



**AGENDA**

April 26, 2023

7:00 PM Regular meeting

Webinar Link: <https://albanyca.zoom.us/webinar/register/87391956571>

**PUBLIC MEETING GUIDELINES**

Albany Planning & Zoning Commission meetings are conducted in person at City Hall Council Chambers. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time.

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**1. CALL TO ORDER**

**2. ROLL CALL / LAND ACKNOWLEDGEMENT**

“The City of Albany recognizes that we occupy the land originally protected by the Confederated Villages of Lisjan. We acknowledge the genocide that took place on these lands and must make strides to repay the moral debt that is owed to this indigenous people, specifically the Ohlone Tribe. We thank them for their contributions which have transformed our community, and will continue to bring forth growth and unity. The City of Albany commits to sustaining ongoing relationships with the Tribe and together build a better future for all that now make this their home.”

**3. EX-PARTE COMMUNICATIONS**

Ex-parte communications include verbal and written communications between individual Commissioners and a party with a real interest in a pending Commission decision. Ex parte communications should be avoided on matters pending before the Planning & Zoning Commission as they may represent or be perceived to represent evidence that may unfairly influence a Commissioner's decision on a matter before the full Commission. If such contact does occur, the substance of the communication shall be disclosed before the full Commission and public in advance of public hearing items on the agenda. Written ex parte communications shall be forwarded to staff so that it may be disclosed to the full Commission and public.

**4. CONSENT CALENDAR**

Consent Calendar items are considered routine and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Commission. There will be no separate discussion on these



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items unless a member of the Commission or a member of the audience requests removal of the items from the Consent Calendar.

### 4-1. **Planning & Zoning Commission Meeting Minutes March 22, 2023**

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

### 4-2. **Planning Application PA23-017 Design Review For Second Story Addition And Remodel At 1021 Cornell Ave** - The applicant is seeking Design Review approval for a second story addition and remodel at 1021 Cornell Ave. The subject property is a 5,000 sq. ft. lot with an existing 3-bedroom, 2-bathroom, 1,829 sq. ft. home built in 1925. The scope of work includes a 260 sq. ft. addition between the first and second floor to accommodate a larger and remodeled kitchen and new bedroom on the second floor. The existing architectural style is proposed to remain as contemporary Mediterranean. This will result in a 4-bedroom, 2-bathroom, 2,089 sq. ft. home with a maximum height of 24'-4". Off-street parking is not required per California AB 2097.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.

**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

### 4-3. **Planning Application 23-015 Design Review For First Floor Addition And Major Remodel At 921 Pierce** - The applicant is seeking Design Review approval for an addition and remodel at 921 Pierce Avenue. The subject property is a 6,000 sq. ft. lot with an existing 2-bedroom, 1-bathroom 1,380 sq. ft. home built in 1943. The scope of work includes an 826 sq. ft. first-floor enclosed addition at the rear of the existing home and remodel to accommodate expanded dining and kitchen areas and two new bedrooms and bathrooms. The existing architectural style of the home is proposed to remain as midcentury bungalow. This will result in a 4-bedroom, 3-bathroom, 2,206 sq. ft. home with a maximum height of 15'-9". Off-street parking is not required per California AB 2097.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.



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**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.

### 5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION

### 6. PUBLIC COMMENT

For persons desiring to address the Commission on an item that is not on the agenda please note that each speaker is limited up to three (3) minutes. The Brown Act limits the Commission ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

### 7. PLANNING AND ZONING COMMISSION PUBLIC HEARING AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

- 7-1. Planning Application PA2023-13 Design Review For Second Story Addition And Remodel At 1251 Portland** - The applicant is seeking Design Review approval for a second story addition and remodel at 1251 Portland Avenue. The subject property is a 5,000 sq. ft. lot with an existing 2-bedroom, 1-bathroom 1,977 sq. ft. home built in 1938. The scope of work includes a 533 sq. ft. second story addition over the existing footprint to accommodate a new primary bedroom suite and bathroom. The scope of work also includes a kitchen remodel on the first floor. The existing architectural style of the home is proposed to remain in the MacGregor style. This will result in a 3-bedroom, 2-bathroom, 2,510 sq. ft. home with a maximum height of 26'. Off-street parking is not required per California AB 2097.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.

