

LAND USE ELEMENT



INTRODUCTION

The Land Use Element provides general direction and guidance for the physical development of Berkeley. Element objectives and policies provide guidance for future decisions regarding development applications, zoning regulations, the subdivision and development of land, development fees to pay for necessary public facilities, and improvements to the city's infrastructure. The Land Use Diagram, which is included at the end of the Element, depicts the general distribution, location, and density of land uses in the city based upon the policies of the General Plan and existing land uses. The Diagram does not portray the specific use of each parcel of land. Rather, it shows the planned locations of generalized activities and residential densities. The Zoning Ordinance determines specific regulations governing development of property.

The Land Use Element policies are closely related to the Transportation Element, Urban Design and Preservation Element, and Citizen Participation Element policies. The Land Use and Transportation Elements' policies are coordinated to ensure that new housing and future development occur in areas of the city that are best served by public transportation services. For

example, the Land Use policies encourage higher density housing along the transit corridors shown in the Transit Network map in the Transportation Element. The Land Use and Urban Design and Preservation policies are coordinated to ensure that all new development is sensitive to Berkeley's unique physical character and scale, and the Land Use and Citizen Participation Elements' policies are coordinated to ensure that decisions regarding physical development of the city are made with maximum possible citizen participation and involvement.

POLICY BACKGROUND

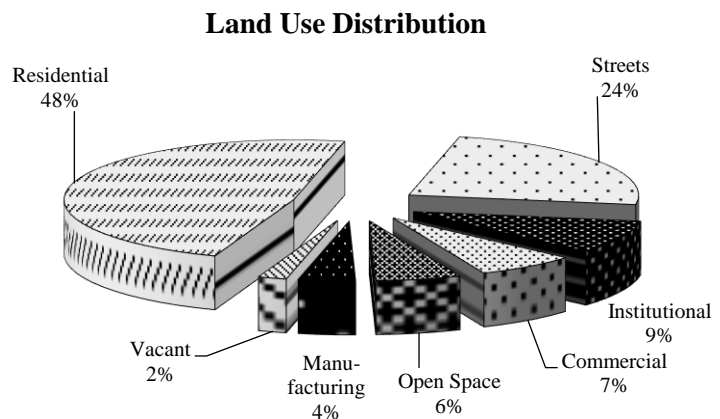
The Character of Berkeley

The first objective of the Land Use Element is to maintain and preserve the character of Berkeley. As stated in the 1977 Master Plan:

Though it is perceived by each person differently, concern over the preservation of the "character of Berkeley" is expressed by all segments of the population. This distinctive character results from Berkeley's unparalleled natural setting, from its myriad of tasteful architectural styles, from the presence of the University of California campus, and from its diversified lifestyles. Yet, Berkeley represents an intricate and delicate balance that is constantly undergoing subtle changes in its physical and social fabric. A continuing need exists to maintain, improve, adapt and, where necessary, replace existing development to meet changing circumstances. The Land Use Element recognizes the interdependence of residential neighborhoods, commercial centers, employment centers and the University of California. Its proposals are intended to insure that future development reinforces, rather than undermines, this mosaic of community values.

Land Use in Berkeley

The basic land use pattern of Berkeley was established by the early 1900s. In West Berkeley, industrial uses developed adjacent to the railroad and San Pablo Avenue. Institutional and commercial activities grew around the University. Residential growth, with its accompanying commercial services and public facilities, occupied the remaining land between the early centers of development. Before World War II Berkeley accommodated new or expanding activities on vacant land. By 1950, remaining parcels were scattered and limited in their potential use by small size, location,



topography, and adjacent development. The general distribution of land uses in Berkeley has not changed significantly in the last 40 years.

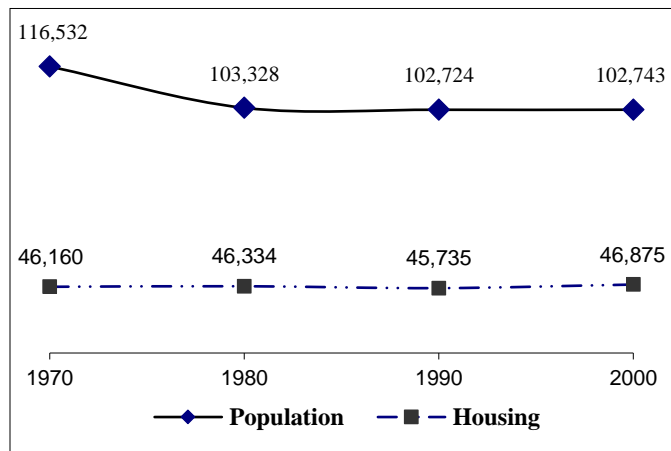
As shown in the figure above, residential uses and streets occupy almost three-quarters of the overall city land area. Institutional uses, such as the University of California, schools, churches, public facilities, and hospitals, occupy approximately 9% of the total land area. The area of land occupied by commercial activity is estimated at approximately 7% of the City's total acreage. Only 2% of the city's land area is vacant and most of that land is located in the area recently purchased by the East Bay Regional Park District for the Eastshore State Park.

Figure 3 at the end of the Land Use Element shows the geographical distribution of land uses in Berkeley. The map is for information purposes only. Figure 4, the Land Use Diagram, shows planned distribution of land uses, as envisioned by this General Plan.

Berkeley's Population, Housing, and Jobs

In addition to having a well-established land use pattern, Berkeley experienced no growth in population or housing supply in the last 30 years. From 1970 to 2000, the citywide population has dropped from 116,532 to approximately 102,743¹ and the number of housing units increased from 46,160 to 46,875.

While housing and population remained fairly constant in Berkeley over the last 30 years, Berkeley experienced a significant increase in the number of jobs. In 1970, Berkeley had about 51,000 total jobs. Estimates for the number of jobs in Berkeley in 2000 vary between 70,000 and 77,000. This figure includes approximately 65,000 wage and salaried jobs and between 5,000 and 10,000 non-wage earning jobs and self-employed residents. The increasing number of jobs and the fairly constant supply of housing results in increased demand for the limited housing and an increase in the number of people commuting into the city on a daily basis.



Since adoption of the 1977 Master Plan, some of the most controversial and difficult land use decisions in Berkeley have been about residential development proposals. Although increasing housing opportunities has been a major policy goal of both the 1955 and 1977 Master Plans, incompatible apartment development during the 1960s led to a downzoning of many

¹ City staff review of the preliminary 2000 Census population figures indicates that the Census may have missed as many as 5,000 student residents on the south side of the University. If correct, the City's 2000 Population would be approximately 108,000.

neighborhoods and ordinance revisions in 1973 reduced development intensities permitted in multi-family zones.

Demand for existing housing produces high prices, sometimes inadequate maintenance, and housing shortages. (See the Housing Element for a more in-depth discussion of housing in Berkeley.) Over the last 30 years, buying a home became more difficult as home prices rose faster than household incomes in Berkeley. According to the California Association of Realtors, in 1999 only 10% of Berkeley households had the income necessary to purchase a median-priced single-family home in Berkeley.

Although vacant land for new housing development is extremely limited, on the major transportation corridors and avenues and in the Downtown there are a significant number of underutilized parcels that represent opportunities for additional housing or other types of needed development.²

Land Use Element policies are designed to maintain Berkeley's unique physical character, while allowing for additional housing development on underutilized sites within the major transit corridors and Downtown and other changes to land use that are necessary to maintain, improve, adapt, and, where necessary, replace existing development to meet changing community needs and circumstances.

Residential Areas

The second objective of the Land Use Element is to maintain and enhance Berkeley's residential areas. In Berkeley, residential uses occupy approximately 48% of the city's total land area. There is a wide range of housing types in Berkeley, including: single-family homes, apartments, dormitories, live-work units, cooperatives, tenancies-in-common, condominiums, senior housing, high- and low-income rentals, rental rooms, and homeless shelters. Single-family homes constitute 45% of all housing in Berkeley, over 55% of the housing units in Berkeley are in multi-family buildings.

