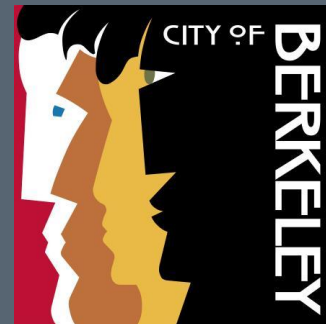




Residential Objective Standards

MIDDLE HOUSING

Council District 1 and 2 Community Meeting
October 24, 2024



AGENDA

1. Introduction

**Councilmembers
Kesarwani and Taplin**

2. Presentation

**Planning Department
(15 minutes)**

3. Workshop Stations & Discussion

4. Adjournment

Introduction

Presentation

Justin Horner
Principal Planner

Planning and Development
Department

jhorner@berkeleyca.gov

510-981-7476

What is Middle Housing?

Multiple Units on One Property – Not Single Family and Not Podium or High-Rise



Existing



New



Both!

Why are we encouraging Middle Housing?

City Council Referrals + Reports

- Housing Accountability Act (2017)
- Missing Middle Housing (2019)
- Eliminating Exclusionary Zoning (2021)

Housing Element Update (January 2023)

- Program 29 – Middle Housing
 1. Amend Affordable Housing Fee schedule to create a sliding scale based on residential unit floor area
 2. Amend BMC to allow multi-unit development on one lot in lower density residential districts
 3. Consider amending the Demolition Ordinance to provide a by-right pathway for single-family homes that would result in a net increase in density

How did we get here?

