



Planning & Transportation Commission Action Agenda: February 12, 2020

Council Chambers
250 Hamilton Avenue
6:00 PM

Call to Order / Roll Call

6:04pm

Chair Templeton: Alright are we ready to begin?

[note – Mr. Vinh Nguyen called roll]

Chair Templeton: He's here, let me go see what's up.

Mr. Nguyen: We'll come back to him. [note – continued to call the roll]

Chair Templeton: We can wait a minute, yeah. He'll be here in a moment or do you want to just continue?

[note – unknown female Staff member:] (spoke off mic) We can start without him.

Chair Templeton: Ok.

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1 [note – unknown female Staff member:] (spoke off mic) Hopefully he'll be along shortly if he's
2 here somewhere in the building.

3

4 Chair Templeton: Alright we are all here now and ready to begin.

5 **Oral Communications**

6 The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

7

8 Ms. Rachael Tanner, Assistant Planning Director: Great, so we don't have any... I think... do you
9 want us to begin with oral communications? If there's anybody here to speak on anything that's
10 not on the agenda?

11

12 Chair Templeton: Yes, I'd be happy to do that. So, I have a few agenda cards from people
13 wanting to speak to agenda items. If you're here to speak about something that's not on the
14 agenda, please let us know now. Ok.

15 **Agenda Changes, Additions, and Deletions**

16 The Chair or Commission majority may modify the agenda order to improve meeting management.

17

18 Ms. Rachael Tanner, Assistant Planning Director: Thank you. So, I would like to give a little... we
19 don't have any agenda changes, additions, or deletions but I will offer a brief Director's report
20 for this month.

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1 **City Official Reports**

2 1. Assistant Directors Report, Meeting Schedule and Assignments

3

4 Ms. Rachael Tanner, Assistant Planning Director: So, one exciting thing and if you haven't
5 received it already in your email make sure that you do get a posting that we have for a land-
6 use planner. So, if you know any great land-use planners out there please encourage them to
7 apply to work here for the City of Palo Alto. This position would focus a lot on data and analysis.
8 And so, while the person... the ideal candidate may have a planning background, really, we're
9 looking for focus who have experience with GIS mapping and geography kind of data software;
10 as well as any other data analysis software. We can teach them the planning and land use part
11 but we really want somebody who can get in and help us to do a better job of understanding
12 what's going on in our community, provide the data analysis that our community expects. So, if
13 you know any great candidates please send them our way.

14

15 We're also happy to announce that Palo Alto was selected as one of seven jurisdictions to
16 participate in what's called the Challenge Grant. And so, there's a consortium of funders known
17 as Partnership for the Base Future who've gotten together to raise money to deal a lot with
18 different issues in the Bay Area but primarily housing. So, they've established a couple funds,
19 one of the funds is dedicated to help support the preservation and construction of affordable
20 housing in the Bay Area. And they've made about \$30 million worth of awards to I think eight

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1 projects across the Bay Area. Another fund that they've developed is the Policy Fund which is to
2 support in this particular instance mid-year career fellows for 2-years at local jurisdictions.
3 Mostly Cities but also, I believe Alameda County, so it's a county government as well, to look at
4 renter protections. How can we help to preserve our renter community in different Cities
5 throughout the Bay Area? So, Palo Alto applied for this grant, we were successful, and we're
6 happy to announce at the end of February our mid-career fellow will be starting here in Palo
7 Alto. She'll be with us here for 2-years so we're very excited to be part of this program. Some
8 neighboring communities that are part of it, East Palo Alto, Redwood City, City of San Jose,
9 Alameda County, City of Berkley, and there's a couple other jurisdictions that I can't remember
10 off the top of my head. But it's definitely a great cohort and we'll also be participating in events
11 with those other Cities quarterly and annually to learn more about what other Cities are doing.
12 So, it's definitely a really great thing and hopefully, more good policies that will come before
13 you as well as the City Council and perhaps an opportunity for future grant funds so very
14 excited about that.

15

16 And lastly, I believe it was just last week, might have been the week before, Director Lait was at
17 the City Council presenting the 2020 Housing Work Plan. So hopefully you were able to catch
18 some of that on TV or maybe you were there in person and if not, you can at least see the
19 Action Minutes. So, one of the big outcomes of that meeting was the motion by Mayor Fine and
20 seconded and approved by the Council unanimously to reauthorize planned communities. And

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1 so not the necessarily just resurrecting the planned communities of the past but really, it's
2 called Planned Home Zoning. So really trying to focus on housing as a major community benefit,
3 not necessarily some of the other items that had been negotiated in the past planned
4 communities. And with a caveat that the... if there's any office... it's a mixed-use development
5 that doesn't include just housing, that the housing that's built would balance out any of the net
6 new office. So essentially if you're creating X jobs, that would result in X housing units that all of
7 those housing units are provided on that site. And obviously, we know people who work there
8 may or may not live there but the idea of not worsening our jobs/housing imbalance as we are
9 permitting mixed-use developments.

10

11 The motion also included looking at public land used for affordable housing, thinking about our
12 Staffing and resources in Planning and Development Services, and thinking about even referring
13 to Finance Committee a proposal to consider an Affordable Housing Tax.

14

15 In addition, in the report itself, there are I believe 28 different items that are already part of
16 what the department is working on and so those are organized in order of priority. So, Items 1
17 through 12 are what we're really trying to tackle this year. Those are items that will be coming
18 before this body in some form as we are moving through me, as we making proposed changes
19 to the Municipal Code. So, you will see those items coming this year and one of the items you
20 can look forward to before the summertime would be changes to our Accessory Dwelling Unit

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1 or ADU Ordinances. We did make some urgency ordinances in January just to make sure that
2 with state law coming in we were able to maintain those parts of our ordinance that state law
3 didn't come and supersede. But these changes that we'll be bringing forward will really be
4 tailored to Palo Alto; thinking about how can we continue to encourage ADU production here?
5 Which as you'll see in our report tonight about housing is a big important component of our
6 housing production and meeting our Regional Housing Needs Allocation.

7
8 So that's my report. Amy, I don't know if there's anything else in the department that I've
9 forgotten but if there's any questions we're happy to answer Commissioner questions.

10
11 Chair Templeton: Any questions? Somebody's pressed a button here. Oh, mistake, ok, alright.
12 Thank you for that update. I was... it's exciting, I'm looking forward to seeing those priorities
13 come before the Commission.

14 **Study Session**

15 Public Comment is Permitted. Five (5) minutes per speaker.1,3

16 **Action Items**

17 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
18 All others: Five (5) minutes per speaker.1,3

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20 2. Planning and Transportation Commission Review and Recommendation Regarding the
21 City's Annual Comprehensive Plan Progress Report, Inclusive of the Housing Element.

22
23 Chair Templeton: Alright so shall we move ahead to Item Number Two?

24

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1 Ms. Rachael Tanner, Assistant Planning Director: So, Item Number Two we have here tonight,
2 I'll do part of the presentation. Unfortunately, one of our Staff Planners also came down with a
3 fever and is out sick today. So, she created the presentation and the report but is not able to be
4 here to present that and that's Chitra Moitra which Doria [note – Commissioner Summa] will
5 remember her from our NVCAP meetings so. And then we also have Margaret Monroe, she is
6 here, she is one of our planners as well who will be presenting on the housing portion of the
7 plan. Let me just get oriented here.

8

9 So, the purpose of this report and this proposal is to comply with our state requirements that
10 really require that each year we would put an annual report to the legislative body the Office of
11 Planning and Research and the Department of Housing Community Development about both
12 our Comp Plan, so reviewing what the progress we've made on our Comprehensive Plan, and
13 then also our Housing Element. What is the progress that we've made on our Housing Element?
14 Now the Comprehensive Plan includes the Housing Plan... the Housing Element but the Housing
15 Element, as you may know, is updated on a more regular cycle than the Comprehensive Plan as
16 required by state law. And the requirements for our reporting are a little bit different but we
17 wanted to bring both of the reports before you tonight since again they're both about our long-
18 range planning and looking annually at how the progress is going. And one important thing is
19 that these reports are due by April 1st so we're here a little bit early. As you consider tonight
20 and if you do recommend approval onto Council, Council will consider this, recommend

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1 approval and then we would submit those reports to the state. So again, the purpose again,
2 focusing on the Comp Plan and then the progress towards our Housing Element Goals but it
3 also includes progress towards our Regional Housing Needs Allocation.

4
5 Overall, in summary for our 2030 Comprehensive Plan and implementation, the plan itself
6 included 410 programs. Again, long-range, looking big picture, that's a lot of programs, 410
7 programs. And so, 18 percent of those have been completed or are partially complete which
8 makes sense. A lot of these programs are ongoing things that we will be continuing to do
9 through the duration of the Comprehensive Plan and so some of the maybe shorter term and
10 medium-term things have been completed.