Housing Units by Building Type (2000)		
Type	Units	Percent of Total
Single Detached	19,460	42%
Single Attached	1,294	3%
Multi-Unit (2-4)	9,561	20%
Multi-Unit (5 plus)	16,546	35%
Mobile homes	14	Less than 1%
Total	46,875	100%

Berkeley's residential areas reflect the city's historic development pattern. Century-old Victorian homes are still found in many parts of Berkeley. The first quarter of the 20th Century brought the

² See the Housing Appendix to this plan

distinctive Berkeley brown-shingled homes and the extraordinary architecture of Julia Morgan and Bernard Maybeck. In the flatland areas, the need for inexpensive but adequate housing inspired a variety of residential styles, many highly innovative.

The Land Use Element maintains and enhances Berkeley residential neighborhoods by maintaining existing zoning development standards, emphasizing the importance of protections for neighborhoods from non-residential uses, and directing new housing development to the transit corridors and the Downtown.

Downtown and Other Commercial Mixed Use Areas

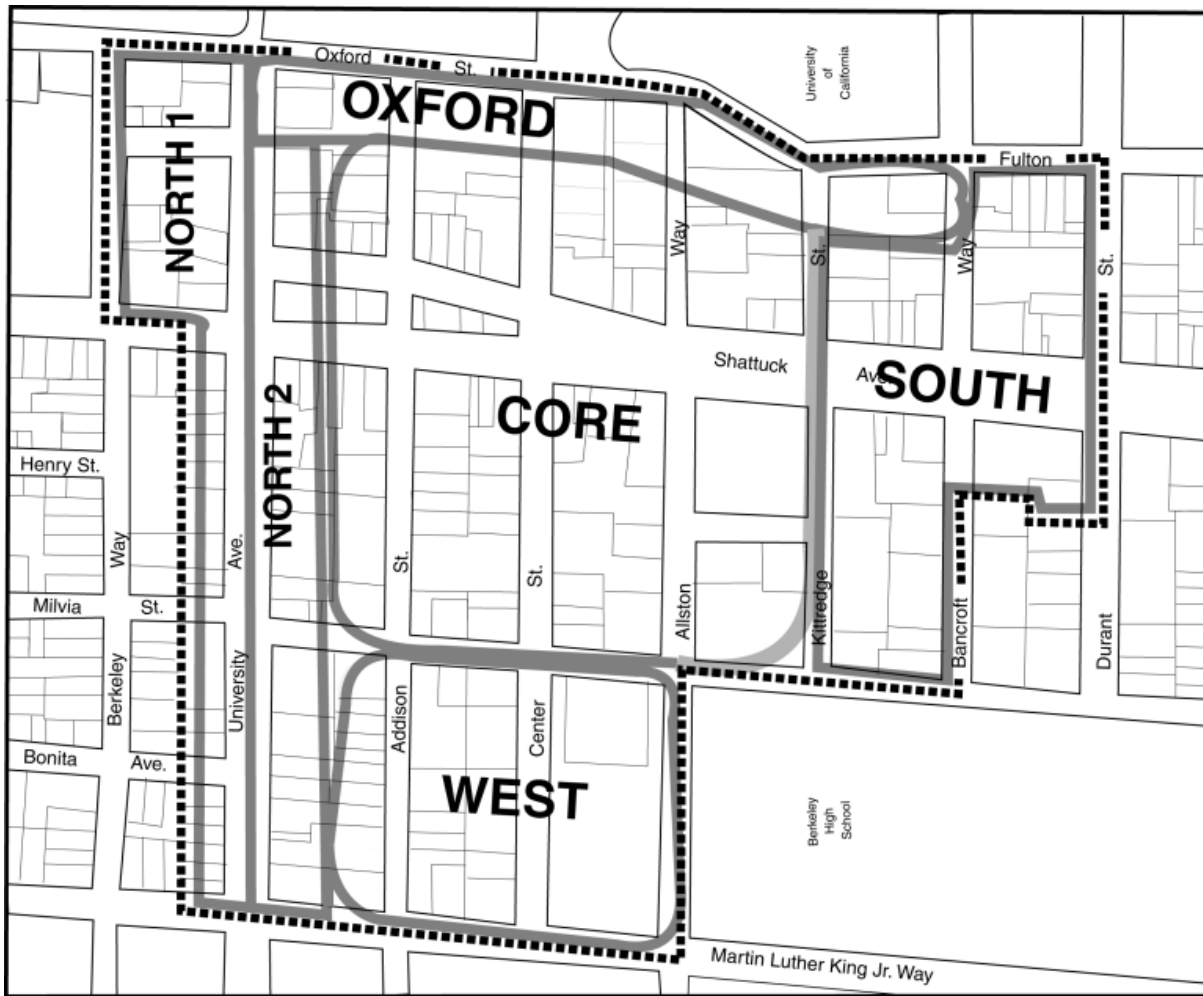
The third objective of the Land Use Element is to maintain and enhance Berkeley's commercial areas and the Downtown. Commercial activity is primarily distributed between Downtown, West Berkeley, the neighborhood and avenue commercial districts of North Shattuck, Elmwood, Solano, Shattuck/Adeline, and Telegraph Avenue, and the commercial strips along San Pablo and University Avenues.

The Downtown Area is bounded by: Hearst Avenue along its northern edge, Dwight Way to the south, and Martin Luther King, Jr. Way to the west (Figure 2: Downtown Subareas). Oxford-Fulton Streets forms its eastern edge (beyond which lies UC Berkeley's main campus), except for residentially-zoned parcels contained in the Southside Plan area. While most of the Downtown Area falls within mixed-use designations (for commercial, cultural, educational, institutional, and multifamily residential uses), it also contains some residential-only neighborhoods.

Downtown is the city's primary civic, office, and entertainment center, as well as a retail area. The major open space in the Downtown is the three-acre Martin Luther King Jr. Civic Center Park. Downtown Berkeley has important areas of strength. The Downtown is home to many arts organizations, including the Berkeley Repertory Theatre, the Aurora Theater, the Freight and Salvage Coffee House, the Berkeley Jazz School, and many other music and arts venues. UC Berkeley expects to build a new University Art Museum and the Pacific Film Archive in the Downtown Area. In addition to the arts and other businesses, the Downtown includes many restaurants, excellent transit service, and a customer base of residents, students, and office workers all within walking distance. Public investments in the arts, the Berkeley Public Library and Downtown infrastructure have helped to re-establish Downtown Berkeley as a vital arts and cultural center. Downtown Berkeley is also home to the Berkeley City College, Berkeley High School, a number of private educational institutions, and is bordered by the campus of the nation's premiere public university, making Downtown an important education and learning center.

Downtown is Berkeley's most intensely developed commercial district. Commercial uses extend along Shattuck Avenue and University Avenue. Downtown, at the geographic heart and transportation hub of the city, should serve as the community's dominant retail center, as well as its civic and entertainment center. As a retail district, Downtown Berkeley is faced with strong competition from automobile-oriented retail centers outside of Berkeley and by other commercial centers in Berkeley.

Figure 2 – Downtown Subareas



In 1990, the Downtown Plan was adopted to address the economic struggle of Berkeley's city center, among other issues. Critical to the 1990 Downtown Plan was maintaining the Downtown as "a compact, economically vital, historic city center with a defined core area and transition zones buffering residential neighborhoods." At the time the Plan was developed, most citizens agreed that retail revitalization was necessary and that preserving and enhancing the historic character of Downtown, while allowing for some change, was of primary importance. Encouraging housing in the Downtown was a secondary priority of the 1990 Downtown Plan, because of its proximity to regional transit systems and to encourage new retail uses in the area.

In November, 2010, the voters of the City of Berkeley adopted the following Vision Statement for Downtown:

The People of the City of Berkeley hereby adopt, as a vision for the City's Downtown Area, a Downtown that meets the City's climate action goals by concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources, enhancing open space, promoting green buildings; and allowing for 2 residential buildings and 1 hotel no higher

than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet, concentrating housing and jobs, thus helping to make Berkeley one of the greenest cities in the United States.

By adopting Measure R in 2010, the voters advised the City Council that greater heights and more intensity is acceptable in the Downtown. With its adoption of the 2012 Downtown Area Plan, City Council adopted policies that allow increased height and intensity in response to Measure R's direction. Under the DAP, three buildings up to 180 feet, could occur in the Core Area) within one block of BART), and two UC buildings and two non-UC buildings could occur within the combined Core Area and Outer Core area. These buildings would be exceptions to a generally allowed height – within the combined Core Area, Outer Core and Corridor area – of 60 feet “as matter of right” and 75 feet with a special Use Permit. Also note that the DAP provides for the protection of adjacent residential neighborhoods, and calls for the rezoning of the Downtown Area's southwest corner from R-4 to R-3 to reduce allowable building heights.

