

# COUNCIL OF NEIGHBORHOOD ASSOCIATIONS



"To Let the Neighborhoods Know What's Coming Down Before It Lands on Them"

Newsletter No. 3

February, 1976

Berkeley, Calif.

## PUBLIC HEARING FEBRUARY 17

### RESIDENTIAL RENT INSPECTION PROGRAM

An important positive step was taken by the City Council on January 27 concerning the RRIP: a public hearing on the subject was set for 7:30 p.m., February 17, in Council chambers.

Since this was the only positive step taken by the Council that evening, however, it is vital that everyone concerned about the RRIP come to the hearing to make their opinions known.

### Some Improvements...

Some improvements in the program have been made as a result of presentations to the Housing Advisory and Appeals Board by NOBBS and others, but they are window-dressing compared to the defects and dangers of the program--both to NOBBS and ultimately the city as a whole. The hardship criteria have been modified to conform more closely to HUD guidelines, but they still do not take into account (for instance) whether a tenant might face hardship after his unit has been brought up to code and the rent raised. The Neighborhood Improvement Council is newly constituted an appeal mechanism for those whose hardship applications have been denied and the NIC is promised access to most of the same information available from staff to HAAB--but there are no assurances that all those facing

hardship will even be able to apply in the first place, or that the NIC will have any real say in the ongoing implementation of the program, or that the information from staff will be of very good quality, to HAAB, the NIC, or anybody else.

The RRIP now mentions that technical assistance can be made available to landlords for self-help--but Janet Roche, Director of the Housing and Development Department, told the City Council that the staff would not be available to help everyone who might want such assistance.

### But Deficiencies Remain

The program still lacks adequate rent restrictions. As it stands now, the small landlord who must take a municipal loan is faced with rent controls while the bigger landlord who can get a bank loan can raise the rent as much as he or she pleases--a situation calculated to drive out small landlords. Category C violations still stand as mandatory, although of "lowest priority." One is still stuck with them if there are no conditions incipiently hazardous in the unit. There remains no sensitivity to the fact that the North Berkeley BART Station is in the area, a prime target for developers, and that expensive code write-ups are traditionally an excellent excuse for demolition and redevelopment of a property.

(continued on page 2...)



### Sinister Implications

The January 27 City Council meeting had some sinister implications for neighborhoods and neighborhood representatives. NOBBS had had a general membership meeting the week before, for which every household had been leafletted and a notice had appeared in the Gazette. The weekend right before the Council meeting, 167 signatures had been collected on petitions which incorporated the three motions passed at the general NOBBS meeting--in brief, that we thought the program a bad one, that we would oppose its implementation in NOBBS, and that we urged the development of a better program. I came to the Council meeting with all that established--a letter describing our meeting in the Council packet and the petitions before the Councilmembers. Nevertheless, the argument of the Council majority was essentially that I represented no one, at least no one who counted. Mr. Ramsey made the comment (after I had sat down and could not reply) that only the "voluntarily unemployed" had time to run around getting petitions and speaking at City Council meetings. Mr. Rumford opined that 167 people were less than 1% of the neighborhood (which is true, although I'd like to see someone get 167 signatures for the RRIP) and, besides, that a third of the signatures were "duplications"; it turned out later he meant that husbands and wives had in some cases both signed the petition--which is perfectly proper.

Several hundred copies of this newsletter and the special Master Plan materials were printed and distributed, most by mail. It costs money--more money than is produced by membership dues. If you believe the work of the Council of Neighborhood Associations is valuable to Berkeley, send contributions to:

Elaine Cole, Treasurer  
Council of Neighborhoods  
1715 Cedar Street  
Berkeley, Calif. 94703

The whole tone was anti-neighborhood in the sense that, although they all "cared" about neighborhoods, it just didn't do for anyone to speak on behalf of the neighborhood--especially if objecting. Some of these very people sought the endorsement of the NOBBS Neighborhood Association at one time; they seemed to think we represented someone then.