11
12 When we look at our Housing Element we see that the City is 62 percent of the way through its
13 Housing Element cycle. So, it's was a 2015 to 2023 cycle and so we're 62 percent of the way
14 through. And you'll see if you jump down to bullet three we're 70... we're... no, sorry the last
15 bullet four, we're 78 percent completed on those programs. We're actually making really good
16 progress on our Housing Element in terms of tracking the time laps and the completion of the
17 projects. Of course, as you know, thinking about the Housing Work Plan, for example, just a few
18 ago there are items that we begin to tackle that aren't necessarily reflected in our element
19 because we're keeping up with the day to day and the element was passed in 2015. So still
20 seeing if we figure out a way to get credit for stuff that we didn't put in our element that we're

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1 doing but we haven't figured that out quite yet. And Meg will go into detail about some of the
2 housing numbers. Those 107 units that we've created in Palo Alto were permitted in the last
3 year.

4
5 So, within the Comprehensive Plan, these are the different elements and programs that we
6 have. Land Use, Transportation, Natural Environment, Safety, Community Facilities...Services
7 and Facilities, Business and Economics and Governance and that totals 410 programs. And then
8 there's additional 72 programs that are part of the Housing Element.

9
10 In the 2-years since the adoption of the Comprehensive Plan, there are a number of ongoing
11 parts to complete and pending programs. And so, you can see the break down here, 34 [or] 8
12 percent are complete, 233 are ongoing that's the bulk of them, some 42 [or] 10 percent are
13 partially complete and some that are pending which mean we are waiting to begin and initiate
14 those programs.

15
16 So now I'm going to pass it over Margaret Monroe and she is going to talk about the Housing
17 Element.

18
19 Ms. Margaret Monroe, Planner: Thank you. The... before I get into this I want to reiterate that
20 we are actually talking about two-state requirements that you're looking at tonight. One is the

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1 Annual Progress Report for the Comprehensive Plan of which the Housing Element is apart and
2 what you have it Appendix B in your Staff report is the Housing Element part of the POR Report.
3 Then there's the second report that goes to the Housing and Community Development
4 Department which is the adoption and they're tracking our production against our RHNA
5 number; our Regional Housing number. And this is simply a numeric analysis. They tell us here's
6 the information we want and we fill that in and I think they ultimately come out with a big state
7 document saying this is what the world has done in 2019.

8
9 This is the fifth year of our cycle so you'll see on some of these tables that we go 2015 to 2019
10 and look at the total because they're comparing us to our production against where we are in
11 the cycle. So, the... this first table, I'm sure you've probably... you're probably all familiar with it,
12 is what our regional allocation is currently and it's divided. For HCD's reporting purposes very-
13 low and extremely low-income units are combined together. So, you may have seen this
14 number in a slightly different way but for their reporting, they asked that those two are
15 combined.

16
17 This table which is a little harder to see unfortunately is the building activity we've had to
18 produce net new units since 2015. This number is based on permits issued. These numbers may
19 not quite jive with other numbers you've seen because frequently production is based on
20 Occupancy Permits. In other words, things that are actually completely in their construction or

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1 other measures but in the case of state reporting, they want this based on Building Permit
2 activity... Building Permits issued. At the time of issuance, they consider the unit to be in place
3 and you'll see all these numbers compare on that basis. And you'll see that on our largest area
4 of contribution is in above moderate-income category and if you look at the production's
5 numbers for 2019 more than half of those are ADUs. So, and you can also see in... there was
6 also an impact of ADUs in 2018 but a big impact, about 58 percent of those units, were ADUs in
7 2019.

8
9 Whoop, did it change? Yes, it did. This gives us the comparison... remember I said there's a
10 benchmark? They're looking at where we are in the cycle so this shows where we are relative to
11 our benchmark of about 62 percent. We are above our production projection in above
12 moderate and we're below in all of the other in very-low, low and moderate-income units.

13
14 This section really addresses the Housing Element programs. There's 72 programs, of the 72
15 programs we have accomplished 78 percent which is more than our 62 percent benchmark.
16 And when you look at these numbers you say wait a minute Meg it doesn't quite work out that
17 way. Ongoing and completing are considered to be completed units. In other words, those are
18 programs that have been established and they're ongoing. Have been since 2015 or whenever
19 they were initiated and then completed are ones that have actually been completed. We have
20 11 underway and we have five that are not completed; we haven't yet initiated. Those

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1 programs you'll find, the underway programs and the ones that haven't been initiated yet, are
2 addressed in the Housing Work Program that the Council looked at on February 3rd. They would
3 be in that priority list that was discussed.

4
5 And the last item here is the list of upcoming Housing Element programs and these are the ones
6 that are addressed in the work program or will be addressed in the City's work programs in
7 between now and 2023. And actually, we're down to just five and they're things that I'm sure
8 you're aware of like pedestrian-oriented and transit-oriented development, looking at transit-
9 rich housing sites for future development, reviewing the Zoning Code and permits for
10 innovative housing types, and development and preservation of group homes and support
11 living facilities for person with special needs. So those are things that... and I think you'll find
12 these... many of these echoed in Jonathan's [note – Director Lait] work program.

13
14 So that brings us to our conclusion and that is the action that you need tonight. And it's to
15 review the reports and supporting documentation and recommend approval to the City
16 Council. And when we say reports we mean both the one too goes to OPR which includes your
17 Table A in your Staff report and Table B regarding the Housing Element and then the report to
18 HCD. And you should have at your desk some oversized pages, which even then you can hardly
19 see, those are... that's the format that we submit to HCD and those are the drafts that have the

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1 current data in them if you are interested in that. So, I'll be happy to answer any questions as
2 I'm sure Rachael [note – Ms. Tanner] will.

3

4 Chair Templeton: Great, thank you very much. Thank you both for that report. We can do any
5 questions on the content but we should also ask if there are any public comment on this topic.
6 Anyone have public comment for Item Number Two that was just presented by Staff? No?
7 Alright.

8

9 So, we're going to try lighting up our lights to see if anyone has any comments or questions on
10 this presentation.

11

12 [note -unknown female:] Are they working?

13

14 Chair Templeton: Ok lighting up lights works. Commissioner Hechtman.

15

16 Commissioner Hechtman: Thank you. I just wanted to... oh, there we go. Still learning, still
17 learning. I wanted to clarify, we received a report just now on the housing side. We have two
18 analyses, two tables, right? And I actually had some comments on the first table which is the
19 Comprehensive Plan, not the Housing Element.

20

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1 Ms. Tanner: Sure.

2

3 Commissioner Hechtman: Are we going to receive a Staff report on that or not unless we ask
4 questions?

5

6 Ms. Tanner: The Staff report for the Comprehensive Plan is the report that you have and then
7 the table is the table that will be submitted to OPR. Am I understanding that correctly?

8

9 Ms. Monroe: Yes.

10

11 Ms. Amy French, Chief Planning Official: (off mic) I think Page 17.

12

13 Ms. Tanner: Yeah so (interrupted)

14

15 Commissioner Hechtman: Ok.

16

17 Ms. Tanner: Maybe I'm misunderstanding your question.

18

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1 Commissioner Hechtman: No, no, you're right, I did receive that Staff report. I'm... I was
2 wondering if there as any additional information Staff wanted to give us on Table A before I
3 give my comments?

4

5 Ms. Tanner: Well it's a very exhaustive table so we did not cherry-pick any of the 410 programs
6 to highlight but if there are question that you have. I guess I could... what I can say a little bit
7 about the plan's creation or the plan... the plan creations but the tables creation. So, these 400
8 [note – 410] programs as you can imagine, I mean it really is a Comprehensive Plan and that is
9 not an understatement for how the Palo Alto's plan is designed. So, they are spread across a
10 number of departments in divisions that have responsibility for implementing them. So
11 essentially what we do as Planning Department, part of our annual report, is to reach out to
12 those departments who have responsibility for these programs to say, hey what is the status of
13 this plan or program? What's the update and as reflected many of them are ongoing. I think a
14 lot the things that we planned to do are things that we do and then some things are stretch
15 assignments, right? Things that we want to grow into and so maybe they're not underway yet
16 or they're getting going and so that's where we get a lot of this information. So, we will be
17 happy to answer as much as we can about questions with the knowledge that some of these
18 programs, many of them are not managed by the Planning Department but we are gathering
19 the data from those departments to report on their progress.

20

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1 Chair Templeton: Great and is that you, Commissioner Lauing? Did you have a question?

