



# Oakland City Planning Commission

## MINUTES

*Jonathan Fearn, Chair*  
*Sahar Shirazi, Vice-Chair*  
*Clark Manus*  
*Tom Limon*  
*Vince Sugrue*  
*Jennifer Renk*  
*Ron Jones*

**September 21, 2022**

SPECIAL Meeting

### **BUSINESS MEETING**

**3:00 PM**

**Via: Tele-Conference**

*PURSUANT TO THE CALIFORNIA GOVERNMENT CODE, SECTION 54953(e), ALL MEMBERS OF THE PLANNING COMMISSION, BOARD MEMBERS/COMMISSIONERS, CITY ATTORNEY, AS WELL AS CITY STAFF, WILL PARTICIPATE VIA PHONE/VIDEO CONFERENCE AND NO TELECONFERENCE LOCATIONS ARE REQUIRED.*

### **MEETING CALL TO ORDER**

Chair Fearn

### **WELCOME BY THE CHAIR**

Chair Fearn

### **ROLL CALL**

#### **Commissioners Present:**

Ron Jones, Sahar Shirazi, Vince Sugrue, Jennifer Renk, Tom Limon, Jonathan Fearn, Clark Manus

(Commissioner Shirazi arrived at 3:03pm after Roll Call)

#### **Commissioner(s) Absent:** none

**Staff Present:** Catherine Payne, Deb French, Stephanie Skelton, Michael Branson, Lakshmi Rajagopalan, Laura Kaminski, Diana Perez-Domencich, Daniel Findley, Khalilha Haynes

### **SECRETARY RULES OF CONDUCT**

Catherine Payne

#### **SECRETARY MATTERS -**

none

### **COMMISSION BUSINESS**

- Agenda Discussion Secretary Payne – Reminder that elections did occur during the last Planning Commission Meeting and welcome to Commissioner Fearn as the new Chair and Commissioner Shirazi as the new Vice-Chair.
- Director's Report none
- Informational Reports none
- Committee Reports Commissioner Shirazi reported at the last Planning Commission meeting that the that the Zoning Update Committee (ZUC) met on August 24, 2022. Item was continued to a Thursday, September 29, 2022 Zoning Update Committee Meeting date, however, staff has requested that the meeting be postponed to a date uncertain to allow staff to respond to comments.

- Commission Matters
  - Commissioner Sugrue reported that the Commission has received much correspondence on the CCA project and would like to know status of when it will come to Planning Commission
    - Secretary Payne reported that the project Draft Design Guidelines did go to the Landmarks Preservation Advisory Board on September 12, 2022 and an LPAB subcommittee has been created to review the Draft Guidelines. Staff will then report out to the Design Review Committee. It would then go to the Planning Commission in the future.
    - Commissioner Sugrue asked is there is a date set for the subcommittee meeting and if it is open to the public
      - Secretary Payne noted that the subcommittee is open to the public (not noticed) and it has not yet been scheduled.
  - Commissioner Shirazi asked for status on the Billboard Ordinance
    - Secretary Payne noted that staff is working on it
    - Planner Laura Kaminski noted that staff is working on code and the item is tentatively scheduled for the October 19, 2022 Planning Commission Meeting
      - Commissioner Shirazi asked if the item will need to go back to the ZUC
        - Planner Kaminski responded that the item did go to the ZUC twice and will go directly to the Planning Commission.
  - Commissioner Manus added to Commissioner Sugrue's as to the volume of correspondence received for the CCA project and was worried about new delays that may hinder its progress
    - Secretary Payne responded that the volume of correspondence is recognized and that staff is also eager to move item.
  - Chair Fearn announced that Planning Commission Committee assignments will stay as is until new members have been approved by City Council.

## 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 SPEAKERS:** • Assata Olugbala • Don Hokett

## 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.

<b>#1</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Assessor's Parcel Number:</b>	N/A
	<b>Proposal:</b>	Renew The Adoption of a Resolution Determining that Conducting In-Person Meetings of the Planning Commission And Its Committees Would Present Imminent Risks to Attendees' Health, And Electing to Continue Conducting Meetings Using Teleconferencing In Accordance With City Planning Commission Resolution, dated October 6, 2021, to Allow Continuation of Planning Commission Meetings.

<b>Applicant:</b>	Catherine Payne, Secretary to the Planning Commission
<b>Phone Number:</b>	(510) 915-0577
<b>Owner:</b>	NA
<b>Case File Number:</b>	NA
<b>Planning Permits Required:</b>	Renew the adoption of Resolution Pursuant to AB-361
<b>General Plan:</b>	NA
<b>Zoning:</b>	NA
<b>Environmental Determination:</b>	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
<b>Historic Status:</b>	NA
<b>City Council District:</b>	NA
<b>Status:</b>	NA
<b>Staff Recommendation:</b>	Receive public testimony and consider renewing the adoption of Resolution.
<b>Finality of Decision:</b>	Decision Final.
<b>For further information:</b>	Contact case planner <b>Catherine Payne</b> at (510) 915-0577 or by e-mail at <a href="mailto:cpayne@oaklandca.gov">cpayne@oaklandca.gov</a>

