

# **RELIGIOUS TENETS AND LOW-INCOME TENANTS:**

LESSONS LEARNED FROM JORDAN COURT,  
AN AFFORDABLE HOUSING DEVELOPMENT ON LAND OWNED BY  
ALL SOULS EPISCOPAL PARISH IN BERKELEY, CALIFORNIA

JESSICA FINKEL

PROFESSIONAL REPORT

Submitted in partial satisfaction of the requirements for the degree

of

MASTER OF CITY PLANNING

in the

Department of City and Regional Planning

of the

UNIVERSITY OF CALIFORNIA, BERKELEY

APPROVED

Zachary Lamb

Ben Metcalf

Date: Summer 2022



Source: Author

## **RELIGIOUS TENETS AND LOW-INCOME TENANTS**

LESSONS LEARNED FROM JORDAN COURT,  
AN AFFORDABLE HOUSING DEVELOPMENT ON LAND OWNED BY  
ALL SOULS EPISCOPAL PARISH IN BERKELEY, CALIFORNIA

Jessica Finkel  
August 2022

# Executive Summary

Faith-based organizations (FBOs) have been involved in providing affordable housing for centuries, but their role has evolved over time. In the past, relatively few FBOs took on roles as affordable housing developers and operators. But since the early 2010s, amid an intensifying housing affordability crisis and a decline in membership, the number of FBOs interested in pursuing housing development has quickly grown. Nicknamed the “Yes in God’s Backyard” or “YIGBY” movement, this current generation of FBOs is redeveloping their underutilized land and property to meet local housing needs.

Building on FBO-owned land is a promising strategy for adding badly-needed affordable housing. FBOs own a substantial amount of potentially developable land across the country. And thanks to their longevity, they are rooted in their local communities. Yet several obstacles have prevented FBOs motivated to develop affordable housing from moving forward, including local land use policies—especially restrictive zoning rules, minimum parking requirements, and lengthy approval processes; limited public and private funding; and a lack of housing and real estate development expertise.

Since 2019, a handful of jurisdictions have taken action to address these barriers. Some have focused on land use and zoning reforms to reduce the time, cost, and uncertainty associated with the development process, enacting density bonus laws, reducing minimum parking requirements, and creating ministerial approval processes for affordable housing development on FBO-owned land. Others have invested in capacity-building programs and financial subsidies to bolster FBOs’ readiness to undertake affordable housing development and launch promising proposals.

Several organizations have developed resources geared towards helping FBOs navigate the housing development process. However, fewer resources are tailored to planners and policymakers looking to facilitate this model, despite growing interest. This case study of Jordan Court aims to fill that gap. Jordan Court is an affordable senior housing development in Berkeley, California that opened in March 2022. It was developed through a venture partnership between All Souls Episcopal Parish (All Souls) and Satellite Affordable Housing Associates (SAHA) on All Souls’ land.

This work highlights four key findings. First, the faith-based aspect of FBO-led development matters. Religious values, organizational structures, and norms influence FBOs’ decisions at every stage, from what to build, to how to structure development agreements, to what types of financing to pursue. Cultural clashes between the secular and religious spheres may produce tension, making it harder to build trust. Intra- and interfaith networks and communication channels are often overlooked by secular actors, but they are vital sources of information and support.

# Executive Summary

Second, despite growing interest in the YIGBY movement among both FBOs and policymakers, data about it is limited and difficult to find. The lack of basic information about who is developing housing, where, why, what type, and how much makes it challenging for FBOs to connect with peers and for policymakers and researchers to identify patterns and tailor potential interventions. Moreover, little infrastructure exists for jurisdictions to exchange information about their strategies to facilitate FBO-led development and whether they are effective.

Third, land use rules continue to pose a barrier for FBOs, but recent reforms are encouraging. Legislation in the State of California to create a ministerial approval process for certain affordable housing projects and to reduce minimum parking requirements for FBOs developing housing on their land, for example, has had demonstrable results and should be expanded.

Finally, public investment catalyzes development. Receiving seed funding increases the likelihood that FBOs will develop feasible proposals that align with local regulations and can compete for other financing down the line. Having access to reliable information and technical support enables FBOs to make informed choices that meet their needs and develop sound proposals they can implement.

These findings point to eight recommendations for policymakers and planners: 1) Lead with respect; 2) Strengthen communication with the faith community; 3) Collect and share data about FBOs building housing; 4) Invest in infrastructure for jurisdictions to share information about interventions to facilitate this model; 5) Reduce minimum and duplicative parking requirements; 6) Expand ministerial approval processes; 7) Invest in seed funding; and 8) Invest in high-quality technical assistance and capacity-building programs.

# Preface

## **Acknowledgements**

I am profoundly indebted to the many people who so openly and generously shared their time and expertise with me for this project. Thank you especially to my committee members, Zachary Lamb and Ben Metcalf, for their invaluable guidance, feedback, and support in making it over the finish line, and to Rev. Phil Brochard, Kirk Miller, Carrie Lutjens, and all my interviewees for answering my (many, many) questions and connecting me with colleagues. Thank you also to my brilliant MCP classmates for helping me sort through my thoughts and always making me laugh. Thank you to my family and friends for being a constant source of encouragement and love. Lastly, thank you to my husband, Drew, for being my sounding board, editor, and cheerleader, all while making sure I didn't forget to eat or sleep. I could not have completed this project—let alone survived graduate school during a global pandemic—without you.

I offer this report as a tribute to the enormous amount of work and care that All Souls' pastoral and lay leaders, staff, and congregants, alongside SAHA's team, and numerous other partners and supporters poured into developing Jordan Court.

## **Positionality Statement**

I have learned and grown exponentially through this capstone project. With limited background in housing policy beforehand, it has been a crash course in real estate and affordable housing, diving into topics from development partnerships to design, entitlement and city planning processes, project finance, building construction, and approvals. I have begun to untangle the messy web of relationships in the affordable housing world, with developers, architects, housing advocates, community development organizations, local government officials, banks, financial consultants, researchers, and politicians connected in sometimes surprising ways.

Adding a religious institution to the mix also introduced me to an entirely new vocabulary and the niche-but-growing movement within the already-niche world of affordable housing policy, sending me down rabbit holes of research to understand complex land ownership and financial structures within judicatory bodies, as well as the academic literature on secularity and religiosity. It has also illuminated and underscored for me the ways that race, land, money, religion, and power are intertwined, creating spatial patterns of inequality. On a more personal level, this project has forced me to reexamine deeply-held assumptions and skepticism towards religion. In part, these are rooted in my experience growing up as part of the Jewish community in the Washington, DC area. I come away with a much more nuanced understanding of the role of faith and faith-based organizations in individual communities and our collective society.

I recognize that other aspects of my identity have shaped this project as well, and I continue to grapple with the unearned advantages I have as a white person, as someone who has always been safely and stably housed, and as a student and researcher. The University of California, Berkeley sits on the territory of the xučyun (Huichin), the ancestral and unceded land of the Chochenyo speaking Ohlone people, the successors of the sovereign Verona Band of Alameda County. As a member of the campus community, I have benefited from the historical and ongoing appropriation of Indigenous land, with access to academic resources and spaces, as well as the intellectual and financial freedom to ask questions that support my own learning and growth.

# Table of Contents

Introduction.....	1
Research Questions .....	13
Methods.....	14
Case Study: Jordan Court.....	15
Findings & Recommendations.....	53
Conclusion .....	62
Bibliography .....	63
Appendix A: Sanborn Maps of the Site .....	70
Appendix B: Potential Impact of SB 1336 in Berkeley .....	73

# Table of Figures

Figure 1.	FBOs Participating in Alameda County's Housing Development Capacity-Building Program.....	11
Figure 2.	Typical Guidance for FBOs Interested in Developing Housing .....	12
Figure 3.	Jordan Court is in Berkeley, CA.....	15
Figure 4.	Jordan Court is in a Residential Area Close to Numerous Amenities and Transit....	17
Figure 5.	All Souls' Parish House Before Redevelopment.....	19
Figure 6:	Jordan Court Site Before Redevelopment .....	20
Figure 7.	All Souls & Jordan Court are Located at the Intersection of Three City Council Districts .....	23
Figure 8.	Jordan Court is in a High-Opportunity Area .....	27
Figure 9.	Early and Final Renderings of Jordan Court .....	32
Figure 10.	View from Jordan Court Overlooking the San Francisco Bay .....	33
Figure 11.	Jordan Court Proposal Compared to Berkeley's Development Standards.....	34
Figure 12.	Jordan Court Funding Sources .....	38
Figure 13.	All Souls Kept Neighbors Apprised of Progress.....	43
Figure 14.	Snapshot of Select FBO-Led Development Projects in California .....	44
Figure 15.	St. Paul's Commons, developed by St. Paul's Episcopal Church in partnership with RCD.....	45
Figure 16.	California Bishop Marc Andrus with Rev. Brochard.....	47
Figure 17.	Stuart Street Apartments Site Before Redevelopment .....	48
Figure 18.	Summary of Findings & Recommendations .....	53
Figure 19.	1911 Sanborn Map of the Site .....	70
Figure 20.	1929 Sanborn Map of the Site .....	71
Figure 21.	1950 Sanborn Map of the Site .....	72
Figure 22.	Religious Use Parcels in Berkeley .....	73
Figure 23.	Number of Religious Use Parcels by Zoning Category .....	74

# Introduction

## Terminology

The religious ecosystem in the United States is extremely rich, with different faiths, and diverse denominations within faiths, each with unique organizational and governance structures, histories, and experiences. This multi-layered ecosystem grows even more complex if you consider nonprofit and for-profit organizations, and coalitions of organizations, with faith-based roots or values. The literature, local, state, and federal laws and regulations, and other sources alternately use a variety of terms to refer to all or a subset of these entities, including among others, “religious organization,” “religiously-affiliated organization,” “religious institution,” “church,” “faith-based organization,” and “congregation.”

In this paper, I use the terms “faith-based organization” (abbreviated FBO) and “congregation” interchangeably to refer generally to community-level, place-based institutions like churches, synagogues, mosques, and similar entities. There are other types of faith-based organizations: in addition to specific churches in the Catholic tradition, for example, there is The Catholic Church, the denominational nonprofit entity Catholic Charities, and even Mercy Housing, a nonprofit housing developer founded by a coalition of Catholic sisters.<sup>1</sup> These and other organizations have played important, nuanced, overlapping, and evolving roles in land and housing markets for centuries. However, for the purpose of this paper, I focus more narrowly on the phenomenon of congregations choosing to repurpose their underutilized land and property for housing, and for affordable housing more specifically.

## Historical Overview of FBO Role in Housing

FBOs have long held a prominent position in the United States, influencing the social, economic, and physical fabric of their communities, and society more broadly. Beyond serving as spiritual and cultural institutions, they are actors in land and housing markets. With respect to affordable housing, until the mid-20<sup>th</sup> century, FBOs’ role centered largely around social work and advocacy.<sup>2</sup> In the late 1800s and early 1900s, for example, FBOs established settlement houses, offering lodging along with educational, recreational, and social services.<sup>3, 4</sup> In the 1960s and 1970s, as neoliberal policies took root and public funding for welfare programs and housing

---

<sup>1</sup> “The History of Mercy Housing.”

<sup>2</sup> In this paper, I use the term “affordable housing” to refer generally to housing affordable to moderate and low-income households. FBOs have, of course, provided “affordable” housing for centuries in the form of, for example, convents, monasteries, almshouses.

<sup>3</sup> Hula, Jackson-Elmore, and Reese, “The Emerging Role of Faith-Based Organizations in the Low-Income Housing Market.”

<sup>4</sup> Polson and Scales, “Good Neighbor House.”



declined, FBOs stepped in to fill the void, operating temporary homeless shelters, soup kitchens, and other programs for those in need. During this period many FBOs, particularly in liberal parts of the country, were deeply involved in the civil rights movement, with Black religious leaders at the forefront.<sup>5</sup>

Beginning in the 1960s, FBOs' role grew more complex. Led by churches in Black communities focused on rebuilding and uplifting their neighborhoods after decades of disinvestment and neglect, FBOs increasingly took on roles as sponsors, fundraisers, investors, developers, and property managers of affordable housing.<sup>6</sup> A variety of models emerged. Some congregations took on development projects independently, while others partnered or joined coalitions with other congregations and/or community-based organizations to advance housing initiatives. Still other congregations established community development corporations (CDCs), investing in housing, businesses, and other local economic development efforts.

FBOs (often through faith-based CDCs) continued to play an important part in building, redeveloping, and preserving affordable housing through the early 2000s. In a 2001 report, Fannie Mae Foundation estimated that FBOs had produced more than 355,000 affordable homes across the country.<sup>7</sup> In particular, FBOs were instrumental in building senior housing, taking advantage of available funding through the Section 202 program, first authorized in the Housing Act of 1959 and administered by the U.S. Department of Housing and Urban Development (HUD). In a 1988 survey, HUD found that half of the units for seniors funded by Section 202 had been built and/or were operated by FBOs.<sup>8,9</sup> However, following budget cuts to federal housing programs, including the Section 202 program, and a shift towards tax credit financing for housing construction, momentum around FBO-based housing development slowed.<sup>10</sup> The academic literature mirrors this trend: after a flurry of research and publications documenting examples of successful FBO- and faith-based CDC development in the 1990s and early 2000s, academic and policy attention to this model waned.<sup>11</sup>

---

<sup>5</sup> Vidal, "Faith-Based Organizations In Community Development."

<sup>6</sup> Mares, "Housing and the Church."

<sup>7</sup> de Souza Briggs, "Faith and Mortar: Religious Organizations and Affordable Housing Strategy in Urban America."

<sup>8</sup> de Souza Briggs.

<sup>9</sup> As Larry Vale (2000) notes, in the 1950s, many lawmakers had soured on the idea of government-funded housing. To garner support, state and federal policymakers advocating for housing dollars focused specifically on housing for elderly residents because they generated sympathy and were viewed as deserving of care. Vale connects this idea of "housing for the most worthy" to Puritan views of morality that have long permeated U.S. housing policy. Vale, *From the Puritans to the Projects: Public Housing and Public Neighbors*.

<sup>10</sup> Haley and Gray, "Section 202 Supportive Housing for the Elderly: Program Status and Performance Measurement," 202.

<sup>11</sup> Born et al., "Pushing Back on Displacement."

## (Re)Emerging Role of FBOs in Housing

In the last 5-10 years, amid an intensifying housing affordability crisis in cities across the United States, interest in the potential role of FBOs in housing has reignited. Nicknamed the “Yes in God’s Backyard” or “YIGBY” movement in media and policy circles,<sup>12</sup> a growing number of congregations are exploring ways to leverage their land and property to help meet local housing needs. FBOs have a long history of providing social services, from operating homeless shelters to soup kitchens to counseling. With a growing interest in addressing the systemic, root causes of homelessness and racial and social inequity, for many FBOs, housing is a logical next step.<sup>13, 14</sup> They are joining the movement in a variety of ways, such as hosting safe sleeping sites, temporary tiny home villages, or overnight RV parking; organizing and fundraising for local housing and shelter initiatives; ground leasing their property to developers to build housing; and developing housing themselves, either alone or in partnership with experienced development organizations.

The YIGBY movement is part of a longer historical arc of FBO-based development, but it differs markedly from earlier iterations. Most notably, whereas in previous decades FBOs were more focused on *acquiring* land and property for housing, the current generation is looking to *repurpose* land and buildings they already own. Historically, FBOs were among the most stable community institutions, and they used their financial and social resources to purchase land and build or rehabilitate housing, community and educational facilities, and other infrastructure in underinvested neighborhoods. In contrast, FBOs today—and churches especially—are struggling financially.

Dwindling membership is a driving factor behind this tidal shift. In large part, this decline reflects the broader waning of religiosity in the United States, as fewer people formally join religious institutions or regularly attend religious services, especially among younger generations.<sup>15</sup> Gentrification and displacement, especially in historically marginalized

---

<sup>12</sup> The term “YIGBY” is used colloquially in the media and policy circles to describe the emerging trend of FBOs building housing on their land (see, e.g., [this article](#) in KQED or [this article](#) in the *San Francisco Chronicle*), but it is not clear how many FBOs self-identify with this term. Of note, YIGBY is also the name of an organization in San Diego dedicated to expanding this model. Funded by Catalyst of San Diego and Imperial Counties, an organization comprised of corporate and philanthropic foundations, private investors, local government entities, and other members, YIGBY’s stated goal is to “address San Diego’s housing crisis by activating abundant, under-utilized faith community properties suitable for multi-family residential projects.” YIGBY has taken a multi-prong approach to facilitating this housing model. In addition to advocating for policy changes, the organization provides technical assistance to FBOs related to design, finding development partners, and financing. Further, YIGBY is building political support by identifying “YIGBY Champions,” nonprofit organizations and elected officials who have promoted and advanced this model. YIGBY is also promoting FBO-led development as an opportunity to prototype less-traditional building methods like modular housing and repurposing shipping containers, as well as less cumbersome financing options than LIHTC to reduce the cost of developing affordable housing. “About YIGBY.”

<sup>13</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>14</sup> Cohen et al., “Preventing Homelessness.”

<sup>15</sup> Smith, “About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated.”

communities, have further exacerbated this trend. As cities struggle to produce more housing after decades of underbuilding and exclusionary zoning policies, FBOs have lost congregants and staff who are unable to keep up with rising housing costs.<sup>16</sup> Gentrification in urban areas is also correlated with a decline in religiosity and membership.<sup>17</sup>

After years of investing in land and facilities to support once-thriving congregations, FBOs have valuable but underutilized land, parking lots, and buildings, and limited financial resources and demand to maintain and improve them. Land rich and cash poor, FBOs increasingly are exploring housing to simultaneously shore up their budgets while also addressing an urgent community need. This motivation does not necessarily lead to affordable housing. Particularly for congregations fighting to survive, utilizing some or all of their property for market rate housing or “moderate income” housing may be a more attractive source of revenue. Larger religious judicatory (i.e., governing) bodies add an additional dynamic to this trend. In some cases, as congregations fold or consolidate, dioceses and other judicatories are pursuing housing development to balance regional balance sheets. However, for FBOs with the financial means, affordable housing is seen as a way to fulfill their mission and goals.

Most of the energy behind the movement has been in expensive housing markets, including the greater Seattle, San Francisco Bay, Los Angeles, San Diego, New York City, Washington, DC/Baltimore, Atlanta, Miami, Denver, and San Antonio areas. Black churches have once again emerged as leaders in FBO-led housing development, drawing explicit connections between the legacy of redlining and single-family zoning and the impacts of the housing affordability crisis on Black, Indigenous, and other communities of color. Beyond anecdotal information, however, data (e.g., denominations, demographics, governance structures) about the congregations pursuing housing remains limited.

## Potential Win-Win Solution

Two key factors make FBOs promising partners for cities looking to build more affordable housing. First, for historical and social reasons, FBOs own a **substantial amount of land** across the country, from small, rural communities to large metropolitan areas. Complex, diverse denominational and legal structures, combined with a lack of publicly available information, make it difficult to determine precisely how much land FBOs own and the development potential. However, the Turner Center estimated that in California alone, more than 38,800 acres of land used for religious purposes could potentially be converted to affordable housing. Much of this land is in what California identifies as “high opportunity neighborhoods,” places with low poverty and good access to jobs, financial resources, education, and clean air and water, among

---

<sup>16</sup> Anecdotally, the COVID-19 pandemic has further affected FBOs’ membership. FBOs have lost congregants as households move in search of jobs, lower cost of living, or better work-life balance. Moreover, it remains to be seen whether and how the pandemic, notably the shift to online services, will affect the amount of physical space FBOs will need in the future.

<sup>17</sup> Mian, “‘Prophets-for-Profits.’”

other indicators.<sup>18, 19</sup> These neighborhoods, many of which have predominately low-density, single family housing, often have few remaining large, developable parcels. FBO-owned land, therefore, represents a rare opportunity to add to the affordable housing stock.<sup>20, 21</sup>

Second, like libraries, schools, and community centers, FBOs are a **form of social infrastructure**. Many have been in the same location for decades if not centuries, deeply rooted in place both physically and socially. Because FBOs generally do not pay taxes on property used for religious purposes, they have been able to withstand displacement pressure from rising property values. Thanks in part to their longevity, many FBOs have a strong grasp of the issues and needs that are most salient in their communities. They also have relationships with and ties to nearby residents, local officials, businesses, and other community-based and religious organizations. Further, FBOs are viewed as moral authorities and engender public trust, perceived as being guided by ethical principles that are not merely self-serving.<sup>22</sup> FBOs can leverage their position as community anchors to propose and shape housing initiatives, and critically, rally community support.

## Limiting Factors

Despite the potential for converting underutilized land and facilities into affordable housing, FBOs interested in building housing encounter a variety of barriers. First, **local land use policies and regulations**, such as zoning restrictions, minimum parking requirements, and development standards, pose significant obstacles. For instance, FBOs located in areas zoned for non-residential use or low-density housing may be prohibited from building multifamily homes, or such projects may be subject to lengthy and often contentious discretionary processes to obtain the necessary approvals, adding time, cost, and uncertainty to a project. Some jurisdictions dictate a minimum number of off-street parking spaces for both religious and residential uses and require FBOs proposing to build housing to comply with both sets of rules. Because each off-street parking space adds costs, parking minimums can quickly make a project financially unworkable.<sup>23</sup> Along these lines, setback requirements, height limits, lot coverage restrictions, and other development standards may constrain the development potential of a site, reducing the financial viability of a project.<sup>24</sup>

---

<sup>18</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>19</sup> “California Fair Housing Task Force Methodology for the 2022 TCAC/HCD Opportunity Map.”

<sup>20</sup> The Turner Center’s estimate excluded land in 16 counties for which data was not available. It also excluded parcels smaller than 10,000 square feet, under the assumption that these parcels likely would not support Low-Income Housing Tax Credit-financed developments. Their report did not explore the potential for “missing middle” and smaller-scale housing development given the relative lack of potential funding to support these options.

<sup>21</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>22</sup> Vidal, “Faith-Based Organizations In Community Development.”

<sup>23</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>24</sup> Hackworth and Gullikson, “Giving New Meaning to Religious Conversion.”

Second, FBOs face **financial barriers** to pursuing affordable housing. Many congregations consider housing development to shore up their already-limited budgets, and they frequently lack the financial resources to conduct feasibility studies or develop preliminary design proposals, hindering their ability to get a project off the ground. They also have difficulty obtaining both public and commercial financing. Historically, FBOs applied for Section 202 program funds to develop affordable housing, focusing on seniors and people with disabilities.<sup>25, 26</sup> However, the shift towards tax credit financing through the Low-Income Housing Tax Credit (LIHTC) program has made it more challenging for FBOs to access financing. Whereas HUD had sole discretion to award Section 202 funds, under LIHTC, an FBO must first successfully compete for an allocation of tax credits in accordance with state Qualified Allocation Plans (QAPs), and then find an equity investor and commercial lender willing to finance the project. QAPs generally reward applicants with prior development experience, so FBOs are unlikely to receive a tax credit allocation unless they partner with a sophisticated developer. In addition, federal, state, and local funding typically flows to larger projects with several dozen units, a pattern driven primarily by the LIHTC program. As a result, FBOs with smaller parcels or that prefer smaller-scale development are less competitive for limited public dollars.<sup>27</sup>

Some FBOs have accessed private financing, but several factors complicate this option. Given its value as an asset, FBOs are often wary of entering into contracts or debt relationships that might jeopardize their ownership and control of their land, which can be unacceptably risky for congregants and boards charged with safeguarding the intergenerational legacies of their institutions. As a result, FBOs sometimes prefer to ground lease their land. However, while ground leases can be more appealing to congregations, this option is generally less attractive to developers and investors.<sup>28</sup>

A third major barrier for FBOs is a **lack of housing and/or real estate expertise**. Some religious denominations like the Catholic Church, and a handful of individual congregations like Trinity Church, an Episcopal church in New York City, have sophisticated real estate, wealth, and investment strategies to manage their financial portfolios.<sup>29</sup> Most FBOs, however, do not have real estate experience or the technical knowledge or capacity to navigate the legal, financial, and regulatory complexities of developing and operating affordable housing. Challenges arise at every stage of the development process, from identifying and evaluating development options, to choosing partners and structuring partnership agreements, securing financing, and understanding and complying with local, state, and federal regulations. Without a thorough understanding of the nuances involved, FBOs risk being taken advantage of by unscrupulous actors, or making

---

<sup>25</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>26</sup> Haley and Gray, “Section 202 Supportive Housing for the Elderly: Program Status and Performance Measurement,” 202.

