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Office of the City Manager

PUBLIC HEARING
November 17, 2026

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Ashby BART West Lot Transit Oriented Development Objective Design Standards

RECOMMENDATION

Conduct a public hearing and upon conclusion adopt a Resolution approving the Ashby West Lot Transit Oriented Development Objective Design Standards.

SUMMARY

The proposed Objective Design Standards (ODS) for the Ashby BART West Lot (Attachment 1) establish requirements for land use, ground-floor activation, the public realm, and building design. They implement adopted City and BART policies and agreements while balancing housing and affordable housing objectives, urban design priorities, and the site's physical and infrastructure constraints.

The ODS were informed by prior public planning processes, technical and economic feasibility analyses, community and Planning Commission input, and coordination with BART and the West Lot developer. The Planning Commission recommended adoption of the "Revised ODS" on September 16, 2026; those standards are included with the Resolution proposed for adoption with this staff report. On October 7, 2026, the Planning Commission forwarded supplemental public realm and open space recommendations to Council (Attachment 2). and requested staff review for objectivity and consistency with the City–BART Exchange Agreement. As of the drafting of this report, staff are reviewing the October 7 recommendations and considering associated amendments to the ODS. This analysis and any revisions will be published as supplemental materials in advance of the November 17, 2026, City Council meeting.

The Exchange Agreement establishes process and minimum development capacity requirements and a November 27, 2026 adoption deadline. Provided the applicable requirements are met, BART, as property owner, will require compliance with specified ODS through its real estate agreements.

FISCAL IMPACTS OF RECOMMENDATION

Adopting Objective Design Standards for the West Lot will not result in direct fiscal impacts. There are a variety of potential future fiscal impacts to the City related to Ashby

BART TOD that will require additional Council action, including the allocation of City Housing Trust Fund for affordable housing, capital expenditures related to the Adeline Street roadway reconfiguration, and potential establishment of financing districts

CURRENT SITUATION AND ITS EFFECTS

Adopting the Ashby BART West Lot Transit Oriented Development Objective Design Standards advances the Strategic Plan goal to create affordable housing and housing support services for our most vulnerable community members.

Pursuant to the City and BART Exchange Agreement for Ashby BART Transit Oriented Development (TOD), staff recommend that the City Council adopt the Ashby BART West Lot ODS (Attachment 1, Exhibit A). On September 16, 2026, the Planning Commission recommended that the Council adopt the ODS presented by staff. On October 7, 2026, the Commission voted to forward supplemental recommendations addressing the public realm and open space for Council consideration. The proposed ODS, supplemental recommendations, and applicable Exchange Agreement requirements are summarized below.

A. City and BART Exchange Agreement Requirements for Ashby BART West Lot Objective Design Standards[1]

The City and BART Exchange Agreement for Ashby BART TOD establishes requirements for the timeline, process, development capacity requirements and compliance and enforcement provisions for ODS for the Ashby BART West Lot (bounded by Ashby Avenue, Adeline Street and Martin Luther King Jr. Way):

- **Timeline.** The Exchange Agreement requires 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. Based on the February 27, 2026 ENA effective date, the ODS adoption deadline is November 27, 2026.[2]

- **Process.** The Exchange Agreement states that the City "shall consider the input of the public, BART, and the West Lot Developer in the preparation of Final ODS to be considered for adoption by the Planning Commission and City Council and shall make a good faith effort to address any objections raised by BART and the West Lot Developer relating to the impact of ODS on project feasibility or design."

[1] Article 9, Schedule 9.2.1 and Schedule 9.2.2 – City and BART Exchange Agreement for Ashby BART TOD (December 2024).

[2] BART selected Adeline Alliance Partners (AAP) and Resources for Community Development ("AAP team") following a competitive Request for Proposals (RFP) in July 2025 and entered into an ENA with the AAP team with an effective date of February 27, 2026.

- **Development Capacity.** The Exchange Agreement stipulates that the ODS must accommodate a development capacity of at least 600,000 gross residential square feet (sf) within buildings that have a height no greater than eight stories; and at least 750,000 sf within buildings that have a height of over 85 feet but within the maximum height allowed by the ODS (see Exchange Agreement, Schedule 9.2.1 ODS Requirements and Schedule 9.2.2 Capacity Study).

- **Compliance and Enforcement.** 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.[3] 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. 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.

  Provided the Final ODS adopted by City Council meet the Exchange Agreement's capacity, process and schedule requirements, the Exchange agreement identifies the categories of ODS that will bind the developer, BART in its role as property owner, to require compliance through its real estate agreements. The Exchange Agreement establishes that 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.

B. Proposed ODS for Council Adoption

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. Part II contains the objective standards addressing Land Use, Public Realm and Building Design. Certain standards reflect the development requirements established through the City and BART Exchange Agreement and anticipate potential use of applicable State Density Bonus provisions to modify otherwise applicable Residential-BART Mixed Use (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.

- **Land Use.** The ODS establish requirements for ground-floor uses and frontages, including locations where active and publicly accessible non-residential uses are

[3] For comparison, the North Berkeley BART TOD project application was submitted and approved under AB 2011 (PLN # 2024-0010, December 11, 2024).

required; standards for the design of those spaces; and maximum building heights within Development Areas A, B, and C.

- **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.

- **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.

This organization has remained consistent through the Preliminary, Revised, and Final Draft ODS. The design standards themselves have evolved over time, in response to feedback, as described below.

1. Preliminary ODS

The City released Preliminary ODS in December 2024 concurrently with BART's Request for Proposals (RFP) for Developers for the Ashby BART West Lot.[4] 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. This included 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 related technical studies, such as the Ashby BART West Lot Circulation Framework (2024) and the Adeline Connection Memo (2024)[5]. Releasing the Preliminary ODS with the RFP gave prospective developers a more complete understanding of the applicable development requirements and site constraints to address in their proposals.

2. Revised ODS

Based on input from the public, Planning Commission, as well as BART and the Adeline Alliance Partners (AAP) team, staff presented Revised ODS at the September 16, 2026 Planning Commission meeting. Most standards remained unchanged from the Preliminary ODS. Revisions to Part II focused on three topics:

- **Ground-floor activation, uses and design**. Revisions focused on required active uses at key corners, broadened the range of publicly accessible non-residential uses allowed along Adeline Street that would also support ground-

[4] Ashby BART West Lot Transit Oriented Development Preliminary Objective Design Standards (December 2024; https://berkeleyca.gov/sites/default/files/documents/24_1209_AshbyTODPrelimODS3-22PM.pdf).
[5] These are included as attachments to the Ashby BART West Lot RFP and NOFA, December 2024 (https://www.bart.gov/sites/default/files/2024-12/24-1203%20Ashby%20RFP%20FINAL%20reduced.pdf).

floor activation, and refined design requirements to support viable commercial and community-serving uses.

- **Public realm**. Revisions updated the Martin Luther King Jr. Way street and sidewalk configuration to accommodate an on-street protected cycle track and provided flexibility in internal access-drive widths based on their intended use. More specific tree, landscaping and frontage requirements strengthen the pedestrian character of these internal connections, with alternatives where tree planting is infeasible.
- **Building massing and articulation**. Revisions clarified definitions and adjusted building-length, facade-plane and building-break requirements to provide flexibility on the constrained site while retaining standards that break up large building masses and long facades. Separate vertical articulation standards for buildings over 85 feet account for taller buildings' structural and floor-layout constraints while maintaining the urban design objectives.

The September 16, 2026 Planning Commission staff report provides a more detailed description of the revisions.[6] The Commission recommended that the City Council adopt that version, referred to as the "Revised ODS," which is presented without further changes as the proposed ODS in Attachment 1, Exhibit A.