### Sensitive Gangbusters?

I would make two further comments. One is that the thrust of Mayor Widener's remarks were that we shouldn't worry about dangers in this program because "the city has traditionally been sensitive in its housing programs; our inspectors are not going into people's houses like gangbusters." Well, mebbe so. I would point out that the Barker House got demolished like gangbusters, without the gas main even being disconnected, after an application for landmark status had been made. I would point out that some houses in Oceanview got demolished like gangbusters, before the courts could rule on the legality of such action. We must be forced to wonder if a Housing Department with the fastest demolition permit in the West is really all that sensitive and committed to housing conservation.

No one can criticize the intent to conserve housing or the intent to improve the living conditions of tenants, but I do not believe that the RRIP as drafted will do either without exacting an even greater--and contrary--price in the long run.

---Glenn Harris, NOBBS

(Addendum: votes for the public hearing --Hone, Hancock, Denton, Kelly, Dean; votes against--Ramsey, Davis, Widener, Rumford)





## CNA WORKSHOP ON PROPOSED BERKELEY MASTER PLAN

Jan. 19, 1976

CNA asked three speakers to talk about the proposed new Master Plan at a special meeting of the association. The speakers were: 1) Jack Kent, founder of UC's Dept. of City and Regional Planning, former Planning Commissioner and Councilmember and author of the book, The Urban General Plan., 2) Fred Collignon, who has a Planning firm in Berkeley and is member of the UC Dept. of City and Regional Planning, and 3) Dennis Abrams, former member of Board of Adjustments, one of initiators of the Neighborhood Preservation Ordinance which mandated this Master Plan Revision.

### KENT'S REACTION TO THE MASTER PLAN TABLOID

Kent noted that while the NPO calls for revision of both the Master Plan and the Zoning Ordinance only the first task is reflected in the Tabloid. The Zoning ordinance has not been revised. He was concerned that the present revision schedule allows insufficient time to do a proper revision of the Zoning Ordinance or to do a great clarification of the the Master Plan.

In an aside, Kent mentioned that he had been receiving Planning Commission minutes since 1948 and Master Plan Committee minutes since it started in 1973 but while he could follow what was happening in the Planning Commission Minutes he found he couldn't tell what was going on at MPRC meetings from the minutes.

Kent said that while the Master Plan Tabloid was a well-intentioned document it was also a very confusing one. It must certainly confuse those 30,000 householders who have received. But at the same time he felt that the basic values and goals the MPRC incorporated in the document were good. He found the 107 starred, capitalized headings very confusing because while they were grouped rationally under the main headings they were not equally general or specific--some were goals, highly general, some are specific and are implementation tools rather than goals or policies. The capitalized items aren't co-equal.

It is not clear from the document whether it is a set of proposals for later incorporation into a master plan or is meant to be a draft master plan.

The tabloid does not lay out in summary form the major proposals of the Master Plan. The six items listed on page 2 of the tabloid called major proposals are not really the major proposals of the master plan but simply the six things most interesting to the MPRC.

The tabloid is quite deficient in terms of how the plan is to be implemented. For example the criteria for priorities for acquiring additional open space and parks in the city are not laid out in the tabloid. (But he felt the 1974 Draft Open Space Element was well done but that too much of it had been omitted from the tabloid.) The safety hazards abatement program doesn't really indicate how to abate them.

### NINE BASIC IDEAS OF THE MASTER PLAN

Kent felt that the basic ideas of the plan were not really laid out in a readily comprehensible pattern. He stated that there are nine basic ideas to be gathered from the Tabloid proposals and that there aren't many differences in ideas between the plan adopted in 1955 after two years of debate and this one. He also felt that no attention had been paid to the fact that the 1955 Master Plan had been carried out. Implemented first by ordinances (1955-65) and in a capital improvements program spending roughly \$1 million per year during the nine years from 1961-70.

1. Both the Tabloid and the 1955 Plan said that UC Campus was the most important thing in town, but that it should not get any larger. But he felt the Tabloid was pretty weak and timid when it says things about how it can't force the University to do anything. He recalled that during the late '50s no member of the Planning Commission or City Council would be saying such things. That Council and Planning Commission did fight UC's horizontal expansion into the city. He maintains that the city can fight UC in the state legislature when necessary and that the campus administration does listen and is sensitive to pressure. He did not like the passive, doormat role for the city in its relations with UC that the drafters of the tabloid laid out. Both plans seem to agree that UC is a major activity center and generally a good thing for Berkeley.



