

RCD/ECAP Affordable Housing and Community Services Project

3600 - 3620 San Pablo Avenue

Compliance with Objective Zoning Standards

The following is a table that includes all the City of Emeryville’s applicable object zoning and design standards as they apply to the project proposed at 3600 – 3620 San Pablo Avenue. This project is being presented to the City of Emeryville pursuant to Government Code Section 65913.4 (SB 35). The project will be built by EVOY, LLC, a partnership that includes Resources for Community Development (RCD) and Emeryville Citizens Assistance Program (ECAP). The project will provide 90 units of housing that is affordable consistent with GC Section 95913.4, and State Density Bonus Law Section 65915(b)(1)(G). The project is also subject to Government Code Section 65589.5, the Housing Accountability Act.

Pursuant to SB 35, the development standards that may be applied to a qualifying project are those that are objective, specifically, “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.” Gov. Code § 65913.4 (a)(5). Further, projects that comply with SB 35 and objective standards are not subject to CEQA and cannot be required to obtain a discretionary use permit. See Gov. Code § 65913.4(a)(5) (consistency with objective standards is determined after “excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915”).

The following table includes all of the objective City of Emeryville zoning and design standards that the project at 3600 – 3620 San Pablo Avenue appears subject to. It begins with a table of contents and then follows with specifics of each standards.

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Table 1: Title 9 – Zoning Regulations. Chapter 3 Zoning Districts		
Provision	Applicability	Compliance
Article 2. Uses Permitted, Conditionally Permitted, and Prohibited		
Table 9-3.202: Uses Permitted, Conditionally Permitted and Prohibited	The requirement to seek a conditional use permit does not apply pursuant to SB 35. Projects that comply with objective standards cannot be required to obtain a discretionary use permit. <i>See</i> Gov. Code § 65913.4(a); <i>see also</i> HCD's SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2).	N/A
Article 3. Base Zone Regulations		
9-3.303 Mixed Use Zones(b)(1)	Applicable objective standard.	Compliant. Housing development does not propose motor vehicle sales and services.
9-3.303 Mixed Use Zones(b)(2)	Not applicable. Project site is less than one acre.	N/A
Article 4. Overlay Zone Regulations		

Table 1: Title 9 – Zoning Regulations. Chapter 3 Zoning Districts

Provision	Applicability	Compliance
9-3.404 NR Neighborhood Retail Overlay Zone (a)(1)	Applicable objective standard.	Compliant. The development's proposed ground floor use meets the criteria listed: local serving, on the ground floor, less than 5,000 sf (4,673 sf see plan set page A.07), oriented to the main pedestrian street, no alcohol sales, no check cashing services, will have hours of operation between 7am-11pm at the most, and includes 4 publicly available bicycle parking spaces for the retail component (2 short term and 2 long term on the sidewalk in front of the retail. See plan set page A.09)
9-3.404 NR Neighborhood Retail Overlay Zone (a)(2)	N/A – compliant with 9-3.404(a)(1) Additionally, the requirement to seek a conditional use permit does not apply pursuant to SB 35. Projects that comply with objective standards cannot be required to obtain a discretionary use permit. See Gov. Code § 65913.4(a); see also HCD's SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2).	N/A

Table 1: Title 9 – Zoning Regulations. Chapter 3 Zoning Districts

Provision	Applicability	Compliance
9-3.404 NR Neighborhood Retail Overlay Zone (a)(3)	Applicable objective standard.	Compliant. Housing development does not propose 'Office, General' use on the ground floor.
9-3.404 NR Neighborhood Retail Overlay Zone (a)(4)	Applicable objective standard.	Compliant. The local servicing retail portion of the housing development will be exempt from off-street parking and loading requirements.
9-3.404 NR Neighborhood Retail Overlay Zone (a)(5)	Applicable objective standard.	See Table 8 below on design guidelines.
9-3.404 NR Neighborhood Retail Overlay Zone (b)	The requirement to seek a conditional use permit does not apply pursuant to SB 35. Projects that comply with objective standards cannot be required to obtain a discretionary use permit. <i>See</i> Gov. Code § 65913.4(a); <i>see also</i> HCD's SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2).	N/A

Table 1: Title 9 – Zoning Regulations. Chapter 3 Zoning Districts

Provision	Applicability	Compliance
9-3.406 TH Transit Hub Overlay Zone (a)(1)	Not applicable. SB35 provides that a local government cannot impose automobile parking standards on an eligible project that is within ½ mile of a public transit stop. The project meets this requirement and is therefore exempt from local parking standards. <i>See Gov. Code § 65913.4(d)(1)(A)</i>	N/A
9-3.406 TH Transit Hub Overlay Zone (a)(2)	Applicable objective standard.	See Table 8 below on design guidelines.
9-3.406 TH Transit Hub Overlay Zone (b)	Not applicable. SB35 provides that a local government cannot impose automobile parking standards on an eligible project that is within ½ mile of a public transit stop. The project meets this requirement and is therefore exempt from local parking standards. <i>See Gov. Code § 65913.4(d)(1)(A)</i>	N/A
9-3.407 PP Pedestrian Priority Overlay Zone (a)(1)	Applicable objective standard.	See Table 8 below on design guidelines.

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations		
Provision	Applicability	Compliance
Article 2. Building Intensity, Height and Residential Density		
9-4.201 Building Intensity (Floor Area Ratio)	<p>Applicable objective standard.</p> <p>The General Plan Figure 2-3 on Maximum Floor Area Ratios gives the FAR regulations for this site as a base of 1.5 and 3 with a discretionary bonus.</p>	<p>Proposed development as a FAR of 5.22 (see page A.07 of plan set) which is not compliant.</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>
9-4.202 Height and Bulk. (a) Maximum Height.	<p>Applicable objective standard.</p> <p>The General Plan Figure 2-4 on Maximum Building Heights gives the height regulations for this site as a base of 40 and 75 with a discretionary bonus.</p>	<p>Proposed development has a height of 73 ft. which is not compliant.</p> <p>State density bonus law permits 100% affordable housing projects a 3 story or 33 ft height increase bringing the allowable height of the building to 73 ft. (Gov't code section 65915(d)(2)(D))</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>
9-4.202 Height and Bulk. (c) Allowed Projections above Top of Building.	Applicable objective standard.	The building includes a parapet wall that extends to 78' ft. Per subsection (c)(1), parapet walls are excluded from the district's height limit. (See page A.16 of the plan set.)
9-4.202 (d and e)	Objective not applicable.	