2

3 Commissioner Lauing: [unintelligible – off mic]

4

5 Chair Templeton: You're not (interrupted)

6

7 Commissioner Hechtman: No, no, I was just making sure I had all the information before I
8 asked my questions. So, I did on Table A find a few minor non-substantive changes and I have
9 provided those to Staff earlier. I do have a hard copy here and I'm not sure what to do with it
10 but I'll... we can get it in the record however we do that. Again, they're non-substantive.

11

12 I just had a couple of questions on Table A.

13

14 Ms. Tanner: Yep.

15

16 Commissioner Hechtman: And the first one is on the first page of the table which is Packet Page
17 17. There's a column called Level of Effort with a... and in that column, we see dollar signs. One,
18 two and I think there might be some... I can't remember if I saw some three-dollar signs. Yeah, I
19 did so but in the Staff report, I didn't see an explanation of that. So, I might have missed it but
20 can somebody tell me what that column is communicating?

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1

2 Ms. Tanner: Yes, it's... so the intent of that and that's very good to point out that we need to
3 have the key of the dollar signs added and I'm making a note of that. Just as we have the key
4 for the other items that are there. It's to indicate an order of magnitude, the cost that might be
5 incurred with that program. And still with that being said some is when it's ongoing may be able
6 to be performed within the existing resources that we have. Kind of as the order of magnitude
7 increases that we may need to put more effort or dedicate more resources that might be new
8 resources in order to accomplish that or it could be one time if it's a capital project but would
9 need an injunction of funds in order to realize that program.

10

11 Commissioner Hechtman: Ok and then is that... are those dollar signs, are those universal
12 throughout the state or is that something we created?

13

14 Ms. Tanner: That's a good question. I don't think that that is universal but I could... should ask
15 on that. I think it might be something that we've used locally here.

16

17 Commissioner Hechtman: The reason... what I was thinking is that in your Staff report we
18 have... you've defined all of the others like for example the priority letter S, IP, MS. But if those
19 aren't... if those are not used statewide then my suggestion was at the top of this first page of
20 the table we provide a full key that tells the state what we mean by every one of our

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1 abbreviations or symbols. Again, if the state already knows that because we're using the same
2 thing that every City is then I don't think that's necessary.

3

4 Ms. Tanner: Great, thank you.

5

6 Commissioner Hechtman: And I just had one other one on Page 26, just a question and I don't
7 know if we have the Staff here to answer tonight but it's on Item L9.11.2; Utilities and Planning
8 are in the process of identifying potential City-owned properties and facilities for future
9 wireless communication facilities in advance and advance metering infrastructure equipment. I
10 just was wondering if Staff was here knowing when the ETA for that was?

11

12 Ms. Tanner: We probably can address that when Rebecca Atkinson is here tonight for our
13 wireless item. I believe this is something that we have been doing already to look at City
14 facilities and also, we already encourage wireless carriers to try to co-locate facilities where
15 they can. It's not required, they have to obviously work with the building owner and etc. etc.
16 but there are downtown, for example, several places where there are co-located facilities.
17 Especially in our taller buildings where it's a little bit harder to see or to be intrusive. So, with
18 the City-owned properties specifically, that work has been ongoing. I will say some of the work
19 with some of the other wireless work has superseded that but that is part of Council's request

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1 that they made of us actually last year as well. To come back and look at where in the City and
2 City-owned facilities could wireless facilities be located.

3

4 Commissioner Hechtman: Those are my questions and thank you.

5

6 Chair Templeton: Thank you. Alright, Commissioner Lauing.

7

8 Commissioner Lauing: Yes, I remember... thank you. I remember last year when we went over
9 this we had some discussion, this is kind of a fine point but maybe it's a legal point, of whether
10 we're actually approving anything tonight because these are just reports. And we're not doing
11 to discuss it and recommend it and make any changes. So technically we're just noting that
12 we've seen it, we provided a public hearing for that and we're sending along not
13 recommending any deferral or changes and it's going to Consent Calendar as well so.

14

15 Ms. Monroe: Yeah, the code requires that there be a public hearing.

16

17 Commissioner Lauing: Right so just by getting this report and having people allowed to speak
18 we've basically sort of allowed that to happen. So, I don't know if we're actually approving it.
19 that's up to you guys but anyways, I just wanted to make that point.

20

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1 Ms. Tanner: Yeah and I think part of it is that recommending that City Council would approve it.
2 I mean to some degree, especially with the HCD report, they say this is the form you're going to
3 fill out and put the information in it and this is how we want it. So, it's certainly there's very
4 limited room to approve upon their required form.

5
6 With the Comprehensive Plan there's a little bit more wiggle room but I mean still they kind of
7 even with it being just as basic as it is, it's many pages of a report and that's kind of the format
8 that they are wanting. But still, I think even having the suggestions from the Commission
9 tonight has already helped I think improve the report and keep fresh for us what we're
10 supposed to be working on. And certainly, can be something that we can use to guide our work
11 in the coming year.

12
13 Commissioner Lauing: The next one was kind of a looking forward question which is what's the
14 lead time on the Housing Element that has to be redone every 3-years. So, the question is when
15 we do first start working on that to get this thing going?

16
17 Ms. Tanner: Yes, indeed so that's a great question. We really need to work on getting a... we
18 likely will need some form of help from a consultant of some kind to work with us on our
19 Housing Element. It's pretty common for Cities of our size to engage services for the
20 development of a Housing Element. So, we need to get that secured this year and then we

-
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1 really need to make sure that we're well underway all of next year developing the Housing
2 Element.

3

4 Commissioner Lauing: One detail on Packet Page 13, is that really meant to go through
5 December of '19? It says '18 so I just wanted to know (interrupted)

6

7 Ms. Monroe: Oh, I'm sorry. On which page?

8

9 Commissioner Lauing: Packet Page 13 at the top. It says that these are programs from 2014 to
10 2018.

11

12 Ms. Monroe: No, it should be to '19.

13

14 Commissioner Lauing: Yeah, that's what I thought and you already answered one question
15 which I thought was implied and that is that the all the ADUs are included.

16

17 Ms. Monroe: Yes.

18

19 Commissioner Lauing: Even though we don't really know what they're being used for they
20 count in housing so.

-
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Ms. Tanner: They do count, yes. I think there has been some concern raised of do we know that people are renting them or are people just expanding their homes. And I think those are good questions that we would love to know the answer too. We don't have that data available but it certainly still counts for our RHNA Allocation.

Commissioner Lauing: Right, ok.

Ms. Monroe: They look at net new units.

Commissioner Lauing: Right, it's a net-new unit, definitely. Ok, thanks.

Chair Templeton: Thank you. Any other comments or questions? Alright, I'm happy to entertain a motion.

MOTION

Commissioner Lauing: I'll move to accept it, whatever that is. Approval or we noted it (interrupted)

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1 Chair Templeton: Thank you.

2

3 Commissioner Lauing: Or whatever but I would move to accept the report.

4

5 Chair Templeton: Any second?

6

7 SECOND

8

9 Commissioner Summa: Second.

10

11 VOTE

12

13 Chair Templeton: Commissioner Summa, alright. All in favor? Alright, motion passes, thank you

14 very much.

15

16 MOTION PASSED 6(Summa, Roohparvar, Templeton, Hechtman, Lauing, Alcheck)-0-1(Riggs

17 absent)

18

19 Ms. Tanner: Thank you. Thank you, Meg.

20

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1 Ms. Monroe: Thank you.

2

3 Ms. Sandra Lee, Assistant City Attorney: (off mic) Can I... can we just clarify that though? I just
4 wanted to clarify for the record because we are going to reflect the action in the minutes that
5 the motion was to move the Staff recommendation. Yes, thank you.

6

7 Commissioner Lauing: Correct.

8

9 [note – unknown female:] Great, thank you.

10

11 **Commission Action:** Motion to approve by Lauing, seconded by Summa. 6-0 (Riggs absent)

12

13 3. PUBLIC HEARING. Planning and Transportation Commission Consideration of an
14 Ordinance Amending Section 18.42.110 (Wireless Communication Facilities) of
15 Chapter 18.42 (Standards for Special Uses) of Title 18 (Zoning) of the Palo Alto
16 Municipal Code (PAMC). Environmental Assessment: This Ordinance is Exempt from
17 Environmental Review Under CEQA Guidelines Sections 15061(b)(3) and 15301,
18 15302, 15303 and 15305.

19 Chair Templeton: Ok before we head onto Agenda Item Three I want to ask if anyone has any
20 comments about recusals? Yes, is that... my buttons are not quite lined up yet. Did you have a
21 comment? Ok, so Commissioner Hechtman.