<sup>27</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>28</sup> Garcia and Sun.

<sup>29</sup> Margolies, “The Church With the \$6 Billion Portfolio.”

decisions that do not meet their congregations' needs and goals or best serve their long-term interests or those of future residents. Along these lines, while there is a growing body of resources to support would-be FBO housing developers, information and peer-learning networks remain largely informal and decentralized.

## **Addressing Barriers**

### ***Public Initiatives***

A handful of local governments and states have begun devoting resources to address these regulatory, financial, and capacity barriers. A comprehensive repository of the different policies and programs that have been implemented does not exist, but strategies generally fall into one of two categories: 1) land use and zoning reform; or 2) capacity-building programs and financial subsidy.

#### **Land Use and Zoning Reform**

In April 2019, Washington State passed the first state-level legislation explicitly focused on enabling FBOs to build housing on their land. The result of strong advocacy by the Nehemiah Initiative and other Black churches in Seattle committed to using their property to stabilize and build wealth in their communities, Substitute House Bill (SHB) 1377 tackles restrictive zoning requirements by allowing housing developments on property owned or controlled by a religious organization to exceed local residential density restrictions. More specifically, SHB 1377 requires cities to grant a density bonus for 100% affordable single- or multi-family housing development projects on property owned or controlled by a religious organization that will serve low-income households earning below 80% of the Area Median Income (AMI) for at least 50 years.<sup>30</sup> Shortly after SHB 1377 passed, Seattle passed implementing legislation.

A growing number of cities and states are following Washington and Seattle's lead, exploring legislation and other policy levers to overcome exclusionary zoning and other bureaucratic barriers limiting congregations' ability to pursue this model. In California, under pressure to meet housing production targets under the Regional Housing Needs Allocation (RHNA) process, local officials in several jurisdictions have proposed up-zoning congregational land to develop denser, multi-family homes in areas and neighborhoods in which it would not otherwise be permitted under existing zoning rules. The City of Los Angeles, for example, committed to exploring this rezoning strategy as part of a broader affordable housing overlay in its 2021-2029 Housing Element, adopted in November 2021.<sup>31, 32</sup> San Jose, Pasadena, Yorba Linda, Orinda,

---

<sup>30</sup> "Final Bill Report: SHB 1377."

<sup>31</sup> "City of Los Angeles 2021-2029 Housing Element."

<sup>32</sup> In California, cities and counties must develop "General Plans" with policies guiding future growth and development. The General Plan comprises seven core components, or "Elements," addressing housing,

Redwood City, and East Palo Alto, among other cities, have expressed interest in similar policies.<sup>33</sup> In a related vein, the city of Antioch is partnering with Hope Solutions (previously named Contra Costa Interfaith Housing) and the Multi-Faith ACTION Coalition to organize faith communities around policies to advance affordable housing, funded by a grant from Partnership for the Bay's Future.

Other policy initiatives have targeted minimum parking requirements, which frequently limit the financial feasibility of an affordable housing project. For instance, in 2019, San Diego amended its municipal code to remove language that previously tied the number of parking spaces that religious institutions had to provide to the amount of pew space in their facilities. The city also lowered the minimum parking requirements for churches, among other venues, developing housing on underutilized land near public transit.<sup>34</sup>

Building on San Diego's efforts, the State of California has passed statewide legislation easing parking requirements for FBOs pursuing affordable housing development on their property. Enacted in 2020, Assembly Bill (AB) 1851 allows developers to reduce existing parking by up to 50% if they are developing affordable housing affiliated with an FBO. It also prohibits local jurisdictions from denying a proposed affordable housing development affiliated with an FBO solely because it would reduce parking, or requiring the developer to replace existing religious use parking spaces that would be lost as a condition of approval.<sup>35, 36</sup> In July 2022, California lawmakers also passed AB 2244, clarifying that the provisions in AB 1851 also pertain to proposed affordable housing developments at *new*—not just existing—places of worship.<sup>37, 38</sup> (See the discussion of IKAR under “Jordan Court in Context: Other Examples” for additional background on AB 2244.)

Still other proposed initiatives have sought to make the development process more predictable by streamlining the permitting process. California Senate Bill (SB) 899, for example, introduced in 2020, proposed to designate certain 100% affordable housing developments on property owned

---

transportation, safety, and other planning issues. Jurisdictions must update their “Housing Element” at least every eight years, subject to approval from HCD. California Department of Housing and Community Development, “Housing Elements.”

<sup>33</sup> Parish House Roadmap Group, “Parish House Roadmap Report.”; “YIGBY Proposal Would Allow Churches To Build Affordable Housing In San Jose”; City of Yorba Linda, “Planning Commission Staff Report Re: Housing Element Update Workshop -- Meeting #2”; Placemarks, “City of Orinda 2023-2031 Housing Element: Public Review Draft”; Dixon, “Zoning Issue Slows Pasadena Church's Effort to Build Affordable Housing.”

<sup>34</sup> Bowen, “San Diego Proposes Easing Church Parking Rules In Favor Of Housing.”

<sup>35</sup> Specifically, AB 1851 requires local governments to allow the number of religious-use parking spaces that will be available upon completion of a project to count toward the number of parking spaces otherwise required for project approval. It also prohibits local governments from denying a religious-affiliated project solely because it would reduce the total number of parking spaces available at the house of worship, as long as the project would not remove more than 50% of the parking spaces available at the time the project is proposed.

<sup>36</sup> “Bill Text - AB-1851 Religious Institution Affiliated Housing Development Projects: Parking Requirements.”

<sup>37</sup> Hirneisen, “A New California Law Makes It Easier to Build Housing at Places of Worship. An LA-Based Jewish Community Is Prepared.”

<sup>38</sup> “Bill Text - AB-2244 Religious Institution Affiliated Housing: Colocated Place of Worship.”

by religious institutions in areas zoned for commercial, residential, or mixed use as a by-right use.<sup>39</sup> By-right uses are entitled to ministerial approval, meaning they are not subject to discretionary review by local officials. Critically, they are also exempted under the California Environmental Quality Act (CEQA), which requires government agencies to assess and mitigate potential negative environmental impacts of public projects. In recent years, opponents to new housing have weaponized CEQA under the guise of concern for the environment, with a single individual able to delay or scuttle a proposed development through even just the threat of a lawsuit.<sup>40</sup> Had it passed, SB 899 would have reduced the time, cost, and uncertainty congregations face trying to develop affordable housing on their property. (Note: in June 2022, Senator Wiener (D-San Francisco) reintroduced SB 899 as SB 1336, with proposed amendments to satisfy concerns from labor unions. To date, the legislation is still pending.<sup>41</sup>)

These regulatory interventions have only just emerged in the last five years amid a surge in interest among FBOs in developing housing. Because these policies are relatively new and given that most congregations are still in the early stages of the development process, there is little data available to assess the impact of these policy changes or evaluate which policies are most effective. Additionally, an inherent challenge is that interventions focused on FBO-led development are intertwined with broader policy debates and land use and zoning reforms. SB 899, for instance, did not fail because it involved land owned by FBOs. Rather, it was part of a broader suite of bills related to zoning and development that construction trades unions opposed over project labor requirements.<sup>42</sup> In that sense, the most effective interventions are the ones that survive the political process. Nevertheless, as interest in this model spreads, planners and policymakers would benefit from more information about different types of interventions being tested across jurisdictions and the extent to which they have succeeded in facilitating FBO-led housing development.

### **Capacity-Building Programs and Financial Subsidy**

Beyond legislative and policy initiatives, cities such as Atlanta, Denver, New York City, San Antonio, and Washington, DC, as well as Alameda County in the San Francisco Bay Area, have looked to expand this housing model by bolstering religious institutions' technical and financial capacity.<sup>43</sup> Though not universal, a public-private-religious partnership model has emerged, in which local governments contract with nonprofit organizations to develop training and resources for religious institutions interested in building housing, sometimes with supplemental funding from private banks and foundations. In general, these initiatives aim to teach congregations about the development process—what it entails, how long it takes, and what to expect; help them assess their readiness to take on a housing project and identify reliable

---

<sup>39</sup> Engel, "SB 899 Assembly Housing and Community Development Report," 899.

<sup>40</sup> Gray, "How Californians Are Weaponizing Environmental Law."

<sup>41</sup> Gardiner, "The YIGBYs Are Back."

<sup>42</sup> Engel, "SB 899 Assembly Housing and Community Development Report."

<sup>43</sup> There may be additional examples as well; this research did not include a comprehensive national scan.



development partners; and in some cases, provide seed grants or predevelopment loans to help projects get off the ground.

For example, in 2019 Alameda County contracted with Local Initiative Support Corporation (LISC) Bay Area to launch a Housing Development Capacity-Building Program for FBOs and other community-based organizations.<sup>44</sup> Funded through a county ballot measure<sup>45</sup> and philanthropic sources, the program has two main components. First, LISC Bay Area has developed a resource library with a self-guided online training module, webinars, a self-assessment guide, and a variety of case studies and examples. Second, the program provides a limited number of participants with more intensive training, one-on-one coaching, and modest predevelopment grants (approximately \$10,000) to help them navigate the development process.

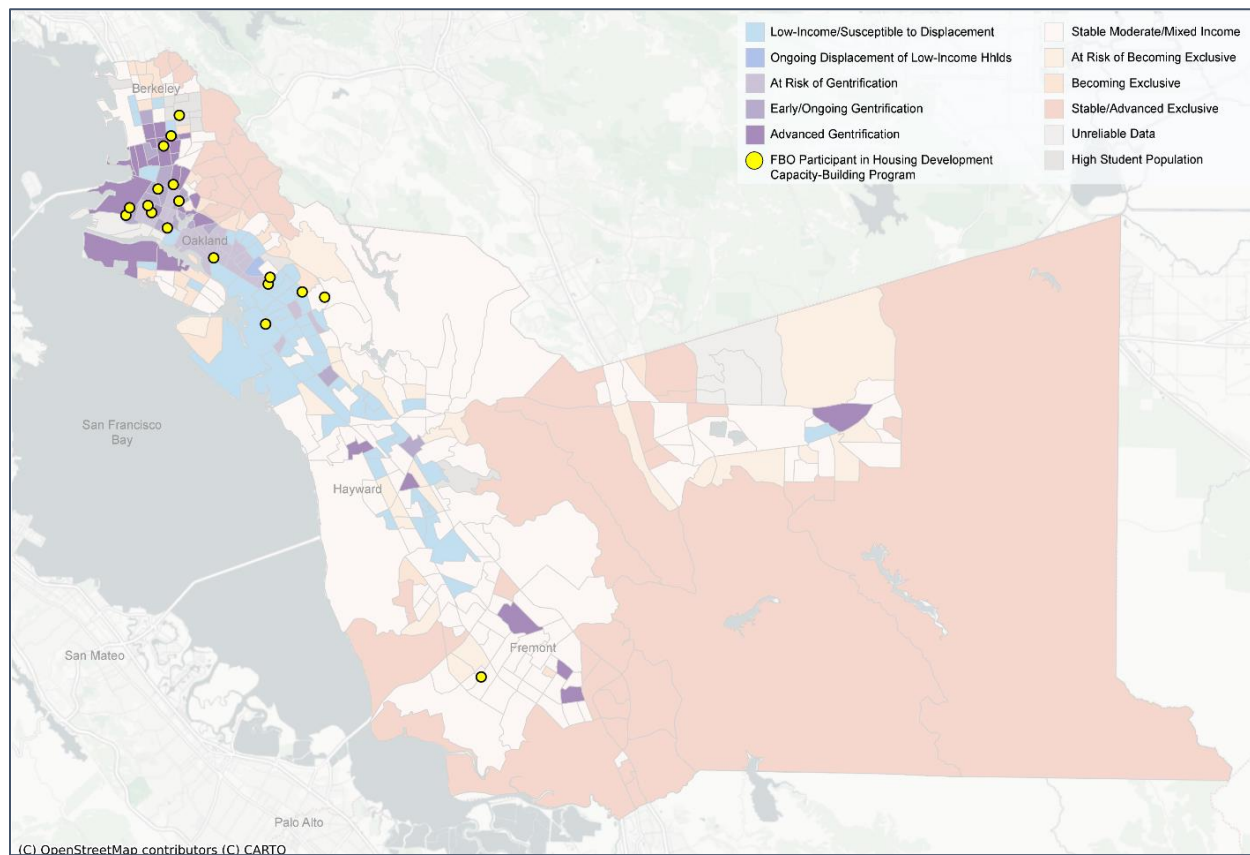
Alameda County has applied an equity lens to the program, prioritizing FBOs and community organizations rooted in neighborhoods at risk of or undergoing gentrification and displacement. To date, two cohorts have completed the more intensive training. Each cohort included approximately 10 participants, most of which were Black churches. Participants have reported a range of positive outcomes, from completing a feasibility study to jumpstarting a stalled development project by renegotiating the terms of a joint venture partnership. Planning is underway for a third cohort, but the ability to serve additional cohorts beyond that and to expand the resource library will depend on future funding.

---

<sup>44</sup> LISC has also partnered with New York City and San Antonio to offer similar programs, the New York Land Opportunity Program and Mission-Oriented Development Pilot Program, respectively. (Sisson, 2020)

<sup>45</sup> Voters passed Measure A1 in 2016

**Figure 1. FBOs Participating in Alameda County's Housing Development Capacity-Building Program**



*Mapping the FBOs that participated in the first two cohorts of Alameda County's Housing Development Capacity-Building Program over the Urban Displacement Project's Displacement Typology maps illustrates that the congregations are predominantly located in underinvested neighborhoods at risk of or undergoing gentrification and displacement. Map by author; data sources: Bay Area LISC; UC Berkeley's [Urban Displacement Project](#).*

Aside from these structured programs, some cities have conducted outreach to houses of worship to ensure they are aware of city resources available to them and to explore potential partnerships. In Atlanta, for instance, city staff from the Department of Planning participated in a webinar organized by Enterprise Community Partners' Faith-Based Development Initiative (FBDI) in Spring 2021, offering their technical expertise in portfolio analysis and valuation, design, site modeling, and financing, as well as assistance in thinking through possible development options.<sup>46</sup>

## ***Non-Governmental Initiatives***

Alongside these public efforts, a web of private nonprofit, for-profit, and religious organizations have focused on helping FBOs determine if developing affordable housing makes sense for them and, if so, how to approach the process. A growing industry of community development organizations and consultants, such as Kingdom Development, Inc. and DCG Strategies,

<sup>46</sup> *Public/Private Funding Sources for Faith-Based Development.*

specialize in advising congregations in this work.<sup>47</sup> In addition, local housing advocacy groups, religious nonprofit organizations like the Episcopal Impact Fund and Catholic Charities USA, and interfaith networks are playing an important role in facilitating this model by developing guidance, connecting congregations with resources and expertise, advocating for legislative and policy changes, or providing development financing.

**Figure 2. Typical Guidance for FBOs Interested in Developing Housing**

1. **Pray.** Two things are true. The development process can be difficult and frustrating and it is also imminently doable. Patience and resolve will be tested. Pray for direction and determination.
2. **Be clear on what need in the community is being served by the development.** Having a market study and feasibility analysis done early in the process is critical. Ask the professional delivering this content to build into the scope of work a discussion with the house of worship where the findings are explained and questions can be answered.
3. **Ask: Does the house of worship want to maintain ownership/control of the land over the long run?** The answer to this question will inform options you explore and discussions with partners including developers and real estate lawyers. Be thoughtful in the consideration.
4. **Get a real estate lawyer.** Make sure the house of worship has a real estate lawyer that represents only the interests of the house of worship. In many cases a house of worship will select a development partner to “do the deal.” They will often have a lawyer/firm they work with that can provide legal counsel for the partnership that will likely be formed. That’s fine. The house of worship should have its own.
5. **Be clear on the financial goals of the house of worship with the development.** There is no right or wrong answer. But a house of worship should be clear on its answer up front because this will inform decisions related to keeping or selling land, and if keeping the land – what type of development options may be considered viable.
6. **Be mindful of what each partner brings to the table.** Many houses of worship we have encountered are land rich, cash poor and relationship strong in a community. The land has value now and will in the future. That should be factored into negotiations. As should the value a developer brings with their balance sheet and experience.
7. **Shop for your partners.** Ask if a partner has worked with a house of worship before and check references.
8. **Be mindful of timelines and decision making.** It is important for a house of worship to have a clearly identified team within the house of worship that is working on a regular basis to advance the project. The clergy leader of the house may be a part of the team, but should not be the only person on the team.

*A variety of organizations have compiled “lessons learned” to support FBOs interested in developing housing. This list is representative of common advice. In particular, numerous resources stress the importance for FBOs to clarify their goals and vision; conduct due diligence to understand the needs in the community and applicable land use and related regulations; identify decisionmakers within the FBO and/or larger denominational body; and find reputable development partners who respect the faith-based context.<sup>48</sup> Source: Enterprise Community Partners’ FBDI.*

Although private financing has historically been limited,<sup>49</sup> some mainstream banks have signaled an interest in development on FBO-owned land. In February 2022, for example, Wells Fargo Foundation announced an \$8.5 million grant to Enterprise to expand the FBDI’s resources and trainings beyond the mid-Atlantic region.<sup>50</sup> Similarly, Capital One, JPMorgan Chase, and other

<sup>47</sup> See, for instance, resources and webinars developed by Enterprise Community Partners, LISC Bay Area, Kingdom Development, Inc., Making Housing and Community Happen, and Mission City Renewal’s Good Acres initiative.

<sup>48</sup> Abu-Khalaf, “Leveraging Property Owned by Faith-Based Organizations to Create Affordable Homes and Public Benefit.”

<sup>49</sup> Garcia and Sun, “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development.”

<sup>50</sup> Enterprise Community Partners, “Bringing Faith-Based Development Nationwide.”

banks have sponsored and participated in panel discussions and trainings on the topic and provided project financing.<sup>51, 52</sup>

# Research Questions

Jordan Court is an affordable senior housing development in Berkeley, California, developed by All Souls Episcopal Parish, which owns the land, and Satellite Affordable Housing Associates (SAHA), a Berkeley-based affordable housing developer. In November 2021, I was fortunate to visit Jordan Court with my U.S. Housing, Planning, and Policy class. That fall construction on the building was nearly complete, more than seven years in the making. After we toured the site, the Parish's Rector, the Reverend Phil Brochard, and SAHA's CEO, Susan Friedland held a question-and-answer session, sharing key insights from their experience developing Jordan Court.

A few days later, I contacted Rev. Brochard to inquire about doing a case study of Jordan Court to fulfill the capstone requirement for my master's degree in city and regional planning. I was interested in learning more about All Souls' motivations for pursuing affordable housing; the nuances of their nontraditional partnership with SAHA; the factors that enabled the project's success; and the obstacles that arose along the way. I also wanted to better understand the potential role for FBOs in helping to address the severe lack of affordable housing in the Bay Area and across California; how planners and policymakers can facilitate this model; and the pitfalls that might emerge.

Research Questions	
Case Study: Jordan Court	Bigger Picture
<ul style="list-style-type: none"><li>• What motivated All Souls to pursue affordable housing?</li><li>• What motivated SAHA to partner with an FBO?</li><li>• What factors enabled the project to succeed?</li><li>• What obstacles arose during the development process?</li></ul>	<ul style="list-style-type: none"><li>• How does Jordan Court fit into the broader affordable housing landscape?</li><li>• How can planners and policymakers facilitate similar projects?</li><li>• Are there downsides to this model?</li></ul>

<sup>51</sup> LISC Bay Area, "Alameda County Housing Development Capacity Building Program."

<sup>52</sup> Kim, "Developers and Faith-Based Institutions Take On the Affordable Housing Crisis."

Ultimately, this research aims to achieve three goals, to 1) document All Souls' experience developing Jordan Court for the Parish's archives; 2) provide a resource for other congregations interested in developing housing on their property; and 3) illuminate lessons learned for policymakers exploring this strategy to expand the housing stock.

## Methods

To answer these research questions, I used a mixed methods approach, combining desktop research, interviews, spatial data analysis, and historical research. I reviewed the relevant policy and academic literature; legislation and supporting analyses; online media, including newspaper articles, blogs, and social media posts; and resources developed by LISC Bay Area, Enterprise Community Partners, and Kingdom Development for religious institutions interested in pursuing this model.

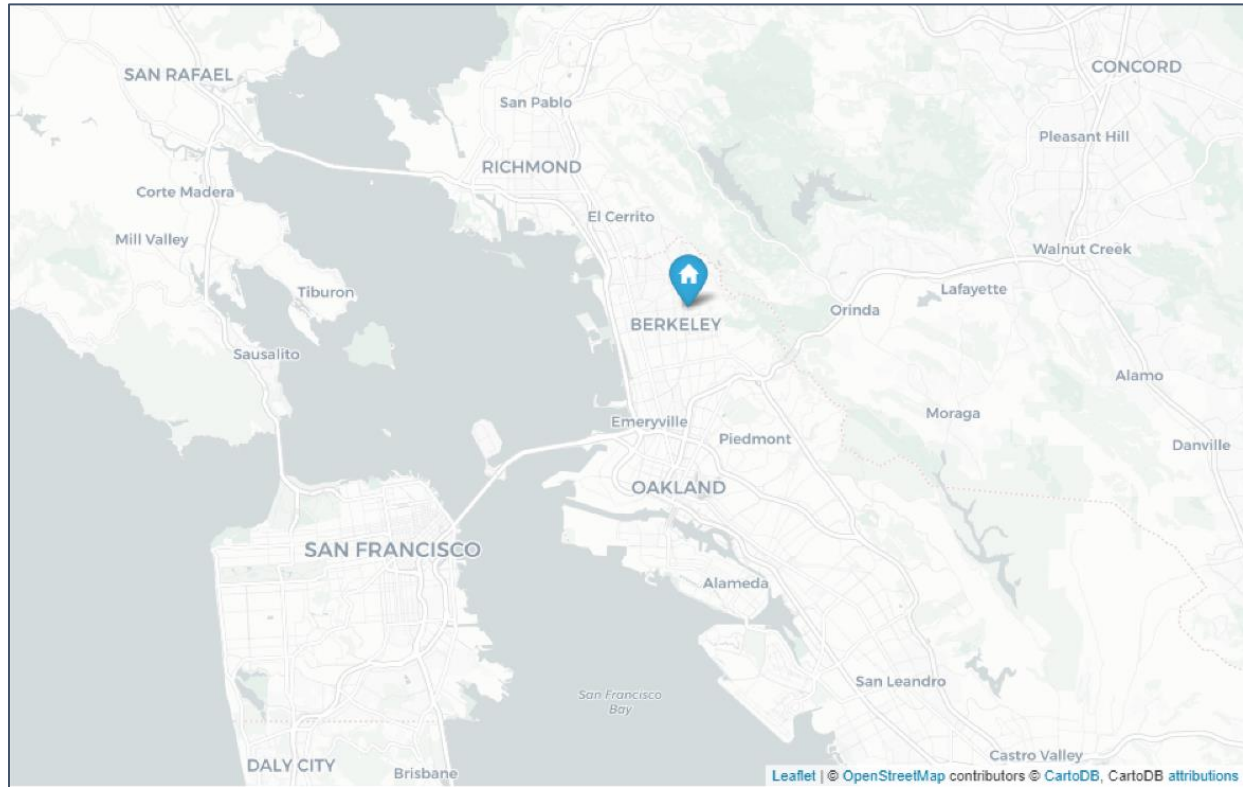
I also conducted interviews with 16 stakeholders working in this area from different perspectives, including individuals from All Souls Episcopal Parish in Berkeley, CA, and Satellite Affordable Housing Associates (SAHA), policymakers, researchers, housing advocates, community development organizations, and financial consultants. Interviews took place in person, over Zoom video conference, or by phone and lasted between 30 and 90 minutes. I conducted follow-up interviews with three of the interviewees to gather additional information.

