



## Kriss Worthington

Councilmember, City of Berkeley District 7

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Action Calendar  
October 10, 2006

To: Honorable Mayor and  
Members of the City Council

From: Councilmember Kriss Worthington

Subject: Adoption of ordinance specifying date of implementation of Major Residential Addition modifications, adopted at the last City Council meeting.

### RECOMMENDATION:

That the Berkeley City Council consider adoption of the accompanying ordinance specifying the date of implementation of the Major Residential Addition modifications adopted at last City Council meeting.

### BACKGROUND:

In order to meet the strict deadlines required by the possible passage of state proposition ninety, the City prudently adopted an ordinance protecting some of the City and the public's rights on land use. In so doing one unintended consequence could be that this new regulation might restrict projects which are already in the pipeline, including projects which have already been deemed to be complete. I have questions as to whether it is legal or ethical to change the rules in this way at this time on projects that far along in the process. Rather than making that decision indirectly without evaluating the effects I believe we should make a conscious decision one way or the other.

### FINANCIAL IMPLICATIONS:

Minimal

### CONTACT PERSON:

Councilmember Kriss Worthington, 981-7170.

ORDINANCE NO.           – N.S.

EXEMPTING CERTAIN RESIDENTIAL ADDITIONS FROM ORDINANCE NO.  
6,949 - N.S.

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

Section 1. Sections 2 through 18 of Ordinance No. 6,949 - N.S. shall apply only to applications for building permits that are received after October 26, 2006 and any application for an administrative use permit which included a Major Residential Addition where such application was deemed complete after October 26, 2006.

Section 2. Copies of this Bill shall be posted for two days prior to adoption in the glass case located near the walkway in front of Old City Hall, 2134 Martin Luther King Jr. Way. Within fifteen 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.