3. Supplemental Planning Commission Recommendations

On September 16, 2026, the Planning Commission established a subcommittee to develop potential supplemental ODS recommendations for the full Commission's consideration. On October 7, 2026, the Commission voted to forward the subcommittee's supplemental recommendations to the City Council as recommendations of the full Commission (Attachment 2). The Commission also requested that staff review the recommendations in consultation with the City Attorney's Office and relevant City departments for objectivity and consistency with the City–BART Exchange Agreement. The recommendations address:

- Street Trees and Planting Area/Amenity Zone (Section 2.1.2);
- Station Entrance Plaza Design (Section 2.2);
- Internal Access Drives and Emergency Vehicle Access Design (Section 2.3);
- TPSS Access and Staging Area Design (Section 2.4); and
- Design Elements (Section 3.3).

Staff's review of the Planning Commission's supplemental recommendations is still underway as of the drafting of this report. The resulting analysis, and any proposed

[6] Staff report regarding Ashby BART West Lot Objective Design Standards (Planning Commission, September 16, 2026: https://berkeleyca.gov/sites/default/files/2026-09-16_PC_Item%2010A_Ashby%20WL%20ODS.pdf).

revisions to the ODS, will be published as supplemental materials in advance of the November 17, 2026 City Council meeting.

BACKGROUND

The development of ODS for the Ashby BART West Lot is part of a multi-year process to transform the existing surface parking lots into a vibrant neighborhood center with high-density mixed-use development, ground floor commercial and civic uses, and new public space that was envisioned in the Adeline Corridor Specific Plan.[7] Passage of Assembly Bill 2923 in 2018 provided further impetus for close collaboration between the City and BART to advance transit-oriented development at the station. A summary of the adopted plans, policies and technical analysis that shaped the ODS is provided in Attachment 3. A summary of the Ashby West Lot ODS process is provided below.

A. Site Conditions and Technical Constraints

The West Lot is a complex site that includes a partially underground station and substantial infrastructure serving active BART operations. The Circulation Framework, developed jointly by the City and BART, identifies requirements for emergency access and egress, public access to the station, BART operations and maintenance, BART's Traction Power Substation (TPSS), circulation, and grading. These requirements limit where development can occur and how buildings, open space, and circulation can be configured.

Additional engineering analysis evaluated the feasibility of connecting new TOD buildings to Adeline Street, considering the structural integrity of the BART station box, existing infrastructure and utilities, and varying conditions at connections to existing sidewalks and plazas. These connections must also accommodate uninterrupted station operations and customer access during construction.

The Preliminary ODS were informed by these studies, and by site capacity and massing analyses.[8]

B. ODS Development and Public Review

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 (AAP) team. The City hosted a public open house on February 10, 2025 to introduce the Preliminary ODS and solicit feedback.

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[7] The Adeline Corridor Specific Plan planning process began in 2015 and culminated with City Council adoption in December 2020: https://berkeleyca.gov/sites/default/files/2022-03/Adeline-Corridor-Specific-Plan.pdf

[8] See attachments to the Dec. 2024 Ashby BART West Lot RFP and NOFA: https://www.bart.gov/sites/default/files/2024-12/24-1203%20Ashby%20RFP%20FINAL%20reduced.pdf

At the July 1, 2026 Planning Commission meeting, staff provided an overview of the Ashby BART West Lot Transit-Oriented Development Preliminary 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.[9]

Following selection of the AAP team and initiation of project design, the City, BART, and the AAP team co-hosted another in-person public open house on July 16, 2026, and online office hours on July 22, 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. 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 September 16, 2026 Planning Commission meeting, staff presented Revised Draft ODS which reflected staff's review of input received, in continued coordination with BART and the AAP team. At this meeting, the Planning Commission made a recommendation to Council to adopt the Revised ODS as presented by staff, and also to create a subcommittee to further consider potential supplemental standards to address the public realm.

At the October 7, 2026 Planning Commission meeting, the Commission voted to forward the subcommittee letter to the City Council as recommendations of the full Commission, and requested that staff, in consultation with the City Attorney’s Office and relevant City departments, review these supplemental recommendations and make any necessary revisions to ensure they qualify as objective design standards, are written in objective terms, and are consistent with the City–BART Exchange Agreement.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Creating equitable, transit-oriented mixed-use development that includes affordable housing and housing support services for Berkeley’s most vulnerable community members is a City Strategic Plan goal, which also helps advance the goals of being a global leader in addressing climate change, advancing environmental justice and protecting the environment.

Environmental Review

[9] Planning Commission meeting materials for the July 1, 2026 meeting are available at: https://berkeleyca.gov/your-government/boards-commissions/planning-commission

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.

RATIONALE FOR RECOMMENDATION

The proposed ODS (Attachment 1, Exhibit A) build upon and further implement the adopted Residential-BART Mixed Use (R-BMU) zoning, the City and BART Joint Vision and Priorities (JVP), the Ashby BART Transit-Oriented Development Exchange Agreement, and related adopted policies and regulations. They were informed by a thorough analysis of site conditions, City and BART requirements for station operations, access and safety, and development capacity and economic feasibility studies. They also reflect community and Planning Commission input and coordination with BART and the developer team regarding architectural and design feasibility.

The proposed ODS balance the housing and design objectives in adopted City and BART policy and agreements, including the JVP guidance for future development about housing density and affordability, connection to Adeline Street and Ashby Avenue, responsiveness to neighborhood scale and character, creating smaller blocks and regular breaks in building forms, and providing architectural variety. They also reflect the JVP's direction to concentrate larger building forms and height toward Adeline Street and Ashby Avenue and encourage outward-facing entrances.

Staff recommend adoption because the proposed ODS establish clear, site-specific requirements for buildings, active ground-floor uses, and a high-quality public realm while accommodating the Exchange Agreement's affordable housing and development capacity requirements. They retain flexibility for feasible building types and design approaches within the site's physical and infrastructure constraints, described in the Background section above.

ALTERNATIVE ACTIONS CONSIDERED

Staff considered requests for additional requirements, changes to the proposed standards, and changes to the adoption process. The principal alternatives and staff's reasons for not recommending them are summarized below.

- Transportation, parking and 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 fall outside the scope of the ODS or are being addressed through BART's West Lot Station Access

Plan and the City's Adeline Transportation and Open Space Improvements Project.

- Additional public open space requirements. Staff considered requests during development of the Preliminary and Revised ODS for substantially more public open space, large contiguous open spaces, and additional requirements for permeable or landscaped areas. Staff recommend retaining the proposed open-space requirements to balance publicly accessible space and its design with housing capacity, station operations, and other site constraints. The Adeline Open Space Improvements Project, including the Adeline Main Plaza at Ashby BART, will also advance the Specific Plan's vision for new public space throughout the Plan Area.
- More prescriptive use and design requirements. Staff considered requirements for particular community-serving uses, building configurations, architectural features, materials, and amenities. The proposed ODS address many of these topics while allowing flexibility for feasible project design. Staff do not recommend additional requirements where they would exceed the scope of the ODS or unnecessarily constrain development, given the site's physical and technical constraints.
- Modifications to circulation and building-design requirements. Staff considered developer requests to allow private vehicle and service access on the narrower internal access drive option and reduce certain building-design requirements. Staff recommend retaining the proposed standards to preserve the pedestrian character of internal connections and the architectural depth and articulation of building facades, while providing flexibility elsewhere in the ODS.
- Additional affordable housing and housing program requirements. 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 applicable citywide regulations. The requested additions or changes are outside the scope of objective design standards, and staff therefore do not recommend incorporating them into the ODS.
- Changes to the adoption process and timing. Staff considered requests for additional public meetings and more time before adoption. The Exchange Agreement, adopted by the City Council and BART Board, establishes process and timeline requirements that must be met for BART to require the West Lot developer to comply with specified ODS through its real estate agreements. Staff therefore recommend proceeding within that timeline, following the public engagement and review described above. Additional opportunities for community engagement will occur through the West Lot developer's project-design process and the City's planning and design of public space along southern Adeline Street, including the new Main Plaza adjacent to Ashby BART station.

CONTACT PERSON
Alisa Shen, Principal Planner, Planning and Development Department (510) 981-7409.

