



Planning Commission

FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING December 6, 2023

The meeting was called to order at 6:02 p.m.

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

1. ROLL CALL:

Commissioners Present: Debra Sanderson (alternate for Blaine Merker), Christina Oatfield, Elisa Mikiten, Emily Marthinsen, Alfred Twu, Barnali Ghosh, Kathleen Crandall (alternate for Savlan Hauser), and Chris Lee-Egan (alternate for Jeff Vincent).

Commissioner Absent: Blaine Merker (excused), John E. Moore (excused), Savlan Hauser (excused), and Jeff Vincent (excused).

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

2. LAND ACKNOWLEDGEMENT.

Vice Chair Ghosh thanked everyone for attending in light of a difficult last few weeks. She acknowledged that it can be hard to attend a meeting, where it can feel as if there's no war going on, and that it can become more and more challenging as it feels the world is falling apart. She wanted to also acknowledge what has been happening and how it's effecting our community, and highlighted that we are a global community, so members of our city are impacted. She reminded all to take care of themselves and engage with the issue as best we can. She noted that all of this is ultimately about land, and how we are custodians of it, and how it can be shared equitably with all members of the community.

3. **ORDER OF AGENDA:** No changes.

4. **PUBLIC COMMENT PERIOD:** 1.

5. PLANNING STAFF REPORT:

- Planning Manager Anne Hersch introduced herself and shared that she will be serving as secretary for the next few meetings.
- Associate Planner Justin Horner reported out on City Council's first reading of the Southside Zoning ordinance updates
 - The second reading of will be on December 12, 2023
 - Changes will go into effect on March 1, 2024

Information Items:

- *Tuesday, November 21st* – City Council heard the first reading of an ordinance with amendments relating to the Southside Zoning Implementation Program of the 2023-2031 Housing Element Update were brought to City Council. The City Council accepted staff’s recommendation, and added provisions regarding prevailing wage for projects in the Southside, consistent with the Planning Commission’s September 15th, 2023 letter to the City Council. The City Council also referred to the City Manager related items regarding ground floor pedestrian-oriented open space, green roofs, requiring windows in bedrooms, and citywide prevailing wage requirements.
https://berkeleyca.gov/sites/default/files/documents/2023-11-14%20Item%2013%20Amendments%20to%20Berkeley%20Municipal%20Code%20Title%2023%20%28Zoning%20Ordinance%29_0.pdf
- *Upcoming: Saturday, December 9th, 10am-11pm* – The City of Berkeley will be holding a Winter Weather Preparedness Workshop at Berkeley Corporation Yard (1326 Allston Way). Attendees will be able to learn about Berkeley’s stormwater infrastructure and provide feedback on the 2024 Local Hazard Mitigation Plan:
<https://berkeleyca.gov/community-recreation/events/hello-winter-weather-preparedness-workshop-strawberry-creek-park>

Communications:

- General.

Late Communications:

- Supplemental Packet One.
- Supplemental Packet Two.

6. CHAIR REPORT:

- None.

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

- None.

8. APPROVAL OF MINUTES:

Motion/Second/Carried (Mikiten/Marthinsen) to approve the Planning Commission Meeting Minutes from November 1, 2023.

Ayes: Oatfield, Mikiten, Marthinsen, Twu, and Ghosh. Noes: None. Abstain: Sanderson, Lee-Egan, and Crandall. Absent: Moore. (5-0-3-1)

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) to the Commissioners. The Commissioners asked staff questions, held a public hearing, then discussed the proposed ordinance language, before ultimately determining that a subcommittee should be formed to work with staff on further fleshing out the ordinance before passing it to City Council.

Motion/Second/Carried (Ghosh/Sanderson) to close the public hearing at 6:59pm.

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

Public Comments: 5

Motion/Second/Failed (Oatfield/Mikiten) to recommend the ordinance to City Council as proposed by staff and direct staff to consider integrating comments 1 and 3 in the supplemental communication brought by Commissioner Mikiten (in Supplemental Packet 2) at 8:24pm.

Ayes: Oatfield and Twu. Noes: Sanderson, Lee-Egan, Marthinsen, Crandall, and Ghosh. Abstain: Mikiten. Absent: Moore. (2-5-1-1)

Motion/Second/Failed (Twu/Mikiten) to recommend the portion of the ordinance to City Council that addresses multi-family (2+ units) demolitions, and for staff to incorporate comments 1 and 3 in the supplemental communication brought by Commissioner Mikiten (in Supplemental Packet 2) to City Council at 8:32pm.

Ayes: Lee-Egan and Twu. Noes: Sanderson, Oatfield, Mikiten, Marthinsen, Crandall, and Ghosh. Abstain: None. Absent: Moore. (2-6-0-1)

Substitute Motion/Second/Failed (Twu/Lee-Egan) to recommend the portion of the ordinance to City Council that addresses multi-family (5+ units) demolitions at 8:40pm.

Ayes: Twu. Noes: Sanderson, Oatfield, Marthinsen, Crandall, and Ghosh. Abstain: Lee-Egan and Mikiten. Absent: Moore. (1-5-2-1)

Motion/Second/Carried (Ghosh/Mikiten) to recommend that the Commission make a subcommittee comprised of Commissioner Mikiten, Commissioner Oatfield, Commissioner Marthinsen, and Commissioner Twu to work with staff to edit the demolition ordinance into three categories:

1. The demolition of existing multi-family housing;
2. The demolition of single-family housing; and
3. The demolition of owner-occupied ADUs,

before returning to Planning Commission with a revised ordinance at 8:47pm.

Ayes: Sanderson, Lee-Egan, Mikiten, Marthinsen, Twu, Crandall, and Ghosh. Noes: None.
Abstain: Oatfield. Absent: Moore. (7-0-1-1)

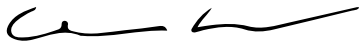
Motion/Second/Carried (Oatfield/Mikiten) to adjourn the meeting at 8:49pm.

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

Members in the public in attendance: 7

Public Speakers: 6

Length of the meeting: 2 hr 47 minutes



Anne Hersch
Planning Commission Secretary