



HEIGHT INSTRUCTIONS FOR NON-RESIDENTIAL DISTRICTS

Last Updated January 2020

AVERAGE HEIGHT (All Non-R-Prefix Districts except C-DMU)

PURPOSE

Height limits are set in the Berkeley Municipal Code for all non-residential Districts (including C-1, C-N, C-E, C-NS, C-SA, C-T, C-SO, C-W, M, MM, MU-LI, MU-R). In all districts except the Commercial – Downtown Mixed Use (C-DMU), listed height limits are average heights. (For non-residential buildings in the C-DMU, see page 3).

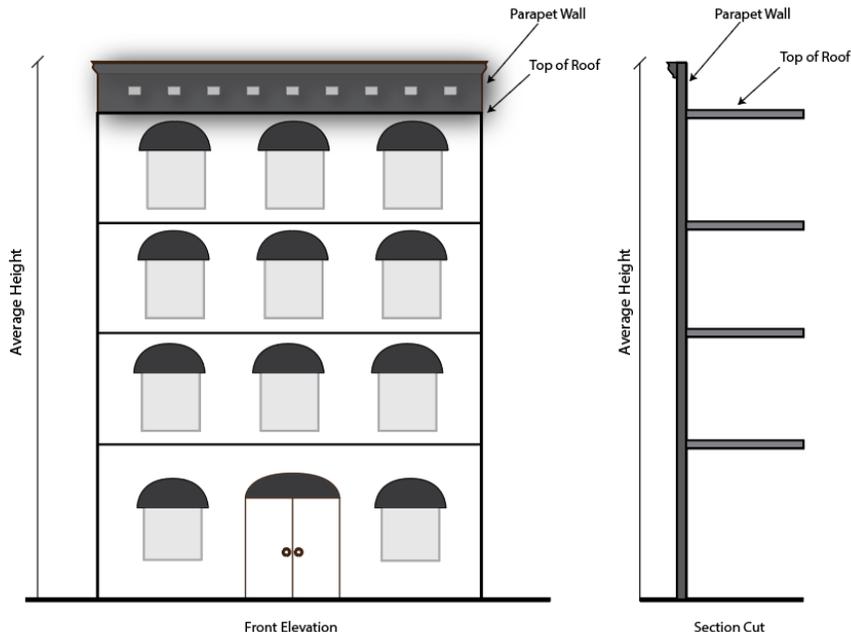
BERKELEY MUNICIPAL CODE DEFINITION

Average Building Height is defined as:

The vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building (or, in the case of residential additions, that portion of the lot covered by the addition) to: in the cases of sloped, hipped or gabled roofs, the average height of the roof between the ridge and where the eave meets the plate; in the case of a roof with parapet walls, to the top of the parapet wall; in the case of a gambrel roof the average height of the roof between the ridge and the point where the uppermost change in the roof's slope occurs; in the case of a mansard roof, to the height of the deck; and in the case of a shed roof, to the height of the roof ridge. Dormers, as defined in this subsection, shall not be included in the average height calculation (BMC Chapter 23F.04).

For simplicity in describing average height, Figure 1 shows a flat site. **Please note: most sites are not flat.** Each elevation must include height dimensions from average grade to: 1) roof plate, 2) top of ridge, 3) midpoint on the roof, and 4) average height:

Figure 1. Average Building Height



Most sites have a “cross slope” (such as a front-to-back and a side-to-side slope). On sites that are not flat the average grade is determined by averaging the lowest and highest points on the lot that are covered by the building (see Figure 2, below). The resulting average grade elevation should then be used to determine the average height of the building.

Once the average grade is determined, elevation drawings from each side of the building must be provided, depicting the dimensions from average grade to: 1) roof plate, 2) midpoint on the roof (if applicable), 3) top of roof, and 4) average height. The drawing should look similar to Figure 3, shown on page 3. However, (as described above and shown in Figure 2), the highest and lowest point of the site covered by the building may not be along one elevation. For this reason, the average grade shall be determined by taking the average between the highest and lowest points (Points A and D, in the below scenario), and shown in elevation view in Figure 3.

Figure 2. Sample Site Plan showing “cross slope”