Attachments:
1: Resolution
Exhibit A: Ashby BART West Lot Objective Design Standards

2: Planning Commission Supplemental Recommendations for the Ashby BART West Lot Objective Design Standards, October 7, 2026

3: Summary of Policy Framework, Technical Analyses and Public Engagement that Informed Ashby BART West Lot Objective Design Standards

4: Public Hearing Notice

RESOLUTION NO. ##,###-N.S.

A RESOLUTION OF THE CITY COUNCIL TO 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 reserved $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 allowed 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") in 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 provided 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 established 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 established 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, notice of the Planning Commission's September 16, 2026 public hearing on the Ashby BART West Lot Objective Design Standards was published in the Berkeley Voice and posted in three public places on September 4, 2026, pursuant to California Government Code Section 65090; and

WHEREAS, on September 16, 2026, the Planning Commission held a public hearing on the Ashby BART West Lot Objective Design Standards and considered all public comments received, the City staff presentation, the staff report, and other pertinent documents; and

WHEREAS, on September 16, 2026, the Planning Commission recommended that the City Council adopt the Revised Ashby BART West Lot Objective Design Standards as presented by staff and established a subcommittee to develop potential supplemental recommendations; and

WHEREAS, on October 7, 2026, the Planning Commission voted to forward the subcommittee letter to the City Council as recommendations of the full Commission and requested that staff, in consultation with the City Attorney's Office and relevant City departments, review the recommendations and make any necessary revisions to ensure they qualify as objective design standards, are written in objective terms, and are consistent with the City–BART Exchange Agreement; and

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; and

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.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council adopts the Ashby BART West Lot Objective Design Standards attached hereto as Exhibit A.

Exhibit
A: Ashby BART West Lot Objective Design Standards

Ashby BART West Lot TOD Objective Design Standards (ODS)

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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 ODS reflect the policy framework, site constraints and input from the public, BART and the West Lot Developer.

Figure 1. Ashby BART Site Context



Site Context

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

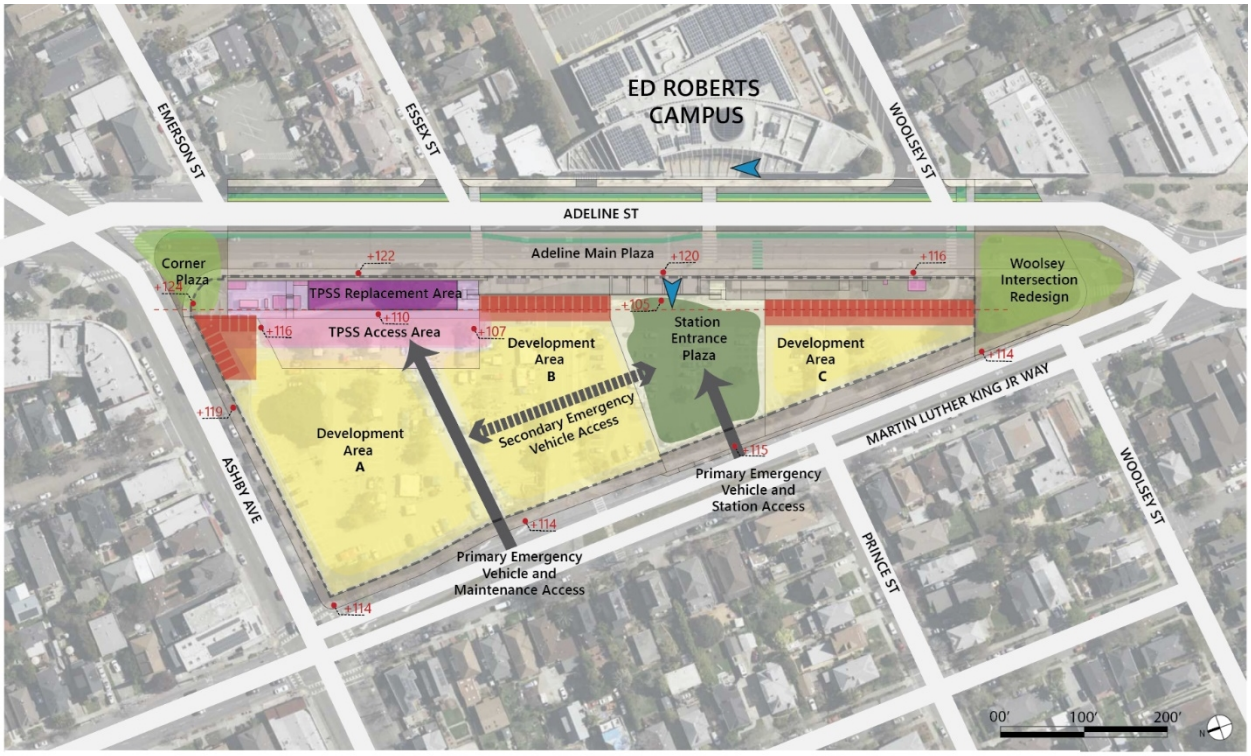
The East Lot currently serves as parking for BART riders and sits behind the Ed Roberts Campus, a prior phase of TOD consisting of an 80,000 square foot universally-designed campus offering disability-related programs and services. In addition to the Ed Roberts Campus to the west, the East Lot is bounded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



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:
   - Affordable housing meeting specified requirements,
   - A commercial component that includes a minimum of 5,000 net rentable square feet, based on BOMA ANSI[1] 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:
   - 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).
   - Following developer selection, the Preliminary ODS will be refined based on input from the community, the selected developer(s), BART and the City.
   - 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.

c. West Lot ODS – Development Capacity and Enforcement.
   - 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

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

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.

- 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:

- Street-Facing Ground Floor Frontages
- Open Space
- Setbacks and Step-Backs
- Frontage Improvements
- Ground Floor Residential and Non-Residential Frontage
- On-Site Pedestrian Access
- Transparency
- Building Entrances
- 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 Stations[3]

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.

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

[2] https://berkeley.municipal.codes/BMC/23.202.150.
[3] https://berkeleyca.gov/sites/default/files/documents/JVP%20-%20final%20adopted.pdf.

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.

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 23.202-22. 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.
    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

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

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



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.

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.

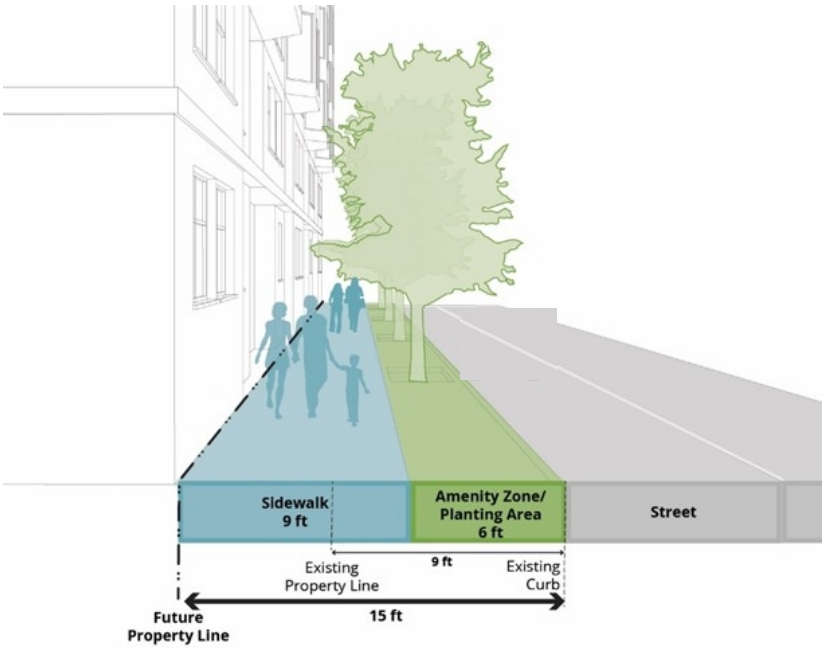
As the West Lot TOD project and Station Access Plan advance through more detailed design, modifications to the street and sidewalk dimensions shown below may be approved by the City, in coordination with BART where site circulComation affects the public right-of-way, provided that the modified design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

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.