22

23 Commissioner Hechtman: Thank you so this is actually is on Agenda Item Three, just before we
24 move to the substance, and it relates to a conflict of interest... potential conflict of interest

-
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1 disclosure. Conflict... potential conflict of interests I think are very serious and I take them
2 seriously. I think it's actually one of the most important functions that our citizens can perform
3 in this public process if to raise these issues where they believe they exist because if they don't
4 put a voice to them then we can't talk about them. And so, as it happens a member of... one of
5 our residents has raised this issue about me as it relates to the wireless industry and so I
6 appreciate them bringing back... bringing forward their concerns. And I particularly appreciate
7 that they did so in a tactful and respectful manner and I would hope that that's how these
8 things... these issues would be brought up.

9

10 So, there are two types of conflicts of interest potential, financial interest, and bias, and I intend
11 to address both of them. So, I'm a land use attorney, I've been doing this for more than 30-
12 years and along the way I have done work for the telecommunication industry. Specifically, I
13 worked for a substantial period of time for one of the largest industry companies and my
14 primary job was to attend public hearings like Planning Commissions and seek approval of
15 permits. So that they could get approved and build wireless communication facilities. But the
16 last time I did any of that work was at least a decade ago and probably more like 15-years ago
17 or more. I'm in a small firm and another attorney in my firm also has done that kind of work,
18 work with the industry but she has not done any work with the industry in a number of years.

19

-
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1 So, California law provides that a conflict of interest exists if I have a financial interest in the
2 outcome and it imputes to me any income that my firm has earned from the industry or from
3 anybody who would have an interest in our Wireless Ordinance in the last 12-months. So, I
4 have not, there is no such income, and so under that test, I have no conflict of interest.

5

6 The other aspect potential conflict of interest is bias and the concern was raised in this letter
7 that because of my prior involvement with the industry and the prospect that some point in the
8 future I or another member of my law firm might be hired by the industry, that I had a bias. In
9 other words that I could not fairly and impartially decide a matter that was brought to me as
10 Item Three has been. And I think on this issue I have no bias. I think there may be some
11 confusion of bias with background. The fact that I have experience in the industry is actually an
12 asset I believe in processes like this. And I would like to believe that its this and the experience
13 that I have in other land use matters is part of what the Council saw in appointing me. So, I do
14 have a background that doesn't make me predisposed to like their position or dislike their
15 position but it does allow me to understand their processes and positions. And again, I think
16 that is a useful tool and it is not a matter of bias. My allegiance in my role as a Planning
17 Commissioner here is to the City of Palo Alto and my intention is to make the decisions that in
18 my view are in the best interest of the City and the whole City. And so that doesn't necessarily
19 mean that I'll agree with every comment from every resident every time but it does mean that I
20 will take a big view and I'm not beholden to the wireless industry.

-
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So, I don't have a potential... I don't have a conflict of interest on bias. I have conferred with the City Attorney's Office on both of these matters and I will be participating fully in tonight's discussion and vote.

Chair Templeton: Alright thank you. Any other comments on this point? Alright, well thank you Commissioner Hechtman and we'll proceed. We'll do the Staff presentation, then public comment and then discussion. Is that correct?

Ms. Rachael Tanner, Assistant Planning Director: Yes, that's correct. Commissioners I would like to introduce Rebecca Atkinson. She is a Staff planner here with the City of Palo Alto, she's been with us for 5-years working in both current planning and most recently in long-range planning. She's done a wide variety of applications including projects at the shopping center, the Stanford University Medical Center, she just helped open that new hospital so we're very grateful for her work on very complex projects which includes wireless facilities. A topic that is of interest to many members of our community and that has a very complex regulatory system. So, we're really glad to have her, she's done a lot of work bringing before to the Council in December updates to our wireless standards and tonight before your consideration for changes and amendments to our Wireless Ordinance. So again, I'll ask... we'll have Rebecca present, maybe

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1 if there are clarifying questions and then public comment and then to ask the body to
2 deliberate the proposed amendments to our Wireless Ordinance. Rebecca?

3
4 Ms. Rebecca Atkinson, Planner: Thank you Rachael [note - Ms. Tanner]. Good evening Planning
5 Commissioners. We're here tonight to present to you proposed Wireless Ordinance
6 amendments for PTC review and discussion. We will provide some background information
7 including an overview of the City's current wireless tools and how these tools fit together to
8 promote the Wireless Application Review Process. We will highlight the proposed amendments
9 including the purpose, timeline, and effect. We will highlight next steps, those, and the Staff
10 recommendation. I'd like to note that there's great community interest in all of the City's
11 authority and tools for reviewing wireless applications and there are likely community members
12 and wireless carries here tonight to speak to this item. So, let's get started on the background
13 slides.

14
15 So existing City Wireless Communication Facility Tools, all wireless applications utilize the
16 following three tools that are in yellow here. The most frequently looked at tool is the Wireless
17 Ordinance of PAMC Section 18.42.110 which is for your review and discussion tonight. This
18 section was amended in 2019 and provides the overall wireless regulatory framework and it's
19 included in your Staff report today for reference. Also, we have a series of wireless application
20 checklists that each applicant utilizes to prepare their application materials and subsequently

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1 for Staff analysis and public review. The other department, City departments, publish design
2 and construction standards. For example, the trenching locations that Public Works has
3 specified for wireless facility conduit and the standards specified by our Utilities Electrical
4 Engineering Department. Now we also have additional tools for applications for the public right
5 of way. Including Master License Agreements that are agreed to between wireless carriers and
6 the City and also the Objective Standards summarized here. It's actually Objective Wireless
7 Administrative Standards, a very long title. You have those... a copy of those standards that
8 were most recently adopted by Council in December in your Staff report as an Attachment.

9

10 For more background, we'd like to highlight the recent activity that many of you and many
11 members of the public and wireless carriers are aware of. Here's a slide showing the timeline of
12 recent activity on the Objective Wireless Standards that I just mentioned and these standards
13 are again, for the public right of way. And here's the slide for recent City actions on the Wireless
14 Ordinance. So, the... last time the Planning Commission saw the ordinance was in 2018... in
15 2019 and Council adopted the current version of the ordinance in April and May. You can see
16 this... the actual ordinance and it has the black and white underline strikeouts and this is
17 distinguished between the ordinance amendments today that are in Attachment A.

18

19 So here we are, we're turning back to the Wireless Ordinance. To contextualize what's
20 proposed let's refer to the following slides. The purpose tonight is to respond to Council's

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1 requested Staff review of the ordinance effectiveness and to respond to Council and
2 stakeholder ideas and concerns. The timeline is identified by Council. Council request Staff to
3 return in April 2020 or earlier. The effect of the proposed amendments is to provide the public
4 more assurance regarding the review of wireless applications and their operations; as well as to
5 establish greater permittee operational accountability. So, we've received these topics from...
6 these key topics from Council and additional key topics that we'd like to cover tonight. The
7 additional key topics respond to the request for ordinance... the effectiveness of the ordinance
8 review as well as topics that were mentioned by stakeholders.

9
10 So, let's go through the proposed amendments. The first item requested by Council was
11 additional clarifications regarding infeasibility, exceptions, and alternatives. The amendments
12 that you have before you tonight in Attachment A are oriented to encourage applicants to
13 present wireless applications that contain the fewest number of exceptions and to demonstrate
14 why an exception is being requested.

15
16 In regard to noise, applicants and Staff currently address the topic of noise. For example,
17 applicants regularly submit noise reports that are then analyzed for Staff... by Staff for
18 consistency with Comprehensive Plan noise-related policies as well as our current Noise
19 Ordinance. The amendments tonight codify this practice and require ongoing compliance.

20

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1 The third item requested by Council was to look at location and design preferences. Tonight,
2 there are no ordinance amendments currently proposed by Staff on this topic and the reason
3 for this includes the following items outlined on this slide and in the Staff report. Council
4 addressed updates to location design preferences for wireless facilities in the right of way by
5 Resolution that they adopted December 16th, 2019. And this ordinance... the ordinance already
6 incorporates this Resolution by reference and so you would look at the existing ordinance of
7 subsections (l)(2) and (m)(2). Additionally, the ordinance already states the City's overall
8 location and design preferences for wireless facilities to be building-mounted and for new
9 wireless facilities to be co-located at existing wireless locations.

10

11 Other topics include ordinance applicability and the amendments provide an effective date for
12 all projects.

13

14 Another topic, application processing procedures. The amendments clarify when applications
15 are considered complete, denied, and withdrawn and codify Staff interpretations.

16

17 The Wireless Communication Facility Application Requirements, this subsection already exists
18 and the amendments codify already existing standard application checklist items, such as the
19 submittal of Planned FCC Compliance reports regarding RF emissions and exposures, noise
20 reports and visual simulations.

-
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1

2 Use of independent experts, the amendment codifies the current practice of using subject
3 matter experts to review technical reports, such as the applicant provided Planned FCC
4 Compliance reports.

