



AGENDA

WEDNESDAY, October 9, 2024

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.

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 (*Lih-Shawn*). 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 (*Oh-low-nee*) 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 items unless a member of the Commission or a member of the audience requests removal of the items from the Consent Calendar.



4-1. Meeting Minutes of July 10, 2024

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

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 24-029 – 545 San Pablo Avenue

Design Review to renovate an existing commercial building and establish a 900-square-foot covered outdoor dining area at the rear of the building.

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

CEQA: The project is Categorical exempt from CEQA pursuant to Section 15301 and 15303 of the CEQA Guidelines (“Existing Facilities” and “New Construction or Conversion of Small Structures”).

7-2. Public Hearing on Resolution 2024-02 recommending that the City Council adopt amendments to the Planning and Zoning Code, repealing and replacing section 20.24.180 (“Mechanical Equipment, Residential”) and amending sections 20.24.060 (“Setback Areas, Encroachments”), 20.24.110 (“Fences, Landscaping, Screening”), and 20.36.020 (“Standards”) regarding setbacks for mechanical equipment and related provisions.

The purposes of the proposed amendments are to:

1. Reduce barriers to building electrification by increasing the areas where mechanical equipment can be located on a lot while ensuring safety and performance requirements are met;
2. Mitigate potential impacts from mechanical equipment units on neighboring properties;
3. Simplify and clarify provisions that regulate the location, installation, and performance of mechanical equipment; and
4. Align the P&Z Code with City Policies and Goals.



PLANNING & ZONING COMMISSION

City Hall Council Chambers
1000 San Pablo Avenue, Albany, CA

Recommendation: Staff recommends that the Planning & Zoning Commission approve Resolution 2024-02 recommending that the City Council adopt amendments to the Planning and Zoning Code regarding setbacks for mechanical equipment and related Housing Provisions.

CEQA: Consideration of the ordinance is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15061(b)(3) of the State CEQA Guidelines because the scope of this ordinance is limited to reducing barriers to building electrification to further the City's efforts to reach its climate action and adaptation goals, and it can be seen with certainty that there is no possibility the adoption of the ordinance amendments may have a significant effect on the environment, and pursuant to CEQA Guidelines §15183 (consistent with a Community Plan, the General Plan and Zoning).

8. NEW BUSINESS

9. **NEXT MEETING:** Wednesday, November 13, 2024

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. 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

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.



PLANNING & ZONING COMMISSION

City Hall Council Chambers
1000 San Pablo Avenue, Albany, CA

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 or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.

How to watch or listen to the meeting:

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 or on YouTube (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 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 unmute 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.