also increase onstreet parking.
 - c. Street Trees. The City should make the planting of street trees a near-term priority, with a goal of planting 500 new trees within ten years in locations where "major projects" are not anticipated. (See Policy 5.1)
- Downtown Area Plan Policy OS-1.1 – Streets & Open Space Improvements: Make significant additions and improvements to Downtown's parks, plazas, and streets to be aesthetically pleasing, and support pedestrians and abutting uses. Use consistent features to help make Downtown distinctive. Special subareas and conditions may call for unique treatments. Emphasize the creation and enhancement of public gathering places.

- Downtown Area Plan Figure OS-1:



Transportation Demand Management (TDM) Features:

- Downtown Area Plan Policy AC-1.3 – Alternative Modes & Transportation Demand Management (TDM): New development and on-going programs should reduce Downtown car use, support alternative travel modes, and consolidate publicly-accessible parking facilities and Transportation Demand Management (TDM) programs (see requirements under Policy LU-2.1).
 - a) A fee requirement should be established to support alternative modes (i.e. transit, walking & bicycling) and Transportation Demand Management programs. Parking requirements for new development may be reduced by paying an in lieu fee into a fund to enhance transit, which might be contained within the Streets and Open Space Improvement Plan (SOSIP); in lieu payments for parking should be encouraged.
 - b) See Policy ED-12.1 – Revenues for Downtown, regarding revenues to reduce Downtown car use, while simultaneously supporting the parking needs of local merchants and cultural/entertainment uses. Consider raising on-going TDM revenues through the creation of a Downtown Transportation Benefits District.
 - c) Develop a finance strategy to evaluate potential transportation-related revenues and compare their financial capacity with the costs of potential Downtown improvements, maintenance and services. The finance strategy should set near-term priorities for improvements based on public input and other considerations.
 - d) Require that new buildings and substantial additions support alternative transportation as identified in Policy LU-2.1c. The City should help small businesses and smaller development projects qualify for discounted transit passes, such as by working directly with AC Transit or by encouraging the formation of an association assigned with this mission.
 - e) Develop a TDM “toolbox” for new development that explains TDM requirements, and encourages other TDM features such as: showers for bike commuters, bicycle sharing kiosks, and plug-in facilities for electric vehicles.
 - f) Encourage all Downtown businesses to reward customers and employees who arrive by transit, by bicycle, or on foot, or who use off-street garages instead of on-street parking, such as with merchant validation programs and other incentives.
- General Plan Policy T-10 – Trip Reduction: To reduce automobile traffic and congestion and increase transit use and alternative modes in Berkeley, support, and when appropriate require, programs to encourage Berkeley citizens and commuters to reduce automobile trips, such as:
 1. Participation in a citywide Eco-Pass Program (also see Transportation Policy T-3).

2. Participation in the Commuter Check Program.
3. Carpooling and provision of carpool parking and other necessary facilities.
4. Telecommuting programs.
5. "Free bicycle" programs and electric bicycle programs.
6. "Car-sharing" programs.
7. Use of pedal-cab, bicycle delivery services, and other delivery services.
8. Programs to encourage neighborhood-level initiatives to reduce traffic by encouraging residents to combine trips, carpool, telecommute, reduce the number of cars owned, shop locally, and use alternative modes.
9. Programs to reward Berkeley citizens and neighborhoods that can document reduced car use.
10. Limitations on the supply of long-term commuter parking and elimination of subsidies for commuter parking.
11. No-fare shopper shuttles connecting all shopping districts throughout the city.

Job Training:

- Workforce and Leadership Development Programs in Berkeley (list provided on City's website): <http://www.cityofberkeley.info/ContentDisplay.aspx?id=10360>
- Building Opportunities for Self Sufficiency (BOSS): <https://self-sufficiency.org/>
- Alameda County Workforce Investment Board: <http://www.acwib.org/>
- Civicorps: <http://www.cvcorps.org/>
- Downtown Area Plan Policy HC-5.1 (see above under "Supportive Social Services")
- Downtown Area Plan Policy HC-5.2 – Training & Skill Building: Encourage life skills, job training, job referral and job placement through programs and facilities that focus on Downtown (see policies under Goal ED-8).
- General Plan Policy ED-1 – Employment and Training: Increase the number of jobs that go to Berkeley citizens by coordinating economic development efforts with employment placement. (Also see Transportation Policy T-15.)