5

6 Generally Applicable Development Standards, again this subsection already exists and the
7 amendments are responsive to community feedback and Staff experience, such as ensuring the
8 design of wireless facilities do not interfere with the use of the right of way.

9

10 Conditions of Approval, again this subsection already exists and the amendments are
11 responsive to community feedback and Staff experience, such as preserving City access and
12 ensuring maintenance of facilities.

13

14 The last topic is findings for wireless communication facility approval and these amendments...
15 these subsections already exist and the amendments clarify current practice regarding the use
16 of the findings for approval.

17

18 Next steps for tonight is to receive public comments, have a review discussion, and hopefully a
19 motion. And the Staff recommendation is here on the slide and also in your Staff report.

20 Adoption of this ordinance would be exempted from environmental review... Council adoption

-
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1 of this ordinance would be exempted from environmental review. And Staff would also like to
2 thank community members and wireless carriers for communicating with Staff thus far in the
3 process. And we look forward to answering any questions you might have.

4

5 Chair Templeton: Thank you very much for your presentation.

6 Commissioner Alcheck: Chair?

7

8 Chair Templeton: Commissioner Alcheck.

9

10 Commissioner Alcheck: Listen, I'm sorry to say this but I am not... I'm feeling a little under the
11 weather so I'm going to excuse myself and leave you in your good hands here. And I apologize
12 for that (interrupted)

13

14 Chair Templeton: Alright, thank you.

15

16 Commissioner Alcheck: But I think you have a quorum (interrupted)

17

18 Chair Templeton: Take care of yourself.

19

-
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1 Commissioner Alcheck: So, I think it will be alright and I'll see you guys next time we get
2 together.

3

4 Chair Templeton: Great. Feel better. So, we have a start for public comment but I think that
5 new comment cards may have come in. Great, thank you. We'll start with Mr. Albritton and
6 followed by Ms. Cruzen. Thank you.

7

8 Mr. Paul Albritton: Good evening Chair Templeton and Members of the Commission. My
9 name's Paul Albritton, I'm an outside counsel for Verizon Wireless and I'm here with a simple
10 request. And that is that you take a pause and allow the carriers, stakeholders to meet with
11 Staff or even with you in some kind of workshop to work on this ordinance. We were working
12 cooperatively with the City I think up and through last April and then we really haven't heard
13 from them. Haven't heard at all until December when new guidelines came out that were
14 rather shocking to us and then these further amendments are also shocking. We don't think
15 this code is enforceable and that's because it establishes prohibitions for facilities adjacent to
16 schools, 20-feet from a building in any residential zone, and then it requires that we
17 demonstrate an exception for any of those... for putting facilities in any of those prohibited
18 areas; which requires us basically to go through an entire federal law, state law preemption
19 argument showing our coverage objective and the alternatives analysis. Not just the analysis

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1 but plans for each alternative and this is just far beyond what can be required for placing
2 facilities in public right of way.

3

4 The FCC Order that was passed recently required that you establish objective aesthetic
5 reasonable standards and you did that last April in terms of size. They came through all of you,
6 determining the different dimensions and stakeholders worked with the City to come up with
7 good dimensions. In December there were suddenly locational standards that were brand new
8 that we'd never seen before until that time. They create this huge exception process for us to
9 place the facilities where we plan to place them. It's based on something that people call the
10 Mill Valley Model. Mill Valley's ordinance has never been tested but I know that a lot of
11 residents here have been pushing for these kinds of setbacks. Both AT&T and Verizon Wireless
12 have recently sued Los Altos that adopted a similar type of ordinance that has a school setback.
13 There's no legal justification for the type of school setback that you've got established in your
14 ordinance here. We also recently I have to say successfully sued Danville on a similar type of
15 lease intrusive means type analysis for small cells.

16

17 The FCC process is supposed to be 60-days, simple objective standards that a Director can
18 approve and if the... and or not approve. Provides predictability to the carrier so that they know
19 whether their application will be approved when it's submitted. San Francisco has a similar

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1 objective process, that's the process that was approved in the Supreme Court Case T-Mobile
2 versus San Francisco.

3

4 San Francisco has just moved to a situation where they had no permits and that's because of
5 their experience of the exhaustion of resources for Staff, exhaustion of resources for appeals,
6 exhaustion of resources for Council Members didn't go anywhere because there was nothing
7 that they could do to respond to the public fear regarding RF emissions.

8

9 So, I would humbly ask that you please do not adopt or recommend this, this evening. Request
10 Staff to meet with stakeholders so that we can come up with something that's workable and we
11 continue to have a good working relationship with the City. Thank you.

12

13 Chair Templeton: Thank you very much. Ms. Cruzen followed by Fleming.

14

15 Ms. Maureen Cruzen: Good evening Commissioners and Staff. My name is Maureen Cruzen and
16 I'm with Verizon Wireless. And I came here tonight because I wanted to express our
17 appreciation for the opportunities we've had to date to work with Staff and the opportunities
18 that we've had to develop workable solutions to serve our customers that were mutually
19 beneficial to the City and to Verizon. We are very much appreciative of that.

20

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1 And I will also say there are many residents and there are many businesses in the City of Palo
2 Alto who depend on Verizon and other carriers, wireless networks, and some of that are very
3 much looking forward to the advent of 5G and all of the possibilities that will be offered by that.

4
5 And we would like to let you know that we are committed to continuing to work and partner
6 with the City of Palo Alto and with the Staff to come up with designs and guidelines and
7 ordinance that will result in continuing to provide that world-class service. But I would like to
8 reiterate Mr. Albritton's statement that we would ask you tonight to not adopt this ordinance.
9 Please differ acting until we can have an opportunity to allow input from all the stakeholders
10 and get some feedback and come up with something that is really workable and genuinely
11 deployable. Thank you.

12
13 Chair Templeton: Thank you. Is this Jeanne? Ms. Fleming?

14
15 Ms. Jeanne Fleming: (off mic – speaking from the audience) It's Jeanne Fleming, yes.

16
17 Chair Templeton: Followed by Ms. Chow.

18
19 Ms. Fleming: (off mic -speaking from the audience) And am I correct its 3-minutes? Yes

20 [unintelligible]

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Chair Templeton: That’s correct you have 3-minutes.

Ms. Fleming: I apologize, I think I have about two paragraphs longer than that. May I be permitted to try to squeeze it in?

Chair Templeton: Do your best.

Ms. Fleming: Ok. I’ll talk fast. I have some photographs.

Chair Templeton:: [unintelligible] have the time start when her visual aides are ready.

[note – many people started talking at once off mic]

Ms. Atkinson: There we go.

Ms. Fleming: Yeah just... any maybe it makes sense Rebecca if I just tell you when to go to the (interrupted)

Ms. Atkinson: Next slide? Yeah.

-
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Ms. Fleming: Ok and also Rebecca I'm going to from the first slide to the third slide.

Ms. Tanner: We'll try to keep up.

Ms. Fleming: I'm Jeanne Fleming here on behalf of United Neighbors. Let me say at the outset that we love our smartphones and our goal is to not to prevent telecom companies from provide good service here. Our goal is to ensure that the aesthetics and safety of our neighborhoods are not compromised in the process.

Last December City Council unanimously passed a Wireless Resolution the intent of which is to keep ugly, noisy, and potentially hazardous equipment like this, that's what I'm talking about, away from homes. The purpose of the changes and additions in the revised Wireless Ordinance which you're considering this evening is to spell out how to implement the provisions in the Resolution. Provisions that stipulate where cell towers can be located and what they can look like. So, for example, they say that cell towers can be placed in residential areas only with the City grants an exception and then if equipment such as radios can't be side mounted on poles like that unless again, the City grants an exception.

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1 I'm here tonight to ask you to recommend to Council that they adopt this ordinance, this
2 revised ordinance. I'm also here to ask you to recommend that Council adopt four additional
3 revisions to the ordinance. I'll speak about two of them. First please recommend to Council that
4 all requests for exceptions be reviewed by the Architectural Review Board. Why? Because
5 aesthetics are the grounds in which municipalities have legal authority with respect to cell
6 towers and the ARB is the arbiter of aesthetics in Palo Alto. If our City to preserve the
7 character of its neighborhoods, it needs the imprimatur of the ARB to support its decisions.
8 Moreover, ARB Members are architects, they know how to build things. Hence if anyone is
9 qualified to determine whether say Verizon truly cannot vault equipment underground at a
10 particular location, it is these experienced professionals. So please recommend that all requests
11 for exceptions to our City standards be reviewed by the ARB.