Kent, Nine Basic Ideas continued.

2. Neighborhoods- both plans have great stress on the neighborhoods and reaffirm the notion that Berkeley is basically a residential city, a commuter city in the central Bay region. Both plans stress enhancing and protecting the neighborhoods. The tabloid has a much stronger stress on neighborhoods and now proposes much greater neighborhood control over budgets and capital improvements.

3. Commuters- This is a major gap in the new plan it simply does not refer to the commuters. The role of the commuters should be specifically discussed. The tabloid left out any reference to BART. The 1955 plan discussed BART extensively and considered its potential impact on the city. Also the old plan stressed the importance of putting BART underground. This plan says little about potential physical impact of BART on Berkeley or the CBD.

4. Central Business District (CBD)- both plans assume the primacy of the CBD. But original plan discussed policies and problems of the neighborhood commercial areas. This draft seems to say nothing about programs or problems for these areas.

5. Circulation element- the new plan calls for improved transit levels and for better transit service within Berkeley. He agreed with this emphasis saying that unless we do get improvement of transit we won't really get deemphasis of the auto. In the long run the transit proposals will be more important than the diversifiers in reducing dependence on the auto. The key problem is intra-Berkeley transit and the fact that AC-Transit really best serves downtown Oakland and San Francisco and is not geared to intra-Berkeley service. Also he notes the transit and transportation material really pre-dates the MPRC and was developed parallel to them rather than stemming from their own work. The MPRC don't really seem to understand it. We need the transit so that UC doesn't simply become a bigger parking lot.

6. Waterfront. Kent felt tabloid did not tell an important story here. The 1955 Plan called for massive filling of the Bay. The real impetus to the Save the Bay Assoc. came from an annual review of the Master Plan which showed residents just how much

of the Bay would be lost. The Save the Bay people opposed the massive Bay Fill and in 1963 got the City Council to significantly scale back the amount of Bay lands they were going to fill. They also re-zoned this land to recreation uses and open space. This was a significant change from all earlier plans which called for massive industrial, port, or commercial uses for the waterfront. In 1970-71 Urban Care fought and finally turned around the City Council on the proposal to create a regional shopping center on our waterfront. Kent complains that while the current plan passively accepts this plan it misses a great chance to educate, re-educate the public about what great battles and issues were fought and resolved in reaching these decisions and why they were fought. Need in the plan to reaffirm these decisions so that people don't forget what was done and why it was done. If we don't educate people about this history then we may lose all these gains later.

7. Industrial Zoning. The new plan accepts all the old decisions. One of the key battles of the 1955 revision was over boundaries of the industrial district in West Berkeley. Originally it was proposed to eliminate all residential neighborhoods west of San Pablo Avenue. This was rejected and the decision was made to have relatively little industrially zoned land in Berkeley. This reinforcing the basic land use decision that Berkeley was to be a residential city. Since 1963 these neighborhoods have received encouragement and money. Besides it must be realized that UC is Berkeley's main industry.

8. District Shopping Centers- the new plan says little about district shopping centers. Yet these are upgrading and improving. These are important commercial activities and some are a regional draw of shoppers. These commercial centers are one of Berkeley's strong points but this new document does not even mention them.

9. Open space- felt the 1974 Open Space Element had some very good things in it but that entirely too much has been boiled out of it for the Tabloid. What is left says too little about Open Space needs.

#### GENERAL COMMENTS ABOUT THE PLAN

The document has no historical perspective. There is no history to give the policies an understandable context. Most serious it is not a master plan and it is not a



ent, Master Plan analysis continued

summary of a master plan because there is no larger, complete document that it is a summary of. There is no rationale or explanation of why and where these policies came from, of why they were put forth. There is no context, no explanation or assessment of the old master plan, how it was carried out and evolved. Nothing about the NPO. All this is part of the story of planning in Berkeley and it should be included in a proper master plan.

### PROCEDURE

Kent felt that the amount of time allowed for public reaction to and discussion of the draft master plan was outrageous. He noted that it took two years to debate a complete draft of a master plan which had the whole story in it during 1953-55. But this current DRAFT isn't even the whole story. He felt that the two weeks of hearings and then six weeks to revise the plan and forward it to the City Council is entirely too short a time. What is needed is a serious, prolonged debate and study of the master plan.