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.

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

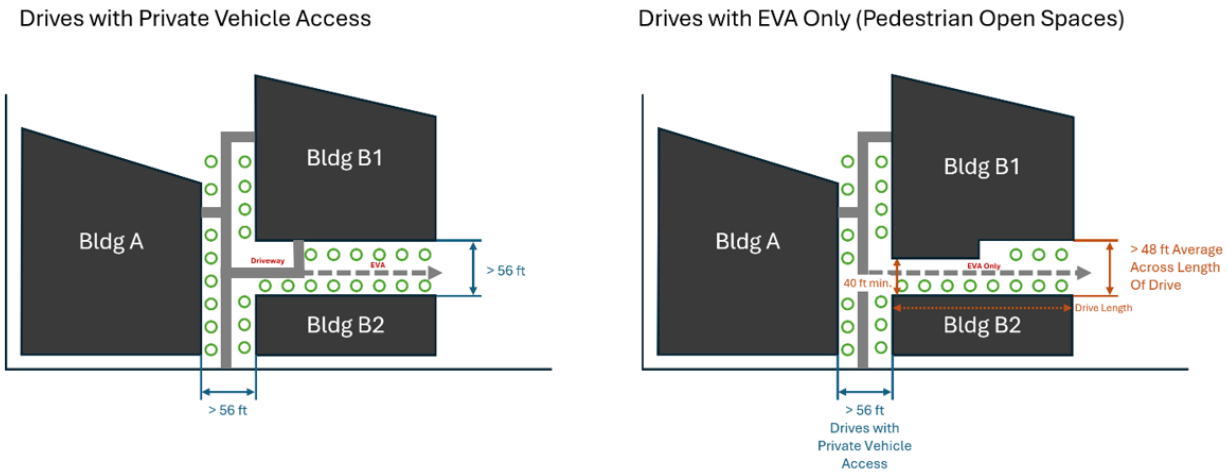
drive, additional planting, art, or other elements shall be provided to enhance the pedestrian experience and buffer parking and utility area frontages.

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. **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

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.
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

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:

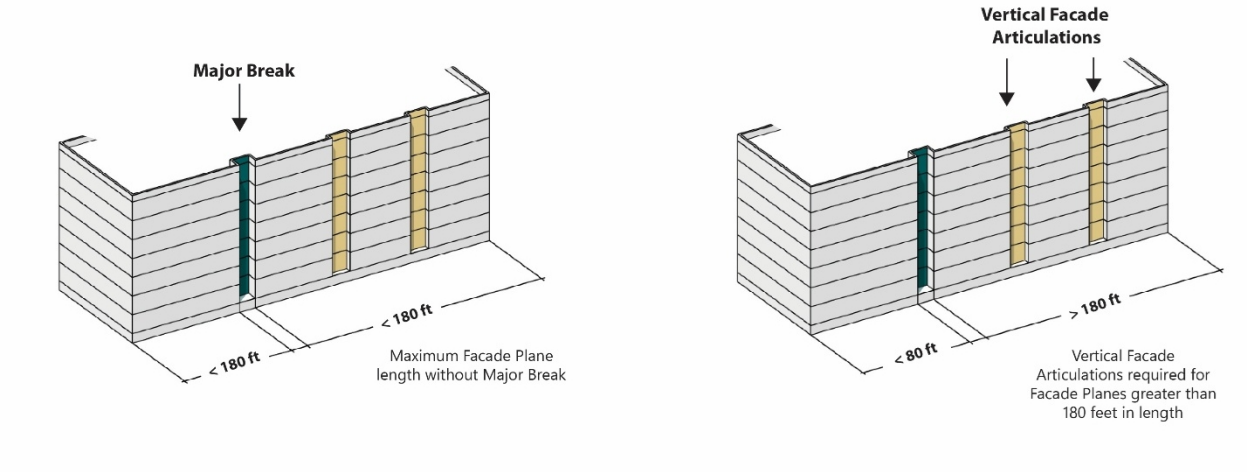
1. A change in roof form from the other portions of the building.
2. A change of building facade height greater than 8 feet from other portions of the building. Change in height can be higher or lower than the adjacent other portion of the building.

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 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.

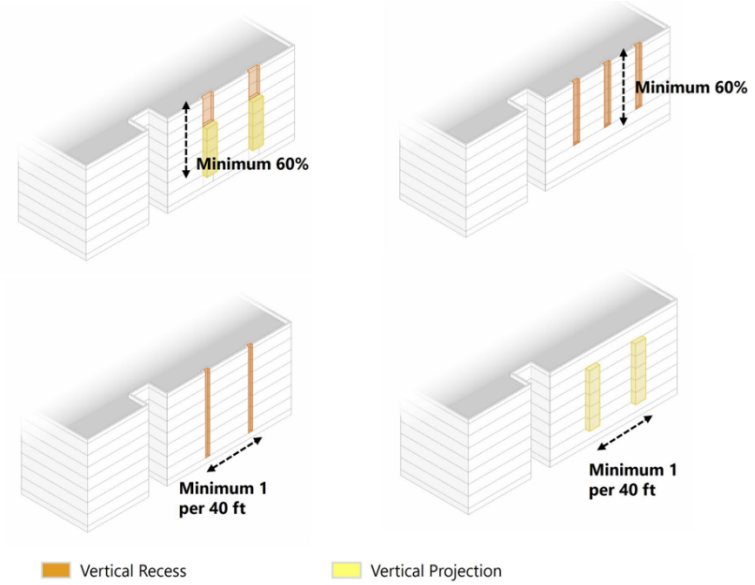
Figure 8. Diagram of Major Breaks and Vertical Façade Articulations



3.2.1.1 Vertical Facade 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.

Figure 9. Diagram of Vertical Façade Articulation Types



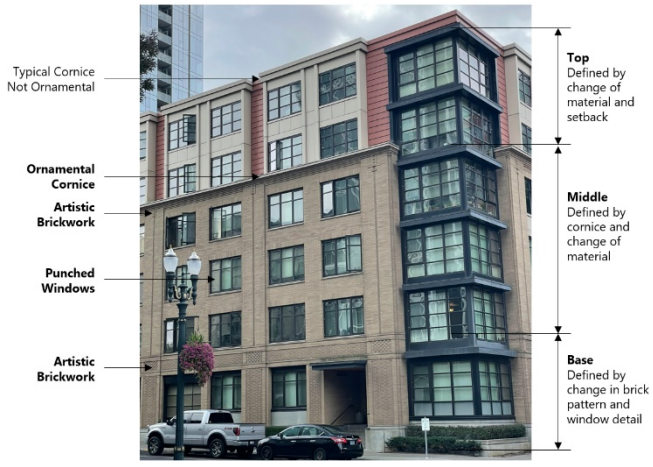
3.2.1.2 Ornamental Facade.

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



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.

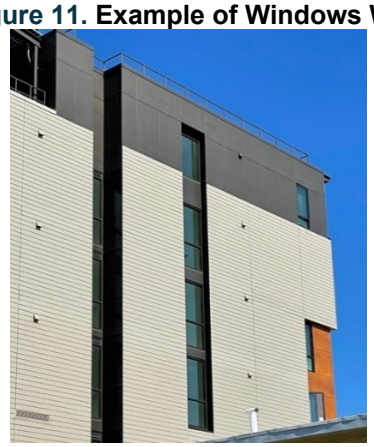
3.3 Design Elements

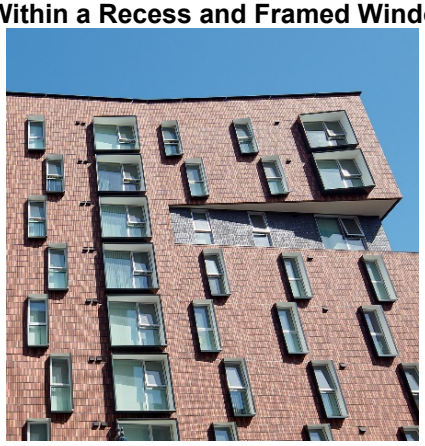
3.3.1 Fenestration

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.

