



Planning and Development Department
Land Use Planning Division

TO: Members of the Planning Commission

FROM: Alisa Shen, Principal Planner

SUBJECT: Public Hearing: Ashby BART West Lot Transit-Oriented Development
Objective Design Standards

RECOMMENDATION

Discuss the proposed Ashby BART West Lot Transit-Oriented Development Objective Design Standards (Attachment 1, Exhibit A), receive public comment, and adopt a resolution making a recommendation to City Council to adopt the ODS.

BACKGROUND

Pursuant to the City and BART Ashby BART Transit-Oriented Development Exchange Agreement (Article 9 and Schedule 9.2.1) for the process to develop and adopt ODS for the West Lot, staff has considered input from the public, the Commission, BART and the selected developer team, the Adeline Alliance Partners (AAP).¹ The Exchange Agreement establishes a timeline for adoption of the ODS, requiring the City to adopt Final ODS for the West Lot “no later than 9 months after execution of the Exclusive Negotiating Agreement” (ENA) between BART and the selected developer team. BART selected Adeline Alliance Partners (AAP) and Resources for Community Development (“AAP team”) following a competitive Request for Proposals (RFP) and to an ENA with the AAP team on February 27, 2026. Consistent with this timeline, the Revised ODS are being presented to the Planning Commission in September, with City Council consideration of the Final ODS anticipated in November.

The City released Preliminary ODS in December 2024 concurrently with BART's ² As described in Part I: Policy Framework of the ODS, the Preliminary ODS were informed by City and BART adopted policies and agreements, and detailed technical analysis, such as the City and BART Joint Vision and Priorities for Transit Oriented Development at the Ashby and North Berkeley BART Station Areas (2022), the City and BART Ashby BART Station Transit-Oriented Development Exchange Agreement (2024) and the Ashby BART

¹ [City and BART Transit-Oriented Development Exchange Agreement, Approved December 2024.](#)

² [Ashby BART West Lot Transit Oriented Development Preliminary Objective Design Standards \(December 2024\).](#)

West Lot Circulation Framework (2024)³. The Preliminary ODS have been publicly available since December 2024, with multiple opportunities since their release for input from the community, Planning Commission, BART and Adeline Alliance Partners.

The City hosted a public open house on February 10, 2025, to introduce the Preliminary ODS and solicit feedback. Following selection of the AAP team and initiation of project design, the City, BART, and the AAP team co-hosted another public open house on July 16, 2026. The July open house covered the Preliminary ODS, the AAP team's proposed project for the Ashby BART West Lot, and related planning efforts, including the City's work to redesign Adeline Street to improve safety and increase public open space at Ashby BART and along Adeline Street between Ashby Avenue and the Berkeley-Oakland border. Each open house was attended by approximately 80 and 120 people, respectively. City staff also participated with the AAP team in smaller meetings hosted by community organizations to share information and hear feedback regarding the Preliminary ODS and project design. Together, these meetings provided opportunities to consider the ODS both independently and in the context of the AAP team's emerging project design concept.

At the July 1, 2026 Planning Commission meeting, staff provided an overview of the Ashby BART West Lot Transit-Oriented Development Preliminary Objective Design Standards (ODS) and summarized key background information, including the role of the ODS, the planning process to date, and the policy and technical framework that informed the Preliminary ODS.⁴ The Revised ODS presented for the Commission's consideration reflect staff's review of input received through this process, as well as continued coordination with BART and the AAP team. Key themes from these meetings are summarized below.

Because the City and BART have agreed to high minimum amounts and levels of affordable housing, future development at the Ashby BART West Lot will likely qualify for ministerial approval under applicable State laws (e.g., AB 2923, SB 35, AB 2011), meaning staff will review the project for conformance with objective standards without discretionary review by City boards or commissions.⁵ For example, the North Berkeley BART TOD project application was submitted and approved under AB 2011.

³ These documents are included as attachments to the [Ashby BART West Lot RFP and NOFA, December 2024](#).

⁴ Planning Commission meeting materials for the July 1, 2026 meeting are available at: [Planning Commission | City of Berkeley](#).

⁵ Section 5.5.3 of the Exchange Agreement provides: "At least 50% of the first 602 units shall be Affordable Housing units. In the event that the total residential component of the West Lot project has more than 602 total housing units (whether through density bonus or otherwise), there shall be no fewer than 301 Affordable Housing units and overall at least 35% of new housing units, inclusive of density bonus units, must be affordable to households earning an average of up to 60% of Area Median Income. At least 20% of that 35% must be affordable to Extremely Low Income Households. Of that same 35%, and other than units for Extremely Low Income Households, priority should be given to units for Very Low Income Households and units for Low Income Households, provided that any units within that 35% for Moderate Income Households have rents that are still below market and are not funded by any City subsidies."

Projects may also use the State Density Bonus Law to obtain concessions or waivers of local development standards when needed for feasibility and/or potentially other State laws, such as SB 79 to modify development standards. However, as stipulated in the Exchange Agreement, provided that the ODS meeting capacity and schedule established in the Agreement, the Final ODS adopted by City Council will be binding on the developer, and BART will require compliance through its real estate agreements. Under Schedule 9.2.1 of the Exchange Agreement, developers may still request State Density Bonus waivers, but only for zoning standards not set by the ODS, ODS requirements pertaining to minimum square footage of active or non-residential ground-floor uses, or other ODS requirements that do not pertain to height limits, setbacks/step-backs, open space, or massing breaks. Development capacity requirements in the Exchange Agreement are outlined below. The City of Berkeley will review all entitlement applications for development at the Ashby BART West Lot for compliance with the ODS, in accordance with State law.

DISCUSSION

Proposed revisions to the previous draft ODS respond to public, Commission, Adeline Alliance Partners, BART and other City Departments' comments while balancing policy, technical and legal constraints.

A. Input on the Preliminary ODS

The following summarizes key themes from input received from community members, the Planning Commission, BART, and the selected developer team. The summary is intended to identify recurring or substantive themes relevant to the ODS and does not catalogue every individual comment or recommendation.

1. Ground Floor Uses and Spaces

- Support for greater flexibility in the location, types and design standards for uses that activate ground-floor spaces, balanced with standards that support viable commercial spaces and active frontages.
- Support for prioritizing retail, restaurant, and other active commercial uses at highly visible locations with significant pedestrian activity, particularly along Ashby Avenue and near the Station Entrance Plaza.
- Support for greater flexibility along Adeline Street to accommodate a broader range of community-serving and publicly accessible uses, such as community, civic, health, arts, and recreational uses, while limiting inactive frontage such as residential lobbies, utilities, and service areas.
- Interest in community and civic spaces where people can gather without being required to make a purchase.
- Support for flexible, affordable and smaller-scale commercial and community-serving spaces that could accommodate Berkeley Flea Market vendors, local and Black-owned businesses, micro-enterprises, and other community activities.
- Recommendations for ground-floor design standards that support visibility, transparency, flexibility, and the long-term viability of commercial and community-

serving spaces, along with concerns regarding the size, configuration, affordability, and potential vacancy of required commercial spaces.

- Support for increasing the minimum amount of active and community-serving ground-floor space beyond the 15,000-square-foot minimum established by the City/BART Exchange Agreement.

2. Public Realm and Circulation

- Support for additional trees, landscaping, green infrastructure, biodiversity, and nature-focused design throughout the site.
- Concerns regarding pedestrian safety and accessibility, particularly for seniors and people with disabilities, where pedestrian routes interface with bicycle facilities.
- Support for clear, accessible pedestrian connections through the site to the BART station, including visual and auditory wayfinding.
- Interest in a connection across Ashby Avenue at Otis Street.
- Support for internal access drives that are pedestrian-oriented, well-lit, and comfortable to use at night while accommodating required emergency access.
- Desire for greater flexibility in internal access-drive dimensions to accommodate site and building design and operations (e.g. trash pickup).
- Support for removing requirements for elevated residential stoops and entries where they could create accessibility barriers.
- Concerns regarding project-related parking, loading, delivery and drop-off needs and potential impacts on surrounding streets.
- Interest in additional public amenities near the BART station, including public restrooms.

3. Public Open Space

- Support for additional green space and family- and child-oriented public spaces, including children's play areas and intergenerational recreation.
- Concerns regarding disparities in access to green space in South Berkeley and interest in additional parks and publicly accessible open spaces.
- Support for publicly accessible rooftop open space.
- Support for larger public open spaces than required by zoning, including a large contiguous, permeable central green space.
- Interest in community gardens, edible landscaping, mature-tree preservation, public art, performance areas, and other cultural and community amenities.
- Interest in using Adeline Street and the proposed Adeline plaza to provide additional flexible public space and support activities such as the Berkeley Flea Market.

4. Building Design, Massing and Height

- Mixed feedback regarding proposed maximum building heights, with some support for the proposed height limits and other comments expressing concerns regarding building massing and solar access.
- General support for architectural variety and breaking up large building masses, with differing views regarding the appropriate amount and form of required massing breaks and facade articulation.
- Desire for greater flexibility in building massing standards, including the dimensions and configuration of required massing breaks, to accommodate site constraints and provide greater flexibility in building design.
- Support for alternative building configurations, including taller, narrower buildings organized around a larger central open space.
- Interest in higher-quality and environmentally sustainable building materials and architectural design that reflects the cultural and historic identity of South Berkeley.
- Support for universal design and other features that improve accessibility and usability for seniors and people with disabilities.
- Support for bird-safe design, dark-sky-compliant lighting, and environmentally sustainable design features.
- Interest in integrating public art into building facades and other areas of the development.

5. Planning Process and Timing

- Concerns that the process for considering and adopting the ODS is moving too quickly, including requests for additional public meetings and additional time before adoption.
- Requests for greater transparency regarding the ODS process and how community comments are considered and addressed.
- Requests that the City expedite development of the site rather than extend the process.
- Requests for clearer, more accessible language and explanations of technical topics.
- Comments regarding the relationship between the ODS process and related planning efforts, including the Adeline Street right-of-way redesign and proposed new public spaces along Adeline Street.
- Interest in continued and inclusive community engagement, including outreach to historically impacted and displaced South Berkeley residents and community organizations.

6. Affordable Housing

- Support for greater levels of affordable housing than those established in the City/BART Exchange Agreement, including proposals for substantially higher percentages of permanently affordable housing.
- Interest in housing preferences or right-to-return programs addressing past displacement associated with BART and other infrastructure projects.

- Suggestions for utilizing local, state, federal, and philanthropic funding sources to increase affordable housing and support associated community benefits.
- Support for measures addressing prolonged vacancies and rents for market-rate units.

B. Input Not Reflected in the Revised ODS

Staff received comments requesting additional requirements or changes that are either outside the scope of the ODS or that staff does not recommend incorporating into the Revised ODS. Key examples are summarized below for informational purposes.

- Transportation/Parking/Station Access. Comments included requests and concerns regarding neighborhood and resident parking, loading and drop-off, bicycle and pedestrian connections, intersection improvements, and other station-access and circulation issues. Some of these topics are outside the scope of the ODS or are being addressed through BART's Station Access Plan, the City's Adeline Transportation Improvements Project and therefore are not addressed through revisions to the ODS.
- Public Open Space. Some comments requested substantially greater amounts of public open space than required by the R-BMU zoning and Preliminary ODS, including requirements for large contiguous open spaces and specific requirements for permeable, landscaped, or other types of open space. While the Revised ODS continue to establish requirements for publicly accessible open space and its design, staff does not recommend establishing additional minimum open-space requirements beyond those currently proposed. In addition, the Adeline Open Space Improvements Project (which includes the Adeline Main Plaza at Ashby BART) will be advancing the vision of the Adeline Corridor Specific Plan to design new open space through the Plan Area.
- Specific Use and Design Requirements. Some comments proposed substantially more prescriptive requirements for particular community-serving uses, building configurations, architectural features, materials, and amenities. While the Revised ODS incorporate or refine standards addressing many of these general topics, staff does not recommend requiring specific uses, building configurations, materials, or amenities where doing so would exceed the appropriate scope of the ODS or unnecessarily constrain feasible project design given the site's many physical and technical constraints.
- Affordable Housing and Housing Programs. Comments included requests for greater amounts or different levels of affordable housing than established through the City and BART Exchange Agreement, as well as housing preferences or right-to-return programs and measures addressing vacancies or rents for market-rate units. Affordable housing requirements and housing program or operational requirements are established through the Exchange Agreement, applicable law, and other City programs or policies and are not established through the ODS.
- Planning Process. Comments also requested changes to the process and timing for consideration of the ODS, including additional public meetings and additional time before adoption. These comments relate to the ODS adoption process rather

than the content of the objective design standards and therefore do not result in revisions to the ODS. As noted above, the process and timeline for adoption of ODS are established through the City and BART Exchange Agreement.

In considering requests for additional or more prescriptive design requirements, staff also considered the significant physical and technical constraints of the West Lot identified in documents such as the Circulation Framework, the Adeline Connections Memo, BART's Basis of Design Criteria, as well as the project requirements established by the City and BART Exchange Agreement.⁶ These include requirements related to housing and affordable housing, circulation and emergency access, infrastructure, public realm improvements, and connections between future development and Adeline Street. Together, these requirements affect the amount and configuration of developable area and the feasibility of different building types and construction approaches, and overall project feasibility.

The Revised ODS therefore seek to reflect applicable technical requirements and adopted agreements while implementing the design objectives of the Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley BART Stations and additional feedback collected during this process. Staff does not recommend additional prescriptive requirements where they could unnecessarily constrain the ability to balance these design objectives with the site's physical, infrastructure, housing, and development requirements.

C. Summary of Revisions to the Preliminary Objective Design Standards (ODS)

Changes between the standards in Part II of the Preliminary ODS (December 2024) and the Revised ODS (September 2026) are summarized in Table 1 below. No changes were made to Part I: Policy Framework of the Preliminary ODS were made except updates to references from "Preliminary" to "Revised ODS" and to where we are in the process.

⁶ These documents are provided as attachments to: [the Ashby BART West Lot RFP and NOFA, December 2024](#).

Table 1. Summary of Key Changes from the Preliminary ODS to the Revised ODS (Part II)

Topic	Preliminary ODS	Revised ODS	Rationale for Revision
1. Land Use			
Overall Ground-Floor Use Framework	The 15,000-square-foot minimum for “active or non-residential ground floor uses” required by the City/BART Ashby TOD Exchange Agreement was described in Part I: Policy Framework	Clarified: Reiterates the Exchange Agreement requirement for the West Lot project to provide a minimum of 15,000 square feet of active or non-residential ground-floor uses, inclusive of 5,000 square feet of community/civic commercial space.	Provides additional context and clarity regarding the minimum floor-area requirement that applies to the project, and the relationship between the ODS, R-BMU requirements, and the Exchange Agreement.
		Revised: Establishes two categories of ground floor-activating uses: Active Uses and a broader category of Other Publicly Accessible Non-Residential Uses.	Provides greater flexibility for community-serving uses while maintaining ground-floor activation.
Active Ground Floor Uses – Locations	Required R-BMU-defined “active commercial uses” at the Ashby/Martin Luther King Jr. Way (“MLK”) and Ashby/Adeline corners with a minimum floor area of 1,500-square feet, as well as along at least 40% of specified frontages along the Adeline Main Plaza where buildings provide at-grade connections. Required spaces to be designed as restaurant-ready.	Revised: Focuses required Active Uses in spaces that must be designed as restaurant-ready at three locations: Ashby/MLK, Ashby/Adeline (where applicable), and MLK/Station Entrance Plaza. Reduces the minimum Ashby corner spaces from 1,500 to 1,200 square feet and establishes a minimum of 2,400 square feet at the MLK/Station Entrance Plaza corner.	Focuses active commercial requirements at key corner locations while providing greater flexibility along Adeline Street.
		Revised: Along the Adeline Street frontage (where applicable), Allows either Active Uses or Other Publicly Accessible Non-Residential Uses along the Adeline frontage, with minimum frontage requirements of 60% in Development Area B and 40% in Development Area C.	Broadens the range of community-serving and publicly accessible uses that may satisfy the frontage requirement along Adeline Street, providing greater flexibility while maintaining a substantial level of ground-floor activation.
Ground Floor Space Design for Non Residential Uses	Required active commercial uses to have a minimum 30-foot depth and specified corner spaces to be “restaurant ready.”	Refined: For Active Uses and Other Publicly Accessible Non-Residential Uses, retains the 30-foot minimum depth standard and adds standards addressing minimum widths for subdivided spaces, warm-shell conditions, and storefront transparency.	Supports high-quality, viable commercial and community-gathering spaces.

