

URBAN DESIGN AND PRESERVATION ELEMENT

ELEMENT GOAL

As the Bay Area and California have grown, older cities like Berkeley have become more and more distinctive in character compared to the sprawling suburbs around them. Berkeley remains a city of lively “Main Streets,” livable real neighborhoods, and cherished older buildings, all of which contribute to its sense of place and give it a dimension of visual richness and social and economic diversity that the suburbs cannot rival. Berkeley is a highly visible example of a built environment that “works.”

The overall goal of the Urban Design and Preservation Element is to:

Protect and enhance Berkeley’s special built environment and cultural heritage by carefully conserving the numerous existing good buildings, areas, and other features and ensuring that new elements are so located and designed as to respect and strengthen the whole.

ELEMENT OBJECTIVES

To achieve the Urban Design and Preservation Element goal will require pursuing four objectives:

1. Protection of Existing Resources - Preserve historically or culturally important structures, sites, and areas and protect the character of Berkeley’s neighborhoods and districts. (See the Land Use Element for more policies on the Character of Berkeley.)
2. Preservation Incentives - Provide incentives for the preservation of historic and cultural resources.
3. New Construction and Alterations - Ensure that new construction and alterations are well designed and respect and enhance the existing environment.
4. Outreach - Promote awareness and understanding of Berkeley’s built environment and cultural heritage, and of how to preserve and improve them.

POLICIES AND ACTIONS

PROTECTION OF EXISTING RESOURCES

Policy UD-1 Techniques

Use a wide variety of regulatory, incentive, and outreach techniques to suitably protect Berkeley’s existing built environment and cultural heritage.

Actions:

- A. Identify and protect historically significant structures, sites, districts, and neighborhoods. (*Also see Land Use Policy LU—2.*)
- B. Develop a comprehensive program that will indicate, in more detail, needed in-depth surveys and other actions to protect Berkeley’s built environment and cultural heritage.

- C. Conserve and update the Landmarks Preservation Ordinance.
- D. Encourage widespread public participation in the identification and designation of historically or culturally important buildings, sites, and areas.
- E. Review and revise the Zoning Ordinance, in general, as appropriate to further the protection of historic and cultural resources.
- F. Take full advantage of all State of California preservation programs such as the Certified Local Government program.
- G. Through code enforcement and other activities, provide early intervention to promote timely upkeep of historic and cultural resources, and thereby avoid continued neglect that could eventually make such resources unsavable.

Policy UD-2 Regulation of Significant Properties

Increase the extent of regulatory protection that applies to structures, sites, and areas that are historically or culturally significant.

Actions:

- A. Continue the designation of additional landmarks, structures of merit, and historic districts as a crucial function in preserving historical resources.
- B. Consider revising the Landmarks Preservation Ordinance so as to prohibit demolition of designated landmarks, except in unusual cases where rigorous prescribed findings are made by the Landmarks Preservation Commission and/or the City Council.
- C. For any public or private project that may adversely affect an archaeological site, consult with the North Central Information Center of the California Historical Resources Information System, require site evaluation as may be indicated, and attempt to prevent or mitigate any adverse impacts.

Policy UD-3 Regulation of Neighborhood Character

Use regulations to protect the character of neighborhoods and districts, and respect the particular conditions of each area. *(Also see Land Use Policies LU-3, LU-4, LU-7, LU-16, LU-17, and LU-21.)*

Action:

- A. Consider the creation of a new regulatory classification of “conservation district” to protect areas with distinctive architectural or environmental characteristics.

Policy UD-4 Inventory

On an ongoing basis, maintain, expand, and update the inventory of historic and cultural resources.

Actions:

- A. Actively expand the inventory of historic and cultural resources, with particular attention to areas where development pressure is expected, and make the inventory results prominently available to citizens and potential developers.
- B. Fully incorporate the identity of inventoried historic and cultural resources into the City’s Geographic Information System and permit system.

- C. Acquire and maintain generalized information on what parts of Berkeley, and which types of sites, are sufficiently likely to contain notable archaeological materials as to warrant further, site-specific investigation.

Policy UD-5 Architectural Features

Encourage, and where appropriate require, retention of ornaments and other architecturally interesting features in the course of seismic retrofit and other rehabilitation work.