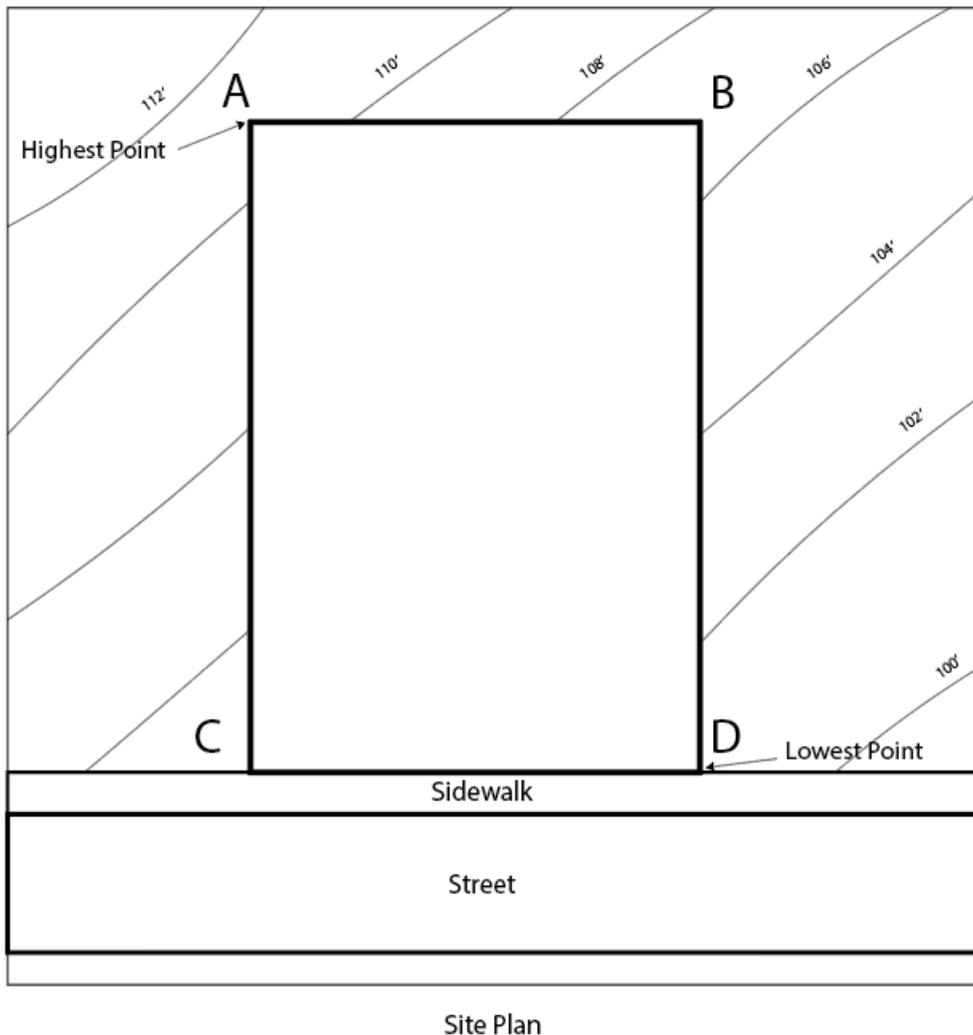
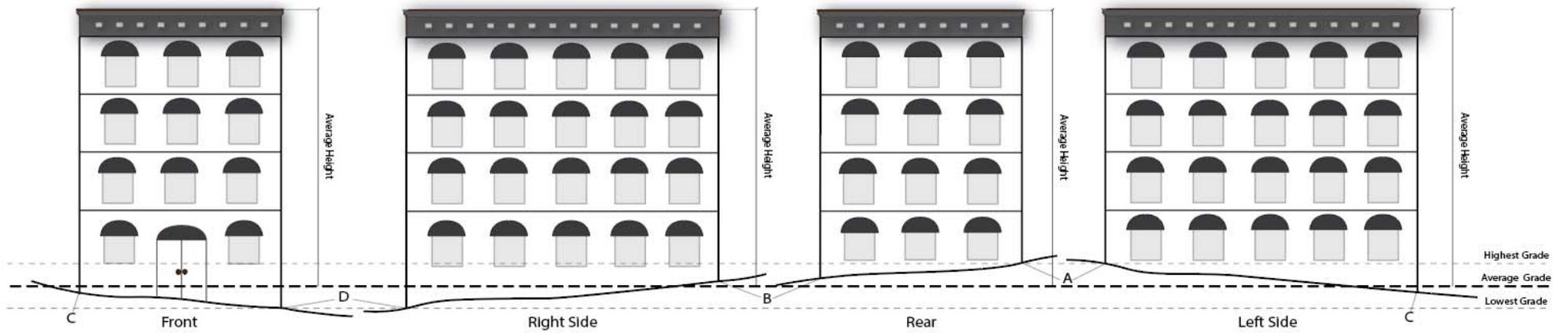


