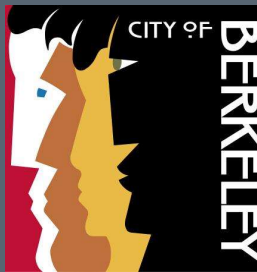




# Residential Objective Standards **MIDDLE HOUSING**

**PLANNING COMMISSION PUBLIC HEARING**  
**February 7, 2024**



# 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

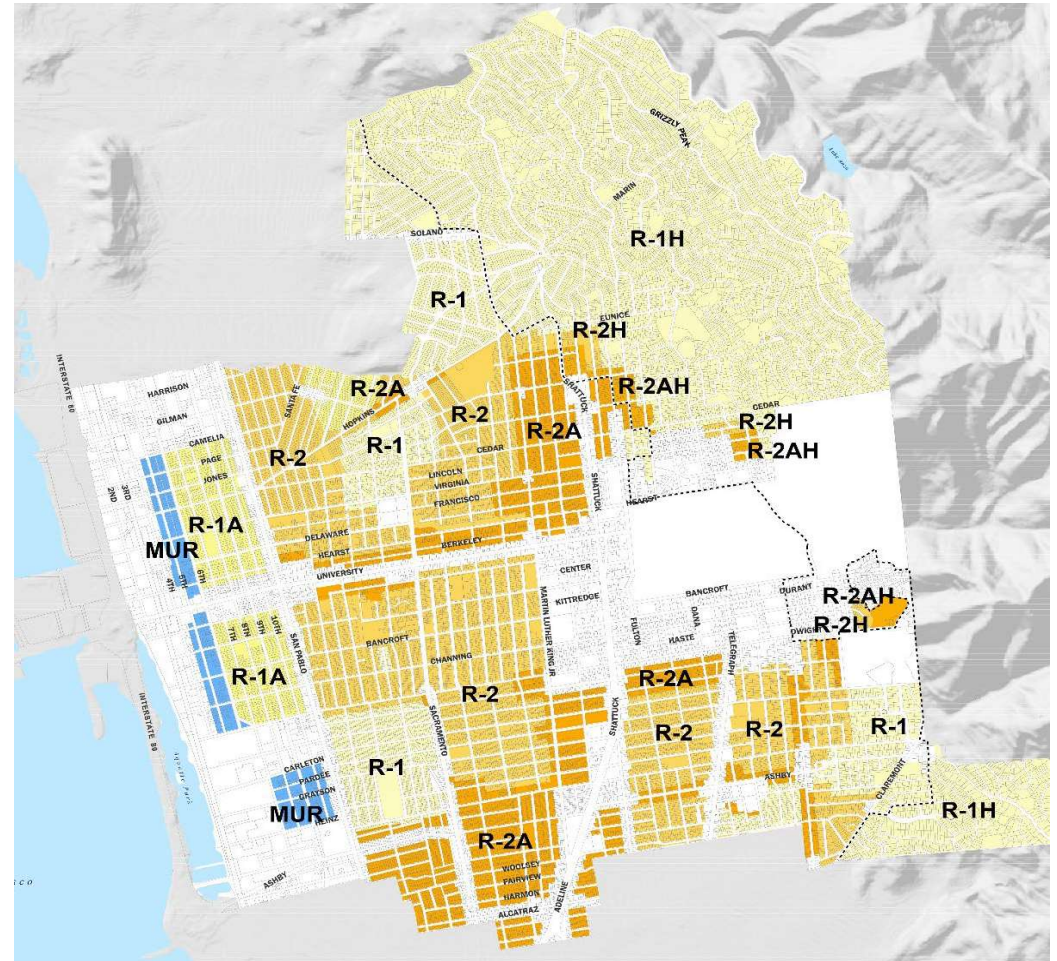
## Where are we in the process?

<b>2017 -2021</b>	<b>City Council Referrals</b>
<b>2022</b>	<b>Planning and Commission and City Council discussions</b>
<b>January 2023</b>	<b>Adoption of Housing Element</b>
<b>Spring-Fall 2023</b>	<b>Southside Zoning Project</b>
<b>Summer/Fall 2023</b>	<b>Outreach</b>
<b>November 1, 2023</b>	<b>Planning Commission Discussion</b>
<b>Winter 2023 – 2024</b>	<b>Refinement and Code Drafting</b>
<b>February 2024</b>	<b>Planning Commission Public Hearing [WE ARE HERE!]</b>

