



PLANNING & ZONING COMMISSION

1000 San Pablo Avenue
Albany, CA 94706

MINUTES OF THE REGULAR MEETING WEDNESDAY, FEBRUARY 22, 2023

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

Chair Pilch called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, February 22, 2023.

2. ROLL CALL / LAND ACKNOWLEDGEMENT

Present: Hudson, MacLeod, Pilch, Watty

Absent: Momin

Staff Present: Community Development Director Jeff Bond
Sustainability Coordinator Elizabeth Carrade

The Albany Land Acknowledgement Statement was read as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

3. EX-PARTE COMMUNICATIONS

None.

4. CONSENT CALENDAR

4-1. Planning & Zoning Commission Meeting Minutes February 8, 2023

Recommendation: Staff recommends that the Planning & Zoning Commission review and approve the meeting minutes.

Commissioner Hudson requested an addition at page 3, line 27. The addition is “in response to Commissioner Hudson’s inquiry regarding the effect of the 27,300 reduction in population in Alameda County on the Association of Bay Area Government (ABAG) requirement for 1,114 housing units, Mr. Miller explained that half the cities in the Bay Area objected to the requirements, but a legislative action is necessary to change the requirements.”

4-2. PA22-039 Tentative Parcel Map to Merge 9 Contiguous Parcels into 1 Parcel for 540 San Pablo Avenue – The applicant is seeking approval for a tentative parcel map to merge 9 contiguous parcels into 1 2.18-acre parcel at 540 San Pablo Avenue. The 9 parcels are located between San Pablo Avenue and Adams Street and between Clay Street and up to the Sutter Health Albany Medical Office Building. The proposed parcel merger is required to accommodate a previously approved mixed-use residential development (PA21-002) that includes the construction of three new buildings in the subject area. The scope of this



PLANNING & ZONING COMMISSION

1000 San Pablo Avenue
Albany, CA 94706

1 application and public hearing is limited to the merger of the 9 parcels only. No
2 changes to the project design are under consideration as part of this application.

3
4 **Recommendation:** Staff recommends that the Planning & Zoning Commission
5 approve the tentative parcel map subject to the attached findings and conditions
6 of approval.

7
8 **CEQA:** On October 18, 2021, the City Council approved Resolution No. 2021-106,
9 determining the project is categorically exempt from the California Environmental
10 Quality Act Guidelines.

11
12 **Motion to approve** the consent calendar with the amendment to the February 8,
13 2023 minutes. Watty

14 Seconded by Hudson

15 AYES: Hudson, MacLeod, Pilch, Watty

16 NOES:

17 ABSTAIN:

18 ABSENT: Momin

19 **Motion passed, 4-0-0-1**

20 21 **5. ANNOUNCEMENTS / COMMUNICATIONS**

22
23 Community Development Director Bond reported the Council adopted the Draft Housing
24 Element unanimously with the Planning & Zoning Commission's (Commission) revisions
25 on February 21, 2023. After a lengthy discussion, the Council retained the Tenant
26 Opportunity to Purchase Act (TOPA) provisions and added consideration of a local
27 housing voucher program to Program 5D. Staff submitted the adopted Housing Element
28 to the California Department of Housing and Community Development (HCD) earlier in
29 the day. HCD has 60 days to provide comments. An Advisory Body training is scheduled
30 for March 2, 2023, 6:00 p.m. at the Community Center, and Advisory Body members are
31 encouraged to attend as there have been changes in laws.

32 33 **6. PUBLIC COMMENTS**

34 None.

35 36 37 **7. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE** 38 **FOLLOWING ITEMS:**

39
40 **7-1. Study Session on Local Hazard Mitigation Plan Update & General Plan Safety**
41 **Element Update** – The Federal Disaster Mitigation Act requires that local
42 governments submit a Local Hazard Mitigation Plan (LHMP) to the Federal
43 Emergency Management Agency (FEMA) and the California Office of Emergency
44 Services (CalOES) as a condition of receiving FEMA Hazard Mitigation Grant
45 Program Funds. The preparation of the LHMP also triggers a requirement for the
46 City to update the Safety Element of the General Plan.



PLANNING & ZONING COMMISSION

1000 San Pablo Avenue
Albany, CA 94706

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Recommendation: For information and discussion. No action required.