Figure 3. Sloped-Lot Building Elevations Showing Average Grade and Height



MAXIMUM HEIGHT IN THE C-DMU District

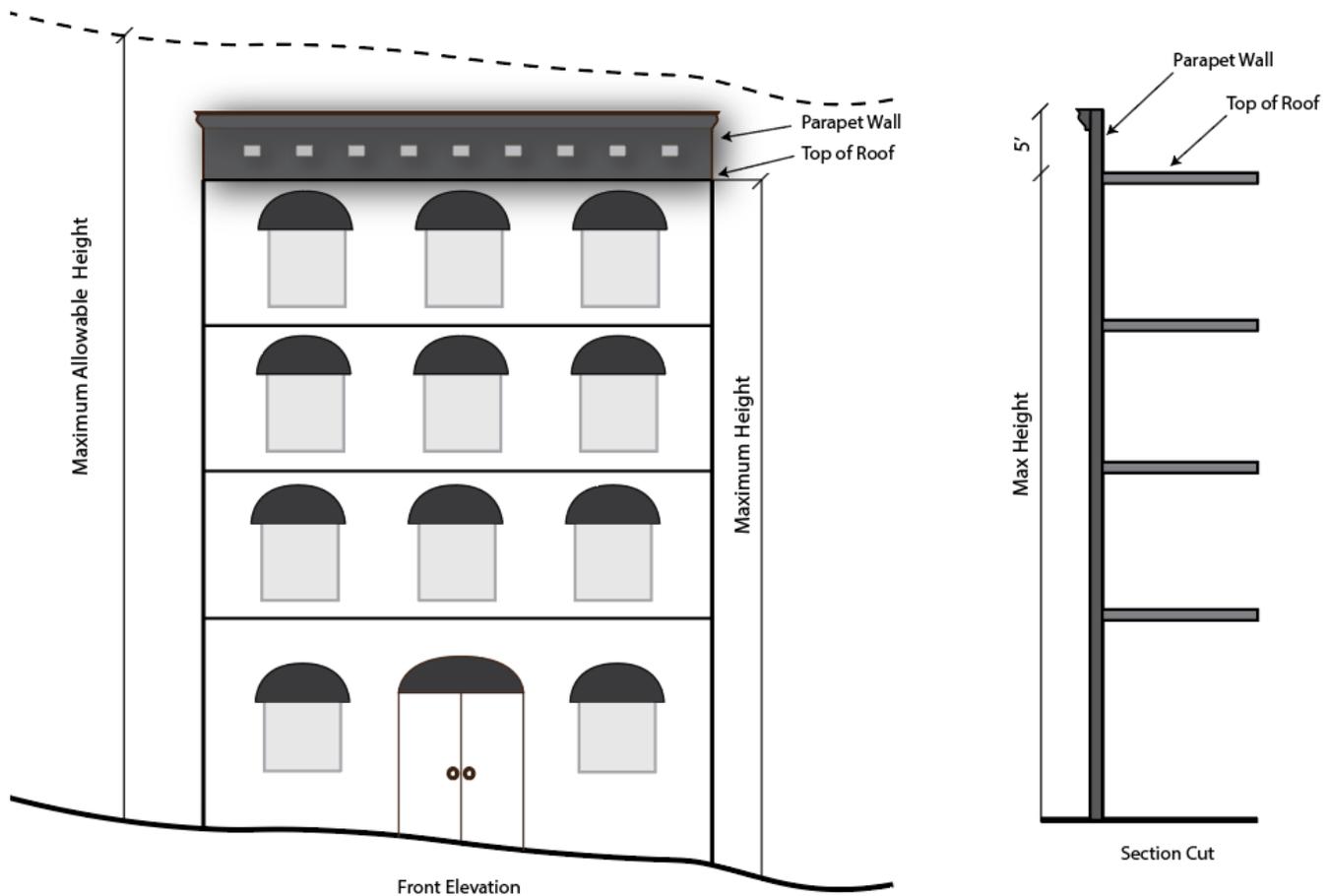
BERKELEY MUNICIPAL CODE DEFINITION

As depicted in Figure 4, below, Maximum Building Height is defined as:

The vertical distance of a building at any point, within a given plane, from finished grade to the top of the roof or parapet wall. (BMC Ch. 23F.04)

In the Commercial – Downtown Mixed Use (C-DMU) District, the maximum height is taken from the finished grade to the top of roof; a parapet wall is allowed to exceed the maximum height by-right, no greater than five feet tall, measured from the top of the roof. (BMC Section 23E.64.070.A)

Figure 4. Non-Residential Building Maximum Height (C-DMU only)



Exemptions from Building Height in Non-Residential Districts

Certain architectural projections are allowed by-right above the maximum building height, while others require an Administrative Use Permit (AUP). Please see code sections below for details.

1. Allowed "By Right"

The following architectural projections may be built and used to a greater height than the limit established for the District in which the building is located:

- Towers, antennas and poles used for the transmission of electricity, telephone, telegraph, cable television, or other messages; except for electromagnetic signals for cellular radiotelephone service and wireless telecommunications; and
- Flag poles, chimneys, water tanks, heating and air conditioning equipment, skylights, solar energy equipment, vents, pipes and similar structures and necessary mechanical appurtenances.

Per BMC Section 23E.04.020.B

2. Allowed through an Administrative Use Permit

The following architectural projections must be approved through an AUP in order to be built and used to a greater height than the limit established for the District in which the building is located:

- Mechanical penthouses;
- Elevator equipment rooms;
- Cupolas, domes, turrets; and
- Other architectural elements which exceed a District's height limit. (**Note:** This also includes areas bounded by roof screens)
- This list is not exhaustive; other projections may require an AUP. The projections listed above shall not exceed fifteen percent (15%) of the average floor area of all of the building's floors; and no tower or similar structure shall be used as habitable space or for any commercial purpose, other than that which may accommodate the mechanical needs of the building.

Per BMC Section 23E.04.020.C