## LOWER DENSITY DISTRICTS

R-1, R-1H  
R-1A  
R-2, R-2H  
R-2A, R-2AH,  
MUR

Hillside Overlay  
Included



# Development Standards and November PC Discussion

## Proposed Ordinance Same as November Discussion Version

Merges R-1A and R-2 districts

Land Use, Permit & Noticing Requirements

Minimum and Maximum Densities

Floor Area Ratio

Lot Coverage

Building Height Standards

Open Space

Setbacks and Building Separation

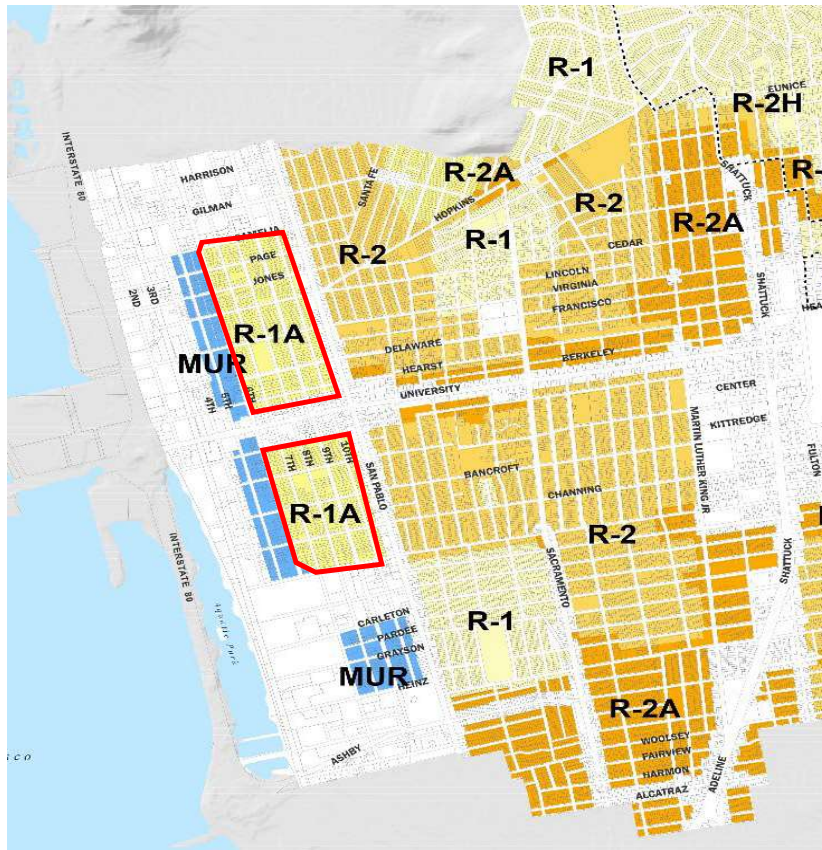
## Proposed Ordinance Different from November Discussion Version

Includes Hillside Overlay Zone

Includes by-right demolition of single-family dwellings

Includes new language for Additions, Bedrooms and FAR of existing buildings

# Zoning Map Amendment – Merge R-1A & R-2 (same as November)



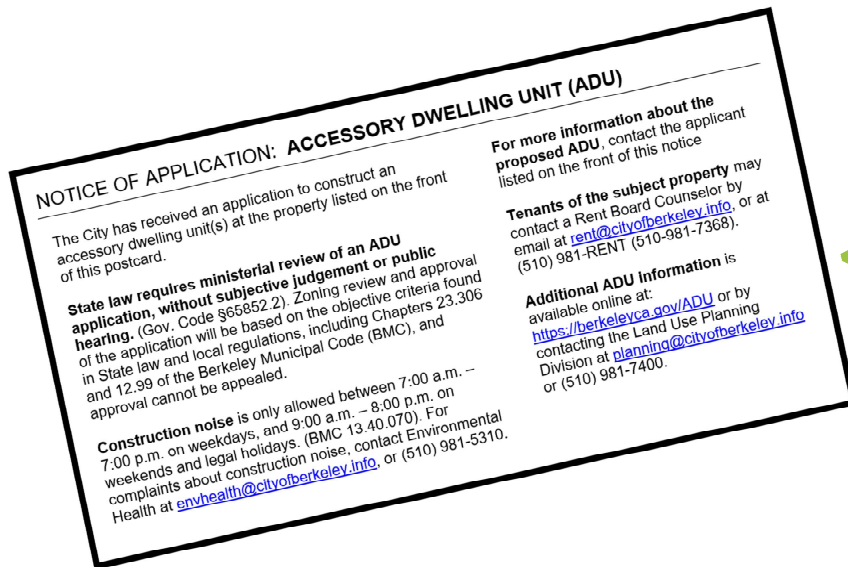
## ZONING DISTRICTS

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 (same as November)