### Interviewees:

- Rev. Phil Brochard, All Souls Episcopal Parish
- L. Kirk Miller, All Souls Episcopal Parish
- Robert Cross, All Souls Episcopal Parish
- Eve Stewart, Satellite Affordable Housing Associates
- Carrie Lutjens, Satellite Affordable Housing Associates
- Councilmember Sophie Hahn, *City of Berkeley*
- Councilmember Kate Harrison, *City of Berkeley*
- Melanie Morelos, Office of California Assemblymember Buffy Wicks
- Tate Hanna, Office of California State Senator Scott Wiener
- Sophia DeWitt, East Bay Housing Organizations
- Ronnie Boyd, East Bay Housing Organizations
- Elizabeth Wampler, *LISC Bay Area*
- Tia Hicks, LISC Bay Area
- Rev. David Bowers, Enterprise Community Partners
- Will Leach, Kingdom Development, Inc.
- David Garcia, Turner Center for Housing Innovation

# Case Study: Jordan Court

## Berkeley, CA Context



**Figure 3. Jordan Court is in Berkeley, CA**

*Source: Author.*

Berkeley, California is a city of approximately 121,000 residents in the San Francisco Bay Area. With a median household income of \$85,530, compared to \$75,235 in California as a whole, Berkeley is a relatively affluent, high opportunity area.<sup>53</sup> However, wealth is distributed unevenly within the city, with an increasing number of residents unable to afford housing and other basic needs. Over the last two decades, rising rents and property values, combined with a growing population, have produced, as the Anti-Eviction Mapping Project (AEMP) put it, “an extreme crisis of housing affordability and displacement.” In its March 2022 report, AEMP found that “between 2005-2019...the median gross rent paid...in Berkeley increased by over 50%,” and that in 2019 “the average rent in Berkeley was [approximately] \$3,165 per month,”

---

<sup>53</sup> 2019 American Community Survey (ACS) 5-year estimates. Tables B01001 (Sex by Age) and S1901 (Income, in 2019 inflation-adjusted dollars)

only affordable to a household with an annual income of \$130,000 or more.<sup>54</sup> Historically Black neighborhoods and other communities of color have been most impacted by this crisis, the legacy of more than a century of exclusionary zoning and anti-development policies that continue to reinforce patterns of racial residential segregation.<sup>55, 56</sup>

Restrictive land use policies have limited the production of new housing in Berkeley, especially affordable housing. The city failed to meet its Regional Housing Needs Allocation (RHNA) goals for the 2007-2014 period, building just over 50% of its total allocated 2,431 units. Of those constructed, less than 14% (163 units) were affordable to very low- or low-income households.<sup>57</sup> Amid growing concern about the lack of affordable housing, homelessness, and ongoing gentrification and displacement, in 2016 Berkeley passed Measure U1, a gross-receipts tax aimed at raising revenue for the city's Housing Trust Fund to fund affordable housing projects.<sup>58</sup> In 2016 and 2017, voters also elected several progressive politicians running on platforms to build more affordable housing across the city. Subsequently, in 2018 voters approved Measure O, a \$135 million housing bond to fund affordable housing projects aimed at low-income residents with incomes between 30-60% of the area median income (AMI), with a focus on seniors, people with disabilities, people experiencing homelessness, and other special populations.<sup>59</sup>

## Jordan Court Overview

In 2014, as public attention began to turn to this issue, All Souls Episcopal Parish (All Souls), an inclusive, progressive church in North Berkeley, began exploring the possibility of redeveloping a portion of its property for housing. The Parish ultimately entered a joint venture partnership with Satellite Affordable Housing Associates (SAHA) to develop affordable senior housing on the site. More than seven years later, Jordan Court welcomed its first residents in March 2022.

Located at 1601 Oxford Street, Jordan Court is a 5-story, L-shaped building at the corner of Cedar and Oxford Streets. The building includes both affordable housing and space for All Souls' use. The wing fronting Oxford Street contains 35 apartments, including 34 affordable studios for senior residents earning 20-60% of the Area Median Income (AMI) and a 2-bedroom apartment for an on-site building manager.<sup>60</sup> The portion of the building along Cedar Street contains 2 3-bedroom apartments for All Souls' staff and guests of the church, along with approximately 1,500 square feet of administrative space for All Souls' use. The complex also includes a courtyard with raised planting beds and a labyrinth, two upper floor terraces, and a

---

<sup>54</sup> The Anti-Eviction Mapping Project, "Densifying Berkeley: Potential Impacts on Displacement and Equity."

<sup>55</sup> Menendian et al., "Single-Family Zoning in the San Francisco Bay Area: Characteristics of Exclusionary Communities."

<sup>56</sup> Barber, "Berkeley Zoning Has Served for Many Decades to Separate the Poor from the Rich and Whites from People of Color."

<sup>57</sup> City of Berkeley, "2015-2023 Berkeley Housing Element."

<sup>58</sup> Dinkelspiel, "Fight Involving Measures DD and U1 Is Costliest in Election."

<sup>59</sup> Lauer, "Berkeley Approves \$67.5 Million for Seven Measure O Affordable Housing Projects."

<sup>60</sup> SAHA, "Jordan Court Project Overview."



shared community meeting room. A podium-level garage includes 21 parking spaces, which are reserved primarily for All Souls’ staff and congregants, the on-site manager, the resident services coordinator, case managers, and employees of the preschool that rents space at All Souls’ main facility next door. Jordan Court is located close to the Shattuck Avenue commercial corridor, with grocery stores, pharmacies, banks, a post office, and other services, as well as a senior center, parks, and the University of California campus. Multiple bus routes stop in front of the building, and it is under a mile from the Downtown Berkeley Bay Area Rapid Transit (BART) train station, providing regional access to Oakland, San Francisco, and other nearby cities.<sup>61</sup>

**Figure 4. Jordan Court is in a Residential Area Close to Numerous Amenities and Transit**



Source: Author; Data Sources: [City of Berkeley](#), [Bay Area Rapid Transit](#), Google Maps.

<sup>61</sup> SAHA.



## Site History

A fixture in North Berkeley, All Souls has been located at the corner of Cedar and Spruce Streets since 1906.<sup>62</sup> At the turn of the 20<sup>th</sup> century, the neighborhood was just beginning to develop, spurred by the arrival of the electric streetcar and the University of California campus nearby.<sup>63</sup> The area around the Parish was sparsely developed aside from a handful of homes, which included a mix of single-family and multi-family units.

Initially All Souls occupied just a single lot, but it expanded over the years. In 1924, the Parish built an addition onto the main chapel, doubling its footprint.<sup>64</sup> Several decades later, outgrowing its existing space, All Souls purchased two lots adjacent to the church in 1965.<sup>65</sup> The first lot, at 1601 Oxford Street, contained a 10-unit apartment building. The second lot, at 1611 Oxford Street next door, contained a single family house. (The 1911, 1929, and 1929-1950 Sanborn Maps trace the development of the church and the surrounding neighborhood. See Appendix A for a more detailed look at the changes during this period.)

Shortly after acquiring the property, the Parish demolished the single family house at 1611 Oxford Street to accommodate a parking lot for its members, but it decided to preserve the apartment building at 1601 Oxford Street as a source of rental income while it mulled over how best to use the land to meet the needs of the growing congregation.<sup>66</sup> Just a few years later, however, the political landscape in Berkeley shifted, compelling the Church to put on hold indefinitely any plans it may have had to demolish the apartments or re-purpose the building. Amid the civil rights movement, the Berkeley Tenants Union began organizing rent strikes, targeting local landlords, including All Souls, to protest rent as an unethical form of capital accumulation.<sup>67, 68</sup> Unable to charge enough rent to cover the maintenance costs during this period, by the early 1980s, the apartment building had become a “financial albatross,” burdening the Parish’s finances.

In 1983, All Souls sold the apartment building to another FBO, Incarnation Priory, which used it as lodging for brothers in the Benedictine Order of the Holy Cross. Eventually, however, the property became too costly for the Order to maintain, and they offered to sell the “Parish House” back to All Souls in 2010. For the next several years, All Souls offered the building as lodging to individuals and groups seeking to live in intentional Christian community, first to another Order of Episcopal monks, and later to seminarians and pastoral staff. In 2013, outgrowing its main

---

<sup>62</sup> All Souls Episcopal Parish, “Our Buildings.”

<sup>63</sup> “Outline of Berkeley History to 2000.”

<sup>64</sup> All Souls Episcopal Parish, “History.”

<sup>65</sup> Parish House Roadmap Group, “Parish House Roadmap Report.”

<sup>66</sup> Parish House Roadmap Group, “Parish House Roadmap Report.”

<sup>67</sup> Germain, “Berkeley Tenants Union in the 1970s.”

<sup>68</sup> For well over a decade, the Tenants Union continued to push for rent control in Berkeley, ultimately succeeding in 1984 when the California Supreme Court allowed a rent control ordinance in Berkeley to stand. Germain.

facility, All Souls began using the first level of the Parish House as overflow space for offices, meetings, and other congregational needs. By this point, however, the building was in poor condition. Although All Souls had invested in seismic upgrades to the building in 2010, it had deteriorated beyond repair, with mold, outdated wiring and plumbing, poor insulation, and limited accessibility, among other issues.<sup>69</sup>

In 2011 a beloved congregant named Ann Jordan passed away and bequeathed her estate to the Church. Her generous gift, which at close to \$1 million was more than All Souls' entire annual budget, provided space for the Church to take a step back and consider more intentionally how it might use its resources—including its land—to meet the growing congregation's needs and to fulfill its mission. Led by the Vestry, which is akin to a Board of Directors,<sup>70</sup> All Souls began a strategic planning initiative focused on fostering a sense of deep hospitality and kinship, building a center for Christian action and practice, and critically, planning for the future of the Parish House. This strategic planning effort ultimately led to Jordan Court.

**Figure 5. All Souls' Parish House Before Redevelopment**



*The All Souls' Parish House, which dated back to at least 1950, was in poor condition before it was replaced by Jordan Court. Source: [SF YIMBY](#).*

---

<sup>69</sup> Parish House Roadmap Group, "Parish House Roadmap Report."

<sup>70</sup> The Vestry has fiduciary and spiritual responsibility for the congregation. Members of the Vestry are elected by the congregation. At All Souls, a third of the Vestry seats turn over every year.

**Figure 5. Jordan Court Site Before Redevelopment**



*Jordan Court replaced All Souls' Parish House and the L-shaped parking lot at 1601 and 1611 Oxford Street (top left; at the SE corner of Oxford and Cedar Streets). Source: Google Maps, via [Berkeleyside](#).*

## Development Narrative

As Mike Miles et. al note, *in theory*, real estate development follows a neat process, with a project moving sequentially through a series of steps from conception to operation. In practice, however, developers must juggle multiple stages simultaneously, strategizing and setting the groundwork for later stages while also focusing on the immediate task at hand.<sup>71</sup> I have organized the narrative behind Jordan Court in a loosely linear fashion. However, these stages did not unfold chronologically; different processes occurred simultaneously and iteratively. Moreover, while in some ways the project has reached the “finish line,” All Souls and SAHA continue to work through several challenges, and others will almost certainly arise in the future.

---

<sup>71</sup> Miles, Berens, and Weiss, *Real Estate Development Principles and Process*.

## Identifying Goals

As part of the strategic planning initiative, All Souls' Vestry appointed a subcommittee to formulate potential options for developing the Parish House and the adjacent parking lot.<sup>72</sup> Two core goals underpinned the subcommittee's work:

1. **Retain long-term control of the land.** Land is extremely valuable, particularly in Berkeley where land values are very high and expensive to acquire, and the Parish and its judicatory, the Episcopal Diocese of California,<sup>73</sup> did not want to lose the property as an asset. But beyond these practical considerations, as Rev. Brochard put it, "All Souls had been there for a hundred years, and they planned to be there a hundred more."
2. **Meet the congregation's needs while serving the community.** Having outgrown its main building, the Church knew that it would need meeting and office space, and it was committed to including 1-2 apartments for staff. At the same time, All Souls' leaders recognized they had a unique opportunity to be more generous and to use the site to serve a broader purpose than their own needs. As part of its desire to uplift the Berkeley community, the subcommittee was also committed to collaborating with local partners.

These two principles shaped every decision that All Souls made throughout the development process, from deciding what to build and for whom, how to structure its partnership with SAHA, how to engage with project stakeholders, and how to use their experience to support the broader faith-based community.

"It felt like we had this great gift we'd been given by the generations who preceded us and by the people who gave to buy the property. It was such a great gift that it felt like it was too much to just hold onto for ourselves. We could have done that, but that would have just been caring for our own needs."

—Rev. Phil Brochard

---

<sup>72</sup> Parish House Roadmap Group, "Parish House Roadmap Report."

<sup>73</sup> All Souls Episcopal Parish falls under the judicatory of the Episcopal Diocese of California, which was founded in 1850. It comprises 80 congregations in the San Francisco Bay Area.

## ***Gathering Information***

With these goals in mind, the subcommittee began gathering information to guide potential options for the property, which comprised the 7,400 sq. ft parcel containing the Parish House and the 6,500 sq. ft parcel used for parking. Early on, the subcommittee met with City staff from the Department of Planning & Development and the Rent Stabilization Board to understand Berkeley's development policies and identify potential constraints on the Parish's use of the property. Consistent with Berkeley's urgent need for deeply affordable housing, staff urged the subcommittee to consider affordable housing targeted to underserved populations, particularly seniors, transition age youth, people with disabilities, and people struggling with substance use and mental illness.<sup>74, 75</sup> Staff also recommended the subcommittee review the City's development standards pertaining to setbacks, building heights and story limitations, and lot coverage, among others, as it formulated a proposal. Minimum parking requirements have frequently stymied other congregations' efforts to build housing on their property—an obstacle AB 1851 aims to address. In contrast in this case, given the site's downtown location and easy access to public transit, Berkeley City staff further counseled All Souls against adding new parking spaces for future residents.

The immediate area surrounding the Parish has a history of mixed-use and higher-density residential zoning, and Sanborn Maps dating back to the early 1900s show multiple apartment buildings containing several flats. When the subcommittee met with staff from the Rent Stabilization Board, it learned that City records showed the Parish House contained 10 dwelling units, of which 2 were considered rent-controlled apartments. At the time in 2015, however, none of the residents had leases with All Souls or paid rent, treated instead as guests of the Church. Staff from the Rent Stabilization Board advised the subcommittee that under existing regulations, any future development would need to replace the two rent-controlled units.

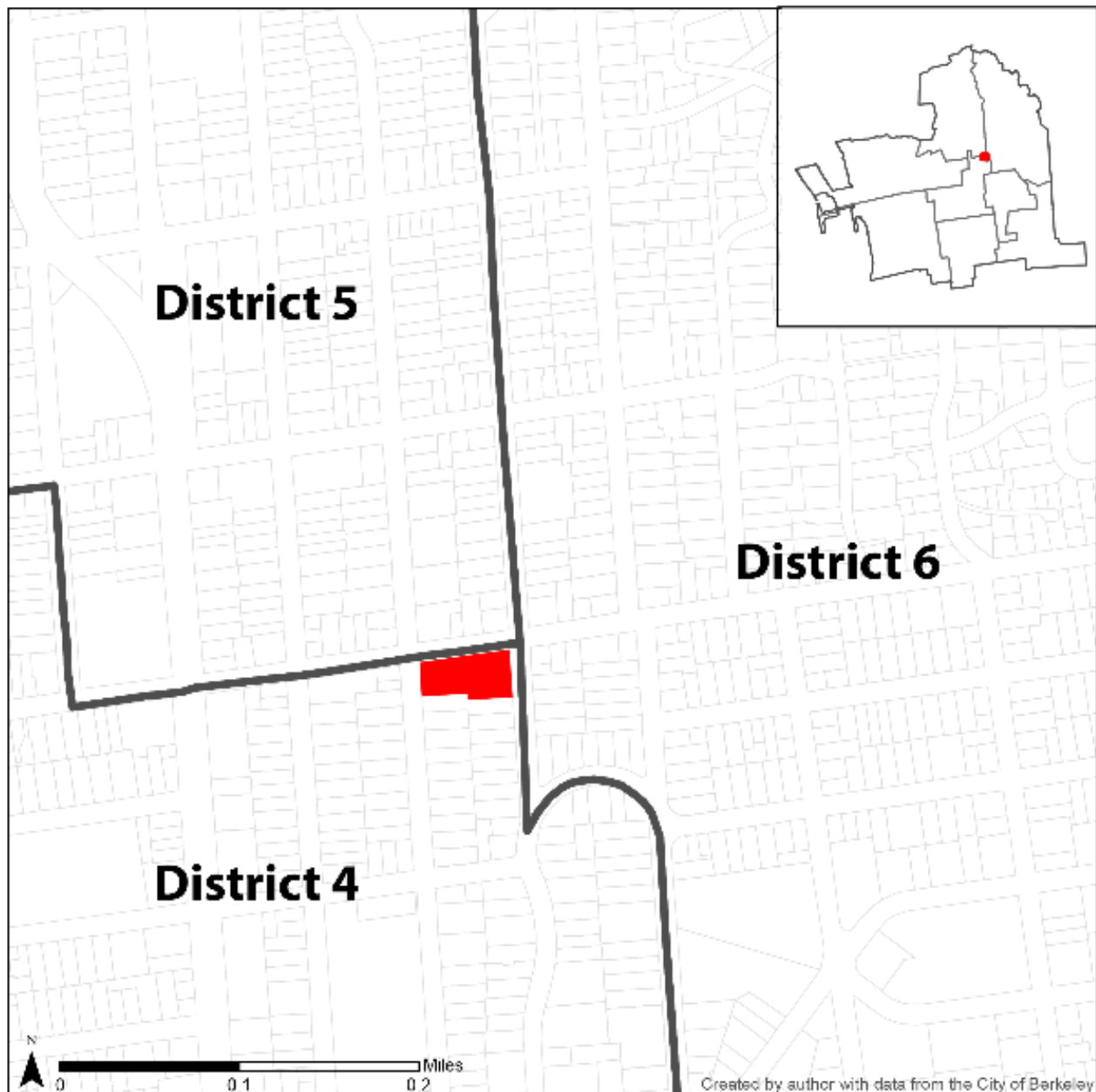
Conscious that political support would be critical for any future project, the subcommittee also reached out to its elected officials to understand their housing priorities and gauge their level of support. While All Souls is technically located in District 4, it is uniquely located at the intersection of three local council districts in Berkeley. At the time in 2015, Districts 4, 5, and 6 were represented by Councilmembers Jesse Arreguín, Laurie Capitelli, and Susan Wengraf, respectively. Of the three, now-Mayor Jesse Arreguín was particularly enthusiastic about the project, encouraging All Souls to pursue housing through whichever means the Parish believed would secure the neighborhood's support.

---

<sup>74</sup> Parish House Roadmap Group, "Parish House Roadmap Report."

<sup>75</sup> City of Berkeley, "2015-2023 Berkeley Housing Element."

**Figure 6. All Souls and Jordan Court are Located at the Intersection of Three City Council Districts**



*Source: Author; Data Source: City of Berkeley.*

About a year after these initial conversations, during City Council elections in 2016 and 2017, Councilmember (and current Vice Mayor) Kate Harrison won Mayor Arreguín’s vacant District 4 seat, while Councilmember Sophie Hahn filled Capitelli’s seat in District 5.<sup>76</sup> All Souls spent time meeting with Harrison and Hahn, both of whom were very supportive of the preliminary plans for Jordan Court, and particularly the plan to build sorely-needed affordable senior housing. They, along with Mayor Arreguín, became staunch advocates for the project,

<sup>76</sup> Dinkelspiel, “Kate Harrison to Be Sworn in Wednesday as New Berkeley City Council Member.”



working with All Souls, SAHA, and their colleagues on the City Council to address any number of obstacles that arose throughout the development process.

Going into the development process, All Souls recognized that it lacked the internal expertise and capacity to develop and operate affordable housing on its own and would need to partner with a knowledgeable, experienced developer. As a result, a key task was to identify potential candidates. The subcommittee consulted with City staff and elected officials as well as others in All Souls' network to find trustworthy partners—and partners who would respect the Parish's faith-based values, goals, and processes. In particular, the subcommittee turned to St. Paul's Episcopal Church, another congregation within the Episcopal Diocese of California, which had begun the process of developing affordable housing on its property approximately 18 months before All Souls, for guidance. The subcommittee also relied on East Bay Housing Organizations (EBHO), a local housing advocacy group with deep roots and extensive knowledge of the housing landscape in the Bay Area, as well as ties to the interfaith community through its Faith and Justice Committee. Based on recommendations, the subcommittee met with local developers and contractors to evaluate the property's development potential and formulate preliminary architectural concepts.

### ***Internal Deliberations & Selecting a Path Forward***

After compiling the information it had gathered, the subcommittee presented three main options to the Vestry in August 2015: 1) replace the Parish House with a similar structure; 2) build market-rate housing; or 3) build affordable housing.

Replace the Parish House	Build Market-Rate Housing	Build Affordable Housing
Invest in bringing the Parish House up to code or replace it with a modest building containing office, meeting, and residential space for All Souls' use, as well as a few apartments for rent.	Partner with a for-profit developer to build and manage market-rate housing, with office, meeting, and residential space reserved for All Souls' use.	Partner with a nonprofit housing developer to build and manage affordable housing, with office, meeting, and residential space reserved for All Souls' use.

Recognizing that its decision would have a lasting, multigenerational impact not only on the Parish itself but on the broader community, All Souls entered a lengthy period of discernment to contemplate the three options the subcommittee had identified. In discussions amongst the members of the Vestry and the Parish's spiritual leadership, congregation-wide conversations, and consultations with the Diocese, which ultimately owns the land, All Souls debated the best path forward. Consensus did not come easily, however.

Some congregants were worried about making a decision that would tie the Church's hands in the future. The first option, replacing the Parish House, would have required a substantial investment and All Souls would have been on the hook for financing it, but it provided the most flexibility, allowing the Parish to change course or redevelop the property down the road. In contrast, developing affordable and market-rate housing would both require a long-term commitment. With an affordable housing project, financing would have largely come from public sources, and very likely the low-income housing tax credit (LIHTC) program. Under federal regulations, LIHTC-funded projects must remain affordable to residents at a given threshold for a minimum 30 years, and in some states even longer.<sup>77</sup> In California, specifically, LIHTC projects must agree to maintain affordability for at least 55 years.<sup>78</sup> Market-rate housing development typically relies more heavily on private financing and therefore does not have to contend with extended regulatory periods; however, it too would have required significant long-term debt.<sup>79</sup> Recalling the past financial burden of maintaining the property, the Church was nervous about losing flexibility to change course from 55 to up to nearly 100 years.

The congregation also grappled with how best to use its resources to serve the community. Some parishioners hewed towards a free market approach, arguing that the Church should maximize the value of the land by ground-leasing the property to a developer to build market-rate housing, and then dedicate any future income to furthering the Church's mission and ministry. Others were less comfortable with this model, concerned that building more market-rate housing would exacerbate displacement in the neighborhood and Berkeley more broadly. For many congregants, particularly those already struggling to stay housed, young families questioning whether they would be able to afford to stay in the area long-term, and older members whose adult children had already left after being priced out, the rising cost of housing was particularly salient. Along these lines, the Church also grappled with the fact that however much housing they built, it would only be a drop in the bucket compared to the level of need.

Further, All Souls wrestled with whom they aimed to serve. An early question revolved around whether the Parish wanted to build market-rate housing for those with means or pursue affordable housing for those going without. However, a proposal from a for-profit developer to build housing targeted to college students at very high rents did not sit well with many congregants. In addition, some parishioners had initially assumed that All Souls members would have priority for affordable units in the new building and were disappointed to learn that this would not be possible given that the development would almost certainly rely on public financing. Under federal and California civil rights laws<sup>80</sup>, affordable housing providers that receive public funds may not select or exclude residents on the basis of religion. After

---

<sup>77</sup> Novogradac & Company LLP, *Introduction to Low Income Housing Tax Credits*.

<sup>78</sup> "CTCAC Tax Credit Programs."

<sup>79</sup> Parish House Roadmap Group, "Parish House Roadmap Report."

<sup>80</sup> The Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) and the California Fair Employment and Housing Act prohibit housing discrimination against people in protected classes.



reconciling with that reality, the Parish considered different target populations. Some of these populations aligned with All Souls' existing services for people experiencing homelessness and programs for foster youth, but the Parish also considered other populations such as veterans, families, and people suffering from mental illness and/or substance use. In narrowing their options, the Parish also took into account factors like the potential for public financing, applicable regulations, and the likelihood of neighborhood opposition. In the end, like many other faith-based groups, the congregation coalesced around senior housing, wagering that their neighbors would be less likely to organize against elderly residents than other populations.

