RESIDENTIAL OBJECTIVE STANDARDS

Middle Housing

June 1, 2022

PLANNING COMMISSION
Why are we creating Residential Objective Standards?

Recent State Law
- Housing Accountability Act (2017)
- SB 35 (2017) Streamlining for Affordable Development
- SB 330 (2019), SB 8 (2021) Housing Crisis Act
- 2021 Housing Bills, including SB 9, SB 478

City Council Referrals
- Housing Accountability Act (2017)
- Missing Middle Housing (2019)
- Eliminate Exclusionary Zoning (2021)

Housing Element
- Plan for 8,934 new units between 2023-2031
- Housing Program to encourage Middle Housing

ENCOURAGE HOUSING PRODUCTION
What is the goal of the project?

- **PREDICTABILITY**
  - CLEAR MULTI-UNIT DEVELOPMENT CRITERIA
- **STREAMLINED**
  - SHORTENED ENTITLEMENT PROCESS

- Development Trends
- Stakeholder & Public Input
- Feasibility Analysis
A Two-Part Process

PART 1 – OBJECTIVE DEVELOPMENT STANDARDS

WE ARE HERE (2021 to 2023)

SITE
- Lot Size
- Coverage
- Setbacks

FORM/MASSING
- Density (units/acre)
- Floor Area Ratio (FAR)
- Height

PART 2 – OBJECTIVE DESIGN STANDARDS

2023 to 2025

ARTICULATION

FACADE
Objective Standards Framework

HOUSING ELEMENT  MIDDLE HOUSING  HIGHER DENSITY
Agenda – Middle Housing Development Standards

1. What We’ve Heard (Public Engagement, ZORP, and Council)
2. Recommended Standards
3. Solar Modeling
4. Discussion
WHAT WE’VE HEARD

1. Community Engagement
2. Council and ZORP feedback
“What type of housing would you like to see more of?”

Desire for a mix of housing types and higher density living
Council and ZORP feedback

ZORP Subcommittees (12/15 & 2/16)
- Encourage smaller units that are “affordable by design”
- Permitting more density while discouraging financial speculation
- Balance protecting solar access and allowing higher densities

City Council (3/15)
- Consider merging zoning districts
- Permit higher density equitably throughout the City, including consideration of the Hillside Overlay
- Incentive for adaptive reuse and smaller, more affordable units, allow more than four units
- Embrace climate adaption, but solar access should not be a barrier to creating more housing
PRELIMINARY DEVELOPMENT STANDARDS

1. Merging Zoning Districts
2. Allowed Uses & Permits Required
3. Min and Max Density (Units per Acre)
4. Max Floor Area Ratio (FAR)
5. Min Open Space
6. Max Height
7. Min Lot Coverage & Setbacks
8. Min Separation

NOT A BLANK SLATE

- Existing Standards
- Development Patterns
- City Council Referrals
- State Laws
- Environmental/Social/Economic/Demographic Factors
Consider Merging Zoning Districts

### 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

| Low Density Residential | R-1, R-2, R-3 |
| Low Medium Density Residential | R-1A, R-2 |
| Medium Density Residential | R-2A, R-3 |
| High Density Residential | R-2, R-3, R-5, R-2M, R-3M |
| Neighborhood Commercial | C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10 |
| Avenue Commercial | OCC, OCC, OCC, C-C, C-W, C-A |
| Downtown | COMM |
| Mixed Use-Residential | MU-R |
# Minimum & Maximum Density (Units per Acre)

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<thead>
<tr>
<th></th>
<th>R-1</th>
<th>R-1H</th>
<th>R-1A</th>
<th>R-2</th>
<th>R-2H</th>
<th>R-2A</th>
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<td>No min.</td>
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<td>No min.</td>
<td>20</td>
<td>No min.</td>
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<td><strong>Max. Density (du/ac)</strong></td>
<td>25</td>
<td>20</td>
<td>35</td>
<td>20</td>
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*ADUs allowed per [https://berkeley.municipal.codes/BMC/23.306](https://berkeley.municipal.codes/BMC/23.306)
- More than 1 detached dwellings → max 1 ADU
- Duplex or attached multi-family dwellings → max 2 detached ADUs or 1 converted ADU

