



Planning Commission

**FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING
May 7, 2025**

The meeting was called to order at 6:02 p.m.

Location: North Berkeley Senior Center, 1901 Hearst Avenue, Berkeley, CA 94709

1. ROLL CALL:

Commissioners Present: Christina Oatfield, Alfred Twu, Darrell Owens, Emily Marthinsen, Blaine Merker, Savlan Hauser and Charles Kahn

Commissioners Absent: Jeff Vincent

Staff Present: Secretary Alisa Shen, Clerk Faye Messner, Justin Horner, Branka Tatarevic

2. LAND ACKNOWLEDGEMENT

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

3. PUBLIC COMMENT: 1

4. ORDER OF AGENDA:

5. CHAIRPERSON REPORT:

- None

6. AD HOC SUBCOMMITTEES AND LIASON COMMENTS

- None

7. COMMISSIONER ANNOUNCEMENTS

- None

8. STAFF ANNOUNCEMENTS

- June 4th Meeting Agenda
 - Amendments to Title 23 relating to ADUs
 - Undergrounding of Transformers
 - Public Hearing on the rezoning of the R1-A district to R2
 - Council meeting on June 26th for Middle Housing Zoning Ordinance Changes
- The Planning Dept. held a virtual workshop for North Shattuck, Solano, and College avenue corridors
- The Office of Emergency Services Evacuation Time Study is still being finalized. Date to be brought to City Council forthcoming.
- General Plan and Housing Element Annual Progress Report Off-Agenda memo to be shared as information item in the June agenda packet
- Director Jordan Klein will be bringing an overview of the Planning Department including staff and Commission roles to the September meeting

9. APPROVAL OF MINUTES:

Motion/Second (Twu/Hauser) to approve the Planning Commission Meeting Minutes from April 16, 2025.

Ayes: Kahn, Oatfield, Twu, Owens, Marthinsen, Merker and Hauser. Noes: None. Abstain: None. Absent: Vincent (7-0-0-1). Motion passed.

10. ACTION AND DISCUSSION ITEMS

A. Action: Amendments to Title 21 (Subdivisions) to allow separate sale of ADUs as Condominiums

Associate Planner Branka Tatarevic presented on proposed amendments to the Subdivision Ordinance (Title 21) to allow the sale of ADUs as condos to implement Assembly Bill 1033. Commissioners took public comment, asked questions and made comments including, but not limited to: options for the tenant's exclusive right to purchase an ADU converted to a condo, simplifying processes to make ADU condo conversions easier, the necessity of code compliant ADUs for condo conversion eligibility and the need for data to follow up on the outcomes of this policy.

Motions/Second (Twu/Owens) to strike 21.29.050.c and, in 21.29.010, strike the line "12 consecutive months or more" and replace it with "starting on or before May 1, 2025."

Substitute Motions/Second (Kahn/Hauser) to strike 21.29.010.c.2 and 21.29.050.c and in two years' time from the date of implementation of the law have staff report to the Planning Commission the impacts of the ordinance on sitting tenants.

Vote on Twu/Owens motion tabled pending outcome of the following substitute motion:

Substitute Motions/Second (Oatfield/Twu) to take the draft ordinance and refer it to the Rent Board for technical review and feedback to make sure it aligns with existing tenant protection laws and to come back with revised ordinance that explores alternative language around code compliance issues and focuses on safety and code compliance and legal requirements per the state subdivision map act and if there is staff capacity to elaborate on the mechanics of the tenant right to purchase process.

Vote on Oatfield/Twu motion:

Ayes: Oatfield, Twu. Noes: Merker, Owens, Kahn, Marthinsen, Hauser. Abstain: None. Absent: Vincent (2-5-0-1). Motion Failed.

Final vote on Kahn/Hauser motion:

Ayes: Merker, Owens, Kahn, Marthinsen, Hauser. Noes: Oatfield. Abstain: Twu. Absent: Vincent. (5-1-1-1). Motion Passed.

Public Comments: 4

12. INFORMATION REPORTS

- None

13. CORRESPONDENCE

- General

14. NEXT COMMISSION MEETING: Wednesday, June 4th, 2025 at 6:00pm

15. ADJOURN

Motions/Second (Merker/Kahn) to adjourn the meeting at 7:50 pm.

Ayes: Kahn, Oatfield, Merker, Twu, Owens, Marthinsen, and Hauser. Noes: None. Abstain: None. Absent: Vincent (7-0-0-1). Motion passed.

Members in the public in attendance: 8

Public Speakers: 5

Length of the meeting: 1 hour and 48 minutes



Alisa Shen

Planning Commission Secretary