After more than a year of deliberation and with the support of the Diocese, All Souls' Vestry voted to pursue an affordable housing development project. Inspired by a clarion call from younger congregants to focus on the most marginalized members of the community, the Vestry ultimately concluded that affordable housing "aligned best with [the Parish's] intention to encounter the Holy through Gospel-inspired service, working side-by-side with [their] sisters and brothers in the wider community."<sup>81</sup> At the same time, however, the Church's leaders were cautious, agreeing to re-evaluate their decision along the way to ensure the Parish's needs were being met and to change course if needed.

## ***Entering a Development Partnership***

While gathering information early in the process, the subcommittee had identified two potential local nonprofit housing development partners based on recommendations from City officials, peers at St. Paul's Episcopal Church, and EBHO. Both developers had excellent credentials, but All Souls had been especially impressed with Satellite Affordable Housing Associates (SAHA), a Berkeley-based organization with a strong track record of successful projects in Berkeley and across the Bay Area. The subcommittee began exploring a preliminary affordable housing proposal with SAHA when it was researching different development options, and they continued to flesh out what a project might look like while the congregation deliberated over which option to pursue.

In mid-2016, SAHA applied for and was awarded a \$25,000 predevelopment loan from the City of Berkeley Housing Trust Fund for a site feasibility study.<sup>82, 83</sup> SAHA worked with a local architecture firm to analyze the development potential of the site given its size and layout, applicable land use regulations, and potential financing options. The analysis pointed to a relatively limited project with approximately 30 units, which SAHA knew would be more difficult to finance. Nevertheless, SAHA was eager to take on the project for several reasons.

---

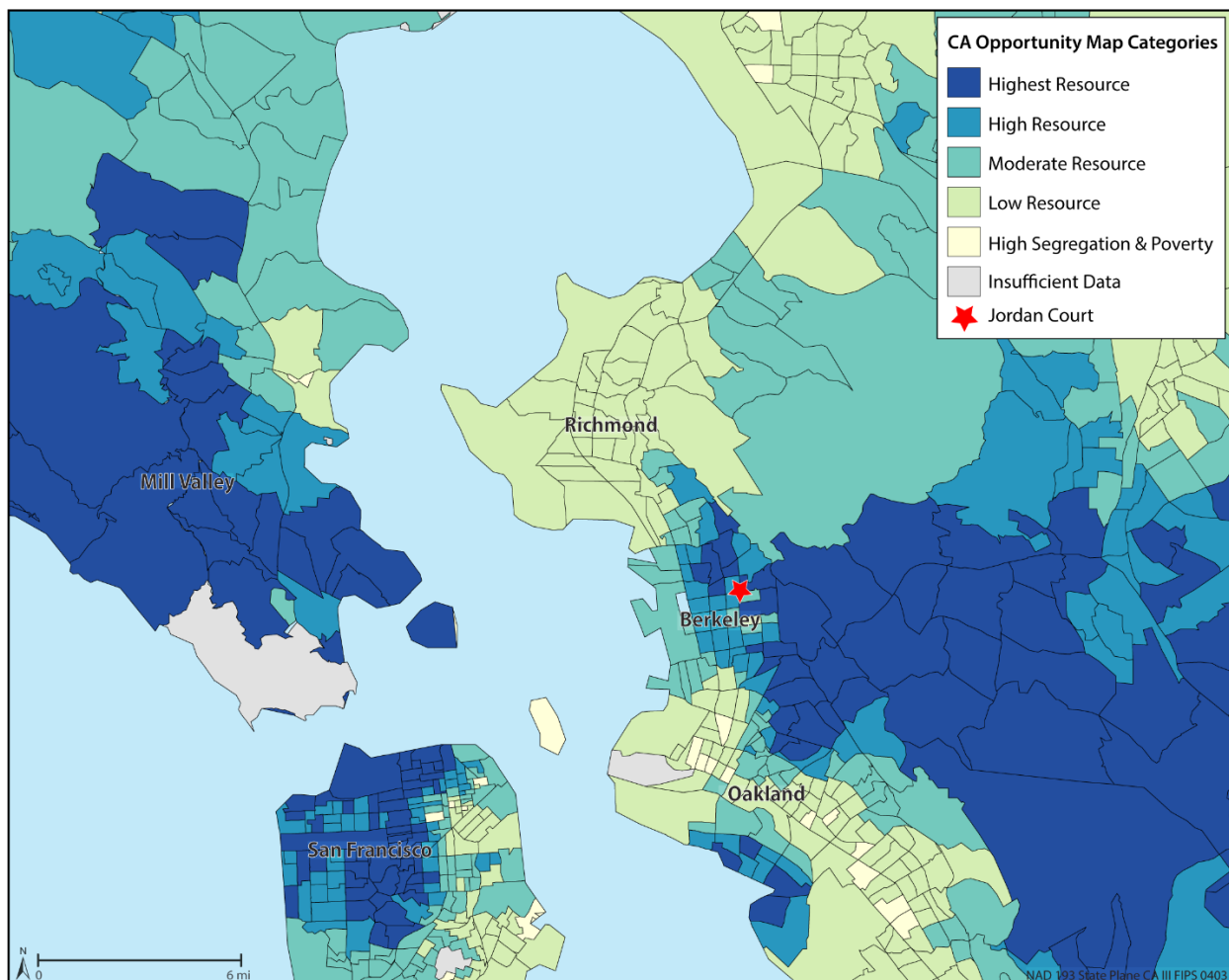
<sup>81</sup> "Values & Vision."

<sup>82</sup> City of Berkeley, "Action Calendar Item: Proposed Development for 2012 Berkeley Way and Reservation of Housing Trust Funds for Predevelopment Loans."

<sup>83</sup> The City of Berkeley received and approved two applications for predevelopment funds through its Housing Trust Fund in 2016, one from SAHA for 1601 Oxford Street and one from BRIDGE for the Berkeley Way project.

The most obvious reason was that the Parish’s land contribution, appraised at nearly \$3 million, would substantially reduce the total project cost. This presented a rare opportunity to build affordable housing in a wealthy, high opportunity neighborhood with prohibitively high land values where little affordable housing had been built in over 20 years.<sup>84</sup> The project was also a good geographic fit for SAHA given their portfolio. Though it would be relatively small, SAHA believed they could achieve economies of scale in terms of staffing and other resources thanks to the site’s proximity to SAHA’s other properties like Amistad House, a senior housing site less than half a mile away. Moreover, SAHA was confident that they could secure entitlements for the project and be competitive for city funding given their prior experience in Berkeley.

**Figure 7. Jordan Court is in a High-Opportunity Area**



*Higher-resourced areas are associated with greater educational attainment, income, and economic mobility, and lower pollution and poverty, among other indicators. SAHA was eager to partner with All Souls in part because it represented a rare chance to build affordable housing in a high opportunity neighborhood that has long been largely inaccessible to low-income families. Map by Author; Data Source: CATCAC [methodology](#) (2022).*

<sup>84</sup> “2022 TCAC/HCD Opportunity Map.”

SAHA was also interested in working with a faith-based organization, and All Souls in particular, for several reasons. Having previously partnered with many other nonprofit and community-based organizations, SAHA was open to partnering with other groups whose goals aligned with their mission to “provide quality affordable homes and services that empower people and strengthen neighborhoods.”<sup>85</sup> Further, given the nascent but growing interest in these nontraditional partnerships at the time, as SAHA later noted in its application to the Berkeley Zoning Adjustment Board in July 2018, they believed that the project could “serve as an example for other institutional landowners considering the development of affordable housing.” Beyond these strategic goals, SAHA was impressed by the amount of research and preparation All Souls had done to clarify its vision, goals, and priorities for the project. The fact that the Parish had already engaged with city staff and understood some of the opportunities and constraints of development, like not being able to promise units to members of the congregation, indicated they would be a good partner.

By late 2016, All Souls and SAHA had built enough trust and confidence to move forward with formalizing their partnership. SAHA’s efforts to obtain the predevelopment loan and develop a proposal that satisfied the Parish’s needs were key factors in this decision, but the sense of mutual respect, mission alignment, and a shared vision for the development that the two parties built over the course of numerous conversations was equally important.

When All Souls began exploring the possibility of building housing, the subcommittee was responsible for gathering information and formulating potential options. After the Vestry voted to move forward with partnering with SAHA to build affordable housing, the subcommittee passed the baton to another team of volunteers to guide the project through the next phase of the development process. Unofficially referred to as the Core Team, the group was composed of the Parish’s Rector, the Reverend Phil Brochard, along with 10 or so parishioners, some of whom had served on the subcommittee, lending continuity to the process. In the past, the Parish had often drawn on the professional expertise of its congregants when various issues arose. It similarly tapped into this wealth of internal talent to build a Core Team of lawyers, architects, real estate developers, community affairs specialists, communications experts, and others with talents to share.

An early task for the Core Team, particularly those with legal experience, was working with SAHA’s legal team to draft the legal documents that would underpin the partnership. The Core Team and SAHA began by outlining a memorandum of understanding (MOU) of each party’s rights and responsibilities. Many congregations prefer a more hands-off approach, opting to ground lease land to a developer to develop and operate affordable housing. In contrast, All Souls was clear from the beginning that it wanted to be involved in the affordable housing ownership entity over the long term since any decisions would directly impact them as tenants

---

<sup>85</sup> Satellite Affordable Housing Associates, “Mission.”

and next-door neighbors. This was reflected in the MOU, which specified that SAHA would have primary rights and responsibility for developing the proposal, obtaining entitlements, fundraising, overseeing construction, and handling operations and management of the building (including financial liability), with All Souls retaining the right to reasonably approve major decisions pertaining to the property, including the building design.

In May 2017, All Souls and SAHA executed a Joint Development Agreement (JDA) formalizing their partnership and outlining their operating agreement. The JDA included several key components. First, it created a general partnership entity (Jordan GP LLC) with both parties named as equal (50%) partners and with SAHA<sup>86</sup> designated as the managing partner. Under the fee structure of the agreement, SAHA was entitled to 100% of the developer fee from the project, which was scheduled to pay out a portion at construction closing, another portion at conversion to permanent financing, and the remainder out of the project's cash flow over the first 10 years of operation. Second, the JDA included an option to ground lease, through which All Souls effectively committed to donating the land to the partnership entity for 93 years at \$1 per year if the project moved forward. Third, it specified that, in turn, the partnership entity would lease meeting and office space, as well as two apartments, in the building back to All Souls for \$1 per year over the same period. Under this arrangement, All Souls retained the deed to the land and had guaranteed space in the future building. Meanwhile, the option to ground lease enabled SAHA to leverage the site to raise funding for the development. Although the JDA met both parties' needs, the complexity of the partnership structure created obstacles down the road.

## ***Design & Community Outreach***

When All Souls and SAHA first started exploring a partnership, SAHA had turned to HKIT, an architectural firm with whom they had an existing working relationship, to develop the preliminary architectural concept. Thus, after All Souls and SAHA signed the JDA and began moving forward with the schematic design, SAHA recommended continuing to work with HKIT since the firm was already familiar with the site. All Souls, new to the affordable housing development process and relying on SAHA's expertise, concurred.

Taking into account the relatively small site (13,900 total square feet), space for All Souls' use, and applicable land use rules, the project team landed on a proposal for a 5-story, L-shaped building fronting Oxford and Cedar Streets with 34 apartments for low- and very low-income seniors, 1 apartment for an on-site manager, and 2 apartments for All Souls' staff. However, while the overall concept was set, it took time and sometimes challenging conversations to achieve a design on which the parties could all agree. This was due in large part to a clash in styles, as HKIT's aesthetic tended more modern, while All Souls preferred a more traditional look.

---

<sup>86</sup> More specifically, with Satellite Affordable Housing Associates Development, Inc.

Given its context, All Souls aimed to create a space that would achieve a sense of harmony and calm to create a supportive environment for future residents, as well as a building that would blend into the neighborhood without feeling too imposing or out of sync with the existing architecture. This latter goal stemmed as much from the congregation's concern about having to live with whatever was built next door for the foreseeable future as from a desire to avoid neighborhood or political opposition. As a long-time part of the community and with several architects on its Core Team, All Souls had relationships with many of its neighbors, including several architects in the area. Knowing that these neighbors felt strongly about preserving the area's architectural styles, a mix of Victorian, Craftsman, Tudor, Colonial Revival, and Mid- to Late- Century Modern styles, All Souls was attuned to the need to find a design that would not feel out of place.

The Parish's caution was not unfounded. At the same time when All Souls was contemplating its options, another nearby housing project involving a religious organization had faltered in the face of strong neighborhood resistance. Pacific School of Religion (PSR), a seminary a few blocks southeast of the Parish, was looking to redevelop its property, known colloquially as "Holy Hill," to shore up its struggling finances while also addressing the lack of affordable housing for its students and faculty. In August 2016, PSR announced plans to build a senior housing complex with apartments, a memory care facility, and nursing facilities on its property in partnership with a developer based in Illinois. The project faced swift backlash from neighbors who believed the project was "out of scale and out of character with the residential neighborhood..., was being built for the "very wealthy," not ordinary seniors, and would destroy too many old and architecturally significant buildings on the PSR campus, [as well as] destroy prized open space in the middle of the city."<sup>87</sup> Led by an architect living nearby, neighbors formed a group named "Save Holy Hill" to stop the plans from moving forward in the interest of preserving the "historic character of the buildings and open space on Hilly Hill for the benefit of the community."<sup>88</sup> Ahead of the November 2016 election, Save Holy Hill successfully organized voters to elect candidates for Mayor and City Councilmember positions who opposed the proposed development. Ultimately, lacking the political support needed to entitle the project and facing an implicit threat of litigation from neighborhood opponents, PSR and the developer pulled the plug on the housing project in January 2017.<sup>89, 90</sup>

Watching this process unfold reinforced the project team's commitment to engage with neighbors and other key stakeholders as early as possible to address their concerns and maintain political support. In July 2017, All Souls hosted an open house to gather feedback from

---

<sup>87</sup> Dinkelspiel, "Plan to Build Apartments on Holy Hill Dies Due to 'Changes in Local Political Landscape.'"

<sup>88</sup> "Save Holy Hill."

<sup>89</sup> Dinkelspiel, "Pacific School of Religion to Build 265-Unit Senior Center"; Dinkelspiel, "Plan to Build Apartments on Holy Hill Dies Due to 'Changes in Local Political Landscape.'"

<sup>90</sup> Five years later, PSR is still struggling to identify a path forward as it and other local seminaries face financial difficulty.

congregants, neighbors, elected officials, and other stakeholders. Initially, most neighbors were generally receptive to senior housing, but several were concerned about the overall bulk and height of the project, even though the proposed building was not significantly taller than some of the other multi-family buildings in the area. In particular, some were unhappy that the new structure would block the view from their homes, while others worried it would feel overly imposing to pedestrians. Some neighbors opposed removing the old Parish House, citing its architectural value, even though it was not designated as a historically significant building. Other neighbors raised concerns about potential traffic and environmental impacts, disruption from construction, and the loss of off-street church parking – though one neighbor, in contrast to this last complaint, urged the project team to go even further and remove *all* of the parking rather than just a handful of spaces. Many of these concerns were reasonable; however, others were rooted in ugly stereotypes and assumptions about the future residents of the building. In interviews, members of the project team and local officials recalled some of the crueler comments they received, with some opponents arguing that “those people” did not belong in the neighborhood and insinuating that the future residents and their guests would use drugs, commit crimes, and endanger children living and attending school nearby.

Mindful that many of those with concerns would still be their neighbors long after the new building opened and residents eventually moved in, All Souls was deeply committed to addressing stakeholders’ feedback wherever possible. Over the course of many months, Rev. Brochard and other members of the Core Team continued to meet with neighbors, even visiting them one-on-one at their homes, to understand their reservations and find mutually acceptable solutions. While a vocal minority of neighbors continued to oppose the project despite the Parish’s outreach, this time-intensive strategy largely paid off, helping build community and political support for the project. Moreover, these and other conversations, including several with a handful of architects living nearby and city staff, produced suggestions that improved the design, from adding a rooftop deck to modifying the roofline, façade, landscaping, and garage to reduce the sense of scale and better integrate the building into the streetscape. By the second open house in November 2017, the design had evolved considerably, and the project team received much more positive feedback from stakeholders on the updated proposal.

**Figure 8. Early and Final Renderings of Jordan Court**



*The design for Jordan Court evolved significantly over the course of several months. The final rendering reflected All Souls' preference for a more traditional architectural style and incorporated feedback from neighbors.*  
*Source: L. Kirk Miller, as modified by the author.*

“[The rooftop deck] is spectacular. When you take a half-step back and realize that people who are currently living on the streets are now going to have access to a rooftop with a sweeping view and it’s going to be theirs, that’s the kind of reversal that I think the gospel is about.”

—Rev. Phil Brochard



**Figure 9. View from Jordan Court Overlooking the San Francisco Bay**



*Source: Rev. Phil Brochard, as edited by the Author.*

## ***Entitlements***

After refining the proposal in collaboration with the community, the next step was obtaining the City of Berkeley’s approval. In February 2018,<sup>91</sup> SAHA applied to Berkeley’s Zoning Approvals Board (ZAB) for the necessary permits to replace the existing Parish House and adjacent parking lot with a new multi-family residential building.

Under California’s density bonus law<sup>92</sup> certain affordable housing development proposals may exceed local density restrictions and are eligible for up to four “incentives” or “concessions,” often exemptions or waivers, from local development standards if necessary to achieve the allowed increased density. Under the density bonus law, SAHA was entitled to build up to 37 apartments. Because the property was already zoned for high-density, multi-family residential housing, in theory, SAHA was allowed to build that many units. But in practice, under Berkeley’s existing development standards, SAHA could not build a structure large enough to take advantage of the bonus without some flexibility. In its application, therefore, SAHA requested several concessions, including permission to reduce setbacks in select locations and reduce the amount of open space on the site below the minimum allowed thresholds, as well as exceed the maximum 35’ height and 3-story limits.<sup>93, 94</sup>

---

<sup>91</sup> SAHA first submitted an application on February 16, 2018, but it was deemed incomplete on March 15, 2018. SAHA resubmitted the application on May 9, 2018, and it was deemed complete on June 9, 2018.

<sup>92</sup> See [California Government Code Sections 65915-65918](#)

<sup>93</sup> Satellite Affordable Housing Associates, “1601 Oxford Street Applicant Statement and Plans.”

<sup>94</sup> Zoning Adjustments Board Staff, “Staff Report for 1601 Oxford Street.”



**Figure 10. Jordan Court Proposal Compared to Berkeley's Development Standards**

Standard BMC Sections 23D.36.070-080		Existing	Proposed Total	Permitted/Required
Lot Area (sq. ft.)		Subject lot: 6,750 Parking lot: 7,418	14,168 <sup>1</sup>	n/a
Gross Floor Area (sq. ft.)		7,381	35,985	42,504 Max.
Dwelling Units	Total	10	37	27
	Affordable	0	34	
Building Height	Average Height	Cedar: 29' Oxford: 38'	Cedar: 45'4" Oxford: 51'2"	35' Max.
	Stories	3	5	3 Max.
Building Setbacks	Front (Oxford Street)	5'	15'	15' Min.
	Rear (East)	34'	10'	15' Min.
	Street Side (Cedar Street)	5'10"	6'-12'	10' (3 stories)
	Right Side (South)	60'	6'	6' (3 stories)
Lot Coverage		21%	45%	45% Max. (3 stories)
Usable Open Space (sq. ft.)		1,893	5,293	7,400 Min. (200 per unit)
Parking	Automobile	4	21	18 <sup>2</sup>
	Bicycle	0	6	n/a

<sup>1</sup> After lot merger  
<sup>2</sup> Residential parking: 9 spaces for Senior units (25% of 34) 3 for remaining dwelling units, 6 spaces for 1,433 square feet of church office use (4 per 1000 square feet).

Source: City of Berkeley Zoning Adjustments Board Staff Report in 2018.

## Coast Live Oak Trees



Source: [City of Berkeley](#).

An early challenge in the entitlements process stemmed from a short but significant provision in Section 6.52.010 of the Berkeley City Code. Since 1996, City of Berkeley has prohibited the removal of Coast Live Oak trees with a trunk more than 18 inches in circumference, or approximately 6 inches in diameter. The ordinance provides for limited exceptions, such as for cases in which the City Manager determines that the tree posed a “danger to life or limb due to the condition of the tree, or is a danger to property, and that the only reasonable mitigation would be removal of the tree.”<sup>95</sup> Shortly after SAHA submitted the project application, the City Arborist noted that there were several Coast Live Oak trees in the parking lot that were more than 6 inches in diameter, and advised the project team that it was not, therefore, permitted to remove them.

<sup>95</sup> City of Berkeley, Moratorium on the Removal of Coast Live Oak Trees.

The Coast Live Oak trees might have derailed the project if not for the support of local elected officials with whom All Souls had developed a strong rapport. Committed to the success of the project, Mayor Arreguín, along with Councilmembers Hahn and Harrison, drafted an ordinance to authorize the removal of Coast Live Oak trees that “substantially interfere” with an affordable housing development with at least 50% of units affordable to extremely low-, very low-, or low-income households, as long as the developer replaces the trees in Berkeley.<sup>96</sup> Mayor Arreguín placed the ordinance on the consent agenda for the City Council’s June 26, 2018, meeting. It passed upon a second reading on July 10, 2018, two days before SAHA’s first appearance before the ZAB.

### **ZAB Approval**

Although not required, city staff had advised the project team to preview their plans for 1601 Oxford Street at a preliminary hearing before the ZAB in advance of the ZAB’s final hearing. During the preview hearing on July 12, 2018, the commissioners were very receptive to the proposal. Beyond a handful of recommendations to modify the building entrance and to address potential traffic safety issues at pick-up and drop-off areas at the site, the ZAB raised few concerns. The project also received support from members of the public who provided positive comments in oral and written testimony. Still, the project continued to face opposition from a group of neighbors, several of whom submitted comments to the Board outlining a variety of concerns.

SAHA, a veteran of planning commission meetings, was confident going into the final hearing before the ZAB on November 8, 2018. For their part, some members of the Core Team, including Rev. Brochard, were anxious, but the hearing went smoothly. When the commission voted unanimously to approve the project at the end of the hearing, it was a jubilant moment.

“Then we went to the Zoning Adjustment Board, which is really where the power lies. We were anxious about that, but they were incredibly supportive—they gave their unanimous support. It was a really amazing moment.”

—Rev. Phil Brochard

---

<sup>96</sup> City of Berkeley.

Nevertheless, the neighbors opposing the project were not prepared to give up. They appealed the ZAB's decision to the City Council on December 4, 2018, the last day of the appeal period.<sup>97</sup> This threw a wrench in SAHA's plans because they needed to finalize the entitlements for the project by December 26, 2018, to apply for Alameda County's Measure A1 funds, a key source of financing. Facing this tight deadline and knowing it could be several months to schedule an appeal hearing, at the recommendation of City staff, SAHA and All Souls decided to invoke SB 35 for ministerial approval of the project.

### **Invoking SB 35**

SB 35, which took effect January 1, 2018, requires cities in California not meeting their housing production goals under the Regional Housing Needs Allocation (RHNA) to grant ministerial approval to housing projects meeting certain affordability thresholds. Having ministerial approval also means these projects are not subject to review under the California Environmental Quality Act (CEQA), which has been weaponized in recent years to block housing and other projects. In late 2018, SB 35 was still relatively untested; only a handful of developers had filed applications for streamlined approval under SB 35, with mixed success.

After purchasing the Parish House back from the brothers in Incarnation Priory in 2010, All Souls had informally offered the apartments as lodging for seminarians and others associated with the Parish, as Rev. Brochard put it, "seeking to live in intentional Christian community." Because people were still living in the Parish House in early 2018, SAHA did not initially believe they would be eligible under SB 35, which specifies that a proposed project may not "demolish tenant-occupied housing, rent-controlled housing, or affordable housing, among other limitations." However, in a memo to the Department of Planning & Development dated October 30, 2018, Berkeley's Rent Stabilization Board concluded that the statutory "restrictions in SB 35 related to rent-controlled or tenant-occupied housing" did not apply to 1601 Oxford Street. In reaching this conclusion, the Board found the development would result in a net increase of affordable housing in the city and that there was "no indication that the project [would have any] impact on sitting tenants nor recent occupants who may have been displaced." While not explicitly spelled out in the memo, the crux of the decision appears to have hinged on the determination that the apartments in the Parish House did not constitute rental units with tenants under the City of Berkeley's Rent Stabilization and Eviction for Good Cause Ordinance because the residents did not sign leases with All Souls or pay rent.<sup>98, 99</sup>

---

<sup>97</sup> Williams-Ridley, "Memorandum Re: Approval of Developments at 2012 Berkeley Way and 1601 Oxford Street Pursuant to Senate Bill 35."