Topic	Preliminary ODS	Revised ODS	Rationale for Revision
<i>(Ground Floor Space Design for Non Residential Uses – cont'd)</i>		Revised: Added an exception to the 30-foot depth for Development Area C, where such spaces must have a minimum average depth of 30 feet with an absolute minimum depth of 25 feet (at any one point).	Provides slightly more flexibility for Development Area C which is a highly constrained site.
Building Height	The ODS sets maximum building height with the goal of locating the tallest buildings along Adeline Street, stepping down to Martin Luther King Jr. Way.	Retained: No changes have been made to building height standards. Refined: Added a footnote that the 85-foot height limit required frontage of Martin Luther King Jr. Way may be modified to 95 feet in height for projects that meet the eligibility requirements of SB 79.	Provides clarity regarding the application of SB 79 by noting that the 85-foot height limit along Martin Luther King Jr. Way may be modified to 95 feet for qualifying projects.
2. Public Realm			
Sidewalk Design	Established sidewalk design dimensions along Ashby Avenue and Martin Luther King Jr. Way, north and south of the Station Entrance Plaza.	Retained: Sidewalk dimension requirements for Ashby Avenue. Removed: Sidewalk dimension requirements for Martin Luther King Jr. Way – south of the Station Entrance Plaza that required a 2-way cycle track at the sidewalk level. Revised: The same sidewalk dimension requirements apply for Martin Luther King Jr. Way (north or south of the Station Entrance Plaza). Different street configurations will apply as follows: North of the Station Entrance Plaza, MLK Jr. Way will include a parking/loading lane and two travel lanes. South of the Station Entrance Plaza, MLK Jr. Way will include a two-way on-street protected cycle track and two lanes of traffic. It is not anticipated that the existing curb line to median dimension will change along Martin Luther King Jr. Way (MLK Jr. Way). Refined: Allows exceptions to street dimensions where existing trees outside the right-of-way are retained and clarifies that subsurface design requirements apply to new trees.	Comprehensive analysis of pedestrian, bicycle and overall station access and operations that minimize conflicts are underway as part of the Ashby West Lot Station Access Plan. Through this effort, an alternative street cross section has been developed that locates the two-way cycle track on street as opposed to at the sidewalk level. Provides flexibility where existing trees are preserved and clarifies the applicability of subsurface design requirements.

Topic	Preliminary ODS	Revised ODS	Rationale for Revision
Frontage Character and Building Setbacks – MLK Jr. Way	Required finished floors of residential units facing MLK Jr. Way to be raised at least 2 feet above sidewalk grade and windowsills to be at least 3 feet above finished floor.	Removed: Eliminates the requirements for elevated residential entries and raised windowsills along MLK Jr. Way.	Responds to comments that these requirements could discourage or complicate the provision of accessible units.
Station Entrance Plaza Frontage	Required active ground-floor/habitable uses along Development Area B facing the Station Entrance Plaza, in addition to standards addressing blank walls, landscaping, door swings, and other frontage conditions.	Revised: Removes the requirement for habitable uses along the entirety of the Development Area B/Station Entrance Plaza frontage. Active commercial-use requirements are instead focused at the MLK Jr. Way/Station Entrance Plaza corner. Retained: Other frontage-character standards are retained.	Prioritizes active uses, minimum floor area, and design requirements at a focused location at the corner of MLK Jr. Way and the Station Entrance Plaza while allowing greater flexibility along the remainder of the Development Area B/Station Entrance Plaza frontage.
Internal Access Drives and Emergency Vehicle Access	Required a minimum 60-foot building-to-building width for access drives, along with Fire Department-approved EVA widths and landscaping and frontage standards.	Revised: Reduces the required building-to-building width to 56 feet for access drives with public vehicle access. Drives used only for emergency access and otherwise limited to pedestrian/non-motorized use may have a 48-foot average width and 40-foot absolute minimum. Added more specificity for new tree planting requirements and/or public art of landscaping.	Provides greater flexibility for site design, particularly for access drives that function primarily as pedestrian/non-motorized connections while accommodating emergency access. Added street tree, public art and/or landscaping requirements to enhance the streetscape and pedestrian environment.
Internal Access Drive Landscaping	Required trees on both sides of access drives to reinforce their pedestrian character.	Refined: Clarifies tree requirements and allows other planting or public art where trees cannot be provided on both sides of an access drive.	Provides flexibility where tree planting is infeasible while maintaining the intent of enhancing the pedestrian experience and buffering parking and utility areas.
3. Building Design			
Building Massing: Building and Facade Lengths <i>(Building Massing: Building</i>	Established a maximum building length of 240 feet along Ashby Avenue.	Revised: Increases the maximum building length along Ashby Avenue from 240 to 275 feet, subject to provision of a Building Break to exceed this length. The note was changed to reference the length of the existing continuous block from Martin Luther King Jr. Wy. to Adeline Street as approximately 370 feet (instead of from MLK Jr. Wy. to Otis Street). Refined: Clarifies terms regulating building and facade lengths such as: Building Break, Major Break and Facade Plane.	Provides additional design flexibility on a highly constrained site while maintaining standards to break up long building facades and large building masses.

Topic	Preliminary ODS	Revised ODS	Rationale for Revision
<i>and Facade Lengths – cont'd)</i>	For all frontages, including Ashby Avenue, Facade Planes were limited to 160 feet unless a Major Break was provided. Major Breaks were required to be at least 6 feet wide and 6 feet deep, with a minimum horizontal area of 50 square feet. <i>(Note: The Preliminary ODS inadvertently referred to “all other frontages.” The Facade Plane and Major Break requirements were intended to apply to all frontages, including Ashby Avenue.)</i>	Revised: Increases the maximum Facade Plane length from 160 to 180 feet for all frontages and reduces the minimum dimensions for Major Breaks from 6 feet wide by 6 feet deep and 50 square feet in area to 5 feet wide by 3 feet deep and 36 square feet in area.	Provides additional design flexibility on a highly constrained site while maintaining standards to break up long building facades and large building masses.
Building Massing: Vertical Facade Articulation	Established vertical facade articulation spacing requirements for all buildings to occur at an average minimum of one per 40 feet of linear façade length, with no facade greater than 50 feet in width.	Retained: Existing vertical facade articulation spacing requirement for buildings less than or equal to 85 feet in height. Revised: Establishes a new standard for buildings greater than 85 feet in height to require vertical facade articulation spacing to occur at an average minimum of one per 80 feet of linear façade length, with no facade greater than 110 feet in width.	Provides greater flexibility for buildings over 85 feet, where taller building forms generally require more continuity in the building structure and floor layout. The revised standard continues to require vertical articulation while allowing it to be achieved in ways that are appropriate to taller buildings and do not depend on large setbacks that may be difficult to integrate into the overall building design.
Facade Design / R-BMU Standards	Included facade articulation standards and design standards addressing selected architectural elements such as windows, materials, and utility locations.	Added/Refined: Adds Section 3.2.3 to incorporate and minimally tailor applicable R-BMU façade standards related to ground-floor residential entries, required openings, and light screening.	Reinforces and emphasizes key applicable R-BMU zoning standards within the ODS.

D. Revised Objective Design Standards (ODS)

The Revised ODS are provided in Attachment 1, Exhibit A. The ODS document is organized in two parts. Part I provides the site context and policy framework for the ODS for the Ashby BART station site and is essentially unchanged from the Preliminary ODS presented to the Planning Commission at its July 1, 2026 meeting, except that references have been updated to reflect the current stage of the process (e.g., removal of references to the “Preliminary” ODS and the selection of the West Lot developer since the Preliminary ODS were first published). Part II contains the objective standards addressing Land Use, Public Realm and Building Design. Certain standards reflect the development requirements established through the City/BART Exchange Agreement and anticipate potential use of applicable State Density Bonus provisions to modify otherwise applicable R-BMU zoning standards. A brief overview is provided below; the complete standards, including applicable dimensions and other requirements, are provided in Attachment 1, Exhibit A.

1. **Land Use.** The ODS establish requirements for ground-floor uses and frontages, including locations where active and publicly accessible non-residential uses are required; standards for the design of those spaces; and maximum building heights within Development Areas A, B, and C.
2. **Public Realm.** The ODS establish standards for streetscape design and the relationship between buildings and required access along perimeter streets, the Station Entrance Plaza and internal access drives and areas adjacent to the BART Traction Power Substation. These standards address pedestrian circulation, landscaping, building frontages.
3. **Building Design.** The ODS establish standards for building massing and facade design, including building and facade-plane lengths, building and major breaks, corner-building treatments, facade articulation, and selected architectural elements such as windows, materials, public art, and utility locations.

NEXT STEPS

Upon receiving further public comment and Planning Commission recommendation, staff will forward the Revised ODS to the City Council for consideration and adoption.

STAFF CONTACT

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ATTACHMENTS

1. Planning Commission Resolution 2026-12
 - Exhibit A: Ashby BART West Lot Transit Oriented Development Objective Design Standards
2. Revised ODS - Underline Strikeout Version from Preliminary ODS
3. Public Hearing Notice

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. 2026-12

A RESOLUTION OF THE CITY OF BERKELEY PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT THE ASHBY BART WEST LOT TRANSIT ORIENTED DEVELOPMENT OBJECTIVE DESIGN STANDARDS.

WHEREAS, the City of Berkeley and the San Francisco Bay Area Rapid Transit District (BART) have been collaborating since the 2018 passage of Assembly Bill 2923 to effectuate transit-oriented development at the North Berkeley BART and Ashby BART station areas; and

WHEREAS, in 2020, the Parties entered into a memorandum of understanding (“MOU”) to identify their shared vision and priorities for transit-oriented development at the North Berkeley and Ashby BART Stations, to provide clarity on the process and timelines for pursuing development, and to begin to identify the roles and responsibilities of the City and BART in that process. Among other things, the MOU called on the City to establish a Community Advisory Group, reserve funding to support affordable housing development at the sites, and adopt zoning for the sites consistent with Assembly Bill 2923 (California Public Utilities Code sections 29010.1 et seq.) (“AB 2923”); and

WHEREAS, on April 27, 2021, the Berkeley City Council unanimously adopted Resolution 69,833-N.S. which, in part, provisionally reserves \$53 million of City-controlled funds as the subsidy needed to achieve at least 35% affordable housing at each of the Ashby and North Berkeley BART sites, and allows for a portion of the funding to be allocated to predevelopment uses; and

WHEREAS, on June 2, 2022, the Berkeley City Council approved the Joint Vision & Priorities (“JVP”) with Resolution 70,402-N.S. and on June 9, 2022, the BART Board approved the JVP. The JVP expresses the City and BART’s shared, high-level expectations for future development of both the Ashby and North Berkeley BART stations. The JVP was incorporated into BART’s Request for Qualifications (“RFQ”) for development of the North Berkeley BART Station site and the Request for Proposals (“RFP”) for development of the Ashby BART West Lot; and

WHEREAS, on June 28, 2022 the Berkeley City Council adopted Chapter 23.202.150 in its Zoning Ordinance, as part of the City of Berkeley Municipal Code, adding a “Residential - BART Mixed Use (R-BMU)” zoning district, as well as additional conforming amendments to the General Plan and other sections of the Municipal Code in order to ensure that the provisions are comprehensively and consistently incorporated into its Zoning Ordinance, to govern development at the North Berkeley and Ashby BART Stations consistent with AB 2923; and

WHEREAS, on June 30, 2022, the City and BART entered into a Memorandum of Agreement (“MOA”) amending and expanding upon the MOU; and

WHEREAS, on November 29, 2022, the Berkeley City Council adopted Resolution No. 70,622-N.S. approving a conceptual design for a street reconfiguration and new plaza along Adeline Street between Ashby Avenue and Martin Luther King, Jr., Way, in order to increase safety for pedestrians and bicyclists and to enhance access to the Ashby BART Station; and

WHEREAS, on December 3, 2024 the City of Berkeley Council adopted Ordinance No. 7,939-N.S. approving the Ashby BART Station Transit-Oriented Development Exchange Agreement (“Exchange Agreement”), which provides for the relinquishment of the City’s option to purchase air rights over the West Lot in exchange for the City’s fee simple ownership of the East Lot and establishes certain minimum community benefits and project requirements for development of the West Lot and East Lot; and

WHEREAS, the City and BART subsequently executed the Exchange Agreement, effective on December 20, 2024; and

WHEREAS, Article 9 and Schedules 5.2 and 9.2.1 of the Exchange Agreement establish the process, timeline, and parameters for the City’s adoption of Objective Design Standards for the Ashby BART West Lot, bounded by Adeline Street, Ashby Avenue, and Martin Luther King Jr. Way, and identified as Assessor Parcel Number 053-1597-039-04, including a requirement in Schedule 5.2 that the City adopt the Final ODS within nine months after BART enters into an Exclusive Negotiating Agreement with a developer for the West Lot; and

WHEREAS, the City released Preliminary Objective Design Standards on December 6, 2024, concurrent with BART’s RFP process for the Ashby BART West Lot; and

WHEREAS, following release of the Preliminary ODS, the City received and considered input from community members, the Planning Commission, BART, the selected developer team, City departments, and other stakeholders through community-wide meetings held on February 10, 2025 and July 16, 2026, smaller meetings hosted by community organizations, written comments, the July 1, 2026 Planning Commission meeting, and ongoing coordination with BART and the selected developer team; and

WHEREAS, the ODS are based on analysis of the applicable policy framework and site-specific technical constraints at the Ashby BART West Lot, including emergency responder access, station access, and BART infrastructure requirements, as further described in the Ashby BART West Lot Circulation Framework and Connections Memo included as an attachment to BART’s Ashby BART West Lot RFP; and

WHEREAS, the proposed ODS are consistent with the process, timeline, parameters, and requirements for the Final ODS established by Article 9, Schedule 5.2 and Schedule 9.2.1 of the Exchange Agreement; and

WHEREAS, the ODS were developed within the framework of the R-BMU zoning (BMC Section 23.202.150), the City and BART Exchange Agreement, and applicable State law; and

WHEREAS, the ODS reflect the City and BART Joint Vision and Priorities for the North Berkeley and Ashby BART station areas, site-specific technical constraints and project requirements, and input from the community, Planning Commission, City, BART, and the selected developer team; and

WHEREAS, the City’s ODS for the West Lot shall be binding on BART and the West Lot Developer without respect to any waivers, incentives or other exceptions that may otherwise be available under the Density Bonus Law or other provision of law, and BART shall require the West Lot Developer to comply with the Final ODS utilizing its real estate agreements, provided that the ODS meet requirements outlined in Exchange Agreement Schedule 9.2.1; and

WHEREAS, on September 16, 2026, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, a public hearing notice was published in the Berkeley Voice and posted in three public places pursuant to California Government Code Section 65090 on September 4, 2026 for the public hearing held on September 16, 2026.