Another gap in the tabloid is that the plan does not talk of alternatives that have been rejected.

### FRED COLIGNON'S REACTION TO THE PLAN

Colignon felt that the policy statements in the tabloid were lowest common denominator statements that were too global, too broad, too ambiguous and too hard to figure out what they mean. He felt most citizens could not really tell from the tabloid how these plans might affect them.

He supported the emphasis on transit and traffic control. But complained that the plan never really makes a stand on the question of growth vs. no-growth. The plan is quite ambiguous on this. Where are we to accommodate growth if any is permitted. He noted that the plan implies major public expenditures but makes no provision for growth or development of increased tax base to pay for these things. Can we afford to do the things we want if we have a no-growth policy?

The plan doesn't really deal with the question of integration. The idea of having a mix of races, income levels and life styles within neighborhoods. The plan just doesn't talk about integration.

Colignon favored the focus on neighborhood participation and thought that the idea of getting the neighborhoods into the budget process was excellent and that it had real possibilities.

### Dennis Abrams reaction to Tabloid

He felt that the new plan was just a bad version of the old plan. It doesn't really include people in the planning process. People aren't informed or educated. He thought that a very poor job had been done with the draft plan and that he didn't expect much from the zoning ordinance either.

These presentations were followed by a question and answer period.

Q. What is this tabloid then, is it a master plan or not?

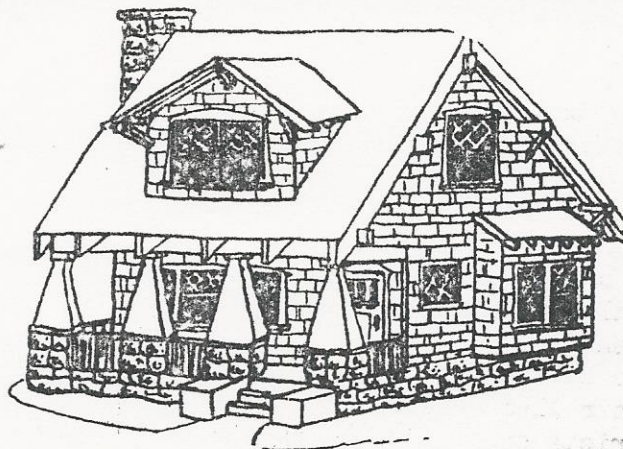
A. No.

Comment- one person objected to the emphasis on transit saying he did not want to pay any more taxes for transit.

A. Kent- pointed out that half of the population do not have or cannot use automobiles for example- those too young to drive, many of the old, many of the disabled, and most of the poor. If we rely too heavily on the auto and starve public transit we leave these people with no real options.

The discussion closed with speakers and members agreeing on the need to ensure that more time was available for the public to discuss, reflect on and react to the master plan draft.

Henry Pancoast.



'CRAFTSMAN'  
BAHA



THE CASE FOR PLANNING

The most conspicuous gap in the draft master plan is the absence of any rationale for city planning. The planners make no case for their continued existence or salaries. In answer to the question, Why a new plan? the tabloid in essence says because the voters' initiative MADE US DO IT. Are our planners so complacent that they no longer feel they have to make a cogent case for planning, or can't they do it?

The introduction tells us what a master plan is: a master plan is a document that deals with master plan subjects. This statement is undeniably true but not very useful.

Berkeleyans have in the past been able to explain why planning was important to the city. Perhaps it will be useful to see what they had to say about planning sixty years ago. The 1916 Annual Report of Berkeley's Commission Form of Government made this case for Planning:

"THE LACK OF CITY-PLANNING COSTLY

Lack of city-planning has already cost too costly to Berkeley.

We have self-complacently said, 'We do not need parks and will not pay for playgrounds. The hills and canyons will always be open to us; the campus will always afford us a park; there are vacant lots enough for playgrounds.' Yet in a decade the nearer hills and canyons have become the homesites of the well-to-do, the campus is no longer large enough even for the University activities, and the vacant lots have almost disappeared. In another decade we cannot get the parks and playgrounds we should have, and shall have to pay a prohibitive price for those we cannot do without.

