

ORDINANCE NO. 7,313–N.S.

AMENDING BERKELEY MUNICIPAL CODE (BMC) TITLE 23 (ZONING), OFFICIAL ZONING MAP, TO REZONE A PORTION OF A PARCEL IN WEST BERKELEY FROM MU-LI TO C-W

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That the City Council has found this amendment to be “exempt” from the California Environmental Quality Act per Section 15601.b.3, which states: "...CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Since these sites have been used in C-W customary fashion, and the proposed amendment would align the zoning designation of the site with the existing use pattern, no environmental impacts are expected.

In addition, this specific project is exempt under Section 15301: existing facilities, since under 10,000 square feet of new construction is proposed. With the addition of 6,000 square feet of new MU-LI space, the net loss of MU-LI space is only 2,700 square feet.

Section 2. That the City Council has found the amendment to be consistent with the General Plan and West Berkeley Plan due to the following mandatory finding: the parcel to be rezoned is the interface parcel between two designations and continues that interface with only a minor change of approximately 2,700 square feet.

Section 3. That the City of Berkeley Zoning Map is amended to rezone a portion of parcel with APN 060-235200100 (1000 Gilman St at Ninth St) from MU-LI to C-W, as shown in Exhibit A. The portion to be rezoned is approximately 8,700 sq ft; since there is a building to the west with 6,000 sq ft of MU-LI space where a second floor is being added, the net loss of MU-LI space is only 2,700 sq ft.

Section 4. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on October 29, 2013 this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington and Wozniak.

Noes: None.

Absent: Anderson and Bates.

Proposal to expand
West Berkeley
commercial zoning
(C-W) in parcel with
APN# 060-235200100

Rezone from
MULI to C-W

C-W
MULI
Roofprints



This map is for reference purposes only.

Care was taken in the creation of this map, but it is provided "AS IS". Please contact the City of Berkeley to verify map information or to report any errors.

May 6, 2013

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