

ORDINANCE NO. 7,780-N.S.

AMENDING THE BERKELEY MUNICIPAL CODE (BMC), TITLE 23 (ZONING), OFFICIAL ZONING MAP, TO REZONE ASSESSOR PARCEL NUMBERS (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00 FROM RESTRICTED MULTIPLE-FAMILY RESIDENTIAL DISTRICT (R-2A) AND SOUTH AREA COMMERCIAL (C-SA) TO THE COMMERCIAL-ADELINE CORRIDOR (C-AC) ZONING DISTRICT

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

Section 1. The City Council has certified that the Addendum to the *Adeline Corridor Specific Plan Environmental Impact Report* (2020 EIR) was prepared in conformance with the California Environmental Quality Act, and that the potential impacts of the proposed zoning map amendments are consistent with potential impacts characterized in, and mitigation measures adopted with, the 2020 EIR, and therefore, no further evaluation of environmental impacts is required, no Subsequent EIR is necessary per CEQA Guidelines Section 15162, and that the Addendum is the appropriate level of environmental analysis and documentation for the proposed project in accordance with CEQA Guidelines Section 15164.

Section 2. The City Council finds that the proposed zoning map amendment serves the public interest by encouraging the development of affordable housing, supporting important cultural institutions, and ensuring consistent land use regulation by incorporating isolated properties into the Commercial-Adeline Corridor (C-AC) zoning district.

Section 3. The City Council finds that the proposed zoning map amendments are compatible with adjacent zoning districts. The proposed zoning map amendments would only apply to parcels that are immediately adjacent to, or completely surrounded by, parcels located in the C-AC zoning district. Therefore, adoption of the proposed amendment would not result in any incompatibilities with adjacent zoning districts.

Section 4. The City Council finds that the proposed zoning map amendment allows uses that are compatible with adjacent uses. With the adoption of the C-AC zoning district, the City Council determined that the C-AC zoning district allowed uses that are compatible with adjacent zoning districts. The proposed zoning map amendments would only apply to parcels that are immediately adjacent to, or completely surrounded by, parcels located in the C-AC zoning district. Therefore, adoption of the proposed amendments would not result in allowable uses that are incompatible with adjacent zoning districts.

Section 5. The City Council finds that the potential effects of the proposed zoning map amendment will not be detrimental to the public health, safety and welfare. The amendment would not result in direct changes to the physical characteristics of the property or existing structures. New development would be reviewed for compliance with CEQA and be constructed to comply with the State Building and Safety Code as adopted by the City of Berkeley.

Section 6. The City Council finds that the proposed zoning map amendment does not result in a change to a less intensive use allowed under the existing General Plan or zoning pursuant to Gov. Code section 66300(b)(1).

Section 7. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 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 July 13, 2021, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Droste, Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: Bartlett.

EXHIBIT A

Parcels Proposed for Zoning Map Amendments