WHEREAS, all documents constituting the record of this proceeding are and shall be retained by the City of Berkeley Planning and Development Department, Land Use Planning Division, at 1947 Center Street, Berkeley, California.

WHEREAS, the proposed objective design standards were evaluated in (1) the Ashby and North Berkeley BART Stations Transit-Oriented Development (TOD) Zoning Project Environmental Impact Report (SCH #: 2020110320) which was certified by the City Council on June 2, 2022; and (2) the “Ashby BART TOD Contractual Agreement” Addendum, which amended that Report and the Adeline Corridor Specific Plan Environmental Impact Report (SCH # 2018072009) and which was approved by the City Council on December 3, 2024, such that no further environmental review is required; and

NOW, THEREFORE, IT BE RESOLVED that the Planning Commission does hereby recommends that the City Council adopt the Ashby BART West Lot Objective Design Standards attached hereto as Exhibit A.

I HEREBY CERTIFY the foregoing resolution was passed and adopted by the Planning Commission of the City of Berkeley, at a special meeting thereof, held on the 16th day of September 2026, by the following vote:

AYES:

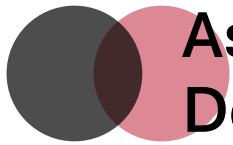
NOES:

ABSENT:

ABSTAIN:

ALISA SHEN, SECRETARY TO THE PLANNING COMMISSION

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026
EXHIBIT A



Ashby BART West Lot TOD Objective Design Standards (ODS)

Contents

Part I: Introduction and Policy Framework	2
Introduction	2
Site Context	2
Policy Framework	4
Part II: Objective Design Standards	7
1 Land Use	7
1.1 Ground Floor Frontages	7
1.2 Building Height	9
2 Public Realm	10
2.1 Streetscape Design	10
2.2 Station Entrance Plaza Design	12
2.3 Internal Access Drives and Emergency Vehicle Access (EVA) Design	13
2.4 TPSS Access and Staging Area Design	14
3 Building Design	15
3.1 Building Massing	15
3.2 Facade Design	15
3.3 Design Elements	18

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026
EXHIBIT A

Part I: Introduction and Policy Framework

Introduction

The Objective Design Standards (ODS) for the Ashby BART West Lot establish detailed design standards for future transit-oriented development (TOD). Part I of this document provides the site context and applicable policy framework for ODS for the Ashby BART station site, followed by Part II: the Objective Design Standards for the West Lot (Figure 1). The Revised ODS reflect the policy framework, site constraints and input from the public, BART and the selected West Lot Developer, and will be considered by the City of Berkeley Planning Commission and City Council. Design standards for the East Lot will be addressed separately at a later date.

Figure 1. Ashby BART Site Context



Site Context

The Ashby BART station site consists of two areas, the East Lot and the West Lot.

The East Lot currently serves as parking for BART riders and sits behind the Ed Roberts Campus, a prior phase of TOD consisting of an 80,000 square foot universally-designed campus offering disability-related programs and services. In addition to the Ed Roberts Campus to the west, the East Lot is bounded by Tremont Street on the east, Woolsey Street on the south, and private properties to the north.

The West Lot is a triangular site that provides the primary access to the Ashby BART station for BART riders, including those driving and parking, getting dropped off, walking/rolling, and bicycling. It is bounded by Ashby Street to the north, Adeline Street to the east, and Martin Luther King (MLK) Jr. Way to the west. An existing Traction Power Substation (TPSS), as well as the footprint of a future TPSS

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

replacement and its required maintenance and staging area, are located adjacent to Adeline, north of the station entrance area. There is a significant change in elevation across the site with the corner of Ashby and Adeline at 124 feet, the corner of MLK Jr. Way and Adeline at 115 feet, and the corner of Ashby and MLK Jr. Way at 114 feet. The main station entrance faces the surface parking lot, and the entrance is located at 105 feet, approximately 15 feet below Adeline Street and 10 feet below MLK Jr. Way.

Future development on the West Lot and changes to Adeline Street will dramatically transform the way BART riders and community members navigate the area by limiting car access and creating walking and biking paths throughout the site. These changes, including areas for new plazas, potential development areas and circulation needs are illustrated in the diagram below (Figure 2) and described in greater detail in the *Ashby Station West Lot TOD Circulation Framework*. Note that Figure 2 and similar diagrams in this document are illustrative only, and dimensions are flexible as long as all performance metrics are met.

Figure 2. Ashby West Lot - Future Plazas and Potential Development Areas



REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

Policy Framework

The City and BART have been closely collaborating over the past several years to advance TOD at the Ashby BART station. The City's and BART's adopted agreements, policies, and regulations form the framework for the Objective Design Standards (ODS) for the Ashby BART West Lot. In addition to the adopted agreements, policies and regulations highlighted below, development on the West Lot will also be guided by the *Ashby Station West Lot TOD Circulation Framework* (Circulation Framework). The *Circulation Framework* outlines requirements for fire and life safety, public access to the station, BART maintenance, TPSS, and other constraints that limit the location of development. The ODS reflect consideration of these documents, as well as State law, site planning and financial feasibility studies, and the extensive community engagement undertaken as part of the planning process to build transit-oriented development at the Ashby and North Berkeley BART sites.

Key guidance is provided by:

City and BART Ashby BART Station Transit-Oriented Development Exchange Agreement

On December 3, 2024, the City Council authorized the City Manager to execute an Exchange Agreement (Agreement) with BART to effectuate TOD at Ashby BART. Pursuant to the Agreement, the City will relinquish its air rights over the West Lot and any public rights in an adjacent area, in return for fee simple ownership of the East Lot and specified community benefits. The Agreement also defines the manner in which the City and BART will work together on developer solicitations, conditions for the City's affordable housing funding, requirements and responsibilities for public infrastructure, minimum standards and process requirements to develop City Objective Design Standards, and schedule milestones.

Regarding the West Lot, the Agreement sets forth minimum requirements for the future development project and the development capacity that the ODS will need to accommodate, as well as the process by which the ODS will be developed, approved and enforced (summarized below).

- a. West Lot Development Program – Minimum Requirements. The Agreement requires that the program of the actual development must include:
 - o Affordable housing meeting specified requirements,
 - o A commercial component that includes a minimum of 5,000 net rentable square feet, based on BOMA ANSI¹ 2017 standards, of ground floor interior space for community-based organizations, non-profits, and/or small and minority-owned businesses, including the Berkeley Flea Market.
- b. West Lot ODS – Process to Develop and Approve. The Agreement sets forth a process to develop ODS for the West Lot in phases:
 - o The City has developed a set of Preliminary ODS (Part II of this document) based on the R-BMU zoning, the [Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley BART Stations](#), the Circulation Framework and other analyses of site constraints (described further below).
 - o Following developer selection, the Preliminary ODS will be refined based on input from the community, the selected developer(s), BART and the City.
 - o City staff will bring the revised ODS to the City Planning Commission for review and recommendation to the City Council, and the Council will consider the ODS for adoption no later than 9 months from execution of the Exclusive Negotiating Agreement between BART and the selected Developer.

¹ BOMA ANSI: Building Owners and Managers Association American National Standards Institute.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

c. West Lot ODS – Development Capacity and Enforcement.

- o The City's Final ODS (approved by City Council) will be binding on the selected developer(s) provided that the ODS meet the requirements outlined within Schedule 9.2.1 of the Exchange Agreement, in which case BART will require the selected developer(s) to comply with the Final ODS for the West Lot through its real estate agreements.
- o The West Lot developer(s) may invoke waivers, incentives or other exceptions, to the extent permitted by the state density bonus law (Government Code section 65915 *et seq.*) or other law, but only with respect to (i) zoning requirements other than those set forth in, or modified by, the ODS, (ii) ODS requirements pertaining to minimum square footage of active or non-residential ground floor uses, but only to the extent such requirements exceed 15,000 square feet, inclusive of the 5,000 sf minimum of ground-floor commercial space noted above, and (iii) other ODS requirements that do not pertain to height limits, setbacks/step-backs, open space or massing breaks.

City of Berkeley Zoning

In June 2022, the City Council adopted a new zoning district for the North Berkeley and Ashby BART station areas – BMC Section 23.202.150 Residential – BART Mixed Use Zoning District (R-BMU) – and related amendments to the Berkeley Municipal Code.² The zoning includes development standards, open space requirements, parking requirements (for the mixed-use development), and permitted uses, as well as some limited requirements relating to shaping the volume and massing of future development. Greater detail related to building form was not included because it would be addressed during the subsequent process to prepare ODS for each station area. The R-BMU zoning district includes development standards that address the following:

- o Street-Facing Ground Floor Frontages
- o Open Space
- o Setbacks and Step-Backs
- o Frontage Improvements
- o Ground Floor Residential and Non-Residential Frontage
- o On-Site Pedestrian Access
- o Transparency
- o Building Entrances
- o Parking Design and Access

To satisfy requirements set forth in the City and BART-approved Exchange Agreement, the ODS account for the possibility of waivers and incentives under the state density bonus law, which a developer may use to avoid some zoning standards in the R-BMU zoning.

City and BART Joint Vision and Priorities for Transit-Oriented Development for the Ashby and North Berkeley BART Stations³

In June 2022, the City and BART adopted the Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley Stations (JVP). The JVP expresses the City and BART's shared, high-level expectations for future development. The JVP provides important guidance on the following topics: Affordable Housing, Public and Civic Space, Land Use, Building Form, and Station Access and Parking. The JVP includes aspirational statements as well as minimum requirements. Each topic includes an overall vision statement, followed by shared priorities for both station areas and additional priorities specific to each station, where applicable.

² <https://berkeley.municipal.codes/BMC/23.202.150>.

³ <https://berkeleyca.gov/sites/default/files/documents/JVP%20-%20final%20adopted.pdf>.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

Adeline Street Transportation Improvements Project (City of Berkeley)

As part of a larger City-led project, two of the existing four traffic lanes of Adeline Street adjacent to the West Lot will be repurposed to create a new public pedestrian plaza (Adeline Main Plaza). The Adeline Main Plaza is intended to provide a permanent home for the Berkeley Flea Market (which currently uses the Ashby BART parking lot on weekends) as well as open space and space for community events like Juneteenth and other programming. The project scope of work also includes redesigning the intersections of Adeline/Ashby, Adeline/Woolsey and Adeline/MLK Jr. Way adjacent to Ashby BART. The scope of the full project will include protected bikeways, upgraded traffic signal infrastructure, enhanced public transit operations, and intersection realignment to create new opportunities for public space on Adeline Street from Ashby Ave to the Berkeley/Oakland border at Adeline St./Stanford Ave./62nd St./MLK Jr. Way intersection. The goals of the project are to improve safety and access for all modes of transportation and all ages and abilities, while also meeting the needs of public transit and emergency vehicles. In addition to the public plaza at the Ashby BART Station, the Adeline Street/MLK Jr. Way and Adeline Street/Stanford Avenue/MLK Jr. Way intersections have been identified through the Adeline Corridor Specific Plan as opportunities for future public space or development.

2020 Pedestrian Plan, 2017 Berkeley Bicycle Plan

The City's 2020 Pedestrian Plan and 2017 Bicycle Plan set policy for streetscape design and character including preferred sidewalk widths.^{4, 5}

⁴ <https://berkeleyca.gov/your-government/our-work/adopted-plans/pedestrian-plan-2020>.

⁵ <https://berkeleyca.gov/your-government/our-work/adopted-plans/berkeley-bicycle-plan>.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026
EXHIBIT A

Part II: Objective Design Standards

1 Land Use

1.1 Ground Floor Frontages

Commercial Location Requirements

The R-BMU zoning sets requirements for permitted street-facing ground floor uses in BMC 23.202.150(F)(2), Table 23.203-20. The ODS modifies the R-BMU requirements as outlined in sections 1.1.1 and 1.1.2 below.

These standards anticipate that the project will utilize a waiver under the state density bonus law of R-BMU zoning standards in Table 23.202-20 for minimum active ground floor commercial frontage requirements, consistent with the minimum ground-floor use requirements established by the City and BART Ashby BART TOD Exchange Agreement.

Pursuant to the Exchange Agreement: a minimum floor area of 15,000 square feet of active or non-residential ground-floor uses shall be provided on the site.⁶ These uses are generally permitted anywhere on the site except as specified below.

1.1.1 Ground Floor Active and Other Publicly Accessible Non-Residential Uses

1. “Active Uses”, as defined in BMC Section 23.202.150(F)(2) Table 23.202-20, Note 1) , consist of commercial uses in the following categories: Retail, Personal and Household Services, Food and Alcohol Service and Entertainment. Active Uses shall also include Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting as defined in BMC Chapter 23.502.
2. Other Publicly Accessible Non-Residential Uses. For purposes of these standards, “Other Publicly-Accessible Non-Residential Uses” include the following uses as defined in BMC Chapter 23.502, Glossary:
 - a. Group Instruction
 - b. Health and Fitness Center
 - c. Child Care Center
 - d. Community Care Facility
 - e. Community Center
 - f. Library
3. Active Uses, as defined above and shown in **Figure 3**, are required at the following three locations:
 - a. **Ashby Avenue and Adeline Street (Development Area A)** with a minimum floor area of 1,200 square feet. If the proposed project does not have an at-grade connection to the Ashby/Adeline Corner Plaza, this requirement does not apply.
 - b. **Ashby Avenue and Martin Luther King Jr. Way (Development Area A)** with a minimum floor area of 1,200 square feet.
 - c. **Martin Luther King Jr. Way and Station Entrance Plaza (Development Area B)** with a minimum of two spaces with at least 1,200 square feet of floor area each, or one space with a minimum floor area of 2,400 square feet.

⁶ City and BART Ashby BART TOD Exchange Agreement (December 2024).

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

- d. **Restaurant-Ready Design.** The Active Use spaces required at the three locations above shall be designed as “restaurant-ready” spaces, with installed equipment or space designed to allow tenant spaces to be retrofitted to restaurant-use standards, including required enhancements for HVAC exhaust shaft to the roof and stub-outs for plumbing and grease traps.
4. **Adeline Street Frontage.**
 - a. In Development Area B, between the TPSS and Station Entrance Plaza, where a building provides an at-grade connection to the Adeline Main Plaza, a minimum of 60% of continuous ground-floor building frontage shall be occupied by Active Uses and/or Other Publicly-Accessible Non-Residential Uses, as defined above.
 - b. In Development Area C, between the Station Entrance Plaza and the south BART exhaust vent, a minimum of 40 percent of the ground-floor building frontage shall be occupied by Active Uses and/or Other Publicly-Accessible Non-Residential Uses, as defined above.
5. **Design Standards for Active Uses and Other Publicly Accessible Non-Residential Uses.** All ground floor spaces occupied by an Active Use or Other Publicly-Accessible Non-Residential Use, wherever located on the site, shall comply with the following standards:
 - a. **Minimum Depth.** Spaces shall have a minimum depth of 30 feet, except in Development Area C, where spaces shall have a minimum average depth of 30 feet and total minimum depth of 25 feet.
 - b. **Flexible Subdivision.** Spaces shall be able to be subdivided into leasable commercial area widths between 15 and 20 feet and have potential for individual entries.
 - c. **Warm Shell/White Box Ready.** Spaces shall be constructed to warm shell standards with necessary infrastructure to be leased. Cold shells are prohibited.
 - d. **Storefront Transparency.** Spaces shall be 50% transparent between 3 feet and 7 feet from sidewalk grade.

1.1.2 Ground Floor Residential Uses

1. Ground floor Residential Uses are permitted where Active Uses or Other Publicly-Accessible Non-Residential Uses are required pursuant to Section 1.1.1.

