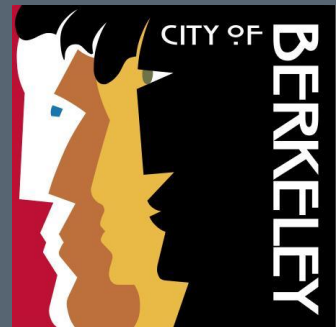




MIDDLE HOUSING

**City Council Public Hearing
June 26, 2025**



AGENDA

- 1. Introduction and Background**
- 2. Middle Housing Zoning Changes & General Plan Amendments**

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

Middle Housing and Other Housing Programs

Goal A: Housing Affordability

- Increase affordable housing
- Find new funding sources
- Ensure permanent affordability
- Protect tenants/rent stabilization
- Low income homebuyers
- Berkeley Housing Authority
- Workforce Housing

Goal B: Housing Preservation & Improvement

- Housing preservation
- Naturally affordable housing
- Enforce code requirements
- Prevent deferred maintenance
- Seismic Reinforcement
- Climate resilience

Goal C: Housing Production

- Publicly-owned sites
- Medium and high-density zoning
- Transit-oriented new construction
- ADUs
- Regional housing needs
- More UC housing
- Regional collaboration

Goal D: Special Needs Housing and Homelessness

- Homeless and crisis prevention
- Homeless, family and senior housing
- Housing for persons with disabilities
- Emergency shelters
- Seismic Reinforcement

Goal E: Affirmatively Further Fair Housing

- Fair housing
- Accessible housing
- Affordable accessible housing
- Middle housing

Goal F: Mitigate Government Constraints

- Reduce government constraints
- Streamline review
- Incentivize affordable housing

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- Fair housing
- Accessible housing
- Affordable accessible housing
- **Middle housing**

Goal F: Mitigate Government Constraints

- **Reduce government constraints**
- **Streamline review**
- Incentivize affordable housing

2017
Housing
Accountability
Act Referral

2019
Missing Middle
Housing
Referral

2021

2021
Eliminate
Exclusionary
Zoning Referral

June 2021
Planning
Commission
Discussion

Sep 2021
Housing Element
Worksession #1

October 2021
Housing Element
Community
Workshop #1

Fall 2021
Online Housing
Survey

Dec 2021
Housing Element
Worksession #2

Dec 2021
Planning
Commission
Discussion

2022

January 2022
Housing Element
Community
Workshop #2

February 2022
Planning
Commission
Discussion

March 2022
Residential
Standards
Worksession #3

Feb 2022
Downtown
Farmers
Market

May 2022
Roses in
Bloom

April 2022
Berkeley
Bowl

June 2022
Housing Element
Community
Workshop #3

June 2022
Planning
Commission
Discussion

Sept 2022
Middle Housing
Worksession #4

2023

2023
Councilmember
Updates

Nov 2023
Planning
Commission
Discussion

Oct 2023
BFD Briefing

Oct 2023
East Bay for
Everyone

Oct 2023
Berkeley
Neighborhoods
Council

Nov 2023
Berkeley Design
Advocates

2024

February 2024
Planning
Commission
Public Hearing

July 2024
Commission on
Aging

July 2024
Housing Advisory
Commission

July 2024
City Council
Public Hearing

Oct 2024
Berkeley
Neighborhoods
Council

Oct 2024
D1 & D2
Community
Meeting

Oct 2024
D4 Community
Meeting

Oct 2024
Harvest
Festival

2025

June 2024
Planning
Commission
Public Hearing

June 2024
D4 Info Session

June 2024
City Council
Public Hearing

**Housing Element Development and Adoption
(2021-2023)**
Civic Arts Commission, Housing Advisory Commission, Commission on Disability, Rent Board,
Commission on Aging, Landmarks Preservation Board

