



Planning Commission

REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, May 28, 2003

North Berkeley Senior Center

7:00 PM

1901 Hearst Avenue

AGENDA

1. *Roll Call*
2. *Order of Agenda*
3. *Public Comment Period:* Speakers are customarily allotted up to three minutes each. Speakers are encouraged to submit more extensive comments in writing. To ensure adequate time for action items on the Agenda, the Planning Commission may limit the number of public speakers during the public comment period.
4. *Chairperson's Report:* Report by Commission Chair.
5. *Committee Reports:* Reports by Commission committees or liaisons.
6. *Planning Director's Report:* Report on upcoming planning issues and recent Council actions.
7. *Approval of Minutes:* Approved minutes of April 23, 2003; Draft minutes of May 14, 2003 (copies for commissioners only).
8. *Future Planning Commission Agenda Items and Other Planning-Related Events* (copy attached).

Action Items: Matters for discussion and possible action.

9. **Public Hearing** Proposed amendment to the zoning ordinance to prohibit the use of dangerous and/or sharp material in or on top of fences in residential districts and amortize such existing structures (report to be delivered).
10. MU-LI Subcommittee report and recommendations – discussion continued from April 23, 2003 (Report in the packet for the March 26th meeting; other information materials distributed on April 9 and April 23)
 - a. Worksheet/Matrix for MULI Subcommittee Recommendations from Gene Poschman
 - b. CB Richard Ellis Report on Industrial Market, First quarter 2003 (from John Curl)
 - c. CB Richard Ellis Report on Office Market, First quarter 2003 (from John Curl)
 - d. Memo from Harry Pollack concerning the MU-LI Subcommittee Report, dated May 20, 2003
11. Discussion of Proposed Amendments to the Zoning Ordinance to Accommodate Accessory Dwelling Units and Make Amendments Consistent with Revisions to Government Code §65852.2, Including Allowing

Accessory Dwelling Units by Right in the R-1, R-1A, R-2, R-2A, R-3, R-4, and R-5 Residential Districts; and Making Accessory Dwelling Units a Prohibited Use in the ES-R Zone (previously discussed May 14, 2003; staff memo attached).

Information Items: Action may be taken on any information report at this meeting if any Commissioner requests its placement on the agenda as an action item.

12. Draft Revisions to the Commissioners' Manual

- a. E-mail from Grace Maquire, May 5, 2003 transmitting the revisions
- b. Revisions to Commissioners' Manual
- c. Copy of April 14, 2003 memo referenced in e-mail
- d. List of proposed changes and page numbers where changes begin

13. **Communications:** In compliance with Brown Act regulations, no action may be taken on these items. However, discussion may occur at this meeting upon a Commissioner request.

Alternative Energy Resources Portfolios Memo and Attachments from City Manager, dated April 11, 2003

Letter from Ted Edlin regarding 2nd units dated May 17, 2003

Memo on Certification of Berkeley's Housing Element by the California Department of Housing and Community Development from City Manager to Mayor and Council, May 13, 2003

E-mail from Jim Delaney concerning New State Law: 2nd Units, dated May 21, 2003

Outstanding Zoning Amendment List, from Planning Manager Mark Rhoades, dated 3/13/03

OOO

Please refrain from wearing scented products to public meetings.

Written material may be viewed in advance of the meeting at the Planning and Development Department, 2118 Milvia Street, Third Floor, during working hours or at the Main Branch Library, Shattuck/Kittredge Streets, during regular library hours at the Reference Desk.

Accommodations Provided Upon Request. To request meeting materials in large print, Braille, or on cassette, or to request a sign language interpreter, assistive-listening device, real-time captioning or other accommodation for the meeting, call 705-8116 (voice) or 981-6903 (TDD). Providing at least five working days' notice will help to ensure availability at the meeting.

Note: If you object to a project or to any City action or procedure relating to the project application, any lawsuit which you may later file may be limited to those issues raised by you or someone else in the public hearing on the project, or in written communication delivered at or prior to the public hearing. The time limit within which to commence any lawsuit or legal challenge related to these applications is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-judicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.