Figure 3. Ground-Floor Requirements: Active Uses and Other Publicly Accessible Non-Residential Uses



REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

1.2 Building Height

The R-BMU development standards provide for a maximum building height of 80 feet and 7 stories. See BMC Section 23.202.150 (Table 23.202-21). However, future development on the West Lot may be eligible to utilize provisions of the State Density Bonus law for increases in density and/or a certain number of concessions and/or waivers of development standards (such as height) which would otherwise physically preclude the construction of the development. In the event that a building or buildings taller than 80 feet and 7 stories (pursuant to BMC Section 23.202.150(F)(1)) are permitted by State Density Bonus law, the standards described below shall apply.

The goal of the height distribution is to locate the tallest buildings along Adeline Street, step down to MLK Jr. Way, and to limit height along Ashby Avenue to reduce shadow impacts on the neighborhood to the north.⁷ See Figure 4.

1. Buildings fronting MLK Jr. Way north of the Station Entrance Plaza shall not exceed 85 feet in height, as measured from average sidewalk grade, for the first 60 feet of building depth along MLK Jr. Way.
2. Buildings fronting MLK Jr. Way south of the Station Area shall not exceed 85 feet in height, as measured from average sidewalk grade, for the first 60 feet of building depth as measured perpendicular to Adeline Street and then parallel to Adeline Street until it meets MLK Jr. Way.
3. Buildings located in area A shall not exceed 120 feet in height.
4. Buildings located in area B shall not exceed 200 feet in height.
5. Buildings located in area C shall not exceed 160 feet in height.

Figure 4. Maximum Height (State Density Bonus Eligible Project)



⁷ The 85-foot height limit along portions of Martin Luther King Jr. Way may be modified to a 95-foot height limit for projects that meet eligibility requirements of SB 79.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

2 Public Realm

2.1 Streetscape Design

2.1.1 Sidewalk Design

The Circulation Framework for the Ashby BART West Lot TOD established the City and BART’s high-level requirements related to fire and life safety, station access, BART maintenance and operations, the Traction Power Substation, sidewalk design and pedestrian, bicycle, and vehicle circulation.

Figures 5 and 6 below establish the applicable sidewalk sections along Ashby Avenue and Martin Luther King Jr. Way. The sidewalk section shown for Martin Luther King Jr. Way north of the Station Entrance Plaza also applies south of the Station Entrance Plaza and supersedes the sidewalk-level cycle track configuration shown in the Circulation Framework. Exceptions may be made in locations where existing trees outside of the existing ROW are maintained.

It is not anticipated that the existing curb line to median dimension will change along Martin Luther King Jr. Way (MLK Jr. Way). North of the Station Entrance Plaza, MLK Jr. Way will include a parking/loading lane and two travel lanes. South of the Station Entrance Plaza, MLK Jr. Way will include a two-way on-street protected cycle track and two lanes of traffic.

As the West Lot TOD project and Station Access Plan advance through more detailed design, modifications to the street and sidewalk dimensions shown below may be approved by the City, in coordination with BART where site circulation affects the public right-of-way, provided that the modified design continues to meet applicable requirements for pedestrian circulation and accessibility, bicycle connectivity, station access, emergency response, BART operations, and other City circulation functions.⁸

⁸ All changes to the public right-of-way as part of the Ashby BART West Lot TOD project will receive final design review by and be subject to approval of City of Berkeley Public Works staff pursuant to the established City development review process. Street frontage improvements, including signing and striping, shall be included with the building permit submittal, designed and constructed as directed by the Public Works Engineering, Public Works Transportation, and Fire Departments in their approval of the building permit sets, and constructed by the building permit holder prior to certificate of occupancy.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026
EXHIBIT A

Figure 5. Diagram of Ashby Avenue



Figure 6. Diagram of MLK Jr. Way



2.1.2 Street Trees + Planting Area/Amenity Zone

The following standards apply to Ashby Avenue and MLK Jr. Way.

1. Pattern. Trees shall be planted with a minimum of one tree per 25 linear feet of sidewalk length. Exceptions may be made in locations where existing infrastructure, utilities, or BART tunnel prohibit planting of trees. Existing trees should be maintained where possible.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

2. Location. Trees shall be evenly spaced between the curb and sidewalk or evenly spaced within the width of a planting strip. Trees shall be planted so that at maturity the trunk is at least three feet from the face of curb where loading occurs.
3. Ground Plane. Trees shall be provided in planters a minimum of three feet wide and a minimum of six feet long located 18 inches from the face of curb. Exceptions may be made in locations where existing infrastructure, utilities, or BART tunnel prohibit planting of trees.
4. Subsurface design for new trees.
 - a) A minimum of 120 cubic feet of well aerated soil per inch of trunk diameter at maturity shall be located within six feet of each tree.
 - b) Continuous structure soil with a minimum width of four feet shall connect all consecutive street trees.

2.1.3 Frontage Character and Building Setbacks

The R-BMU zoning regulates building setbacks, residential ground floor character, and location/frequency of building entrances.

Martin Luther King Jr. Way

1. Where ground floor residential units front MLK Jr. Way, the first two floors or first floor with a minimum 15 feet clear height from sidewalk grade shall be set back a minimum of 5 feet to provide space for stoops, landscaping, and improve privacy for ground floor units.
2. Where a building is directly fronting a bikeway or multi-use path, rather than a sidewalk, the ground floor shall be set back a minimum of 3 feet to create a buffer to the cycle track.
 - a. The buffer shall have a dimensional depth to include all door swings, utility areas, or other staging areas so that at no point shall the bikeways be impacted with building access.
 - b. Where building lobby entrances are located, doorways shall be set back a minimum of 8 feet and include a minimum 64 square foot area between the doorway and bikeway.
 - c. Planters located in the setback area shall not exceed 18 inches in height.

2.2 Station Entrance Plaza Design

The *Circulation Framework* identifies the functional requirements of the Station Entrance Plaza including a bicycle and pedestrian ramp that will line the Development Area C frontage of the Station Entrance Plaza. The ODS sets requirements for buildings facing the Station Entrance Plaza.

2.2.1 Frontage Character

1. See also Section 1.1.1(3)(c) for ground-floor requirements.
2. Where blank walls, maintenance, and utility areas are located, a minimum 2 feet wide planter shall be provided to create a landscaped buffer between pedestrian areas and the building facade. Bicycle facilities, such as bicycle parking, may be located within the buffer area and may be paved rather than landscaped.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

3. Door swings on building frontages shall not encroach on identified paths of travel.
4. Blank walls greater than 6 feet in height shall not exceed 30 feet in length or shall include public art.

2.3 Internal Access Drives and Emergency Vehicle Access (EVA) Design

The *Circulation Framework* identifies the functional requirements for access drives to the Traction Power Substation (TPSS) staging area and an EVA connection from the TPSS access drive to the Station Entrance Plaza. The access drive will also be used for private vehicle access to parking structures located within the TOD buildings. The following standards add design guidance for these circulation and emergency access requirements. Please refer to the *Circulation Framework* for dimensional requirements.

2.3.1 Access Drive Design

1. Access drives (see Figure 7)
 - a) Access drives with public vehicle access shall have a minimum building-to-building width of 56 feet.
 - b) Access drives used solely for emergency vehicle access shall have a minimum average building-to-building width of 48 feet and an absolute minimum building-to-building width of 40 feet.
2. Emergency Vehicle Access shall be designed to the minimum width allowed by Berkeley Fire Department to reduce hardscape and increase tree canopy coverage.
 - a) The access drive shall have a minimum 26-foot width where fire units may need to lay fire water supply hose or set up an aerial fire apparatus. If there are areas where this does not apply, then a 20-foot width may be acceptable upon review and approval by the Berkeley Fire Department. The secondary EVA may include building bridges over the access drive.
3. If a building bridge is located over the EVA, the overhead bridges shall have a minimum 20 feet clear height from grade to create inviting space and gateway. In addition, the following fire department requirements shall be met:
 - a) Where the EVA passes under any overhead bridges, other than a momentary overhead obstruction, an Alternative Materials and Methods Request (AMMR) will be required by the Fire Department. Building bridges shall have a minimum 13.5-foot height clearance and shall not be deeper than 30 feet.
 - b) The access drive shall have a minimum 26-foot width where fire units may need to lay fire water supply hose or set up an aerial fire apparatus. If there are areas where this does not apply, then a 20-foot width may be acceptable upon review and approval by the Berkeley Fire Department.
4. Where private vehicle access is not required, the required EVA width shall be designed primarily for pedestrian use as pedestrian pathways. See Figure 7. Dimensions for EVA may vary and are subject to Berkeley Fire Department Review.
5. Trees shall be located on either side of the access drive to make the access drive look and feel like a street or pedestrian pathway. Where trees are not provided on both sides of the access drive,

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

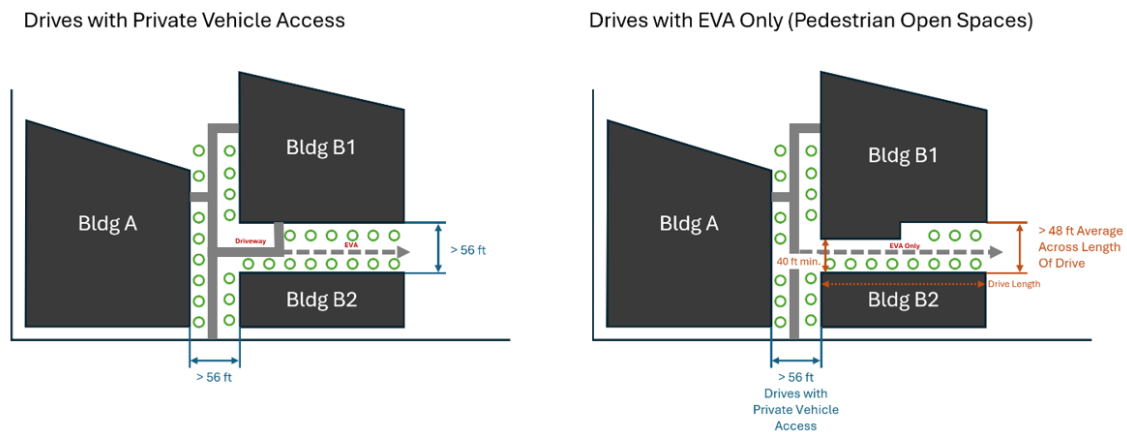
additional planting, art, or other elements shall be provided to enhance the pedestrian experience and buffer parking and utility area frontages.

- Planting in above grade courtyards and parking podiums shall have a minimum soil depth of 12 inches for ground cover, 20 inches for shrubs, and 36 inches for trees. Trees planted shall have minimum of 120 cubic feet of well aerated soil per inch of trunk diameter at maturity.

2.3.2 Frontage Character fronting Internal Access Drives

- Building Setbacks.** Ground floor residential units shall be set back a minimum of 5 feet from a publicly accessible sidewalk or pedestrian pathway. Building setbacks shall have a minimum 60% landscaped area.

Figure 7. Diagram of Access Drive Required Dimensions through Development Areas A and B (Illustrative Concept)



2.4 TPSS Access and Staging Area Design

The *Circulation Framework* provides design guidance for TPSS staging area and access to the TPSS and BART station facilities. The following standards address the buildings fronting these areas and areas outside of required staging and access areas.

2.4.1 TPSS Access and Staging Area

- A planting area shall be located between the TPSS access and staging area and TOD buildings.
- The planting area shall be designed to include trees. The planting area may be adjacent to the building facade or offset to provide pedestrian pathways.
- Trees planted shall have minimum of 120 cubic feet of well aerated soil per inch of trunk diameter at maturity.

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

2.4.2 Frontage Character

1. Where blank walls, maintenance, and utility areas are located, a minimum 2 feet wide planter shall be provided to create a landscaped buffer between pedestrian areas and the building facade. Bicycle facilities, such as bicycle parking, may be located within the buffer area and may be paved rather than landscaped.
2. Door swings on building frontages shall not encroach on identified paths of travel.
3. Blank walls greater than 6 feet in height shall not exceed 30 feet in length or shall include public art.

3 Building Design

3.1 Building Massing

3.1.1 Maximum Building Length and Facade Lengths

Ashby Avenue Frontages

1. Buildings fronting Ashby Avenue shall not exceed 275 feet in length unless there a Building Break meeting the requirements below is provided.
2. A Building Break is a substantial break in the overall building massing that extends from the ground through the roof plane of the building. Building Breaks shall have a minimum width and depth of 25 feet and shall extend to a circulation or common space with visual access through to the other side of the building. Glazing used to provide visual access shall meet bird safe design requirements. (Note: *Existing continuous block from Martin Luther King Jr. Way to Adeline Street is approximately 370 feet in length*).

All Frontages

3. A Facade Plane is the portion of a building facade located between building corners, Building Break or Major Break. Facade Planes shall not exceed 180 feet in length.
4. A Major Break shall have a minimum width of 5 feet, minimum depth of 3 feet and a minimum horizontal area of 36 square feet.

3.1.2 Corner Buildings and Vertical Height

Buildings located on Ashby Avenue at the corner of MLK Jr. Way and Adeline Street shall have a distinct corner building form. The distinct corner form shall be a minimum 25 feet in length along each facade and include one or more of the following:

1. A change in roof form from the other portions of the building.
2. A change of building facade height greater than 8 feet from other portions of the building. Change in height can be higher or lower than the adjacent other portion of the building.

3.2 Facade Design

3.2.1 Vertical Rhythm and Pattern

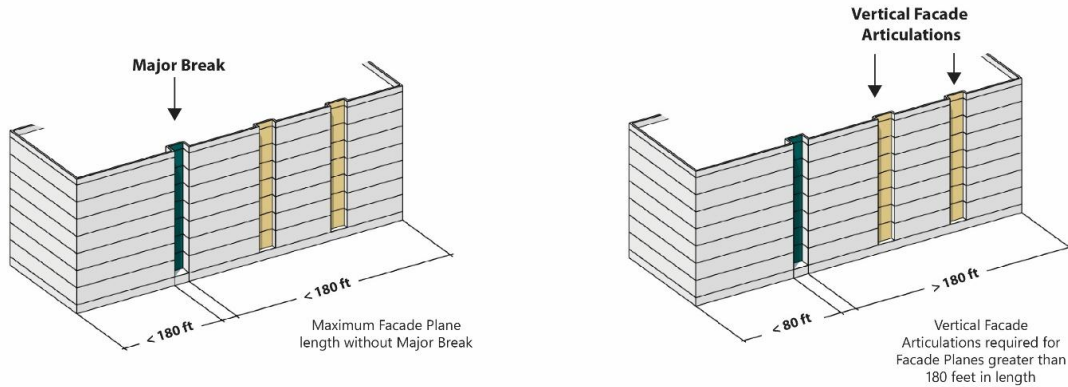
Building facades facing publicly accessible places shall express a vertical rhythm and pattern that reflects the size and scale of a residential unit and/or individual rooms or shall be designed with custom details to create an ornamental facade. Facade planes fronting a public street or publicly accessible space exceeding 80 feet in length shall meet the following standards for either Vertical Facade

REVISED Ashby BART West Lot Objective Design Standards (ODS) –September 2026

EXHIBIT A

Articulations or Ornamental Facades (see Figure 7). Facade planes are measured from corner of building to corner of building or Major Break as defined in 3.1.1.

