ORDINANCE NO. 7,324–N.S.

AMENDING BERKELEY MUNICIPAL CODE (BMC) TITLE 23 (ZONING), OFFICIAL ZONING MAP, TO REZONE TWO PARCELS 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.

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: There is no loss of currently used manufacturing space, or displacement of existing Industrial tenants. The re-designation expands the Commercial designation over the complete parcels, so that long standing uses and designation are compatible. The parcels are adjacent to existing Commercial uses and thus are a continuation of the concentrated and walkable commercial area.

Section 3. That the City of Berkeley Zoning Map is amended to rezone the parcel at 1011-1025 Gilman Avenue (APN 060-235500802); and a portion of the parcel identified as 1300-1328 Tenth St, 1000-1010 Gilman St, 1319 Ninth Street (APN 060-235200100) from MU-LI to C-W, as shown in Exhibit A. The parcel at 1011-1025 Gilman St to be rezoned is approximately 78,000 sq ft; the portion of 1000-1010 Gilman St to be rezoned is approximately 23,000 sq ft, with 8,700 sq ft of that already approved at the October 29 Council meeting.

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 December 17, 2013 this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Capitelli, Maio, Moore, Wengraf, Wozniak and Bates.

Noes: Arreguin and Worthington.

Abstain: Anderson.

Absent: None.

Exhibit A

PROPOSAL TO EXPAND WEST BERKELEY COMMERICAL ZONING (C-W) FROM SAN PABLO AVE. TO 9TH ST.

Parcels for rezone
Already approved
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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