



Councilmember Lori Droste, District 8

ACTION CALENDAR
September 29, 2015

To: Honorable Mayor and Members of the City Council
From: Councilmembers Droste, Moore, and Worthington
Subject: Amendments to Accessory Dwelling Unit Ordinance 23.D.10

Recommendation

Accessory Dwelling Unit Ordinance 23.D.10 is a great step towards increasing Berkeley's housing stock and adding subtle density to residential neighborhoods. The following amendments will support density in walkable neighborhoods, and streamline parking waivers for neighborhoods without RPP zones that are close proximity to BART.

Amend the following sections: 23.D.10.040 5. The Subject lot shall provide one off off-street parking space for the Accessory Dwelling Unit in conformance with Chapter 23D.12, except as provided below:

- a. Parking shall not be required for the Accessory Dwelling Unit when the subject lot is within one-quarter ($\frac{1}{4}$) mile of a BART station **or within one-quarter (1/4) mile of a rapid bus transit stop, or 2 transit lines.** ~~and within an approved Residential Permit Parking Zone. In such cases,~~ **In Residential Parking Permit Zones,** no Residential Parking Permit for on-street parking may be issued to the address of the Accessory Dwelling Unit.
- b. Tandem parking may be used to satisfy the parking requirement. Tandem parking shall not be subject to the applicable standards of Section 23D.12.080, and may be located within the required setbacks when located within an existing lawfully created driveway that does not comply with these standards.

Rationale:

Amendment 1: Waive parking requirements for ADUs in non-RPP zones that are within close proximity to BART

Rationale: Several neighborhoods throughout Berkeley and in particular, surrounding Ashby BART, are [not in RPP zones](#). Under current law, residents may only waive parking requirements if the ADU is within $\frac{1}{4}$ mile of BART *and* within an approved RPP zone. Residents who are within a $\frac{1}{4}$ mile to BART but *do not live* in an RPP zone have

no way of obtaining a parking waiver under current law, despite their proximity to public transit.

Amendment 2: Waive parking requirements for ADUs in highly walkable neighborhoods

Rationale: Under current law, parking requirements are waived only in neighborhoods with close proximity to BART, with no exceptions given to neighborhoods in highly walkable zones or AC-transit accessible areas. BART is a key component of public transportation but it isn't the only mode of transportation that should be considered for the purposes of parking waivers.

Financial Implications

Staff time

Contact Information

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