Figure 8. Diagram of Major Breaks and Vertical Façade Articulations



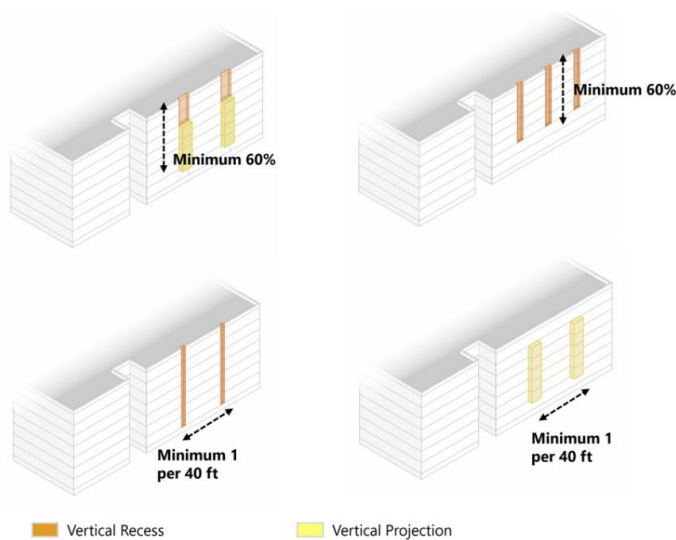
3.2.1.1 Vertical Façade Articulations:

1. A vertical recess, projection, or change in the facade plane of the building massing shall meet the following spacing requirements:
 - a. For buildings less than or equal to 85 feet in height: A vertical recess, projection, or change in the facade plane of the building massing occur at an average minimum of one per 40 feet of linear facade length with no facade length greater than 50 feet in width without a vertical recess, projection, or change in the facade plane that meets the standards below.
 - b. For buildings greater than 85 feet in height: A vertical recess, projection, or change in the facade plane of the building massing shall occur at an average minimum of one per 80 feet of linear facade length, with no facade length greater than 110 feet in width without a vertical recess, projection, or change in the facade plane that meets the standards below.
2. The vertical recess, projection, or change in the facade plane of the building massing shall have a minimum depth of 2 feet.
3. The vertical recess, projection, or change in the facade plane shall occur for a minimum 60% of the facade height measured from the average ground plane to the top of structure for the specific facade plane of the minor break/modulation.
4. The minimum width of a recess or change in the facade plane shall be 2 feet and maximum width shall not exceed 40 feet. Recesses and changes in the facade plane shall extend through the roof plane.
5. The minimum width of a projection shall be 4 feet, and maximum width shall not exceed 15 feet.

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EXHIBIT A

Figure 9. Diagram of Vertical Façade Articulation Types



3.2.1.2 Ornamental Façade.

1. Ornamental facades shall include a distinct building base, middle, and top defined by a cornice with a minimum height of 8 inches and minimum projection depth of 6 inches. Cornices defining a building top shall have a minimum of two depth levels.
2. Ornamental facades shall exceed 5% of the facade area. Ornament shall include features such as cornices, sculptures, artistic inlays or reliefs, decorative tile, decorative molding around windows, or other artistic add-ons to the facade. Ornamentation must deviate in color or material from the wall material behind it or be of high- quality material such as brick, stone, ceramics, metal, wood, tile, or fiber-cement board. Ornament shall not include built-up stucco trim or molding (also known as “plant-ons”).
3. Windows shall be punched with a minimum recess of 4 inches from the facade.

Figure 10. Example of Ornamental Façade



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EXHIBIT A

3.2.2 Building Projections

1. Stoops, porches, decks, landings, and stairs less than 6 feet in height may project into required setback areas (less than 8 feet in height along Ashby Ave).
2. Building features including eaves, cornices, canopies, awnings, and other weather protection features like sun-shades may project a maximum of 3 feet into required setback areas. Weather protection over stoops, porches, and building lobbies may project to the property line.
3. Building projections including balconies and bay windows features may project a maximum of 3 feet into required setback areas or public right-of-way. Projections over the right-of-way require a Minor Encroachment Permit from the Department of Public Works.
 - a. Building projections shall not exceed 25% of the facade length of the building wall to which it is attached.
 - b. Building projections shall have a minimum 12 feet clear height from sidewalk grade.
4. Building projections are not allowed over interior lot lines. Required vertical rhythm and pattern articulation for building facades shall occur within the interior parcel lines.

3.2.3 Additional Facade Standards

1. **Ground Floor Residential Entries** All ground floor residential units fronting a public street, an interior access drive or EVA shall provide entries to a publicly access pathway in the form of stoops or other exterior entries, or balcony or patio without entrance to the pathway or sidewalk, with a minimum area of 20 square feet. Senior units or other deed-restricted units for special needs populations are exempt.
2. **Required Openings.** Ground-level exterior walls facing and within 20 feet of a front lot line or publicly accessible pathway or Public Open Space shall run in a continuous plane for no more than 30 feet without a window, door, or other similar building opening.
3. **Light Screening.** Parking garages shall be designed such that interior lighting is fully shielded, and automobile headlamps are not visible from adjacent buildings, parcels, streets, public parks, publicly accessible outdoor space or designated open space area.

3.3 Design Elements

3.3.1 Fenestration

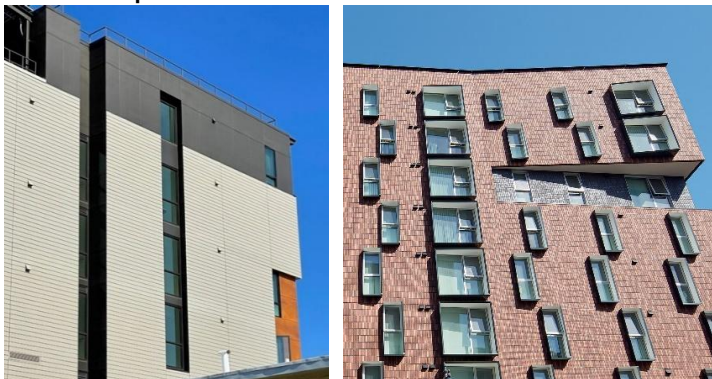
Windows shall meet one of the following requirements:

1. Windows shall be punched with a minimum recess of 2 inches from the facade or shall be framed with a minimum projection of 4 inches from the facade. Built-up stucco trim or molding (also known as “plant-ons”) are prohibited.
2. Windows that are flat or flush with the facade are prohibited unless applied to a recessed portion of the building facade with a minimum of four inches in depth. Vertical window edges shall be directly adjacent to recess.

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EXHIBIT A

Figure 11. Example of Windows Within a Recess and Framed Windows



3.3.2 Materials

No single material shall cover more than 80% of the cumulative facade area (excluding windows, doors, garage doors, and building trim) of a building except for high-quality materials such as brick, stone, ceramics, metals, fiber-cement panels, or other composite panel systems.

3.3.3 Public Art

Public art shall be distributed sitewide.

~~PRELIMINARY-REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

Ashby BART West Lot TOD ~~PRELIMINARY~~ Objective Design Standards (ODS)

Contents

Part I: Introduction and Policy Framework	2
Introduction	2
Site Context	2
Policy Framework	4
Part II: Objective Design Standards	7
1 Land Use	7
1.1 Active Ground Floor Frontages	7
1.2 Building Height	129
2 Public Realm	134 10
2.1 Streetscape Design	134 10
2.2 Station Entrance Plaza Design	174 12
2.3 Internal Access Drives and Emergency Vehicle Access (EVA) Design	184 14
2.4 TPSS Access and Staging Area Design	2015
3 Building Design	214 16
3.1 Building Massing	214 16
3.2 Facade Design	214 16
3.3 Design Elements	2419

~~PRELIMINARY-REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

Part I: Introduction and Policy Framework

Introduction

The Objective Design Standards (ODS) for the Ashby BART West Lot establish detailed design standards for future transit-oriented development (TOD). Part ~~1~~ of this document provides the site context and applicable policy framework for ODS for the Ashby BART station site, followed by ~~Part II: “Preliminary ODS”~~ the Objective Design Standards for the West Lot ~~of the Ashby BART station~~ (Figure 1). The ~~City shall consider~~ Revised ODS reflect the policy framework, site constraints and the input ~~from of~~ the public, BART and the selected West Lot Developer ~~(following developer selection), and in the preparation of Final ODS that~~ will be considered by the City of Berkeley’s Planning Commission and City Council. ~~ODS-Design standards~~ for the East Lot will be addressed separately at a later date.

Figure 1. Ashby BART Site Context



Site Context

The Ashby BART station site consists of two areas, the East Lot and the West Lot.

The East Lot currently serves as parking for BART riders and sits behind the Ed Roberts Campus, a prior phase of TOD consisting of an 80,000 square foot universally-designed campus offering disability-related programs and services. In addition to the Ed Roberts Campus to the west, the East Lot is bounded by Tremont Street on the east, Woolsey Street on the south, and private properties to the north.

The West Lot is a triangular site that provides the primary access to the Ashby BART station for BART riders, including those driving and parking, getting dropped off, walking/rolling, and bicycling. It is bounded by Ashby Street to the north, Adeline Street to the east, and Martin Luther King (MLK) Jr. Way to

PRELIMINARY-REVISED Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~December 2024

the west. An existing Traction Power Substation (TPSS), as well as the footprint of a future TPSS replacement and its required maintenance and staging area, are located adjacent to Adeline, north of the station entrance area. There is a significant change in elevation across the site with the corner of Ashby and Adeline at 124 feet, the corner of MLK Jr. Way and Adeline at 115 feet, and the corner of Ashby and MLK Jr. Way at 114 feet. The main station entrance faces the surface parking lot, and the entrance is located at 105 feet, approximately 15 feet below Adeline Street and 10 feet below MLK Jr. Way.

Future development on the West Lot and changes to Adeline Street will dramatically transform the way BART riders and community members navigate the area by limiting car access and creating walking and biking paths throughout the site. These changes, including areas for new plazas, potential development areas and circulation needs are illustrated in the diagram below (Figure 2) and described in greater detail in the *Ashby Station West Lot TOD Circulation Framework*. *Note that Figure 2 and similar diagrams in this document are illustrative only, and dimensions are flexible as long as all performance metrics are met.*

Figure 2. Ashby West Lot - Future Plazas and Potential Development Areas



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Policy Framework

The City and BART have been closely collaborating over the past several years to advance TOD at the Ashby BART station. The City's and BART's adopted agreements, policies, and regulations form the framework for the Objective Design Standards (ODS) for the Ashby BART West Lot. In addition to the adopted agreements, policies and regulations highlighted below, development on the West Lot will also be guided by the *Ashby Station West Lot TOD Circulation Framework* (Circulation Framework). The *Circulation Framework* outlines requirements for fire and life safety, public access to the station, BART maintenance, TPSS, and other constraints that limit the location of development. The ~~Preliminary~~ ODS reflect consideration of these documents, as well as State law, site planning and financial feasibility studies, and the extensive community engagement undertaken as part of the planning process to build transit-oriented development at the Ashby and North Berkeley BART sites.

Key guidance is provided by:

City and BART Ashby BART Station Transit-Oriented Development Exchange Agreement

On December 3, 2024, the City Council authorized the City Manager to execute an Exchange Agreement (Agreement) with BART to effectuate TOD at Ashby BART. Pursuant to the Agreement, the City will relinquish its air rights over the West Lot and any public rights in an adjacent area, in return for fee simple ownership of the East Lot and specified community benefits. The Agreement also defines the manner in which the City and BART will work together on developer solicitations, conditions for the City's affordable housing funding, requirements and responsibilities for public infrastructure, minimum standards and process requirements to develop City Objective Design Standards, and schedule milestones.

Regarding the West Lot, the Agreement sets forth minimum requirements for the future development project and the development capacity that the ODS will need to accommodate, as well as the process by which the ODS will be developed, approved and enforced (summarized below).

- a. West Lot Development Program – Minimum Requirements. The Agreement requires that the program of the actual development must include:
 - o Affordable housing meeting specified requirements,
 - o A commercial component that includes a minimum of 5,000 net rentable square feet, based on BOMA ANSI¹ 2017 standards, of ground floor interior space for community-based organizations, non-profits, and/or small and minority-owned businesses, including the Berkeley Flea Market.
- b. West Lot ODS – Process to Develop and Approve. The Agreement sets forth a process to develop ODS for the West Lot in phases:
 - o The City has developed a set of Preliminary ODS (Part II of this document) based on the R-BMU zoning, the Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley BART Stations, the Circulation Framework and other analyses of site constraints (described further below).
 - o Following developer selection, the Preliminary ODS will be refined based on input from the community, the selected developer(s), BART and the City.
 - o City staff will bring the revised ODS to the City Planning Commission for review and recommendation to the City Council, and the Council will consider the ODS for adoption no later than 9 months from execution of the Exclusive Negotiating Agreement between BART and the selected Developer.

¹ BOMA ANSI: Building Owners and Managers Association American National Standards Institute.

~~PRELIMINARY-REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

c. West Lot ODS – Development Capacity and Enforcement.

- o The City’s Final ODS (approved by City Council) will be binding on the selected developer(s) provided that the ODS meet the requirements outlined within Schedule 9.2.1 of the Exchange Agreement, in which case BART will require the selected developer(s) to comply with the Final ODS for the West Lot through its real estate agreements.
- o The West Lot developer(s) may invoke waivers, incentives or other exceptions, to the extent permitted by the state density bonus law (Government Code section 65915 *et seq.*) or other law, but only with respect to (i) zoning requirements other than those set forth in, or modified by, the ODS, (ii) ODS requirements pertaining to minimum square footage of active or non-residential ground floor uses, but only to the extent such requirements exceed 15,000 square feet, inclusive of the 5,000 sf minimum of ground-floor commercial space noted above, and (iii) other ODS requirements that do not pertain to height limits, setbacks/step-backs, open space or massing breaks.

City of Berkeley Zoning

In June 2022, the City Council adopted a new zoning district for the North Berkeley and Ashby BART station areas – BMC Section 23.202.150 Residential – BART Mixed Use Zoning District (R-BMU) – and related amendments to the Berkeley Municipal Code.² The zoning includes development standards, open space requirements, parking requirements (for the mixed-use development), and permitted uses, as well as some limited requirements relating to shaping the volume and massing of future development. Greater detail related to building form was not included because it would be addressed during the subsequent process to prepare ODS for each station area. The R-BMU zoning district includes development standards that address the following:

- o Street-Facing Ground Floor Frontages
- o Open Space
- o Setbacks and Step-Backs
- o Frontage Improvements
- o Ground Floor Residential and Non-Residential Frontage
- o On-Site Pedestrian Access
- o Transparency
- o Building Entrances
- o Parking Design and Access

~~As noted above, t~~To satisfy requirements set forth in the City and BART-approved Exchange Agreement, the ~~Preliminary~~ ODS ~~standards~~ account for the possibility of waivers and incentives under the state density bonus law, which a developer may use to avoid some zoning standards in the R-BMU zoning.

City and BART Joint Vision and Priorities for Transit-Oriented Development for the Ashby and North Berkeley BART Stations³

In June 2022, the City and BART adopted the Joint Vision and Priorities for Transit-Oriented Development for Ashby and North Berkeley Stations (JVP). The JVP expresses the City and BART’s shared, high-level expectations for future development. The JVP provides important guidance on the following topics: Affordable Housing, Public and Civic Space, Land Use, Building Form, and Station Access and Parking. The JVP includes aspirational statements as well as minimum requirements. Each topic includes an overall vision statement, followed by shared priorities for both station areas and additional priorities specific to each station, where applicable.

² <https://berkeley.municipal.codes/BMC/23.202.150>.

³ <https://berkeleyca.gov/sites/default/files/documents/JVP%20-%20final%20adopted.pdf>.