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.

Attachment 2

Planning Commission Supplemental Recommendations for the Ashby BART West Lot Objective Design Standards

Background:

On September 16, 2026, the Planning Commission recommended that the City Council adopt the Revised Ashby BART West Lot Objective Design Standards (ODS) as presented by staff and established a subcommittee to develop potential supplemental public-realm recommendations.

On October 7, 2026, the subcommittee shared their recommendation to the full Commission. The Commission voted to forward the subcommittee's letter to the City Council as recommendations of the full Commission. It also requested that staff, in consultation with the City Attorney's Office and relevant City departments, review the recommendations and make any necessary revisions to ensure they qualify as objective design standards, are written in objective terms, and are consistent with the City–BART Exchange Agreement.

The subcommittee letter follows.

Planning Commission Subcommittee Report
Ashby BART Objective Design Standards (ODS)
October 5, 2026

Dear Planning Commissioners:

Planning Commissioners Alfred Twu, Angela Wang and Blaine Merker met as a subcommittee to further study the Ashby BART objective design standards proposed by staff at the 9/16/26 Planning Commission Meeting. The Planning Commission voted to recommend that the standards as proposed by staff be forwarded to the City Council as-is, with the provision that this subcommittee would study and develop additional improvements or additions to be included as a letter to Council. This report includes the additional recommendations from this subcommittee.

During the 9/16/26 meeting, some public commenters expressed concern that the ODS didn't adequately address provisions for community open space, ecological features and public gathering in the neighborhood and within the project. Many of the issues raised were complex and cannot be addressed within the framework of ODS. Some are being addressed in separate projects, are larger scale city issues, have significant technical constraints on this site, or would impact the target capacity for housing already settled through years of public process and set forth in the Joint Vision and Priorities document and BMU zoning.

Without weighing in on all of the comments expressed at the public hearing, this subcommittee feels that there are some improvements to be made to the ODS that will allow for a more vibrant, high quality and human scale public realm that serves both the many future residents on this site and the general public who will use the BART station. We have focused our recommendations only on factors that can be addressed through ODS and that we understand are practical and feasible to implement, without impacting the housing goals of the project.

The Ashby BART project will be home to hundreds of future residents of all ages and household types, living in denser and more urban conditions than are typical of the neighborhood today. Therefore it is critical that the public spaces of the project be of a quality and robustness that invites the fullest level of vibrancy possible, accommodates both moving and staying, and supports users of all ages. We believe the additions detailed below can meet these goals in accordance with the Exchange Agreement and expressed community needs without delaying the project.

Additions and Modifications to the ODS for Consideration
Rationale discussed by the subcommittee is shown in italics

2.1 Streets and Sidewalks
The current ODS provides tree spacing requirements on MLK and Ashby but does not ensure their installation size, mature size, or establishment requirements.

2.1.2 Street Trees + Planting Area/Amenity Zone

- Street trees shall be selected from city approved list that, at mature size, provide at least 40' crown diameter. Trees shall be planted as a minimum 24" box and provided irrigation and no less than three years' establishment warranty.

2.2 Station Entrance Plaza Design
The current ODS has little to say about the station entrance plaza (144 of the 4280 words in the ODS), though it is one of the most central public features of the project and will be used by large numbers of people. It is arguably the living room and heart of the project. These recommendations address elements that the ODS was silent on but would provide for the structural conditions of successful public spaces: 1) comfort and protection, 2) access to nature, 3) places to gather, 4) places to sit or stay, 5) provisions for different aged users.

- Trees shall be planted in the plaza to provide not less than 25% canopy coverage at maturity, as a portion of the total plaza area. Trees shall be planted as a minimum 24" box and provided irrigation and no less than three years' establishment warranty.
- Seating shall be provided within the plaza to accommodate at least ⅓ of the number of users in an active period. Because the exact plaza size is not fixed and "active" is open to interpretation, we recommend calculating this number based on the following formula:
    - Size in square feet x 0.005 x 33% (based on 50 users per 10,000 square feet as a target for active use – typical of other plazas in the region when active). Example: 24,000 square foot plaza x 0.005 x 33% = 40 seats
    - This provision may be satisfied with site furnishings or integral site elements such as seatwalls, provided the geometry is equivalent to a typical seat.
    - Not less than 50% of the seating shall be shaded by tree canopy coverage at its mature size.
- The plaza shall provide not less than one drinking fountain.
- A children's play feature shall be provided within the Station Entrance Plaza. This requirement can be satisfied with formal or informal play features.

2.3 Internal Access Drives and Emergency Vehicle Access (EVA) Design
The internal EVA drives can function as public spaces and extensions of the station entrance plaza, providing additional capacity and options for residents. We assume at least the B1/B2 street will be provided as the EVA-only option, which effectively makes it a resident woonerf-

style public space. Current ODS does not specify tree spacing, which makes the requirement for either trees or public art ineffective since there's no way to measure fulfillment.

2.3.1 Access Drive Design

- Internal access drives shall provide pedestrian amenities along both sides, including but not limited to seating, at the rate provided in the plaza requirements in Section 2.2.
- Emergency Vehicle Access drives within the Station Entrance Plaza and the internal north-south street between buildings B1 and B2 shall be curbless.
- Trees shall be provided on both sides of the street to the specifications listed for MLK and Ashby in Section 2.1.2, but if a tree is not feasible within 10' of a specified location, substitutions with "other elements" that "enhance the pedestrian experience and buffer parking and utility area frontages" as specified in Section 2.3.1 (5) shall be of similar height to the mature clear trunk of the street trees or 20% of the width of their mature crown. *(This ensures any tree substitute that is not public art is not simply a trash can, but would need to be of a scale that reads as a continuation of the tree pattern.)*

2.4 TPSS Access and Staging Area

The current ODS does not specify the amount/coverage of trees, their size at maturity or planting, or provide the elements for long-term health and establishment. We understand the TPSS Staging Area can be used as an ad-hoc public space when not in use by BART for staging. However, the ODS does not provide for "eyes on the space" safety principles or physical access that would be advisable for this use, given the staging area's isolated configuration on the site.

2.4.1 TPSS Access and Staging Area

- The TPSS Staging Area shall be designed to be accessible to residents when not in use for staging, with paving quality and exterior landscape finishes at least as high quality as the sidewalks of internal streets and the station entrance plaza.
- The TPSS Staging Area shall be lit similarly to other public spaces in the project and provide for sightlines that allow for substantial visibility both into and out of the staging area. At least two pedestrian exit points shall be provided.
- The public access point to the TPSS Staging Area shall be clear and visible from other public areas. Residential buildings may access the TPSS Staging Area directly from their ground floors and shall not be prohibited from access when TPSS Staging is not in use by BART.
- Trees shall be provided at a coverage of no less than 50% of the provided buffer planter area, measured by the mature crown width. Trees shall be provided with the same box size, irrigation and establishment warranty as those listed in the street tree section, Section 2.1.2. *(This allows for trees to be narrow if needed for TPSS staging requirements.)*

3.3 Design Elements

The conditions around the station entrance plaza and the future plaza along Adeline are significantly different given the cultural tradition of live music and public gathering that the project expects to continue. Given this outdoor condition of intermittent noise, buildings should be designed to minimize future conflicts between indoor and outdoor users.

3.3.4 Events and Noise

- Window glazing - Building design should assume there will be live music in the Station Entrance Plaza and Adeline Street Main Plaza

Attachment 3

Summary of Policy Framework, Technical Analyses and Public Engagement that Informed Ashby BART West Lot Objective Design Standards

This document summarizes adopted City policies, and City–BART agreements and policies and key technical analyses that shaped the ODS, along with the public engagement that informed their development.