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.203 Residential Density	<p>Applicable objective standard.</p> <p>The General Plan Figure 2-6 on Maximum Residential Densities gives the density standard for this site as a base of 50 dwelling units per acre (du/acre) and 100 du/acre with a discretionary bonus.</p>	<p>Proposed development includes 90 units which translates to a residential density of 240 du/acre as the site is 0.375 acres.</p> <p>State density bonus law prohibits jurisdictions from imposing any density controls with 100% affordable housing project that are within ½ mile of a transit stop (Gov't code section 65915(f)(3)(D)(ii).</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>
9-4.204 Development Bonuses.	Not Applicable. The project is pursuing a density bonus under State Government Code 65915.	N/A
Article 3. Setbacks, Courts and Open Space		
9-4.301 Setbacks (a) Minimum Setbacks	Applicable objective standard. The project is outside of the residential zone and not abutting a lot in a residential zone. Therefore, Table 9-4.301(a) establishes that there are no setbacks for this project.	Compliant.

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
<p>9-4.302 Courts (subsection a-d)</p>	<p>Mostly Applicable objective standard. The project has more than 10 residential units and so is required to have a court.</p> <p>The subsections create the following requirements:</p> <ul style="list-style-type: none"> a) Width must be equal to the height of the opposite wall (in this case the wall is approximately 50 ft high) b) Functionally same as a) c) Must extend 10' in both directions horizontally from the window. d) Provide adequate light and air. <p>Subsection d is not an objective standard because it uses the term adequate as the standard, which is not objective. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.” The standard listed under subsection d does not meet this threshold of objective standard.</p>	<p>The courtyard on the second floor roof terrace does not conform with subsection c of this standard.</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.303 Open Space (a) Open Space Requirements.	Applicable objective standard. Requirement of 40sf of private open space and 20sf of common open space per dwelling unit. With 90 units, this requires: 3,600 SF of private open space. 1,800 SF of common open space.	Not compliant. Proposed development includes 1,541 SF of common open space which is not compliant. Please see the SB35 and State Density Bonus Memorandum for more details.
9-4.303 Open Space (B) Open Space Standards.	Not Applicable. The project is requesting a concession under State Density Bonus Law for open space. Please see the SB35 and State Density Bonus Memorandum for more details.	N/A
Article 4. Parking and Loading		
9-4.402 to 9-4.407	Not applicable. SB35 provides that a local government can not impose automobile parking standards on an eligible project that is within ½ mile of a public transit stop. The project meets this requirement and is therefore exempt from local parking standards. See Gov. Code § 65913.4(d)(1)(A)	N/A
9-4.408 Bicycle Parking (b)	Applicable objective standard.	Compliant. Proposed housing development will provide bicycle parking.
9-4.408 Bicycle Parking (d)(1)	Applicable objective standard.	Compliant. See page A.22 of the plan set for details on bicycle parking design.

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.408 Bicycle Parking (d)(2)	Applicable objective standard.	The bicycle parking complies with this section as it can be accessed by elevator from the residential entrance.
9-4.408 Bicycle Parking (e)	Applicable objective standard. The project is not required to provide long-term automobile parking under Section 9-4.404 and is therefore not required to provide short term residential bicycle parking.	N/A
9-4.408 Bicycle Parking (f)	Applicable objective standard. The project is required to provide one (1) covered long-term bicycle parking space per dwelling unit. The project is therefore required to provide 90 long-term bicycle parking spaces.	Compliant. The housing development proposes to construct 91 long-term bicycle parking spaces for residential use. These spaces have been designed in accordance with 9-4.408(f)(1) as demonstrated on page A.22 of the plan set.
9-4.409 Loading (a) Number of Spaces Required.	Applicable objective standard. As a multi-unit residential building with between 50 and 149 units the development is required to provide one small loading space.	Not compliant. The project provides one small loading space on 37 th street as indicated on page A.22 of the plan set. Please see the SB35 and State Density Bonus Memorandum for more details.

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.409 Loading (b) Size of Spaces.	Applicable objective standard.	Compliant. The loading space is 10' wide and 25' in length without any height restrictions. See page A.22 of the plan set for details.
9-4.409 Loading (d) Maneuvering Areas.	Not objective standard. The standard listed under subsection d refers to 'sufficient off-street maneuvering area' which does not use any criterion that is knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	N/A
9-4.409 Loading (e) Surface and Maintenance.	Applicable objective standard.	Compliant. The loading space and driveway will be paved with compliant materials.
9-4.409 Loading (f) Location.	Objective standard. Not applicable as the project is seeking a concession for the requirement for a on-site loading space.	N/A
9-4.409 Loading (g-j).	Objective standard. Not applicable as the project is seeking a concession for the requirement for a on-site loading space.	N/A

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations		
Provision	Applicability	Compliance
Article 5. Landscaping and Screening		
9-4.502 Applicability.	Applicable objective standard.	Compliant. The development is subject to this section as it is constructing a new building
9-4.503 General Provisions		
(a) Water Use and Irrigation.	Applicable objective standard.	Compliant See section below regarding Article 6.
(b) Composition of Required Landscaping.	Not objective standard. The standard listed under subsection (b) refers to ‘some combination’ which does not use any criterion that is knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
(c) Existing Trees.	<p>Not applicable.</p> <p>This standard applies to projects requiring discretionary project approval which does not apply to SB35 applications. Projects that comply with objective standards cannot be required to obtain a discretionary use permit. <i>See Gov. Code § 65913.4(a); see also HCD’s SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2).</i></p>	N/A
(d) Required Screening Materials.	Not applicable standard. The standard listed under subsection (d) references elective use of screening materials and does not require them.	N/A
(e) Maintenance of Landscaping.	<p>Not objective standard.</p> <p>The standard listed under subsection (e) refers to ‘healthy and growing condition’, ‘good working condition’, ‘correct functions’ which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
(f) Separation from Parking and Maneuvering Areas.	Applicable objective standard.	<p>Compliant.</p> <p>Parking is provided underground and not adjacent to landscaped areas.</p>

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
(g) Screening of Open Parking and Loading Areas.	<p>Subsections (f)(1) and (f)(2) are not applicable as the project does not propose an open parking area.</p> <p>Subsection (f)(3) is not an objective standard.</p> <p>The standard listed under subsection (f) refers to ‘the extent possible’ which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
(h) Landscaping of Open Parking Areas.	Not applicable. There is no proposed open parking area.	N/A
(i) Unpaved or Undeveloped Area.	Not applicable. There are no proposed unpaved or undeveloped areas.	N/A