<sup>98</sup> Kelekian, "Memorandum Regarding the Eligibility for SB 35 Ministerial Approval of 1601 Oxford Street/2200 Cedar Street."

<sup>99</sup> Although not considered tenants for purposes of SB 35, individuals living in the Parish House were still entitled to a relocation allowance under state and federal rules for LIHTC.

For SAHA, recognizing that losing this funding opportunity could significantly delay, or even derail, the financing for the project, the decision to invoke SB 35 was straightforward. Under the JDA, though, All Souls had an opportunity to weigh in, and the Parish was more hesitant, concerned about further jeopardizing its relationship with its neighbors. However, after it understood the potential consequences, in the end the Parish signed off on the strategy. This turned out to be one of the most pivotal decisions in the entire process. After making the call to request ministerial approval under SB 35, SAHA quickly submitted an application to the City. The City responded within days, issuing a determination letter on December 21, 2018. The rapid turnaround enabled SAHA to secure \$5,834,096 in Alameda County Measure A1 funds for the project, which paved the way for additional sources of financing. SB 35 approval also voided the neighbors' appeal of the ZAB's decision and precluded the possibility of a CEQA challenge, both of which could have added significant time and cost to the project.

### **Separation of Church and State**

The project ran into another potential obstacle when one of Berkeley's Councilmembers, responding to a concern raised by one of their constituents, asked the City Attorney to review whether using public funds for the project would breach the separation between church and state. Upon reviewing the matter, the City Attorney concluded it would not, citing a Supreme Court decision from 2017. The case, *Trinity Lutheran Church of Columbia, Inc. v. Comer*, centered around a Missouri preschool operated by Trinity Lutheran Church that was denied a state grant to replace the surface of its playground under a state policy that prohibited giving financial aid to religious entities. Trinity sued in federal court, arguing that Missouri had violated the Church's First Amendment right to freedom of religion. In a 7-2 decision, the Supreme Court sided with Trinity, finding that States may not withhold "an otherwise available public benefit" based solely on an entity's religious status, and that doing so would "impose[s] a penalty on the free exercise of religion."<sup>100</sup> Based on this ruling, the City Attorney concluded that FBOs are eligible to receive public dollars to build affordable housing the same as other nonprofit entities.

### ***Financing***

Financing construction of an affordable housing project virtually always requires developers to layer funding from multiple sources, and they commonly combine funds from four to eight—if not more—different sources.<sup>101</sup> Jordan Court was no different; SAHA leveraged and braided together city, county, state, federal, and private funds to cover the approximately \$25 million cost of developing the site. In addition, SAHA obtained funding in the form of rental subsidies to help cover operational costs after opening. The details of SAHA's process to identify and align

---

<sup>100</sup> "Trinity Lutheran Church of Columbia, Inc v Comer, Director, Missouri Department of Natural Resources."

<sup>101</sup> Kneebone and Reid, "The Complexity of Financing Low-Income Housing Tax Credit Housing in the United States."

these different sources of funding are largely outside the scope of this paper; however, several issues merit a brief discussion.

**Figure 12. Jordan Court Funding Sources**

City of Berkeley
Berkeley Housing Authority
Alameda County
CA Dept. of Housing & Community Development
California Tax Credit Allocation Committee
California Debt Limit Allocation Committee
California Municipal Finance Authority
U.S. Dept. of Housing & Urban Development
Federal Home Loan Bank of San Francisco
Housing Trust Silicon Valley
Silicon Valley Bank
National Equity Fund

*Data Source: All Souls and SAHA.*

### **Alameda County Measure A1 Affordable Housing Bond (Measure A1) — \$5,834,096**

Approved by Alameda County voters in November 2016, Measure A1 authorized the County to “issu[e] up to \$580 million in general obligation (GO) bonds for affordable housing programs countywide.”<sup>102</sup> Among other uses,<sup>103</sup> some of the bond proceeds were earmarked for affordable housing construction, with the goal of making projects more competitive for LIHTC and other public financing. Measure A1 included a live/work preference for Alameda County residents, meaning that an applicant from another jurisdiction in the County would have the same chance of winning a spot in the new building as an applicant from Berkeley, but a greater chance than an applicant from outside the County.

Measure A1 was a key piece of the financing puzzle for Jordan Court: after receiving final approval from the ZAB, SAHA invoked SB 35 to ensure it would not miss the application deadline for Measure A1 in December 2018. However, Measure A1 was also significant in other ways. In particular, because the County funds required applicants to demonstrate a local match, SAHA was able to leverage the approximately \$6 million in Measure A1 funds it expected to receive to obtain a forward funding commitment of \$6 million from the City of Berkeley.<sup>104</sup> Mayor Arreguín and Councilmembers Sophie Hahn and Kate Harrison<sup>105</sup> were critical to making

---

<sup>102</sup> Berkeley Housing Authority, “New Business Item 5c: Allocation of 53 Project-Based Section 8 Vouchers.”

<sup>103</sup> Recall from the Introduction section that Alameda County used Measure A1 dollars to fund the Housing Development Capacity- Building Program run by LISC Bay Area.

<sup>104</sup> Arreguin et al., “Consent Calendar Item: Funding Commitment for Oxford Street Apartments, 1601-1603 Oxford Street.”

<sup>105</sup> Then-Councilmember Maio co-introduced the measure to approve the forward funding commitment

the match possible, introducing the item on the City Council’s consent agenda in October 2018 in advance of the application deadline. Having this financial support from both Berkeley and Alameda County in turn facilitated access to other sources of funding.

### **No Place Like Home (NPLH) Program — \$2,370,595**

NPLH is a state-level program administered by the California Department of Housing and Community Development (HCD). Created in July 2016, the program provides funds to counties to augment the supply of permanent supportive housing for individuals with serious mental illness who are experiencing homelessness or are at risk of chronic homelessness.<sup>106</sup> As part of the program, awardees must provide individualized case management support for tenants and help coordinate tenants’ access to community-based services.

Apprehensive about further inflaming tensions with neighbors in January 2019, some members of the Vestry initially hesitated to pursue the NPLH funds. However, another call from younger leaders to serve the members of the community who are most marginalized swayed the Vestry to give SAHA the green light to move forward with a joint application with Alameda County. The project was awarded \$2.37 million in June 2019.

Under the NPLH program, 12 of the 34 affordable units in Jordan Court are reserved for formerly homeless seniors with serious mental illness.<sup>107</sup> Alameda County is coordinating tenant referrals for these units, as well as funding a social worker to provide intensive case management services for the NPLH residents.

### **Section 8 Project-Based Vouchers (PBVs) — 24 Vouchers; \$4,736,160 in Rental Subsidy Over 20 Years**

Under the Housing Choice Vouchers program, HUD allocates rental subsidies, or vouchers, to individual public housing agencies (PHAs) across the country. Most of these vouchers are portable, meaning they follow tenants as they move apartments within the PHA’s jurisdiction. However, PHAs may assign up to 30% of their vouchers to specific rental units; rather than moving with a tenant, these “project-based” vouchers stay with the unit after a tenant moves out.<sup>108</sup> PHAs and cities like PBVs because they can lock in long-term affordability of a unit for up to 40 years. Developers like PBVs because they can leverage this stability to obtain additional financing for construction.<sup>109</sup>

Initially, SAHA did not expect to receive any PBVs for Jordan Court because the Berkeley Housing Authority (BHA) had stopped issuing new vouchers in late 2017 after falling into a financial shortfall status.<sup>110</sup> In February 2019, however, HUD gave BHA approval to award

---

<sup>106</sup> California Department of Housing and Community Development, “No Place Like Home Program.”

<sup>107</sup> SAHA, “Jordan Court Project Overview.”

<sup>108</sup> Metcalf, “Section 8 Housing Choice Vouchers.”

<sup>109</sup> Berkeley Housing Authority, “New Business Item 5c: Allocation of 53 Project-Based Section 8 Vouchers.”

<sup>110</sup> Berkeley Housing Authority.

99 PBVs. With a limited window to use the vouchers, BHA staff recommended allocating them to Jordan Court (24 PBVs) and the two Berkeley Way project sites (75 PBVs across both sites), more or less the only affordable housing projects in the pipeline in the City, to help them reach their fundraising goals.<sup>111</sup> The PBVs, combined with the NPLH, Measure A1, and City of Berkeley matching funds, enabled SAHA to move forward with applying for California and federal tax credit allocations under the LIHTC program.<sup>112, 113</sup>

### **Low-Income Housing Tax Credit (LIHTC) Program — \$800,855 in Annual Federal Tax Credits; \$1.53 million in Annual State Tax Credits**

First authorized by Congress in 1986, the LIHTC program aims to increase the supply of affordable housing by providing tax credits to corporations, banks, and other entities in return for investing in affordable housing development projects. The program has been a key source of funding for affordable housing construction over the last 30 years.<sup>114, 115</sup> Initially, SAHA expected to apply for the 9% tax credit program, but, facing a competitive pool at the time in November 2019, they opted to apply for the noncompetitive 4% tax credits instead. SAHA was awarded tax credits in February 2020 in the first funding round. National Equity Fund, the tax credit investor is providing more than \$8 million in equity to finance the project.<sup>116, 117, 118</sup> (National Equity Fund is a limited partner in Jordan Court’s ownership structure.)

### ***Other Challenges***

With enough capital to finance construction, the project continued to move forward and broke ground in late September 2020. Beyond the variety of challenges highlighted above, All Souls and SAHA worked through numerous others, from a utility issue requiring PG&E to run another power line to supply enough power to the site, to a flood in the Parish’s basement after an underground drainage system was inadvertently filled with concrete, last-minute changes to the design to satisfy the fire inspector, and identifying a way to allocate parking spaces and control access to the garage. These headaches cost time and money during the development process, but they were not necessarily unique to faith-based institutions or atypical among development projects. However, a few unique obstacles arose, and a handful of challenges remain.

---

<sup>111</sup> Berkeley Housing Authority.

<sup>112</sup> One of the conditions for receiving PBVs is the developer must apply for LIHTC and undergo a subsidy layering review by CTCAC.

<sup>113</sup> Jordan L.P., “2020 Non-Competitive 4% TCAC Application for Low-Income Housing Tax Credits.”

<sup>114</sup> Kneebone and Reid, “The Complexity of Financing Low-Income Housing Tax Credit Housing in the United States.”

<sup>115</sup> Novogradac & Company LLP, *Introduction to Low Income Housing Tax Credits*.

<sup>116</sup> Jordan L.P., “2020 Non-Competitive 4% TCAC Application for Low-Income Housing Tax Credits.”

<sup>117</sup> California TCAC, “TCAC 2020 1st Round State Credit Applicant and Award List.”

<sup>118</sup> In accordance with LIHTC program regulations, SAHA excluded the portions of the building solely for All Souls’ use from the “eligible basis” in its application for federal and state tax credits.

## Partnership Structure

In August 2020, having secured sufficient financing for the project and ready to move forward with construction, All Souls and SAHA executed the ground lease for the property, in accordance with the May 2017 JDA.<sup>119</sup> Just before construction closing, however, they ran into an unexpected obstacle when HCD raised concerns about the JDA and Jordan Court's ownership structure. First, HCD balked at provisions in the JDA giving All Souls the right to weigh in on major decisions pertaining to the property. The Department was concerned that these terms would unduly interfere with SAHA's ability to fulfill its responsibilities as owner and operator of the affordable housing development. As an oversight agency, the Department wanted assurance that SAHA had control over the site and would be able to comply with all applicable State rules and regulations, such as those pertaining to financial reporting, tenant selection, unit management and maintenance, and critically, loan servicing. In response, All Souls agreed to amend the partnership agreement to clarify that SAHA would have authority to act without the Parish's consent on key issues affecting HCD's administration of the program, like making loan payments.

Second, HCD objected that it would not have recourse to recover the \$2.4 million in NPLH funds if the project were unable to service the loans. Under the ownership structure and the JDA, All Souls was both the landowner and a part of the Limited Partnership entity that owned the project (i.e., the improvements on the land). As a result, since the Parish was ground leasing the property to the ownership entity, it was simultaneously the ground *lessor* and the ground *lessee*. When the ground lessor and lessee are affiliated parties, HCD typically records a deed of trust against the fee interest of the land as a form of collateral for the loans. However, All Souls—and the Bishop and the Episcopal Diocese of California, who ultimately hold the deed to the land—were opposed to this remedy because it opened the door to the possibility that they could lose the property.

For HCD, which administers billions of dollars in grants and loans, recording a deed of trust was standard procedure to safeguard taxpayer dollars. On the other hand, from All Souls' perspective, HCD was being overly cautious given the context. In their eyes, the Parish was not a bad actor that would disappear and leave HCD holding the bag if the project failed. Instead, with plans for offices and residential space in the future building and the expectation to remain next door long into the future, the Parish believed that, should their partnership with SAHA fall through, they would have every incentive to find another affordable housing operator to step in and repay the loans. Nevertheless, it was critical to address HCD's concerns. If they did not resolve the issue, the remote risk was that the Department would withhold the \$2.4 million in NPLH funds at

---

<sup>119</sup> Under the ground lease agreement, All Souls leased the property to Jordan, LP, a limited partnership entity owned by Jordan GP LLC (the general partnership that SAHA and All Souls created through the May 2017 JDA) and National Equity Fund (the tax credit investor), for 93 years for \$1 per year.



conversion to permanent financing in June 2022, which would have threatened SAHA's ability to repay the construction loan and allowed a private lender to repossess the project.

The project continued to move forward and broke ground in late September 2020,<sup>120</sup> but All Souls and SAHA continued to work together to find a mutually acceptable solution that would satisfy HCD. Ultimately, in late spring 2022, All Souls withdrew from the project ownership entity but retained the same rights and fiduciary protections as a partner to the project. This resolved the lessor/lessee issue while also ensuring that SAHA will still have to consult and seek approval from All Souls for decisions that affect the Parish in the future.

Many congregations in the Bay Area and elsewhere have experienced sharp declines in membership over the last two decades due to falling levels of religiosity and/or gentrification and displacement. All Souls' membership, in contrast, has so far stayed relatively stable, though it lost more than 40 households during the COVID-19 pandemic as congregants moved away. The Parish is still optimistic about its future, with no plans to leave. But even if All Souls were to face difficulties down the road, the current ownership structure and the 93-year ground lease protect the project and the affordability of the units over the long term. The project's ability to service its debt and obligation to maintain the affordability of the housing units is independent of the Parish's financial situation.

### **Resident Experience**

When All Souls and SAHA first began exploring a partnership to build affordable housing, a key consideration was the tension inherent in a secular housing project with a religious sponsor. They discussed at length how residents would feel living in a building developed by—and shared with—a church located next door. In thinking through this question, All Souls' leaders relied on the perspective of parishioners living in, or with family living in, affordable housing, as well as from a parishioner who worked as the on-site property manager for an affordable housing developer. None of the congregants had lived in housing that was developed by a religious institution, but they provided significant insight into the resident experience, stressing the importance of making sure residents did not feel beholden to the church.

Cognizant of this risk, All Souls has tried to be very thoughtful about how it interacts with its new neighbors. For instance, when All Souls' members put together welcome baskets for residents after Jordan Court opened, they were intentional about signing them as gifts from Jordan Court rather than as from the Parish. For pastoral leadership especially, an ongoing challenge will be how to engage with residents who want to participate in services and other church activities without putting pressure on those who do not. Because this model is not very widespread, congregations are learning to navigate this issue as they go, looking to peers for guidance. Rev. Brochard noted that he has continued conversations with his colleagues at St. Paul's Episcopal Church in Walnut Creek, which began a similar housing development

---

<sup>120</sup> All Souls Episcopal Parish, "Jordan Court: Who Was Ann Jordan, and Why Does She Matter?"

project a year and a half before All Souls, about how to navigate this relatively uncharted territory.

Beyond worrying that residents will feel obligated to the church, All Souls leaders also expressed concern that residents will feel unwelcome in the neighborhood. In part, this worry points to the contentious entitlement process and opposition to the development from a handful of vocal neighbors. However, it also stems from the recognition that future residents, particularly black and brown residents, may face racism and discrimination in a neighborhood that is predominately wealthy and white.

**Figure 11. All Souls Kept Neighbors Apprised of Progress**



*All Souls worked to maintain a positive relationship with neighbors, in part by keeping them informed throughout the development process. In this sign, they invited the neighbors to warmly welcome the new residents at Jordan Court. Source: Author.*

## Jordan Court in Context: Other Examples

All Souls is one of several religious institutions in the Bay Area and across California in various stages of developing affordable housing. The examples in this section provide some additional, high-level context, highlighting similar themes and diverging approaches.

**Figure 12. Snapshot of Select FBO-Led Development Projects in California**

<b>FBO</b>	<b>Denomination</b>	<b>Phase</b>	<b>Development Partner</b>	<b># Affordable Units</b>	<b>Target Population</b>
All Souls Episcopal Parish	Episcopal	Operational	SAHA	34	Seniors
St. Paul's Episcopal Church	Episcopal	Operational	RSD	44	People experiencing homelessness/People with Disabilities
McGee Avenue Baptist Church	Baptist	Lease-Up	BACLT	8	Low-Income Co-Op Residents
First Congregational Church	United Church of Christ	Pre-Development	TBD	TBD	TBD
Clairemont Lutheran Church	Lutheran	Pre-Development	TBD	Est. 20	Seniors
IKAR	Jewish	Entitlement	Community Corp. of Santa Monica	Est. 55 (PSH)	Seniors

## ***St. Paul's Episcopal Church, Walnut Creek, CA***



**Figure 15. St. Paul's Commons, developed by St. Paul's Episcopal Church in partnership with RCD**  
Source: [PYATOK](#).

St. Paul's Episcopal Church (SPEC), located in Walnut Creek, California, developed St. Paul's Commons in partnership with Resources for Community Development (RCD). Completed in 2020 at a total cost of approximately \$23 million, St. Paul's Commons is a mixed-use affordable housing development comprising 45 residential units, including 30 studios, 14 one-bedroom apartments, and a two-bedroom manager's unit; event and meeting space for the Church; and space for Trinity Center, a nonprofit organization that provides services like counseling, showers, mail access, and laundry for people experiencing homelessness. The 44 affordable units are targeted towards residents with income levels at 30-60% of AMI; 5 units are reserved for people with disabilities, and 23 units are reserved for people experiencing homelessness. Twenty-three of the units carry rental subsidies through Section 8 Project-Based Vouchers or the Rental Assistance Demonstration program.<sup>121</sup> Financing was provided by the City of Walnut Creek, Contra Costa County, the LIHTC program, the Contra Costa Housing Authority, and the Federal Home Loan Bank of San Francisco, among others. RCD and John Stewart Company currently manage the site.<sup>122</sup>

---

<sup>121</sup> "St. Paul's Commons and Trinity Center."

<sup>122</sup> St. Paul's Episcopal Church, "St. Paul's Commons."

St. Paul's Commons and Jordan Court are similar in several respects. They both include a mix of affordable housing and space for Church facilities; are in the San Francisco Bay Area, where the shortage of affordable housing has grown increasingly acute over the last decade; focus on special populations, particularly residents who previously lived unhoused; and received significant public financing, including LIHTC funding. They are also similar in other less tangible, yet still critical ways. Like All Souls, SPEC is part of the Episcopal Diocese of California. In addition, Rev. Brochard served as Associate Rector at SPEC before joining All Souls as Rector in 2008. As a result, the two congregations have a strong relationship and share common beliefs, values, and organizational structures. Further, new to the affordable housing space, they both relied on knowledge and expertise of trusted community-based organizations such as EBHO, which has an interfaith Faith and Justice Committee, for help navigating the development process and identifying reliable partners.

When SPEC began developing St. Paul's Commons around 2012 or 2013, few other religious institutions in the Bay Area were building housing on their property. Therefore, when All Souls began exploring options for what is now Jordan Court roughly 18 months later in 2014, it was able to look to St. Paul's as a model and learn from their experience. However, All Souls has not followed the same path to development as SPEC. For instance, in contrast to SPEC's decision to ground lease their property to a developer to build and operate affordable housing, All Souls pursued a joint venture partnership model.

SPEC and All Souls shared information as they moved through the development process, and they have continued the conversation now that they are both in the operations phase. Comparing and contrasting their experiences has benefitted the congregations, but it has also helped build technical capacity and knowledge across the interfaith ecosystem. For example, when All Souls first approached the Episcopal Diocese of California for permission to pursue Jordan Court, the Diocese was open to the idea, having recently gone through the initial stages with SPEC.



Figure 16. California Bishop Marc Andrus with Rev. Brochard



*The Episcopal Diocese of California has learned about affordable housing development by working with SPEC and All Souls to develop St. Paul's Commons and Jordan Court, respectively. Source: L. Kirk Miller.*

More recently, the Diocese has partnered with Eden Housing and Habitat for Humanity to develop housing in Contra Costa County on land that the Church purchased in 2002 but has sat vacant since. As proposed, “Blue Bird Village” would be a mixed-income community in Brentwood, California with market-rate single family houses, affordable townhouses for first-time homebuyers, and affordable rental housing, along with an organic farm and orchard.<sup>123</sup> Beyond the Episcopal faith, SPEC and All Souls have been proactive about sharing their experiences with peer congregations, part of an informal network of interfaith institutions interested in developing affordable housing.

---

<sup>123</sup> Millard, “Diocese of California Plans to Turn 9-Acre Lot into Affordable Housing and Organic Farm.”

## ***McGee Avenue Baptist Church, Berkeley, CA***



**Figure 17. Stuart Street Apartments Site Before Redevelopment**

*McGee Avenue Baptist Church partnered with BACLT to rehabilitate rental units that had fallen into disrepair.*  
Source: [Berkeleyside](#).

McGee Avenue Baptist Church (McGee) is a historically Black congregation that has been an anchor in South Berkeley for more than a century. In the 1970s, the Church purchased a 6-unit apartment building and a 2-bedroom cottage that were next door to the Church. McGee rented out the units until the 1990s, at which point it planned to repurpose the space as overflow facilities for its congregation of several hundred members. But soon after, McGee began losing members as housing costs skyrocketed and Black residents in the neighborhood were displaced amid intense gentrification.<sup>124</sup> Over the last 30 years, the congregation has dwindled to an estimated 60 congregants, many of whom commute from other counties, unable to afford to live nearby.<sup>125</sup> During that period, the apartment building and cottage remained vacant and continued to deteriorate, but McGee did not have the resources to renovate or repair them.<sup>126</sup>

---

<sup>124</sup> Orenstein, “100-Year-Old Church Wants to Turn Neglected Complex into Affordable Housing.”

<sup>125</sup> Page, “McGee Avenue Baptist Church.”

<sup>126</sup> Orenstein, “100-Year-Old Church Wants to Turn Neglected Complex into Affordable Housing.”

In the mid-2010s, McGee partnered with the Bay Area Community Land Trust (BACLT) to rehabilitate the property. If they had demolished the buildings, the existing zoning restrictions would only have permitted McGee and BACLT to build up to two units in their place. As a result, McGee and BACLT opted to rehabilitate the buildings instead.<sup>127</sup> The renovated property includes a studio apartment and seven 1-bedroom apartments affordable to households earning less than 80% of AMI. After completing the renovations, McGee and BACLT began accepting applications for residents at Stuart Street Apartments in summer 2022.<sup>128</sup>

The City of Berkeley committed \$1 million for the project, including \$50,000 in predevelopment loans in 2017 to conduct feasibility studies and develop the preliminary design, and an additional \$950,000 in September 2019. The latter award came from the City's Small Sites fund, which provides 30-year loans to nonprofits to acquire or rehabilitate buildings for affordable housing, with a preference for cooperative housing.<sup>129</sup> LISC, the Bay's Future Fund, and the African American Cultural Heritage Action Fund at the National Trust for Historic Preservation also provided financial support for the project.<sup>130</sup>

Under their partnership arrangement, McGee retained the deed to the property, and BACLT was responsible for redeveloping and managing the rental units.<sup>131</sup> Typically, BACLT purchases properties and converts them into permanently affordable housing through long-term ground leases to resident-controlled co-ops.<sup>132</sup> In this case, BACLT's role is more akin to a non-profit developer and property manager, but it is incorporating aspects of the community land trust model by working towards helping future residents form a co-op to self-manage the property.<sup>133</sup>

As was the case for Jordan Court, political and financial support from the City have been vital in enabling McGee's partnership with BACLT to move forward. The predevelopment loan funds helped jumpstart the long-stalled project, while revenues from Measure U1 are financing the bulk of the redevelopment through the Small Sites fund. However, several differences underscore key points. First, the history of discrimination and racial residential segregation in Berkeley and the Bay Area has shaped each congregation's access to financial, political, and other resources. Whereas All Souls is located in North Berkeley, a relatively wealthy part of the city, McGee is in South Berkeley, an area that has historically been heavily segregated and disinvested. These different contexts influenced each congregation's options and decisions when it came to redeveloping their property. Second, with only 8 units, McGee's project is relatively small. This illustrates the potential for smaller scale affordable housing projects that do not necessarily require larger and more complex financing sources like LIHTC funds. Yet without

---

<sup>127</sup> Orenstein.