A. Adopted Policies, Agreements and Regulations

Date(s)	Document(s)/Action(s)	Relationship to Ashby West Lot ODS
Sep. 2018	Assembly Bill 2923	AB 2923 required BART to establish transit-oriented development (TOD) zoning standards for eligible BART-owned properties within one-half mile of a BART station in Alameda, Contra Costa, and San Francisco counties. These standards address building height, residential density, floor area ratio, and parking. Local jurisdictions had until July 1, 2022, to adopt zoning that met or exceeded the applicable standards; otherwise, BART's standards would apply. The legislation prompted development of BART's TOD zoning standards, which informed the City's Residential-BART Mixed Use (R-BMU) zoning for the Ashby and North Berkeley station areas. That zoning forms part of the policy framework for the Ashby West Lot ODS.
Mar. 2020	City and BART Memorandum of Understanding	The 2020 City and BART MOU established a framework for development at the Ashby and North Berkeley BART stations. It called for a Community Advisory Group and other community engagement, reservation of City funding to support at least 35% affordable housing at both sites, and adoption of zoning consistent with AB 2923. These commitments helped establish the policy framework for the Ashby BART West Lot ODS.
Dec. 2020	Adeline Corridor Specific Plan, Zoning and General Plan Amendments and EIR[1]	The Adeline Corridor Specific Plan establishes a long-term vision and policies for housing, economic opportunity, transportation, and public space in South Berkeley, including mixed-use development at Ashby BART. Its adopted policies and related zoning helped inform the City–BART Joint Vision and Priorities and subsequent planning for the West Lot ODS.
Apr. 2021	City Council Affordable Housing Funding Reservation for the N. Berkeley BART and Ashby BART Station Areas[2]	Based on an economic feasibility analysis, Council provisionally reserved $53 million for both station areas to support at least 35% affordable housing at each station, fulfilling a funding milestone in the 2020 City–BART MOU. This reservation supported the affordable housing commitments subsequently reflected in the 2024 Ashby Exchange Agreement, which established development parameters for the West Lot ODS.

[1] Resolution No. 69,642–N.S. – Adoption of the Adeline Corridor Specific Plan and related General Plan text and map amendments; certified the EIR and made related CEQA findings (adopted December 8, 2020); Ordinance No. 7,744–N.S. Established the Commercial–Adeline Corridor zoning district, added BMC Chapter 23E.70, and adopted related zoning text and map changes. (adopted December 15, 2020)
[2] Resolution No. 69,833–N.S. – Approval of Funding Reservations for the Ashby and North Berkeley BART Stations and Approval of One or More Notices of Funding Availability to Support Affordable Housing Projects (adopted April 27, 2021).

Date(s)	Document(s)/Action(s)	Relationship to Ashby West Lot ODS
Jun. 2022	City and BART Memorandum of Agreement (MOA)[3]	The 2022 MOA expands on the 2020 MOU and establishes City and BART commitments to cooperatively pursue TOD at both stations. For Ashby, it identifies steps and timelines to address the City's option to purchase West Lot air rights, development of ODS, developer solicitation, and a future location for the Berkeley Flea Market. These commitments helped establish the process and policy framework for the West Lot ODS.
	City and BART Joint Vision and Priorities for Ashby and North Berkeley BART Transit Oriented Development (JVP)	Approved by the City Council and BART Board, the JVP expresses shared expectations for development at both stations. It establishes shared and station-specific priorities across five topics: Affordable Housing, Public and Civic Space, Land Use, Building Form, and Station Access, including a priority of 500–1,200 homes at each station. Its development parameters and design guidance informed the West Lot ODS.
	City - Residential – BART Mixed Use Zoning District	To comply with AB 2923, the City Council adopted BMC Chapter 23.202.150, establishing the Residential-BART Mixed Use (R-BMU) zoning district for the North Berkeley and Ashby BART station areas. The zoning establishes development parameters and selected design standards, with more detailed, site-specific requirements anticipated through subsequent technical studies and ODS development. The R-BMU zoning provides the regulatory framework upon which the West Lot ODS build.
Nov. 2022	City – Adeline at Ashby Roadway Redesign Concept[4]	The City Council approved 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 create space for new plaza and increase safety for pedestrians and bicyclists and to enhance access to the Ashby BART Station. This conceptual design superseded the design in the Adeline Corridor Specific Plan for this section of Adeline Street and informed the development of the West Lot ODS.
Feb. 2023	BART's Berkeley-El Cerrito Corridor Access Plan (BECCAP)	The Berkeley–El Cerrito Corridor Access Plan (BECCAP) analyzes how residents who currently drive and park at BART stations could access the corridor's stations after TOD replaces the parking lots. It informed the BART Board's adoption of patron parking maximums for North Berkeley and Ashby. These maximums were used in the Exchange Agreement's West Lot ODS Capacity Study, informing the development capacity analysis that shaped the ODS.
Sep. 2024; Dec. 2024	City and BART Term Sheet for Ashby BART TOD; City and BART	The September 2024 nonbinding Term Sheet established the principal terms for exchanging the City's West Lot air-rights purchase option for ownership of the East Lot and for minimum community benefits and development requirements. The

[3] Resolution No. 70, 669-N.S. – Ashby and North Berkeley BART General Plan Amendments (adopted June 2, 2022) and Ordinance No. 7,815-N.S. – R-BMU Zoning District and Associated Zoning Amendments (adopted June 28, 2022)

[4] Resolution No. 70,622-N.S. – Adeline at Ashby Roadway Redesign Concept (adopted November 29, 2022)

Date(s)	Document(s)/Action(s)	Relationship to Ashby West Lot ODS
	Exchange Agreement for Ashby BART TOD[5]	December 2024 Exchange Agreement established binding commitments and superseded the MOU, MOA, and Term Sheet as they relate to Ashby TOD. Building on the JVP and prior City–BART planning, the Exchange Agreement establishes requirements that directly shaped the West Lot ODS, including the preparation process, adoption timeline, minimum development capacity, and provisions for BART enforcement of specified standards.

B. Technical Reports/Studies

Date(s)	Document(s)	Findings or Requirements that Informed the ODS
Apr. 2021	Estimating the Need for Housing Subsidy for the Ashby and North Berkeley BART Stations	The 2021 analysis estimated the City subsidy needed to achieve different affordable housing levels and development scales at both stations. It informed the City's $53 million funding reservation to support at least 35% affordable housing at each site and subsequent Exchange Agreement negotiations. These were planning estimates, rather than a limit on achievable affordability; actual affordability levels and subsidy needs depend on project-specific funding sources, costs, and development conditions. The Exchange Agreement subsequently established housing and development capacity requirements that informed the West Lot ODS.[6]
Feb. 2023	BART's Berkeley-El Cerrito Corridor Access Plan (BECCAP)	The Berkeley–El Cerrito Corridor Access Plan (BECCAP) analyzes how residents who currently drive and park at BART stations could access the corridor's stations after TOD replaces the parking lots. It informed the BART Board's adoption of patron parking maximums for North Berkeley and Ashby. These maximums were used in the Exchange Agreement's West Lot ODS Capacity Study, informing the development capacity analysis that shaped the ODS.
Dec. 2024	Ashby West Lot Circulation Framework[7]	Developed jointly by City and BART staff, the Circulation Framework identifies fire and life safety, station access, maintenance, and Traction Power Substation requirements that constrain future development locations, while identifying opportunities for design flexibility. It assumes a new public plaza along the BART property's Adeline Street frontage. These requirements informed the Exchange Agreement and West Lot ODS.
	Ashby West Lot Adeline Street Connections	The Adeline Street Connections memo examines the engineering and construction challenges of connecting TOD buildings to Adeline Street and the new Main Plaza while accommodating existing BART infrastructure. It identifies

[5] Resolution No. 71,514-N.S. – Approving nonbinding Term Sheet (adopted September 16, 2024); Ordinance 7,939-N.S – Authorizing Exchange of Real Property for Development of Ashby BART station property (adopted December 3, 2024)

[6] Attachment 2, Item 31 - City Affordable Housing Funds: Ashby and North Berkeley BART Station Areas and Future Housing Funding Notices of Funding Availability (NOFA), April 27, 2021.