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.504 Landscaping Requirements by Zoning District. (b)	<p>Applicable objective standard.</p> <p>The development must provide landscaped area of at least ten percent (10%) of the project site. For this site, the total lot area is 16,328 and so the development must include 1,633 sq. ft. of landscaped area.</p>	<p>Not Compliant.</p> <p>The project provides landscaped area in the raised stormwater planters in the rear setbacks, on the second floor terrace and on the south side of the site. However, the project does not meet the 1,633 sf minimum.</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>
9-4.505 Fences and Walls.	<p>Applicable objective standard. The project site is in a mixed-use zone.</p> <p>(2) All Other Zones. Fences or walls shall not exceed eight feet (8') in height unless the Director determines that a taller fence or wall is appropriate for the use of the site. In no case shall a fence or wall be taller than the base height limit for the site as set forth in Section 9-4.202. Any fence or wall that is more than six feet (6') in height requires a building permit pursuant to Title 8 and design review pursuant to Article 4 of Chapter 7.</p>	<p>Compliant.</p> <p>The screen at the east side of the project screens the project's common open space from the neighboring residences (see page L.05 of the plan set). The screen is less than 8ft in height.</p>
9-4.506 Screening of Outdoor Storage (Principal Use) and Open Storage (Accessory Use)	Objective criteria. Not applicable as no outdoor storage.	N/A

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations		
Provision	Applicability	Compliance
9-4.507 Screening of Mechanical and Electrical Equipment.	Applicable objective standard.	Compliant. The rooftop mechanical equipment is screened by a parapet wall (see page A.16 of the plan set).
Article 6. Water Use		
9-4.601 Purpose and Applicability.	Applicable objective standard.	The development is subject to the site development regulations related to the conservation and use of water.

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.602 Water Efficient and Bay Friendly Landscaping.	<p>Applicable objective standard.</p> <p>(b) applicable.</p> <p>(c) not applicable as the project does not require design review.</p> <p>(d) The standard listed under subsection (d) refers to requirement ‘as specified by the Director’ which is not a criterion knowable prior to submittal. Not objective standard. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p> <p>(e) applicable.</p> <p>(f) applicable.</p>	<p>Compliant.</p> <p>(b) the project contains sufficient landscape area to be subject to the Water Efficient and Bay Friendly Landscaping requirements.</p> <p>(e) the project will comply with the other related requirements including Chapter 36 of Title 5, Chapter 13 of Title 6, and Section 9-4.603.</p> <p>(f) none of those exceptions apply to this development project.</p>
9-4.603 Recycled Water.		
(b) Use and Distribution of Recycled Water.	Applicable objective standard.	<p>Compliant.</p> <p>The project will follow applicable Federal, State and local laws and regulations.</p>

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations		
Provision	Applicability	Compliance
(c) Requirement for Subdivisions in Recycled Water Area.	Not applicable. No subdivision included.	N/A
(d) Requirement for Nonsubdivision Projects and Projects Outside Recycled Water Area.	Not applicable. As an SB35 project, the development is ministerial and not subject to Planning Commission or City Council approval. Projects that comply with objective standards cannot be required to obtain a discretionary use permit. <i>See</i> Gov. Code § 65913.4(a); <i>see also</i> HCD’s SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2).	N/A
(e) Agreement between Recycled Water Producer and Water Supplier.	Not applicable. The project does not include a water recycling system.	N/A
9-4.604 Water Reclaimed On Site.	Not applicable. The project does not include a system for reclaiming water on site.	N/A
Article 7. Other Site Development Regulations		
9-4.701 Minimum Lot Area and Width.	Not applicable. Site not located in RM zone.	NA

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.702 Minimum Dwelling Unit Area.	Applicable objective standard.	Compliant. Project will comply with minimum dwelling unit regulations found in the Building Code.
9-4.703 Pedestrian Access.	Applicable objective standard.	Compliant. Pedestrian access to the commercial section of this building is through the public sidewalk.
9-4.704 Recycling and Trash Areas.		
(a) Applicability.	Applicable objective standard.	The project contains more than 10 units and so is subject to these regulations.
(b) Standards.	Applicable objective standard.	Compliant. See pages T.01 to T.05 for more details.
Article 8. Bird-Safe Buildings		
9-4.802 Applicability.	Not applicable. The ordinance adopting Article 8 received it's second reading on July, 7 2020 and will not be take effect for 30 days from then. These standards are included in this section to be informative.	N/A

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
9-4.803 Bird-Safe Glazing Requirement.	Objective but not applicable.	N/A The project will seek to comply with this requirement and will provide more details when applying for the building permit.
9-4.804 Alternative Compliance.	Objective but not applicable.	N/A The project will seek to comply with this requirement and will provide more details when applying for the building permit.
9-4.805 Interior Lighting.	Objective but not applicable.	N/A The project will seek to comply with this requirement and will provide more details when applying for the building permit.
9-4.806 Site Design.	Objective but not applicable.	N/A The project will seek to comply with this requirement and will provide more details when applying for the building permit.

Table 2: Title 9 – Zoning Regulations. Chapter 4 Site Development Regulations

Provision	Applicability	Compliance
(b) Standards.	<p>Subsections (2) and (5) are objective standards.</p> <p>Subsections Not objective standard.</p> <p>The standard listed under subsection (b) refers to: (1) 'reflect estimated volumes', (3) 'at least as large' and 'at least as accessible and convenient', (4) 'appropriately sized and designed', (6) 'adequate space', and (7) 'to the extent feasible', 'easily accessible' which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."</p>	<p>Compliant.</p> <p>All streams of materials will be separately labelled and there is a separate room for bulky trash. See pages T.01 through T.05 for details.</p>
9-4.705 Lighting and Illumination.	Applicable objective standard.	<p>Compliant.</p> <p>The project will comply with all lighting regulations. These standards will be assessed at building plan check as exterior lights have not been designed in the current plan set.</p>

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations		
Provision	Applicability	Compliance
Article 4. Affordable Housing Program		
9-5.402 to 9-5.405	Not applicable. The project does not propose any ownership units.	N/A
9-5.406 to 9-5.406	Applicable objective standard.	<p>The project proposes that all of its units except for the manager's unit be deed-restricted affordable housing units. The project therefor meets its affordable housing impact fee requirement through the on-site affordable units.</p> <p>All except of the units except for the manager's unit will be affordable to households earning less than 80% of area median income (AMI) and at least half of the affordable units will be affordable to households earning less than 50% AMI. More than 4% of the units will be dedicated for household earning less than 50% of AMI. The project will exceed the respective mandates of 12% and 4%.</p>
Article 5. Density Bonus for Affordable Housing		
9-5.502 Applicability.	Applicable objective standard.	<p>Compliant.</p> <p>The development contains more than five units.</p>

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations

Provision	Applicability	Compliance
9-5.503 Projects Eligible for Density Bonus	Applicable objective standard.	Compliant. The development contains 89 units of housing deed-restricted to households earning less than 60% AMI. Please see the SB35 and State Density Bonus Memorandum for more details.
9-5.504 Application Requirements.	Applicable objective standard.	Compliant. Please see the SB35 and State Density Bonus Memorandum for more details.
9-5.505 Amount of Density Bonus.	Objective criteria. Not applicable as the project is applying for a density bonus under the State Density Bonus Law.	N/A
9-5.506 Concessions and Incentives.	Objective criteria. Not applicable as the project is applying for a density bonus under the State Density Bonus Law.	N/A
9-5.507 Waiver or Reduction of Development Standards.	Applicable objective standard.	Compliant. Please see the SB35 and State Density Bonus Memorandum for more details.