	R-1	R-2	R-2A	MU-R
	Residential Multi-Unit 1	Residential Multi-Unit 2	Residential Multi-Unit 2A	Mixed-Use Residential
<b>Multi-Unit Residential</b>	<b>ZONING CERTIFICATE*</b>			



**Neighbor Notification required within 10 days of submittal**

- \* Discretionary permit still required for -
- *Structures of Historic Merit* → *Structural Alteration Permit*
- *Cortese List Hazardous Waste and Substances site*



## Minimum & Maximum Density (Units per Acre)

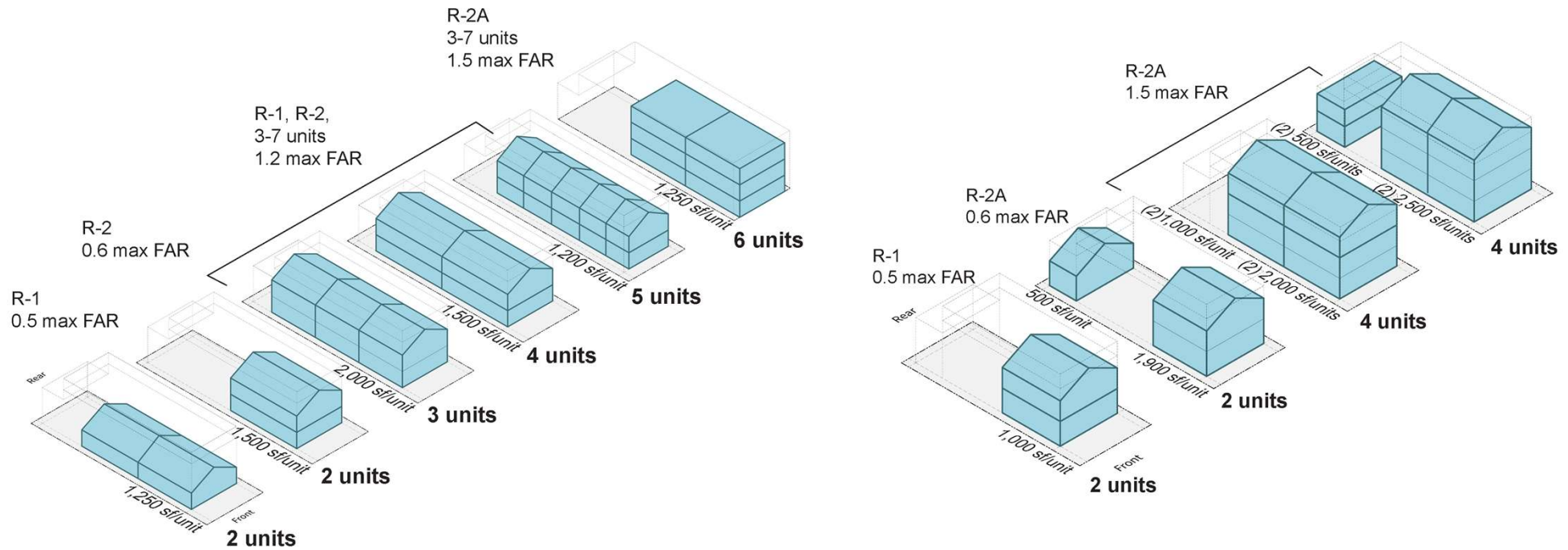
	R-1	R-1H	R-2	R-2H	R-2A	R-2AH	MU-R
Min. Density (du/ac)	10	No min.	10	No min.	20	No min.	20
Max. Density (du/ac)	40	20	50	50	60	60	60

Resulting units on a 4,000 sf lot...

Min. # Units	1		2	1	2
Max. # Units	4	2	5	6	
+ ADUs	Varies				

Note: Minimum densities would apply for new development on a vacant lot or redevelopment of a nonvacant lot. 9

# Floor Area Ratio (same as November)



FAR increases as number of units increases to encourage more units, not just larger units in low-density projects.