**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.

- 7-2. Resolution No. 2023-02 and Resolution 2023-03 Recommending that the City Council Adopt Amendments to the Transportation Element of the General Plan and Amendments to Chapters 20.20 and 20.28 of the Zoning Ordinance to Modify Off-Street Parking Requirements** - Based on feedback from the Planning & Zoning Commission at its March 8, 2023 meeting and input from community members, City staff and consultants have prepared draft General Plan and Zoning Ordinance amendments for the Commission’s review. This draft ordinance proposes to remove minimum parking requirements citywide in response to AB 2097. (Except for the racetrack/Waterfront zoning



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district, where zoning amendments require voter approval.) It also establishes maximum parking requirements for multifamily, commercial, industrial, and public uses. The draft ordinance also proposes to remove various code sections that allowed reductions or provided exceptions since they are no longer necessary outside the Waterfront zoning district.

**Recommendation:** Staff recommends that the Planning and Zoning Commission approve Resolution No. 2023-02 and Resolution 2023-03.

**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.

- 7-3. Update on California Department of Housing and Community Development Department Review of the 2023-2031 Albany Housing Element-** The Housing Element is a State-mandated plan including data, policies, and programs to meet Albany’s housing current and future housing. The Housing Element must demonstrate that Albany can meet its “fair share” of the region’s housing needs over the next eight years. On Friday, April 21, 2023, the City received the attached correspondence from the California Department of Housing and Community Development Department.

**Recommendation:** For information only.

- 7-4. Temporarily Modifying Condominium Conversion Application Review Procedures –** Section 20.60.070 of the Albany Municipal Code requires proposed condominium conversion applications to be accepted twice annually at the end of April and the end of October, and be processed no later than 60 days from the dates of application. It is proposed that for calendar year 2023, applications be accepted on an open basis.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve temporarily modifying condominium conversion application review procedures.

- 7-5. Interim Guidance to Staff on Implementation of Accessory Dwelling Unit Regulations –** Section 20.20.080 of the Albany Municipal Code details developments standards for accessory dwelling units, including 16-foot and single-story height limits. Recently adopted state laws mandate 18-foot height limits, which will allow two-story code compliant accessory dwelling units.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve an interpretation of state and city requirements to allow two story accessory dwelling units that do not exceed 18 feet.



**8. NEW BUSINESS**

None.

**9. NEXT MEETING:** May 10, 2023, 7:00 pm

**10. ADJOURNMENT**

**NOTICE**

As a general policy, the Commission/Committee/Board will not begin discussion or consideration of an agenda item after 9:30 pm.

Agendas are posted for public inspection in advance of meetings at the City Hall, the Albany Community Center, and the Albany Senior Center. Agendas and supporting documents can also be found online at: [www.albanyca.org](http://www.albanyca.org). Supporting documents and any public comments received will be made available for public inspection **online** or via email request. If you have any questions pertaining to any agenda item or meeting procedure, please contact the City Clerk at 510-528-5710 or [cityclerk@albanyca.org](mailto:cityclerk@albanyca.org)

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure 1094.6.

In compliance with the Americans with Disabilities Act (ADA), and State Law, if you need special assistance to participate in this meeting, please contact the City Administration Office 510-528-5710. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.104 ADA Title II)". Upon request, we will provide written agenda materials in appropriate alternate formats, of disability related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please deliver a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two (2) days before the meeting. Request should be sent to: [cityclerk@albanyca.org](mailto:cityclerk@albanyca.org) or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.

**How to watch or listen to the meeting:**



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1. Meetings are available to watch, listen, or participate virtually via Zoom webinar. Register for the meeting: <https://albanyca.zoom.us/webinar/register/87391956571>. To join by phone via Zoom, please call 1 (669) 900-9128 at the noticed meeting time. **Webinar ID 873 9195 6571. Participant ID “#”.**
2. Meetings are also streamed live on City website [www.albanyca.org/meetings](http://www.albanyca.org/meetings) or on YouTube ([www.YouTube.com/AlbanyKALB](http://www.YouTube.com/AlbanyKALB)). Recording of the meetings are usually available for viewing 24 hours after the meeting.
3. Meetings are broadcast live on local TV – Albany KALB Channel.

### **How to submit Public Comment:**

1. Members of the public may attend Planning & Zoning Commission meetings in-person at City Hall Council Chambers and request to speak during public comment period.
2. Members of the public may submit comments in writing by emailing the Planning & Zoning Commission at [PZC@albanyca.org](mailto:PZC@albanyca.org) with the agenda item clearly identified in the subject line of the email. Comments may also be submitted by mail to City of Albany – Planning Staff, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 12 PM on the day of the meeting will be provided to the Commissioners and posted on the City website in advance of the meeting.
3. To comment by video conference, click the “Raise Your Hand” button to request to speak when public comment is being taken on the agenda item. You will be asked to unmuted yourself when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted.
4. To comment by phone, you will “Raise Your Hand” by pressing \*9 to request to speak when public comment is being taken on the agenda item. You will be asked to unmute yourself by pressing \*6 when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.