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations

Provision	Applicability	Compliance
9-5.508 Vehicular Parking Ratio.	Not applicable. SB35 provides that a local government can not impose automobile parking standards on an eligible project that is within ½ mile of a public transit stop. The project meets this requirement and is therefore exempt from local parking standards. See Gov. Code § 65913.4(d)(1)(A)	N/A
9-5.509 Requirements for Participation.	Applicable objective standard.	Compliant. Please see the SB35 and State Density Bonus Memorandum for more details.
Article 11. Performance Standards		
9-5.1102 Applicability.	Applicable objective standard. A new use is proposed.	Compliant. The development is subject to standards in Article 11 as it is a new use.
9-5.1103 Proof of Compliance.	Not objective standard. The standard listed under this section refers to requirement that the “Director may require” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations

Provision	Applicability	Compliance
9-5.1105 Air Quality: Noxious Materials.	Applicable objective standard.	Compliant. The project will comply with requirements of the Bay Area Air Quality Management District.
9-5.1106 Air Quality: Noncontaminated Emissions.	Applicable objective standard.	Compliant. The project will ensure that it meets all relevant requirements for noncontaminated emissions.
9-5.1107 Light and Glare.	Not objective standard. The standard listed under this section refers to “glare” which, unlike lumens or foot-candles, is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A
9-5.1108 Liquid or Solid Waste	Applicable objective standard.	Compliant. The project will follow all state laws concerning waste disposal.

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations		
Provision	Applicability	Compliance
9-5.1109 Noise. (a-c)	Applicable objective standard.	Compliant. The project will comply with Emeryville’s performance standards for noise.
9-5.1110 Odor.	Not objective standard. There are no metrics or verifiable standards that define ‘odor’. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A
9-5.1111 Vibration.	Not objective standard. The standard listed under this section refers to “ground vibration that is perceptible without instruments at the property line” which is not a criterion knowable prior to submittal. The standard listed under this section refers to “offensive odors which are perceptible to the average person” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations		
Provision	Applicability	Compliance
Article 12. Preservation of Structures		
9-5.1201 through 9-5.1212	Not applicable. There are no structures on site that meet the criteria for significant.	N/A
Article 16. Signs		
9-5.1602 Applicability.	Not applicable. There are no signs currently proposed. Project will return for applicable permits in future if signage is contemplated.	N/A
Article 19. Development Impact Fees		
9-5.1905 Obligation to Pay Fees.	Applicable objective standard.	Compliant. The project will pay all development fees required by the implementing resolutions.
9-5.1906 Timing of Payment.	Applicable objective standard.	Complaint. The project will submit payments on time.
9-5.1907 Amount of Payment.	Applicable objective standard.	Compliant.
Article 20. Multi-Unit Residential Developments		

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations

Provision	Applicability	Compliance
9-5.2002 Applicability.	Applicable objective standard.	Compliant. The provisions of Article 20 apply to this project.
9-5.2003 Unit Mix.	Applicable objective standard.	Proposed development is not compliant with the required unit mix. See Page A.07 of the plan set for details on the proposed unit mix. Please see the SB35 and State Density Bonus Memorandum for more details.
9-5.2004 Design (a)	Applicable objective standard.	See Table 8 below on design guidelines.
9-5.2004 Design (b)	Applicable objective standard.	See Table 8 below on design guidelines.
9-5.2006 Affordable Housing.	Applicable objective standard.	Compliant. The project is seeking a development bonus under State Density Bonus Law and is therefore exempt from the affordable housing impact fee requirements of Section 9-4.206.

Table 3: Title 9 – Zoning Regulations. Chapter 5 Citywide Use and Development Regulations

Provision	Applicability	Compliance
9-5.2008 Transportation Demand Management.	<p>Not applicable.</p> <p>The project is not required to submit a TDM as the TDM is only a requirement for approval by Planning Commission or City Council. The requirement to seek a conditional use permit does not apply pursuant to SB 35. Projects that comply with objective standards cannot be required to obtain a discretionary use permit. See Gov. Code § 65913.4(a); <i>see also</i> HCD's SB 35 Streamlined Ministerial Approval Draft Guidelines (9/28/18), § 300(b)(2). As that is a discretionary approval, it is not required under an SB35 project.</p>	N/A

Table 5: Title 5 Public Welfare

Provision	Applicability	Compliance
Chapter 13 Noise		
5-13.03 Prohibited Noises – General Standard.	Not objective standard.	N/A

Table 5: Title 5 Public Welfare		
	The standard listed under this section refers to “physically annoying”, “unnecessary and unreasonable discomfort”, and “detrimentally or adversely affect” which are not a criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
5-13.04 Prohibited Acts. (a)	Not applicable. None of the listed uses are adjacent to the proposed site.	N/A
5-13.04 Prohibited Acts. (b)	Not objective standard. The standard listed under this section refers to “cause discomfort to any reasonable person” which are not a criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	Not applicable to development permit. The operation of residential loading and commercial use will comply with these noise performance standards during its operation.
5-13.05 Construction Noise. (a-g)	Applicable objective standard.	Compliant. The development will comply with the listed construction noise regulations during the construction phase of the project.

Table 5: Title 5 Public Welfare		
Chapter 14 OBSTRUCTIONS TO STREETS AND SIDEWALKS		
5-14.02 Construction Materials and Appliances: Permits Required.	Applicable objective standard.	Compliant. The development will comply with the listed construction regulations during the construction phase of the project.

Table 6: Title 6 Sanitation and Health		
Provision	Applicability	Compliance
Chapter 13 STORMWATER TREATMENT DESIGN, MANAGEMENT, AND DISCHARGE CONTROL PROGRAM		
6-13.301. Site Design and Source Control Measures.	Not objective standard. The standard listed under this section refers to “maximizes...minimizes” without reference to a standard and “as specified by the City Engineer” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A

Table 6: Title 6 Sanitation and Health		
6-13.302. Stormwater Management During Construction	<p>Not applicable standard.</p> <p>This requirement will be regulated by the building permit and is not applicable as a zoning standard.</p>	The project will comply with all construction stormwater requirements during construction.
6-13.303. Permanent Stormwater Treatment Measures.	Applicable objective standard.	See page C.04 of the plan set for details on compliance with stormwater requirements.
6-13.304. Design of Permanent Stormwater Treatment Measures.	Applicable objective standard.	See pages C.04 of the plan set for details on compliance with stormwater requirements.
6-13.305. Operation and Maintenance of Permanent Stormwater Treatment Measures.	<p>Not applicable standard.</p> <p>This requirement will be regulated by the building permit and is not applicable as a zoning standard.</p>	The project will comply with all stormwater operations and maintenance requirements as codified the operations and maintenance agreement.