# Lot Coverage (same as November)

## CURRENT STANDARDS

	R-1/H	R-1A	R-2/H	R-2A/H	MU-R
<b>1 story</b>	40%	40%	45%	45%	100%
<b>2 stories</b>	40%	40%	40%	40%	100%
<b>3 stories</b>	40%	40%	35%	35%	100%

## PROPOSED STANDARDS

	R-1/H	R-2/H	R-2A/H	MU-R
<b>1-2 units</b>	40%	50%	50%	100%
<b>3-7 units</b>	50%	55%	55%	100%
<b>8+ units</b>	55%	55%	60%	100%

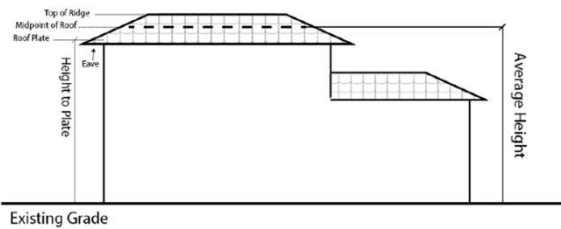
**1. Increase maximum lot coverage in R-1, R-2 and R-2A and Hillside Overlay.**

**2. Coverage is based on units, not height**

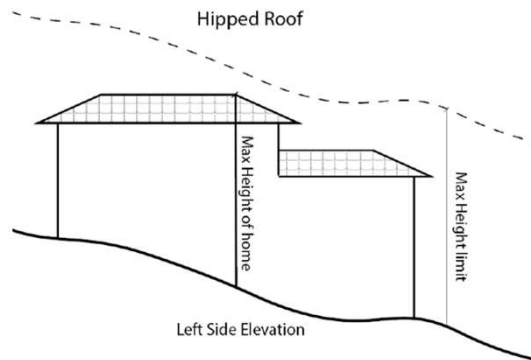
**3. Like FAR, more coverage for more units**

# Building Height Standards (same as November)

## CURRENT STANDARDS – R Districts



28 ft average height

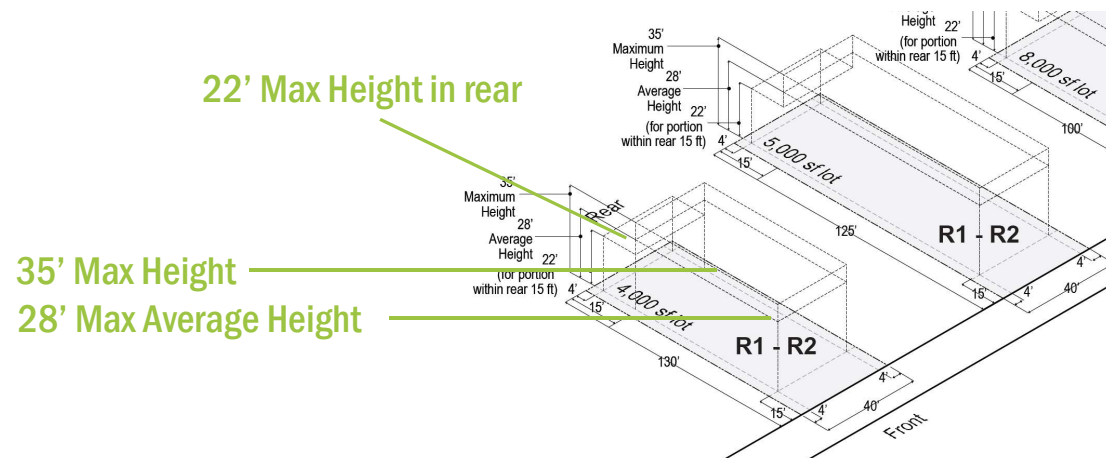


35 ft max height with AUP

CURRENT STANDARD – MUR:  
 35 ft max height

## PROPOSED STANDARD

- R Districts: 28-foot max average height AND 35-foot max height
- MUR District: No change (35-foot max height)
- Reduce to 22 feet max height within rear 15 feet of lot