Berkeley's neighborhood commercial and avenue commercial areas include a large number of specialty stores and services that attract customers from outside the surrounding neighborhoods. The types of businesses that attract customers from outside the immediate neighborhood include popular restaurants, specialty furniture stores, and unique book, music, and specialty food stores which are not found in regional malls or neighboring communities.

Approximately 50 percent of all retail sales are generated in West Berkeley (Weatherford BMW in West Berkeley is the city's largest sales tax generator), 10 percent in the Downtown, and 10 percent in the Telegraph area. Various other neighborhood and avenue commercial districts throughout the city generate the remaining 30 percent.

Commercial quotas have been adopted since 1977, as part of the Zoning Ordinance, to regulate new uses occurring in the Telegraph, Elmwood, North Shattuck, and Solano Avenue commercial zoning districts. In the late 1970s, rising lease rates in some of these districts were beginning to drive out the familiar neighborhood-serving shops and services in favor of a multiplicity of new restaurants and boutique shops. In response, commercial rent control was an early method used by the City to protect merchants. However, when that was overturned by the California courts, the present quota system was enacted to regulate specific categories of use. Quotas for various uses, such as gift/novelty shops, beauty shops, or certain food services, are now codified through the Zoning Ordinance for several neighborhood and avenue commercial areas. In most cases, these numerical quotas were set at or below the existing number of establishments in any one particular category. The goal was to limit the number of certain types of businesses while allowing a diverse range of other, neighborhood-serving businesses to remain and find space in the districts.



For the neighborhood and avenue commercial corridors shown on the Land Use Diagram, the Land Use Element respects the existing development standards and height limits and provides guidance for future City decision-making to ensure that these areas continue to be vital, thriving, pedestrian-oriented commercial centers that serve area residents and provide necessary goods and services.

Industrial Areas

The fourth objective of the Land Use Element is to maintain and enhance Berkeley's remaining industrial areas. Approximately 24% of all Berkeley jobs are in West Berkeley, where manufacturing and wholesale jobs account for 41% of all jobs, service jobs for 30%, retail jobs for 16%, and other jobs (construction, transport, etc.) for 13%. Industrial activity is located almost exclusively in West Berkeley and occupies approximately 4% of the city's total land area. Located near the center of the region and in close proximity to freeway and rail transportation, Berkeley's industrial districts are attractive for many types of industry. The manufacturing and warehousing category is the third largest economic sector in the city, behind institutional and retail commercial uses.

In 1977, industrial uses occupied virtually all of West Berkeley aside from its residential areas. Since then, industrial activity in the area has decreased substantially, and office and retail uses have occupied a portion of the former industrial area. These changes occurred as part of the national retreat of industry, and especially large-scale industries, from central cities in the 1970s and 1980s. Heavy industries did not necessarily reduce their employment, but rather consolidated their facilities and closed outlying branch plants such as those located in Berkeley. In some cases in West Berkeley, heavy industrial uses were replaced not by non-industrial uses, but by light industrial uses.

This change has had both positive and negative consequences for the City of Berkeley. On the positive side, it has generated increased retail sales tax revenue and, in some cases, increased property tax revenue. Retail districts at Seventh Street/Ashby Avenue and Fourth Street/Hearst Avenue have emerged as two of the most successful districts in Berkeley. On the negative side, the loss of industry resulted in the loss of many high-paying blue-collar jobs accessible to workers without college education. New development, especially retail development, also creates additional traffic.

Berkeley added 800 manufacturing jobs during the period 1987 to 1992, due mostly to the growth at the Bayer Corporation in West Berkeley. This 14% increase reversed a 15-year decline in manufacturing jobs in Berkeley and outpaced manufacturing growth in the county as a whole. In 1993, the City Council adopted the West Berkeley Plan. The Plan seeks to balance the revenue gains and the social costs of this change in land use by securing the necessary local conditions to preserve at least some of the city's industrial base, thereby retaining some of the city's diversity of jobs, and, in some cases, some major tax generators. Since 1992, the number of manufacturing jobs in West Berkeley has remained stable and West Berkeley has continued to experience

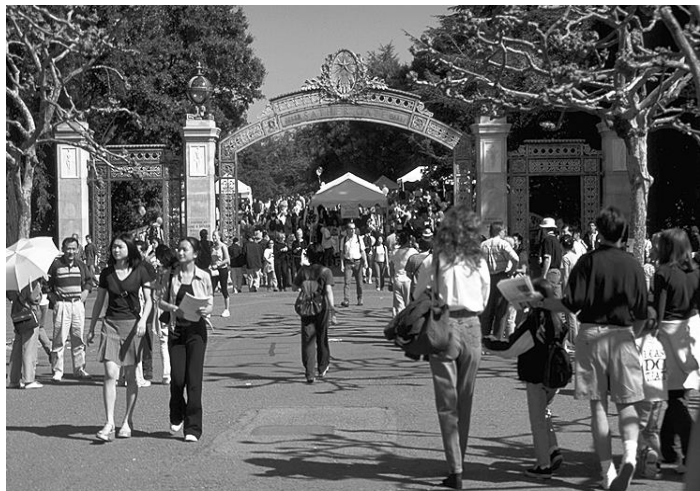
growth in the retail sector, primarily in and around the Fourth Street and Gilman Street commercial areas. During 1999, overall industrial vacancy rates fell 2.1 percentage points, to finish the year at 4.4 percent, the lowest rate recorded in over 10 years. In Emeryville, warehouse and manufacturing space is being converted to flex or pure office space. The continuing loss of true manufacturing and warehouse space in Emeryville is expected to secure a continuing strong demand for manufacturing and warehouse space in Berkeley.

The Land Use Element maintains the City's current industrial and manufacturing land use policies of the 1993 West Berkeley Plan.

University of California

The fifth objective of the Land Use Element is to minimize the negative impacts and maximize the benefits of the University of California on the citizens of Berkeley. Since its earliest days, the University has been a major factor in the physical, social, and economic development of Berkeley. The University provides a wide range of cultural opportunities not available in most cities the size of Berkeley and is a major contributor to the economic health of the city.

During the 2000/2001 school year, the University population included 29,979 students, 11,598 employees, and approximately 1,650 post-doctoral and visiting scholars for a total daytime population of approximately 43,227.



In 1988, the Berkeley community passed Measure N (The Public Agency Accountability Measure) which states that it is City policy that all land use plans, development, and expansion by public agencies should follow City laws and pay taxes and fees, comparable to those paid by private citizens and businesses, to support their fair share of City services. Although the University population contributes significantly to the economic health of the city, the University's tax-exempt status means that Berkeley's largest landholder, employer, and traffic generator does not pay any property tax. It is difficult to measure the cost of the direct services provided by the City such as police and fire service; it is even more difficult to measure the indirect costs such as accommodating high levels of traffic.

In 1997, the City and the University signed a memorandum of understanding which recognized the "desirability of maintaining a cooperative relationship and pursuing collaboratively long range plans, studies, and potential projects of mutual benefit and concern." Pursuant to that memorandum, the City and the University staff worked together to produce a draft Southside Area Plan and a Southside and Downtown Transportation Demand Management Study which seeks to develop common goals for travel behavior.

However, despite these efforts, University-related housing demands, traffic, and public infrastructure and service impacts continue to be difficult for Berkeley to successfully accommodate. For example, in 2000:

- Approximately 17,900 University students lived in Berkeley, yet the University provided beds for only about 10,000 students in Berkeley and Albany.
- Approximately 4,900 professional (non-student) faculty and staff members live in Berkeley, but the University only provided about 100 housing units for faculty and staff.
- The 1990 Long Range Development Plan included plans for 2,350 to 3,410 new beds between 1990 and 2005. Over the last 10 years the University has only been able to add about 173 beds and plans to build another 900 beds with the Underhill development projects.
- Approximately 8,007 of the University's 13,345 faculty and staff drove alone to campus each day.
- Approximately 4,800 students were driving alone to campus each day.