Table 7: Emeryville General Plan		
Provision	Applicability	Compliance
Land Use Element		
Along San Pablo Avenue neighborhood oriented retail establishments—that may serve a regional clientele as well—with housing above will be promoted. Development adjacent to residential	Not objective standard.	N/A

Table 7: Emeryville General Plan		
uses in the Triangle neighborhood shall be in keeping with the scale and character of the residential uses.	The standard listed under this section refers to “keeping with the scale and character of the residential uses” which is not criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
LU-P-25 If new residential buildings are proposed adjacent to freeways and railroad tracks impacts of these corridors, including noise, vibration, and air pollution, should be considered during site planning. Noise, vibration, and air pollution shall be mitigated to the extent possible.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “mitigated to the extent possible” which is not criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
Transportation Element		
T-P-59 Development will be required to “unbundle” parking spaces from lease payments and condominium purchases, so that property lessees and buyers can choose whether to pay for parking spaces.	Applicable objective standard.	<p>Compliant.</p> <p>All parking will be unbundled.</p>
T-P-65 Employers in large new developments will be required to implement	Not applicable. Any regulations pertaining to future employers are not applicable to the entitlement of the building.	N/A.

Table 7: Emeryville General Plan		
comprehensive TDM programs for their employees and customers.		
Urban Design Element		
UD-P-19 Infill development shall provide activation at the lot frontage and minimize visible off-street parking.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “activation” and “minimize” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
UD-P-25 Pedestrian Priority Zones shall be linked to adjacent land uses to ensure that building frontages respect pedestrians and truck loading takes place on adjacent streets wherever possible.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “respect pedestrians” is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
UD-P-33 Bulky and monolithic buildings shall be prevented through: • Vertical articulation, such as step backs at higher floors, and less floor area as heights increase to reduce the apparent bulk of	Not objective standard.	N/A

Table 7: Emeryville General Plan

buildings. • Horizontal articulation, such as varied setbacks, recessions/projections, change in materials, and building transparency, especially in Pedestrian Priority Zones.	The standard listed under this section refers to “bulky and monolithic buildings” are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
UD-P-37 Development of a finer-grain scale and texture shall be promoted citywide and required in portions of the North Hollis, Park Avenue, and San Pablo Avenue districts, and around neighborhood centers.	Not objective standard. The standard listed under this section refers to “finer-grain scale and texture” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A
UD-P-47 Streetscape landscaping shall follow Bay-Friendly Landscaping guidelines and serve the dual purpose of treating stormwater runoff and providing shade and beauty to the urban realm.	Applicable objective standard	Please see pages L.01-L.05 of the plan set for more details on the landscaping architecture and it’s adherence to the Bay-Friendly Landscaping guidelines.
UD-P-51 Impediments to sidewalk safety and movement shall be removed, and utilities and transformers undergrounded where possible. Large new developments shall be required to	Applicable objective standard.	Compliant. The project will bring the transformer from 37 th street into

Table 7: Emeryville General Plan

underground any adjacent existing overhead utility lines.		the building. Please see page A.10 of the plan set for details.
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Table 8: Emeryville Design Guidelines

Provision	Applicability	Compliance
A. Sidewalks and Landscaping		
A-2 Maintain an unobstructed pedestrian pathway of a minimum of six feet in the Eastern Residential Neighborhoods (Triangle and Doyle Street neighborhoods) and 7.5 feet on all other streets in the city. For sites within a Regional Retail Overlay, Neighborhood Center/Neighborhood Retail Overlay, Greenway, Green Street, Pedestrian Priority Zone, or Eastern Residential Neighborhood area, additional sidewalk corridor guidelines are provided in Section I: Area Specific Guidelines	<p>Applicable objective standard.</p> <p>The project site is outside the Eastern Residential Neighborhoods and so is required to maintain 7.5 ft of unobstructed pedestrian pathway.</p>	<p>Not compliant.</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>
A-3 Maintain a landscaping area of a minimum of three feet in the Eastern Residential Neighborhood and four feet on all other streets in the city.	<p>Applicable objective standard.</p> <p>The project site is outside the Eastern Residential Neighborhoods and so is required to maintain 4 ft of landscaping area.</p>	<p>Not compliant.</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>

Table 8: Emeryville Design Guidelines		
A-14 Follow the City's Stormwater Guidelines for Green, Dense Redevelopment, which includes measures such as bioretention basins, biofiltration swales, cisterns integrated into the architecture, and/or green roofs, to meet stormwater treatment thresholds.	<p>Not applicable standard.</p> <p>Adherence to City's Stormwater Guidelines for Green, Dense Redevelopment shall be presented during building permit plan check.</p>	N/A
A-15 Follow Bay-Friendly Landscaping guidelines. These guidelines represent a whole systems approach to the design, construction, and maintenance of the landscape in order to support the integrity of the San Francisco Bay watershed. Key components include: · Reducing waste and using materials that contain recycled content. · Nurturing healthy soils with mulch and compost while reducing fertilizer use. · Conserving water, energy, and topsoil. · Using Integrated Pest Management to minimize chemical use and prevent pollution. · Reducing stormwater runoff. · Creating wildlife habitat.	<p>Not applicable standard.</p> <p>Adherence to City's Stormwater Guidelines for Green, Dense Redevelopment shall be presented during building permit plan check.</p>	N/A
B. Parking and Access		
B-1 Design parking below grade or encapsulated within buildings to reduce the visual impact. Prioritize active uses on the ground level.	Applicable objective standard.	<p>Compliant.</p> <p>The parking area is located within the building.</p>

Table 8: Emeryville Design Guidelines		
B-2 Limit the number of curb cuts and driveway entrances to reduce conflicts with pedestrians. Locate the entrance on a side street where feasible. If a driveway entrance is located on the primary street frontage, minimize the length of the curb cut and explore sharing driveways and/or loading areas with adjacent property owners.	Not objective standard. Limiting the number of curb cuts is not an objective standard. The standard listed under this section refers to "reduce conflicts with pedestrians" which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	Compliant. The driveway entrance is located on the quieter side street, 37 th street, to reduce conflicts with pedestrians.
B-5 Design structured parking as an integral part of the project it serves, consistent in style and materials with the rest of the project	Not applicable standard. Project does not use structured parking.	N/A
B-6 In residential projects, cluster parking spaces on site to encourage interaction among occupants	Not objective standard. The standard listed under this section refers to "encourage interaction" which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	N/A
B-7 Orient pedestrian entries to be visually open and free of visual obstruction to ensure safety and minimize conflicts between pedestrians, bicycles, and vehicles. Entries may be located on the	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