West Berkeley and
Downtown Berkeley
Middle Housing Walking Tours

**Housing Element
Environmental Impact Report
(2022-2023)**

Tribal Consultation

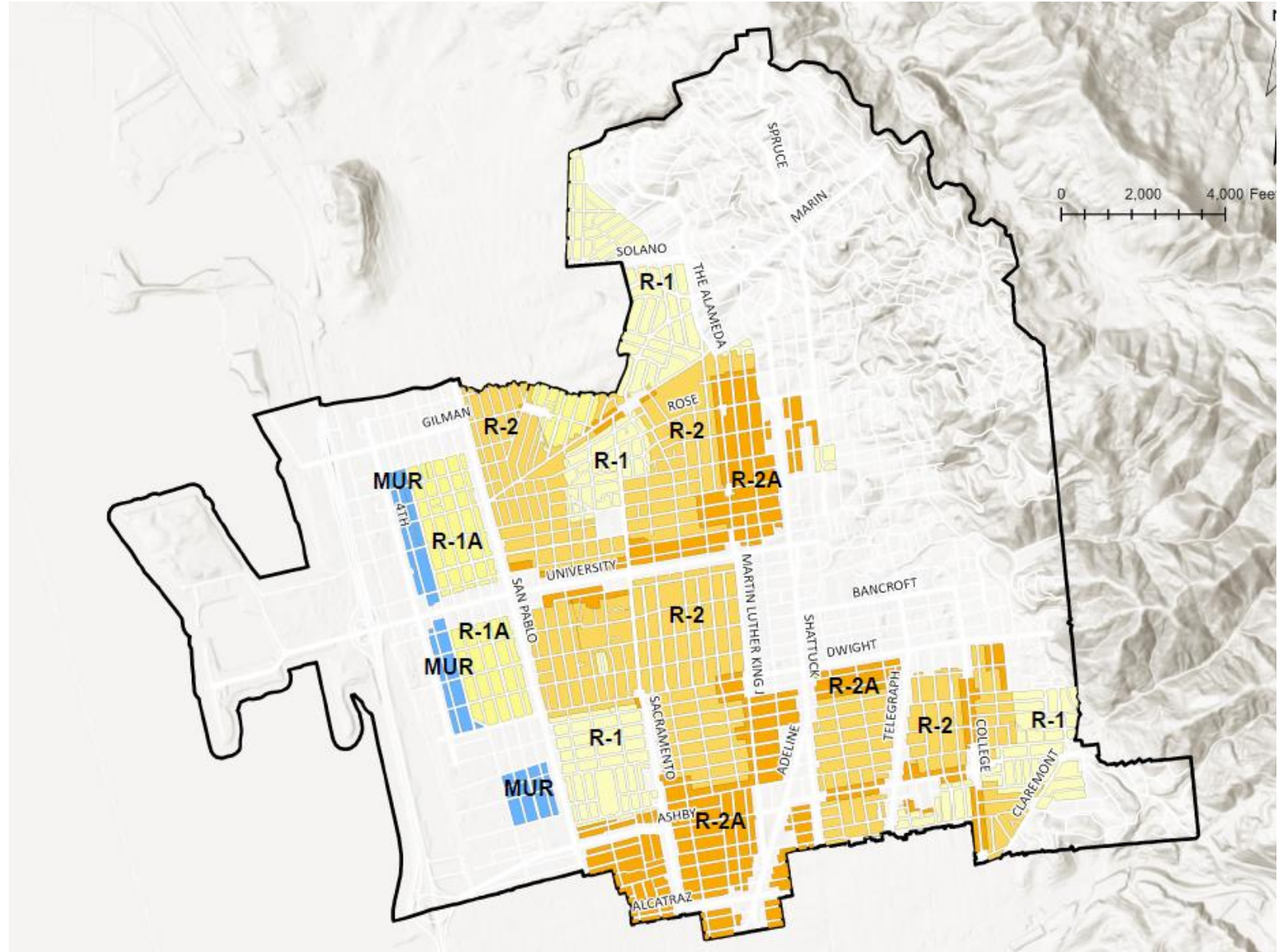
MIDDLE HOUSING STANDARDS

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

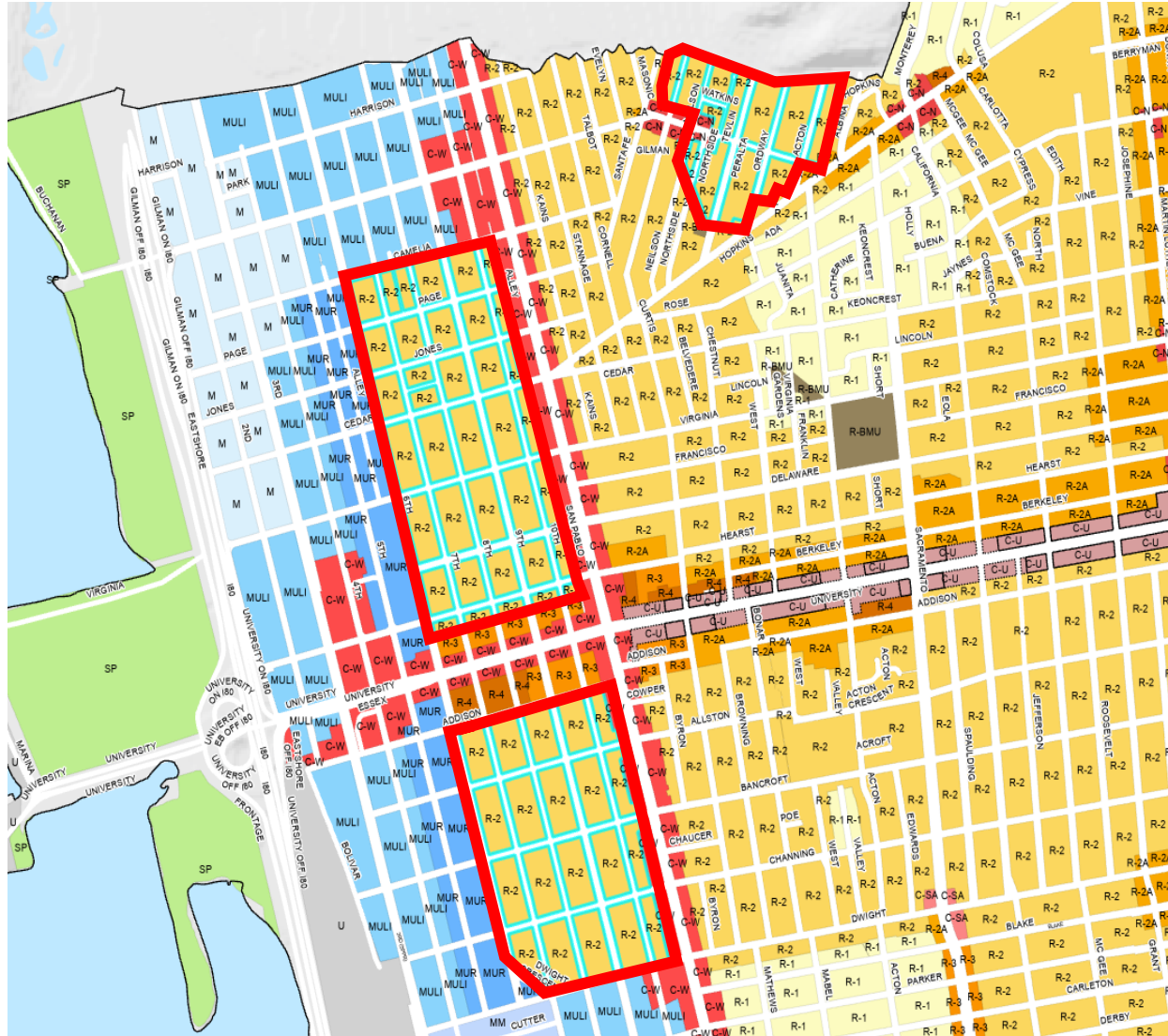
LOWER DENSITY DISTRICTS

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

No Hillside
Overlay



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	Use Permit and Public Hearing (Approved by Zoning Adjustments Board, Appealable to City Council)
Multi-Unit Residential	

