



Berkeley City Council
Laurie Capitelli, District 5

CONSENT CALENDAR
April 7, 2015

To: Honorable Mayor and Members of the City Council
From: Councilmember Laurie Capitelli
Subject: Encouraging Economic Development and Increasing City Revenue from Business Activity- Amendment to BMC 23E.60.040

RECOMMENDATION

Extend the deadline set forth in BMC 23E.60.040 C regarding numerical limitations on food service establishments to July 31, 2019.

BACKGROUND

In 2011 the City Council approved recommendations from the Planning Commission and staff to suspend 23.60.040 until July 31, 2015. The approved suspension has allowed for many food establishments to open and bring much needed life to Solano Ave and tax revenue to the city. Though it has worked to increase the number of establishments on Solano, there are still many locations that are currently vacant. By extending the sunset of the suspension of 23E.60.040 for four years the council and the city are working to ensure business growth may continue.

The Berkeley Municipal Code currently reads as follows:

Berkeley Municipal Code 23E.60.040 Special Provisions -- Numerical Limitations

A. The following uses are subject to numerical limitations and also to the requirements of Section [23E.60.030](#):

Table 23E.60.040		
Numerical Limitations		
Use	Number limit	Type of Permit
Food Service Establishments	12	Use Permit

B. No limitation under this section shall be exceeded unless the Board issues a Use Permit and makes the findings under Section [23E.60.090](#).C.

C. The provisions of this section, [23E.60.040](#), shall be suspended until July 31, 2015.
(Ord. 7191-NS § 17, 2011: Ord. 6478-NS § 4 (part), 1999)

FINANCIAL IMPLICATIONS

Unknown

CONTACT PERSON

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