

## Gerhardt, Jodie

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**From:** Gerhardt, Jodie  
**Sent:** Friday, March 11, 2022 4:32 PM  
**To:** holzemer/hernandez  
**Cc:** Architectural Review Board; French, Amy; jeff@levinsky.org  
**Subject:** RE: Objective Standards Item #4

Terry,

Thank you for your email. It was provided to the ARB, but I would also like to address some of your concerns.

As you stated “it was disappointing to see last year’s City proposal to seek the elimination of **ALL** the City’s subjective standards”. If this was true, I would agree with you, but instead staff has worked tirelessly to convert our existing Context Based Design Criteria into **both** subjective and objective standards, as shown in our proposed [18.24 draft Ordinance](#). We are calling the new subjective standards “intent statements” and the objective standards are written to say the same thing as the subjective standards, but in a more direct fashion (Example: see PDF page 2 & 3 of the draft Ordinance (18.24.020(a) and (b)). Per Council direction, staff has also created a more detailed crosswalk document, so this transformation can be better seen/reviewed by the public. This document has been added to the [Project webpage](#) with a direct link here – <https://www.cityofpaloalto.org/files/assets/public/planning-amp-development-services/current-planning/uploads-for-website/objective-standards/revise-list-of-guidelines.pdf>

Regarding privacy, the ARB had a lengthy discussion on the topic at their March 10<sup>th</sup> hearing. Both windows and balconies were discussed, as was the distance when these standards should apply.

Staff is proposing no changes to the way the Code applies to multi-family projects vs. lower density projects. At the end of the day, you may still believe the proposed objective standards project is flawed. However, until some version of this project is approved, the City has very few objective standards to apply to housing development projects, such as [525 E Charleston](#) that was approved on March 8<sup>th</sup>.

Please let Amy and I know if you have additional questions or would like to sit down for a meeting, as we are always happy to help residents understand our projects/process. We also hope to see you at the March 22<sup>nd</sup> community meeting (see [project webpage](#) for details) for objective standards and a future community meeting for 123 Sherman.

Sincerely,



**Jodie Gerhardt, AICP**  
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The City of Palo Alto is doing its part to reduce the spread of COVID-19. We have successfully transitioned most of our employees to a remote work environment. We remain available to you via email, phone, and virtual meetings during our normal business hours.

**From:** holzemer/hernandez <holz@sonic.net>  
**Sent:** Wednesday, March 2, 2022 9:41 PM  
**To:** Architectural Review Board <arb@cityofpaloalto.org>  
**Subject:** Objective Standards Item #4

You don't often get email from [holz@sonic.net](mailto:holz@sonic.net). [Learn why this is important](#)

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Dear Architectural Review Board Members,

I'm writing to express to my concerns and objections to a number of the Staff-proposed changes in establishing a new set of objective standards governing housing projects in our City.

It's critically important that current Palo Alto laws, governing future housing or mixed-use projects next door to existing residential housing, be respected to the fullest extent possible and the transfer from the City's subjective standards" to its new "objective standards" be done in a manner that respects the spirit and aim of the "subjective standards", while understanding the concerns of residents who live these zones.

Unfortunately, it was disappointing to see last year's City proposal to seek the elimination of **ALL** the City's subjective standards" and not only the ones required or mandated by the State to be modify or change. It's very clear we should instead be laser-focused on changing only the "subjective standards" we are required to change by the State. Nothing more, nothing less.

Thankfully, earlier this year, Council voted against several of these proposed changes and directed Staff to review how the City could maintain the current set of standards protections and even increasing those protections in privacy areas.

The problem however, is that the newest set of proposals still fails to provide the necessary protections for residents. For example, one of the new rules being proposed states:

"New projects abutting a residential use and located within 20 feet of facing windows (except windows to garages or common areas) or balconies/decks shall meet the following standards along the facing facade: Upper Story Window Privacy: Window sills on the 2<sup>nd</sup> floor and above shall be at least 5 feet above the finished floor level or angled at least 15 degrees away from facing windows."

Please understand that this rule won't protect any balcony or deck from having people right next door in a new building look straight into it. It won't protect resident's bedroom windows if the new building is located just 21 feet away. It won't protect living room or bedroom windows if the windows aren't aligned (directly facing) to the ones in a new building, next door. The new building could even have a wall of floor-to-ceiling glass looking directly at a resident next door as long as that glass itself is angled by at least 15 degrees. Unfortunately, modern homes often have glass angled inwardly so those in the new building could use that to afford the next door neighbor with zero privacy protection.

There are several similar problems in the new proposed standards. Whereas our current laws protect many or sometimes all residential properties, including large multi-family ones, the new proposed laws wouldn't consistently do so. For example, only single family and duplexes would benefit from the proposed rule that: "Within 40 feet of an abutting structure, no more than 15% of the confronting facade area shall be windows or other glazing. Additional windows are allowed in order to maintain light, if they are fixed and fully obscured."

The question clearly remains -- why are Palo Alto residents, who live multi-family residences, being treated differently and not entitled to the same equal protections that our single-family neighborhood residents have? I don't believe that people should be treated differently just because they live adjacent to potential sites for development.

Please reject these proposed changes and push to ensure that residents -- wherever they live in our City -- are treated the same way and with the true respect they deserve.

Thank you.

Sincerely,

Terry Holzemer

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