Proposed

Single-Family Residential	ZONING CERTIFICATE (Approved by Staff, Not Appealable)
Multi-Unit Residential	

Noticing Required, similar to ADU public notice

Residential Additions and Additional Bedrooms

Residential Additions

- *Currently: Administrative Use Permit (AUP) required for additional floor area.*
- *Proposed: Zoning Certificate (ZC) if it complies with development standards for the Main Building.*

New Bedrooms on a Lot

- *Currently: AUP (or UP) required for new bedrooms on a lot.*
- *Proposed: No additional permits 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	5,000 sf	2,250 sf	2,500 sf	1,650 sf	1,250 sf

Example: Permitted units on a typical 5,000 sf lot...

Min. # Units	1	1	1	1	1
Max. # Units	1	2	2	3	4
+ ADUs	One conversion + one new + one Junior ADU on lot with one single family home (or) Two ADUs on a lot with new multi-family building				

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

Example: Permitted units on a typical 5,000 sf lot...

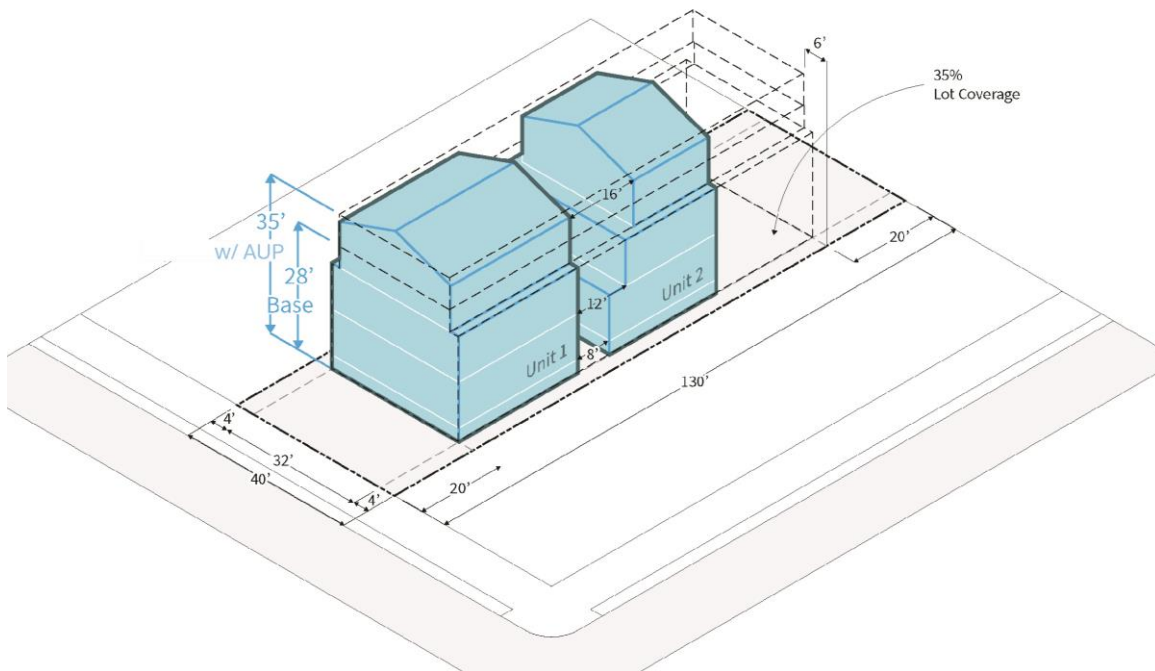
Min. # Units	1	1	2	2
Max. # Units	5	6	7	7
+ ADUs	One conversion + one new + one Junior ADU on lot with one single family home (or) Two ADUs on a lot with new multi-family building			

