



Office of the City Manager

REVISED AGENDA MATERIAL

Meeting Date: April 29, 2014

Item Number: 39

Item Description: Zoning Ordinance and General Plan Amendments Regarding Floor Area Ratio (FAR) Increases in the Telegraph Avenue (C-T) District

Supplemental/Revision Submitted By: Eric Angstadt, Director, Planning and Development Department

“Good of the City” Analysis:

The analysis below must demonstrate how accepting this supplement/revision is for the “good of the City” and outweighs the lack of time for citizen review or evaluation by the Council.

The Resolution and proposed General Plan amendment submitted with the staff report should be corrected to indicate the following:

- The C-T District will have a range of Floor Area Ratios (3-5), instead of a single maximum FAR of 5 as stated in the Resolution and Exhibit A attached to the report.
- The maximum FAR in the Avenue Commercial General Plan classification will increase from 4 to 5.

The change will clarify that the C-T district will have one area that will maintain the current FAR of 3, while the maximum FAR in the rest of the district can increase to 5 with a Use Permit. This correction reflects the language approved by the Planning Commission as well as the language in the staff report and Zoning Ordinance amendments, and will not change the intent or the scope of the proposed FAR changes.

Consideration of supplemental or revised agenda material is subject to approval by a two-thirds vote of the City Council. (BMC 2.06.070)

A minimum of **42 copies** must be submitted to the City Clerk for distribution at the Council meeting. This completed cover page must accompany every copy.

Copies of the supplemental/revision agenda material may be delivered to the City Clerk Department by 12:00 p.m. the day of the meeting. Copies that are ready after 12:00 p.m. must be delivered directly to the City Clerk at Council Chambers prior to the start of the meeting.

Supplements or Revisions submitted pursuant to BMC § 2.06.070 may only be revisions of the original report included in the Agenda Packet.

RESOLUTION NO. ##,###-N.S.

AMEND THE BERKELEY GENERAL PLAN TO INCREASE THE MAXIMUM FLOOR AREA RATIO FROM 3-3.5 TO 3-5 IN THE TELEGRAPH AVENUE COMMERCIAL (C-T) DISTRICT

WHEREAS, on April 30, 2013, the City Council sent a referral to the Planning Commission to consider increasing the Floor Area Ratio (FAR) on Telegraph Avenue within the Southside Plan to allow for greater density; and

WHEREAS, the Planning Commission held a duly noticed meeting on December 18, 2013 to consider modifications to the Zoning Ordinance related to the FAR in the C-T District and voted to adopt the modifications at that meeting; and

WHEREAS the Planning Commission held a duly noticed meeting on January 15, 2014 to consider an amendment to the General Plan Land Use Chapter related to the zoning ordinance changes and voted to adopt the amendment at that meeting; and

WHEREAS, on April 29, 2014, the Council held a duly noticed public hearing; and

WHEREAS, the proposed amendment to the General Plan is consistent with the objectives and goals of the General Plan; and

WHEREAS, the proposed amendment to the General Plan will allow the modification to the FAR in the C-T district; and

WHEREAS, the City has found that the modification to the FAR and the General Plan amendment will have an inconsequential environmental impact and can be considered exempt from CEQA per Section 15061.b.3 of the CEQA Guidelines.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council hereby adopts the amendment to the General Plan as shown in Exhibit A.

Exhibit

A: Revision to the General Plan Land Use Chapter

Recommended changes to Land Use Section of General Plan

Avenue Commercial (Pages LU 24-25)

These areas of Berkeley are characterized by pedestrian-oriented commercial development and multi-family residential structures. These areas are typically located on wide, multi-lane avenues served by transit or BART. Appropriate uses for these areas include: local-serving and regional-serving commercial, residential, office, community service, and institutional. Building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of ~~4~~5. Population density will generally range from 44 to 88 persons per acre.

For information purposes, the compatible zoning districts for this classification are shown below with accompanying development standards.

<u>Zoning District</u>	<u>Maximum FAR</u>	<u>Maximum Height</u>
South Area Commercial (C-SA):	4	24-60 ft
General Commercial (C-1) ⁹ :	3	35-50 ft
Telegraph Avenue Commercial (C-T) : 3-3.5 <u>3-5</u>		50-65 ft
West Berkeley Commercial (C-W) ¹⁰ :	3	40-50 ft