The badly planned hill streets of North Berkeley make communication difficult and expensive. Delay in the widening of traffic streets like College ave. has added enormously to its ultimate cost. Our business center suffers for lack of radial arteries drawing traffic toward its shops.

We have begun to feel the effects of uncontrolled development. Residence districts once valuable have deteriorated because of the intrusion of business or industrial establishments. Industries have

been harassed by unreasonable neighbors. Through these influences the stability of property values is rendered uncertain.

We have laughed at those who fear congestion and slums. This despite the fact that in two decades we have seen the oaks of our neighboring city give way to skyscrapers, and the village that hung about the skirts of the campus spread solidly from hill to bay. Our population has increased four-fold in twenty years. Already the tenement and its fashionable cousin, the apartment house, have begun to take the place of the commuter's home and the workman's cottage. Should our population no more than double in the next twenty years the problem of congestion will be a real one; should there arise on the east-bay shore the great industrial city, that seems to be predestined by our position on a harbor commanding the western front of the continent, congestion of population may become as acute an evil here as it is in many eastern cities today. ...

To meet the objective of providing for and regulating the future growth and development of Berkeley the City Council established city-planning as one of the departments of municipal government in Berkeley in the hope that THROUGH PRE-PLANNING CO-ORDINATION OF CITY ACTIVITIES THE WAY MIGHT BE FOUND TO ESCAPE CONGESTION WITH ITS ATTENDANT EVILS; TO PREVENT THE LOWERING OF PROPERTY VALUES THROUGH UNREGULATED DEVELOPMENT; TO AVOID MISTAKES IN THE STREET PLAN COSTLY OR IMPOSSIBLE OF CORRECTION; AND TO PROVIDE ADEQUATE PARKS AND PLAYGROUNDS TO SERVE THE BERKELEY OF THE FUTURE."

(Seventh Annual Report of the Mayor and Councilmen of Berkeley under the Commission Plan of Government, 1916)

The current master plan draft lacks such a succinct description of current trends and problems that planning is needed to solve and lacks a summary statement of goals and purposes for the future development of Berkeley. The Planning Commission should correct this failing.

Henry Pancoast

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## SOLID WASTE MANAGEMENT COMMISSION

With a name like that you've got to be good. This commission is excellent. They have consistently done a fine job. The latest example of the high quality of their work is their report for City Council Action on the Revised Solid Waste Management Plan for Alameda County. (Jan. 13, 1976 City Council Packet) They should be recognized for their work in getting revisions made to this plan and for the degree of knowledge and insight they have brought to bear on the problems of Solid Waste Management. Well done.

H.P.

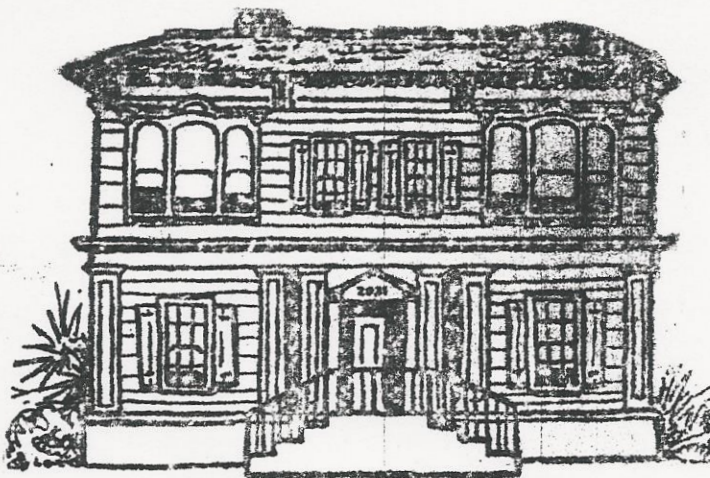
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### BARKER HOUSE DEMOLISHED

The Barker House, the Landmarks Preservation Ordinance and public trust in city officials were demolished on Jan. 29, 1976. John Loring Barker played an important role in seeing that Berkeley was incorporated as a separate city instead of being annexed to Oakland. The last issue of this newsletter reported that the Barker House was in danger of demolition because the City Council made no provision for preservation of the building when they granted an omnibus set of zoning variances for Herrick Hospital's expansion program. To find a better solution than wasteful demolition a group of Flatlands residents circulated a petition and collected money to file a formal request in accordance with the Landmarks Preservation Ordinance to designate the Barker House as a Berkeley Landmark.

