



Planning Commission

To: Creeks Task Force
From: Carli Paine, Secretary to the Planning Commission
Subject: Planning Commission Recommendation for Creeks Ordinance Revisions
Date: May 17, 2006

On May 10, 2006, the Planning Commission approved the following motions (which are draft until the minutes are approved on May 24, 2006):

The Planning Commission commends the work and supports the recommendations of the Creeks Task Force although not all commissioners agree with all Creeks Task Force recommendations. The Planning Commission requests that if the City Council accepts the Task Force recommendations and the City Manager is requested to prepare specific revisions to the Creeks Ordinance, that the revised ordinance reflect the following:

1. The term “creek” be more carefully defined.
2. Findings required to obtain use permits for changes and additions to existing structures be clearly defined and less onerous.
3. Consider reducing the circumstances where environmental evaluations are required and their scope. The Planning Commission has concern about the scope of the mitigations.
4. In one or more places where a variance would be required by the Creeks Task Force, a Use Permit may be more appropriate.
5. Final language describing required environmental assessments should avoid triggering required CEQA compliance.
6. Include language that recognizes that the Department of Public Works requires flexibility when reviewing proposed walls, drains, bulkheads, riprap, etc. in order to protect private property as well as stream quality.
7. Levels of environmental assessment that would place unreasonable burden on applicants requesting permits for minor additions to buildings and decks should be identified and avoided.
8. Rebuilding as a matter of right should be permitted, as long as the original footprint, elevation, location, and envelope are honored.

(Pollack/Wengraf) Ayes: Samuels, Gurley, Wengraf, Stoloff, Pollack, DeStaebler. Noes: Sheen, Poschman. Abstain: Burke. Absent: None.

M/S/C to attach to the Planning Commission’s recommendation the Neighbors on Urban Creeks position and the comments from individual Planning Commissioners as documents of interest. (Poschman/Samuels). Ayes: Samuels, Gurley, Wengraf, Stoloff, Pollack, DeStaebler, Sheen, Poschman, Burke. Noes: None. Abstain: None. Absent: None.

Planning Commission Recommendation: Creeks Ordinance

Attachments: Individual comments from Planning Commissioners on the CTF recommendations (cover memo dated May 10, 2006); Memo from Neighbors on Urban Creeks to Planning Commission, dated May 10, 2006