[7] The Ashby West Lot Circulation Framework, Ashby West Lot Adeline Connections Memo and the City and BART Exchange Agreement are included as attachments in BART's Ashby BART West Lot Request for Proposals (December 2024).

Date(s)	Document(s)	Findings or Requirements that Informed the ODS
		technical requirements and design opportunities that informed the ODS for building frontages and connections at Adeline Street level.
	Schedule 9.2.2 Capacity Study — City and BART Exchange Agreement	The Capacity Study identifies the West Lot's Net Developable Area, excluding surface areas used for public circulation and BART infrastructure, and analyzes residential development capacity within that area. It provides the basis for evaluating whether the ODS accommodate the minimum gross residential floor area required by Schedule 9.2.1 of the Exchange Agreement.

C. Public Engagement

1. Adeline Corridor Specific Plan (2015 – 2020)

The Adeline Corridor Specific Plan was developed through a multi-year public process from 2015 to 2020 that included community forums and workshops, drop-in "IDEA Centers," open-house exhibits, surveys, walking and bicycle tours, community learning sessions on affordable housing, zoning and planning, and complete streets, stakeholder and focus-group meetings, and review by a Planning Commission subcommittee, the full Commission, and City Council. Engagement addressed affordable housing, economic opportunity, transportation, public space, and the future of the Ashby BART station area. The subsequent City–BART planning process built on this work, drawing on the Plan's adopted vision and policies and the Commercial–Adeline Corridor (C-AC) zoning district to inform the City and BART Joint Vision and Priorities and the City's Residential-BART Mixed Use (R-BMU) zoning district. Pages 10–12 of the Plan provide a detailed description of the extensive engagement activities.

2. City and BART Planning and Public Review for North Berkeley BART and Ashby BART Station Areas (2020 – 2022)

The City and BART conducted a coordinated public process to develop the Joint Vision and Priorities (JVP), zoning and associated General Plan amendments for the Ashby and North Berkeley BART station areas. Engagement included a Community Advisory Group, public office hours, community workshops, educational materials, and Commission and City Council review. This process informed the JVP and R-BMU zoning adopted in 2022, establishing housing, land-use, building-form, public-space, and station-access priorities and requirements that shaped the Ashby West Lot ODS.

a. Community Advisory Group (CAG)

Pursuant to the City and BART 2020 Memorandum of Understanding (MOU), the City Council established a 15-member Community Advisory Group (CAG). Membership included representatives from the Planning Commission, Housing Advisory Commission, Transportation Commission, and Commission on Disability, together with

11 community members representing homeowners, renters, neighborhoods affected by station development, the Berkeley Flea Market, and faith-based communities. Members brought expertise in planning, architecture, transit, and environmental sustainability, as well as diverse life experiences.

The CAG provided input on zoning consistent with AB 2923 and the City–BART JVP, and helped connect the Planning Commission's work with neighborhood groups and the broader community.

Between June 2020 and December 2021, the CAG held eight numbered meetings, including a two-session third meeting. All meetings were open to the public. The City also held 11 public office-hour sessions, during which City, BART, and consultant staff answered follow-up questions about meeting topics.

Table 2a: Community Advisory Group Meetings

Mtg.	Date	Topic(s)
1	June 8, 2020	Introductions, Project Overview, CAG process, Review of Existing Conditions and Relevant Adopted Laws, Plans, Policies and Development Parameters[8]
2	August 3, 2020	Process Overview, Introduction to AB 2923 and Zoning, Preliminary Site Concepts[9]
3a	October 14, 2020	Financial Feasibility, Affordable Housing, and Building Form[10]
3b	October 21, 2020	Introduction to City-BART Joint Vision and Priorities (JVP)
4	December 14, 2020	Zoning and Development Parameters, Building Form, and Land Uses[11]
5	March 22, 2021	Draft City-BART JVP on Affordable Housing, Public and Civic Space, Land Use and Building Form and Draft Zoning[12]
6	April 29, 2021	Draft City-BART JVP on BART Station Access and Draft Zoning and Introduction to BECCAP[13][14]
7	June 21, 2021	Review of Revised Draft Joint Vision and Priorities and Zoning[15]
8	December 6, 2021	Process Wrap-Up and Next Steps in the Ashby and North Berkeley Transit-Oriented Development Planning Process

[8] Community Advisory Group (CAG) Meeting #1 Summary
[9] Community Advisory Group (CAG) Meeting #2 Summary
[10] Community Advisory Group (CAG) Meetings #3A and #3B Summary
[11] Community Advisory Group (CAG) Meeting #4 Summary
[12] Community Advisory Group (CAG) Meeting #5 Summary
[13] Community Advisory Group (CAG) Meeting #6 Summary
[14] https://www.bart.gov/about/planning/station-access/berkeley-elcerrito-corridor-plan/faq
[15] Community Advisory Group (CAG) Meeting #7 Summary

Four informational videos were prepared for the CAG and the general public to support the discussion of project economics and design:

- Market Rate Housing[16]
- Affordable Housing[17]
- Public Value Recapture[18]
- Building Form and Density[19]

b. Community Workshops/Meetings

Three community workshops were held to introduce the overall planning process for the Ashby and North Berkeley BART station areas, as well as to solicit feedback on the draft zoning and the City-BART Joint Vision and Priorities document. Summaries of the community workshops, including copies of all written comments received were provided to CAG members to inform their work.

Table 2b: Community Workshops

Date	Topic(s)
August 31, 2020	Planning Overview, Project Goals/Parameters and Preliminary Concepts[20]
February 8, 2021	Draft City-BART Joint Vision and Priorities (JVP)[21]
June 26, 2021	Review of JVP and Zoning[22]

c. Commission and City Council Review

Public meetings of various Boards and Commissions and the City Council addressed the proposed zoning, General Plan amendments, environmental review, affordable housing funding, and City and BART agreements.

Table 2c: Boards/Commissions and City Council Review

Date	Body	Topic
Dec. 2, 2020	Planning Commission	Scoping Session on the Draft Environmental Impact Report (DEIR) on Zoning and General Plan

[16] https://cityofberkeley.box.com/s/mby2din90o2fn6pha9xohj3bez8mdnda
[17] https://cityofberkeley.box.com/s/askxmxccp2t5jxq35i1paceym3ra6ns6
[18] https://cityofberkeley.box.com/s/9g3kfyt0gyq7xd62bzk8inix3y3upmhe
[19] https://www.dropbox.com/s/qhgu0gmdnonl1rt/20201204_Building%20Form%20and%20Density_Slides-credits.mp4?dl=0
[20] Community Meeting #1 Summary
[21] Community Meeting #2 Summary
[22] Community Meeting #3 Summary

		Amendments for the Ashby and North Berkeley BART Station Areas
Feb. 1, 2020 and March 1, 2021	Measure O Bond Oversight Committee	Reserving City Affordable Housing Funds for the Ashby and North Berkeley BART Station Areas
Feb. 10, 2020 and March 4, 2021	Housing Advisory Commission	Reserving City Affordable Housing Funds for the Ashby and North Berkeley BART Station Areas
April 27, 2021	City Council	Reserving City Affordable Housing Funds for the Ashby and North Berkeley BART Station Areas
Sep. 1, 2021	Planning Commission	Informational Meeting on the Proposed Zoning and General Plan Amendments and City-BART Joint Vision and Priorities for TOD at the Ashby and North Berkeley BART Station Areas
Nov. 3, 2021	Planning Commission	Public Hearing on the Draft Environmental Impact Report (EIR)
April 6, 2022	Planning Commission	Recommendation to City Council – Ashby and North Berkeley BART Station Areas: Proposed Zoning and General Plan Amendments, City and BART Joint Vision and Priorities, Associated Environmental Review Documents
June 2, 2022 and June 28, 2022	City Council	Consideration of approval of Ashby and North Berkeley BART Station Areas: Proposed Zoning and General Plan Amendments, City and BART Joint Vision and Priorities, Associated Environmental Review Documents and City and BART Memorandum of Agreement

3. Adeline Street at Ashby BART Conceptual Design (2022)

The City, in coordination with BART, conducted extensive public and stakeholder engagement to develop a conceptual redesign of Adeline Street at Ashby BART. The process included the Berkeley Flea Market Board and vendors, AC Transit staff, Ed Roberts Campus management and tenant organizations, and the broader community. Input informed the concept recommended by the Transportation and Infrastructure Commission and approved by the City Council in October and November 2022, respectively, which provided a framework for street reconfiguration and new public plaza space assumptions that informed the West Lot ODS.