2017 -2021

City Council Referrals

2022

Planning and Commission and City Council discussions

January 2023

Adoption of Housing Element

Spring-Fall 2023

Southside Zoning Project

Summer/Fall 2023

Outreach

November 1, 2023

Planning Commission Discussion

Winter 2023 – 2024

Refinement and Code Drafting

February 2024

Planning Commission Public Hearing

July 23, 2024

City Council Public Hearing

MIDDLE HOUSING STANDARDS

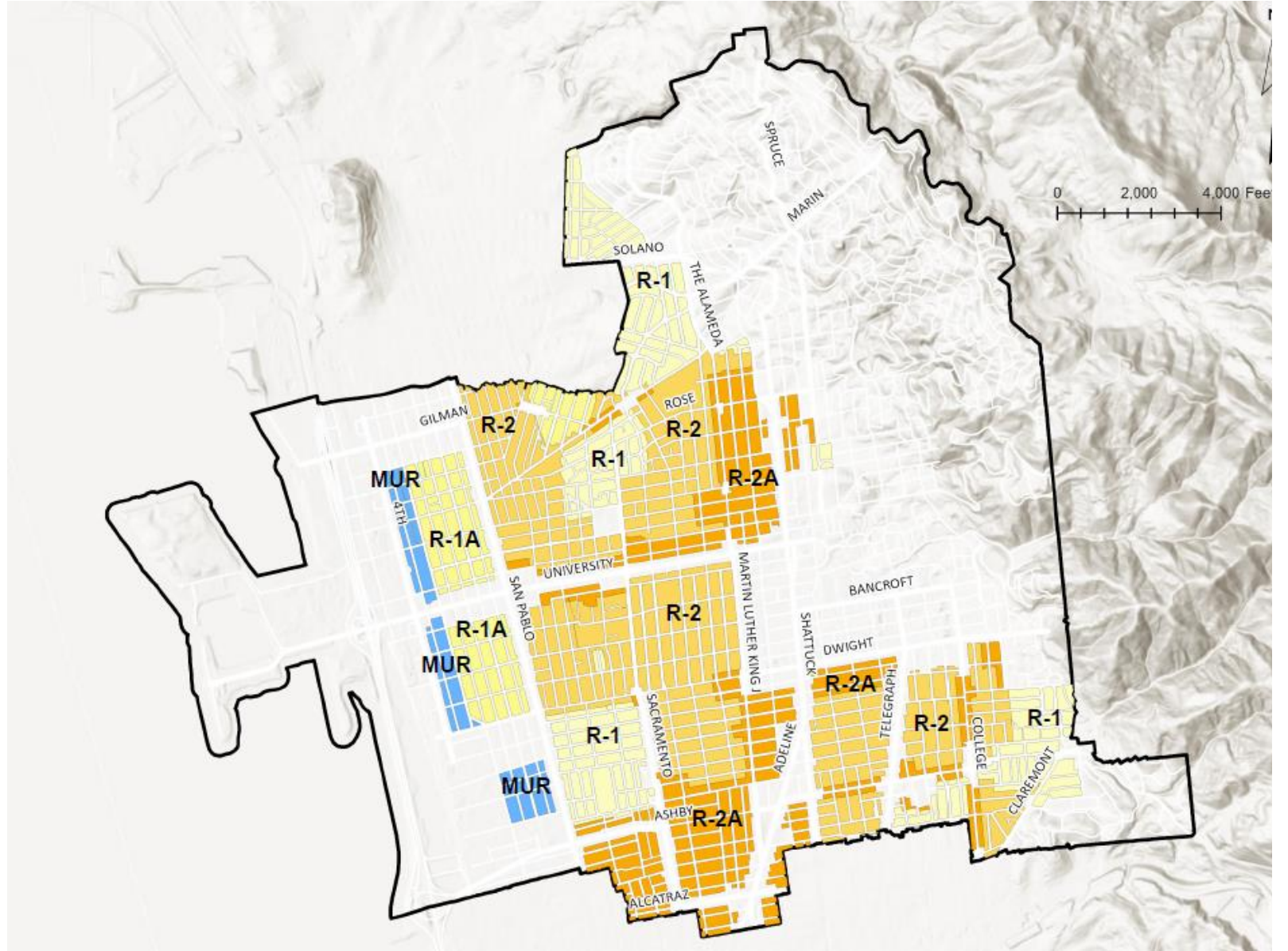
City Council Direction
July 23, 2024

1. Zoning Districts
2. Merging R-1A and R-2
3. Allowed Uses & Permits
4. Minimum & Maximum Density
5. Maximum Height
6. Maximum Lot Coverage
7. Open Space
8. Setbacks & Building Separation
9. Demolition