A petition with 119 signatures (50 are required) was filed at the regular Landmarks Preservation Commission meeting on Jan. 19, 1976. The required \$50 fee was paid to the Housing Department on Jan. 20 and a city receipt was issued.

This ordinance states that once such a petition is filed no demolition permit shall be issued for that building pending public hearings and a decision by the Landmarks Preservation Commission. But one week later when Herrick Hospital requested a demolition permit on the afternoon of Jan. 27 it was granted that same afternoon by the Director of Housing.



BARKER HOUSE 1877- Jan. 29, 1976

The petitioners were not notified of this by the Department. The City-Manager and Ass't City-Manager supported this action by refusing requests to withdraw the demolition permit.

The hospital demolished the Barker House before a Court restraining order could be obtained. They moved so hastily that they failed to disconnect the gas to the building before bulldozing it down.

### Misconduct

In this whole affair the citizens acted in accordance with the law, but the city staff did not. Public officials should set a good example by obeying the law and when they do not they should be removed for misconduct.

### Invisible Injustices

The Housing Department backed by top city staff violated the letter and spirit of the Landmarks Ordinance. One must wonder what will happen to individual property owners affected by the accelerated code enforcement program. This department has great discretionary police powers and can bankrupt the people it deals with. How many invisible injustices might there be in this program that will never receive the public attention that the Barker House did? In the light of the Barker House incident can this department be counted on to act within the law and will property-owners be treated fairly?

Henry Pancoast



# COUNCIL OF NEIGHBORHOOD ASSOCIATIONS

## A CHECKLIST FOR EVALUATING A CITY MASTER PLAN \*

- I. BASIC SUBJECT MATTER OF THE PLAN- The City Master Plan should:
  - A) be comprehensive- cover all geographical areas of the city and all functional elements bearing on physical development.
  - B) long-range-plan should look beyond the immediate current issues to the perspective of 20-30 years in the future.
  - C) general- plan should summarize policies and proposals but does not indicate exact locations or detailed regulations.
  - D) focus on physical development
  - E) relate physical design proposals to community goals and social and economic policies.
  - F) first be a policy instrument and only second a technical instrument.
- II. OVERALL FORM- Plan should be COMPLETELY CONTAINED IN A SINGLE, PUBLISHED DOCUMENT, have large drawings to show general physical design, text, maps, illustrations and tables to support the text, it should be easy to read and use, free to the public, interesting and attractive. It should be self-contained, so that it will stand alone. It should not be necessary to consult other publications to get essential ideas of the plan.
- III. CONTENT AND ORGANIZATION OF MASTER PLAN.
  - A) Should have an INTRODUCTION which tells what a master plan is, why we need it and how it is to be used and implemented. Should make clear that City Council bears responsibility for the plan, that council policies are presented in the plan. Should have a rationale for the Plan.
  - B) BACKGROUND INFORMATION to provide context- should include historical growth of the community, current conditions, predictions of future trends to help the reader understand the reasons for the policies and proposals presented later. This section should be interpretive and evaluative as well as descriptive. The community's weak and strong points should be identified. Emerging problems, needs and opportunities for the future should be anticipated. Topics included should be: general history, geography, population, economy, land-use pattern, regional context.
  - C) There should be an explicit statement of COMMUNITY OBJECTIVES.
  - D) SUMMARIES- should be one written and one graphic( a general plan map).
    - 1) written summary -a concise list of the 1-15 major policies underlying the entire plan.
    - 2) map- a very general, abstract pattern.
  - E) PHYSICAL DEVELOPMENT PROPOSALS-
    - 1) plan for privately-owned land- land use plan.
    - 2) community facilities- give approx. areas where they will be needed
    - 3) circulation
    - 4) civic design
    - 5) utilities- for example- perhaps long-term plan for undergrounding utilities.
  - F) CONCLUDING MATERIAL- discussion of IMPLEMENTATION and how the plan is to be used.



Checklist for Evaluating the City Master Plan- continued.