**Note:** Minimum densities would apply for new development on a vacant lot or redevelopment of a nonvacant lot.
Density - Examples

20 du/ac
3 units
6,505 sf (0.15 ac)
1911 Ninth Street

35 du/ac
4 units
5,000 sf (0.11 ac)
1028-1030 Grayson Street

52 du/ac
5 units
4,200 sf (0.096 ac)
1744-1756 10th Street
<table>
<thead>
<tr>
<th></th>
<th>R-1</th>
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<td>2 units</td>
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<td>1.5</td>
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<tr>
<td>3-7 units</td>
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<td>1.25</td>
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<td>1.5</td>
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<td>8 + units</td>
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<td>1.5</td>
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<td>1.75</td>
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SB 478 (2021, GOV §65913.11)  
Prohibits a local agency from imposing a FAR  
< 1.0 for project with 3 to 7 units  
< 1.25 for a project with 8 to 10 units
## Encourage smaller unit sizes

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<thead>
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<th>R-2</th>
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<td>3-7 units</td>
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<td>8 + units</td>
<td>1.25</td>
<td>1.25</td>
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<td>1.75</td>
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<td>1.75</td>
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**Resulting average floor area (sf) per unit on a 5,000 sf lot...**

<table>
<thead>
<tr>
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<th>6,000 sf</th>
<th>6,000 sf</th>
<th>6,000 sf</th>
<th>7,500 sf</th>
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<td>1 unit, w/ UP</td>
<td>1,250 sf</td>
<td>1,500 sf</td>
<td>2,500 sf</td>
<td>3,750 sf</td>
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<tr>
<td>2 units</td>
<td>1,667 sf</td>
<td>--</td>
<td>2,083 sf</td>
<td>2,500 sf</td>
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<tr>
<td>3 units</td>
<td>--</td>
<td>1,250 sf</td>
<td>1,563 sf</td>
<td>1,875 sf</td>
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<tr>
<td>4 units</td>
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<td>--</td>
<td>1,250 sf</td>
<td>1,500 sf</td>
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<tr>
<td>5 units</td>
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<tr>
<td>6 units</td>
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</table>
FAR - Examples

0.95 FAR
3 units, Avg. 2,060 sf/du
1911 Ninth Street

1.2 FAR
4 units, Avg. 1,265 sf/du
1028-1030 Grayson Street

0.76 FAR
5 units, Avg. 636 sf/du
1744-1756 10th Street

6,505 sf (0.15 ac)

5,000 sf (0.11 ac)

4,200 sf (0.096 ac)

Photo Credit: Workshop1, Inc.
Building Height Standards

35 feet max average height

- Reduce to 22 feet max height within rear 15 feet of lot
- Limit by height in feet; not # of stories
- Main buildings and additions treated the same
1446 Fifth Street

35' top of roof
33.5' average height

6,250 sf (0.14 ac)
34’11” maximum height
29’6” average max height
25’3” eave

1911 Ninth

6,505 sf (0.15 ac)
Structure of Merit property

2411 Fifth Street

7,051 sf (0.16 ac)

25’2” average max height

32’3” average max height
Four Prototype Models & Neighborhood Context

New Detached Building Behind Existing
Attached Sidecourt
Detached Cluster
Attached Row Homes
### Four Prototype Models – Conflicts with Current Zoning

<table>
<thead>
<tr>
<th>Model Type</th>
<th># of Units per Lot</th>
<th>Lot Area per Unit</th>
<th>Lot Coverage</th>
<th>Usable Open Space</th>
<th>Building Height, Avg.</th>
<th># of Stories</th>
<th>Front Setback</th>
<th>Rear Setback</th>
<th>Side Setback</th>
<th>Bldg Separation</th>
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<td>New Detached Building Behind Existing</td>
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<td>Attached Sidecourt</td>
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<td>Detached Cluster</td>
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<td>Attached Row Homes</td>
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</table>
Lot Coverage

New Detached Building Behind Existing
Lot: 5,200 SF
Units: 4
Coverage: 40%
Max 35-40% in R-2, R-2A