~~PRELIMINARY-REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

Adeline Street Transportation Improvements Project (City of Berkeley)

As part of a larger City-led project, two of the existing four traffic lanes of Adeline Street adjacent to the West Lot will be repurposed to create a new public pedestrian plaza (Adeline Main Plaza). The Adeline Main Plaza is intended to provide a permanent home for the Berkeley Flea Market (which currently uses the Ashby BART parking lot on weekends) as well as open space and space for community events like Juneteenth and other programming. The project scope of work also includes redesigning the intersections of Adeline/Ashby, Adeline/Woolsey and Adeline/MLK Jr. Way adjacent to Ashby BART. The scope of the full project will include protected bikeways, upgraded traffic signal infrastructure, enhanced public transit operations, and intersection realignment to create new opportunities for public space on Adeline Street from Ashby Ave to the Berkeley/Oakland border at Adeline St./Stanford Ave./62nd St./MLK Jr. Way intersection. The goals of the project are to improve safety and access for all modes of transportation and all ages and abilities, while also meeting the needs of public transit and emergency vehicles. In addition to the public plaza at the Ashby BART Station, the Adeline Street/MLK Jr. Way and Adeline Street/Stanford Avenue/MLK Jr. Way intersections have been identified through the Adeline Corridor Specific Plan as opportunities for future public space or development.

2020 Pedestrian Plan, 2017 Berkeley Bicycle Plan

The City's 2020 Pedestrian Plan and 2017 Bicycle Plan set policy for streetscape design and character including preferred sidewalk widths.^{4, 5}

⁴ <https://berkeleyca.gov/your-government/our-work/adopted-plans/pedestrian-plan-2020>.

⁵ <https://berkeleyca.gov/your-government/our-work/adopted-plans/berkeley-bicycle-plan>.

~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

Part II: Objective Design Standards

1 Land Use

1.1 ~~Active~~ Ground Floor Frontages

Commercial Location Requirements

The R-BMU zoning sets requirements for permitted street-facing ground floor uses in BMC 23.202.150(F)(2), Table 23.~~303~~203-20, ~~(shown below for reference only)~~. The ODS modifies the R-BMU requirements as outlined in sections 1.1.1 and 1.1.2 below.

~~ODS Sections 1.1.1 and 1.1.2 below assume~~ These standards anticipate that ~~a developer~~ the project will ~~obtain~~ utilize a waiver under the state density bonus law of R-BMU zoning standards in Table 23.202-20 for minimum active ground floor commercial ~~frontages by reducing the required amount of ground-floor commercial uses~~ frontage requirements, consistent with the minimum ground-floor use requirements established by the City and BART Ashby BART TOD Exchange Agreement.

Pursuant to the Exchange Agreement: a minimum floor area of 15,000 square feet of active or non-residential ground-floor uses shall be provided on the site.⁶ These uses are generally permitted anywhere on the site except as specified below.

Figure 3.- R-BMU Table 23.202-20 (for reference only)

FRONTAGE LOCATIONS	PERMITTED STREET-FACING GROUND FLOOR USES
Along Ashby and MLK	Non-Residential Uses or non-residential accessory spaces to residential buildings, such as community rooms. At least 50% of the combined frontage of MLK and Ashby must include active ground -floor uses. [1] Active uses at corner locations are encouraged.
Along Adeline	Non-Residential Uses or non-residential accessory spaces to residential buildings, such as community rooms.
Along Woolsey, Tremont [2], or fronting interior public spaces	Residential or Non-Residential Uses
Along Sacramento, along the Ohlone Greenway, or within 50 feet of any street corner	Residential or Non-Residential Uses
Along Delaware, Acton, or Virginia	Residential Uses

[1] Active uses are commercial uses in the following use categories: Retail; Personal and Household Services; Food and Alcohol Service, and Entertainment.

[2] Public entrances for non-residential uses fronting Tremont Street must be located on Woolsey Street.

⁶ City and BART Ashby BART TOD Exchange Agreement (December 2024).

~~PRELIMINARY-REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

1.1.1 Ground Floor Active and Other Publicly Accessible Non-Residential Uses~~Ground Floor Commercial Uses~~

~~1. Active ground-floor uses are permitted along all building frontages.~~

~~1. “Active ground-floor Uses”, (as defined in BMC Section 23.202.150(F)(2) Table 23.202-20, Note 1), consist of commercial uses shall be provided in the following categories/locations (See Figure 4 below): Retail, Personal and Household Services, Food and Alcohol Service and Entertainment. Active Uses shall also include Bar/Cocktail Lounge/Tavern/Tap Room/Wine Tasting as defined in BMC Chapter 23.502.~~

~~2. Other Publicly Accessible Non-Residential Uses. For purposes of these standards, “Other Publicly-Accessible Non-Residential Uses” include the following uses as defined in BMC Chapter 23.502, Glossary:~~

- ~~a. Group Instruction~~
- ~~b. Health and Fitness Center~~
- ~~c. Child Care Center~~
- ~~d. Community Care Facility~~
- ~~e. Community Center~~
- ~~f. Library~~

~~2.3. Active Uses, as defined above and shown in Figure 3, are required at the following three locations:~~

~~a. The corner of Ashby Avenue and MLK Jr. Way:~~

~~b.a. The corner of Ashby Avenue and Adeline Street (Development Area A), fronting the Ashby/Adeline Corner Plaza with a minimum floor area of 1,200 square feet. If a building the proposed project does not have an at-grade connection to the Ashby/Adeline Corner Plaza area, active ground-floor uses are not required in this location this requirement does not apply.~~

~~b. Ashby Avenue and Martin Luther King Jr. Way (Development Area A) with a minimum floor area of 1,200 square feet.~~

~~c. Martin Luther King Jr. Way and Station Entrance Plaza (Development Area B) with a minimum of two spaces with at least 1,200 square feet of floor area each, or one space with a minimum floor area of 2,400 square feet.~~

~~d. Restaurant-Ready Design. The Active Use spaces required at the three locations above shall be designed as “restaurant-ready” spaces, with installed equipment or space designed to allow tenant spaces to be retrofitted to restaurant-use standards, including required enhancements for HVAC exhaust shaft to the roof and stub-outs for plumbing and grease traps.~~

4. Adeline Street Frontage.

~~e.a. Fronting the Adeline Main Plaza In Development Area B, between the TPSS and Station Entrance Plaza, where a building provides, a minimum of 40% of the building frontage between the TPSS Access and Staging Area and Station Entrance Plaza. If a building does not have an at-grade connection to the Adeline Main Plaza level, active ground-floor uses are not required in this location a minimum of 60% of continuous ground-floor building frontage shall be occupied by Active Uses and/or Other Publicly-Accessible Non-Residential Uses, as defined above.~~

~~d.b. In Development Area C, Fronting the Adeline Main Plaza, a minimum of 40% of the building frontage between the Station Entrance Plaza and the south BART exhaust vent, a minimum of 40 percent of the ground-floor building frontage shall be occupied by Active Uses and/or Other Publicly-Accessible Non-Residential Uses, as defined above.~~

~~5. Design Standards for Active Uses and Other Publicly Accessible Non-Residential Uses. All ground floor spaces occupied by an Active Use or Other Publicly-Accessible Non-Residential Use, wherever located on the site, shall comply with the following standards:~~

~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December~~
2024

- a. **Minimum Depth.** ~~Active ground-floor uses Spaces~~ shall have a minimum depth of 30 feet, except in Development Area C, where spaces shall have a minimum average depth of 30 feet and total minimum depth of 25 feet.
- b. **Flexible Subdivision.** ~~Spaces shall be able to be subdivided into leasable commercial area widths between 15 and 20 feet and have potential for individual entries.~~
- c. **Warm Shell/White Box Ready.** ~~Spaces shall be constructed to warm shell standards with necessary infrastructure to be leased. Cold shells are prohibited.~~
3. **Storefront Transparency.** ~~Spaces shall be 50% transparent between 3 feet and 7 feet from sidewalk grade.~~
~~Active ground-floor uses on the Ashby corners shall each have a minimum floor area of 1,500 sf.~~
- d. ~~_____~~
4. ~~All active ground-floor spaces at the Ashby corners and fronting the Adeline Main Plaza shall be designed as “restaurant ready” spaces with installed equipment or space designed to retrofit tenant space to restaurant use standards with required enhancements for HVAC and plumbing.~~

1.1.2 Ground Floor Residential Uses

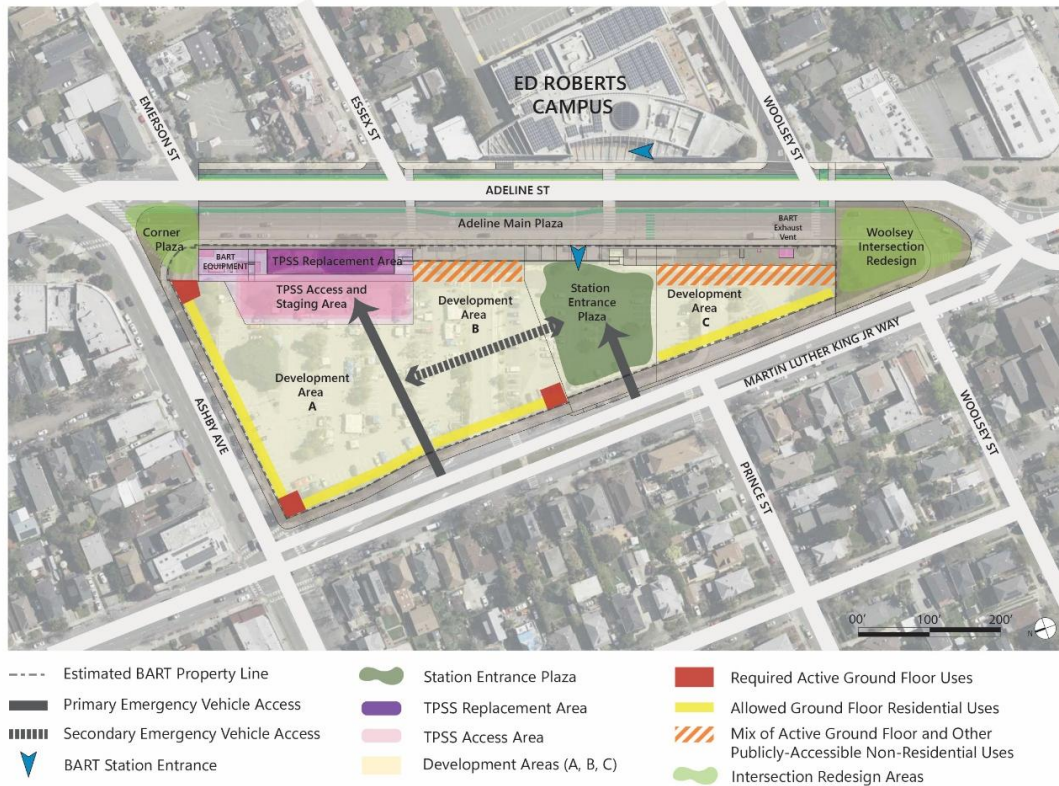
1. ~~Ground floor~~ Residential ~~uses~~ ~~Uses~~ are permitted ~~along Ashby Avenue and MLK Jr Way~~ where ~~Active Uses or Other Publicly-Accessible Non-Residential Uses are required pursuant to Section 1.1.1~~ active uses are not required on the ground floor in the above standards.

~~Figure 4-Figure 3. Active~~ Ground-Floor ~~Use~~ Requirements: ~~Active Uses and Other Publicly Accessible Non-Residential Uses~~

~~PRELIMINARY~~ REVISED Ashby BART West Lot Objective Design Standards (ODS) – ~~September 2026~~ December 2024



~~PRELIMINARY~~ REVISED Ashby BART West Lot Objective Design Standards (ODS) – ~~September 2026~~ December 2024



~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

1.2 Building Height

The R-BMU development standards provide for a maximum building height of 80 feet and 7 stories. See BMC Section 23.202.150 (Table 23.202-21). However, future development on the West Lot may be eligible to utilize provisions of the State Density Bonus law for increases in density and/or a certain number of concessions and/or waivers of development standards (such as height) which would otherwise physically preclude the construction of the development. In the event that a building or buildings taller than 80 feet and 7 stories (pursuant to BMC Section 23.202.150(F)(1)) are permitted by State Density Bonus law, the standards described below shall apply.

The goal of the height distribution is to locate the tallest buildings along Adeline Street, step down to MLK Jr. Way, and to limit height along Ashby Avenue to reduce shadow impacts on the neighborhood to the north.⁷ See Figure 54. ~~(Note: maximum heights will be refined through the community and developer design process and adoption of the final ODS)~~

1. Buildings fronting MLK Jr. Way north of the Station Entrance Plaza shall not exceed 85 feet in height, as measured from average sidewalk grade, for the first 60 feet of building depth along MLK Jr. Way.
2. Buildings fronting MLK Jr. Way south of the Station Area shall not exceed 85 feet in height, as measured from average sidewalk grade, for the first 60 feet of building depth as measured perpendicular to Adeline Street and then parallel to Adeline Street until it meets MLK Jr. Way.
3. Buildings located in area A shall not exceed 120 feet in height.
4. Buildings located in area B shall not exceed 200 feet in height.
5. Buildings located in area C shall not exceed 160 feet in height.

⁷ ~~The 85-foot height limit along portions of Martin Luther King Jr. Way may be modified to a 95-foot height limit for projects that meet eligibility requirements of SB 79.~~

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Figure 5: Figure 4. Maximum Height (State Density Bonus Eligible Project)



2 Public Realm

2.1 Streetscape Design

2.1.1 Sidewalk Design

The Circulation Framework for the Ashby BART West Lot TOD established the City and BART's high-level requirements related to fire and life safety, station access, BART maintenance and operations, the Traction Power Substation, sidewalk design and pedestrian, bicycle, and vehicle circulation.

Figures 5 and 6 below establish the applicable sidewalk sections along Ashby Avenue and Martin Luther King Jr. Way. The sidewalk section shown for Martin Luther King Jr. Way north of the Station Entrance Plaza also applies south of the Station Entrance Plaza and supersedes the sidewalk-level cycle track configuration shown in the Circulation Framework. Exceptions may be made in locations where existing trees outside of the existing ROW are maintained.

It is not anticipated that the existing curb line to median dimension will change along Martin Luther King Jr. Way (MLK Jr. Way). North of the Station Entrance Plaza, MLK Jr. Way will include a parking/loading lane and two travel lanes. South of the Station Entrance Plaza, MLK Jr. Way will include a two-way on-street protected cycle track and two lanes of traffic.

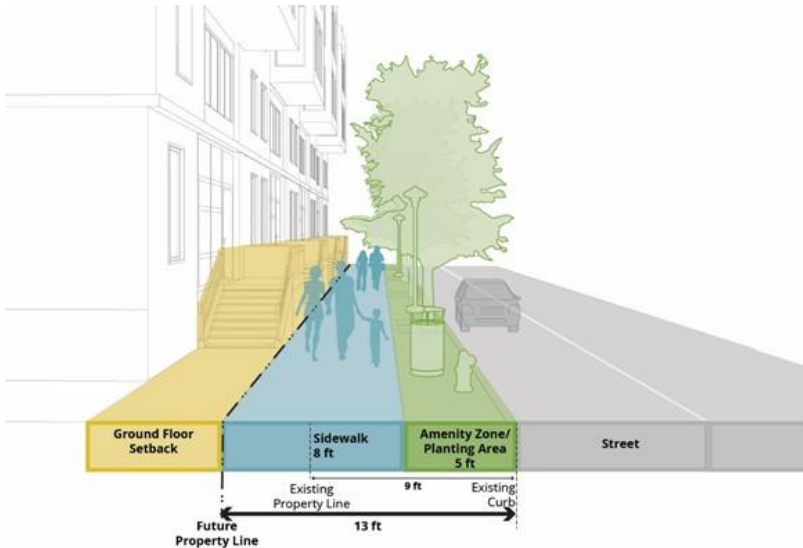
As the West Lot TOD project and Station Access Plan advance through more detailed design, modifications to the street and sidewalk dimensions shown below may be approved by the City, in coordination with BART where site circulation affects the public right-of-way, provided that the modified design continues to meet applicable requirements for pedestrian circulation and accessibility.