University of California Population by Place of Residence (1998)			
Residence	UC Faculty and Staff		Students
Berkeley	43%		
Oakland and Piedmont	15%		
Other East Bay	14%		
San Francisco	7%		
Elsewhere	21%		
University Housing Supply (2000)			
Housing Type	Beds		Units
Residence Halls	5,225		
Fraternities/Sororities	1,819		
Cooperatives	1,304		
International House	580		
Family Student Housing			994
Single Student Apartments			132
Faculty Apartments			26
Faculty Condominiums			75
Totals	8,928		1,227
University of California Commute Mode (1994)			
Commute Mode	UC Students (Approx. 29,797)	UC Faculty (Approx. 1,759)	UC Staff (Approx. 7,698)
Walk	52%	13%	14%
Bike and Motorcycle	17%	10%	9%
Transit	15%	12%	19%
Auto	16%	65%	58%

University of California, Berkeley's 2020 LRDP provides a framework to shape future decisions on land use, enrollment, housing, parking, academic facilities, architecture, and landscape design.

Although University expansion is not subject to local land use controls and zoning, the Berkeley General Plan Land Use Element includes policies regarding the University of California presence in Berkeley and future expansion in order to maximize the benefits of the University's presence in Berkeley and minimize the adverse impacts.

In 2005, the City and University agreed to work together to develop a new Downtown Area Plan so that University growth in the Downtown could be planned comprehensively and with community objectives in mind. The Downtown Area Plan was also recognized as a vehicle for being more effective on issues of mutual interest, such as economic revitalization, environmental sustainability, transportation, affordable housing, and community health.

The Waterfront

The sixth and final objective of the Land Use Element is to establish the waterfront area west of the freeway as a recreational and open space resource.

The concept of an Eastshore State Park, extending through Oakland, Emeryville, Berkeley, and Albany, was initiated in 1980 with broad support from the three respective cities and numerous conservation organizations. In 1981, the State Parks Commission voted priority status for an Eastshore park, and in 1982, feasibility reports were issued by the State Department of Parks and Recreation as well as the Coastal Conservancy. In 1988, Proposition 70 allocated \$25,000,000 for the acquisition of the park, and in 1989, an additional \$15,000,000 was allocated through the passage of Measure AA. The principal private property owner, Catellus Corporation (formerly Santa Fe Development), had proposed extensive development in all three cities for a total of close to nine million square feet. These proposals were in large part the impetus for the development of the Berkeley Waterfront Plan and Waterfront Specific Plan. In 1986, the City Council adopted the Waterfront Plan and the Waterfront Specific Plan, and the Berkeley community adopted Measure Q, which limits development along the Berkeley waterfront to 565,000 square feet.

The California Department of Parks and Recreation, the East Bay Regional Park District, and the California State Coastal Conservancy are working to develop a plan for the Eastshore State Park that would include approximately 130 acres of Berkeley waterfront. As required by its enabling legislation: "The park shall be a recreational facility harmonious with its natural setting" (Public Resources Code Section 5003.3). The plan should present a clear picture of the future park, which balances the diverse recreational needs of the public with the protection of significant habitat values. The planning process for the State Park began in early 2001 and is expected to be complete by late 2002.

A Marina Plan is currently being prepared by the Waterfront and Parks and Recreation Commissions to identify and prioritize needed improvements for the City-owned Marina area. The remaining privately owned waterfront land, north of a line extending west from Virginia Street and the future Eastshore Park to the Albany border, is currently used for parking and stables for Golden Gate Fields racetrack.

Element Objectives

The policies and actions of the Land Use Element are designed to achieve the following six objectives:

1. Maintain and preserve the character of Berkeley.
2. Maintain and enhance Berkeley's residential areas.
3. Maintain and enhance Berkeley's commercial areas and the Downtown.
4. Maintain and protect Berkeley's remaining industrial areas.
5. Minimize the negative impacts and maximize the benefits of the University of California on the citizens of Berkeley.
6. Establish the waterfront area west of the freeway as a recreational and open space resource.

POLICIES AND ACTIONS

The Character of Berkeley

Policy LU-1 Community Character

Maintain the character of Berkeley as a special, diverse, unique place to live and work.

Policy LU-2 Preservation

Protect Berkeley's character by identifying, restoring, and preserving historic buildings. (Also see Urban Design and Preservation Policies UD-1 through UD-3.)

Policy LU-3 Infill Development

Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale. (Also see Urban Design and Preservation Policies UD-16 through UD-24.)

Policy LU-4 Discretionary Review

Preserve and enhance the aesthetic, environmental, economic, and social character of Berkeley through careful land use and design review decisions.

Action:

- A. When evaluating development proposals or changes to zoning consider General Plan and Area Plan policies, Zoning and Subdivision Ordinance standards, existing land uses, environmental impacts, safety and seismic concerns, social and economic consequences, and resident, merchant, and property owner concerns.

Policy LU-5 Citizen Involvement

Assure the effective participation of Berkeley citizens and others in land use decisions.

Action:

- A. Continue to evaluate how well City processes and staff serve neighborhood residents in land use matters. (Also see Citizen Participation Policies CP-1 through CP-11.)

Residential Areas

Policy LU-6 Safe and Attractive Neighborhoods

Ensure that all residential areas are safe and attractive places to live. (Also see Disaster Preparedness and Safety Policies S-13 through S-16.)

Policy LU-7 Neighborhood Quality of Life

Preserve and protect the quality of life in Berkeley's residential areas through careful land use decisions.

Actions:

- A. Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.
- B. Carefully evaluate and monitor new and existing uses to minimize or eliminate negative impacts on adjacent residential uses.
- C. Carefully review and regulate proposals for additional residential development in the Hill Fire Hazard Area and the tsunami, seismic and landslide hazard areas identified in the Disaster Preparedness and Safety Element. (Also see Disaster Preparedness and Safety Policies S-14 and S-16.)
- D. Strengthen Zoning Ordinance language to ensure greater protection of solar access to adjacent properties when new projects or additions are proposed.
- E. Acquire an analysis of the implications of revising R-1, R-1A, R-2, R-2A, MU-R, and C-N zoning to require a Use Permit and public hearings for projects that exceed 28 feet.

Policy LU-8 Home Occupations

Monitor and evaluate the present and future effects of home occupations, home offices, and other similar developments on residential areas.

Policy LU-9 Non-Residential Traffic

Minimize or eliminate traffic impacts on residential areas from institutional and commercial uses through careful land use decisions. (Also see Transportation Policies T-20 and T-23.)

Policy LU-10 Parking

Protect residential areas from institutional and commercial parking impacts by encouraging use of alternative modes of transportation and strictly enforcing residential parking permit regulations. (Also see Transportation Policies T-31 and T-34.)

Policy LU-11 Pedestrian- and Bicycle-Friendly Neighborhoods

Ensure that neighborhoods are pedestrian- and bicycle-friendly with well-maintained streets, street trees, sidewalks, and pathways.

Action:

- A. Ensure that any City-owned pathways or dedicated easements adjacent to, abutting, or through private property are preserved when reviewing new development proposals. (Also see Transportation Policies T-43, T-47, and T-52 and Disaster Preparedness and Safety Policy S-22 Action A.)

Policy LU-12 City Service Impacts

Reduce the impacts of City facilities on residential areas.

Action:

- A. Continue to consider financially feasible opportunities for the eventual relocation of the Corporation Yard.

Policy LU-13 Basic Goods and Services

Ensure that neighborhoods are well served by commercial districts and community services and facilities, such as parks, schools, child-care facilities, and religious institutions.

Actions:

- A. Locate commercial uses and community facilities throughout the city on transit corridors.
- B. Maximize joint City/Unified School District use of and planning for facilities such as recreation, libraries, and cultural centers.
- C. Encourage a range of child-care facilities, including family child-care home, public and private child-care centers, and recreation centers.
- D. Encourage coordinated housing, social, and child-care programs.

Policy LU-14 Community Service Centers

Work with the Berkeley Unified School District and the University of California to establish a network of community centers including school sites, neighborhood resource centers, and City facilities that offer community services such as child care, health care, and recreational programs.

Policy LU-15 Service and Institutional Use Locations

Wherever possible, locate public and private institutional uses and community service centers that serve the city residents or have a regional-service orientation on transit corridors so that they

are accessible to public transportation and will not disrupt adjacent residential areas. (Also see Transportation Policy T-16.)