Action:

- A. Use design review and establish new effective means to protect architectural features and ornaments that have historical value or visual interest.

Policy UD-6 Adaptive Reuse

Encourage adaptive reuse of historically or architecturally interesting buildings in cases where the new use would be compatible with the structure itself and the surrounding area.

Action:

- A. Add to the primary missions of the City’s Office of Economic Development, the encouragement of adaptive reuse and of the preservation of historic resources.

Policy UD-7 Disaster Preparation

Encourage and support the long-term protection of historically or architecturally significant buildings to preserve neighborhood and community character. *(Also see Disaster Preparedness and Safety Policy S-11 and Housing Policy H-15.)*

Actions:

- A. Encourage, and where appropriate require, owners of historically or architecturally valuable buildings to incorporate disaster-resistance measures to enable them to be feasibly repaired after a major earthquake or other disaster.
- B. Create incentives for owners of historic or architecturally significant structures to undertake mitigation to levels that will minimize the likelihood of demolition and maximize the ability to repair or avoid damage in the event of a natural disaster.
- C. In preparing for the period after the next big earthquake, firestorm, or other major disaster, establish preservation-sensitive measures including requirements for temporary shoring or stabilization where needed; arrangements for consulting with preservationists; expedited permit procedures for suitable repair or rebuilding of historically or architecturally valuable structures; and, where appropriate, provisions for replanting. Encourage use of FEMA funds for rehabilitation of such structures wherever possible.

Policy UD-8 Public Works Projects

In public works projects, seek to preserve desirable historic elements such as ornamental sidewalk features, lampposts, and benches.

Actions:

- A. Carefully review planned utility undergrounding, sidewalk repair, and other public works projects to avoid unnecessary removal of light fixtures, planting, and other features with historic or aesthetic value.
- B. Establish procedures for the review of work by PG&E, EBMUD, and other agencies responsible for work in the public right-of-way.
- C. Provide for review by the Landmarks Preservation Commission of public works projects involving potential change to desirable historic elements.

Policy UD-9 Trees

Wherever feasible and appropriate, tree replacement should emphasize maintaining historic planting patterns and native species and be consistent with the City of Berkeley 1990 Street Tree Policy or subsequent tree policies. *(Also see Environmental Management Policies EM-28 through EM-33.)*

Policy UD-10 The University of California

Strongly support actions by the University to maintain and retrofit its historic buildings, and strongly oppose any University projects that would diminish the historic character of the campus or off-campus historic buildings. *(Also see Land Use Policies LU-36 and LU-37.)*

Actions:

- A. Actively review the University’s “New Century Plan” process, and subsequent revision or replacement of the Long Range Development Plan, and urge UC to fully reflect preservation concerns in that planning.
- B. Explore possibilities for a jointly funded “stewardship” program between the University and the local community groups for the preservation and protection of historic resources on the UC campus and in adjacent neighborhoods.

Policy UD-11 Public Schools

Urge the Berkeley Unified School District to maintain and improve its historic buildings and sites in an architecturally sensitive manner. *(Also see Land Use Policy LU-42.)*

Action:

- A. Maintain close liaison with the Berkeley Unified School District to identify and actively comment on, at any early stage, aspects of impending District projects that could destroy or impair historic resources.

PRESERVATION INCENTIVES

Policy UD-12 Range of Incentives

Seek to maintain and substantially expand the range and scale of incentives that the City and/or other entities make available in Berkeley for the preservation of historic and cultural resources.

Actions:

- A. Continue to encourage owners and developers to make use of the State Historical Building Code where appropriate.

- B. Continue to use some Community Development Block Grant and redevelopment money to assist in rehabilitating structures with historic or cultural value.
- C. Encourage owners of historically or culturally significant buildings to utilize the Rehabilitation Tax Credit and the Mills Act.

Policy UD-13 Regulations

Review zoning and other regulations and procedures, and where appropriate revise them to provide new incentives for preservation and remove or reduce disincentives.

Actions:

- A. Consider possible new permit-fee waivers or reductions, and/or permit fast tracking, for projects that involve preserving historically or culturally significant structures.
- B. Consider waiving or reducing parking requirements for projects that involve rehabilitating significant buildings.