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2024

~~bicycle connectivity, station access, emergency response, BART operations, and other City circulation functions.⁸~~

~~Sidewalk sections along Ashby Avenue and MLK Jr. Way shall be reconstructed to the dimensional standards below:~~

~~Figure 6:~~Figure 5. Diagram of Ashby Avenue



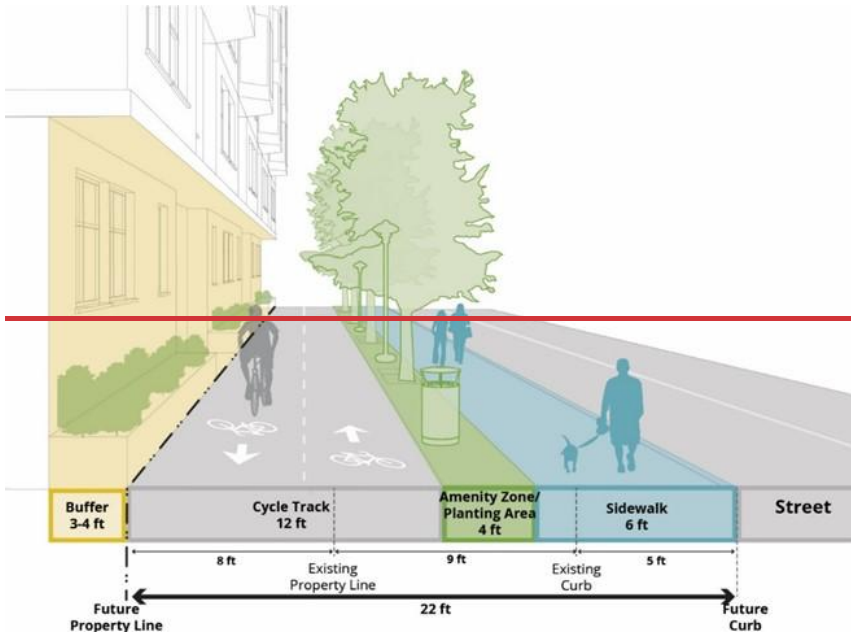
~~Figure 7:~~Figure 6. Diagram of MLK Jr. Way –~~North of Station Entrance Plaza~~

⁸ All changes to the public right-of-way as part of the Ashby BART West Lot TOD project will receive final design review by and be subject to approval of City of Berkeley Public Works staff pursuant to the established City development review process. Street frontage improvements, including signing and striping, shall be included with the building permit submittal, designed and constructed as directed by the Public Works Engineering, Public Works Transportation, and Fire Departments in their approval of the building permit sets, and constructed by the building permit holder prior to certificate of occupancy.

~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December~~
2024



Figure 8:-Diagram of MLK Jr. Way - South of Station Entrance Plaza



2.1.2 Street Trees + Planting Area/Amenity Zone

The following standards apply to Ashby Avenue and MLK Jr. Way.

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1. Pattern. Trees shall be planted with a minimum of one tree per 25 linear feet of sidewalk length. Exceptions may be made in locations where existing infrastructure, utilities, or BART tunnel prohibit planting of trees. Existing trees should be maintained where possible.
2. Location. Trees shall be evenly spaced between the curb and sidewalk or evenly spaced within the width of a planting strip. Trees shall be planted so that at maturity the trunk is at least three feet from the face of curb where loading occurs.
3. Ground Plane. Trees shall be provided in planters a minimum of three feet wide and a minimum of six feet long located 18 inches from the face of curb. Exceptions may be made in locations where existing infrastructure, utilities, or BART tunnel prohibit planting of trees.
4. Subsurface ~~Design~~design for new trees.
 - a) A minimum of 120 cubic feet of well aerated soil per inch of trunk diameter at maturity shall be located within six feet of each tree.
 - b) Continuous structure soil with a minimum width of four feet shall connect all consecutive street trees.

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2.1.3 Frontage Character and Building Setbacks

The R-BMU zoning regulates building setbacks, residential ground floor character, and location/frequency of building entrances. ~~The following standards complement the zoning and provide additional detail and clarity. Please note: “R-BMU F.11.b. Ground Floor Residential Entries. All ground floor residential units shall provide entries to the street in the form of stoops or other exterior entries, or balcony or patio without entrance to the street, with a minimum area of 20 square feet.”~~

Martin Luther King Jr. Way

1. Where ground floor residential units front MLK Jr. Way, the first two floors or first floor with a minimum 15 feet clear height from sidewalk grade shall be set back a minimum of 5 feet to provide space for stoops, landscaping, and improve privacy for ground floor units.

~~2.—To provide privacy to ground floor residential units, the finished floor of units facing MLK Jr. Way shall be raised a minimum 2 feet above sidewalk grade and windowsills shall be a minimum 3 feet above finish floor.~~

~~3.2.~~ Where a building is directly fronting a bikeway or multi-use path, rather than a sidewalk, the ground floor shall be set back a minimum of 3 feet to create a buffer to the cycle track.

- a. The buffer shall have a dimensional depth to include all door swings, utility areas, or other staging areas so that at no point shall the bikeways be impacted with building access.
- b. Where building lobby entrances are located, doorways shall be set back a minimum of 8 feet and include a minimum 64 square foot area between the doorway and bikeway.
- c. Planters located in the setback area shall not exceed 18 inches in height.

2.2 Station Entrance Plaza Design

The *Circulation Framework* identifies the functional requirements of the Station Entrance Plaza including a bicycle and pedestrian ramp that will line the Development Area C frontage of the Station Entrance Plaza. The ODS sets requirements for buildings facing the Station Entrance Plaza.

2.2.1 Frontage Character

1. ~~Active~~ ~~See also Section 1.1.1(3)(c) for ground-floor uses requirements may, but are not required to, face the Station Entrance Plaza.~~

~~2.—Development Area B. Habitable spaces such as active ground-floor uses, residential units, residential amenity spaces, and community spaces shall front the Station Entrance Plaza to create an activated building frontage (see Figure 9)~~

~~3.2.~~ Where blank walls, maintenance, and utility areas are located, a minimum 2 feet wide planter shall be provided to create a landscaped buffer between pedestrian areas and the building facade.

Bicycle facilities, such as bicycle parking, may be located within the buffer area and may be paved rather than landscaped.

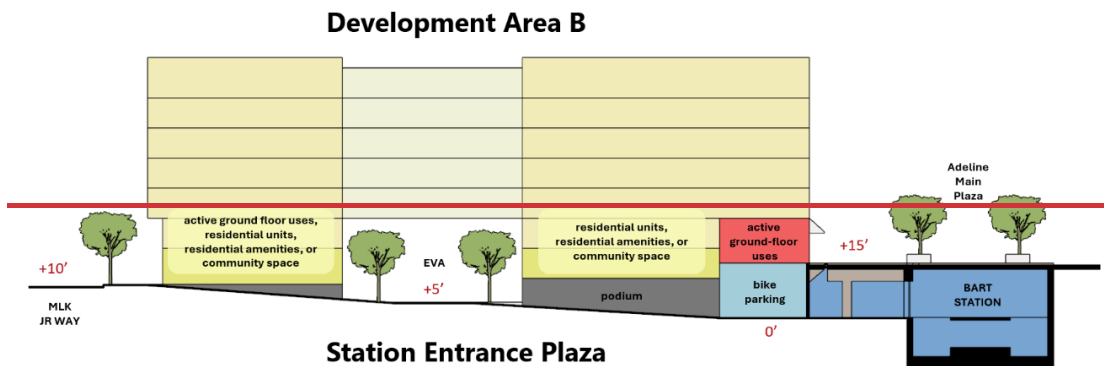
~~4.3.~~ Door swings on building frontages shall not encroach on identified paths of travel.

~~5.—~~ Blank walls greater than 6 feet in height shall not exceed 30 feet in length or shall include public art.

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4.

Figure 9.-Conceptual Elevation of Development Area B facing the Station Entrance Plaza



2.3 Internal Access Drives and Emergency Vehicle Access (EVA) Design

The *Circulation Framework* identifies the functional requirements for access drives to the Traction Power Substation (TPSS) staging area and an EVA connection from the TPSS access drive to the Station Entrance Plaza. The access drive will also be used for private vehicle access to parking structures located within the TOD buildings. The following standards add design guidance for these circulation and emergency access requirements. Please refer to the *Circulation Framework* for dimensional requirements.

2.3.1 Access Drive Design

1. Access drives (see Figure 7)

~~1-a)~~ Access drives with public vehicle access shall have a minimum building-to-building width of ~~60~~ 56 feet. (see Figure 10)

b) Access drives used solely for emergency vehicle access shall have a minimum average building-to-building width of 48 feet and an absolute minimum building-to-building width of 40 feet.

2. Emergency Vehicle Access shall be designed to the minimum width allowed by Berkeley Fire Department to reduce hardscape and increase tree canopy coverage.

a) The access drive shall have a minimum 26-foot width where fire units may need to lay fire water supply hose or set up an aerial fire apparatus. If there are areas where this does not apply, then a 20-foot width may be acceptable upon review and approval by the Berkeley Fire Department. The secondary EVA may include building bridges over the access drive.

3. If a building bridge is located over the EVA, the overhead bridges shall have a minimum 20 feet clear height from grade to create inviting space and gateway. In addition, the following fire department requirements shall be met:

a) Where the EVA passes under any overhead bridges, other than a momentary overhead obstruction, an Alternative Materials and Methods Request (AMMR) will be required by the Fire

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 2024

Department. Building bridges shall have a minimum 13.5-foot height clearance and shall not be deeper than 30 feet.

~~b)a)~~ The access drive shall have a minimum 26-foot width where fire units may need to lay fire water supply hose or set up an aerial fire apparatus. If there are areas where this does not apply, then a 20-foot width may be acceptable upon review and approval by the Berkeley Fire Department.

4. Where private vehicle access is not required, the required EVA width shall be designed primarily for pedestrian use as pedestrian pathways. See Figure 107. Dimensions for EVA may vary and are subject to Berkeley Fire Department Review.

5. Trees shall be located on either side of the access drive to make the access drive look and feel like a street or pedestrian pathway. Where trees are not provided on both sides of the access drive, additional planting, art, or other elements shall be provided to enhance the pedestrian experience and buffer parking and utility area frontages.

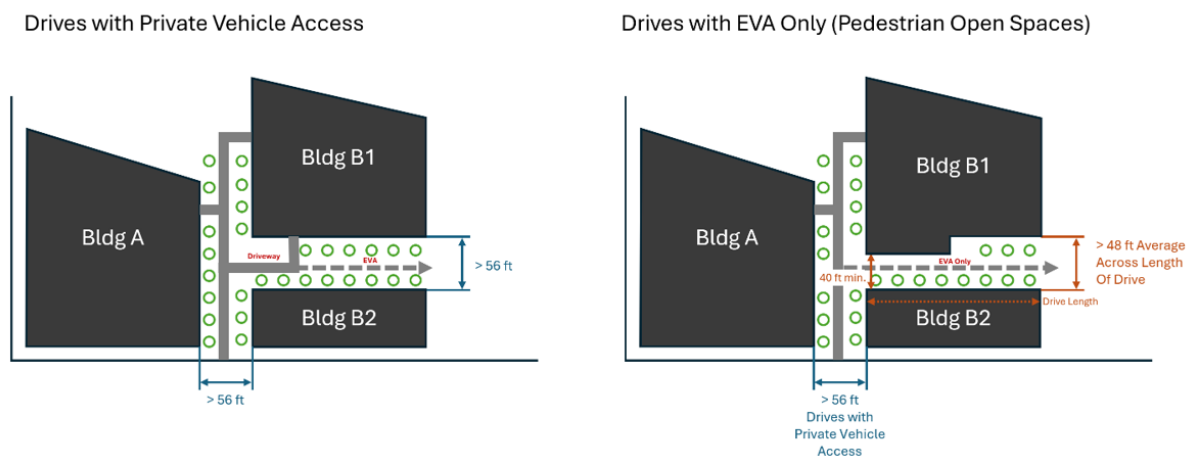
~~5.6.~~ Planting in above grade courtyards and parking podiums shall have a minimum soil depth of 12 inches for ground cover, 20 inches for shrubs, and 36 inches for trees. Trees planted shall have minimum of 120 cubic feet of well aerated soil per inch of trunk diameter at maturity.

2.3.2 Frontage Character fronting Internal Access Drives

~~1. Ground Floor Residential.~~ All ground floor residential units fronting an access drive or EVA shall provide entries to a publicly access pathway in the form of stoops or other exterior entries, or balcony or patio without entrance to the street, with a minimum area of 20 square feet. Senior units or other deed-restricted units for special needs populations are exempt.

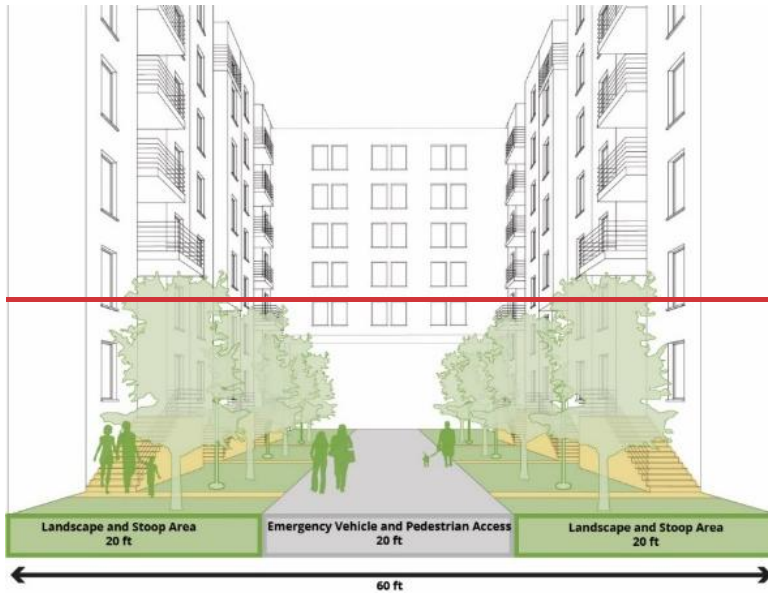
~~2.1.~~ **Building Setbacks.** Ground floor residential units shall be set back a minimum of 5 feet from a publicly accessible sidewalk or pedestrian pathway. Building setbacks shall have a minimum 60% landscaped area.

Figure 7. Diagram of Access Drive Required Dimensions through Development Areas A and B (Illustrative Concept)



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Figure 10:



2.4 TPSS Access and Staging Area Design

The *Circulation Framework* provides design guidance for TPSS staging area and access to the TPSS and BART station facilities. The following standards address the buildings fronting these areas and areas outside of required staging and access areas.

2.4.1 TPSS Access and Staging Area

1. A planting area shall be located between the TPSS access and staging area and TOD buildings.

2. The planting area shall be designed to include trees. The planting area may be adjacent to the building facade or offset to provide pedestrian pathways.