primary street frontage or on a side street (as long as there is sidewalk access and signage) near the intersection with the primary street.	The standard listed under this section refers to "visually open" and "free of visual obstruction" which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	
B-8 Ensure adequate lighting along garage façades to improve visibility and pedestrian safety, but shield the street from interior garage lighting. Consider motion-sensing lights and lights with timers to reduce unnecessary energy consumption, while maintaining safety and security.	<p>Not objective standard.</p> <p>The standard listed under this section refers to "adequate lighting" which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."</p>	N/A
C. Site Planning		
C-2 Site buildings and locate plazas, building entrances, seating, and visually interesting architectural features to encourage interaction among occupants and passersby.	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standard listed under this section refers to "encourage interaction among occupants and passerby" which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	
C-3 Incorporate climate appropriate design strategies to protect building entrances and open spaces from wind and to allow for passive solar access. Roofs should be oriented and designed to allow for active or passive solar gain.	<p>Not objective standard.</p> <p>The standard listed under this section refers to "protect building entrances and open space form wind" and "allow for passive solar access" which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."</p>	N/A
C-5 Screen refuse bins and other waste containers by placing them indoors, locating them away from the street, and/or shielding them with fencing and/or landscaping. Prevent contamination of waste in stormwater runoff by maintaining covered bins and	Applicable objective standard.	<p>Compliant.</p> <p>The project located all waste containers indoors in dedicated trash/recycling rooms. See pages T.01-T.05 of the plan set for details.</p>

Table 8: Emeryville Design Guidelines		
preventing empty bins from tipping during storms or due to wind.		
C-9 Design the street wall façade to create visual interest and diversity, and to reinforce the pedestrian scale and character of the street.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “create visual interest” and “reinforce the pedestrian scale and character of the street” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
D. Building Massing		
D-1 In areas where building heights transition, step back upper levels of buildings to transition to adjacent lower building heights.	<p>Not objective standard by itself. References objective standard in found in the zoning code and referenced earlier in this document in Title 9 tables.</p> <p>The standard listed under this section refers to “transition to adjacent lower building heights” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A

Table 8: Emeryville Design Guidelines		
D-3 Create buildings openings that permit midblock pedestrian connections, thereby breaking up “super blocks” and expanding the pedestrian network.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “permit midblock pedestrian connections” and “breaking up “super blocks” which are not criteria knowable prior to submittal as there are no guidelines about the placement, size, location or type of connection that is required. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
D-6 Incorporate a distinguishable base, middle, and top for all buildings of five stories or more:	Applicable objective standard.	<p>Compliant.</p> <p>See pages A.02-A.06 for details on how the ground floor retail, residential floors, and parapet wall on the roof contribute to a base, middle, top aesthetic.</p>
E. Building Form and Articulation		
E-1 through E-4	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standards listed under this section refer to "diversity, creativity, and innovation", "neighborhood and district identify", "historical industrial-warehouse character", "appropriate design" which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	
E-5 Incorporate green roofs into building design to manage stormwater runoff and reduce energy consumption through insulation.	<p>Not objective standard.</p> <p>The standard listed under this section refer to "green roofs" which is not a criterion knowable prior to submittal as there is no common definition in either state planning or building code or in Emeryville's regulatory documents. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."</p>	Although not an objective standard. The project does conform as it includes a roof deck with landscaping.
E-6 Articulate building mass and surfaces with three-dimensional elements that create a visual play of light and shadow:	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standard listed under this section refer to “a visual play of light and shadow” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
E-7 Provide operable windows that allow natural ventilation and potentially eliminate the need for mechanical ventilation. If mechanical systems are necessary, use energy-efficient and low emission heating, ventilation and air conditioning (HVAC) systems.	Applicable objective standard.	Compliant. All rooms will have operable windows and will have mechanical ventilation that use energy efficient systems.
E- 8 to E-11	Not objective standard. The standards listed under this section refer to “visual variety and depth”, “unified and harmonious”, “highlight architecture features”, and “engage pedestrian interest and maximum interior light and exterior safety” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A

Table 8: Emeryville Design Guidelines		
E-13 Create building entries with entry plazas, vertical massing, and architectural elements, such as awnings, or porticos. Design entries so that they are clearly defined and distinguishable as seen from the street.	Applicable objective standard.	Compliant. The ground floor retail entry and residential entrance both include visually distinct entryways.
E-14 Orient the primary building entrance (defined as the entrance which provides the most direct access to a building's lobby and is unlocked during business hours) to face a public street. Secondary building entrances are encouraged to access side streets, parks, or plazas.	First sentence is an applicable objective standard. Second sentence is not an applicable standard due to the word 'should' instead of shall.	Compliant. The project is oriented towards the main public street with both the residential and commercial entrances at grade on San Pablo Ave.
F. Architecture and Building Materials		
F-3 Use window design and proportions to add architectural interest to the building. Window designs should help differentiate the various components of the building (e.g. ground floor lobbies, stair towers, corners, office suites, or residential units). Window frames, sills, and/ or recesses should be used to add visual interest.	Not objective standard. The criteria listed under this section refer to "architectural interest" which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those "that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal."	N/A
F-4 Install water saving appliances and systems such as gray water systems, moisture-sensitive irrigation rainwater	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

cisterns, low-flow toilets and faucets. Any exterior systems should be integrated into building design.	The standard listed under this section refer to “water saving” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
F-5 Install timed or motion sensor light fixtures that turn off or dim during daylight hours in interior hallways, foyers, and other spaces that are constantly used.	Applicable objective standard. The project will comply with this requirement and can be assessed at building plan check as the lighting plan has not been developed.	N/A
F-6 Incorporate rain gutters and other drainage devices into the structure and design of the building.	Applicable objective standard. This standard will be addressed at building permit plan check.	N/A
F-7 Use durable materials for fences, such as wood or cast-iron. Chain-link fencing, or razor wire that is visible from the street, is strongly discouraged	Not applicable standard. Standard is ‘strongly discouraged’ not required.	N/A
F-9 Design exterior building lighting as an integral part of the façade: <ul style="list-style-type: none"> Design exposed standards and fixtures to be harmonious with the building design, and complement lighting in the public right-of-way 	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines		
<ul style="list-style-type: none"> • Provide lighting at all entryways, alcoves or other features of the building to ensure visual surveillance of the building and its public areas and foster a sense of safety. • Provide display window lighting in store - fronts and lighting under the awning, as security measures. • Use lighting to highlight architectural detailing and/or unique features. • Prevent light spillover into windows. • Discourage up lighting; require dark-sky compliant fixtures. • Provide no more lighting than is necessary to create a sense of security and ease of use. 	<p>The standard listed under this section refer to “integral”, “harmonious”, “visual surveillance”, “sense of safety”, “highlight architectural detailing”, “light spillover”, “sense of security and ease of use” which are not criteria knowable prior to submittal as there are no standards, metrics or verifiable quantities associated with them. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	
F-10 to 15	<p>Not objective standard.</p> <p>The standards listed under this section refer to “high-quality, durable”, “sustainable building materials”, “texture, color, and visual interest”, “building identity”, “insulate and cool interiors”, “lightly tinted and non-reflective” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A

