



Sahar Shirazi, Chair
Vince Sugrue, Vice-Chair
Jonathan Fearn
Jennifer Renk
Alex Randolph
Josie Ahrens
Natalie Sandoval

November 1, 2023
REGULAR Meeting

BUSINESS MEETING

3:00 PM

Via: In-person

MEETING CALL TO ORDER

Chair Shirazi

WELCOME BY THE CHAIR

Chair Shirazi

ROLL CALL

Haneefah Rasheed

Commissioners Present:

Sahar Shirazi, Vince Sugrue, Jennifer Renk, Jonathan Fearn, Alex Randolph, Josie Ahrens

Commissioner(s) Absent: Natalie Sandoval

Staff Present: Catherine Payne, Haneefah Rasheed, Stephanie Skelton, Edward Manasse, Laura Kaminski, Daniel Findley, Brian Mulry

SECRETARY RULES OF CONDUCT Catherine Payne

SECRETARY MATTERS n/a

COMMISSION BUSINESS

- Agenda Discussion Catherine Payne introduced the 2024 meeting calendar
- Director’s Report none
- Informational Reports none
- Committee Reports none
- Commission Matters none
- City Attorney’s Report none

• **OPEN FORUM**

At this time members of the public may speak on any item of interest within the Commission’s jurisdiction. At the discretion of the Chair, speakers are generally limited to two minutes or less if there are six (6) or less speakers on an item, and one minute or less if there are more than six (6) speakers.

PUBLIC SPEAKER(S): Christopher Seaver

CONSENT CALENDAR

The Commission will take a single roll call vote on all of the items listed below in this section. The vote will be on approval of the staff report and recommendation in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

PUBLIC HEARINGS

The hearing provides opportunity for all concerned persons to speak; the hearing will normally be closed after all testimony has been heard. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the public hearing.

The Commission will then vote on the matter based on the staff report and recommendation. If the Commission does not follow the staff recommendation and no alternate findings for decision have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision.

#1	Location:	Citywide
	Assessor's Parcel Number(s):	NA
	Proposal:	Amend the Planning Code to update Chapter 17.10 to incorporate "Family Daycare Homes" as a Permanent Residential Activity and to bring the Code up to date with current state law requirements. The Planning Code amendments incorporate changes mandated by the newly adopted state law SB 234. Amend the Planning Code to revise Chapter 17.10 - Semi-Transient Residential Activities for stays less than 30 days to only be occupied by renters as their primary residence, and not for tourist uses. Amend Planning Code to clean up various items related to the General Plan Update - Phase I Planning Code package update.
	Applicant:	City of Oakland
	Contact Person/ Phone Number:	NA
	Owner:	NA
	Case File Number:	ZA23008
	Planning Permits Required:	Oakland Planning Code Amendments
	General Plan:	All General Plan Designations
	Zoning:	All Zones
	Proposed Environmental Determination:	The proposed amendments to the Planning Code rely on the certified Oakland 2045 General Plan Update - Phase 1 Environmental Impact Report. This proposal is also categorically exempt from CEQA pursuant to Sections 15061(b)(3) (general rule, no significant effect on the environment) and 15183 (projects consistent with General Plan and Zoning) of the CEQA Guidelines.
	Historic Status:	N/A
	City Council District:	All Districts
	Finality of Decision:	Planning Commission will receive public comment, discuss, and make recommendation to City Council.

For Further Information:	Contact Case Planner Michelle Matranga at (510) 238-3550 or by email at mmatranga@oaklandca.gov
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If you wish to be notified on the decision of an agenda item, please contact the case planner for the specific agenda item.

Case Planner Catherine Payne introduced the agenda item.

Applicant Michelle Matranga gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

Public Speakers: • None

Motion by Commissioner Fearn to:

1. Affirm staff’s environmental determination.
2. Recommend that the City Council approve the proposed Planning Code amendments to Chapter 17.10 as well as amendments of various clean up items related to the General Plan update Phase I Planning Code amendment package as provided in Attachments A and B to the Planning Commission staff report.

