



Oakland City Planning Commission

AGENDA

Amanda Monchamp, Chair
Tom Limon, Vice-Chair
Jonathan Fearn
Nischit Hegde
Clark Manus
Sahar Shirazi

June 24, 2020
SPECIAL Meeting

BUSINESS MEETING

3:00 PM

**Via: Tele-
Conference**

PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER 4-29-20, ALL MEMBERS OF THE PLANNING COMMISSION, CITY ATTORNEY AND PLANNING BUREAU PERSONNEL WILL JOIN THE MEETING VIA PHONE/VIDEO CONFERENCE AND NO TELECONFERENCE LOCATIONS ARE REQUIRED.

The following are instructions on how the public may observe and/or participate in the Oakland City Planning Commission meeting:

OBSERVE BY: The public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10 * or via the city's website stream

To observe the meeting by video conference, please click on this link:

You are invited to a Zoom webinar.

When: Jun 24, 2020 03:00 PM Pacific Time (US and Canada)

Topic: June 24, 2020 Planning Commission Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/95701866915>

Or iPhone one-tap :

US: +16699006833,,95701866915# or +14086380968,,95701866915#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253 215 8782
or +1 301 715 8592 or +1 312 626 6799 or +1 646 876 9923

Webinar ID: 957 0186 6915

International numbers available: <https://zoom.us/u/ad2tGEKxl>

Instructions on how to join a meeting by video conference is available at:
<https://support.zoom.us/hc/en-us/articles/201362193> Joining-a-Meeting



HOW TO COMMENT ON A PUBLIC MEETING:

Public comments will be taken at the time of the eligible Agenda item

If you are a Zoom video Conference participant To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar.

If you are a phone participant To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “*9” to request to speak when Public Comment is being taken on a eligible agenda Item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> - Joining-a-meeting-by-phone. If you have any questions, please email Desmona R. Armstrong at Drarmstrong@oaklandca.gov

• **IMPORTANT THINGS TO REMEMBER DURING YOUR PUBLIC COMMENT PERIOD**

1. **ALL ATTENDEES SHALL BE MUTED UPON ENTRY**
2. Please do not raise your hand if the item currently being heard is not the item you wish to speak on. We will call for public testimony on each item individually. When the item you’re interested in is being called and public speakers are invited to raise their hands, raise yours then and we will call them all in the order they’re raised.
3. You may of course speak on multiple items but your comments during each item must address the item currently under discussion. Speakers attempting to speak about items other than the item currently under consideration will be muted and asked to wait for the item they’re here to speak about to be called.

HOW TO ADDRESS THE PLANNING COMMISSION

- Please work with the case planner listed for each item prior to the meeting regarding items that may be continued. Any agenda item may be continued without the hearing on the matter being opened, or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.
- Staff reports are available online, generally by 5:00 p.m. the Friday before the meeting, at www.oaklandca.gov (under “Planning Commission.”) You will need to ensure that your computer will accept pop-ups from the host site (oaklandca.gov) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please email Desmona Armstrong at Drarmstrong@oaklandca.gov.
- If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City



Council 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. If you wish to be notified of the decision of any of these cases, please provide the case planner with a regular mail or email address.

- Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or descriptions may change prior to a decision being made.
- Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Desmona Armstrong at Drarmstrong@oaklandca.gov or 510-238-6343 at least **48 hours** prior to the meeting. We are unable to accommodate late material at this time.
- Interested parties are encouraged to submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item. To allow for distribution to the Commission, staff, and the public, comments must be provided electronically prior to the meeting being started.

MEETING CALL TO ORDER

ROLL CALL

WELCOME BY THE CHAIR

COMMISSION BUSINESS

- Agenda Discussion
- Director's Report
- Committee Reports
- Commission Matters
- City Attorney's Report

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.

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.

If you wish to be notified on the decision of an agenda item, please indicate the case number and submit a self-addressed stamped envelope, for each case.



1.	Location:	Citywide
	Proposal:	The proposal is to suspend Planning Code regulations related to sidewalk cafes and required off-street parking for retail and restaurant uses. The proposal would add Planning Code section 17.07.060(B) and O.M.C. Section 12.08.250 to create a streamlined and affordable administrative process whereby the applicant may apply for an over-the-counter permit with Department of Transportation without requiring Planning approvals. The streamlined process will help facilitate the use of private parking lots and rights-of-ways, including sidewalks and parklets, for Oakland businesses to expand outdoor dining, retail, and other uses into these areas. This proposal furthers the public health, safety, and welfare by helping our local businesses comply with state and local social distancing requirements, while also helping to protect the health of Oakland residents and visitors. Given the urgent need for these code changes to protect the public health, safety and welfare, staff plans to bring this as an emergency ordinance at the June 30, 2020 City Council meeting.
	Applicant:	City of Oakland
	Planning Code Amendments Required:	Planning Code Amendment to add Oakland Planning Code Section 17.07.060(B); modify Oakland Planning Code Section 17.103.090 (Sidewalk Cafés), and Oakland Planning Code, Section 17.116.080 (Off-street parking—Commercial Activities)
	General Plan:	Various
	Zoning:	Various
	Environmental Determination:	Public Resources Code Section. 21080(b)(4); CEQA Guidelines Section 15269(b)(c), Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operations); and Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	City Council district	All
	Staff Recommendation	Based on Staff Report
	Finality of Decision:	This action is a recommendation to City Council
	For further information:	Please contact Ed Manasse at (510)238-7733 or at emanasse@oaklandca.gov

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
- Correspondence
- City Council Actions

ADJOURNMENT By 7:30 P.M. unless a later time is agreed upon by a majority of Commissioners present.

ROBERT D. MERKAMP
Zoning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: July 1, 2020