Downtown and Other Commercial Mixed-Use Areas

Policy LU-16 Downtown Area Plan

Take actions to attain goals and policies in the Downtown Area Plan, which is an element of the General Plan. Broad goals include:

1. Express and enhance Berkeley's unique social and cultural character in the Downtown.
2. Create an appealing and safe Downtown environment, with a comfortable pedestrian orientation.
3. Diversify, revitalize, and promote the Downtown economy.

Policy LU-18 Downtown Affordable Housing Incentives

Maximize the supply of affordable housing in the Downtown.

Policy LU-20 Downtown Pedestrian and Transit Orientation

Reinforce the pedestrian orientation of the Downtown. (See also the Downtown Area Plan for related policies and actions.)

Actions:

- A. Continue to explore options for the partial or complete closure of Center Street, Addison Street, or Allston Way to automobiles to promote the pedestrian and commercial vitality and enhance Civic Center Park use and appearance. When exploring options, carefully consider the experiences of other cities where closures have proven to be successful and where closures have proven to be unsuccessful or detrimental.
- B. Continue to explore costs and plans for the daylighting of Strawberry Creek. (Also see Environmental Management Policy EM-27.)
- C. Implement capital improvement projects that reinforce the pedestrian, transit, commercial, arts, and entertainment orientation of the Downtown and improve the quality of life for visitors and residents of the area.
- D. Reconstruct the Downtown BART Station and Plaza to be more pedestrian-friendly and visually attractive.
- E. Encourage development of public spaces, plazas, and restoration of natural areas in the Downtown and other areas of the city where appropriate to enhance the pedestrian environment.

Policy LU-21 Architectural Design in the Downtown

Require high-quality architectural design for all Downtown projects. *(Also see Urban Design and Preservation Policies UD-16 through UD-35.)*

Actions:

- A. Ensure that all Downtown area projects conform to the Downtown Area Plan, the Downtown Berkeley Design Guidelines, and the Urban Design and Preservation Element.
- B. New construction should fit into the context of the existing built environment and complement Downtown's historic character.
- C. Encourage infill development that is compatible with existing uses and improves the pedestrian environment and the streetscape.

Policy LU-22 Civic Center

Maintain the Civic Center as a cohesively designed, well-maintained, and secure place for community activities, cultural and educational uses, and essential civic functions and facilities. *(Also see Urban Design and Preservation Policy UD-38 Action A.)*

Actions:

- A. Old City Hall, the Berkeley Community Theater, Post Office, Civic Center Building, Veterans Memorial Building, and Civic Center Park are listed on the National Register of Historic Places and changes to these buildings, spaces, and nearby buildings, must be reviewed by the Landmarks Preservation Commission.

Policy LU-23 Transit-Oriented Development

Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley. *(Also see Transportation Policy T-16 and Downtown Area Plan.)*

Policy LU-24 Car-Free Housing in the Downtown

Encourage development of transit-oriented, low-cost housing in the Downtown. *(Also see Transportation Policy T-16 and Downtown Area Plan.)*

Policy LU-25 Affordable Housing Development

Encourage development of affordable housing in the Downtown Plan area, the Southside Plan area, and other transit-oriented locations. *(Also see Housing Policy H-16.)*

Actions:

- A. Consider revisions to the Zoning Ordinance to require and/or encourage inclusion of a greater percentage of affordable housing units and a greater percentage of units restricted to households with low or very low income in multi-family housing projects, than currently required under the Inclusionary Housing Ordinance.

- B. Revise the Zoning Ordinance to clarify and improve administration of the state density bonus for affordable housing for multi-family housing projects that will encourage development of affordable housing and minimize potential impacts of new multi-family housing projects on adjacent residents.

Policy LU-26 Neighborhood Commercial Areas

Maintain and improve Neighborhood Commercial areas, such as Elmwood, Solano, and North Shattuck, as pedestrian-friendly, visually attractive areas and ensure that Neighborhood Commercial areas fully serve neighborhood needs. (See Land Use Diagram for locations of Neighborhood Commercial areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)

Actions:

- A. Require ground-floor commercial uses to be oriented to the street and sidewalks to encourage a vital and appealing pedestrian experience.
- B. Ensure safe, well-lighted, wide walkways that are appropriately shaded for compatibility with upper-story residential units and adequate traffic signals for pedestrian street-crossings in commercial areas.
- C. Provide street trees, bus shelters, and benches for pedestrians in commercial areas.
- D. Provide bicycle facilities and ample and secure bicycle parking wherever appropriate and feasible.
- E. Maintain and encourage a wide range of community and commercial services, including basic goods and services.
- F. Encourage sensitive infill development of vacant or underutilized property that is compatible with existing development patterns.
- G. Control the design and operation of commercial establishments to ensure their compatibility with adjacent residential areas.
- H. Use design review and careful land use decisions to preserve the historic character of Neighborhood Commercial areas.

Policy LU-27 Avenue Commercial Areas

Maintain and improve Avenue Commercial areas, such as University, San Pablo, Telegraph, and South Shattuck, as pedestrian-friendly, visually attractive areas of pedestrian scale and ensure that Avenue areas fully serve neighborhood needs as well as a broader spectrum of needs. (See Land Use Diagram for locations of Avenue Commercial areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)

Actions:

- A. Require ground-floor commercial uses to be oriented to the street and sidewalks to encourage a vital and appealing pedestrian experience.
- B. Ensure safe, well-lighted, wide walkways that are appropriately shaded for compatibility with upper-story residential units and adequate traffic signals for pedestrian street-crossings in commercial areas.
- C. Provide street trees, bus shelters, and benches for pedestrians in commercial areas.
- D. Provide bicycle facilities and ample and secure bicycle parking wherever appropriate and feasible.
- E. Maintain and encourage a wide range of community and commercial services, including basic goods and services.
- F. Encourage sensitive infill development of vacant or underutilized property that is compatible with existing development patterns.
- G. Regulate the design and operation of commercial establishments to assure their compatibility with adjacent residential areas.
- H. Maintain and improve the historic character of Avenue Commercial areas with design review and careful land use decisions.

Policy LU-28 Impact Fees

Ensure that new development adequately mitigates impacts on transportation facilities and services, housing availability and affordability, child-care availability and affordability, or open space resources and facilities.

Actions:

- A. Prepare a nexus study to enable collection of a transportation services impact fee. (Also see Transportation Policy T-6.)
- B. Continue to collect appropriate housing impact fees. (Also see Housing Policy H-2.)
- C. Continue to collect appropriate child-care impact fees.
- D. Consider preparing a nexus study to enable collection of an open space impact fee and/or in-lieu fee for residential development. (Also see Open Space and Recreation Policy OS-15.)

Policy LU-29 University Avenue Strategic Plan

Implement the University Avenue Strategic Plan and take actions to achieve the six goals of the Plan:

1. Increase public safety for residents, merchants, and customers.
2. Revitalize the University Avenue corridor through appropriate economic development and housing.
3. Protect and improve neighborhood quality of life.
4. Encourage more pedestrian-oriented development and an appropriate mix of uses to improve neighborhood identity.
5. Enhance University Avenue as a gateway to the city, a series of neighborhoods, and the Downtown.
6. Coordinate and enhance public transit systems, pedestrian access, and bicycle circulation.

Policy LU-30 South Shattuck Strategic Plan

Implement the South Shattuck Strategic Plan and take action to achieve the four objectives of the Plan:

1. Improve and create commercial and mixed-use development along South Shattuck.
2. Create and enhance the identity of the South Shattuck commercial corridor as a unique and pleasant district that complements adjacent residential neighborhoods.
3. Ensure that residential properties are used and maintained according to appropriate standards.
4. Make traffic improvements which complement economic development and urban design goals, encourage the use of alternatives to the automobile, and preserve the quality of life in residential neighborhoods.

Policy LU-31 South Berkeley Area Plan

Implement the South Berkeley Area Plan and take action to achieve the 55 goals of the Plan.

Policy LU-32 Ashby BART Station

Encourage affordable housing or mixed-use development including housing on the air rights above the Ashby BART station and parking lot west of Adeline Street.

Actions:

- A. Consider a joint City/BART development plan for the Ashby BART site to encourage and ensure appropriate development design, density, and parking to accommodate the BART station and transit-oriented development. Development at the Ashby BART station should

include multi-family, transit- oriented housing and ground-floor commercial space. If feasible, at least 50% of the housing units should be affordable to low- and very-low-income households. (Also see Housing Policy T-18.)

