



CITY OF PIEDMONT

Planning Commission Agenda
Monday, November 14, 2022
5:30 p.m.

City Council Chambers, 120 Vista Avenue, Piedmont, CA
and Via Teleconference

* COVID-19 NOTICE *

In a continuing effort to reduce the public health effects of COVID-19, the Planning Commission meeting will be held both in person and virtually. Members of the public and Commission have the ability to participate in the meeting by coming to the Council Chambers or joining the meeting via ZOOM Teleconference, pursuant to the provisions of Government Code 54953.

To maximize public safety while still maintaining transparency and public access, members of the public can participate in the meeting in several ways:

- Come to the City Council Chambers in City Hall, 120 Vista Avenue, Piedmont
- Computer or smart phone: Click on <https://piedmont-ca.gov.zoom.us/j/85110442661>
- Computer or smart phone: Click on https://piedmont.ca.gov/government/meeting_videos and select the Planning Commission meeting
- Telephone: Dial (669) 900-9128 and enter webinar/meeting number 851-1044-2661
- Television: Watch on KCOM, Comcast Channel 27 or AT&T UVerse Channel 99

To provide public comment virtually, members of the public may use the ZOOM platform to make live, verbal public comments. To speak to the Commission, click the "Raise Your Hand" button when the item on which you would like to comment is called. If you are connected to the meeting by phone, please dial *9. When it is your turn to speak, the moderator will call your name and unmute your line, at which point you will generally have three minutes to address the Commission. After the allotted time, you will then be re-muted. Instructions for how to "Raise Your Hand" are available at <https://support.zoom.us/hc/en-us/articles/205566129%0D-Raise-Hand-In-Webinar>

Any member of the public who needs accommodations should email the City Clerk at cityclerk@piedmont.ca.gov or call (510) 420-3040 who will make their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests. Information about reasonable accommodations is available on the City website at <https://piedmont.ca.gov>.

Call to Order

Roll Call

Public Forum

Persons wishing to address the Planning Commission regarding items not on the agenda may do so during the Public Forum. In order for all speakers to be heard, the Commission normally limits individuals' comments to 3 minutes.

Disclosure of ex parte communications and identification of conflicts of interest

Regular Agenda

1. Approval of minutes for the October 10, 2022, regular meeting of the Planning Commission.
2. Removal of Applications from Regular Session to Consent Calendar. Applications that receive unanimous Planning Commission approval by consent will be placed on the Consent Calendar prior to consideration of the remaining applications on the Regular Session agenda
3. HOUSING POLICY UPDATE
Staff and Commissioners will provide a verbal update on the activities of staff and City's housing consultants related to the development of fair housing policy. This is an informational item only.
4. CONSIDERATION OF AN ORDINANCE REVISING THE CITY CODE LAND USE REGULATIONS RELATED TO ACCESSORY DWELLING UNITS AND ADDITIONAL BEDROOMS

The Commission will hold a hearing to consider an ordinance to revise City Code Chapter 17 regarding the regulations for Accessory Dwelling Units (ADUs), Junior Accessory Dwelling units (JADUs) and additional bedrooms. The proposed revisions are in response to the changes to Government Code Sections 65852.2, 65852.22, 65852.26 and 65850.02 resulting from the enactment of Assembly Bills 2221, 345 and 916 and Senate Bill 897. These changes limit a local jurisdiction's ability to regulate ADUs, and additional bedrooms within existing dwelling units. The State laws permit cities to adopt ADU ordinances as long as the ordinance is consistent with the State laws and imposes certain local standards. Local laws which do not conform to these new state standards are preempted and cannot be enforced. The Planning Commission's responsibility is to make a recommendation for consideration by the City Council, which is the decision-making body. The proposed code amendments are statutorily exempt from CEQA pursuant to Public Resources Code section 21080.17 and CEQA Guidelines section 15282(h) which exempts adoption of ordinances regarding accessory dwelling units.

5. VARIANCE AND DESIGN REVIEW PERMIT
3 Monte Avenue
DRPC2022-046

The application proposes to make interior modification on the lower level of the main house including development of a fourth bedroom and making window modifications on the front (north) and side (west) façades; modify the roof profile of the detached accessory structure within the 20-foot street yard setback; and make several other associated interior and exterior modifications. Two variances are required in order to 1) construct a fourth bedroom without providing the required number of conforming parking spaces and 2) to construct within the street yard setback.

6. NEW HOUSE, VARIANCE, AND DESIGN REVIEW PERMIT
77 Wistaria Way
DRPC2022-048

The application proposes to construct a new 3,699 square foot primary single-family residence on an existing vacant lot in Zone A. The three-level residence is proposed to step down the hillside and contain four bedrooms, four-and-a-half bathrooms, an office, and a conforming two-car garage. The property is proposed to feature new decking, terraces, retaining walls, on-grade and elevated stairways, a driveway, and other exterior improvements. A variance is required to construct within the 20-foot street-yard setback. The application has been deemed categorically exempt from the

California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, Class 3(e), New Construction or Conversion of Small Structures.

7. VARIANCE AND DESIGN REVIEW PERMIT
224 Greenbank Avenue
DRPC2022-051

The application proposes to raise the height of the roof by a maximum 4 feet 11 inches at the northwest corner of the house. Two variances are needed in order to construct within the 20-foot street-yard setback and the five-foot side-yard setback.

8. VARIANCE AND DESIGN REVIEW PERMIT
22 Nace Avenue
DRPC2022-052

The application proposes to reconstruct an existing one-car garage with a modified design. A variance is required to add additional structure within the required 20-foot street yard setback.

Adjourn

Agenda Item Material The materials for the agenda items listed above are available for review upon request by contacting Planning & Building Director Kevin Jackson at kjackson@piedmont.ca.gov. A response will be provided during regular business hours 8:30 a.m. to 5 p.m. Monday through Thursday.

Procedural Notes

1. The Planning Commission welcomes you to its meeting which is regularly scheduled for the second Monday of each month. Your interest and participation are encouraged and appreciated. Members of the public will have an opportunity to be heard during the public portion of a hearing. While it is not mandatory, you are requested to give your name and address, comments and/or questions. In order that all interested parties have an opportunity to speak, please limit your comments to the specific subject under discussion. Time limitations are generally three minutes but shall be at the discretion of the Chairperson. You are not required to give your name and address, but doing so makes the meeting more efficient, enables the recording secretary to properly attribute comments in the meeting minutes, and will enable the City to send future notices concerning this application if there are any.
 2. Applications are generally scheduled in the order in which they were submitted, but the Planning Commission reserves the right to change the order of applications on the agenda or change items from one calendar to the other without further notice. Each applicant is advised that if her or his representative is not present to speak to this application, her or his application may be acted upon and possibly denied. This meeting is required to end at or before 11:30 p.m. unless a majority of the Commission votes to continue the meeting. If your item has not been heard prior to the 11:30 p.m. deadline, your item may be continued to a future meeting.
 3. Unless noted in the project description, the applications above have been deemed by staff to be categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.
 4. **APPEAL** - Any decision of the Planning Commission pursuant to Chapter 17 of the Piedmont City Code may be appealed by any interested party within ten (10) days to the City Council in accordance with the procedure set forth in Division 17.78, Appeals; Calls for review.
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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (510) 420-3040. Notification at least two business days preceding the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]
In accordance with G.C. Sec. 54954.2 (a) this notice and agenda were posted on the City Hall bulletin board and also in the Piedmont Police Department on October 31, 2022.