Seconded by Commissioner Renk

Action: 6 Ayes, 0 Noes

#2	Location:	City-owned parcels and the areas within 100 feet of the edge of roadsides located within the City’s Very High Fire Severity Zone (VHFHSZ) as designated by CAL FIRE, and also defined in Section 4904.3 of the Oakland Fire Code (Oakland Municipal Code Chapter 15.12). The Revised Draft Vegetation Management Plan (Revised Draft VMP) area includes: 419 City-owned parcels, ranging in size from <0.1 acres to 235 acres and totaling 1,924 acres; and roadside areas along 308 miles of roadway within the City’s VHFHSZ, which includes surface and arterial streets, State Routes 13 and 24, and Interstate 580. The parks, recreational and open space areas discussed in the Oakland Vegetation Management Plan are as follows: Beaconsfield Canyon, Garber Park, Dimond Canyon Park, Shepherd Canyon Park, Leona Heights Park, North Oakland Regional Sports Complex, Grizzly Peak Open Space, City Stables, Sheffield Village Open Space, Knowland Park and Arboretum, Joaquin Miller Park, Tunnel Road Open Space, Marjorie Saunders Park, and Oak Knoll.
	Proposal:	Conduct a public hearing so members of the public may provide, and the Planning Commission may receive, provide and solicit comments on the Recirculated Draft Environmental Impact Report (Recirculated DEIR) for the Revised Draft VMP.
	Applicant:	City of Oakland
	Contact Person/ Phone Number:	Michael Hunt, Oakland Fire Department / (510) 238-6353
	Owner:	City of Oakland
	Case File Number:	ER23007
	General Plan:	Open Space, Conservation and Recreation (OSCAR) Element

	Urban Park; Resource Conservation Area Land Use and Transportation Element (LUTE) Local Streets; Collector Streets; Arterial Streets; and Freeways
Zoning:	OS (LP), OS (NP), OS (RSP), OS (RCA), OS (AF), OS (AMP), OS (SU)
Proposed Environmental Determination:	The Recirculated DEIR for the Revised Vegetation Management Plan was published (SCH Number 2019110002) on September 20, 2023. The 45-day public review/comment period began on September 20, 2023 and will end on November 4, 2023 at 5:00 PM.
Historic Status:	9 Landmarks; 1 Area of Primary Importance (API); 18 Areas of Secondary Importance (ASI)
City Council District:	1, 4, 6, and 7
Status:	The first Draft VMP was released on November 1, 2019. A scoping session for the first Draft Environmental Impact Report (prior 2020 DEIR) was conducted by the Planning Commission on November 20, 2019. The prior 2020 DEIR was prepared for the first Draft VMP and circulated for public review in November 2020. In addition to comments received during the prior 2020 DEIR public review period, the Oakland Fire Department (OFD) received additional comments on the first Draft VMP from City representatives and the public. Since then, OFD revised the first Draft VMP further to address this additional feedback. The City has prepared the Recirculated DEIR to evaluate the environmental impacts of changes made to the Revised Draft VMP. The City of Oakland is soliciting comments on the Recirculated DEIR during a 45-day comment period that began on September 20, 2023 and ends on November 4, 2023 at 5:00 p.m.
Action to be Taken:	Receive public and Planning Commission comments on the Recirculated DEIR. No decisions will be made on the project at this hearing.
For Further Information:	Contact Oakland Fire Department Chief of Staff Michael Hunt at (510) 238-6353 or by email at mhunt@oaklandca.gov

Case Planner Catherine Payne introduced the agenda item.

Oakland Fire Department staff Michael Hunt gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

Public Speakers: • Cynthia Harrison Barbera, Elizabeth Stage, Richard Buckingham, Kenneth L. Benson

The comment period has been extended to:

- 1) Provide comments to staff on the DEIR and Draft VMP
- 2) Close the public hearing with respect to the receipt of oral comments; written comments on the DEIR will be accepted until November 6, 2023, at 5 PM.

APPEALS

The Commission will take testimony on each appeal. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, to the public hearing; provided, however, such issues were previously raised in the appeal itself.

Following the testimony, the Commission will vote on the staff report and recommendation. If the Commission reverses/overturns the staff decision and no alternate findings for decisions have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision. Unless otherwise noted, the decisions in the following matters are final and not administratively appealable. Any party seeking to challenge these decisions in court must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

COMMISSION BUSINESS

- Approval of Minutes _____ October 18, 2023
Motion to approve: Commissioner Randolph
Seconded by: Vice-Chair Sugrue
Action: 6 Ayes, 0 Noes
- Correspondence none
- City Council Actions none

ADJOURNMENT

Chair Shirazi at 4:05 pm



CATHERINE PAYNE
Development Planning Manager
Planning and Building Department

NEXT REGULAR MEETING: November 15, 2023