



[First Last name]
Councilmember District [District No.]

SUPPLEMENTAL AGENDA MATERIAL for Supplemental Packet 2

Meeting Date: July 8, 2025

Item Number: Item A

Item Description: Zoning Ordinance and General Plan Amendments Relating to Middle Housing

Submitted by: Jordan Klein, Director, Planning and Development Department

This supplemental report provides additional information with respect to the proposed zoning ordinance and General Plan amendments and review under the California Environmental Quality Act (CEQA).

Pursuant to the passage of Senate Bill 131 (6/30/25), which added Section 21080.085, subdivision(a) to the Public Resources Code, “rezoning that implements the schedule of actions contained in an approved housing element pursuant to subdivision (c) of Section 65583 of the Government Code” are statutorily exempt from CEQA.

The zoning ordinance amendments implement the following schedule from Program 29 – Middle Housing of the City of Berkeley's 2023-2031 Housing Element.¹ The General Plan amendments similarly implement the Middle Housing schedule. The Housing Element is approved because it was adopted by City Council on January 18, 2023 and certified by the California Department of Housing and Community Development on February 28, 2023.² Thus, because the proposed amendments are anticipated by the Housing Element, they are statutorily exempt from CEQA.

¹ <https://berkeleyca.gov/sites/default/files/documents/alaBerkeleyAdoptIn022823.pdf> (see Program 29, p. 146.)

² City Council RESOLUTION 70,669-N.S.; [Berkeley 2023-2031 Housing Element 02-17-2023v2_0.pdf](#)
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