



Office of the City Manager

## REVISED AGENDA MATERIAL

**Meeting Date:** September 14, 2021

**Item Number:** 35

**Item Description:** Adoption of the Baseline Zoning Ordinance (BZO)

**Supplemental/Revision Submitted By:** Jordan Klein, 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 recommendation for adoption of the BZO requests an effective date of December 1, 2021. This time allows staff to work with the City’s code publisher after the second reading of the Ordinance to ensure a timely and accurate version of the BZO is uploaded to the City’s website, including hyperlinks and graphics. The proposed revision to the first page of the Ordinance (Attachment 1) is provided below:

Section 5. That the effective date of this Ordinance is December 1, 2021 and that the City Clerk is directed to codify an online version of the Zoning Ordinance that includes necessary technical edits, graphics, hyperlinks, and grammatical corrections.

Section 6. 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.

***Consideration of supplemental or revised agenda material is subject to approval by a two-thirds roll call 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/revised 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.

ORDINANCE NO. -N.S.

REPEALING ZONING ORDINANCE AND OFFICIAL ZONING MAP (BERKELEY MUNICIPAL CODE TITLE 23) AND ADOPTING NEW ZONING ORDINANCE AND OFFICIAL ZONING MAP

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

Section 1. That the existing Berkeley Municipal Code Title 23, including the Official Zoning Map adopted by Berkeley Municipal Code Section 23A.16.010, is repealed.

Section 2. That a new Berkeley Municipal Code Title 23 is adopted as set forth in Exhibit A.

Section 3. That the new Official Zoning Map is adopted as set forth in Exhibit B.

Section 4. That the new Official Zoning Map maintains existing boundaries, but creates two new zoning districts (University Avenue Commercial [C-U] and Corridor Commercial [C-C]) from the General Commercial (C-1) zoning district.

Section 5. That the effective date of this Ordinance is December 1, 2021 and that the City Clerk is directed to codify an online version of the Zoning Ordinance that includes necessary technical edits, graphics, hyperlinks, and grammatical corrections.

Section 6. 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.

Exhibits

A: New Baseline Zoning Ordinance (BMC Title 23)

B: New Official Zoning Maps