



Planning Commission

**FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING  
January 17, 2024**

The meeting was called to order at 6:03 p.m.

**Location:** North Berkeley Senior Center, 1901 Hearst Avenue, Berkeley, CA 94709

• **ROLL CALL:**

**Commissioners Present:** Debra Sanderson (alternate for Blaine Merker), Jeff Vincent, John E. Moore, Christina Oatfield, Elisa Mikiten, Emily Marthinsen, Alfred Twu, Kathleen Crandall (alternate for Savlan Hauser), and Barnali Ghosh.

**Commissioner Absent:** Blaine Merker (excused) and Savlan Hauser (excused).

**Staff Present:** Secretary Anne Hersch, Clerk Zoe Covello, Justin Horner, and Jordan Klein.

• **LAND ACKNOWLEDGEMENT.**

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

• **ORDER OF AGENDA:** No changes.

• **PUBLIC COMMENT PERIOD:** 2.

• **PLANNING STAFF REPORT:**

- San Pablo Avenue Specific Plan Public Open House will be held on Wednesday, January 24<sup>th</sup> at 5:30pm at the Berkeley Adult School.

**Information Items:** None.

**Communications:**

- General.

**Late Communications:**

- Supplemental 1.

• **CHAIR REPORT:**

- None.

- **COMMITTEE REPORT:** Reports by Commission committees or liaisons. In addition to the items below, additional matters may be reported at the meeting.

- The Demolition Ordinance Subcommittee met on December 20, 2023.

**8. APPROVAL OF MINUTES:**

Motion/Second/Carried (Vincent/Ghosh) to approve the Planning Commission Meeting Minutes from December 6, 2023.

Ayes: Sanderson, Vincent, Oatfield, Mikiten, Marthinsen, Twu, Crandall, and Ghosh. Noes: None. Abstain: Moore. Absent: None. (8-0-1-0)

**9. OTHER PLANNING RELATED EVENTS:**

- None.

**AGENDA ITEMS**

**10. Public Hearing: Demolition Ordinance**

Associate Planner Justin Horner presented proposed amendments to the Berkeley Municipal Code Chapter 23.326 (Demolition and Dwelling Unit Controls). The Commissioners asked staff questions, held a public hearing, took public comment, discussed the proposed ordinance language, and recommended the ordinance to City Council with revisions, and provided two additional directives to staff.

Motion/Second/Carried (Vincent/Moore) to close the public hearing at 7:13 pm.

Ayes: Sanderson, Vincent, Moore, Oatfield, Mikiten, Marthinsen, Twu, Crandall, and Ghosh. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

**Public Comments: 7**

Motion/Second/Carried (Oatfield/Mikiten) to recommend that City Council adopt staff's recommended ordinance with the following changes:

1. Revise the ordinance to reflect the two technical changes recommended by staff during the presentation;
2. Revise the ordinance to reflect Commissioner Twu's suggested edits:
  - i. In BMC Ch. 23.326.020(A)(1), specify that the term "Residential Unit" includes "any ADU on a property with two or more dwelling units", and
  - ii. In BMC Ch. 23.326.020(B)(2), add the phrase "without sitting tenants" and change the Zoning Certificate to an AUP.

The Planning Commission also directed staff to revise the ordinance to integrate Rent Board Chair Leah Simon-Weisberg's memorandum on Proposed Amendments to the Demolition Ordinance (dated January 17, 2024), and to work with the City Attorney's Office to further clarify the definition of "comparable unit", at 8:51 pm.

Ayes: Vincent, Moore, Oatfield, Mikiten, Marthinsen, Twu, and Ghosh. Noes: None. Abstain: Sanderson and Crandall. Absent: None. (7-0-2-0)

**11. Action: 2024 Nominations for Chair and Vice Chair**

Commissioners put forward nominations for the Chair and Vice Chair election.

Motions/seconds for Chair:

1. (Sanderson/Ghosh) to nominate Chair Vincent

Motions/seconds for Vice Chair:

1. (Vincent/Marthinsen) to nominate Vice Chair Ghosh

**Public Comments: 0**

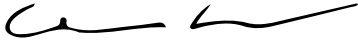
Motion/Second/Carried (Vincent/Oatfield) to adjourn the meeting at 8:56 pm.

Ayes: Sanderson, Vincent, Moore, Oatfield, Mikiten, Marthinsen, Twu, Crandall, and Ghosh. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

**Members in the public in attendance: 13**

**Public Speakers: 9**

**Length of the meeting: 2 hr 53 minutes**



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Anne Hersch  
Planning Commission Secretary