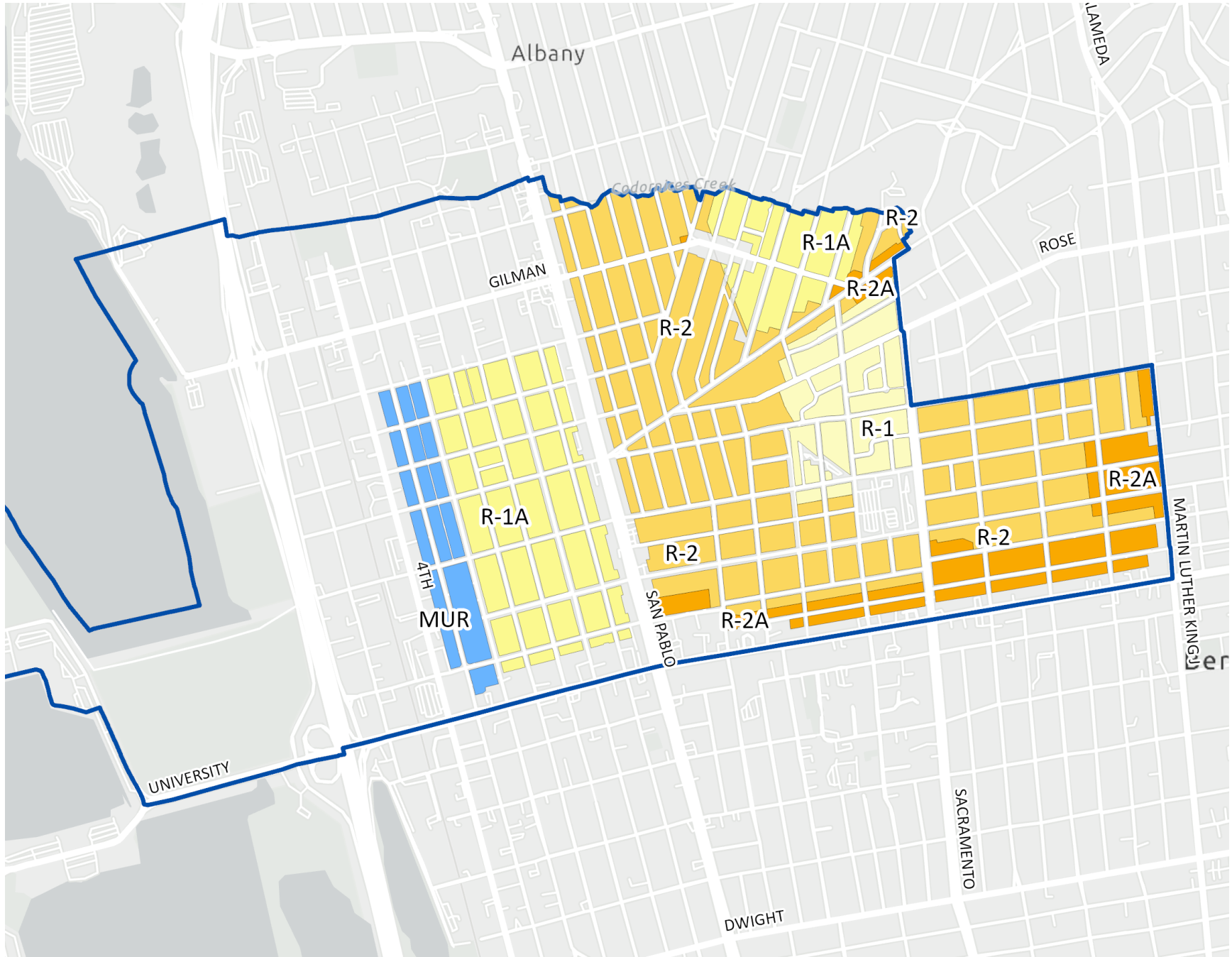
LOWER DENSITY DISTRICTS

R-1, R-1A
R-2, R-2A
MU-R

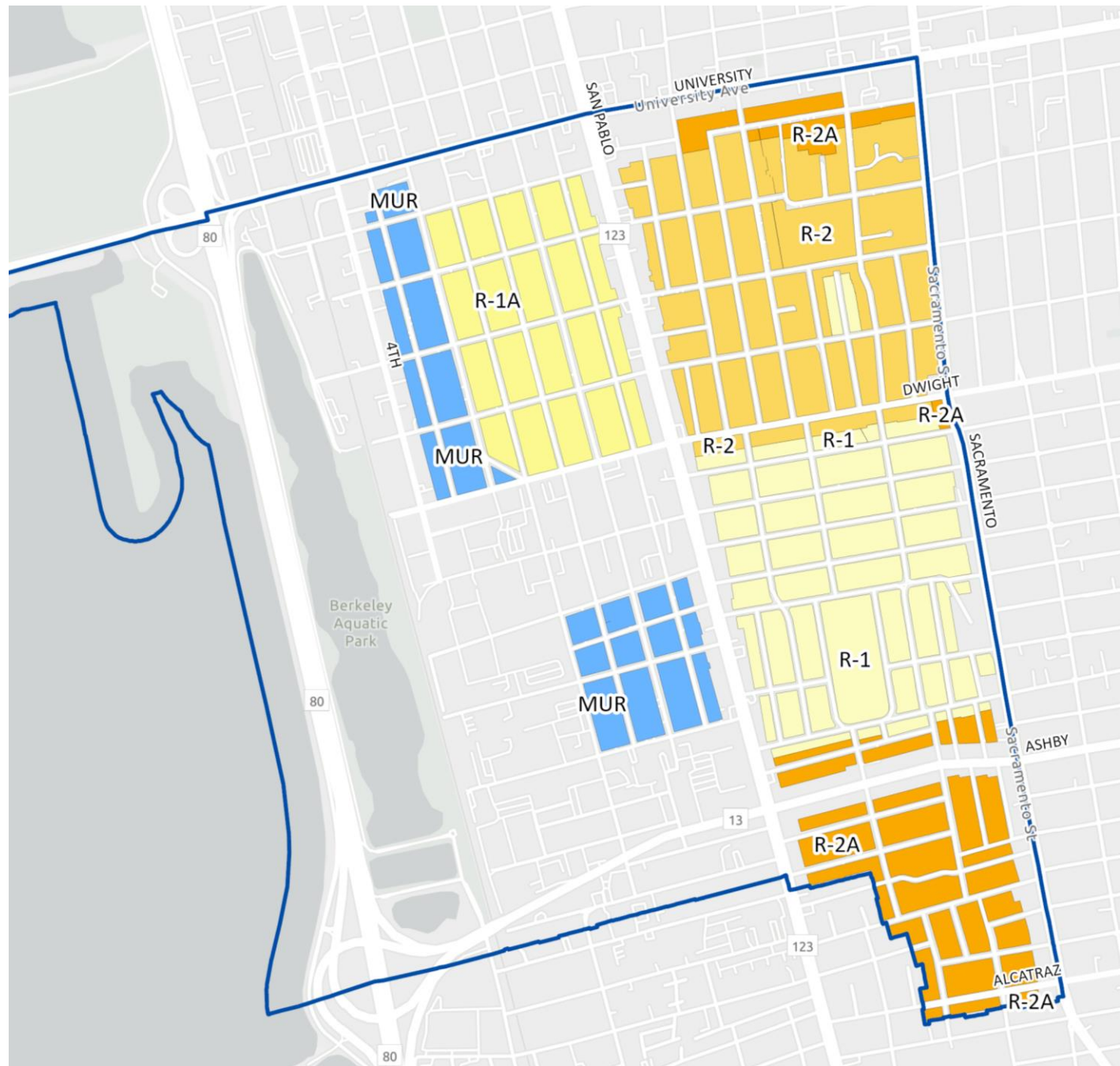
No Hillside
Overlay



DISTRICT 1



DISTRICT 2



R-1



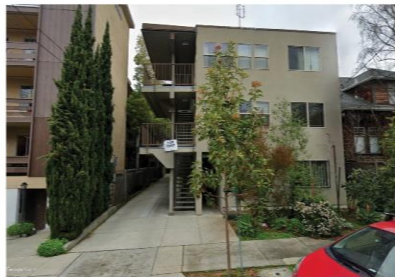
R-1A



R-2



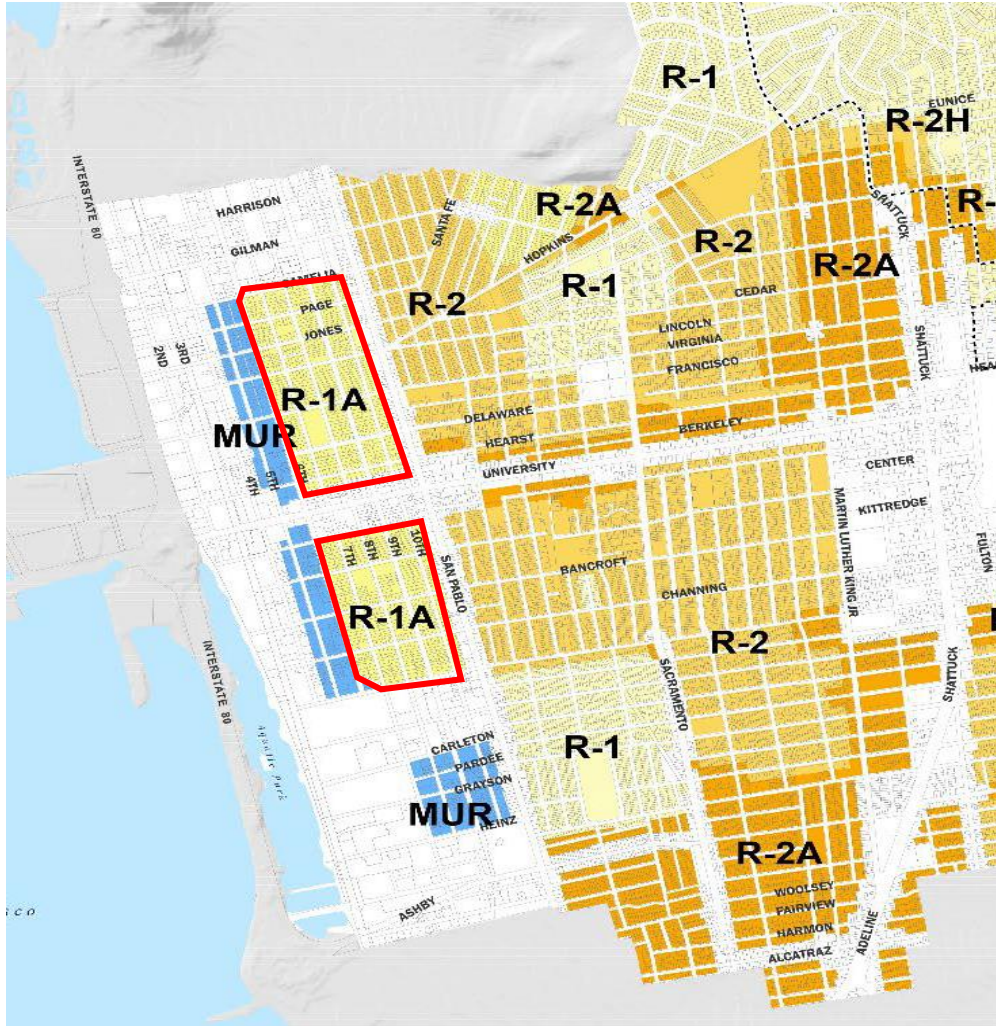
R-2A



MU-R



Zoning Map Amendment – Merge R-1A & R-2



ZONING DISTRICTS

R-1	Single Family Residential
R-1A	Limited Two-family Residential
R-2	Restricted Two-family Residential
R-2A	Restricted Multiple-family Residential
MUR	Mixed Use-Residential

General Plan Land Use Classification	Compatible Zoning District
Low Density Residential	R-1, ES-R
Low Medium Density Residential	R-1A, R-2
Medium Density Residential	R-2A, R-3
High Density Residential	R-4, R-5, R-S, R-SMU
Neighborhood Commercial	C-N, C-E C-NS C-SA C-SO
Avenue Commercial	C-C C-U C-T C-W, C-AC
Downtown	C-DMU
Mixed Use-Residential	MU-R

Land Use & Permits & Noticing Required

Current Regulations

Single-Family
Residential

Multi-Unit
Residential

Use Permit and Public Hearing

(Approved by Zoning Adjustments Board, Appealable
to City Council)

Proposed

Single-Family
Residential

Multi-Unit
Residential

ZONING CERTIFICATE

(Approved by Staff, Not Appealable)

Noticing Required, similar to ADU public notice

Residential Additions and Additional Bedrooms

Residential Additions

- *Currently: AUP required for additional floor area.*
- *Proposed: Permitted with a ZC if they comply with development standards for Main Buildings.*

New Bedrooms on a Lot

- *Currently: AUP (or UP) required for new bedrooms on a lot.*
- *Proposed: no permits required for new bedrooms.*



Single-Family Home Size Restrictions

Maximum Size of *One* Single-Family Home on a Single Lot

- *2,500 square feet; or*
- *50% of the lot area*

Whichever is greater



Minimum & Maximum Density (Units per Acre)

Current Regulations

	R-1	R-1A	R-2	R-2A	MU-R
Min. Lot Size	5,000 sf	5,000 sf	5,000 sf	5,000 sf	None
Min. Lot Area Per Unit	2,500 sf	2,250 sf	2,500 sf	1,650 sf	1,250 sf

Resulting units on a 5,000 sf lot...