Policy UD-14 Other New Incentives

Consider potential new funding, tax-reduction, and technical-assistance incentives that the City and/or other entities could provide to facilitate preservation.

Actions:

- A. Consider providing new or expanded sources of financial assistance for unreinforced-masonry and other structures, including historically or culturally significant ones that need seismic retrofit.
- B. Consider extending to additional commercial areas the availability of loans or grants for façade improvements.
- C. Establish or expand opportunities for the City, and/or nonprofit organizations, to accept facade easements on qualifying buildings.
- D. Encourage neighborhood and preservation groups to establish local funding partnerships and raise local funds for neighborhood preservation efforts.

Policy UD-15 Partnerships

Continue or establish formal or informal partnerships with other public agencies such as the State Office of Historic Preservation, nonprofit organizations such as BAHA, and the private sector.

NEW CONSTRUCTION AND ALTERATIONS

Policy UD-16 Context

The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings. *(Also see Land Use Policies LU-3, LU-4, LU-7, LU-17, and LU-21.)*

Policy UD-17 Design Elements

In relating a new design to the surrounding area, the factors to consider should include height, massing, materials, color, and detailing or ornament.

Policy UD-18 Contrast and Cohesiveness

The overall urban experience should contain variety and stimulating contrasts achieved largely through contrast between different areas each of which is visually cohesive.

Policy UD-19 Visually Heterogeneous Areas

In areas that are now visually heterogeneous, a project should be responsive to the best design elements of the area or neighborhood.

Policy UD-20 Alterations

Alterations to a worthwhile building should be compatible with the building's original architectural character.

Action:

- A. In cases where a well-designed building's original character has since been destroyed by a poorly designed remodel, new alterations to reverse those changes can be used to improve the character of the area.

Policy UD-21 Directing Development

Use City incentives and zoning provisions to direct new development toward locations where significant historic structures or structures contributing to the character of the area will not need to be removed.

Policy UD-22 Regulating New Construction and Alterations

Regulate new construction and alterations to ensure that they are individually well-designed and that they are so designed and located as to duly respect and where possible enhance the existing built environment.

Actions:

- A. Continue to require full Use Permits (with public hearings) for all substantial projects, thereby enabling both the imposition of area-sensitive conditions of approval and a ready means for citizen input.
- B. Continue to encourage, and consider requiring, consultation with interested citizen groups in the early stages of a project.
- C. Consider requiring developers to have a formal conference with City staff before they submit actual permit applications.

Policy UD-23 Design Review

Ensure that the design review process ensures excellence in design and that new construction and alterations to existing buildings are compatible with the best elements of the character of the area.

Actions:

- A. Review the existing design guidelines, some of which were formulated over a decade ago, for possible improvements.
- B. Enable and encourage greater citizen input in the design review process.

- C. Explore revisions to the membership requirements for the Design Review Committee to increase the number of design professionals on the Committee and alter the requirement that certain existing board members such as the chair of the Zoning Adjustments Board sit on the Design Review Committee.

Policy UD-24 Area Character

Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.

Actions:

- A. In reviewing the design guidelines, give special attention to their adequacy in making projects harmonize with their particular surrounding area.
- B. Consider preparing special sets of design guidelines for selected districts that now lack special area guidelines.

Policy UD-25 Facades and Exterior Features

Buildings should have significant exterior features and facades that stimulate the eye and invite interested perusal.

Policy UD-26 Pedestrian-Friendly Design

Architecture and site design should give special emphasis to enjoyment by, and convenience and safety for, pedestrians. *(Also see Land Use Policies LU-11, LU-20, LU-21, LU-26, and LU-27 and Transportation Policy T-47.)*

Actions:

- A. Use regulatory review to promote pedestrian-friendly design.
- B. Ensure proper placement of elements such as doors and windows, in relation to the sidewalk and streetscape, to ensure pedestrian-friendly design and increase public safety.

Policy UD-27 Relation to Sidewalk

Projects generally should be designed to orient the main entrance toward the public sidewalk, not a parking lot, and avoid confronting the sidewalk with a large windowless wall or tall solid fence.