- B. Consider revising the zoning for the site to reduce the on-site parking requirements for new housing above the BART station. (Also see Transportation Policy T-16.)

Industrial Areas

Policy LU-33 West Berkeley Plan

Implement the West Berkeley Plan and take actions that will achieve the three purposes of the Plan:

1. Maintain the full range of land uses and economic activities including residences, manufacturing, services, retailing, and other activities in West Berkeley.
2. Maintain the ethnic and economic diversity of West Berkeley's resident population.
3. Maintain and improve the quality of urban life, environmental quality, public and private service availability, transit and transportation, and aesthetic and physical qualities for West Berkeley residents and workers. (Also see Economic Development and Employment Policy ED-2.)

Actions:

- A. Examine the original purposes of live-work, especially with regard to affordability, impact on manufacturing uses, and provisions for artists and craftspeople, and evaluate to what extent such purposes have been met. Examine whether live-work space is actually being used for both living and work as intended. Consider zoning amendments to restrict live-work, enforce live-work requirements, and/or require that live-work units be restricted to households with low or very low income.
- B. Evaluate traffic and parking conditions in West Berkeley and develop new regulations or programs if appropriate to address the problems.
- C. Evaluate transit services and other transportation options in West Berkeley and develop a plan to ensure their adequacy to meet the needs of residents and workers.

Policy LU-34 Industrial Protections and Automobile Sales Uses

Protect industrial uses in West Berkeley.

Actions:

- A. Inform non-industrial uses that are considering moving into industrial areas that truck traffic, 24-hour operations, and noise up to legal limits are common and accepted in

industrial areas. Non-industrial uses are expected to adjust to the practices of industrial operations.

- B. Prohibit further expansion of the Fourth Street commercial area beyond the existing commercially zoned areas. Maintain boundaries of the Mixed Use-Light Industrial District. Enforce prohibitions of retail uses in the Mixed Use-Light Industrial District.
- C. Allow automobile sales uses in the Manufacturing District in order to provide for this economically beneficial land use in an area of the City with large sites and proximity to Interstate 80. However, automobile sales are not permitted on City-owned land used for a Materials Recovery Enterprise or waste transfer station as of January 1st, 2008.

University of California and Institutional Uses

Policy LU-35 Mutually Beneficial Land Use Decisions

Develop and foster close working relationships with the University of California to ensure and facilitate land use decisions that are mutually beneficial to the institution and the adjoining neighborhoods. (Also see voter-approved Measures L and N.)

Actions:

- A. Maintain a clear and consistent City position, through Council action and other appropriate means, on University land use and development issues that impact the city.
- B. Share information and policies on similar problems and solutions with other cities with University of California campuses, such as Santa Barbara, Santa Cruz, San Francisco, Los Angeles, and Davis.
- C. Evaluate the present and past effectiveness of Berkeley's City government in dealing with the University on land use matters.
- D. Use all available lawful means to ensure that the University and other public agencies abide by the rules and laws of the City and that these agencies pay taxes and fees, comparable to those paid by private citizens and businesses, to support their fair share of City services. Seek State legislation that would require the University to conform to local land use regulations, policies, and processes.
- E. Discourage additional UC expansion (with the exception of housing) in Berkeley and also discourage the University from removing additional properties from the City's tax rolls.
- F. Seek ways and means, and commit additional resources, to ensure that the University of California at Berkeley complies with voter-approved Measure N.
- G. Work with the University to increase the supply of housing for students, faculty, and staff.

Policy LU-36 University Impacts and Costs

Minimize the negative impacts of the size of the University population and University expansion on adjacent neighborhoods and the city as a whole. (Also see Urban Design and Preservation Policy UD-10.)

Actions:

- A. Actively advocate that the University maintain a student enrollment cap of 30,000 pursuant to the 1990 Long Range Development Plan Mitigation Implementation Agreement between the City and the University.
- B. Explore methods by which the University would pay for municipal services "in lieu" of tax payments.

Policy LU-37 University Housing

Encourage the University to maximize the supply of housing for students, faculty, and staff to minimize the impacts of the University on the citywide supply of housing. (Also see Housing Policies H-35 through H-37.)

Action:

- A. Support sensitively designed additional housing for students, faculty, and staff within walking distance of campus. New developments should conform with the City height limits and zoning, and be compatible with the surrounding area's dominant architectural style, and should avoid removal or compromise of on-site or adjacent historic structures.

Policy LU-38 University Impact on City Tax Revenue

Discourage to the maximum extent possible additional use of land by the University that would result in the removal of property from the tax rolls or a reduction of tax revenue to the City.

Actions:

- A. Encourage the University to utilize its current landholdings for housing development.
- B. Oppose University actions that would result in the reduction of tax revenue to the City as the result of University development, leases, or property acquisition.

Policy LU-39 University Traffic

Reduce traffic impacts of the University on the citywide transportation system. (Also see Transportation Policies T-13, T-34, T-37, and T-38.)

Action:

- A. Urge the University to raise parking fees for all students, staff, and faculty to market rates and limit off-street parking to faculty, staff, and students based upon the following criteria:
 - a) need for a vehicle on the job;
 - b) number of passengers carried;
 - c) disability.

Policy LU-40 Public Use of University Facilities and Grounds

Continue to support maximum opportunities for citizen use of University libraries and recreational facilities, the maintenance of the hill lands as open space, and the adoption of campus development standards and policies to conserve and enhance present open space resources.

Policy LU-41 Public Agency Development

Ensure that all land use plans, development, and expansion by public agencies are consistent with City laws, the City’s General Plan and Zoning Ordinance to the extent feasible, and the California Environmental Quality Act. (Also see voter-approved Measures L and N.)

Policy LU-42 Berkeley Unified School District

Encourage the Berkeley Unified School District to adopt a resolution to make the School District’s land use decisions subject to the Berkeley Zoning Ordinance and the Landmarks Preservation Ordinance.

The Waterfront

Policy LU-43 Waterfront Plan

Implement the Waterfront Plan and take actions to achieve the five goals of the Plan:

1. Establish the waterfront as an area primarily for recreational, open space, and environmental uses, with preservation and enhancement of beaches, marshes, and other natural habitats.
2. Develop the waterfront as part of a continuous Eastbay shoreline open space system.
3. Provide for an appropriate amount and type of private development to make the waterfront part of Berkeley’s vibrant urban community, attractive to and usable by Berkeleyans, neighboring bay area residents, and other visitors.
4. Establish uses and activities that reflect and enhance the unique character of the waterfront and foster the community’s relationship with the shoreline.

(Also see Open Space and Recreation Policies OS-13, OS-15, and OS-16.)

Policy LU-44 Berkeley Marina Plan

Prepare and adopt a plan for the maintenance and improvement of the Berkeley Marina.

(Also see Open Space and Recreation Policy OS-2, Action J.)

Policy LU-45 Southside Plan

Implement the Southside Plan and take actions to achieve the six goals of the Plan:

1. Housing: Create additional housing at appropriate locations to help meet the housing demand for students and people employed nearby, thus taking advantage of proximity to

the University and Downtown to reduce automobile dependence and to increase travel to work or school by non-automobile transportation. Encourage the provision of affordable housing.

2. Land Use: Provide for a high-density residential and commercial mixed-use edge to the University of California campus and the “spine” along Telegraph Avenue. The high-density edge and spine are the focus for infill development. Development becomes progressively less dense and more residential in use the greater the distance from Bancroft and Telegraph, providing a buffer and transition to the lower density residential areas to the east and south of the Southside Area.
3. Transportation: Increase the quality, amenity, and use of all non-automotive modes (public transit, bicycles, and pedestrian), and reduce the number of trips made in single-occupant automobiles.
4. Economic Development: Enhance the commercial district so that it better meets the needs of the wide variety of users who frequent the neighborhood. Improve access, marketing, and safety.
5. Community Character: Recognize, preserve, and enhance the unique physical character of the Southside.
6. Public Safety: Improve public safety, address social needs, and act to minimize loss of life and property in the event of a natural disaster.