Min. # Units	1	1	1	1	1
Max. # Units	2	2	2	3	4
+ ADUs!	Varies*				

*ADUs allowed per <https://berkeley.municipal.codes/BMC/23.306>

- One single family dwelling → 1 ADU and 1 Junior ADU
- More than 1 detached dwellings → max 1 ADU
- Duplex or attached multi-family dwellings → max 2 detached ADUs and at least 1 interior ADU, up to 25% of # existing units converted

Minimum & Maximum Density (Units per Acre)

Proposed Regulations				
	R-1	R-2	R-2A	MU-R
Min. Density (du/acre)	10	10	20	20
Max. Density (du/acre)	40	50	60	60

Resulting units on a 5,000 sf lot...

Min. # Units	1	1	2	2
Max. # Units	5	6	7	7
+ ADUs!	Varies*			

*ADUs allowed per <https://berkeley.municipal.codes/BMC/23.306>

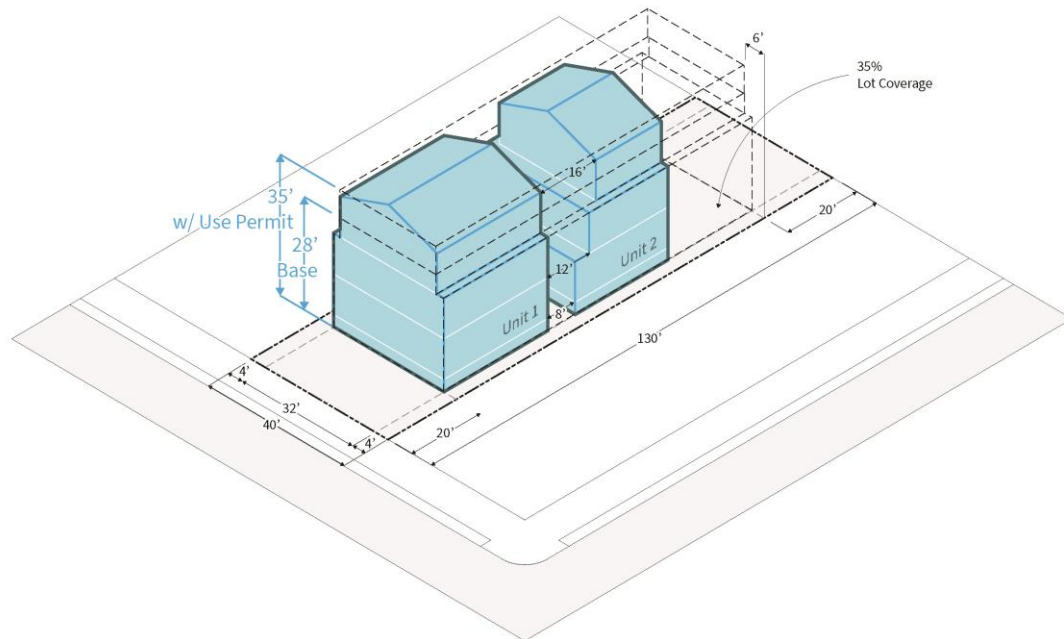
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Building Height Standards

CURRENT STANDARDS

28-foot max *average* height

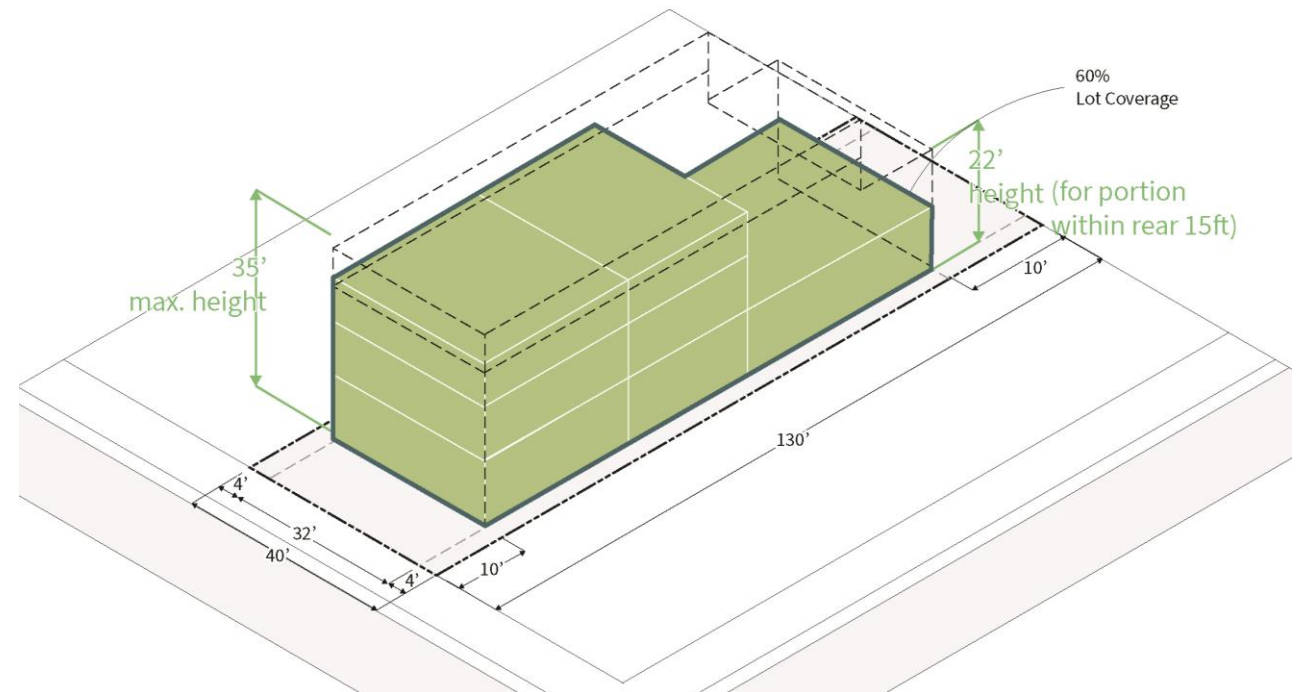
Increase to 35 feet maximum height with AUP