Community Development Director Bond advised that the Local Hazard Mitigation Plan (LHMP) is the base document that supports the General Plan Safety Element. The Commission will review the LHMP and the revised Safety Element before they are presented to the Council for approval in May or June 2023.

Sustainability Coordinator Elizabeth Carrade presented the staff report dated February 22, 2023.

PUBLIC HEARING OPENED

Elaine Stelton inquired whether any buildings are located on landfill and whether they are more vulnerable to disasters.

Noah K inquired about a plan for ransomware attacks.

PUBLIC HEARING CLOSED

Community Development Director Bond advised that portions of land along the I-80 corridor, Cleveland Avenue, and Eastshore are likely to be landfill. The City Information Technology (IT) Department is aware of ransomware attacks and planning for the same.

Commissioner Hudson expressed concern about the potential fire risk of smart meters on gas lines and recommended deleting the third paragraph on page 37 and the last sentence of the first paragraph on page 38 regarding vaccines. In the last sentence of the first paragraph on page 46, alternative energy sources may be missing, and diversification of energy sources may be prudent until infrastructure is in place. Defensible space of 30 feet around each home is not possible on Albany's smaller lots, as stated in the third paragraph, second sentence, on page 53.

Commissioner Watty suggested adding to the mitigation section a policy or next steps for the City to consider land use controls that incentivize remediation of soft story buildings. Many soft story buildings in Albany are apartment buildings in which more vulnerable populations likely live. The section for the COVID pandemic is appropriate, and comments should defer to county and state public health officials regarding best practices.

Commissioner MacLeod related that the third of four objectives on page 15 needs more specificity or eliminating. Cyberattacks should definitely be included in planning. The City could conceivably plan for nuclear events. Mass shootings may need to be addressed. Eliminating gas lines and potentially decommissioning pipelines would be good climate mitigations. Undergrounding electric and communication lines would be good mitigations as well. Mr. Neal's idea of a water distribution plan is good. The City may want to discuss utilizing schools as disaster relief centers and installing battery backup systems with Albany Unified School District (AUSD). A fire in the Berkeley Hills could severely impact



PLANNING & ZONING COMMISSION

1000 San Pablo Avenue
Albany, CA 94706

1 Albany. Flooding in general is not a major concern, but localized flooding could occur if
2 culverts and underpasses are blocked. Soft story buildings are the biggest threat to life
3 safety and building loss in an earthquake. The effects of smoke, heat, and cold can be
4 mitigated through building standards, Passive House Institute certification, and adopting
5 LEED standards for multifamily buildings. The pandemic language is fine. The Veteran's
6 Memorial Building would be a good building to attempt to preserve with respect to
7 earthquake safety. Perhaps it could be a secondary facility such as a disaster relief center.

8
9 Chair Pilch agreed that incentives as well as penalties are needed to encourage soft story
10 retrofits. Nuclear attacks, mass shootings, and ransomware should be referenced. There
11 should be a reference to a plan to shut down old gas lines. Retrofitting the Veteran's
12 Memorial Building has been discussed for many years.

13
14 Commissioner Watty noted federal funding may be available for retrofitting the Veteran's
15 Memorial Building as part of converting the building to an emergency operations backup
16 facility.

17 18 **8. NEW BUSINESS**

19
20 **8-1. Planning Commission Chair & Vice Chair Reorganization** – To provide the
21 opportunity for all members of Advisory Bodies to hold a leadership role, the
22 Advisory Body Handbook states that the position of Chair and Vice Chair shall be
23 rotated on an annual basis in January or February. Although not recommended, if
24 the Advisory Body agrees that there is a strong preference to continue with the
25 existing Chair and/or Vice Chair, they may serve for a maximum of two consecutive
26 years in the role.

27
28 **Recommendation:** Make nominations(s) and vote for members to serve as Chair
29 and Vice Chair.

30
31 By acclamation, the Commission continued this item to the March 8, 2023 meeting to
32 allow Commissioner Momin to participate.

33 34 **9. NEXT MEETING: March 8, 2023 at 7:00 PM**

35 36 37 **10. ADJOURNMENT**

38
39 The meeting was adjourned at 8:07 p.m.

40
41
42
43
44
45 _____
46 Submitted by:



PLANNING & ZONING COMMISSION

1000 San Pablo Avenue
Albany, CA 94706

1
2
3
4

Jeff Bond, Community Development Director