Actions:

- A. Work with job training programs and encourage training for life skills, job readiness, and specific target industries, including industrial companies in West Berkeley.
- B. Provide labor market information from data sources and industry sectors to local educational institutions and training agencies for adults and youths.
- C. Coordinate City employment and job training programs with the University of California, Vista College, and other local educational institutions.

- D. Encourage the University to hire Berkeley residents.
- E. Encourage the Berkeley Unified School District to provide education and job skills appropriate to jobs in Berkeley and the region.
- F. Create a collaborative process among the City, employers, and local disability/minority organizations to provide access to economic and artistic opportunities and development services for all people through education, technical assistance, and economic incentives.
- G. Develop and implement employment programs to assist citizens with temporary and permanent employment.
- H. Establish agreements with major employers to provide job training for Berkeley youth similar to the Bayer biotech agreements.
- I. Strengthen and improve the administration and performance of the First Source Program, and establish better links between the First Source Program and the Office of Economic Development.
- J. Consider development of an ordinance that requires that a percentage of Berkeley residents be hired for publicly funded construction jobs.

Note: The following policy, although not cited in the main staff report, is also applicable to the topic of “Job Training”.

- Downtown Area Plan Policy ED-8.1 – Job Development: Connect Downtown businesses with the employment needs of Berkeley residents, and address existing chronic unemployment and under-employment among local populations. A special emphasis should be placed on providing Berkeley youth with job skills and entry-level job opportunities (see policies under Goals LU-2 and HC-5).
 - a) Gather information on the types of employment available Downtown and make this information available to educational institutions and job training.
 - b) Encourage job training (such as employment counseling, referrals, placement, and retention) and the development of life skills (such as parenting, grooming, and personal finances) for Berkeley residents and homeless populations by working with Downtown’s public and private institutions, nonprofit organizations, and businesses.
 - c) Strengthen citywide job referral and job placement programs for Berkeley’s residents (such as “First Source”), and work with Downtown business and job training organizations to help Berkeley residents obtain Downtown employment. Consider requiring construction firms and labor unions that

work on public improvements to participate in on-the-job training for Berkeley residents, including Berkeley youth.

- d) Support job placement and professional internship programs for youth in the Downtown Area, such as at the YMCA and Berkeley High School, and help these programs network with Downtown business organizations.
- e) Consider incentives for developers and new businesses to provide on-the-job training and employment opportunities, and consider inclusion of job opportunities for Berkeley's workforce as part of City-developer negotiations.
- f) Consider how job training opportunities might be joined with Downtown cleaning and landscaping activities.
- g) Promote local hiring with Voluntary Green Pathway employment requirements (see Policy LU-2.3).

Employment Opportunities:

- First Source: <http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=11676>
- YouthWorks: <http://www.ci.berkeley.ca.us/youthworks/>
- Downtown Area Plan Policy HC-5.1 (see above under "Supportive Social Services")
- Downtown Area Plan Policy HC-5.2 (see above under "Job Training")
- General Plan Policy ED-1 (see above under "Job Training")

Note: The DAP Policy ED-8.1, although not cited in the main staff report, is also applicable to the topic of "Employment Opportunities". See above under "Job Training" for policy text.

Public Art/Cultural Events:

- Civic Arts Commission: <http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=10296>
- Downtown Area Plan, p. IN-16 (final paragraph under "Public Spaces"): "The Downtown Area presents major opportunities to enhance the pedestrian environment.... There are also improvements that can be made throughout the Downtown area, such as enhanced lighting, **public art**, more street trees, and the use of a consistent aesthetic that accentuates Downtown's historic setting."
- General Plan Policy ED-11 – Arts and Culture: Promote Berkeley locally and internationally by taking actions to support the development of arts and culture

in Berkeley. (Also see Land Use Policy LU-19 and Urban Design and Preservation Policies UD- 36 and UD-38.)

Actions:

- A. Develop a Cultural Plan that establishes citywide goals and strategies to support and develop local arts, culture, and entertainment. The Cultural Plan should promote the city's arts, identify partnership opportunities between the City, nonprofits, and other arts agencies, and establish fund-raising strategies.
 - B. Implement policies and programs to expand performance, visual, and public art.
 - C. Encourage and support community and business participation in the development of the arts and culture in Berkeley.
 - D. Continue to provide grants and technical assistance to artists and arts organizations.
 - E. Promote understanding and awareness of Berkeley's architectural and cultural past.
 - F. Coordinate arts and cultural activities in the city and on the University of California campus through scheduling, siting and access planning.
 - G. Establish a task force or other body to examine the effects of gentrification on the arts community and develop tools to counter the negative effects.
 - H. Identify existing public and private locations such as churches and schools that might be appropriate for artistic and cultural events.
- General Plan Policy UD-34 – Public Art: Support, present, and encourage others to support or present works of public art.
 - Downtown Area Plan Policy LU-1.2 – Culture & Entertainment: Encourage unique cultural and entertainment uses that serve the city and region, including museums, live theater, and cinemas (see Economic Development chapter).
 - a) Adopt incentives to retain and support the expansion of culture and the arts, especially in the "Arts District."
 - b) Retain and support Downtown's cinemas. Consider incentives for retaining existing movie theaters and upgrading their facilities.

Note: The following policy, although not cited in the main staff report, is also applicable to the topic of "Public Art/Cultural Events".

- Downtown Area Plan Policy ED-7.1: Culture & the Arts: Promote the arts and cultural events, programs, and activities, especially those that embrace diverse

traditions and are accessible to persons of all economic means.

- a) Support the Civic Arts Commission and cultural groups in Berkeley that support emerging local artists and cultural organizations.
- b) Support Arts District stakeholders and other cultural groups that bring expressions of ethnic, religious, cultural, and minority institutions to Downtown.
- c) Encourage long-term and affordable space for arts, culture, and other desirable uses that cannot pay market rents (see Policy LU-1.2).

Seismic Improvements to Public Buildings:

- Local Hazard Mitigation Plan, Table 1.1 (see attached PDFs)
- General Plan Policy S-20 – Mitigation of Potentially Hazardous Buildings: Pursue all feasible methods, programs, and financing to mitigate potentially hazardous buildings.

Actions:

- G. Evaluate the ability of essential public facilities to maintain structural integrity and remain operational in the event of a strong earthquake. Those facilities unable to remain operational should be modified to bring them into conformance. Emergency guidelines shall be developed for buildings for which structural (and/or non-structural) modification and provision of back-up utility services are not feasible.
- H. Establish a prioritized program for seismic retrofit of the remaining unreinforced public structures.

Tenant Relocation/Small Business Assistance:

- General Plan Policy ED-3 – Local Business: Promote policies, programs, and services that support a diverse local economy providing a range of goods and services, that support existing local businesses, and that encourage new, independent business ventures. (Also see Land Use Policy LU-13.)

Actions:

- A. Continue to provide low-interest loans to encourage and support local small businesses.
- B. Implement a small business preference program that would support local businesses.

- C. Implement a "Shop Berkeley Program" that would educate the public about the benefits of independent, community-serving enterprise and encourage the patronage of local businesses.
- D. Maintain City purchasing policies that support local businesses.
- E. Develop and implement planning and zoning mechanisms that promote community-serving commercial diversity and that limit development of undesirable chain stores, formula businesses, and big-box developments without limiting the ability of local businesses to grow and expand and, when needed, to establish additional outlets in various parts of the city.

Note: The following policies, although not cited in the main staff report, are also applicable to the topic of "Tenant Relocation/Small Business Assistance".

- Downtown Area Plan Policy ED-5.4 – Local Businesses: Encourage the retention and creation of small and locally owned businesses (see Policies ES-2.3, ED-8.2, and ED-9.1).
- Downtown Area Plan Policy ED-8.2 – Business Opportunities: Serve the growth needs of existing Downtown businesses, and support start-up businesses Downtown, especially ones that capitalize on the proximity of UC Berkeley. Take advantage of Berkeley's existing workforce and its ethnic and cultural diversity (see policies in "Land Use" chapter and elsewhere in this chapter).
- Downtown Area Plan Policy ED-9.1: Local Businesses: Encourage the retention and creation of small businesses and locally owned businesses.
 - a) Establish economic development strategies to retain existing small and locally owned businesses, and to encourage the establishment of new businesses with ownership structures that keep consumer dollars in the local economy.
 - b) Maintain and expand "Shop Berkeley" promotion and education efforts specific to Downtown.
 - c) Continue existing, and consider new, low-interest loans to encourage and support local small businesses in Downtown.
 - d) Provide training to small businesses for their improvement and to make Downtown a more effective business district.
 - e) Seek to recruit ethnically- and culturally-focused restaurants and other businesses in other cities to move to, or open another branch in, Downtown.
 - f) Seek to avoid arbitrary or capricious displacement of business tenants, and mitigate the negative effects of temporary or permanent relocation on businesses.

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