Secretary Catherine Payne gave a description of the Consent Calendar Proposal

**Public Speakers** – • Naomi Schiff • Assata Olugbala

**Motion to approve by:** Commissioner Manus

**Seconded by:** Commissioner Sugrue

**Action:** 7 Ayes, 0 Noes

## 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 contact the Case Planner for the specific agenda item.

<b>#2</b>	<b>Location:</b>	Citywide
	<b>Proposal:</b>	The City of Oakland (City) is undertaking an update of its General Plan – its “constitution for development”. The current General Plan was adopted over 20 years ago, and the City and the broader context have changed dramatically since. The 2045 General Plan Update (GPU) is an opportunity for all Oaklanders to work together to create a visionary blueprint for the future of the City over the next two decades. As a start, the City must acknowledge the burden of past practices on today’s Oakland, particularly on communities of color. This is an opportunity to begin the work to eliminate the root causes of inequity and undo the harms of the past.

	<p>The 2045 GPU is being undertaken in two phases. Phase 1 focuses on the Housing Element and Safety Element update, as well as the preparation of a new Environmental Justice Element, Industrial Lands Policy, Environmental Impact Report, and zoning code and map update. Phase 1 is slated to be completed by early 2023.</p> <p>Phase 2 will update the Land Use and Transportation Element (LUTE); Estuary Policy Plan (the Land Use Element for much of the land below Interstate 880 along the Oakland Estuary); Open Space, Conservation and Recreation (OSCAR) Element; Noise Element; and preparation of a new Infrastructure and Facilities Element. Phase 2 of the General Plan Update is slated to be completed in 2025. A Racial Equity Impact Analysis (REIA) conducted before and during the General Plan Update process will help ensure that policies, programs, and actions will prioritize historically marginalized communities and maximize equitable outcomes.</p> <p>This informational report provides the relevant background information on the 2045 GPU process on the Environmental Justice (EJ) Element, Safety Element Update, and vision for Oakland's industrial growth. It also summarizes EJ and Safety Element requirements from the State, outlines key environmental justice and safety issues in Oakland and provides updates on ongoing community engagement.</p>
<b>Applicant:</b>	City of Oakland
<b>Case File Numbers:</b>	GP21002; GP21002-ER01
<b>General Plan:</b>	Citywide
<b>Zoning:</b>	Citywide
<b>Environmental Determination:</b>	An Environmental Impact Report will be prepared as part of the General Plan Update.
<b>City Council District:</b>	All districts
<b>Staff Recommendation:</b>	Receive Public Comments and Provide Feedback to Staff On Key Goals Needed To Address Environmental Justice Issues, Advance Equitable Processes For Integrating Climate Resilience And Public Safety Strategies And Inform The Vision For Oakland's Industrial Growth.
<b>Finality of Decision</b>	N/A
<b>For Further Information:</b>	<p>Contact Project Manager <b>Lakshmi Rajagopalan</b> at <b>510-238-6751</b> or <a href="mailto:lrjagopalan@oaklandca.gov">lrjagopalan@oaklandca.gov</a></p> <p>Project Email Address: <a href="mailto:generalplan@oaklandca.gov">generalplan@oaklandca.gov</a></p> <p>Project Website: <a href="https://www.oaklandca.gov/topics/general-plan-update">https://www.oaklandca.gov/topics/general-plan-update</a></p>

**Case Planners Lakshmi Rajagopalan, Daniel Findley, Diana Perez-Domencich, Khalilha Haynes** gave a verbal and visual presentation of the project

Commissioners provided questions and comments regarding item.

**Public Speakers:** • Assata Olugbala • Misty Cross

**Motion by Commissioner Manus** made a motion acknowledging:

The Planning Commission Conducted A Study Session And Received An Informational Report As Follows: (A) Environmental Justice Element Requirements and Key Environmental Justice Issues in Oakland; (B) Safety Element Framework and Key Safety Issues in Oakland; (C) Key Opportunities and Challenges Facing Oakland's Industrial Economy; And (D) Receive Public Comments and Provide Feedback to Staff On Key Goals Needed To Address Environmental Justice Issues, Advance Equitable Processes For Integrating Climate Resilience And Public Safety Strategies, And Inform The Vision For Oakland's Industrial Growth.

**Seconded by Commissioner Renk**

**Action:** 7 Ayes, 0 Noes.

**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

**Date:** September 7, 2022

**Motion to approve:** Commissioner Sugrue

**Seconded by:** Commissioner Limon

**Action:** 7 Ayes, 0 Noes

- Correspondence no correspondence to Commission on specific current agenda items. Secretary Payne noted that the Commission and Staff have received significant correspondence regarding the CCA Project.
- City Council Actions none specific.
  - Secretary Payne commented that the Billboard Ordinance is still at Strategic Planning. Commission appointments are currently on hold.
  - Commissioner Manus requested status on what items will be coming to Planning Commission.
    - Secretary Payne will bring information to the next Planning Commission meeting of what is foreseen for the next few Planning Commission Meetings and into Q3.
- Announcement(s) none

**ADJOURNMENT**

Chair Fearn at 5:01 pm



**CATHERINE PAYNE**  
Development Planning Manager  
Planning and Building Department

**NEXT SPECIAL MEETING:** October 5, 2022