

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
NOVEMBER 13, 2002**

1 **ROLL CALL**

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3 Time: The meeting was called to order at 7:05.

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5 Location: North Berkeley Senior Center.

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7 Commissioners Present: Bronstein, Curl, Pollack, Poschman, Tabb, Wozniak, Wrenn.

8 Commissioners Absent: Wengraf.

9 Staff Present: Barrett, Diamond, Grimes, Homrighausen, Napolitan, and City Manager

10 Rucker.

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12 **ORDER OF AGENDA**

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14 Information item 14 was moved to action.

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16 **PUBLIC COMMENT PERIOD**

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18 None

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20 **CHAIRPERSON'S REPORT**

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22 No report.

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24 **COMMITTEE REPORTS**

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26 Commissioner Poschman reported on the General Plan sub-committee's progress on the
27 General Plan revisions. He stated that an updated version of the General Plan may be
28 available at the December 11th meeting of the Planning Commission.

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30 Commissioner Poschman also reported on a recent meeting between the General Plan
31 sub-committee of the Planning Commission and the Housing Element sub-committee of
32 the Housing Advisory Commission to discuss the Housing Element.

33
34 **PLANNING DIRECTOR'S REPORT**

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36 Planning Director Barrett reported on the following items:

37
38 The Five Year Cultural Plan

39 Recent City Council actions:

40 The adoption of the first reading of the ordinance on the expansion of non
41 conforming uses. The second reading will be held on December 19th.

42 Approval of funding for the Heart of the City study

43 An upcoming public hearing to discuss the rezoning of residential districts to allow the
44 operation of Bed and Breakfast Inns.

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47 **APPROVAL OF MINUTES**

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49 M/S/C to approve the October 23rd minutes with changes (Poschman/Wrenn). Ayes:
50 Bronstein, Curl, Pollack, Poschman, Wozniak, Wrenn. Noes: None. Abstentions: Tabb.
51 Absent: Wengraf.

52

53 **FUTURE PLANNING COMMISSION AGENDA ITEMS AND OTHER**
54 **PLANNING-RELATED EVENTS**

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56 Staff Barrett noted that items 11 and 12 were not available.

57

58 Commissioner Poschman stated that he would provide the Planning Commission with a
59 draft report on the Nasty Fence Ordinance at the November 20th meeting.

60

61 **COUNCIL REFERRAL ON EVALUATION OF THE FEE STRUCTURE FOR**
62 **ZONING APPEALS**

63

64 Staff Barrett gave an overview of a council item proposing a revised fee structure for
65 appeals based on the appellant's distance from the project. Staff Barrett recommended
66 that the fee structure not be based on this criteria, and that the overall fee schedule can be
67 reviewed in the city wide fee review.

68

69 **CONTINUED PUBLIC HEARING ON DRAFT ZONING AMENDMENTS RE:**
70 **DOWNTOWN COMMERCIAL DISTRICT REGULATIONS**

71

72 Staff Diamond gave a brief report on the proposed Downtown Commercial District
73 regulations. She reviewed specific points within the proposed regulations which had
74 been revised based on the feedback from the public hearing at the October 23rd meeting
75 of the Planning Commission. Staff Diamond also stated that she would like input from
76 the Planning Commission on the implementation of Car Free Housing.

77

78 Several commissioners expressed concerns regarding the occupancy of the arts bonus
79 space and the possibility that it might be held vacant by the owner and that refinements
80 be made to the draft so that the owner could not rent out the bonus space until the arts
81 space is occupied.

82

83 Staff expressed concerns that denying occupancy of a building until the arts space was
84 filled would discourage developers from taking advantage of the Arts Density Bonus.

85

86 **CONTINUED DISCUSSION OF REORGANIZATION PROPOSAL FOR THE**
87 **PLANNING DEPARTMENT FROM THE DIRECTOR OF PLANNING AND**
88 **DEVELOPMENT**

89

90 Planning Director Barrett gave a brief overview of the revised reorganization proposal for
91 the Planning Department. She stated specific points within the proposal that were added
92 in response to concerns raised by the Planning Commission at the October 23rd meeting.

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93

94 Commissioners expressed their concern that the reorganization of current planning and
95 advance planning into one division might result in a shortage of staff to cover the needs
96 of advance planning, and that there was no guarantee that the current number of advance
97 planning staff would be maintained once the two divisions were combined.

98

99 M/S/C to state to the City Council the Planning Commission's concern that the
100 reorganization of Current Planning and Advance Planning into one division will result in
101 a shortage of staff which is needed to implement the agenda of the Planning Commission.
102 (Poschman/Curl). Ayes: Bronstein, Curl, Poschman, Tabb, Wozniak, Wrenn. Noes:
103 None. Abstentions: Pollack. Absent: Wengraf.

104

105 **SET PUBLIC HEARING ON A DRAFT ZONING AMENDMENT TO ADD A**
106 **SECTION TO PERMIT THE SUMMARY DENIAL OF APPLICATIONS TO**
107 **LEGALIZE PUBLIC NUISANCES THAT THE CITY HAS ALREADY**
108 **ORDERED ABATED**

109

110 M/S/C to hold the public hearing at the December 11th meeting of the Planning
111 Commission. (Poschman/Wrenn). Ayes: Bronstein, Curl, Pollack, Poschman, Tabb,
112 Wozniak, Wrenn. Noes: None. Abstentions: None. Absent: Wengraf.

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114 **ADJOURNMENT**

115

116 Meeting was adjourned at 09:30.

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