Building Height Standards

CURRENT STANDARDS

28-foot max *average* height

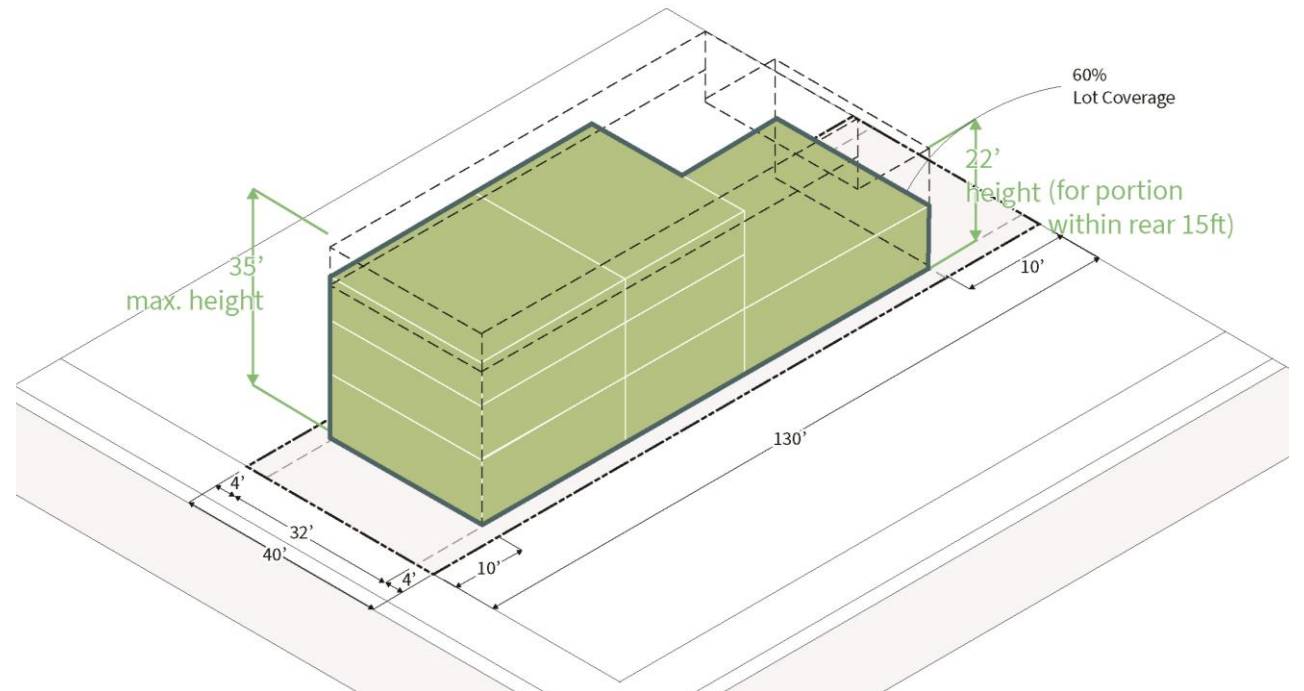
Increase to 35 feet maximum height with AUP



PROPOSED STANDARD

35-foot max height

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



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)