12
13 Second please recommend to Council that they increase the minimum setback for cell towers
14 from residences. Ok, photo number three, please. Here's a photo of a tower of boxes that's 20-
15 feet and 1-inch from a Palo Alto home. That's how close to a house the revised ordinance
16 allows a company once granted an exception to put a cell tower. That's a distance just a little
17 bit greater than the length of a Tesla. How can this possibly make sense? The aesthetic problem
18 I think is obvious but also consider this. Where's a 55-foot tall utility pole top-heavy with
19 multiple antennae... because they will have multiple antennae where's this pole going to land
20 when it's toppled by an earthquake or wind storm? Homes only a few short feet away are a

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1 good bet. Then there the health risk associated with living in close proximity to the radiation
2 admitted from these towers. I will only point out on this front that today's London Financial
3 Times reports that Switzerland has, and I'm quoting, halted the rollout of 5G over health
4 concerns. If the country of Switzerland is so concerned about the health risk these towers pose
5 that it imposed a definitive moratorium, which is what they did, shouldn't Palo Alto be
6 concerned as well? A setback for 20-feet (interrupted)

7

8 Chair Templeton: Please try to wrap up Ms. Fleming.

9

10 Ms. Fleming: Is short-sided and it should be increased significantly. Thank you for listening.

11

12 Chair Templeton: Thank you very much. Ms. Chow.

13

14 Ms. Tina Chow: Good evening everyone. I live in Barron Park and I'm a Professor of Civil and
15 Environmental Engineering at UC Berkeley. I've been actively involved in the issues around our
16 Wireless Ordinance for quite a while now and I'm quite pleased to see us moving in the right
17 direction. I'm very thankful for the many helpful conversations with City Staff and there are a
18 number of truly excellent elements that have been added to the ordinance.

19

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1 I encourage you to strongly support the proposed changes in the Staff report. We've really
2 made significant progress in creating a strong Wireless Ordinance for our beautiful City
3 following the model of many, many other Cities in California and across the country.

4

5 I agree with the suggestion raised by Jeanne and the many others who have written to you and

6 I will focus my comments on two specific issues. My main suggestion is to move the location

7 preferences from the Resolution into the Wireless Ordinance itself. This will create a coherent

8 and robust document in the Wireless Ordinance. I've spent a lot of time reading ordinances

9 from other Cities and they all include the location preferences in the ordinance itself and they

10 have a separate section in the ordinance called Site Location Guidelines. They may or may not

11 then have additional objective standards to cover minor details but the location guidelines are

12 in the ordinance. I believe that these location preferences, therefore, apply to all cell towers,

13 both on private property and in the public right of way. You can imagine scenarios where small

14 cells or macro cell towers are proposed in private property immediately adjacent to our

15 secondary schools for example. We would want to apply the same setbacks from schools and

16 homes in the zoning preferences that we have in the right of way in those situations as well.

17 And one way to do that is to create a separate section called Site Location Guidelines for all cell

18 towers including the full range of possible cell tower applications.

19

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1 I'd also like to see an increase in the setbacks in the current standards related to schools. The
2 Palo Alto Unified School District's School Board continues to request a 1,500-foot setback from
3 schools and this is based on a Resolution that they pass in June 2019. And their Resolution was
4 based partly on observations that an increasing number of public agencies at all levels are
5 raising concerns about and taking action to protect against cell tower radiation. Right now, we
6 have a 600-foot or a 300-foot setback by exception in the current standards and I would
7 suggest that in addition to increasing that distance that the setbacks should apply to all public
8 and private schools and daycare centers. Right now, the standard only says that it's for public
9 schools.

10

11 So, to summarize please support the proposed changes to the Wireless Ordinance including
12 moving the location guidelines to the ordinance to create a strong, robust document that
13 reflects the values of our City to the fullest extent possible. And also, please reconsider the
14 setbacks from schools and from homes. Thank you.

15

16 Chair Templeton: Thank you very much. Last call for public comment. Ms. French. Thank you.

17 Alright, Mr. Grabisch.

18

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1 Mr. Marc Grabisch: Good evening Commissioners and Staff. I am here on behalf of AT&T and to
2 reiterate some of Paul's comments that we worked very closely I think a year ago with the City
3 to develop the design standards.

4

5 Chair Templeton: Excuse me, please keep order.

6

7 Mr. Grabisch: What's that? Oh, better with the mic?

8

9 Chair Templeton: There's... yeah. No, no, you're fine. There was some noise interfering with
10 your comments so we're going to restart the clock.

11

12 Ms. Grabisch: Sorry. So, as I was saying a year ago... just about a year ago we worked very
13 closely with the City to come up with reasonable and responsible design standards that
14 provided the best aesthetic that the technology has to offer today. And we worked very closely
15 on coming up with these standards so that we base applications on those standards which we
16 were very happy with. And we were appreciative of the Staff's input... you know allowing up to
17 have input to show the best that technology has to offer. Within the last year by December, it
18 was a surprise to us as Paul said that a lot of these standards, a lot of the applications that we
19 currently have before you would now require exception at every single application just about.
20 With the new standards that the City's proposing is going to require an exception and these are

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1 going to become effectively prohibiting our ability to provide services. Applications being
2 deemed withdrawn, with those new standards that were adopted there were a lot of things
3 that still needed to be revised and worked through as far as different interpretations of
4 attachment heights and things. 90-days is not enough time to even go through some of the
5 issues that could arise through a deemed incomplete notice that's given in an application.

6
7 So, I urge you to reconsider adopting this standard. Let us work together to come up with again
8 a more reasonable and responsible way that we can actually deploy facilities and not be
9 effectively prohibited or have an unduly burdensome time on Staff resources and carrier
10 resources to come up with the applications to meet the standards that the City is currently
11 considering. Thank you.

12
13 Chair Templeton: Thank you very much. Alright, Commissioners if you would like to ask
14 questions or have comments light up your buttons. So, let's start with Commissioner
15 Roohparvar... I mean Vice-Chair Roohparvar.

16
17 Vice-Chair Roohparvar: Yes, thank you Staff and public for comments. I had a procedural
18 question that I was hoping you could help me out with. So, in December it said... your slide says
19 the City Council clarified certain objective standards, correct? So, they adopted... let me explain
20 what I'm trying to get at. What is the issue before us? What was adopted in December or only

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1 these amendments because when I'm hearing comments from Council for the
2 telecommunication provider it sounds more broad? And I want to know are we now opening up
3 what was decided in December or are we only focusing on the amendments and what you went
4 through and those specific items?

5

6 Ms. Tanner: That's a great question. What's before you tonight is amendments to the
7 ordinance and so what was before Council contrast in December was a Resolution. We also
8 have our City Attorney who's been working a lot on this who can explain more but essentially
9 the Resolution... this ordinance tonight is looking at... is going to go into our Municipal Code.
10 And so, as Rebecca mentioned for a number of items part of it is taking practices that we have
11 and codifying it. And as you saw in that graphic where the ordinance is in the center, that
12 center cog of that multiple kind of cog system, that applies to all wireless facilities. Whether
13 they're in the right of way or whether they're on private property and obviously different parts
14 of it govern different facilities. So that's what before you this evening and then you can also see
15 in that graphic the objective standards which were amended in December through ordinance
16 which apply primarily too facilities that are in the right of way. Hopefully, that helps clarify what
17 you're considering.

18

19 Vice-Chair Roohparvar: I had one more question. If the setback requirements are changed...
20 increased from what is in the proposed amendment right now, would that have an impact on

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1 feasibility of where telecommunication devices can go? Do you get what I'm saying? If you
2 increase the radii does that... is that going to cause effectively these telecommunication devices
3 can't go anywhere?

4

5 Ms. Tanner: Yeah so to kind of give a little background on the ordinance or the Resolution that
6 was passed and as Rebecca said, the location preferences are not included in the ordinance
7 before you. They are part of the Resolution. The Resolution was provided as an Attachment so
8 you can gain, get that overall framework of the regulatory framework for wireless facilities in
9 Palo Alto. So, within that framework in the Resolution part of what we did to get to the number
10 of what is the setback requirement was to do some analysis with GIS to look at different
11 scenarios, to experiment with different radii to say ok, if we increase it to this or decrease it to
12 that what is the map of Palo Alto look like? How much of the City becomes either meeting an
13 exception or if it's a hard line saying you cannot even request an exception. Are we making it
14 infeasible for cell service providers to have a functioning network in Palo Alto? And so, when
15 we looked at the hardline being at 20-feet we felt comfortable and confident that we could
16 propose that as a no-go zone for wireless facilities and still provide the carriers with enough
17 land to have their network. Obviously, you've heard testimony that they disagree with that and
18 that's certainly reasonable. People can disagree but that's how we got to that number. And if
19 we go beyond that number we do run into either one, needing to allow an exception to that
20 distance. And so sure, we could say 100-feet, 200-feet but you can ask for an exception and so

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1 we decided to draw a smaller circle, 20-feet, a smaller distance but say that no exceptions are
2 allowed within that 20-feet. Rebecca do you want to add anything to that or did I get it right?