OUTLINE OF PROCEDURES FOR PREPARING AND USING A MASTER PLAN.\*

1. Should initiate one only with City Council Approval. (We can't meet this requirement since the revision was mandated by a voter initiative. But since the Council is the only body that can give life to and implement the plan extra efforts must be made to involve them in the plan.)
2. Prepare a preliminary version of the plan by planning staff and commission.
  - a. Involve councilmembers at an early stage- do this by asking them to consider a statement of community goals, or giving some basic alternatives at a work session. (This has not been done. We created a separate MPRC and a separate MP Revision staff, did not involve Council, Planning Commission, or regular planning department staff.)
  - b. Involve citizens at an early point. (We didn't really do this either. MPRC did not hold meetings with the public during the revision process. Planning assistants did meet regularly with neighborhood associations, and reported back to MPRC with neighborhood input, but were never able to take a complete draft plan back out to the public since they were laid off just when a draft was available.)
3. Lengthy period of public debate prior to adoption- ideal time for this is six months to one year. Sometimes process may take 2 years. Formal public hearings should be scheduled toward the end of this period.
  - a. should be a full presentation of the proposed plan, wide public distribution & exposure of legislators to citizen's reactions.
  - b. Plan should be free to public, complete, self-explanatory and comprehensible to the average citizen.
  - c. Plan should be formulated to capitalize on its educational potential- It should explain what a plan is, how it should be used, how it relates to implementing legislation and detailed development studies.
4. Planning Commission presentation of preliminary draft to City Council.
  - a. make an initial, extensive presentation and slide show etc.
  - b. publish preliminary draft plan in a form to go to public that has the look of a draft and not a finished, set-in-concrete document.
  - c. Extensive debate followed by Council public hearings on plan.
5. Council adoption of plan.
6. Publication and distribution of final adopted version.
7. Annual review of the plan.
8. Major reconsideration after 5 years.
9. Amendment of the plan at any time.

\* adapted from Goodman & Freund, Principles and Practice of Urban Planning.



FUNCTIONS OF THE CITY MASTER PLAN

I. THE CITY MASTER PLAN is an official public document adopted by the City Council as a policy guide to decisions about the physical development of the city. It tells how you want your city to develop over the next twenty to twenty-five years.

- A. Relationship to other documents- The zoning ordinance, official map and subdivision regulations are specific detailed pieces of legislation intended to carry out the general proposals of the plan. Other tools to implement the plan are such things as the capital improvements program and budget, neighborhood plans, functional plans, urban renewal plans and such special purpose regulations as sign ordinances.
- B. Master Plan relationship to the Zoning Ordinance- The plan indicates only broad categories for general areas of the city whereas the zoning ordinance delineates the exact boundaries of zoning districts and outlines the exact regulations which shall apply within them. The plan has a long-range perspective while the zoning ordinance time span is only 5 to 10 years. California State Law now requires that the provisions of the zoning ordinance conform to the provisions of the Master Plan. In the event of a legal challenge where the plan and zoning ordinance have conflicting provisions the master plan shall prevail.
- C. WHY A MASTER PLAN? Typically about one-half the land of a city is in public ownership. Local government is the only body with an opportunity to coordinate the overall pattern of physical development of the community. The city needs an instrument which establishes long-range, general policies for the physical development of the city in a coordinated, unified manner, and which can be continually referred to in deciding upon the development issues which come up every week.

II. FUNCTIONS OF THE PLAN FOR ITS PRINCIPAL CLIENT: THE CITY COUNCIL.

The City Council is the principal client of the plan because it is the body that ultimately makes the decisions which either carry-out the plan or defeat it. Under this concept the plan is primarily a legislative policy document rather than a complex technical instrument.

- A. Policy determination function- The plan helps the councilmembers to focus on the city's major development problems and opportunities and to clarify their ideas on the kind of city they are trying to create by their many specific decisions. Because of the need for a "big picture" to coordinate decision-making legislators often develop tacit, unwritten policies about how the community should develop. The comprehensive plan should bring such implicit policies into the open to assure that they are determined through democratic processes and so that the City Council can be held responsible for them.
- B. Policy effectuation- the plan is a working guide so that current issues and decisions are viewed against a clear picture of what has been deemed to be the desirable future development of the community. The zoning ordinance must be revised to conform to the master plan.