Table 3a: Public and Stakeholder Engagement

Date	Topic(s)
January–August 2022	Meetings with the Berkeley Flea Market Board to discuss the project and obtain input
Multiple weekends during 2022	Site visits to engage Flea Market vendors

September 17, 2022	Flea Market information table and vendor survey
September 28, 2022	In-person meeting with Flea Market Vendors to receive input on the proposed concept
October 3, 2022	Community meeting to review two options for conceptual design

Table 3b: Commission and Council Review

Date	Body	Topic
October 20, 2022	Transportation and Infrastructure Commission	Review of conceptual design options
November 29, 2022	City Council	Adoption of a preferred design concept for Adeline Street at Ashby BART

4. BART-Led Berkeley–El Cerrito Corridor Access Plan, 2021–2023

As noted in above, BART led development of the Berkeley–El Cerrito Corridor Access Plan (BECCAP) to evaluate how residents who currently drive and park at BART's Richmond line stations could access BART after transit-oriented development replaces station parking lots. BART's Summary of Reference Material and Public Outreach and the individual milestone and survey reports provide further detail on the engagement process and public input.[23]

Table 4: Public Engagement

Date	Topic(s)
April – August 2021	Outreach Milestone Report #1; first online open house and survey, July 2–August 20, 2021
September 2021–May 2022	Outreach Milestone Report #2; second online open house and survey, April 20–May 18, 2022
June 2022–February 2023	Outreach Milestone Report #3; third online open house and survey, December 16, 2022–January 8, 2023

5. Equitable Black Berkeley and Healthy Black Families Engagement, 2022–2024

The Mayor's Office, under Mayor Jesse Arreguín, partnered with Healthy Black Families on the Equitable Black Berkeley (EBB) initiative to explore funding approaches and policies supporting equity, opportunity, and the well-being of Berkeley's Black community. The initiative addressed historical harms associated with redlining and

[23] BECCAP Summary of Reference Material and Public Outreach.

construction of the Ashby BART station, with a focus on affordable housing, displacement, right to return, and community benefits.[24]

Healthy Black Families conducted engagement through People's Assemblies, surveys, and participation in BART community and Board meetings to identify and communicate community priorities. As noted in the September 2024 Term Sheet staff report, EBB input, alongside the Adeline Corridor Specific Plan, MOA, and JVP, informed the framework for community benefits and other project requirements.

6. City and BART Ashby BART Term Sheet and Exchange Agreement

The Term Sheet and Exchange Agreement built on years of public engagement and planning, including the Adeline Corridor Specific Plan, City–BART Joint Vision and Priorities (JVP), and R-BMU zoning described above. Negotiations between the City and BART, led by then-Mayor Jesse Arreguín and BART Board Director Lateefah Simon, also drew on technical studies of site constraints and development feasibility. City and BART real estate consultants, Century | Urban and Economic & Planning Systems, respectively, evaluated the agencies' property interests and financial positions, including the value of the City's West Lot air-rights purchase option. These analyses informed the proposed property exchange and community benefits.

The negotiations culminated in the 2024 Term Sheet and binding Exchange Agreement. The Agreement established community benefits and development requirements, including the process, timeline, minimum development capacity, and enforcement provisions that shaped the West Lot ODS. Public meetings and Council consideration during this phase are summarized below.

Table 6: Community Meetings and Council Review

Date	Topic(s)
April 20, 2023	BART hosted Community Meeting – Ashby Transit Oriented Development – BART Operations and Adeline Street Connection
November 8, 2023	BART hosted Community Meeting – BART Traction Power Substation (TPSS) Update
September 12, 2024	Ashby BART Community Meeting and Open House: Planning process update, technical constraints and design opportunities on the site and along Adeline Street[25]
September 16, 2024	City Council – Approval of the Nonbinding Term Sheet for Ashby BART Transit Oriented Development

[24] City Council staff report, November 29, 2022, Item 8, "Grant Approval: San Francisco Foundation to Support the Equitable Black Berkeley Initiative."
[25] September 13, 2023, Ashby BART Community meeting: Presentation; Video Presentation; Open House Station Boards

November 19 and December 3, 2024	City Council – Approval of the City and BART Exchange Agreement for Ashby BART Transit Oriented Development (First and second reading)

7. Ashby West Lot ODS Development and Public Review (2024–2026)

The Preliminary ODS was published in December 2024 concurrently with BART's Request for Proposals for the Ashby BART West Lot. The City provided opportunities for community input through public open houses, community-hosted meetings, and Planning Commission review, alongside coordination with BART and the selected developer team, Adeline Alliance Partners (AAP). These activities informed the Revised ODS presented in September 2026 and subsequent consideration of supplemental recommendations.

a. Public and Community-Hosted Engagement
   The table below summarizes completed City-hosted or co-hosted engagement and community-hosted meetings at which City staff presented the ODS and solicited feedback. The public engagement provided opportunities to comment on the ODS both independently and in the context of the emerging West Lot project design and related Adeline Street transportation and open space improvements. Additional engagement is anticipated before Council consideration, including a November 5, 2026 meeting co-hosted by the City, BART, and the West Lot Developer.

Table 7a: Public Engagement

Date	Topic(s)
February 10, 2025	City-hosted open house introducing the Preliminary ODS and soliciting feedback and online feedback form
May 12, 2026	City staff and the West Lot Developer presented and solicited feedback about the Preliminary ODS and West Lot Project Design, hosted by Healthy Black Families at the Maudelle Miller Shirek Community Room
May 26, 2026	City staff and the West Lot Developer presented and solicited feedback about the Preliminary ODS and West Lot Project Design, hosted by Healthy Black Families at Harriet Tubman Terrace
June 20, 2026	City staff/consultant and the West Lot Developer presented and solicited feedback about the Preliminary ODS, the City's Adeline Main Plaza design planning process and West Lot Project Design, hosted by South Berkeley NOW and the Lorin Business Association
July 16, 2026 and July 22, 2026	Community Open house and subsequent (virtual) Office Hours co-hosted by the City, BART, and AAP covering the Preliminary ODS, a draft design concept from the West Lot Developer, and related City projects about Adeline Street transportation and open space improvements

b. Planning Commission Review

The Planning Commission reviewed the Preliminary and Revised ODS and subsequently considered supplemental recommendations developed by its subcommittee.

Table 7b: Planning Commission Review

Date	Topic(s)
July 1, 2026	Staff introduced the Preliminary ODS and explained their role, the planning process, and the policy and technical framework informing the standards
September 16, 2026	Staff presented Revised ODS reflecting public and Commission input and continued coordination with BART and AAP. The Commission recommended Council adoption of the Revised ODS and established a subcommittee to explore supplemental recommendations.
October 7, 2026	The Commission voted to forward supplemental recommendations to Council for consideration; the recommendations are included as an attachment to the November 17, 2026 Council item on the Ashby BART West Lot ODS.

Attachment 4

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL
ADOPTION OF ASHBY BART WEST LOT TRANSIT ORIENTED DEVELOPMENT OBJECTIVE DESIGN STANDARDS

The public may participate in this hearing by remote video or in-person.

The Department of Planning and Development is proposing Objective Design Standards (ODS) for future transit-oriented development at the Ashby BART West Lot, 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. The proposed 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.

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.

The hearing will be held on November 17, 2026 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of November 5, 2026. **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.**

For further information, please contact Alisa Shen, Principal Planner at (510) 981-7409. Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become**

Attachment 4

part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

Published: November 6, 2026
Pursuant to Berkeley Municipal Code Section 22.04.020

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on November 5, 2026.

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Mark Numainville, City Clerk
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