



Office of the City Manager

CONSENT CALENDAR  
November 12, 2019

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Timothy Burroughs, Director, Planning and Development Department  
Subject: Authorize the City Manager to Submit Senate Bill 2 Planning Grants Program Application

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to submit the application for Senate Bill 2 Planning Grants Program (PGP) in the amount of \$310,000 and sign documents or amendments when the grant is awarded.

FISCAL IMPACTS OF RECOMMENDATION

The City will receive \$310,000 from the State of California that will go towards planning efforts to develop transit-oriented development (TOD) zoning regulations on Bay Area Rapid Transit (BART) properties in Berkeley.

CURRENT SITUATION AND ITS EFFECTS

Senate Bill (SB) 2, the Building Homes and Jobs Act of 2017, established a \$75 recording fee on certain real estate documents to be used for planning grants in 2019 and for affordable housing in following years. The City of Berkeley is eligible to receive a 2019 Planning Grants Program award in the amount of \$310,000.

BACKGROUND

SB 2 provides funding and technical assistance to all local governments in California to help them prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production. Funding is non-competitive and based on population estimates published by the State's Department of Finance.<sup>1</sup> The City of Berkeley is classified as a "medium city" and is therefore eligible to apply for \$310,000.

Grants issued through the 2019 PGP can be used for updating local planning documents, updating zoning ordinances, conducting environmental analyses or for local improvements to expedite local planning and permitting. More specifically, planning activities funded through this program are to focus on preparation, adoption and

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<sup>1</sup> <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>

implementation of plans and zoning regulations that streamline housing approvals and accelerate housing production.

The City will use these funds for developing TOD zoning regulations on BART properties in Berkeley. Both the draft Adeline Corridor Specific Plan and passage of Assembly Bill (AB) 2923 require Berkeley to plan for future uses and development at Berkeley's BART stations.

AB 2923, signed into law by Governor Brown on September 30, 2018, requires BART to adopt TOD zoning standards on parcels of land it owns by July 2020. It also requires affected cities and counties to update their zoning regulations to be consistent with BART's zoning TOD standards by July 2022. Zoning at Ashby BART station and North Berkeley BART station must be modified for the City of Berkeley to be in compliance with AB 2923.

ENVIRONMENTAL SUSTAINABILITY

Funds used to advance TOD at BART stations supports regional and local greenhouse gas reduction goals.

RATIONALE FOR RECOMMENDATION

In order to apply for the 2019 PGP funds, City Council must adopt and submit the attached Resolution by November 30, 2019.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Alene Pearson, Principal Planner, Planning and Development Department, 510-981-7489

Attachments:

1: Resolution

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

SUBMISSION OF SB 2 PLANNING GRANTS PROGRAM APPLICATION

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the Council of the City of Berkeley desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$310,000.

BE IT FURTHER RESOLVED that in connection with the PGP grant, if the application is approved by the Department, the City Manager or her designee is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$310,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

BE IT FURTHER RESOLVED that the City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

BE IT FURTHER RESOLVED that the City Manager or her designee is authorized to execute the City of Berkeley Planning Grants Program application, the PGP Grant

Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.