

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 OCT 16 PM 6:24

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: October 21, 2008
RE: **Supplemental Report Regarding Amendments made at the Community & Economic Development Committee to eliminate Section 17.130.080 from the proposed Ordinance Amending the Oakland Planning Code: A) Adding Extensive Impact Civic Activities As A Conditionally Permitted Activity To The C-45 And C-55 Zones; B) Adding Animal Care Commercial Activities As A Conditionally Permitted Activity To The C-36 Zone; C) Reducing The Time That An Automotive Servicing, Or A Repair And Cleaning Activity, May Be Discontinued Before It Loses Its Legal, Non-Conforming Status In The S-5 Broadway Retail Frontage Zone; D) Making Permanent An Emergency Ordinance That Creates Special Variance Findings And Expedited Appeal Procedures For Signs; E) Clarifying That Uniformly Applied Development Standards/Standard Conditions Of Approval Are Automatically Imposed On All Applications, Including Those "Deemed Approved" Under The State Permit Streamlining Act; And F) Various Amendments Which Codify Administrative Practice, Update References, Clarify Language, And Other Changes.**

SUMMARY

This supplemental report covers the action taken by the Community and Economic Development Committee (CEDC) at its October 14, 2008 meeting. The CEDC forwarded planning code amendments to the City Council for its October 21, 2008 meeting and included staff's recommendation to delete the following proposed planning code amendment:

~~17.130.080 — Minor land use permits considered concurrently with Major permits~~
~~A development application: 1) that requires both a Major land use permit (i.e. a major conditional use permit and/or a major variance) as well as any minor land use permits; or 2) for which one discretionary action is initially determined by City Staff but another action is initially determined by the Planning Commission, shall follow all procedural and substantive requirements associated with City Planning Commission decisions and therefore the entire application shall initially be considered by the Planning Commission and may be appealed to the City Council, in accordance with the requirements for such major permits or discretionary actions.~~

Staff is further revising this proposed amendment so that it will be cross-referenced with other sections of the planning code. Staff will return to CEDC at a later date once this revision is

Item: _____
City Council
October 21, 2008

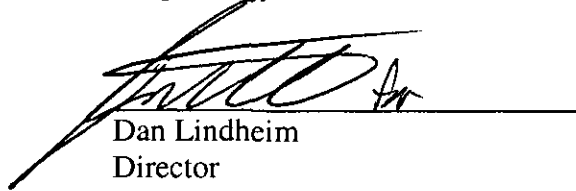
complete. Staff will continue with the current administrative practice, which this proposed change would have codified.

The CEDC recommended the proposed planning code amendments be adopted by the full City Council at its October 21, 2008 meeting, with the revision detailed above. Staff recommends adoption of the Ordinance, with the revision suggested by the CEDC.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends adoption of the Ordinance, with the revision suggested by the CEDC.

Respectfully submitted,



Dan Lindheim
Director
Community and Economic Development Agency

Prepared by:
Devan Reiff, AICP, Planner II
Strategic Planning Division, Planning and Zoning

APPROVED AND FORWARDED TO THE
CITY COUNCIL:


Office of the City Administrator