Attached Sidecourt
Lot: 5,200 SF
Units: 3
Coverage: 41%
Max 35-40% in R-1, R-1A, R-2, R-2A

More Units → More Coverage

<table>
<thead>
<tr>
<th>Units</th>
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<td>50%</td>
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<td>8+ units</td>
<td>55%</td>
<td>55%</td>
<td>60%</td>
<td>100%</td>
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</table>
Open Space

New Detached Building Behind Existing

Lot: 5,200 SF
Units: 4
Open Space: 215 sf/du

300-400 sf/du in R-1, R-1A, R-2, R-2A

Detached Cluster

Lot: 5,200 SF
Units: 3
Open Space: 330 sf/du

400 sf/du in R-1, R-1A, R-2

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

• Units can vary widely in size
• Open Space linked to total residential floor area, rather than per unit
• Flexibility in configuration of open space for multiple units on a lot
• Maintain 10’ x 10’ min dimension (or 6’ dimension for balconies)

Example
• 5,000 sf total floor area
• → 750 sf required open space
### Four Prototype Models – Conflicts with Current Zoning

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Item 9 - Presentation
Planning Commission
June 1, 2022
Consistent Setbacks & Building Separation

Match what is allowable for ADUs

Rear Setback - 4’ / MUR remains unchanged
Height limited to 22’ in rear 15’ of property

Side Setback - 4’ / MUR unchanged

Front Setback - 15’ or 20’ depending on district, Average of adjacent structures, whichever is less

Consistent upper-story setbacks
• Remove “wedding cake” design

No minimum building separation
Building and Fire Codes still apply!
SHADOW ANALYSIS

1. Purpose
2. Methodology
3. Results
4. Testing Options
5. Recommendations
The maximum building envelope defines the edges of what can be built and was modeled to cast shadows for the most impactful scenario.

There are more standards define new prototypical development, such as lot coverage and FAR, that reduces the mass and bulk.

Not shown in the model:
- Shading from trees
- Sloping site
- Overcast skies
- Optimized solar panel locations
Model Methodology

• Built model in SketchUp
• 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
• Compared calculations for 28’ and 35’ heights
• Created video to show how shadows change over the course of a day
• Tested increased upper story setbacks
Proposed Max Height 28 Feet

Shadow cast
Darker blue = shadows at more times during the day
Proposed Max Height 35 Feet

Shadow cast
Darker blue = shadows at more times during the day
Difference

Less than a 10% difference in shadow impact when building envelope increases from 28 to 35 feet

Shadow at 35' but not at 28'
Testing Standards - Rear Height

35’ height 4’ from rear property line

Proposed standard: 22’ within 15 feet of rear property line
Testing Standards – Side Upper Story Setbacks

Proposed 4’ Setbacks for all stories

Additional 5’ above 28 feet – not recommended
Proposed 20’ front setback for all stories

Additional 5’ above 28 feet – not recommended
• Proposed height and setbacks standards are sufficient to address rooftop solar impacts; additional standards are not needed

• Proposed middle housing standards, including lot coverage and FAR limitations, are sufficient to address privacy and aesthetic impacts on adjacent properties

• Homeowners may establish a solar easement to guarantee no future reduction in solar access
## Allowed Uses & Permits Required

<table>
<thead>
<tr>
<th>Multi-Unit Residential</th>
<th>R-1</th>
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<th>R-1A</th>
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<th>R-2AH</th>
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Include consideration of the Hillside Overlay

Discretionary permit still required for -

- *Structures of Historic Merit → Structural Alteration Permit*
- *Cortese List Hazardous Waste and Substances site*
Discussion

Meeting the Goals?
Do the proposed development standards achieve the goals of the City Council referrals, namely encouraging the development of middle housing in low-density residential districts?

Changes or Revisions?
Are there provisions of the proposed zoning standards that should be changed or revised?

Additional Considerations?
Are there additional considerations that remain unaddressed by the proposed development standards?
THANK YOU

CONTACT US

HousingElement@cityofberkeley.info

Photo Credit: Jessica Christian / The Chronicle [LINK]

Item 9 - Presentation
Planning Commission
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