2.3. ~~Trees planted shall have minimum of 120 cubic feet of well aerated soil per inch of trunk diameter at maturity.~~

2.4.2 Frontage Character

- Where blank walls, maintenance, and utility areas are located, a minimum 2 feet wide planter shall be provided to create a landscaped buffer between pedestrian areas and the building facade. Bicycle facilities, such as bicycle parking, may be located within the buffer area and may be paved rather than landscaped.
- Door swings on building frontages shall not encroach on identified paths of travel.
- Blank walls greater than 6 feet in height shall not exceed 30 feet in length or shall include public art.

~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December 2024~~

3 Building Design

3.1 Building Massing

3.1.1 Maximum Building Length/~~Major Breaks and Facade Lengths~~

Ashby Avenue Frontages

~~1. The maximum building length~~Buildings fronting Ashby Avenue ~~generally~~ shall not exceed ~~240-275~~ feet. ~~However, buildings may exceed 240 feet in length if unless there is a building Building break Break meeting the requirements below is provided.~~

~~1-2. A Building Break is a substantial break in the overall building massing that extends from the ground through the roof plane of the building. Building Breaks shall have with~~a minimum width and depth of 25 feet ~~extending and shall extend~~ to a circulation or common space with visual access through to the other side of the building. Glazing ~~for the used to provide~~ visual access shall meet bird safe design ~~measures~~requirements.

(Note: Existing continuous block from ~~MLK~~~~Martin Luther King Jr. Way to Otis~~~~Adeline Street~~ is approximately ~~240-370~~ feet in length).

All ~~Other~~ Frontages

~~2-3. A Facade Planes is the portion of a building facade located between building corners. Building Break or Major Break. Facade Planes~~ shall not exceed ~~160-180~~ feet in length, ~~measured from a building corner or major building break, see Figure 11.~~

~~3-4. A Major breaks Break~~ shall ~~have be~~ a minimum width of ~~6-5~~ feet, ~~wide and minimum depth of 3 feet in depth with and~~ a minimum horizontal area of ~~50-36~~ square feet.

3.1.2 Corner Buildings and Vertical Height

Buildings located on Ashby Avenue at the corner of MLK Jr. Way and Adeline Street shall have a distinct corner building form. The distinct corner form shall be a minimum 25 feet in length along each facade and include one or more of the following:

1. A change in roof form from the other portions of the building.
2. A change of building ~~facade~~ height greater than 8 feet from other portions of the building. ~~Change in height can be higher or lower than the adjacent other portion of the building.~~

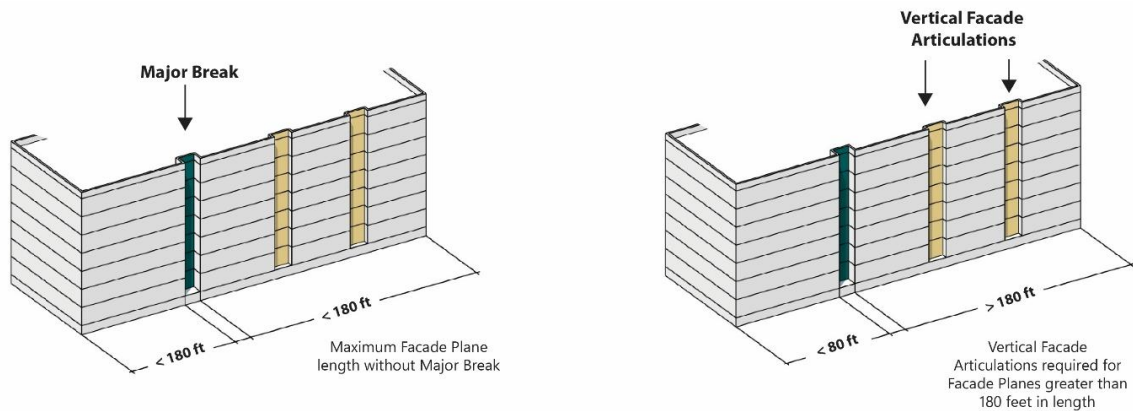
3.2 Facade Design

3.2.1 Vertical Rhythm and Pattern

Building facades facing publicly accessible places shall express a vertical rhythm and pattern that reflects the size and scale of a residential unit and/or individual rooms or shall be designed with custom details to create an ornamental facade. Facade planes fronting a public street or publicly accessible space exceeding 80 feet in length shall meet the following standards for either Vertical Facade Articulations or Ornamental Facades (see Figure ~~12-10~~). Facade planes are measured from corner of building to corner of building or Major Break as defined in 3.1.1.

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Figure 11. Figure 8. Diagram of Major Breaks and Vertical Façade Articulations

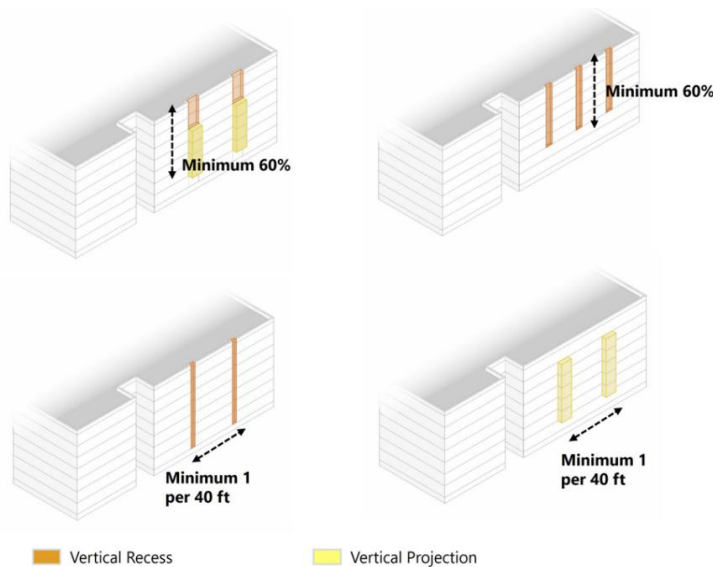


3.2.1.1 Vertical Façade Articulations:

1. A vertical recess, projection, or change in the facade plane of the building massing shall meet the following spacing requirements:
 - a. For buildings less than or equal to 85 feet in height: A vertical recess, projection, or change in the facade plane of the building massing occur at an average minimum of one per 40 feet of linear facade length with no facade length greater than 50 feet in width without a vertical recess, projection, or change in the facade plane that meets the standards below.
 - ~~4.b.~~ For buildings greater than 85 feet in height: A vertical recess, projection, or change in the facade plane of the building massing shall occur at an average minimum of one per 80 feet of linear facade length, with no facade length greater than 110 feet in width without a vertical recess, projection, or change in the facade plane that meets the standards below.
2. The vertical recess, projection, or change in the facade plane of the building massing shall have a minimum depth of 2 feet.
3. The vertical recess, projection, or change in the facade plane shall occur for a minimum 60% of the facade height measured from the average ground plane to the top of structure for the specific facade plane of the minor break/modulation.
4. The minimum width of a recess or change in the facade plane shall be 2 feet and maximum width shall not exceed 40 feet. Recesses and changes in the facade plane shall extend through the roof plane.
5. The minimum width of a projection shall be 4 feet, and maximum width shall not exceed 15 feet.

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Figure 12: Figure 9. Diagram of Vertical Façade Articulation Types



3.2.1.2 Ornamental Façade.

1. Ornamental facades shall include a distinct building base, middle, and top defined by a cornice with a minimum height of 8 inches and minimum projection depth of 6 inches. Cornices defining a building top shall have a minimum of two depth levels.
2. Ornamental facades shall exceed 5% of the facade area. Ornament shall include features such as cornices, sculptures, artistic inlays or reliefs, decorative tile, decorative molding around windows, or other artistic add-ons to the facade. Ornamentation must deviate in color or material from the wall material behind it or be of high- quality material such as brick, stone, ceramics, metal, wood, tile, or fiber-cement board. Ornament shall not include built-up stucco trim or molding (also known as “plant-ons”).
3. Windows shall be punched with a minimum recess of 4 inches from the facade.

Figure 13: Figure 10. Example of Ornamental Façade



~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~
~~2024~~

3.2.2 Building Projections

1. Stoops, porches, decks, landings, and stairs less than 6 feet in height may project into required setback areas (less than 8 feet in height along Ashby Ave).
2. Building features including eaves, cornices, canopies, awnings, and other weather protection features like sun-shades may project a maximum of 3 feet into required setback areas. Weather protection over stoops, porches, and building lobbies may project to the property line.
3. Building projections including balconies and bay windows features may project a maximum of 3 feet into required setback areas or public right-of-way. Projections over the right-of-way require a Minor Encroachment Permit from the Department of Public Works.
 - a. Building projections shall not exceed 25% of the facade length of the building wall to which it is attached.
 - b. Building projections shall have a minimum 12 feet clear height from sidewalk grade.
4. Building projections are not allowed over interior lot lines. Required vertical rhythm and pattern articulation for building facades shall occur within the interior parcel lines.

3.2.3 Additional Facade Standards

1. **Ground Floor Residential Entries** ~~All ground floor residential units fronting a public street, an interior access drive or EVA shall provide entries to a publicly access pathway in the form of stoops or other exterior entries, or balcony or patio without entrance to the pathway or sidewalk, with a minimum area of 20 square feet. Senior units or other deed-restricted units for special needs populations are exempt.~~
2. **Required Openings.** ~~Ground-level exterior walls facing and within 20 feet of a front lot line or publicly accessible pathway or Public Open Space shall run in a continuous plane for no more than 30 feet without a window, door, or other similar building opening.~~
3. **Light Screening.** ~~Parking garages shall be designed such that interior lighting is fully shielded, and automobile headlamps are not visible from adjacent buildings, parcels, streets, public parks, publicly accessible outdoor space or designated open space area.~~

3.3 Design Elements

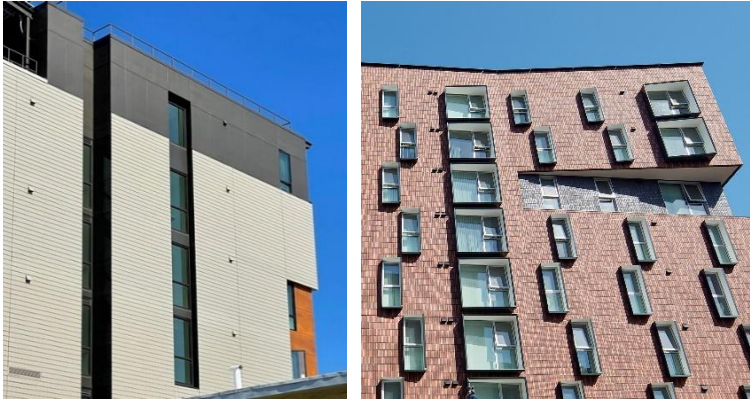
3.3.1 Fenestration

Windows shall meet one of the following requirements:

1. Windows shall be punched with a minimum recess of 2 inches from the facade or shall be framed with a minimum projection of 4 inches from the facade. Built-up stucco trim or molding (also known as “plant-ons”) are prohibited.
2. Windows that are flat or flush with the facade are prohibited unless applied to a recessed portion of the building facade with a minimum of four inches in depth. Vertical window edges shall be directly adjacent to recess.

~~PRELIMINARY REVISED~~ Ashby BART West Lot Objective Design Standards (ODS) –~~September 2026~~~~December~~
~~2024~~

~~Figure 14.~~**Figure 11. Example of Windows Within a Recess and Framed Windows**



3.3.2 Materials

No single material shall cover more than 80% of the cumulative facade area (excluding windows, doors, garage doors, and building trim) of a building except for high-quality materials such as brick, stone, ceramics, metals, fiber-cement panels, or other composite panel systems.

3.3.3 Public Art

Public art shall be distributed sitewide.



PLANNING COMMISSION

Notice of Public Hearing

Wednesday, September 16, 2026

Adoption of Objective Design Standards for the Ashby BART West Lot Transit Oriented Development

The Planning Commission of the City of Berkeley will hold a public hearing on the above matter, on **Wednesday, September 16, 2026 at 6:30 p.m.** at the **North Berkeley Senior Center**, 1901 Hearst Ave, Berkeley (wheelchair accessible). Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.

The agenda will be posted on the Planning Commission website (<https://berkeleyca.gov/your-government/boards-commissions/planning-commission>) no later than 5:00 p.m. on Wednesday, September 9, 2026.

PROJECT DESCRIPTION

The draft Objective Design Standards (ODS) for the Ashby BART West Lot Transit Oriented Development establish detailed design standards for future transit-oriented development. The draft ODS build upon, and further implement the adopted zoning (BMC Chapter 23.202.150 Residential-BART Mixed Use Zoning District), the goals and priorities identified in the City and BART Joint Vision and Priorities for Transit-Oriented Development at the Ashby and North Berkeley BART Station, the City and BART Ashby BART Station Transit Oriented Development Exchange Agreement (adopted by the Berkeley City Council on December 3, 2024 pursuant to Ordinance No. 7,939-N.S.), as well as other related adopted policies and regulations. More information about the overall planning effort to plan for transit-oriented development at the North Berkeley and Ashby BART stations is available at www.berkeleyca.gov/bartplanning.

LOCATION: The draft ODS address the Ashby BART Station West Lot Transit Oriented Development. The West Lot is a triangular site that is bounded by Ashby Street to the north, Adeline Street to the east, and Martin Luther King (MLK) Jr. Way to the west and has the Assessor's Parcel Number: 053-1597-039-04.

ENVIRONMENTAL REVIEW STATUS

The proposed objective design standards were evaluated in (1) the Ashby and North Berkeley BART Stations Transit-Oriented Development (TOD) Zoning Project Environmental Impact Report (SCH #: 2020110320) which was certified by the City Council on June 2, 2022; and (2) the "Ashby BART TOD Contractual Agreement" Addendum, which amended that Report and the Adeline Corridor Specific Plan Environmental Impact Report (SCH # 2018072009) and which was approved by the City Council on December 3, 2024. No further environmental review is required.

PUBLIC COMMENT & FURTHER INFORMATION

All persons are welcome to attend the hearing and will be given an opportunity to address the Commission. Comments may be made verbally at the public hearing and/or in writing before the hearing. Written comments must be directed to:

Ashby BART West Lot Objective Design Standards
Page 2 of 2

NOTICE OF PUBLIC HEARING
September 16, 2026

Ali Endress
Planning Commission Clerk
Email: PlanningPC@berkeleyca.gov

City of Berkeley, Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Correspondence received by **12pm on Tuesday, September 8, 2026**, will be included as a Communication in the agenda packet. Correspondence received after this deadline will be conveyed to the Commission and the public in the following manner:

- Correspondence received by **5pm on Monday, September 14, 2026** will be included in a Supplemental Packet, which will be posted to the online agenda as a Late Communication one day before the public hearing.
- Correspondence received by **12pm on Tuesday, September 15, 2026** will be included in a second Supplemental Packet, which will be posted to the online agenda as a Late Communication one day before the public hearing.
- Correspondence received **after 5pm on Tuesday, September 15, 2026** will be saved as part of the public record.

Members of the public may submit written comments just before or at the beginning of the meeting by providing 15 printed copies of the correspondence to the Planning Commission Secretary.

COMMUNICATION ACCESS

To request a meeting agenda in large print, Braille, or on audiocassette, or to request a sign language interpreter for the meeting, call (510) 981-7410 (voice) or 981-6903 (TDD). Notice of at least five (5) business days will ensure availability. All materials will be made available via the Planning Commission agenda page online at <https://berkeleyca.gov/your-government/boards-commissions/planning-commission>.

FURTHER INFORMATION

Questions should be directed to Alisa Shen, at (510) 981-7409 or ashen@berkeleyca.gov. Current and past agendas are available on the City of Berkeley website at: <https://berkeleyca.gov/your-government/boards-commissions/planning-commission>.