<sup>128</sup> Bay Area Community Land Trust, "8 Renovated Affordable Co-Op Apartments."

<sup>129</sup> Orenstein, "Berkeley Church Launches Housing Project, with \$1M City Loan."

<sup>130</sup> Escobar, "McGee Avenue Baptist Church Housing Project Made Possible by \$1M Loan."

<sup>131</sup> Orenstein, "100-Year-Old Church Wants to Turn Neglected Complex into Affordable Housing."

<sup>132</sup> Bay Area Community Land Trust, "CLTs vs. Co-Ops."

<sup>133</sup> Bay Area Community Land Trust, "8 Renovated Affordable Co-Op Apartments."



additional research, it is unclear whether the site could have sustained higher-density housing under a less restrictive regulatory or zoning scheme. And third, the project points to the potential of innovative partnerships between FBOs and other community organizations like CLTs to help stabilize neighborhoods and preserve affordable housing long-term.

## ***First Congregational Church, Berkeley, CA***

First Congregational Church (FCC) is a progressive congregation in Berkeley, California. Although affiliated with the United Church of Christ, FCC describes itself as “non-creedal,” welcoming members from all beliefs and backgrounds.<sup>134</sup> In 2016, a fire destroyed the Church’s Pilgrim Hall, which had contained administrative space and classrooms. The fire precipitated a multi-year period of discernment, during which FCC took a holistic view of its resources to identify ways to 1) meet its need for space; 2) secure its financial future; and 3) fulfill its mission to serve the broader community. Ultimately, the Church chose to build a new community building for its own use that could also be rented out for revenue, as well as to ground lease part of its parking lot to a developer to build affordable housing. As of Spring 2022, FCC had issued a request for qualifications (RFQ) from potential developers.<sup>135</sup>

Notably, for both All Souls and FCC, a catalyzing event created a window of opportunity for the church to think strategically about how to use its land and resources. Both congregations also wrestled with questions around whether to pursue market-rate or affordable housing, the population(s) they aimed to serve, and how to manage a reduction in parking without jeopardizing congregants’ access. Taking several years to deliberate and clarify their goals allowed time for their members to coalesce around a shared vision for the future.

Other aspects of FCC’s experience are illuminating and point to the importance of interconnected networks of FBOs, local housing and community development organizations, developers, and public entities. First, this is not the first time FCC has pursued affordable housing. In the early 1980s, FCC used federal Section 202 program funds to develop Amistad House, an affordable housing site in Berkeley with 60 units for seniors and people with disabilities. After relying heavily on volunteers from the congregation to manage the building for at least a decade, FCC sold the building to what is now SAHA. (The ability to achieve economies of scale between Amistad House and Jordan Court was one of SAHA’s motivations for partnering with All Souls. In addition, residents of Amistad House submitted comments to the City of Berkeley in support of Jordan Court during the entitlements process.)

Second, despite having previous experience in developing affordable housing, FCC still lacked the technical knowledge and expertise to pursue its current project without support. The Church was able to connect with Alameda County’s Housing Development Capacity-Building Program

---

<sup>134</sup> “About First Church Berkeley UCC.”

<sup>135</sup> “Fire Rebuilding News.”

through pastoral relationships with EBHO and the Faith and Justice Committee. Through the program, FCC has received technical assistance and a grant to FCC to conduct feasibility studies and evaluate different development options. FCC is also receiving ongoing support in the RFQ process.<sup>136</sup>

## ***Clairemont Lutheran Church, San Diego, CA***

Around 2015, Clairemont Lutheran Church (Clairemont) in San Diego, California, began exploring the idea of developing housing on its parking lot, which sits mostly empty except during services on Sundays. The Church proposed building a 2-3 story building with 16-20 units of affordable senior housing, but the city's minimum parking requirements and the need to obtain an amended conditional use permit stalled the project.<sup>137, 138</sup>

In 2019, leaders from Clairemont Lutheran Church joined UPLIFT San Diego<sup>139</sup> and a then-emerging group of YIGBY activists in pushing to make it easier for congregations to build housing on their property. Their efforts culminated in changes to San Diego's municipal code that: 1) removed language pegging the minimum number of parking spaces to the amount of pew space; 2) lowered the minimum number of required parking spaces at facilities for public assembly and entertainment; and 3) streamlined approval processes for congregations with existing development permits in areas zoned for residential use to build housing.<sup>140, 141, 142</sup>

The amendments to the code removed key regulatory barriers, but Clairemont's plans to develop housing are on hold while the Church focuses on redeveloping its Fellowship Hall to meet the congregation's existing needs and on securing financing to build housing. In the interim, Clairemont has continued to work with YIGBY activists in San Diego to expand housing on land owned by FBOs. Even so, Clairemont's experience is notable for two key reasons. First, it illustrates how minimum parking requirements and land use regulations can quickly stymie FBOs motivated to build badly-needed housing by repurposing underutilized property. Second, it highlights the role FBOs can play in catalyzing this model by engaging in secular planning processes.

---

<sup>136</sup> "Affordable Housing Committee Update."

<sup>137</sup> Bowen, "San Diego Council OKs 'YIGBY' Reforms For Housing On Church Parking Lots."

<sup>138</sup> Bowen, "San Diego Proposes Easing Church Parking Rules In Favor Of Housing."

<sup>139</sup> UPLIFT stands for "Urban People Living in Faith & Trust".

<sup>140</sup> Bowen, "San Diego Council OKs 'YIGBY' Reforms For Housing On Church Parking Lots."

<sup>141</sup> Bowen, "San Diego Proposes Easing Church Parking Rules In Favor Of Housing."

<sup>142</sup> City of San Diego Planning Department, "Draft Proposed Municipal Code Amendments Regarding Development on a Premises with a Utilized Development Permit."

## ***IKAR, Los Angeles, CA***

IKAR is a progressive Jewish community in Los Angeles. In January 2018, IKAR purchased land to build a new synagogue and community center.<sup>143, 144</sup> While it worked to raise money to cover construction costs and future operating costs, IKAR decided to offer the parking lot at its new site for safe overnight parking for people living in their vehicles through the nonprofit Safe Parking L.A.<sup>145, 146</sup> When it opened the parking site in November 2018, IKAR was one of two faith-based groups participating in the program. The site remained operational until around March 2020, when Safe Parking L.A. chose to consolidate nearby sites to save money.<sup>147</sup>

Inspired by its experience participating in the overnight parking program, IKAR revised its plans for the site to add more than four dozen units of permanent supportive housing for seniors previously living unhoused. However, as it moved forward with developing the site, IKAR ran into opposition from city officials, who took the position that AB 1851's provisions allowing housing projects on religious-owned land to provide half the number of parking spaces as would otherwise be required did not apply because the development did not have *existing* religious-use parking spaces. This challenge prompted California lawmakers to pass AB 2244, clarifying that AB 1851 "applies to both existing religious-use parking spaces and those parking spaces required of a proposed development for a new place of worship."<sup>148</sup>

This example highlights two key points. First, options for FBOs interested in using their land to provide shelter vary along a continuum in terms of permanence and scale, from temporary safe sleeping sites to building housing. Congregations may also deepen their engagement along this continuum over time: IKAR added affordable housing to its development plans after working with Safe Parking L.A., while St. Paul's Episcopal Church opted to build affordable housing after years of operating an overnight shelter. Along these lines, moments of transition create windows of opportunity for planners and policymakers to engage with faith-based partners around housing. IKAR and Safe Parking L.A. opted to repurpose valuable land that was in limbo while plans for the site moved through the development process.

Second, FBOs from non-Christian faiths are part of this movement, too, though they have received less attention in the academic and policy literature. At least in part, this reflects the relatively small number of synagogues, mosques, temples, and congregations from other faiths that have pursued affordable housing development. Most of the research around the role of FBOs in affordable housing has focused on churches, and more specifically, churches with

---

<sup>143</sup> Feldman, "Ikar Is Building Something. Just Don't Call It A Synagogue."

<sup>144</sup> Molina, "California Bill Could Make It Easier for Houses of Faith to Build Affordable Housing."

<sup>145</sup> Torok, "IKAR Readies Its Next Chapter."

<sup>146</sup> Molina, "L.A. Congregation Ikar Opens Its Parking Lot to People Living in Cars."

<sup>147</sup> Dolsten, "Jewish Groups Turn Parking Lots into Safe Lodging for Thousands of LA Homeless."

<sup>148</sup> "Bill Text - AB-2244 Religious Institution Affiliated Housing: Colocated Place of Worship."

predominantly White or Black congregations. In contrast, information about churches serving other populations and FBOs of other faiths remains limited.

# Findings & Recommendations

The literature and case study of Jordan Court highlight important lessons for policymakers and planners and underscore the need for a holistic approach that takes into account the unique opportunities, challenges, and nuances of developing affordable housing on FBO-owned land. The recommendations in this section, taken together, would help unlock the potential of this model.

**Figure 18. Summary of Findings & Recommendations**

Findings	Recommendations
1. The Faith-Based Aspect of FBO-Led Development Matters	1.1 Lead with respect
	1.2 Strengthen communication with the faith community
2. Despite Interest in FBO-Led Housing Development, Data Remains Limited	2.1 Collect and share data about FBOs building housing
	2.2 Invest in infrastructure for jurisdictions to share information about interventions to facilitate this model
3. Land Use Rules Continue to Pose a Barrier, but Recent Reforms Show Promise	3.1 Reduce minimum and duplicative parking requirements
	3.2 Expand ministerial approval processes
4. Public Investment Catalyzes Development	4.1 Invest in seed funding
	4.2 Invest in high-quality technical assistance and capacity-building programs

# Finding 1: The *Faith-Based* Aspect of FBO-Led Development Matters

In many respects, FBOs are no different from other organizations and entities developing affordable housing, facing any number of challenges from zoning restrictions to financing to technical expertise to unforeseen construction delays. Yet faith shapes the development process in unique ways, and policymakers and planners should be cognizant of these dynamics as they continue to advance and refine this model with faith-based and secular partners.

## Religious Values, Organizational Structures, and Norms

A congregation's faith-based values inform the development process at different stages and in numerous ways, from the type of housing to build and for whom, to the financing options they are willing to pursue. All Souls, for instance, returned over and over to its Christian values and commitment to serving the most marginalized members of the community, whether in choosing to develop affordable over market-rate housing or pursuing No Place Like Home funding. Similarly, IKAR's decision to incorporate affordable housing into its plans for a new synagogue was rooted in the Jewish values of Tzedek (justice) and caring for the stranger.<sup>149</sup> In some cases, religious values may not align with aspects of the development process. For example, while debt financing is core to affordable housing development in the United States, it conflicts with the Muslim prohibition on usury.<sup>150</sup> Understanding the role that religious values play, and particularly where they conflict, is key to addressing barriers for FBOs that might otherwise choose to develop affordable housing.

Organizational structures vary widely across different faith traditions and span a broad spectrum, from independent congregations to congregations loosely affiliated with a denominational body to congregations falling under the umbrella of a larger judicatory. Compared to congregations with greater autonomy, FBOs that are part of a judicatory must navigate an added layer of complexity because they must obtain buy-in and approval for key decisions not just at the congregational level, but from authorities above them as well. An FBO's organizational structure also dictates who owns and/or controls the congregation's resources. This is especially salient when it comes to making decisions with respect to *land*, a uniquely valuable resource.

A general rule among FBOs is to acquire land when opportunities arise and hold it over the long term. The inclination to retain ownership drives many of the choices congregations make once they choose to develop housing. All Souls' decision to withdraw as a partner in the ownership entity rather than allow HCD to record a deed of trust against the fee interest of the land

---

<sup>149</sup> Wirschafter, "Why My Synagogue Is Building a 55-Unit Housing Development for the Homeless."

<sup>150</sup> American banks like University Islamic Financial, and CDFIs like the Genesis Fund have developed products such as fee-based loans that comply with Islamic financing rules, but it does not appear that these and other options have been integrated into mainstream discussions around affordable housing finance. UIF, "Financing Products"; CNote, "These Maine CDFIs Are Showing Mainstream Lenders How to Open Doors For Muslim Borrowers."

underscores this point. Similarly, in partnering with BACLT, McGee retained the deed to the land.

In part because of their tendency to remain in the same place over decades, if not centuries, FBOs often have a deep understanding of the local context and extensive relationships, and some have extensive professional expertise and volunteer capacity among their congregants. As a result, FBOs bring significant value to the table in development partnerships. Recognizing these dynamics can help public and other non-faith-based entities build trust with faith-based partners, which is critical to success.

### **Tensions between the Secular and Religious Spheres**

The case study of Jordan Court points to a certain level of friction that can arise when the secular and religious spheres, each with distinct (and pluralities of) values, vocabularies, processes, and epistemologies, intersect. Just as FBOs struggle with highly technocratic land use and affordable housing-related regulations and processes, government and non-faith-based partners may be unfamiliar with or uncomfortable working in a faith context. On a surface level, FBOs use language imbued with religious principles and terminology that feels incongruous in a traditionally secular context. While the words themselves may not substantively impact the physical development, the discourse and framing palpably alter the tenor of the conversation and reflect the values guiding an FBO's decisions, which may not necessarily align with those of secular development actors. Beyond language, religious organizational structures, practices, and decision making processes may be opaque to individuals outside the fold. Moreover, many FBOs operate by consensus, taking time to deliberate over important decisions. The slower pace may frustrate local officials under pressure to build more housing or developers accustomed to making decisions quickly.

Religion and power in the United States have long been intertwined, and FBOs continue to exercise substantial privileges. Broad tax exemptions are just one example of the special status FBOs enjoy. Accustomed to a certain level of deference, FBOs may chafe at secular rules and processes that they perceive as infringing on their autonomy, from land use regulations limiting what or how they can build to public financing requirements prohibiting them from giving preference for units to their own congregants. Secular institutions like oversight agencies and planning bodies oriented towards treating parties consistently also may not have the authority or inclination to accommodate the nuances of a particular congregation's circumstances. Overcoming these tensions requires mutual respect, open communication, a willingness to teach and learn, and flexibility on the part of both secular and faith-based actors.

### **Faith-Based Networks**

Congregations are part of a larger, dynamic faith-based ecosystem, connected through formal and informal networks both within and across denominations. FBOs interested in developing housing are turning to these networks for guidance, resources, and support. Thus far, most of

these conversations are taking place via local, informal channels that fall outside traditional planning institutions. Land and housing markets are context-specific, with nuances in terms of the actors involved, politics, and regulatory environment. As a result, nearby congregations and other community organizations are valuable sources of information about local dynamics that can affect the development process.

The case study of Jordan Court points to the important role that intra-faith networks can play in facilitating this model. When All Souls began exploring the possibility of building housing in 2014, it relied heavily on advice from St. Paul's Episcopal Church (SPEC), another congregation in the Episcopal Diocese of California, to navigate the development process. This detail highlights key nuances. First, FBOs may feel most comfortable reaching out to peers who share their religious values and beliefs and have similar organizational structures and practices. Moreover, it is not uncommon, and in some faiths is typical, for pastoral leaders to move between congregations over time. Consequently, FBOs may have close ties through their clergy. Second, especially for FBOs affiliated with a larger denominational body or judicatory, as individual congregations gain development experience, their parent organizations develop expertise as well. For example, having now been through the process with both SPEC and All Souls, the Episcopal Diocese of California is better prepared to support other congregations within its judicatory that wish to pursue a similar path.

In places like the San Francisco Bay Area with diverse faith communities, local interfaith networks and relationships also play a vital role in facilitating information sharing across congregations and organizing them around shared values and goals. In some cases, these networks are professionalized, with a Board of Directors and dedicated staff and resources, while in others they are loose and informal. These networks may also extend to local community-based organizations. EBHO's Faith and Justice Committee and LA Voice, for example, work to mobilize FBOs in the fight for housing justice.

### ***Recommendation 1.1: Lead with Respect***

In seeking to partner with FBOs, planners and policymakers must first and foremost lead with respect. Understanding the nuances of the faith context broadly and the values and strengths FBOs bring to the table is crucial for building trust and can enhance the quality of the development process. Among other considerations, recognizing that land is a highly valued asset and source of wealth, cities must respect congregations' agency and autonomy to make decisions about their land and take care not to unduly pressure FBOs to pursue a path or partnership that ultimately may not meet their needs or the needs of their community. This issue is particularly salient given the growing number of FBOs under financial strain.

## ***Recommendation 1.2: Strengthen Relationships with the Faith Community***

Opening or strengthening channels of communication with the faith community will help policymakers better understand which FBOs choose to develop housing—or not—and the factors driving those decisions. Local jurisdictions should consider establishing interfaith advisory groups, or appointing a point of contact to liaise with FBOs or denominational groups from different faiths, to gather information about ongoing and specific challenges that FBOs face in developing affordable housing. Along these lines, planning institutions must continue to build racially and culturally diverse teams with staff who are comfortable working in the language of faith and fluent in the customs of diverse religious communities.

Some congregations may opt not to develop housing, whether because they determine it is not financially feasible or for other reasons, but still want to be part of the work to build more equitable communities. Local officials should think broadly about other ways for FBOs to contribute, building on existing partnership and programming and identifying opportunities to integrate these efforts into other racial, social, and housing justice initiatives.

## **Finding 2: Despite Interest in FBO-Led Housing Development, Data Remains Limited**

Developing affordable housing on FBO-owned land can be a “win-win” solution for congregations with underutilized property and jurisdictions working to address the acute lack of affordable housing. Interest in this model is growing among both congregations and policymakers, but a dearth of information is limiting its potential.

A key gap in the data is a comprehensive picture of the YIGBY phenomenon, leaving many questions unanswered. Which FBOs are pursuing housing, where, why (or why not), and from which denominations? How much and what type of housing are they developing? What populations do they choose to serve? How are they financing construction and operations? What hurdles have they faced, and to what extent do they vary? What factors have enabled their success?

This lack of information has made it challenging for FBOs motivated to develop housing to connect with peers and available resources. It has also hindered the ability of policymakers and researchers to identify existing and emerging patterns and tailor potential interventions. In interviews for this project, for example, a theme that repeatedly emerged was the leadership of Black churches in neighborhoods undergoing rapid gentrification and displacement among the current generation of FBOs developing housing. More-complete information about which congregations are pursuing housing, where, or why that confirms this anecdotal evidence would strengthen the basis for targeting public investments towards this model as a part of a broader



racial equity strategy. Similarly, aside from a handful of examples like IKAR, it appears that churches with predominantly Black or White congregations have so far driven this movement, but why this is the case is not fully clear. Collecting more data about congregations that opt *not* to pursue housing development could reveal unique barriers or challenges that FBOs serving other populations or from different religious traditions face. Moreover, identifying denominations that have been proactive in developing housing may point to strong technical assistance partners.

There is also a lack of information about the variety of efforts to facilitate this model. A handful of local and state governments have developed or are considering policies, programs, and resources aimed at encouraging affordable housing development (or housing development more generally) on FBO-owned land. However, limited infrastructure exists for jurisdictions to share information about the strategies they have used, whether they have been effective, and why or why not. In addition to public interventions, information about strategies that private, nonprofit, and faith-based entities are using to support congregations in developing housing is very difficult to find.

### ***Recommendation 2.1: Collect and Share Data about FBOs Building Housing***

Policymakers should invest in collecting and sharing data about the FBOs developing housing. Relevant data would include, for example, a congregation's name and location, as well as housing type, scale, and population. More detailed information about denominations, development status, development partners, zoning, and funding sources would also provide valuable information. While data at the city or county level would be useful, having information at a regional-level—and encouraging regions to maintain data in similar formats that can be easily compiled at the state level—would allow for a more robust dataset and analysis. Mapping the data in relation to demographic, economic, and housing-related indicators would be especially helpful in illuminating spatial patterns and help FBOs connect with peers in the same geographic area. Policymakers should partner with a trusted local organization in each region that has relationships with the faith community and experience working in affordable housing to collect and disseminate this data, along with other resources.

In making data accessible, policymakers should keep some considerations in mind. First, while FBOs have a potentially valuable contribution to make when it comes to affordable housing, providing housing is not their core mission. The goal in collecting and sharing data should be to support FBOs that choose to develop housing, not to shame or pressure congregations that opt not to pursue this path. Second, recognizing the risk that unscrupulous actors could abuse this data, policymakers should work with FBOs to identify the appropriate level of information to provide and ensure that FBOs have access to accurate, reliable information.

## ***Recommendation 2.2: Invest in Infrastructure for Jurisdictions to Share Information about Interventions to Facilitate this Model***

Policymakers should invest in infrastructure to make it easier for local and state officials to find and share information about policies, programs, and other strategies to break down the barriers FBOs face trying to develop affordable housing on their land. At a basic level, this infrastructure would include a searchable database with the names and locations of jurisdictions that have adopted one or more strategies, contact information for the department or entity tasked with implementation, the category of intervention, a brief description, and basic information about how it is being funded. A more advanced platform would allow users to map this information along with additional layers of data, such as Census data, and integrate information about FBOs that have developed or are developing housing. Ideally, this infrastructure would be hosted by an organization with national reach and the resources and capacity to collect and maintain the data on an ongoing basis, as well as contextualize the interventions and assess their relative impact.

Beyond data collection, this infrastructure should also include regular opportunities for planners and policymakers across jurisdictions to convene and exchange information about promising interventions.

## **Finding 3: Land Use Rules Continue to Pose a Barrier, But Recent Reforms Show Promise**

As the experiences of All Souls, McGee, Clairemont, and IKAR demonstrate, land use rules and restrictive zoning, along with the threat of lawsuits from neighbors under outdated environmental protection laws like CEQA, continue to have a chilling effect on FBO-led housing development. The time, cost, and uncertainty they introduce can easily deter FBOs with little development experience, and they may severely restrict the development potential of a site. However, relatively recent efforts to streamline approval processes and eliminate key barriers like minimum parking requirements have been effective in helping some congregations overcome these obstacles. For example, SB 35, which provides by-right approval for affordable housing projects on sites zoned for residential or mixed use, was crucial to Jordan Court's success. The law enabled SAHA and All Souls to avoid a protracted appeals process and a CEQA lawsuit that would certainly have delayed the project, if not blocked it altogether. Similarly, AB 1851 and AB 2244, which reduced parking requirements for religious institutions, have been instrumental in allowing IKAR's project to move forward.

While these efforts show promise, they have not gone far enough to eliminate the variety of barriers that FBOs face. SAHA was able to invoke SB 35 because the site at 1601 Oxford Street was already zoned for residential use. Although many FBOs are similarly located in residential areas, others are in places zoned for commercial or other uses and are not eligible for ministerial approval under SB 35. SB 899, recently reintroduced as SB 1336, would expand SB 35 by also

granting ministerial approval to certain affordable housing projects on land owned by religious institutions in areas zoned for commercial use. (See Appendix B for a brief analysis of the potential impact of SB 1336 in Berkeley.)

In the absence of, and in addition to, broader reform, political support is key for faith-based housing proposals to overcome many of the barriers that arise during the development process. Aside from SB 35, Jordan Court succeeded thanks in large part to support from City officials and neighbors. This support was not unanimous from the outset; instead, it reflects All Souls' sustained work to build relationships with City Councilmembers and understand the City's priorities, develop a design that fit the neighborhood context, and address neighbors' concerns and keep the community informed about the process along the way. The decision to pursue senior housing was also key to garnering support and minimizing opposition to the project. Public and political support, in turn, were pivotal in several ways, but especially in securing financing for the project and overcoming local regulatory barriers like the Coast Live Oak ordinance.

### ***Recommendation 3.1: Reduce Minimum and Duplicative Parking Requirements***

Following the lead of cities like San Diego and the State of California, local and state policymakers should eliminate or reduce minimum parking requirements for “religious use” parking spaces, especially for congregations located in transit-rich locations.