FUNCTIONS OF THE CITY MASTER PLAN continued

- B. Policy effectuation- The plan must be brought to bear on the development decisions made by the City Council at each meeting. Council should evaluate current development proposals to see how these relate to the city plan. There should be mandatory referral requiring the planning commission to report on all physical development matters that come before council for action. The master plan should guide council action on two types of decisions.
1. Measures to implement the plan- zoning ordinance, subdivision regulations, official map, capital improvements program & budget, neighborhood plans, and other development plans.
  2. Other matters requiring legislative approval that should be viewed in light of the comprehensive plan- re-zoning cases, use permits, variance requests, subdivisions, street closings, site acquisitions and public works projects.
- C. Communication function- The plan gives a unified picture of the city's long-range, general policies to the other persons concerned with developing the community including, planning commission, City-Manager, city departments, private developers, civic organizations, and the general public. The plan lets public and private interests engaged in development know what they can expect from the legislative body. City departments can use it as a guide to administrative decisions and to communicate policies to people who then don't spend money on projects they won't be permitted to carry out.
- D. Advice function- Plan is a way of getting advice from the Planning Commission, PC Staff to the City-Manager and City Council in a coherent, unified form. The master plan is the major instrument by which Planning Commission and staff present their findings and recommendations to the legislative body. This document calls attention to development problems facing the community and then proposes solutions. Planning staff formulates the plan. The planners do contribute the bulk of the thought and effort which go into preparing a master plan. A group of laymen cannot do it unaided.
- E. Education function- The Plan should arouse interest in city affairs, offer people factual information on present conditions in the community and probable future trends. It should awaken them to the possibilities of the future. It should tell them something about the operations of their local government and impart some of the ideas of city planning. It should provide the context by which citizens can decide whether or not they agree with the Council's policies. It should be inspirational as well as informative. It should point out some of the realistic possibilities for improving the community and creating a more desirable physical environment. The Plan should have a positive attitude toward the prospects for improvement rather than resignation to extension of current trends. CAUTION: If the plan is hastily skimmed and quickly approved the potential educational advantages will be lost.



Special CNA MASTER PLAN ISSUE

FUNCTIONS OF THE CITY MASTER PLAN continued

III. Functions for other users:

- A. Planning Commission and Staff -The plan is the key instrument by which they present their most important recommendations especially the initial document sent to the City Council. It is a guide to preparing implementing legislation and a plan and focus for the Planning Department's own research and design activities.
- B. City-Manager and Mayor- use the plan as a basis for implementation programs.
- C. City Departments- the plan gives them a context within which to fit all of their programs.

These criteria and standards for evaluating a city master plan and the process by which it is developed extracted from a standard planning text amount to the minimum standard requirements for doing an adequate master plan. Use these standards as a yardstick for measuring the adequacy of the procedures for revising our master plan, the completeness of the plan, and the quality of the plan.

The final and most important questions you should ask of this proposed plan are; does this plan lead to the kind of future you want for Berkeley and is this plan the best we can do for Berkeley.

COUNCIL OF NEIGHBORHOOD ASSOCIATIONS





# COUNCIL OF NEIGHBORHOOD ASSOCIATIONS



## Next Meeting

DATE: Monday, February 9, 1976

TIME: 7:30 p.m. (Meeting starts promptly)

PLACE: Jefferson School Cafetorium, Rose & Acton

## Agenda

- D-SP plan  
Janice*
1. Neighborhood crime prevention (Police Chief Wesley Pomeroy)
  2. West Berkeley Industrial Park subcommittee report (Elton Davies)
  3. Pesticides policies (Henry Pancoast)
  4. Report on Barker House demolition (Henry Pancoast)
  5. Residential Rental Inspection Program (Glenn Harris)
  6. Master Plan and Zoning Ordinance (John Hart)
  7. Neighborhood Traffic Study  
(distribution of Grosse-Fink-Alpert-Higley-Bach Initiative)
  8. Board of Adjustments marathon on GTU, et. al. (Janice Linhares)
  9. Economic development committee: follow-up report (Henry Pancoast)
  10. New Business