Table 8: Emeryville Design Guidelines

G. Open Space

G-1 and G-2	<p>Not objective standard.</p> <p>The standards listed under this section refer to “quality of life” and “privacy and safety with air and sunlight access” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
G-4 through G-6	Not applicable. The project does not propose balconies, a public street facing open space, or private open space.	N/A
G-7 Provide common open space for the sole use of the project’s residents or tenants, and design with consideration for families with children.	<p>The first part of the phrase requiring common open space exclusively for use of residents is an applicable objective standard.</p> <p>The second portion about design is not an applicable objective standard. The standards listed under this section refer to “consideration for families with children” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	<p>Compliant.</p> <p>The common space on the second floor courtyard is for the exclusive use of residents and is only accessibly through the residential lobby.</p>

Table 8: Emeryville Design Guidelines		
G-8 and G-9	<p>Not objective standard.</p> <p>The standards listed under this section refer to “integrated”, “sustainable building materials”, “texture, color, and visual interest”, “building identity”, “insulate and cool interiors”, “lightly tinted and non-reflective” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
G – 11 to 13	<p>Not objective standard.</p> <p>The standards listed under these sections refer to “at least some of the day”, “safety and security”, “accessible” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
G-14 Install roof terraces as an efficient way to use the site and to maximize sunlight access. Green roofs can fulfill common open space requirements, as long as they are usable and accessible to all units.	Applicable objective standard table.	<p>Compliant.</p> <p>The project provides a second story roof terrace which has full access to sunlight.</p>

Table 8: Emeryville Design Guidelines		
G-15 to G-17	<p>Not objective standard.</p> <p>The standards listed under these sections refer to “convenient use”, “enhance outdoor environment”, and “gathering, conversing and supervising” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
G-18 to G-26	Not applicable as the project does not propose any publicly accessible open space.	N/A
H. Signs		
H-1 to H-4	<p>Not applicable.</p> <p>The project will return for additional permits for exterior signage if necessary.</p>	
I. Area Specific Guidelines		
I-1 through I-4	Not applicable. Project site is not in a regional retail overlay.	N/A
I-5 through I-7	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standards listed under these sections refer to “foster street vibrancy”, “enhance quality of life”, “the pedestrian oriented nature”, and “the scale of the neighborhood” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
I-8	Applicable objective standard.	Not-Compliant. Please see the SB35 and State Density Bonus Memorandum for more details.
I-10 through I-14	Not applicable. Project site is not in an eastern neighborhood.	N/A
I-15 Design Pedestrian Priority Zones to provide focus to the neighborhoods, and promote them as activity areas. These zones are characterized by:	Not objective standard. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.” The standards listed under these sections refer to “focus to the neighborhoods” is not a criterion knowable prior to submittal.	N/A

Table 8: Emeryville Design Guidelines		
	The project will be in compliance with the first sub-bullet referencing minimum sidewalk width as referenced by Figure 3-4.	
I-19 through I-28	Not applicable. The project is not in a greenway zone.	N/A
I-29 through I-31	<p>Not objective standard.</p> <p>The standards listed under these sections refer to “convenient access to transit”, “visibly accessible to transit users”, and “more building area” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
I-32	<p>Not objective standard.</p> <p>The standard listed under this section refers to “land use compatibility” which is not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
I-33 In general, buildings directly adjacent to a freeway or railway should not contain residential uses. Where such buildings do contain residential uses:	The second sub-bullet is not a required standard as it requires the project to ‘consider’ instead of directing the project through ‘shall’ or ‘must’.	N/A

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<ul style="list-style-type: none"> • Set back buildings from the freeway and buffer with landscaping, open space, and/or off-street parking to provide a visual barrier to the freeway or railway. • Consider screening from the freeway in the selection and location of planting materials. • Locate residential units higher than the freeway to avoid obstructed views and air pollutants. • Offer appropriate level of sound/vibration insulation in windows and walls. Facades should be constructed with substantial weight and insulation. Construct exterior walls with soundboard underlayer or resilient layer. • Use double doors and/or solid core doors with perimeter weather stripping and threshold seals. • Limit glass in windows facing the noise source to reduce impacts. Windows should include screens to reduce dust and particulate from entering open windows. • Mechanically ventilate units that directly face the freeway or provide comfortable temperatures and noise attenuation through some other 	<p>The third through fifth bullet points are applicable building code standards. As such, they will be addressed at building permit plan check.</p> <p>The first, fourth, sixth, and seventh sub-bullets are not objective standards. The standards listed under the referenced sub-bullets refer respectively to “a visual barrier”, “appropriate level... substantial weight”, “reduce impacts”, and “comfortable temperatures and noise attenuation” which are not criteria knowable prior to submittal as they lack metrics, quantities or defined attributes. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	
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Table 8: Emeryville Design Guidelines		
means, so that residents can leave windows closed, maintain adequate heating and cooling, and ensure good air quality.		
J. Building and Use Types		
J-1 and J-2	<p>Not objective standard.</p> <p>Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.” The standards listed under this section refer to “active uses” and ‘compatibility and mutual benefit” which are not criteria knowable prior to submittal.</p>	N/A
J-5 Articulate building façades with a combination of windows, entries and bays. Opaque roll-down doors that cover storefronts are strongly discouraged (also see I-8).	Applicable objective standard.	<p>Compliant.</p> <p>The building façade is fully articulated with multiple windows, cut-outs, and entryways creating visual interest for pedestrians.</p>
J-7 Protect store entrances from wind through site planning, screening, and entrance design.	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standard listed under this section refers to “wind” which is not a criterion knowable prior to submittal as it lacks any measurable benchmark. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
J-21 through J-23	Not objective standard. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.” The standards listed under these sections refer to “support”, “attractive spaces, as well as privacy”, and “visual privacy” which are not criteria knowable prior to submittal.	N/A
J-24 Place the mailboxes on the path to units from the main pedestrian entrance.	Applicable objective standard.	Compliant. Mailboxes are located in the residential lobby.
J-25 Arrange parking, pedestrian circulation, and building entrances so that residents and visitors are encouraged to access residential units from a street or greenway.	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standard listed under this section refers to “are encouraged” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
J-26 and first bullet of J-27	<p>Not objective standard.</p> <p>The standards listed under these sections refer to “ensure safety and security”, “identify and street safety”, “active uses” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
J-27 (second bullet) · Design ground floor units to include windows that face onto the street. At the same time, ensure the privacy of residents by considering the interior floor height, window height and other design factors. Maximize views of the street from the interiors of units while minimizing views into units from the street.	First sentence is an objective standard but is not applicable as there are no ground floor units.	N/A

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	The following sentences are not applicable objective standards. The standard listed under this section refers to “maximize” and “minimize” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
J-28 In projects with 30 or more units, provide a community multipurpose room with at least 500 square feet of space, internet access, kitchen facilities and a rest room, for parties, meetings, homework clubs, computer access, art, or other resident activities	Applicable objective standard.	Compliant. Please see page A.12 of the plan set which shows both a residential lounge and amenity space which total 1005 sf and 363 sf respectively.
J-29 and J-30	Not objective standard. The standards listed under these sections refer to “define entries”, “break up”, and “efficient access” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A
J-31 Maximize ventilation and sunlight by providing multiple exposures and	The second sentence is an Applicable objective standard.	Compliant.