## Open Space (same as November)

### CURRENT REQUIREMENTS

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

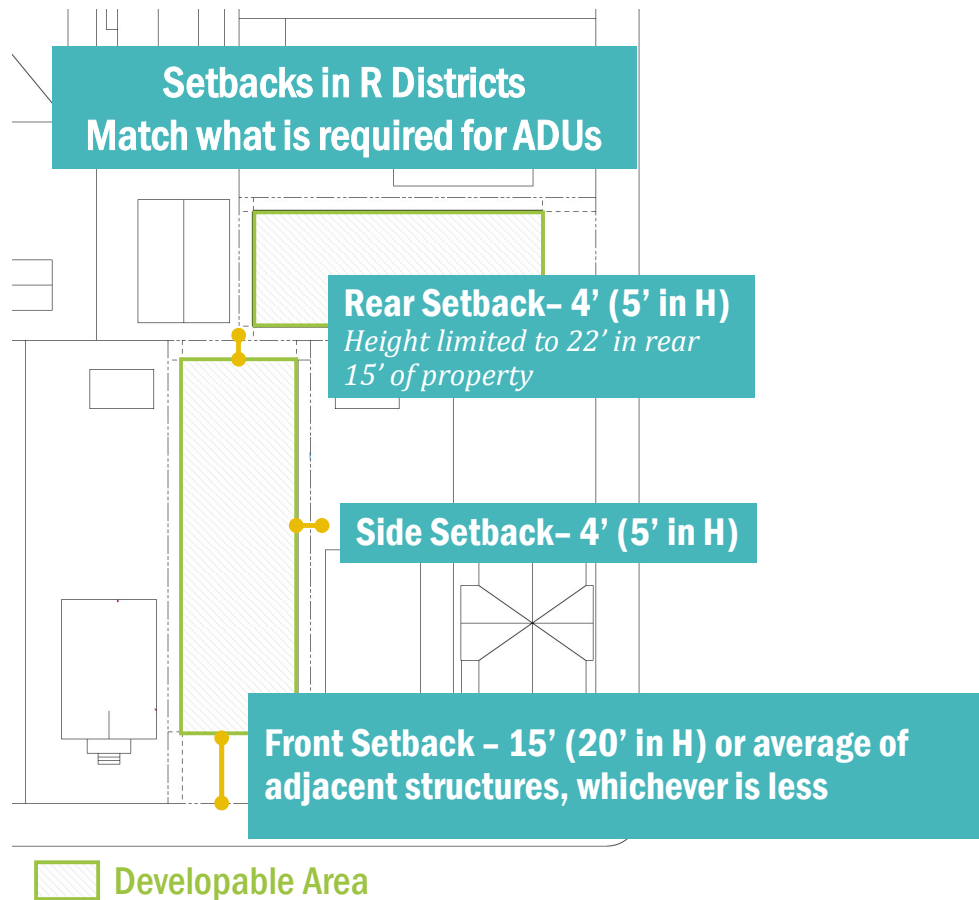
300 sf *open space* per unit  
(R-2A)

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

### PROPOSED STANDARD

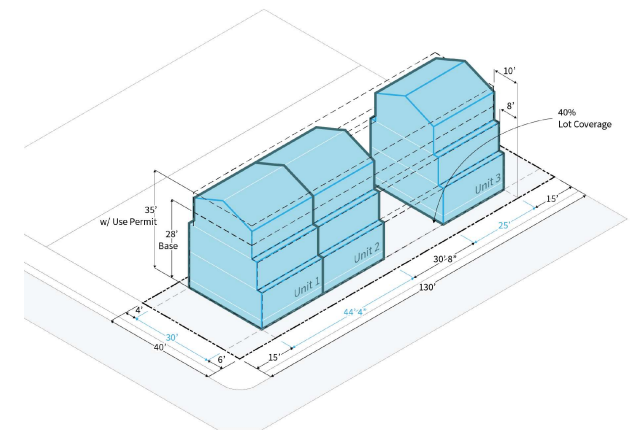
150 sf *open space*  
per 1,000 sf *residential floor area*

# Setbacks & Building Separation (same as November)



## Building Separation

Match what is required for ADUs



## Five foot building separation

Building and Fire Codes still apply

## New Language: By-Right Demolition of Single Family Dwellings

### Dec. 5 PC Recommendation

- AUP for SFDs *without tenants* only



### Proposed Ordinance

- ZC for SFDs

### SB 9 By-Right Demo

- R-1 and R-1H (single family zones)



### Proposed Ordinance

- No more single family zones
- No more SB-9 by right demo
- Preserve by-right demo in R-1 and R-1H
- Expand to R-2, R-2A and MU-R

### By-Right Demo and Historical and Cultural Resources:

- PC could recommend citywide or targeted cultural resources survey, consistent with Housing Element EIR Mitigation Monitoring and Reporting Program (MMRP)

## New Language: Adding Units to Existing Buildings

### Residential Additions

- *Currently: AUP required for additional floor area.*
- *Proposed: exclude additional floor area for new units.*

### New Bedrooms on a Lot

- *Currently: AUP (or UP) required for new bedrooms on a lot.*
- *Proposed: exclude new bedrooms associated with new units.*

### FAR of Existing Buildings

- *Currently: Existing buildings could be required to reduce size to add units.*
- *Proposed: FAR does not need to be reduced to add new units.*



## **Next Steps**

- 1. Conduct a public hearing**
- 2. Make a recommendation to Council**
- 3. City Council public hearing in the Spring**

## Questions and Discussion

Justin Horner, Associate Planner

[jhorner@berkeleyca.gov](mailto:jhorner@berkeleyca.gov)

510-981-7476