

CITY OF PALO ALTO CITY COUNCIL ACTION MINUTES

Special Meeting December 7, 2015

The City Council of the City of Palo Alto met on this date in the Council Chambers at 5:06 P.M.

Present: Berman, DuBois, Filseth, Holman, Kniss, Scharff, Schmid,

Wolbach

Absent: Burt

Study Session

1. Prescreening of a Proposed Hotel Development at 744-750 San Antonio Road.

Special Orders of the Day

2. Fire Safety Month Poster Award Recognition to Palo Alto Unified School District Students for Excellence in Design, Art and Messaging.

Agenda Changes, Additions and Deletions

None.

Consent Calendar

MOTION: Council Member Kniss moved, seconded by Vice Mayor Schmid to approve Agenda Item Numbers 3-9 and continue Agenda Item Number 10-Approval of Amendment Number Three to the Palo Alto-Stanford Fire Protection Agreement... to December 14, 2015.

3. Resolution 9563 Entitled, "Resolution of the Council of the City of Palo Alto Summarily Vacating Public Easement at 3264 Kipling Avenue."

- 4. Resolution 9564 Entitled, "Resolution of the Council of the City of Palo Alto Summarily Vacating Public Easement at 4252 Manuela Court."
- 5. Adoption of an Ordinance to add Chapter 10.51 to the Palo Alto Municipal Code to Permanently Implement the Crescent Park No Overnight Parking Program and Expand the Boundaries of the Program.
- 6. Approve Amendment Number One to Contract Number C1415263 With Townsend Public Affairs to add 24 Months of Service at a Cost of \$8,500 per Month, Totaling \$204,000, for a Total Contract Amount not to Exceed \$391,000 for State Legislative Advocacy Services.
- 7. <u>Budget Amendment Ordinance 5365</u> Entitled, "Budget Amendment Ordinance of the Council of the City of Palo Alto to Appropriate \$203,561 From the Residential Housing Fund for Rehabilitation of the Colorado Park Apartments Consistent With Prior Loan Approval."
- 8. Adoption of an Ordinance Re-Titling and Amending Municipal Code Chapter 5.30 (Plastic Foam and Non-Recyclable Food Service Containers and Packaging Items) to Prohibit Sale of Non-Recyclable Plastic Foam at Retail Establishments Such as Grocery Stores, Pharmacies, Mail Service Stores and Hardware Stores.
- 9. Resolution 9565 Entitled, "Resolution of the Council of the City of Palo Alto Revising the Citywide Records Retention Schedule and Repealing Resolution No. 8688."
- 10. Approval of Amendment Number Three to the Palo Alto-Stanford Fire Protection Agreement With the Board of Trustees of the Leland Stanford Junior University Extending the Term for One Year for a Total Fee of \$6.5 Million, and Approval of a Related Budget Amendment Ordinance Reducing the General Fund Budget Stabilization Reserve by \$675,000 to Offset a Reduction in FY 2016 Fire Department Revenues.

MOTION PASSED: 7-0 Scharff not participating, Burt absent

Action Items

11. PUBLIC HEARING: Review and Adoption of an Ordinance to Amend Land Use Related Portions of Titles 16 and 18 of the Palo Alto

Municipal Code. The Purposes of the Code Amendments and Additions are to: (1) Improve the Use and Readability of the Code, (2) Clarify Certain Code Provisions, and (3) Align Regulations to Reflect Current Practice and Council Policy Direction. The Affected Chapters of Title 16 Include but are not Limited to Title 16 (Building Regulations), Chapters 16.20 (Signs), 16.24 (Fences), and 16.57 (In-Lieu Parking Fees for New Non-Residential Development in the Commercial Downtown (CD) Zoning District), and Title 18 (Zoning), Chapters 18.01 (Adoption, Purposes and Enforcement), 18.04 (Definitions), 18.08 (Designation and Establishment of Districts), 18.10 (Low Density Residential RE, R-2 and RMD Districts), 18.12 (R-1, Single Family Residence District), 18.13 (Multiple Family Residential (RM-15, RM-30, RM-40) Districts), 18.14 (Below Market Rate Housing Program), 18.15 (Residential Density Bonus), 18.16 (Neighborhood, Community, and Service Commercial (CN,CC and CS) Districts), 18.18 (Downtown Commercial (CD) Districts)), 18.20 (Office, Research and Manufacturing (MOR, ROLM, RP and GM) Districts), 18.23 Performance Criteria for Multiple Family, Commercial, Manufacturing and Planned Community Districts), 18.31 (CEQA Review - a new Chapter), 18.34 (PTOD Combining District Regulations), 18.40 (General Standards and Exceptions), 18.52 (Parking and Loading Requirements), 18.70 (Non-conforming Uses and Non-complying Facilities), 18.76 (Permits and Approvals), and 18.77 (Processing of Permits and Approvals).

Public Hearing opened at 7:14 P.M.

Public Hearing closed at 7:26 P.M.