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shallow unit depths as much as possible. Place living areas along exterior walls and place bath and storage areas along interior walls	The first sentence is not an applicable objective standard. The standard listed under this section refers to “maximize ventilation and sunlight” and “as much as possible” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	Please see page A.15 of the plan set which shows compliance with this standard
J-32 through J-36	Not objective standard. The standards listed under these sections refer to “large areas of glazing”, “shading”, “sense of privacy”, “visual interest”, “quality of life”, “comfortable and attractive”, and “transition spaces” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A
J-37 Kitchens should be well ventilated with windows providing cross ventilation or a quiet, powerful fan venting to the outside.	Not objective standard.	N/A

Table 8: Emeryville Design Guidelines

	The standards listed under these sections refer to “well ventilated” and “quiet, powerful” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
J-38 In units with two or more bedrooms, include an entry coat closet, a pantry, and a linen closet or cabinet.	Applicable objective standard.	Compliant. Please see page A.15 of the plan set which shows compliance with this standard
J-40 Show furniture in unit plans submitted for planning approvals	Applicable objective standard.	Compliant. Please see page A.15 of the plan set which shows compliance with this standard
J-41 Provide units with two, three or more bedrooms.	Applicable objective standard.	Compliant. Please see page A.15 of the plan set which shows compliance with this standard with a variety of two and three bedroom units.
J-42 In high density housing, include a variety of unit types. Multi-story units can be included in a larger building with single-story units for greater diversity.	Applicable objective standard.	Compliant. The project provides a unit mix of 30% studios, 47% one

Table 8: Emeryville Design Guidelines		
		bedroom units, 18% two-bedroom units, and 6% three-bedroom units.
J-43 through J-46	<p>Not objective standard.</p> <p>The standards listed under these sections refer to “relate well”, “as possible”, “ample... safe and visible”, and “want to gather” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
J-48 Designate parking for family-friendly units near hallways and elevators. If parking lifts are used for family units, they should not require backing one car out to get to another car.	<p>The first sentence is an Applicable objective standard.</p> <p>The second is not an applicable standard as it relies on ‘should’ and not ‘shall’.</p>	<p>Compliant.</p> <p>Please see page A.10 of the plan set which shows compliance with this standard.</p>
J-49 Provide more bicycle parking than the code requires, with space for longer family bicycles and trailers.	Applicable objective standard.	<p>Compliant.</p> <p>Please see page A.08 of the plan set which shows space for 91 residential bicycle parking spaces which exceed the requirement of 90 bike parking spaces.</p>

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J-50 Provide ample in-unit or common laundry areas. Common laundry areas should have convenient access, and be located on each floor, or near common gathering space. In unit laundry facilities are preferred in units with three or more bedrooms.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “ample” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
J-52 Provide indoor space near the entry for tricycles, strollers, outdoor toys, etc., where parked items will not obstruct circulation.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “not obstruct circulation” and “indoor space” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
J-53 Provide only one master suite. Other bedrooms should have access to a common bathroom. In three-bedroom units provide at least two full bathrooms.	<p>The first and third sentences are applicable objective standards.</p> <p>The second sentence is not an applicable objective standard as it uses ‘should’ instead of directing with ‘shall’ or an imperative verb.</p>	<p>Compliant.</p> <p>Please see page A.15 of the plan set which shows compliance with this standard.</p>

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J-54 Separate sleeping areas from living areas. In two-level units, place bedrooms on a separate floor from living areas, except where a den or study on the living area floor could also function as a bedroom.	<p>Not objective standard.</p> <p>The standard listed under this section refers to “Separate” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”</p>	N/A
J-55 Provide each bedroom with access to a full bathroom without going through the living room, dining room or kitchen. Provide a bathtub in the unit. In multi-level units, provide at least a half bath on the floor with the living room, dining room and kitchen.	Applicable objective standard.	<p>Compliant.</p> <p>Please see the SB35 and State Density Bonus Memorandum for more details.</p>
J-56 The dining area should have enough room for a family-sized dining table with all household members seated around it, plus circulation. The living area should also have enough room for seating for all household members plus other furniture and circulation.	Not an applicable standard. The recommendation relies on ‘should’ instead of a standard which uses ‘shall’.	N/A
J-57 through J-59	Not objective standard.	N/A

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	The standards listed under these sections refer to “allow for supervision”, “well lighted and wide enough”, and “can change use” which are not criteria knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	
J-60 For units with other units below, provide soundproofing between ceilings and floors with an Impact Insulation Classification that is above the Building Code requirement, except under kitchens and bathrooms.	Applicable objective standard. Compliance with this standard will be reviewed at building plan check.	Compliant.
J-61 Design units with infant and toddler safety in mind (e.g. stairs that easily accept toddler gates, no glass room dividers, and ability to add child safety devices or window locks to prevent toddlers from climbing out of windows).	Not objective standard. The standard listed under this section refers to “infant and toddler safety” which is not a criterion knowable prior to submittal. Under SB 35, the only applicable standards are those “that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”	N/A

Table 9: San Pablo Avenue Urban Design Plan		
Provision	Applicability	Compliance
Design Guidelines Implementation		
Flexibility	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
HEIGHT	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
RELATIONSHIP TO STREETS	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
FRONTAGES	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
<p>OPEN SPACES</p> <p>Plazas and courtyards require strong edges, not only to protect users from wind and other elements, but also to demarcate the space itself. The most successful open spaces are those defined by facades, walls, arcades, and/or landscaping.</p> <p>Buildings should be located on the perimeter of the site, and configured to enclose and define the open spaces used by tenants and the public (figure 9). Public open spaces should be visible and accessible from a public street.</p>	<p>The first paragraph is an applicable objective standard.</p> <p>The second paragraph is not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.</p>	<p>The courtyard is located in the interior of the building protected by the strong edges of the corners of the "u shaped" design.</p>
PARKING AND SERVICE	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
FACADES	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A

Table 9: San Pablo Avenue Urban Design Plan		
MATERIALS	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
EQUIPMENT	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
LIGHTING	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
RETAIL FRONTAGES, DISPLAY WINDOWS, AWNINGS AND CANOPIES	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
SIGNS	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A
LANDSCAPING	Not a required standard. Guideline stipulates 'should' instead of 'shall' or 'must'.	N/A