### ***Recommendation 3.2: Expand Ministerial Approval Processes***

Discretionary approval processes add time, cost, and uncertainty for FBOs and developers seeking to build affordable housing. Policymakers should develop or expand state streamlining initiatives that grant proposals on FBO-owned land that meet clearly identified criteria for ministerial approval. Where permitted, local jurisdictions should complement statewide initiatives with affordable housing overlays and similar mechanisms to reduce uncertainty in the approval process.

## **Finding 4: Public Investment Catalyzes Development**

Public investment is a crucial piece of the puzzle to enable FBOs to develop housing on their land. First, seed funding in the early stages of development can open the door for FBOs, especially those struggling financially, to explore the possibility of developing affordable housing. Many congregations are risk-averse, and without having a sense of how realistic their vision for housing might be in advance, they may hesitate to hire consultants to conduct feasibility studies. Access to funds in the form of predevelopment loans, grants, or in-kind

support for feasibility studies, preliminary schematic design, and other technical expertise increases the likelihood that an FBO will develop a sound proposal that aligns with local regulations and will be competitive for other financing down the line. Early public investment also puts the project in the development pipeline, creating an incentive for continued political and financial support. FBOs and their development partners can leverage these investments to access other public and private financing.

Second, having access to reliable, comprehensive information and real estate and legal expertise enables congregations to make informed choices that meet their needs and the needs of their communities. Ongoing support also makes it more likely that an FBO will develop a sound proposal and see the project through to completion. In turn, this has a multiplier effect, building capacity across the interfaith ecosystem as more FBOs gain knowledge and experience with different models, and FBOs see their peers go through the process.

All Souls was fortunate to have substantial internal capacity thanks to volunteers on the Core Team with expertise in relevant fields like architecture, law, and public relations. But this is the exception rather than the norm—and even so, the Parish relied heavily on SAHA to explain nuances specific to developing affordable housing and protect All Souls’ interests. Investing in high-quality training and resources prepares FBOs to work effectively and equitably with their development partners.

### ***Recommendation 4.1: Invest in Seed Funding***

To help FBOs overcome initial barriers to development, local jurisdictions should invest in providing predevelopment loans, grants, or in-kind support for feasibility studies, preliminary schematic design, and contracting to fill gaps in technical expertise.

### ***Recommendation 4.2: Invest in High-Quality Technical Assistance and Capacity-Building Programs***

Policymakers should invest in high-quality training and other resources to enhance FBOs’ capacity and readiness to pursue affordable housing development. These programs could be modeled after Alameda County’s Housing Development Capacity-Building Program and expanded to include ongoing peer-to-peer support. Beyond individual congregations, investing in training for denominational bodies and judicatories would continue to build capacity and strengthen their ability to provide technical assistance and support to member congregations. In addition, as local and state officials and FBOs gain more experience with this model, policymakers should share examples of successful projects and partnership structures, as well as incorporate lessons learned into guidance documents and future policy decisions.

# Conclusion

This project highlights the potential for FBOs to meaningfully contribute to efforts to tackle the growing affordable housing crisis across the country. Recent interventions have shown promise for making it easier for congregations to pursue housing development, but a variety of obstacles continue to stand in the way. The case study of Jordan Court points to several key themes that have received less attention in previous research, including the interplay between the secular and religious spheres, the messy network of actors connected in sometimes surprising ways, and the lack of data about the FBOs joining this rapidly growing movement. It also hints at the underlying relationship among religious institutions, race/ethnicity, property ownership, and land and wealth accumulation that merits further interrogation. Future research should continue to explore this relationship to inform broader racial and social equity frameworks and initiatives. Future research should also seek to understand how organizational structures across denominations affect the development process, and more specifically the role that judicatories and umbrella organizations play when it comes to decisions about land, cross-regional information sharing, and providing technical and financial resources. Finally, future research should develop methodologies for evaluating the effectiveness of different regulatory reforms (e.g., CEQA reform vs. parking reform), as well as delve into the role of philanthropy and private capital in enabling FBO-led development.

# Bibliography

- Abu-Khalaf, Ahmad. "Leveraging Property Owned by Faith-Based Organizations to Create Affordable Homes and Public Benefit." Enterprise Community Partners, January 2020. <https://www.enterprisecommunity.org/resources/leveraging-property-owned-faith-based-organizations-9835>.
- All Souls Episcopal Parish. "History." All Souls Parish. Accessed April 23, 2022. <http://www.allsoulsparish.org/about-all-souls/history/>.
- . "Jordan Court: Who Was Ann Jordan, and Why Does She Matter?" All Souls Parish. Accessed April 2, 2022. <http://www.allsoulsparish.org/about-all-souls/our-buildings/jordan-court/>.
- . "Our Buildings." All Souls Parish. Accessed April 23, 2022. <https://www.allsoulsparish.org/about-all-souls/our-buildings/>.
- . "Values & Vision." Accessed April 2, 2022. <https://www.allsoulsparish.org/about-all-souls/values-vision/>.
- Arreguin, Mayor Jesse, Councilmember Kate Harrison, Councilmember Sophie Hahn, and Councilmember Linda Maio. "Consent Calendar Item: Funding Commitment for Oxford Street Apartments, 1601-1603 Oxford Street," October 16, 2018. [https://www.cityofberkeley.info/Clerk/City\\_Council/2018/10\\_Oct/Documents/2018-10-16\\_Item\\_16\\_Funding\\_Commitment\\_for\\_Oxford.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2018/10_Oct/Documents/2018-10-16_Item_16_Funding_Commitment_for_Oxford.aspx).
- Barber, Jesse. "Berkeley Zoning Has Served for Many Decades to Separate the Poor from the Rich and Whites from People of Color." *Berkeleyside* (blog), March 12, 2019. <https://www.berkeleyside.org/2019/03/12/berkeley-zoning-has-served-for-many-decades-to-separate-the-poor-from-the-rich-and-whites-from-people-of-color>.
- Bay Area Community Land Trust. "8 Renovated Affordable Co-Op Apartments." Bay Area Community Land Trust. Accessed July 30, 2022. <https://www.bayareaclt.org/new-page-1>.
- . "CLTs vs. Co-Ops." Bay Area Community Land Trust. Accessed July 30, 2022. <https://www.bayareaclt.org/clt-co-op-resources>.
- Berkeley Housing Authority. "New Business Item 5c: Allocation of 53 Project-Based Section 8 Vouchers," May 9, 2019. [https://www.cityofberkeley.info/uploadedFiles/BHA/Level\\_3\\_-\\_General/Item%205C%20PB%20Voucher%20allocations.pdf](https://www.cityofberkeley.info/uploadedFiles/BHA/Level_3_-_General/Item%205C%20PB%20Voucher%20allocations.pdf).
- Berkeley Historical Society. "Outline of Berkeley History to 2000." Accessed July 21, 2022. <http://www.berkeleyhistoricalsociety.org/outline-of-berkeley-history.html>.
- "Bill Text - AB-1851 Religious Institution Affiliated Housing Development Projects: Parking Requirements." Accessed December 11, 2021. [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB1851](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1851).
- "Bill Text - AB-2244 Religious Institution Affiliated Housing: Colocated Place of Worship." Accessed March 13, 2022. [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB2244](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2244).
- Born, Branden, Rachel Berney, Olivia Baker, Mark R. Jones, Donald King, and Dylan Marcus. "Pushing Back on Displacement: Community-Based Redevelopment through Historically Black Churches." *Societies* 11, no. 1 (March 2021): 10. <https://doi.org/10.3390/soc11010010>.

- Bowen, Andrew. "San Diego Council OKs 'YIGBY' Reforms For Housing On Church Parking Lots." *KPBS Public Media*, December 17, 2019, sec. Quality of Life.  
<https://www.kpbs.org/news/quality-of-life/2019/12/17/city-council-yigby-housing-church-parking-lots>.
- . "San Diego Proposes Easing Church Parking Rules In Favor Of Housing." *KPBS Public Media*, October 30, 2019, sec. Politics.  
<https://www.kpbs.org/news/politics/2019/10/30/san-diego-church-parking-affordable-housing-yigby>.
- California Department of Housing and Community Development. "Housing Elements." California Department of Housing and Community Development. Accessed April 29, 2022. <https://www.hcd.ca.gov/community-development/housing-element/index.shtml#heprocess>.
- . "No Place Like Home Program." Accessed March 31, 2022.  
<https://www.hcd.ca.gov/grants-funding/active-funding/nplh.shtml>.
- "California Fair Housing Task Force Methodology for the 2022 TCAC/HCD Opportunity Map," December 2021. <https://www.treasurer.ca.gov/ctcac/opportunity/2022/2022-hcd-methodology.pdf>.
- California TCAC. "TCAC 2020 1st Round State Credit Applicant and Award List." Accessed April 1, 2022. <https://www.treasurer.ca.gov/ctcac/2020/2020-1st-Round-State-Credit-Applicant-and-Award-List.xls>.
- City of Berkeley. "2015-2023 Berkeley Housing Element," April 28, 2015.  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_Commissions/Commission\\_for\\_Planning/2015-2023%20Berkeley%20Housing%20Element\\_FINAL.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2015-2023%20Berkeley%20Housing%20Element_FINAL.pdf).
- . "Action Calendar Item: Proposed Development for 2012 Berkeley Way and Reservation of Housing Trust Funds for Predevelopment Loans," September 27, 2016.  
[https://www.google.com/url?client=internal-element-cse&cx=017385055954264103894:kn5xiwd8ubm&q=https://www.cityofberkeley.info/Clerk/City\\_Council/2016/09\\_Sep/Documents/2016-09-27\\_Item\\_28\\_Proposed\\_Development.aspx&sa=U&ved=2ahUKEwjH552E4ub2AhUFKEQIHQjACqE4ChAWegQIBhAC&usg=AOvVaw3WCoXxlEj-8doMU6NGm5c4](https://www.google.com/url?client=internal-element-cse&cx=017385055954264103894:kn5xiwd8ubm&q=https://www.cityofberkeley.info/Clerk/City_Council/2016/09_Sep/Documents/2016-09-27_Item_28_Proposed_Development.aspx&sa=U&ved=2ahUKEwjH552E4ub2AhUFKEQIHQjACqE4ChAWegQIBhAC&usg=AOvVaw3WCoXxlEj-8doMU6NGm5c4).
- . "Moratorium on the Removal of Coast Live Oak Trees." Accessed March 26, 2022.  
[https://www.cityofberkeley.info/uploadedFiles/Parks\\_Rec\\_Waterfront/Level\\_3\\_-\\_Trees\\_and\\_Parks/Coast%20Live%20Oak%20Ordinance.pdf](https://www.cityofberkeley.info/uploadedFiles/Parks_Rec_Waterfront/Level_3_-_Trees_and_Parks/Coast%20Live%20Oak%20Ordinance.pdf).
- "City of Los Angeles 2021-2029 Housing Element," November 2021.  
[https://planning.lacity.org/odocument/55fdecf6-e185-4910-b690-2df603093d76/2021-2029\\_Housing\\_Element\\_Book\\_\(Adopted\)\\_-Low\\_Res..pdf](https://planning.lacity.org/odocument/55fdecf6-e185-4910-b690-2df603093d76/2021-2029_Housing_Element_Book_(Adopted)_-Low_Res..pdf).
- City of San Diego Planning Department. "Draft Proposed Municipal Code Amendments Regarding Development on a Premises with a Utilized Development Permit." Accessed March 14, 2022. [https://drive.google.com/file/d/1OSPfRDr8THX3tR-KcK6XzuaXrPzii3El/view?usp=sharing&usp=embed\\_facebook](https://drive.google.com/file/d/1OSPfRDr8THX3tR-KcK6XzuaXrPzii3El/view?usp=sharing&usp=embed_facebook).
- City of Yorba Linda. "Planning Commission Staff Report Re: Housing Element Update Workshop -- Meeting #2," February 24, 2021.  
[https://yorbalinda.granicus.com/MetaViewer.php?view\\_id=4&event\\_id=1135&meta\\_id=157807](https://yorbalinda.granicus.com/MetaViewer.php?view_id=4&event_id=1135&meta_id=157807).

- CNote. “These Maine CDFIs Are Showing Mainstream Lenders How to Open Doors For Muslim Borrowers.” *CNote* (blog), February 11, 2022. <https://www.mycnote.com/blog/fee-based-lending/>.
- Cohen, Evan, Carol T. Mowbray, Vicki Gillette, and Elizabeth Thompson. “Preventing Homelessness: Religious Organizations and Housing Development.” *Prevention in Human Services* 10, no. 1 (July 24, 1991): 169–85. [https://doi.org/10.1300/J293v10n01\\_10](https://doi.org/10.1300/J293v10n01_10).
- Community Economics. “St. Paul’s Commons and Trinity Center,” April 10, 2021. <https://communityeconomics.org/st-pauls-commons-and-trinity-center/>.
- “CTCAC Tax Credit Programs.” Accessed April 1, 2022. <https://www.treasurer.ca.gov/ctcac/tax.asp>.
- Dinkelspiel, Frances. “Fight Involving Measures DD and U1 Is Costliest in Election.” *Berkeleyside* (blog), November 7, 2016. <https://www.berkeleyside.org/2016/11/07/fight-involving-measure-dd-and-measure-u1-is-costliest-in-election>.
- . “Kate Harrison to Be Sworn in Wednesday as New Berkeley City Council Member.” *Berkeleyside* (blog), March 14, 2017. <https://www.berkeleyside.org/2017/03/14/kate-harrison-sworn-wednesday-new-berkeley-city-council-member>.
- Dixon, Brennon. “Zoning Issue Slows Pasadena Church’s Effort to Build Affordable Housing.” *Pasadena Star News*, July 18, 2021. <https://www.pasadenastarnews.com/2021/07/18/pasadena-churches-want-to-build-affordable-housing-for-community>.
- Dolsten, Josefin. “Jewish Groups Turn Parking Lots into Safe Lodging for Thousands of LA Homeless.” *The Times of Israel*, July 4, 2020. <https://www.timesofisrael.com/jewish-groups-turn-parking-lots-into-safe-lodging-for-thousands-of-la-homeless/>.
- Engel, Lisa. “SB 899 Assembly Housing and Community Development Report,” July 29, 2020. [https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=201920200SB899#](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200SB899#).
- Enterprise Community Partners. “Bringing Faith-Based Development Nationwide,” February 24, 2022. <https://www.enterprisecommunity.org/blog/bringing-faith-based-development-nationwide>.
- Escobar, Marc. “McGee Avenue Baptist Church Housing Project Made Possible by \$1M Loan.” *The Daily Californian*, September 27, 2019. <https://www.dailycal.org/2019/09/26/mcgee-avenue-baptist-church-housing-project-made-possible-through-1m-loan/>.
- Facebook. “Save Holy Hill.” Social Media. Accessed July 27, 2022. <https://en-gb.facebook.com/savehollyhill/>.
- Feldman, Ari. “Ikar Is Building Something. Just Don’t Call It A Synagogue.” *The Forward* (blog), June 2, 2018. <https://forward.com/news/402306/ikar-is-building-something-just-dont-call-it-a-synagogue/>.
- First Church Berkeley UCC. “About First Church Berkeley UCC.” Accessed May 27, 2022. <https://www.firstchurchberkeley.org/about/>.
- . “Affordable Housing Committee Update,” March 23, 2022. <https://www.firstchurchberkeley.org/affordable-housing-committee-update/>.
- . “Fire Rebuilding News.” Accessed May 27, 2022. <https://www.firstchurchberkeley.org/category/blue-fire/>.
- Garcia, David, and Eddie Sun. “Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development,” May 2020, 23. <https://turnercenter.berkeley.edu/wp->



- content/uploads/2020/08/Mapping\_the\_Potential\_and\_Identifying\_the\_Barriers\_to\_Faith-Based\_Housing\_Development\_May\_2020.pdf.
- Gardiner, Dustin. “The YIGBYs Are Back: Push to Let Churches Build Affordable Housing on Their Land Revived in California.” *San Francisco Chronicle*, June 10, 2022. <https://www.sfchronicle.com/politics/article/yigby-church-california-bill-17231881.php>.
- Germain, Justin. “Berkeley Tenants Union in the 1970s.” FoundSF. Accessed April 1, 2022. [https://www.foundsf.org/index.php?title=Berkeley\\_Tenants\\_Union\\_in\\_the\\_1970s](https://www.foundsf.org/index.php?title=Berkeley_Tenants_Union_in_the_1970s).
- Gray, M. Nolan. “How Californians Are Weaponizing Environmental Law.” *The Atlantic*, March 12, 2021. <https://www.theatlantic.com/ideas/archive/2021/03/signature-environmental-law-hurts-housing/618264/>.
- Hackworth, Jason, and Erin Gullikson. “Giving New Meaning to Religious Conversion: Churches, Redevelopment, and Secularization in Toronto.” *The Canadian Geographer / Le Géographe Canadien* 57, no. 1 (November 5, 2012): 72–89. <https://doi.org/10.1111/j.1541-0064.2012.00451.x>.
- Haley, Barbara, and Robert Gray. “Section 202 Supportive Housing for the Elderly: Program Status and Performance Measurement.” U.S. Department of Housing and Urban Development, Office of Policy Development and Research, June 2008. [https://www.huduser.gov/publications/pdf/sec\\_202\\_1.pdf](https://www.huduser.gov/publications/pdf/sec_202_1.pdf).
- Hirneisen, Madison. “A New California Law Makes It Easier to Build Housing at Places of Worship. An LA-Based Jewish Community Is Prepared.” *The Center Square*, July 21, 2022. [https://www.thecentersquare.com/california/a-new-california-law-makes-it-easier-to-build-housing-at-places-of-worship-an/article\\_718abf4e-093a-11ed-b475-0bd3766086bf.html](https://www.thecentersquare.com/california/a-new-california-law-makes-it-easier-to-build-housing-at-places-of-worship-an/article_718abf4e-093a-11ed-b475-0bd3766086bf.html).
- Hula, Richard, Cynthia Jackson-Elmore, and Laura Reese. “The Emerging Role of Faith-Based Organizations in the Low-Income Housing Market.” *Innovations in Effective Compassion*, June 2008. [https://www.researchgate.net/profile/Laura-Reese-2/publication/237472636\\_THE\\_EMERGING\\_ROLE\\_OF\\_FAITH-BASED\\_ORGANIZATIONS\\_IN\\_THE\\_LOW-INCOME\\_HOUSING\\_MARKET/links/0f3175326e244c7596000000/THE-EMERGING-ROLE-OF-FAITH-BASED-ORGANIZATIONS-IN-THE-LOW-INCOME-HOUSING-MARKET.pdf#page=106](https://www.researchgate.net/profile/Laura-Reese-2/publication/237472636_THE_EMERGING_ROLE_OF_FAITH-BASED_ORGANIZATIONS_IN_THE_LOW-INCOME_HOUSING_MARKET/links/0f3175326e244c7596000000/THE-EMERGING-ROLE-OF-FAITH-BASED-ORGANIZATIONS-IN-THE-LOW-INCOME-HOUSING-MARKET.pdf#page=106).
- Jordan L.P. “2020 Non-Competitive 4% TCAC Application for Low-Income Housing Tax Credits,” November 13, 2019. <https://www.treasurer.ca.gov/ctcac/2020/applications/20191115/20-416.pdf>.
- Kelekian, Jay. “Memorandum Regarding the Eligibility for SB 35 Ministerial Approval of 1601 Oxford Street/2200 Cedar Street,” October 30, 2018. [https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_ZAB/Attachment%207%20Rent%20Stabilization%20Board%20Letter.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/Attachment%207%20Rent%20Stabilization%20Board%20Letter.pdf).
- Kim, Betsy. “Developers and Faith-Based Institutions Take On the Affordable Housing Crisis.” *GlobeSt* (blog), March 15, 2018. <https://www.globest.com/2018/03/15/developers-and-faith-based-institutions-take-on-the-affordable-housing-crisis/>.
- Kneebone, Elizabeth, and Carolina K Reid. “The Complexity of Financing Low-Income Housing Tax Credit Housing in the United States,” 2021, 29. <https://terncenter.berkeley.edu/wp-content/uploads/2021/04/LIHTC-Complexity-Final.pdf>.
- Lauer, Katie. “Berkeley Approves \$67.5 Million for Seven Measure O Affordable Housing Projects.” *East Bay Times*, January 20, 2022.

- <https://eastbaytimes.com/2022/01/20/berkeley-approves-67-5-million-for-seven-measure-o-affordable-housing-projects>.
- LISC Bay Area. “Alameda County Housing Development Capacity Building Program.” Local Initiatives Support Corporation. Accessed July 18, 2022. <https://www.lisc.org/bay-area/what-we-do/building-strong-organizations-and-leadership/achdcbp/>.
- Mares, Alvin S. “Housing and the Church.” *Nonprofit and Voluntary Sector Quarterly* 23, no. 2 (June 1, 1994): 139–57. <https://doi.org/10.1177/089976409402300205>.
- Margolies, Jane. “The Church With the \$6 Billion Portfolio.” *The New York Times*, February 8, 2019, sec. New York. <https://www.nytimes.com/2019/02/08/nyregion/trinity-church-manchattan-real-estate.html>.
- Menendian, Stephen, Samir Gambhir, Karina French, and Arthur Gailles. “Single-Family Zoning in the San Francisco Bay Area: Characteristics of Exclusionary Communities.” Othering & Belonging Institute, October 2020. <https://belonging.berkeley.edu/single-family-zoning-san-francisco-bay-area>.
- Mercy Housing. “The History of Mercy Housing.” Accessed May 27, 2022. <https://www.merchyhousing.org/about/history/>.
- Metcalf, Ben. “Section 8 Housing Choice Vouchers.” UC Berkeley, October 12, 2021.
- Mian, Nadia A. “‘Prophets-for-Profits’: Redevelopment and the Altering Urban Religious Landscape.” *Urban Studies* 45, no. 10 (September 1, 2008): 2143–61. <https://doi.org/10.1177/0042098008094877>.
- Miles, Mike, Gayle Berens, and Marc Weiss. *Real Estate Development Principles and Process*. 3rd ed. Urban Land Institute, 2000.
- Millard, Egan. “Diocese of California Plans to Turn 9-Acre Lot into Affordable Housing and Organic Farm.” *Episcopal News Service* (blog), March 28, 2022. <https://www.episcopalnewsservice.org/2022/03/28/diocese-of-california-plans-to-turn-9-acre-lot-into-affordable-housing-and-organic-farm/>.
- Molina, Alejandra. “California Bill Could Make It Easier for Houses of Faith to Build Affordable Housing.” *Religion News Service* (blog), February 28, 2022. <https://religionnews.com/2022/02/28/california-legislation-could-make-it-easier-for-houses-of-faith-to-build-affordable-housing/>.
- . “L.A. Congregation Ikar Opens Its Parking Lot to People Living in Cars.” *J.* (blog), September 26, 2019. <https://www.jweekly.com/2019/09/26/l-a-congregation-ikar-opens-its-parking-lot-to-people-living-in-cars/>.
- Novogradac & Company LLP. *Introduction to Low Income Housing Tax Credits*. 6th ed. Novogradac, 2021.
- Orenstein, Natalie. “100-Year-Old Church Wants to Turn Neglected Complex into Affordable Housing.” *Berkeleyside* (blog), January 3, 2019. <https://www.berkeleyside.org/2019/01/03/100-year-old-church-wants-to-turn-neglected-complex-into-affordable-housing>.
- . “Berkeley Church Launches Housing Project, with \$1M City Loan.” *Berkeleyside* (blog), September 24, 2019. <https://www.berkeleyside.org/2019/09/24/berkeley-church-launches-housing-project-with-1m-city-loan>.
- Page, Kai. “McGee Avenue Baptist Church: Preserving Housing and History.” Bay Area Community Land Trust, August 21, 2020. <https://www.bayareaclt.org/news-updates/mcgee-avenue-baptist-church-preserving-housing-and-history>.
- Parish House Roadmap Group. “Parish House Roadmap Report,” August 31, 2015.

