

## Attention Berkeley residents!

**Act now** to tell our City Council that they should NOT consider the Middle Housing Ordinance until we update our ADU Ordinance and evaluate the effectiveness of this change. It makes no sense to enact changes to our zoning code that will result in sweeping and irreversible changes to our neighborhoods if we can accomplish the same goals with a more measured approach.

1. City Council passed our ADU ordinance on November 9, 2023 and its impacts have not yet been studied. Bringing our ADU ordinance into compliance with recent State Laws (AB 1033 and SB 1211) will allow three ADUs on any lot with a single family home and up to EIGHT ADUs on a lot with multifamily housing. It streamlines the application process, allows by-right conversion of garages to ADUs, allows creation of Junior ADUs within an existing home, and allows for condo conversions. This is exactly the type of in-fill, medium density housing that will result in the quadplexes to eightplexes City Councilmembers claim they are aiming to achieve!

Instead of waiting to see how these changes work, our City Council wants to pass an ADDITIONAL ordinance that will be the biggest change to our zoning code since it was created in 1916. This legislation would change existing limits on building height, setbacks, lot coverage and density and would allow the use of the State Density Bonus to further increase lot coverage and allow more than 3 stories by-right. Developers could tear down existing homes to build much larger and taller developments that would cover our neighborhood lots, reducing permeable open space, shadowing neighbor's solar panels, and adding to the urban heat-island effect.

2. City Council claims that we need the Middle Housing ordinance to address the equity issues caused by red-lining, but this ordinance does nothing to require right of return, nor does it increase the existing requirements for lower income units. Instead, developers will focus on the neighborhoods with the lowest property values, namely west and south Berkeley. The environmental impacts of this new density will therefore be shouldered by the parts of the city which faced the inequities of the past.
3. City Council claims we need this ordinance to address our housing crisis, but our lack of housing units is not due to a difficulty in getting permits. In 2023 and 2024 alone, our Planning Department entitled 4,132 units, enough to meet 46% of our

goal for year 3031. Developers are not, however, moving forward to build those units, taking out building permits for only 731 units in 2024. The current economic uncertainty will certainly have more of an impact on delayed construction than our zoning codes.

The 2020 US census identified Berkeley as the third most dense city (with 100,000 or more residents) in California. We need to tell our councilmembers to stop pushing for this radical change to our zoning code. We can achieve the gentle density we need while preserving the neighborhood feel that drew so many of us to this great city. In these very uncertain economic times, it makes sense to take a more measured approach!

Please join BNC in writing an email to [council@berkeleyca.gov](mailto:council@berkeleyca.gov) and tell them “NO to the Middle Housing Ordinance!”