

ORDINANCE NO. 7,638-N.S

AMENDING BERKELEY MUNICIPAL CODE (BMC) TITLE 23 (ZONING), OFFICIAL ZONING MAP, TO REZONE ASSESSOR PARCEL NUMBERS (APN) 054-1763-001-03 AND 054-1763-010-00 FROM MIXED USE – LIGHT INDUSTRIAL (MU-LI) TO WEST BERKELEY COMMERCIAL (C-W), AND TO AMEND SECTION 23E.64.070 TO ALLOW BUILDINGS ON ASSESSOR PARCEL NUMBERS 054-1763-001-03, 054-1763-010-00 AND 054-1763-003-03 TO BE FIFTY FEET IN HEIGHT AND FOUR STORIES

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

Section 1. The City Council has adopted the Initial Study – Mitigated Negative Declaration that was prepared for this rezoning and has made all required findings pursuant to the California Environmental Quality Act, as amended.

Section 2. The City Council finds this rezoning and text amendment to be consistent with the General Plan and West Berkeley Plan, and to be in the public interest and in furtherance of the public health, safety and general welfare.

Section 3. That the City of Berkeley Zoning Map is hereby amended to rezone the parcels known as Assessor Parcel Numbers 054-1763-001-03 and 054-1763-010-00 to West Berkeley Commercial (C-W), as shown in Exhibit A to this ordinance.

Section 4. That Berkeley Municipal Code Section 23E.64.070.B is hereby amended to read as follows:

23E.64.070 Development Standards

B. The height for a main building shall not exceed the following limits and shall satisfy the following requirements:

Table 23E.64.070			
Building Height Limitations *			
Use Type	Height (ft.)	Stories (number)	Special Requirements/Limitations
Commercial Only**	40	3	
Live/Work Only	40	3	
Mixed Use	50	4	The 4th floor must be used for residential or live/work purposes
Residential Only	40	3	

*Within designated nodes there is a minimum height requirement, see Section 23E.64.040.D

Table 23E.64.070			
Building Height Limitations *			
Use Type	Height (ft.)	Stories (number)	Special Requirements/Limitations
**On Assessor Parcel Numbers 054-1763-001-03, 054-1763-010-00 AND 054-1763-003-03 the maximum height may be 50 feet and 4 stories.			

Section 5. 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 11, 2018, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Droste, Kesarwani, Robinson, Wengraf, and Arreguin.

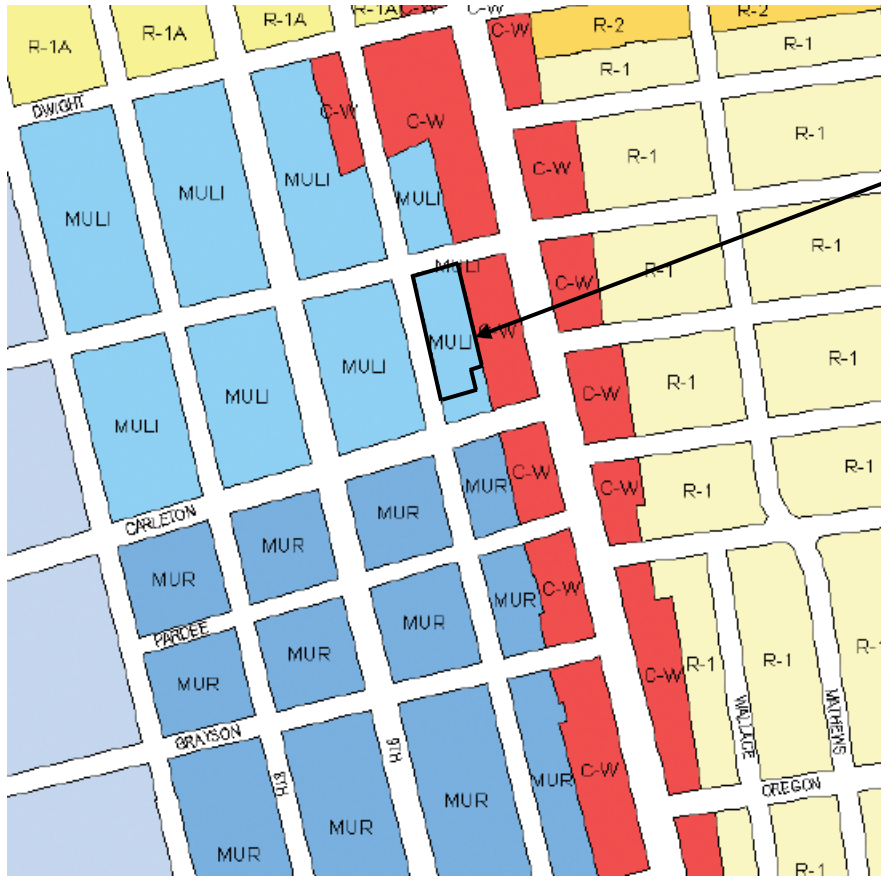
Noes: Davila, Hahn, and Harrison.

Absent: None.

EXHIBIT A

ZONING MAP AMENDMENT

APNs 054-1763-001-03 and 054-1763-010-00



PROPERTY TO BE REZONED FROM MIXED USE – LIGHT INDUSTRIAL TO WEST BERKELEY COMMERCIAL

ZONING DISTRICTS

R-1	Single Family Residential
R-1A	Limited Two-family Residential
R-2	Restricted Two-family Residential
R-2A	Restricted Multiple-family Residential
R-3	Multiple-family Residential
R-4	Multi-family Residential
R-5	High Density Residential
ES-R	Environmental Safety-Residential
C-1	General Commercial
C-2	Central Commercial
C-E	Elmwood Commercial
C-N	Neighborhood Commercial
C-NS	North Shattuck Commercial
C-SA	South Area Commercial
C-SO	Solano Avenue Commercial
C-T	Telegraph Avenue Commercial
C-W	West Berkeley Commercial
M	Manufacturing
MM	Mixed Manufacturing
MULI	Mixed Use-Light Industrial
MUR	Mixed Use-Residential
SP	Specific Plan
U	Unclassified