- Placeworks. “City of Orinda 2023-2031 Housing Element: Public Review Draft,” April 2022. [https://issuu.com/city\\_of\\_orinda/docs/orinda\\_2023-2031\\_housing\\_element\\_public\\_review\\_dra/226](https://issuu.com/city_of_orinda/docs/orinda_2023-2031_housing_element_public_review_dra/226).
- Polson, Edward, and T. Laine Scales. “Good Neighbor House: Reimagining Settlement Houses for 21st Century Communities.” *Social Work & Christianity* 47, no. 3 (Fall 2020): 100–122. <https://doi.org/10.34043/swc.v47i3.144>.
- Public/Private Funding Sources for Faith-Based Development*. “Feeding Faith Leaders with Community Fervor” Fall Webinar Series, 2021. <https://www.enterprisecommunity.org/resources/feeding-faith-leaders-community-fervor-fbdi-webinar-series-12296>.
- SAHA. “Jordan Court Project Overview,” November 2021.
- Satellite Affordable Housing Associates. “1601 Oxford Street Applicant Statement and Plans.” Accessed March 13, 2022. [https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_ZAB/2018-07-12\\_ZAB\\_ATT1\\_1601%20Oxford\\_Applicant%20Statement%20and%20Plans.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2018-07-12_ZAB_ATT1_1601%20Oxford_Applicant%20Statement%20and%20Plans.pdf).
- . “Mission.” Accessed April 24, 2022. <https://www.sahahomes.org/mission>.
- Smith, Gregory a. “About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated.” *Pew Research Center’s Religion & Public Life Project* (blog), December 14, 2021. <https://www.pewresearch.org/religion/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/>.
- Souza Briggs, Xavier de. “Faith and Mortar: Religious Organizations and Affordable Housing Strategy in Urban America.” *Building the Organizations That Build Communities: Strengthening the Capacity of Faith- and Community-Based Organizations*, 2004, 11. [https://www.huduser.gov/portal/publications/pdf/buildorgcomms/sectioni\\_paper3.pdf](https://www.huduser.gov/portal/publications/pdf/buildorgcomms/sectioni_paper3.pdf).
- St. Paul’s Episcopal Church. “St. Paul’s Commons.” St. Paul’s Episcopal Church. Accessed April 25, 2022. <https://stpaulswc.org/st-pauls-commons/>.
- The Anti-Eviction Mapping Project. “Densifying Berkeley: Potential Impacts on Displacement and Equity,” March 2022. [https://rentboard.berkeleyca.gov/sites/default/files/2022-05/Anti-Eviction%20Mapping%20Project\\_UpzoningReport\\_REV\\_FINAL\\_03-22-2022.pdf](https://rentboard.berkeleyca.gov/sites/default/files/2022-05/Anti-Eviction%20Mapping%20Project_UpzoningReport_REV_FINAL_03-22-2022.pdf).
- Torok, Ryan. “IKAR Readies Its Next Chapter.” *Jewish Journal* (blog), February 14, 2018. [https://jewishjournal.com/los\\_angeles/230819/ikar-readies-next-chapter/](https://jewishjournal.com/los_angeles/230819/ikar-readies-next-chapter/).
- “Trinity Lutheran Church of Columbia, Inc v Comer, Director, Missouri Department of Natural Resources.” *Oxford Journal of Law and Religion* 7, no. 1 (February 1, 2018): 173–74. <https://doi.org/10.1093/ojlr/rwx069>.
- UIF. “Financing Products.” Islamic Financing Solutions | UIF Corporation. Accessed July 30, 2022. <https://www.myuif.com/financing/>.
- Vale, Lawrence. *From the Puritans to the Projects: Public Housing and Public Neighbors*. Harvard University Press, 2000.
- Vidal, Avis. “Faith-Based Organizations In Community Development.” Government Publication. The Urban Institute, August 2001. <https://www.huduser.gov/publications/pdf/faithbased.pdf>.
- Williams-Ridley, Dee. “Memorandum Re: Approval of Developments at 2012 Berkeley Way and 1601 Oxford Street Pursuant to Senate Bill 35,” December 21, 2018.

Wirschafter, Brooke. “Why My Synagogue Is Building a 55-Unit Housing Development for the Homeless.” *Jewish Telegraphic Agency* (blog), March 24, 2022. <https://www.jta.org/2022/03/24/opinion/why-my-synagogue-is-building-a-55-unit-housing-development-for-the-homeless>.

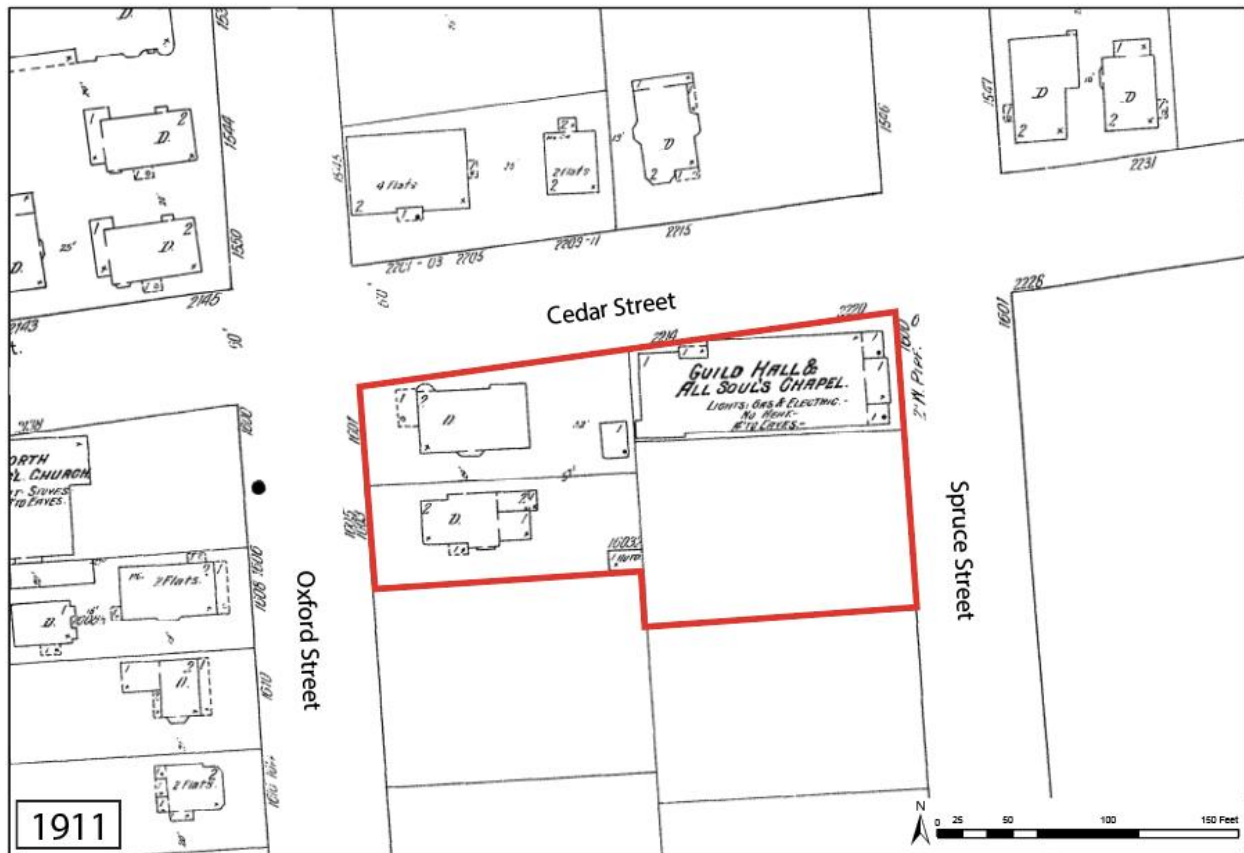
YIGBY. “About YIGBY.” Accessed May 31, 2022. <https://yigby.org/about-yigby/>.

“YIGBY Proposal Would Allow Churches To Build Affordable Housing In San Jose.” *KPIX5 CBS SF BayArea*, March 8, 2022. <https://sanfrancisco.cbslocal.com/2022/03/08/yigby-proposal-would-allow-churches-to-build-affordable-housing-in-san-jose/>.

Zoning Adjustments Board Staff. “Staff Report for 1601 Oxford Street.” City of Berkeley: Zoning Adjustments Board, November 8, 2018. [https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3\\_-\\_ZAB/2018-11-08\\_ZAB\\_Staff%20Report\\_1601%20Oxford.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2018-11-08_ZAB_Staff%20Report_1601%20Oxford.pdf).

# Appendix A: Sanborn Maps of the Site

Figure 19. 1911 Sanborn Map of the Site



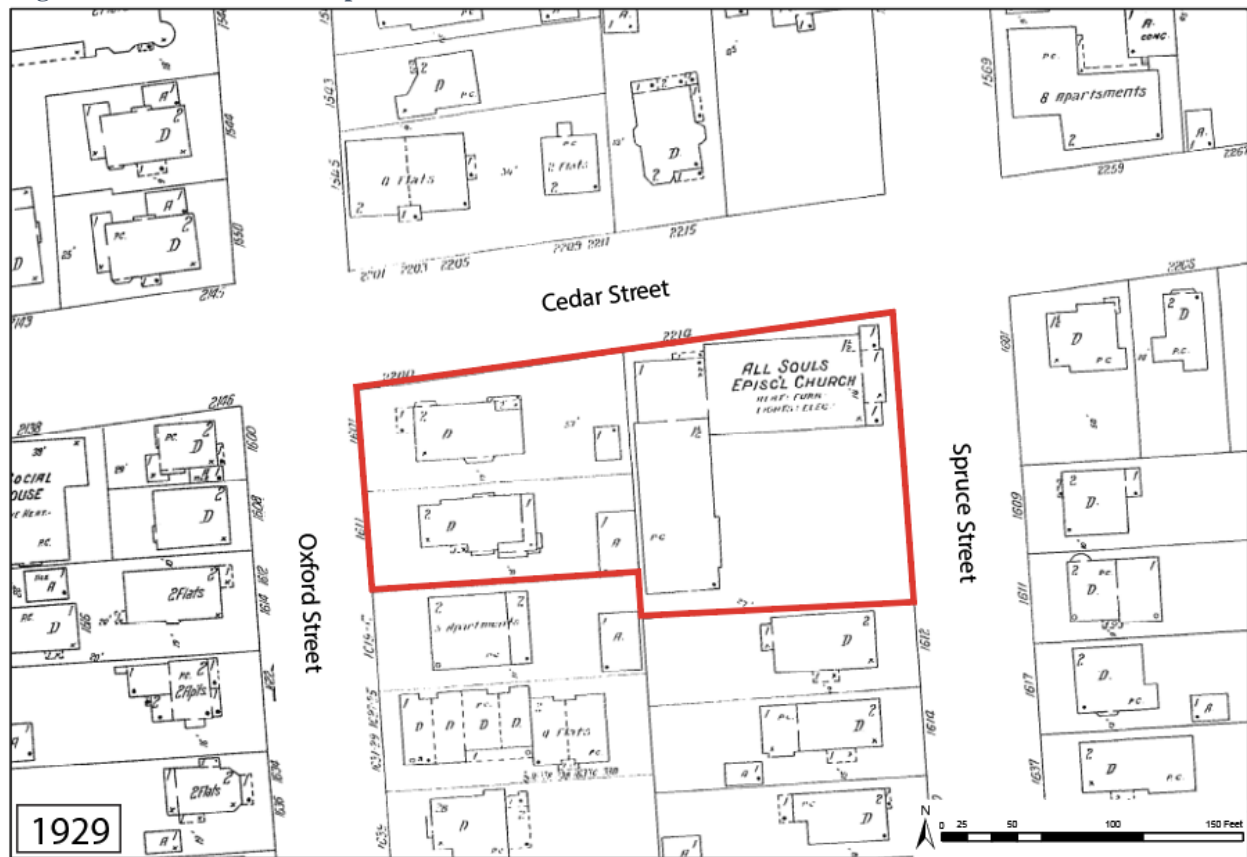
Source: ProQuest Digital Sanborn Maps, accessed through the UC Berkeley library and adapted by the Author.

This Sanborn Map from 1911 shows the “Guild Hall & All Soul’s Chapel” occupying the corner lot at the intersection of Cedar Street and Spruce Street in Berkeley, California.

Notes:

- 1) In the early 1900s, the area was sparsely developed, with empty lots adjacent to and across from All Souls.
- 2) The blocks surrounding All Souls have included a mix of single- and multi-family homes since at least 1911, including the two single-family houses immediately adjacent to the Parish and the 2- and 4-flat buildings across Oxford Street to the west and Cedar Street to the north.

Figure 20. 1929 Sanborn Map of the Site



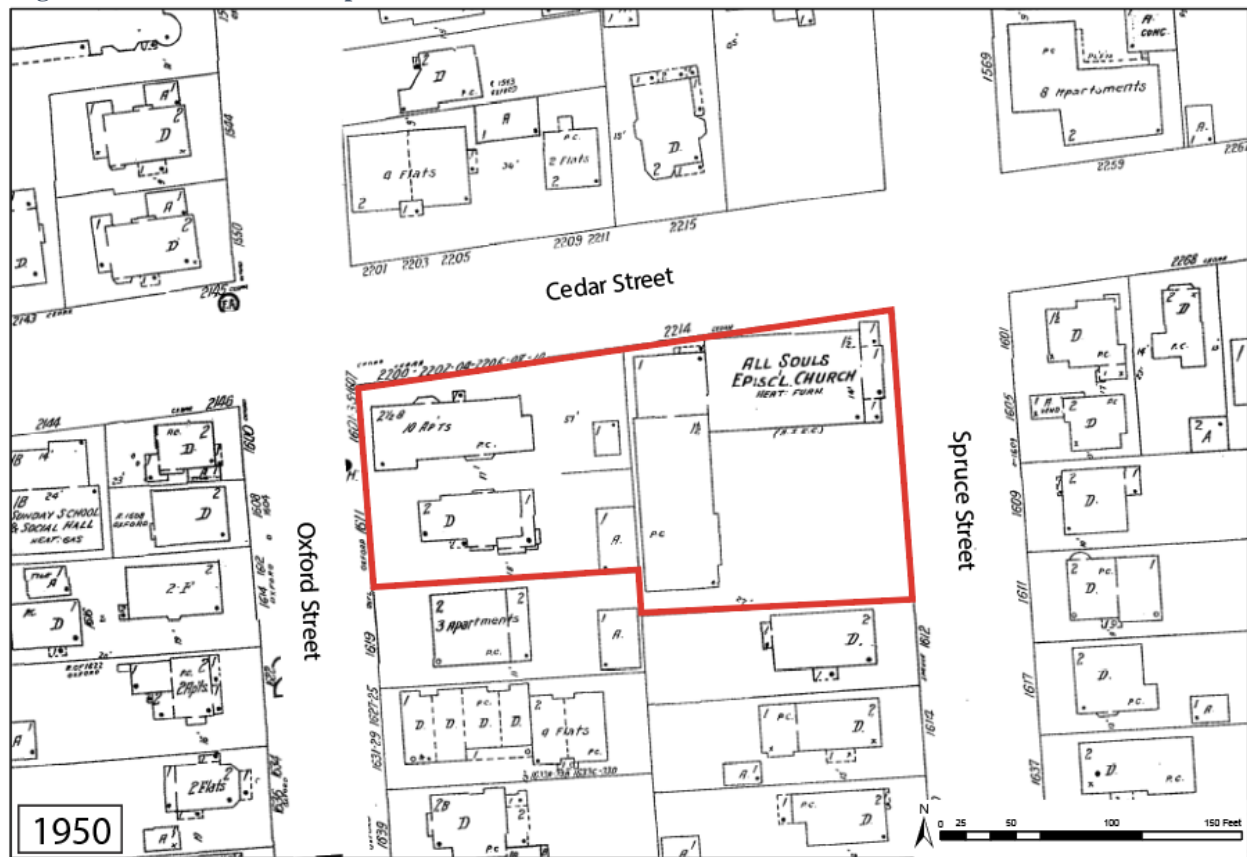
Source: ProQuest Digital Sanborn Maps, accessed through the UC Berkeley library and adapted by the Author.

This Sanborn Map from 1929 shows the evolution of the Parish. By 1929, the “Guild Hall & All Soul’s Chapel” had been renamed All Souls Episcopal Church, and the congregation had built an addition onto the original building, doubling its footprint.

Notes:

- 1) Whereas in 1911 there were several empty parcels nearby, by 1929 few, if any, remained undeveloped.
- 2) Oxford Street increased in density between 1911 and 1929, with new apartment buildings and single family houses converted into 2 unit-flats.
- 3) In 1911, the lot diagonally across Cedar and Spruce Streets contained two single-family houses. By 1929, the two buildings had been redeveloped into an 8-unit apartment building.

Figure 21. 1950 Sanborn Map of the Site



Source: ProQuest Digital Sanborn Maps, accessed through the UC Berkeley library and adapted by the Author.

This Sanborn Map from 1929-1950 shows continued changes in the blocks immediately surrounding the Church.

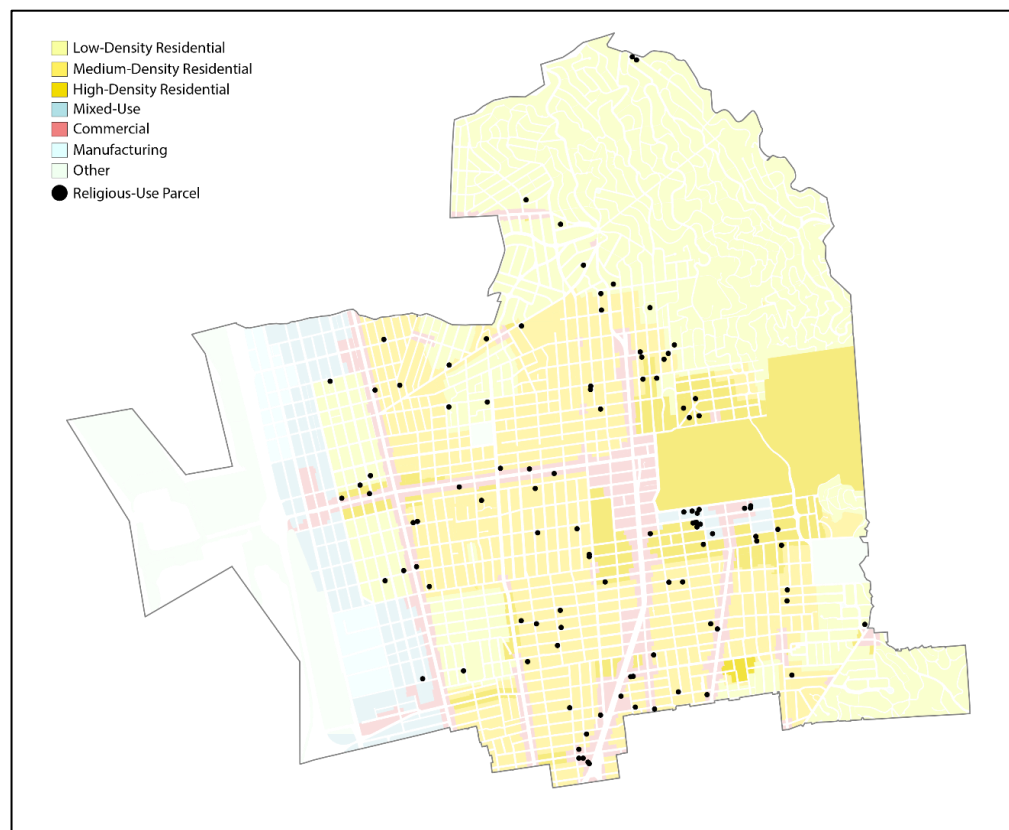
Notes:

- 1) By 1950, the single family house at 1601 Oxford Street (at the SE corner of Cedar and Oxford Street) had been redeveloped into a 10-unit apartment building.
- 2) As late as 1950, there was a single family house next door at 1611 Oxford Street. Shortly after purchasing the property in 1965, the Parish demolished this house to make space for parking.
- 3) Compared to 1911 and 1929, development on the east side of Spruce Street across from the Parish continued to densify.

# Appendix B: Potential Impact of SB 1336 in Berkeley

SB 35 created a ministerial approval process for certain affordable housing developments in areas zoned for residential or mixed use. SB 1336 (previously introduced in 2020 as SB 899) would expand on SB 35 by streamlining approvals for certain affordable housing projects on land owned by religious institutions in commercial areas too. Without additional data (e.g., statewide zoning data, parcel sizes), it is unclear how many FBOs in California would benefit from SB 1336. However, a preliminary analysis focused on the City of Berkeley provides a sense of the potential impact. According to data from the Alameda County Assessor's Office, there are 104 religious use parcels in Berkeley. Most of these parcels are in areas zoned for residential or mixed use (and concentrated in areas zoned for medium-density housing). SB 35 would currently apply to affordable housing projects that otherwise meet the eligibility criteria on these parcels. However, approximately 20% (21 total) religious use parcels in Berkeley are zoned for commercial use and are not currently covered by SB 35.

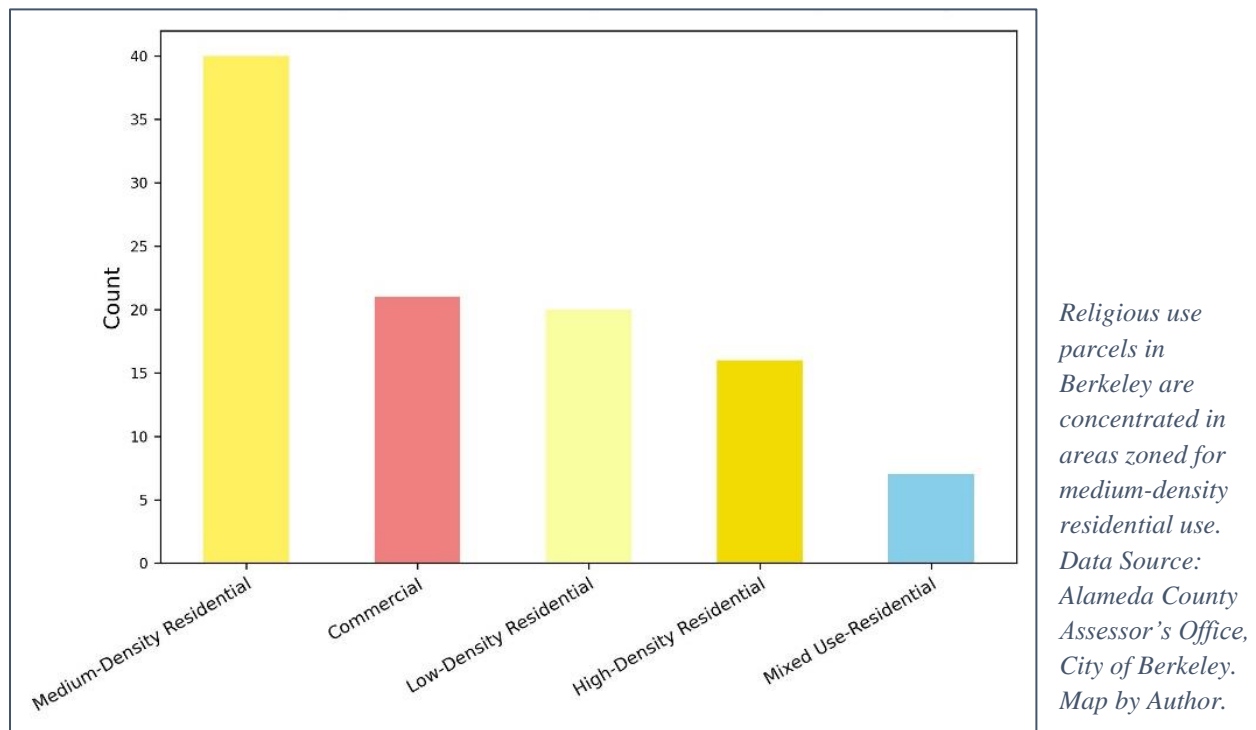
**Figure 22. Religious Use Parcels in Berkeley**



*More than 70% of religious use parcels in Berkeley are in areas zoned for residential use.*  
*Data Source:*  
*Alameda County Assessor's Office, City of Berkeley.*  
*Map by Author.*



**Figure 23. Number of Religious Use Parcels by Zoning Category**



**Data Note:** The zoning data available through Berkeley's online data portal does not strictly align with the City's zoning ordinance. The original dataset included 10 zone designation codes and 39 unique "zone class" category codes, including some that were undefined. For the purpose of this analysis, I reclassified the codes into 8 categories: low-density residential, medium-density residential, high-density residential, mixed use-residential, mixed use-light industrial, commercial, manufacturing, and other. In general, "Low density residential" includes R-1 zone classes, "medium density residential" includes R-2 zone classes, and "high density residential" includes R-3, R-4, and R-5 zone classes. "Commercial" includes neighborhood commercial areas, commercial corridors, and predominately commercial areas in the downtown core.