MOTION: Council Member Scharff moved, seconded by Council Member Kniss to adopt Ordinance Sections 1-3, modifying Municipal Code Section Title 16 (Group 1 Interpretations of 16.20 (Signs)).

MOTION PASSED: 8-0 Burt absent

MOTION: Council Member DuBois moved, seconded by Council Member Wolbach to adopt Ordinance changes in Group 2 with Staff's suggested changes to American's with Disabilities Act (ADA) language, and with changes to Zoning Code Interpretation and Interpretation of Land Uses in order to include a process to bring changes to Council quarterly for approval.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to replace in the Motion, "bring changes to Council quarterly for approval" with "bring an Information Report to Council quarterly."

AMENDMENT: Mayor Holman moved, seconded by Council Member XX to add to the Motion, when a project Staff Report is written that requires a formal written interpretation as referenced in Municipal Code Section 18.01.025 the description of that determination shall be called out in the Staff Report.

AMENDMENT WITHDRAWN BY THE MAKER

MOTION AS AMENDED PASSED: 8-0 Burt absent

MOTION: Council Member Scharff moved, seconded by Council Member Berman to adopt Ordinance Sections 10-13, modifying Municipal Code Chapters 18.13-18.15.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "replace in Municipal Code Sections 18.15.040(b), and 18.15.100(d)(iv), "59 years" with "55 years."

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "replace in Section 19 of the Ordinance, Municipal Code Section 18.34.040(e)(3) with "the provisions of this section are intended to address the density bonus requirements of State law within the PTOD District. The maximum bonus density available under this section shall be the greater of the bonus density allowed under this chapter or under the City's density bonus provisions contained in Chapter 18.15."

AMENDMENT: Council Member Wolbach moved, seconded by Council Member XX to remove from Municipal Code Section 18.13.010(a), (b), and (c), "with no required minimum density."

AMENDMENT FAILED DUE TO THE LACK OF A SECOND

MOTION AS AMENDED PASSED: 7-1 Wolbach no, Burt absent

MOTION: Council Member Scharff moved, seconded by Council Member Kniss to adopt Ordinance Sections 14-15, modifying Municipal Code Chapters 18.16 and 18.18 including Staff proposed changes to Municipal Code Section 18.18.120(a)(2)(C).

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add at the end of the Motion, "to replace 'volume of space that is' with 'three dimensional shape and space.'"

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "in Municipal Code Section 18.18.060(e), replace "minimum extent necessary" with "incremental square footage necessary."

MOTION AS AMENDED PASSED: 8-0 Burt absent

MOTION: Council Member Wolbach moved, seconded by Council Member DuBois to approve Ordinance Sections 16-21, modifying Municipal Code Chapters 18.20-18.52.

SUBSTITUTE MOTION: Mayor Holman moved, seconded by Council Member DuBois to continue discussion of the addition of Municipal Code Sections 18.31.010, 18.31.020, and 18.31.030.

SUBSTITUTE MOTION FAILED: 3-5 DuBois, Holman, Schmid yes, Burt absent

MOTION PASSED: 7-1 Holman no, Burt absent

MOTION: Council Member Scharff moved, seconded by Council Member Berman to approve Ordinance Sections 22-24, modifying Municipal Code Chapters 18.70-18.77.

INCORPORATED INTO THE MOTION WITH THE CONSENT OF THE MAKER AND SECONDER to add to the Motion, "to continue Municipal Code Section 18.76.020 to the next available meeting.

MOTION RESTATED: Council Member Scharff moved, seconded by Council Member Berman to approve Ordinance Sections 22 and 24, modifying Municipal Code Chapters 18.70-18.77 with the exception of Municipal Code Section 18.76.020.

Page 5 of 6 City Council Meeting Action Minutes: 12/7/15

MOTION AS AMENDED PASSED: 8-0 Burt absent

MOTION: Council Member Scharff moved, seconded by Council Member Kniss to continue Attachment E of the Staff Report to a date uncertain.

SUBSTITUTE MOTION: Vice Mayor Schmid moved, seconded by Mayor Holman to set a hard stop of 11:00 P.M.

SUBSTITUTE MOTION FAILED: 4-4 DuBois, Filseth, Holman, Schmid yes, Burt absent

MOTION PASSED: 5-3 Filseth, Holman, DuBois no, Burt absent

12. PUBLIC HEARING: Certification of the Final Environmental Impact Report (FEIR) and Approval of the Record of Land Use Action to Allow Demolition of Four Existing Structures Totaling 265,895 Square Feet and Construction of Four Two-Story Office Buildings Totaling 265,895 Square Feet of Floor Area With Below and At-Grade Parking and Other Site Improvements Located at 1050 Page Mill Road. Zoning District: Research Park (RP). Environmental Assessment: An Environmental Impact Report has Been Prepared. (STAFF REQUESTS ITEM BE CONTINUED TO JANUARY 11, 2016).

Inter-Governmental Legislative Affairs

None.

Council Member Questions, Comments and Announcements

None.

Adjournment: The meeting was adjourned at 10:33 P.M.