Policy UD-28 Commercial Frontage

Commercial buildings on streets with public transit generally should have no appreciable setback from that street's sidewalk, except in the case of occasional plazas or sitting areas that enhance the area's pedestrian environment.

Policy UD-29 Signs

Signs should contribute aesthetically to, rather than detract from, the site they are on and the general streetscape.

Action:

- A. Explore and consider ways to achieve removal of unsightly signs, while considering the needs of area merchants.

Policy UD-30 Planting

Ensure that, where feasible, new developments respect and contribute to the urban landscape by retaining existing on-site trees and/or, if appropriate, planting suitable new ones on-site or in the street right-of-way. *(Also see Environmental Management Policies EM-29 through EM-31.)*

Policy UD-31 Views

Construction should avoid blocking significant views, especially ones toward the Bay, the hills, and significant landmarks such as the Campanile, Golden Gate Bridge, and Alcatraz Island. Whenever possible, new buildings should enhance a vista or punctuate or clarify the urban pattern.

Policy UD-32 Shadows

New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.

Action:

- A. In appropriate cases where a project could have significant impact on views or access to sunlight, require evaluation of those potential impacts.

Policy UD-33 Sustainable Design

Promote environmentally sensitive and sustainable design in new buildings. *(Also see Environmental Management Policies EM-5, EM-8, EM-26, EM-35, and EM-36.)*

Actions:

- A. Promote compliance with green building standards for solar accessibility and orientation, energy efficiency, etc.
- B. Encourage use of recycled building materials.
- C. Establish guidelines that will help to integrate environmentally sensitive and sustainable designs into the built environment.

Policy UD-34 Public Art

Support, present, and encourage others to support or present works of public art.

Policy UD-35 Public Improvements

Undertake, and/or participate in, major improvement projects aimed at making the streetscape more enjoyable, clarifying and strengthening the urban pattern, and generally enhancing Berkeley's physical character. Public works projects should be designed to make it easier for people to orient themselves within Berkeley and understand and appreciate the city's various districts and neighborhoods, as well as to generally enhance the urban environment.

Actions:

- A. Continue to use interdepartmental review to help achieve suitable design of City improvement projects.
- B. Remove existing features that detract from the cityscape, such as unsightly signs and overhead utilities.
- C. Emphasize the special characteristics of each district and neighborhood through distinctive public landscaping, street lighting, and pedestrian amenities.

- D. Recognize and identify district centers, boundaries, and gateways with distinctive landscaping and physical design improvements.
- E. Use pedestrian-scale lighting, wide sidewalks, street trees, gateway features, and other public improvements to reinforce and enhance residential and commercial area character and identity, and improve conditions for pedestrians, bicyclists, and transit riders.

OUTREACH

Policy UD-36 Information on Heritage

Promote, and encourage others to promote, understanding of Berkeley's built and cultural heritage, the benefits of conserving it, and how to sensitively do that.

Actions:

- A. On an ongoing basis, make readily available to the public the identity of historic and cultural resources that have been officially designated or have been found to be important by the City's inventory.
- B. Continue the existing program for putting plaques on significant buildings and sites.
- C. Promote, or encourage others to promote, guided and self-guided tours of historic and cultural resources.
- D. Encourage the Berkeley Unified School District to incorporate into its curricula instruction about Berkeley's history and built heritage.

Policy UD-37 Information on Incentives

Distribute, and encourage others to distribute, information on the incentives available to assist in preservation.

Actions:

- A. Give, or encourage others to give, public recognition to outstanding examples of preservation work.
- B. Prepare a summary booklet about preservation programs in Berkeley, the benefits of preservation, and available incentives for it, and make this booklet available at prominent locations including libraries and the Permit Service Center.

Policy UD-38 Tourism

As an economic development strategy, promote the city's cultural and architectural heritage.

Action:

- A. Promote the Civic Center as a historic resource listed on the National Register of Historic Places.

Policy UD-39 Information on Designing New Buildings

Promote, and encourage others to promote, understanding of how new buildings and alterations should be designed to provide good facilities that respect and enhance their context.

Actions:

- A. Make the City's design review guidelines widely available.
- B. Give, or encourage others to give, public recognition to good examples of suitably designed new buildings and alterations.