PROPOSED STANDARD

35-foot max height

Reduce to 22 feet max height within rear 15 feet of lot



←----- 34'11" maximum height



1911 Ninth



6,505 sf (0.15 ac)



28'5" max height

33'6" max height

2411 Fifth Street



7,051 sf (0.16 ac)



35' top of roof

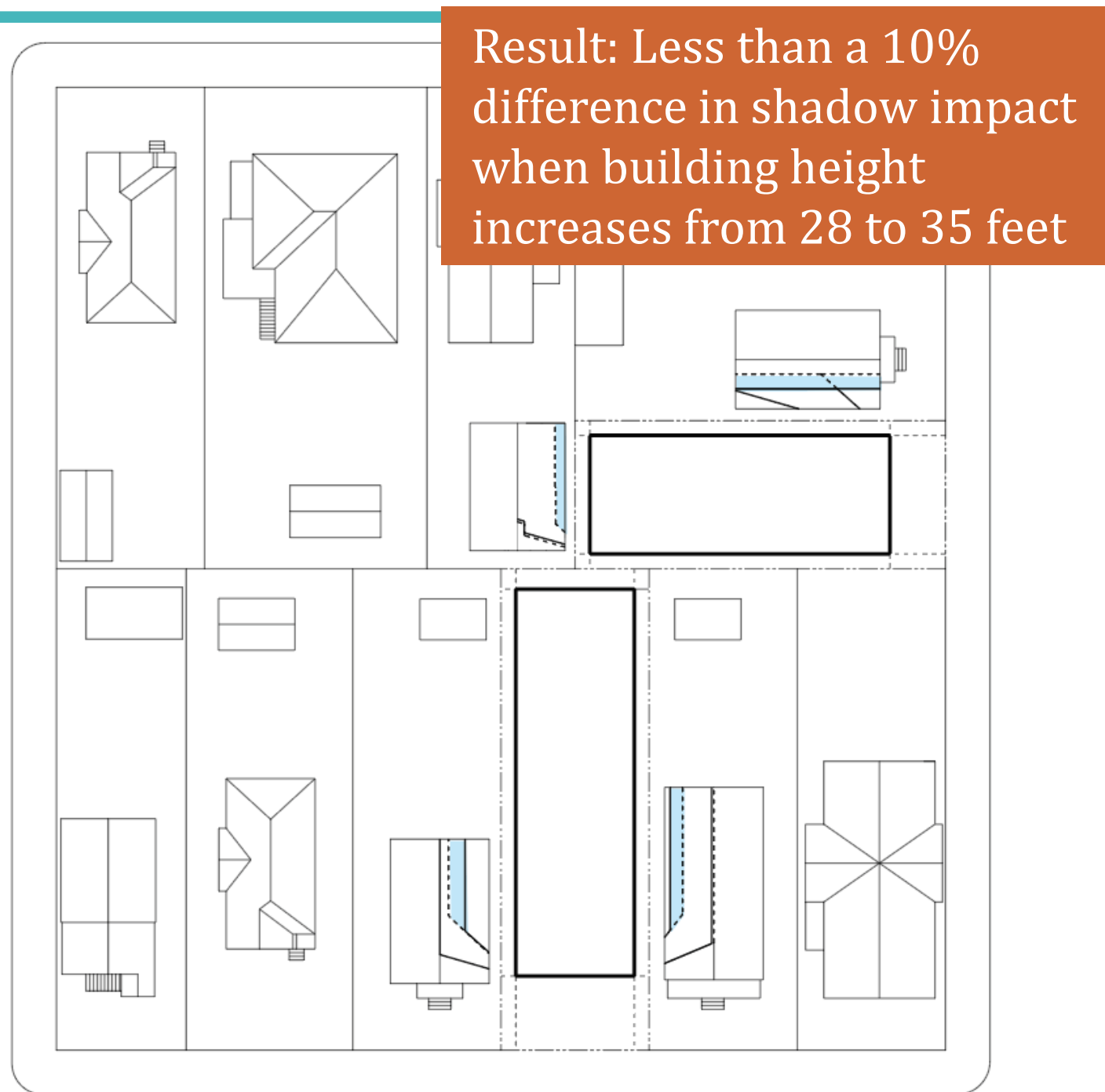
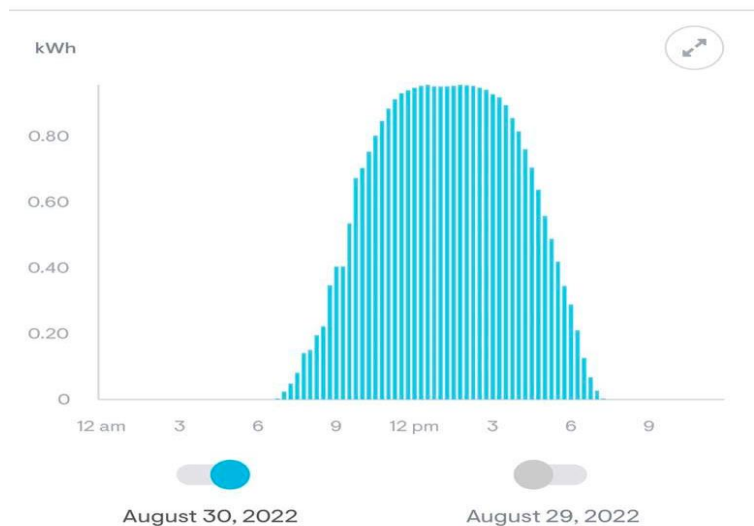
1446 Fifth Street