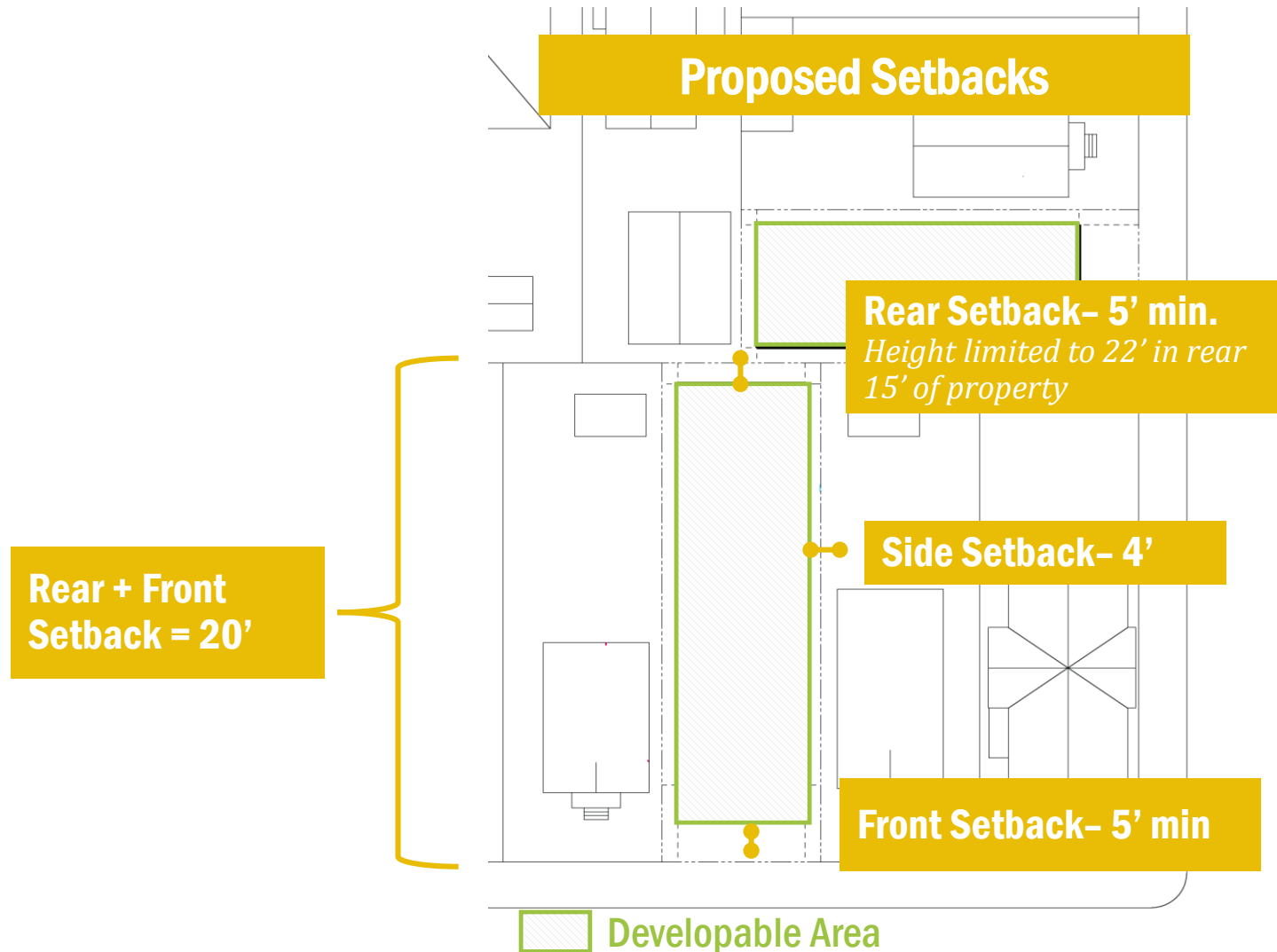
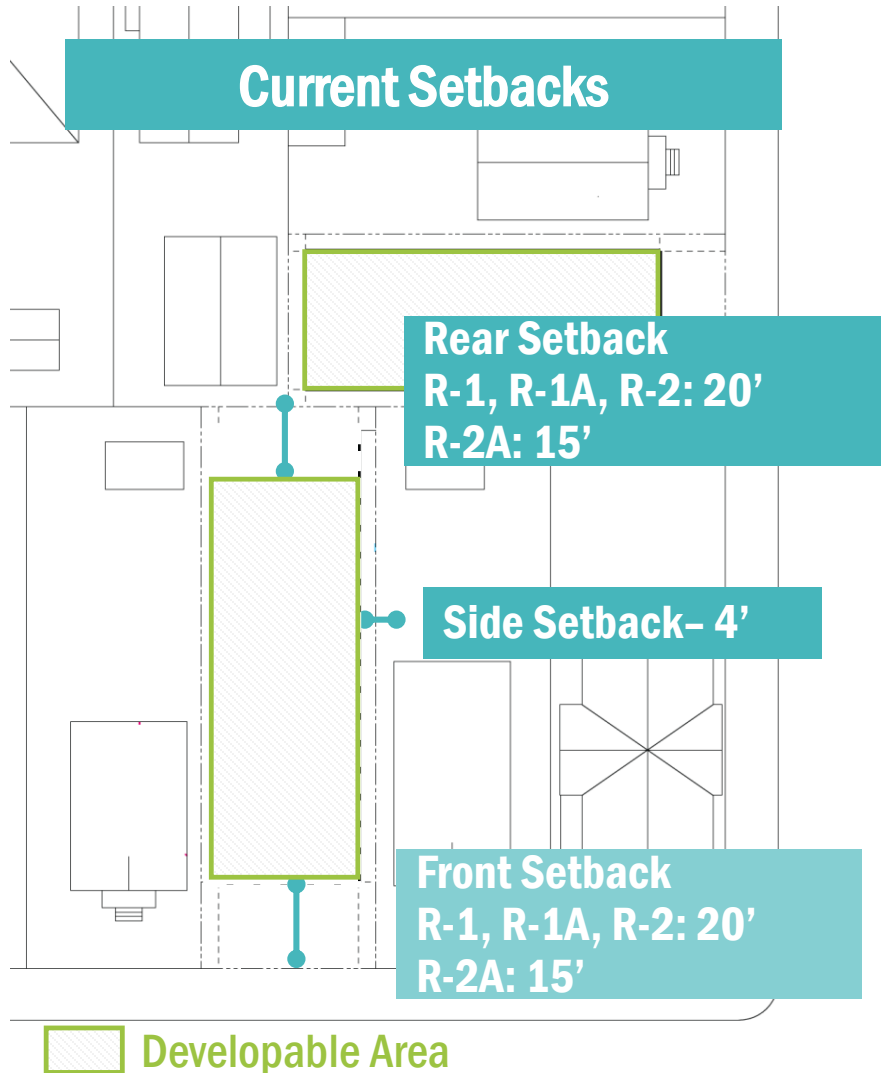
300 sf *open space* per unit
(R-2A)