Policy LU-46 Adeline Corridor Mixed Use

Maintain and improve Adeline Corridor Mixed Use area, along Adeline Street and South Shattuck Avenue (from Dwight Way to Adeline Street), as an economically and culturally diverse, transit-oriented, pedestrian-friendly, visually attractive area of pedestrian scale and ensure that these areas fully serve neighborhood needs as well as a broader spectrum of needs. (See Land Use Diagram for locations of Adeline Corridor Mixed Use areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)²¹

Actions:

- A. Encourage development of a variety of types of housing at a range of income levels, especially for those at very low-income levels and who are at high risk of involuntary displacement.
- B. Leverage publicly owned land, such as the Ashby BART Station Area surface parking lots, and the right-of-way to maximize affordable housing, culturally and historically significant uses such as the Berkeley Community Flea Market, community facilities and public improvements desired by the community.
- C. Create a sustainable urban environment that incorporates transit-oriented development, green building features, green infrastructure and ecology, sustainable energy systems, water efficiency and conservation, and sustainable transportation systems.

- D. Require ground-floor commercial uses to be oriented to the street and sidewalks to encourage a vital and appealing pedestrian experience.
- E. Ensure safe, well-lighted, wide walkways and adequate traffic signals for pedestrian street-crossings in commercial areas.
- F. Provide street trees, bus shelters, and benches for pedestrians.
- G. Provide bicycle facilities and ample and secure bicycle parking wherever appropriate and feasible.
- H. Maintain and encourage a wide range of community and commercial services, including basic goods and services.
- I. Encourage sensitive infill development of vacant or underutilized property that is compatible with existing development patterns.
- J. Regulate the design and operation of commercial establishments to assure their compatibility with adjacent residential areas.
- K. Maintain and improve the historic character of Adeline Mixed Use areas with design review and careful land use decisions.

LAND USE DIAGRAM AND CLASSIFICATIONS

Figure 3, Existing Land Use – illustrates the geographic distribution of existing land uses in Berkeley.

Figure 4, the General Plan Land Use Diagram – generally illustrates proposed distribution and location of land uses in the city as envisioned by the General Plan. The Land Use Diagram does not display existing land uses or existing land ownership, although planned uses are in most cases similar to existing uses. (For official City land use zoning maps, consult the Current Planning Division, Department of Planning and Development.)

The Land Use Diagram includes several land use classifications. The residential, commercial, and industrial classifications are based upon a group of compatible existing zoning districts, which are identified after each classification in the text below. The range of uses and development standards within each classification is based upon ranges allowed within the compatible zoning districts. Due to limitations of the map size, small land uses such as small neighborhood parks³ may be too small to depict on the diagram. However, the use may be allowed within the broader classification of uses. For example, small neighborhood parks and schools may not be shown, but they are allowed within the residential land use classifications. Each classification also includes a range of appropriate building intensities and in some cases, population densities. The densities allowed by existing zoning are consistent with the policies of the General Plan.

³ The Open Space and Recreation Element includes a comprehensive map of parks and recreational facilities.

Population densities are determined by multiplying the maximum units per acre by the city's average household size of 2.2. For residential classifications the units-per-acre building intensity corresponds to the maximum residential densities currently allowed in these districts. In non-residential land use classifications, building intensity is based upon maximum Floor Area Ratios (FARs) currently allowed in the corresponding Zoning Ordinance districts.

General Plan land use classifications are for general planning purposes.⁴ They describe a range of land uses and intensities that reflect different General Plan policies related to the type, location, and intensity of development. Because the General Plan land use classifications describe a range of land uses and development intensities in a relatively large area, they are not intended to be used as standards to determine the maximum allowable density on a specific parcel. Allowable densities and uses in each zoning district are established in the more detailed and specific Zoning Ordinance. It is not the intent of the General Plan to upzone each zoning district to the maximum allowed within the range. The intent is to reflect the range of the existing zoning districts. Therefore, Zoning Ordinance regulations for a particular area may allow a smaller range of uses than allowed by the more general land use classification.

Land Use Classifications

Low Density Residential

These areas are generally characterized by single-family homes. Appropriate uses for these areas include: residential, community services, schools, home occupations, recreational uses, and open space and institutional facilities. Building intensity will range from one to 10 dwelling units per net acre⁵, not including secondary units, and the population density will generally not exceed 22 persons per acre.

For information purposes, the compatible zoning districts for this classification are: Single Family Residential (R-1), which allows approximately 9 principal dwelling units/acre⁶ and Environmental Safety- Residential (ES-R), which allows approximately 5 dwelling units per acre. Height limits in these zoning districts are typically 28 feet with provisions to allow up to 35 feet.

Low Medium Density Residential

These areas are generally characterized by single-family homes and small multi-family structures with two or three units. The same uses appropriate in Low Density Residential are appropriate in Low Medium Density Residential areas. Building intensity will range from 10 to 20 dwelling units per net acre, not including secondary units, and the population density will generally range from 22 to 44 persons per acre.

⁴ The Land Use Element classifications allow the City, the public, and other agencies to determine overall land use pattern and density.

⁵ Net acreage excludes land area dedicated to roads, watercourses, and dedicated rights-of-way.

⁶ State law requires and Berkeley zoning provides for property owners to add one accessory unit under specified conditions and standards described in the R-1 zoning provisions, which may increase density in these areas.

For information purposes, the compatible zoning districts for this classification are: Limited Two-family Residential (R-1A) and Restricted Two-family Residential (R-2), which allow approximately 17 units per acre. Height limits in these zoning districts are typically 28 feet with provisions to allow up to 35 feet.

Medium Density Residential

These areas of Berkeley are generally characterized by a mix of single-family homes and small to medium sized multi-family structures. The same uses appropriate in Low Density Residential are appropriate in Medium Density Residential areas. Building intensity will range from 20 to 40 dwelling units per net acre, and the population density will generally range from 44 to 88 persons per acre, with the exception of the Southside Plan Area.

Within the Southside Plan Area, except in areas located in the Hillside Overlay zoning district, building intensity will range from a FAR of less than 1.0 to a FAR of 3.0. Residential development is subject to a minimum density of 60 dwelling units per acre and a minimum population density of 150 persons per acre. There is no residential density limit. This allows for greater flexibility in housing types to maximize housing opportunities in the Southside Plan Area.

For information purposes, the compatible zoning districts for this classification are: Restricted Multi-family Residential (R-2A), which allows approximately 17 units per acre, and Multiple-family Residential (R-3), which allows approximately 26 units per acre. Height limits in the R-2A zoning district are typically 28 feet with provisions to allow up to 35 feet, and are 35 feet in the R-3 and R-3H zoning district (or 45 feet in the R-3 zoning district within the Southside Plan Area).

High Density Residential

In Berkeley, these areas are generally characterized by large, multi-family structures conveniently located near transit, the Downtown, the University campus, or BART. Appropriate uses for these areas include: residential, community service, schools, institutional, recreational uses, open space, and in some cases where allowed by zoning, ground-floor commercial and office. Building intensity will range from 40 to 100 dwelling units per net acre, and the population density will generally range from 88 to 220 persons per net acre, with the exception of the Southside Plan Area.

Within the Southside Plan Area, building intensity will generally range from a FAR of less than 1.0 to a FAR of 4.0. Residential development is subject to a minimum density of 100 dwelling units per acre and minimum population density of 250 persons per acre. There is no residential density limit. This allows for greater flexibility in housing types to maximize housing opportunities in the Southside Plan Area.

For information purposes, the compatible zoning districts for this classification are: Multi-Family Residential (R-4), which allows building heights of 35 feet with provisions to allow buildings up to 65 feet, and High Density Residential (R-5), which allows building heights of 40 feet with provisions to allow buildings up to 65 feet, and Residential Southside (R-S) which allows building heights of 55 feet.

Residential Mixed Use

These areas are generally characterized by a diverse mixture of residential, commercial and institutional structures, located in close proximity to transit and major shopping and employment centers. Appropriate uses for these areas include residential, neighborhood serving retail, offices, school, institutional, re creational uses, and open space. Building heights will generally range from two stories to eight stories, depending on type of use and location. Building intensity will range from an FAR of less than 1.0 to a FAR of 7.0. Residential development is subject to a minimum density of 150 dwelling units per acre and a minimum population density of 375 persons per acre. There is no residential density limit. This allows for greater flexibility in housing types to maximize housing opportunities in the Southside Plan Area.

For information purposes, the compatible zoning district for this classification is Residential Southside Mixed Use (R-SMU), which allows building heights up to 85 feet.