6,250 sf (0.14 ac)

Solar Access Model

- Projected shadows from allowed building envelopes on the equinox (March or September 21)
- Calculated the percentage of adjacent rooftops shaded at 8am, 10am, noon, 2pm, and 4pm



Lot Coverage

CURRENT STANDARDS

	R-1	R-1A	R-2	R-2A	MU-R
1 story	40%	40%	45%	45%	100%
2 story			40%	40%	
3 story			35%	35%	

PROPOSED STANDARDS

	R-1, R-2 and R-2A	MU-R
All residential projects	60%	100%



Minimum Required Open Space

CURRENT REQUIREMENTS

400 sf *open space* per unit
(R-1, R-1A, R-2)

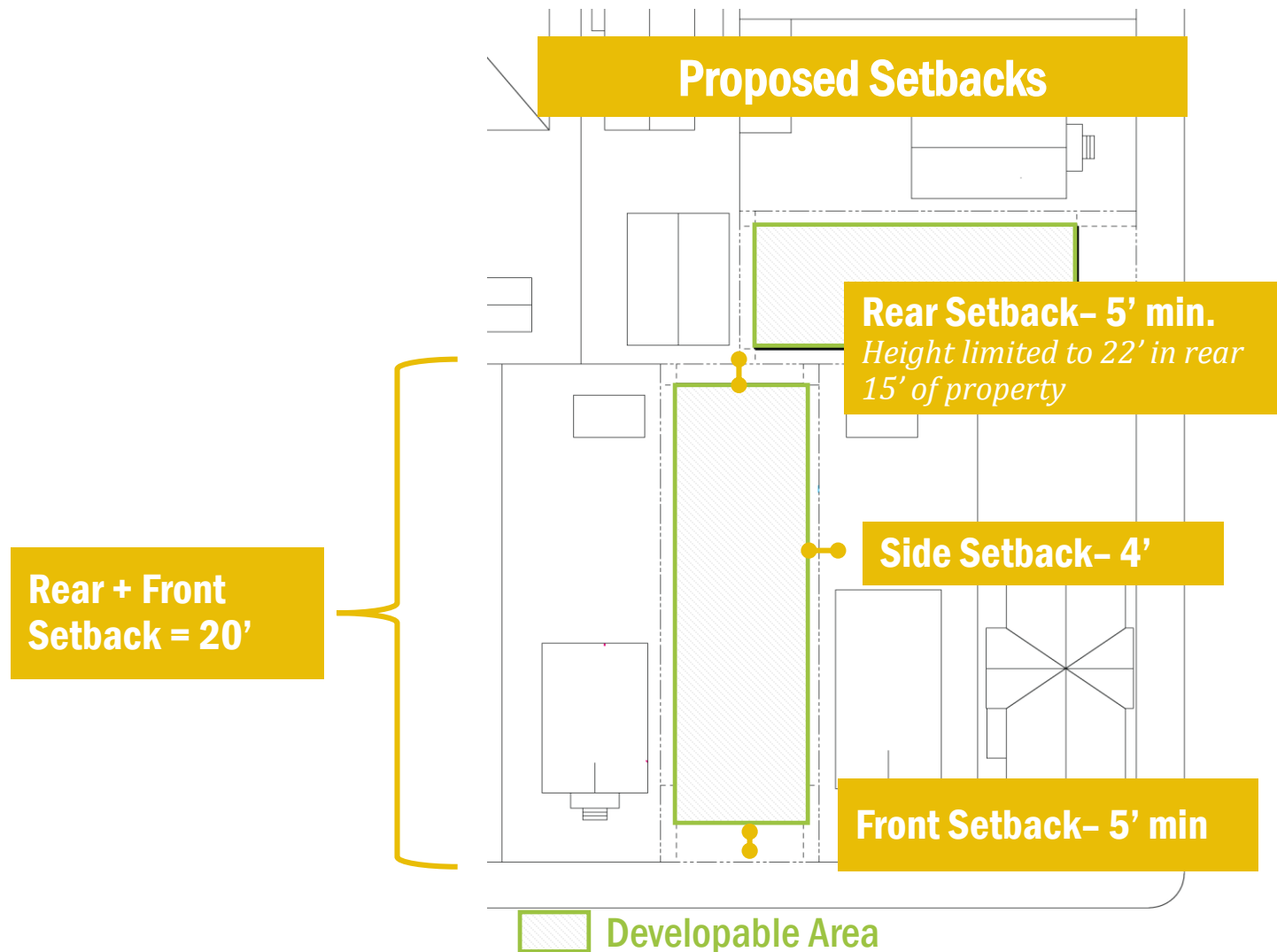
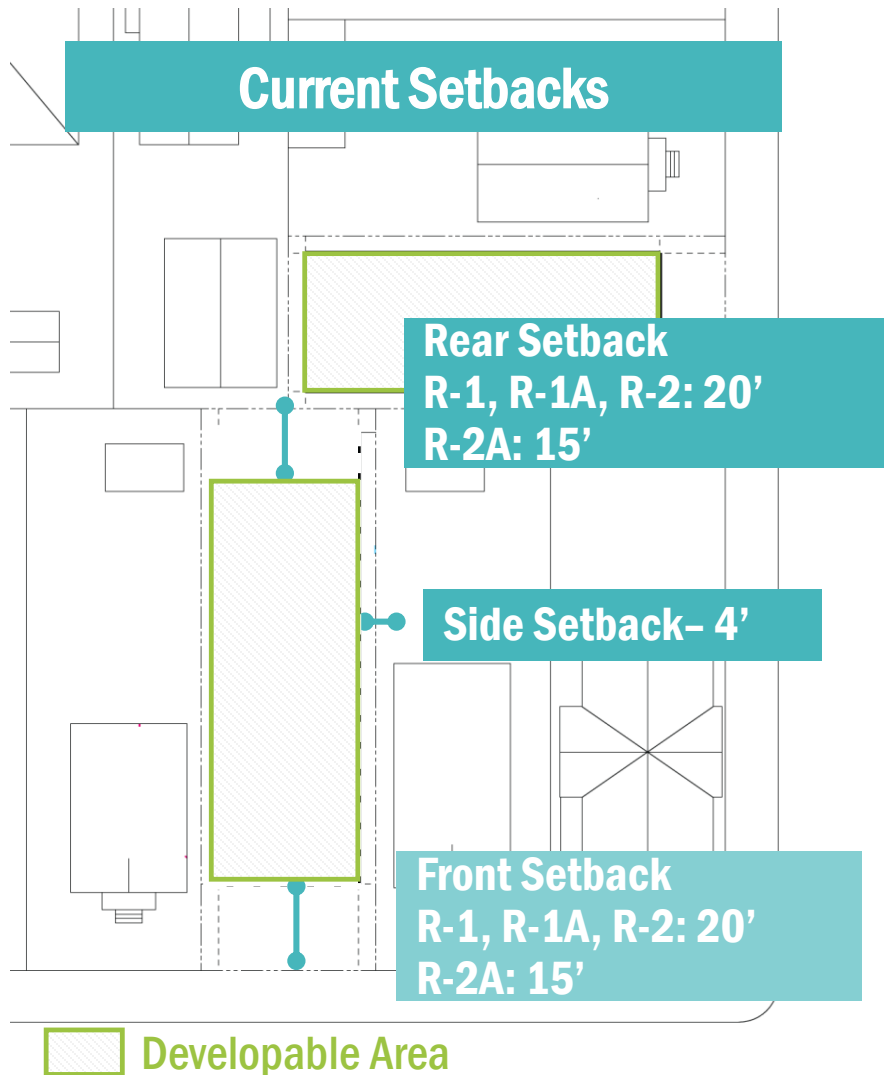
300 sf *open space* per unit
(R-2A)

150 sf *open space* per unit
(MU-R)

PROPOSED STANDARD

150 sf *open space*
per 1,000 sf *residential floor area*

Setbacks



Building Separation (for buildings on the same lot)

CURRENT STANDARDS

	R-1	R-1A	R-2	R-2A	MU-R
1 story	None	8 ft	8 ft	8 ft	None
2 story		12 ft	12 ft	12 ft	
3 story		16 ft	16 ft	16 ft	

PROPOSED STANDARDS

All residential projects	5 ft
--------------------------	------

Demolition of Single Family Homes (SFH)

Current Ordinance

Administrative Use Permit if:

- *No sitting tenants AND*
- *Must result in net increase in units*

Proposed Ordinance

Zoning Certificate, if:

- *No sitting tenants AND*
- *Must result in net increase in units*

Demolition Ordinance

- Demolition of any SFH with a low-income household must be replaced with an affordable housing unit.
- Sitting tenants get moving expenses, right of first refusal and affordable rent in replacement unit.
- Demolition not allowed if no-fault eviction in last 5 years.

Thank you!