3

4 Ms. Atkinson: You got it right.

5

6 Ms. Tanner: She's been tutoring me.

7

8 Ms. Atkinson: Just for clarification the distance... the siting standards that include location
9 distances and so forth. They're already incorporated into this ordinance before you tonight so
10 there isn't a need to establish location preferences or distances and so forth for projects in the
11 right of way because it's already incorporated. That Resolution's already incorporated by
12 reference in our ordinance.

13

14 Secondly our ordinance already also says and this is from a long time ago even that the
15 preferences for location on private parcels... privately owned parcels, as well as publicly owned
16 parcels, is for these wireless facilities to be on buildings... mounted on buildings. And also, to be
17 co-located where there are already existing wireless locations so Staff believes that those
18 locations' preferences are also well established already.

19

20 Vice-Chair Roohparvar: Thank you. That was very helpful.

-
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Chair Templeton: Any other questions and comments. Commissioner Summa.

Commissioner Summa: Thank you very much and I want to thank the public too who worked with Staff because I think we got to a much better place with their participation and they're very... they're interested in this issue.

I did have a couple questions and one is about... so these are all towers, right? We're not talking... these are... all of this if for towers, not for other types of installations like underground? Is that (interrupted)

Ms. Atkinson: I'm not sure exactly what you mean by tower.

Commissioner Summa: Or poles, poles.

Ms. Atkinson: Right, these are... the ordinance pertains to all applications, all wireless facilities that require an application. So, it could be for... the ordinance would apply to applicants that are requesting to sub out antennas and put in new antennas on an already existing facility. It could be pertaining to locating an antenna on top of an existing wood utility pole. It could

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1 pertain to creating a new wireless facility on say a hotel and so it's all different kinds of wireless
2 applications.

3

4 Commissioner Summa: And just to clarify it's for public right of way and private land?

5

6 Ms. Atkinson: Correct.

7

8 Commissioner Summa: Yes, and is there something in the ordinance that regulates removal of
9 obsolete equipment in a timely fashion? It was a member of the public brought that up and I
10 couldn't find it.

11

12 Ms. Atkinson: Yes, that currently exists and if you give me a moment I can find the ordinance
13 section for you. That provision of removal of abandoned equipment was put into effect last
14 year.

15

16 Commissioner Summa: Thank you very much and then I'm wondering about having the location
17 preferences in a separate Resolution and not as part of the ordinance. And if Staff could
18 comment on the upside or downside of that? And I'm thinking about a recent problem with a
19 planned community where... a project where the ordinance didn't contain the penalty fee. It

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1 was in a different document and it became kind of a problem for enforcement so could Staff
2 comment on the... that?

3

4 Ms. Tanner: So, I think overall and I will invite Rebecca in or Aylin, our City Attorney, to
5 comment on this. I think there's a strategy around how to make sure that we can, with our
6 ordinance, make sure... you saw a lot of a trend toward codifying things. Making sure it's really
7 clear for things that we're currently doing, we've been doing, we want to continue to do. It's
8 clear for the applicants, it's clear for the community what are the codes that they have to
9 comply to and I think that's a really good thing. We also want to make sure that we have
10 flexibility to be nimble as a City to react to different things. Whether it's changes in case law,
11 changes in federal or state law and be able to take advantage of opportunities as they are
12 rising. So, by having the location preferences in the Resolution versus the ordinance, it does
13 allow Council to move a bit more quickly if needed to be able to react and to update those
14 preferences so that was part of our rationale. Aylin, if there's anything to say about the
15 distinction between the Resolution and the ordinance? Pros or cons or anything? I think that's
16 (interrupted)

17

18 Ms. Aylin Bilir, Deputy City Attorney: (off mic) You got it.

19

20 Ms. Tanner: That's the main one.

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Commissioner Summa: So, having it be in a separate document in the Resolution doesn't weaken the City's ability to enforce it in your (interrupted)

Ms. Tanner: No, I don't believe that's an issue.

Ms. Atkinson: Excuse me, to get back to you on your question on removal of abandoned equipment – it is in existing subsection in the ordinance and it was renumbered in this proposed set of amendments. But you can find it as an existing part of our ordinance subsection (q).

Ms. Tanner: What Packet Page?

Ms. Atkinson: Packet Page 140.

Commissioner Summa: Thank you very much. Let's see, I think that's... oh, I did want to ask about the distance from residences. And I have a question about whether it should be all residences or just residential zones because we have a lot of residences and we want more that are in mixed-use and business zones? So, I was wondering if that would be advisable if... we

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1 would apply the same standards to a residential use that may not be in a specific residential
2 zone?

3

4 And with regards to the distance, the 20-foot setback currently required, I believe that in the
5 hearings that the City Council the Director of Planning had stated that it could be much further
6 and still there would be a feasible coverage and the wireless providers would be able to site
7 things where they wanted them. I think he said... even might have stated 40 or 50-feet instead
8 of 20 so I'm just wondering about that because it's a concern for a lot of members of the public.
9 We received a lot of email about this so the setback being more than 20-feet is something I'd
10 love to hear you comment on.

11

12 Ms. Tanner: Great so [unintelligible] Atkinson, she'll... it looks like she's ready to answer your
13 last question first on the distances and then we can return to the previous question.

14

15 Ms. Atkinson: You might have seen this slide from the City Council meeting in December and it
16 highlights just an example part of the City. If you... you can see the existing wood utility poles
17 and streetlight poles on just a typical street and you can see where there are building
18 footprints. And the dots represent a 20-foot radius and so you can see that some poles are
19 within 20-feet of an existing residence and some poles are not. Now if you expand the radius to
20 100-feet you can see how many residences are within that radius from an existing pole in the

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1 right of way. So, there isn't much change to the circle, you can tell if you just mentally cut half
2 of the radius of that circle to say 50-feet. You can still see that many, many residences are still
3 within 50-feet so 20-feet, 30-feet starts to really exclude quite a number of existing poles.

4

5 Commissioner Lauing: I'm sorry, I just don't understand the slide. Could you translate that into
6 a benefit? I mean is coverage going to be better or worse or is it just a visual?

7

8 Ms. Atkinson: Yes, this is just a visual showing the different... like if you were to establish a
9 minimum setback of 20-feet which is what they did for... which is what Council did in
10 December. You can see that some existing poles are closer than 20-feet to some residences in
11 which case those poles are not available under the current Resolution for location of a wireless
12 facility. You can see other poles are 20-feet away if you look at the image on the left-hand side
13 of the slide. If you look at the image on the right-hand side of the slide you can see a 100-foot
14 radius from existing streetlight poles and wood utility poles in the right of way. And you can see
15 how it excludes... this radius excludes most poles from being able to be located so that's why
16 we went with the 20-feet. And if you could see if we established a 30-foot setback you could
17 still see that it would have more or less the same effect as the 100-foot setback.

18

19 Ms. Tanner: Commissioner Summa, could you restate your first question. I think that it was
20 regarding the distance as well or did we already answer that question?

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Commissioner Summa: (off mic) I think the first part was about whether we should be establishing distances from residential uses (interrupted)

Ms. Tanner: That are not in zones.

Commissioner Summa: That are not exclusively in residential zones.

Ms. Tanner: Yeah, I mean I think it's an interesting point. I think something that we started thinking about when we were establishing this was kind of thinking about... trying to think about the future and also trying to balance between existing and maybe mixed-use neighborhoods. Mixed-use developments that exist and so Rebecca, do you want to speak to the decision to have it residential uses versus zones?

Ms. Atkinson: Currently the Resolution states that an exception is not required for wireless placement in a non-residential zoning district. So, an exception would be required for proposed placement in residential zoning districts. If you flip to the second page of the standards there is a new standard. A wireless facility shall not be placed closer than 20-feet from any building used for occupancy in any zoning district. So, if you're proposing to be closer than 20-feet in a non-residential zoning district you still need to apply for an exception. So, both existing

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1 buildings in residential and non-residential districts have that setback. In the case of residential
2 zones, no wireless facility would be allowed, no exception would be granted to be closer to an
3 existing residence in an existing residential zoning district. Does that make sense?

4

5 Commissioner Summa: Yes, I think so and then I still don't quite understand this slide and it's
6 (interrupted)

7

8 Ms. Tanner: This slide?

9

10 Commissioner Summa: Sounds like one of the reasons you want to keep it at 20-feet is to take
11 full advantage of co-locations which kind of... is that... am I understanding that correctly?