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	None
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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.

BMC Amendment:

Standard Conditions of Approval for Zoning Certificates

BMC 23.406.020 (Specific Permit Requirements – Zoning Certificates)

E. Review and Action.

1. The Zoning Officer shall review a Zoning Certificate application to verify compliance with the Zoning Ordinance. If the project complies with all applicable requirements, the Zoning Officer shall approve the application.
2. The Zoning Officer may attach to the Zoning Certificate project plans and other information as needed to document project compliance with the Zoning Ordinance.
3. The Zoning Officer may attach to the Zoning Certificate any applicable uniformly applied Standard Conditions of Approval.

General Plan Amendments

- Removal of mentions of the R-1A district
- Revised descriptions of General Plan Land Use Classifications
- Revised General Plan map
- Introduction
- Preservation of existing zoning
- Public hearings for all residential projects

State Density Bonus

- Projects can include more units if they include affordable units.
- Projects can waive development standards to create the larger project.
- Affordable housing units are expensive, so State Density Bonus tends to only work at larger scales.
- The smallest State Density Bonus project Berkeley has approved was 11 units (but the project was never built).

Base Project	20% Units Low Income	Density Bonus Extra Units	Total
5 units	1	2	7
6 units	2	2	8
7 units	2	3	10

Feasibility & Increased Building Heights

California Building Codes

- *Residential Building Code (1-3 stories) vs Building Code (4 + stories): 10% premium*
- *Elevators required (5+ stories)*
- *Wood frame construction (1-4 stories only)*

Financial Feasibility

- *Affordable Housing Fee Analysis: only for-sale 3-4 unit projects feasible*
- *Turner Center: only for-sale duplex projects feasible*



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