Neighborhood Commercial

These areas of the city are generally characterized by pedestrian-oriented, neighborhood-serving commercial development, and multi-family residential structures. These areas are typically located on two-lane streets with on-street parking and transit. Appropriate uses for these areas include: local-serving commercial, residential, office, community service, and institutional. Building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 3. Population density will generally range from 44 to 88 persons per acre.

For information purposes, the compatible zoning districts for this classification are shown below with accompanying development standards.

Zoning District	Maximum FAR	Maximum Height
Neighborhood Commercial (C-N):	3	35ft
Elmwood Commercial (C-E):	.8 to 1	28ft
North Shattuck Commercial (C-NS):	1 (non-res.)	35ft
Solano Avenue Commercial (C-SO):	2	28ft
South Area Commercial (C-SA) ⁷	4	24-36ft

Avenue Commercial

These areas of Berkeley are characterized by pedestrian-oriented commercial development and multi-family residential structures. These areas are typically located on wide, multi-lane avenues

⁷ Height limits in the C-SA zone vary depending on location. Portions of the C-SA zone are included in both the Neighborhood Commercial and Avenue Commercial General Plan designations.

served by transit or BART. Appropriate uses for these areas include: local-serving and regional-serving commercial, residential, office, community service, and institutional. Building intensity will generally range from a Floor Area Ratio (FAR) of less than 1.0 to a FAR of 8.0. Population density will generally range from 44 to 88 persons per acre.

Within the Southside Plan Area, residential development in the Telegraph Avenue Commercial (C-T) district is subject to a minimum density of 200 dwelling units per acre and minimum population density of 500 persons per acre. There is no residential density limit. This allows for greater flexibility in housing types to maximize housing opportunities in the Southside Plan Area.

For information purposes, the compatible zoning districts for this classification are shown below with accompanying development standards.

Zoning District	Maximum FAR	Maximum Height
South Area Commercial (C-SA):	4.0	24-60 ft
General Commercial (C-1) ⁸ :	3.0	35-50 ft
Telegraph Avenue Commercial (C-T) :	3.0 – 8.0	50-85 ft
West Berkeley Commercial (C-W) ⁹ :	3.0	40-50 ft

Downtown Mixed-Use

The Downtown Area contains areas characterized by high density commercial, office, arts, culture, and entertainment and residential development, which are designated as Downtown Mixed-Use (see Figure 4). The Downtown Area Plan establishes sub-districts subject to different intensities and types of use (see Figure 2 and the Downtown Area Plan). It is intended that the Downtown Mixed-Use area allow and encourage diverse uses and the highest building intensity in the City to promote a vibrant city-center by increasing housing, supporting retail and cultural uses, and capitalizing on exceptional access to transit.

For information purposes, the compatible Zoning Districts for this classification are: Central Commercial (C-2) and General Commercial (C-1). By approving the 2010 Ballot Measure “Adopting a Green Vision for Downtown,” the voters advised the City Council that greater heights and more intensity is acceptable in the Downtown. The City Council may adopt an amendment to allow increased height and intensity in response to that direction.

The Downtown Area also contains residential neighborhoods that lie outside of the Downtown Mixed-Use area and are designated low-medium (Zoning: R-2A), medium (R-3) or high density (R-4) residential, depending on the characteristics of the neighborhood. The DAP provides for the protection of adjacent residential neighborhoods, and calls for the rezoning of the Downtown Area’s southwest corner from R-4 to R-3, thereby reducing allowable building heights and development pressures.

⁸ Please see the University Avenue Strategic Plan for a description and location of development nodes on University Avenue in the C-1 Zoning District.

⁹ Please see the West Berkeley Plan for a description and location of development nodes on San Pablo Avenue in the C-W Zoning District.

Adeline Corridor Mixed Use

These areas of Berkeley are characterized by pedestrian-oriented commercial development and multi-family residential structures. These areas are typically located on multi-lane avenues served by transit or BART. Appropriate uses for these areas include: local-serving and regional-serving commercial, residential, office, community service, and institutional with an overall goal of at least 50% of all new housing units as income-restricted housing. Building intensity will generally range from a Floor Area Ratio (FAR) of 2 to an FAR of 5. Population density will generally range from 100 to 300 persons per acre.

For information purposes, the compatible zoning districts for this classification is shown below with accompanying development standards.

<u>Zoning District: Adeline</u>	<u>Maximum FAR*</u>	<u>Maximum Height*</u>
<u>Corridor</u>		
South Shattuck Subarea	2.5	45 feet
North Adeline Subarea	2.0	35 feet
South Adeline Subarea	2.0	35 feet

Ashby BART Subarea Future development at the Ashby BART area would be subject to agreement with BART consistent with the policy and objectives projected in the Adeline Corridor Specific Plan (See Chapter 3, Policy 3.7)

*Note: Maximum FAR and Maximum Height shown are for the Tier 1 development standards. Increases in FAR and height if additional on-site affordable housing units provided at specified quantity and affordability levels.

Ashby and North Berkeley BART Transit Oriented Development (TOD)

These areas leverage their location and the proximity of the BART stations to provide high-quality transit-oriented development, affordable housing, civic and public space, multi-modal transportation and site access, high-quality building design and architecture, and a mix of land uses that contributes positively to the community. Building intensity will permit a Floor Area Ratio (FAR) of at least 4.2, development at a height of at least 7 stories, and a development density of at least 75 dwelling units per acre.

Institutional

These are areas of Berkeley for institutional, government, educational, recreational, open space, natural habitat, woodlands, and public service uses and facilities, such as the University of California, BART, Berkeley Unified School District, and East Bay Municipal Utility District facilities. It is General Plan policy that public agencies comply with General Plan policies and local zoning standards. Within these areas, building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 4.

Manufacturing

These areas are intended to maintain and preserve areas of Berkeley for manufacturing and industrial uses necessary for a multi-faceted economy and job growth. Appropriate uses for these areas are identified in the West Berkeley Plan. Within these areas, building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 2.

For information purposes, the compatible zoning districts for this classification are: Manufacturing (M), Mixed Manufacturing (MM), Mixed Use-Light Industrial (MU-LI), and Manufacturing, Research and Development (M-RD) which all allow a maximum FAR of 2 and a maximum building height of 45 to 105 feet.

Mixed Use-Residential

These areas are intended to maintain and preserve areas of the city for lighter manufacturing and industrial uses and allow for additional uses, including residential, where determined appropriate by zoning, and only if the use will not weaken Berkeley's manufacturing and industrial economy. Appropriate uses for these areas are identified in the West Berkeley Plan. Within these areas, building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 1.5. Population density will generally range from 22 to 44 persons per acre, where housing is allowed.

For information purposes, the compatible zoning district for this classification is Mixed Use-Residential (MU-R), which allows a maximum FAR of 1 to 1.5 and a maximum building height of 28 to 35 feet.

Waterfront/Marina

These areas are intended to maintain and preserve areas of Berkeley adjacent to the Bay for open space, recreational uses, waterfront-related commercial and visitor services, boating, and water transit facilities. Appropriate uses for these areas are identified in the Waterfront Plan. Building intensity will generally range from a Floor Area Ratio (FAR) of 0 to 0.5, as established by the Waterfront Plan and Measure Q.

Open Space and Recreation

These areas of the city are appropriate for parks, open space, pathways, recreational facilities, natural habitat, and woodlands. Appropriate uses for these areas include parks, recreational facilities, schoolyards, community services, and facilities necessary for the maintenance of the areas.

Old Santa Fe Right-of-Way

The Land Use Diagram shows the approximate location of the Santa Fe Right-of-Way (ROW). The ROW is shown for information purposes only and is not intended to serve as a land use classification. Some portions of the ROW are occupied by park uses, others by residential uses, and others are vacant. Open Space and Recreation Policy OS-6 addresses the planning process necessary for the remaining vacant portions of the ROW.

University Avenue and West Berkeley Nodes

Both the West Berkeley Plan and the University Avenue Strategic Plan established specific "nodes" along University Avenue and San Pablo Avenue in which specific regulatory policies and programs would be applied as an overlay to accomplish area plan goals for revitalization in these specific locations.

See the Berkeley Zoning Ordinance, the West Berkeley Plan, and the University Avenue Strategic Plan for more detail.