12

13 Ms. Tanner: I think... well, I'm not a wireless expert in terms of the facility. I think co-location
14 typically would occur on building rooftops. Not necessarily co-locating equipment from multiple
15 carriers on the same pole. Would that be unusual?

16

17 Ms. Atkinson: I think it would be more usual to have co-location on buildings. I think there are
18 few instances where we might have co-location on an existing street light pole. For example,
19 the original design for the Crown Castle and Verizon project downtown. That original design
20 had two carriers on it.

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Ms. Tanner: So, this graph is showing on the 20-foot setback, these are I believe streetlight and utility poles. That's the color differentiation between the two and then showing the 20-foot radii around those poles to say, ok you can see for example on Fulton Street some of those radii bubbles bump up against the front of those buildings' facades. So those may not be eligible for wireless facilities because they're too close to the buildings. And then on the right side, you see that when you blow up the radius to 100-feet then you are really saying where can the wireless facilities locate? Essentially no poles in that example block, set of blocks are eligible for wireless facilities to be located there or we have to say that they are eligible for an exception from the 100-feet because in order to say that we're not making it infeasible. But if we're saying well, hey, 20-feet that's the line, no exceptions even to that. We still believe that we're allowing enough poles where carriers could propose to put facilities but at the same time being able to hold true to that. And so, part of the balance I think for the City is again trying to comply with the federal regulations as well as complying with our community's desire to ensure that our streets remain aesthetically pleasing and so trying to balance those interests in the community.

Commissioner Summa: Yes, I appreciate that. Thank you very much. I guess what's missing for me here is any consideration of the values between 20 and 100-feet. So, it's hard for me to understand that well. I think that's it for now.

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1 Ms. Tanner: Thank you.

2

3 Chair Templeton: Great. Commissioner Hechtman, do you have questions?

4

5 Commissioner Hechtman: Thank you. So, I actually have quite a few comments on this
6 ordinance, but I wanted to start with the timing issue and that is I've seen the Staff report that
7 this needs to go to Council in April. Some of the suggestions that I'm going to raise here if the
8 Commission agreed I think would require Staff to go back and look at some things and possibly
9 bring this back to us on I suppose February 26 or whenever our next or March meeting is. And
10 so, I wanted to confirm that that's workable if that's the way the Commission decides to go?

11

12 Ms. Tanner: I would say that while we are hopeful that we can be expedient and get everything
13 done to Council by April. Council also has respect for this body's opinion and so the work that's
14 before you is the work that's before you. So, if it takes longer than getting back to April then
15 that timeline is extended. Again, this is Council's request and direction to Staff to come back by
16 April but we are fortunately acting as our own City's volition to do these updates. There's no
17 impeding thing that is going to come. Well, you never know but nothing right now that's
18 external that's driving this other than our City's desire to be responsive to our public and to
19 move forward this item.

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1 Commissioner Hechtman: Ok thank you. So, I want to start with an issue that involves a lot of
2 different provisions and to me, it's kind of one of the key things that was troubling me. And the
3 topic involved is the alternatives which as you know from working on the revisions, really that
4 concept flows through a number of provisions. I'm only going to mention three but recognize
5 that other... every time the word alternatives is mentioned ties into this concept I'm going to
6 raise. So, I want to highlight three provisions and the first is one Page 130 of the Packet. It's
7 new section Subpart 12. So, this is... we're talking about Tier II and Tier III permits and what's
8 required here for the public who doesn't have it in front of them like I do. I'm just going to read
9 a couple sentences. The applicant shall provide an alternatives analysis that outlines the
10 applicant's proposed primary designs, plural, and primary locations, plural, in comparison with
11 alternative designs, plural, and alternative locations, plural, that the applicant considered with
12 an explanation of why the alternative designs and locations are less preferred by the applicant.
13 So that's the first provision and then just below that the last sentence of Subpart 13 just above
14 the 14 says project plans and other application materials shall be prepared for both primary
15 and alternative locations, plural, and designs, plural. So, let me give you an example that
16 occurred to me when I read that and it's again, from my experience many, many years ago
17 working with representatives in this industry who were trying to get an antenna approved. And
18 I was curious as to how the engineers chose a particular location that they were moving
19 forward. And one of the engineers explained to me well actually we're in this corridor and we
20 actually tested six places along this corridor to try to get the best coverage to be in our federal

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1 mandate. And two of those we got virtually no readings, two more were mediocre, weak. We
2 knew we'd have to have another antenna closer, two where... and one was pretty clearly
3 superior and so that's the one we went with. So, if one of our... so taking that language if it's
4 adopted, if one of our providers applies and has gone through that exact exercise. They are
5 going to be required by our ordinance to prepare six entire project plans for one application
6 when all they really want is one and two of those, in my example, didn't even test. And that
7 problem is compounded when we got to Page 139 of the Packet which is in the finding section I
8 think for exceptions. D towards the top of Page 19 which requires a finding that the applicant
9 has provided the City with a meaningful comparative analysis with the factual reasons why all,
10 and I'm emphasizing that word, alternative locations and/or designs identified in the
11 administrative record are not technically feasible or otherwise not available to achieve the
12 applicants reasonable and clearly defined technical service objective to be achieved by the
13 WCF. So that provision I just read goes farther than the six hypothetical sites that this company
14 considered. It's everything in the administrative record and what that means is any person
15 could show up and say here's a list of 20 places that I think are a better location for that
16 antenna. Those are now in the administrative record and under the language of this ordinance,
17 each one of those would require to be analyzed. And I believe going back to 13 you'd have to
18 prepare the entire project plans for all 20 of those. And I cannot... I do not believe that that was
19 the intent. It can't be and I don't believe it's reasonable and I don't believe it's productive. And
20 to me the... this ordinance is a procedural ordinance and it's trying to design... and these new

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1 amendments are trying to improve the process we go through regarding wireless
2 telecommunication facilities and I think see two main goals for this whole process. One is to
3 provide excellent service to our residents, our businesses so that they have... so that their cell
4 phones work so that they can rely on those things. And the other I think primary goal is that has
5 to be done in a way that does not contribute to visual clutter; aesthetic impacts. And so, I think
6 those are critically important and so when I look at this ordinance and particularly the revisions
7 I'm asking myself how does this further those goals and with these alternatives, I can't
8 understand how it furthers the goals. To me what I see is extraordinary additional cost to the
9 industry which gets passed onto the ratepayers, the cell phone owners and I see extraordinary
10 Staff time spent reviewing six plans, five of which are going to get thrown away or twenty plans,
11 nineteen of which are going to get thrown away and that, of course, gets charged to the
12 applicant, passed onto the ratepayers.

13

14 So, what I wanted to suggest, I wanted to borrow from CEQA, California Environmental Quality
15 Act, and again part of the reason I like CEQA is because it's adopted in 1975. There's a very well-
16 defined body of law with lots of guidance on the concept of project alternatives. And I was
17 thinking maybe we could borrow from that and have some legal support. And so, what I was
18 envisioning and again I know this goes no farther than my breath if a majority of Commission
19 don't want to see it pursued, is that for these applications... let me step back. So CEQA requires
20 a reasonable... that where a project requires an Environmental Impact Report there has to be a

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1 reasonable range of alternatives and those alternatives have to be described... I had to make
2 some notes for myself and I'm just paraphrasing. They have to contain enough information to
3 allow a meaningful comparison to the proposed project. So, it's not a full plan set but it's
4 enough and you need to understand what the goals of the proposed project are and you're
5 going to measure those goals against these alternatives. And so, to my thinking, it seems like
6 the way we're written these additions we're focusing on... we want to see a different location,
7 we want to know why this is the best location, and so I think we should require their second
8 preferred, feasible location that would reasonably meet their goals. And again, not full plans
9 but enough information to allow a meaningful comparison. And similarly, I think we should
10 require an alternative feasible design for the location that they have selected that would
11 reasonably meet the goals of their project. And again, not full plans but enough information to
12 allow a meaningful comparison. So that's what I wanted to say on alternatives. Again, I think it
13 makes it... it will streamline this process. It will still give us I think valuable information that
14 allows us to benefit and understand why for any project, whether it's an antenna or a tower or
15 a base station, why the industry applicant was thinking... why they think that's the best
16 solution. So that's one comment.

17

18 So, I have a number of other ones.

19

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1 Ms. Tanner: Do you want... at this point, I know Ms. Atkinson has indicated that she would like
2 to clarify some of the meaning of the provision that you just commented on before you move
3 onto your other comments.

4

5 Commissioner Hechtman: I'm sorry, ask me again.

6

7 Ms. Tanner: She would like to just comment on the... how the (interrupted)

8

9 Commissioner Hechtman: Oh sure.

10

11 Ms. Tanner: This would be implemented just to make some clarifications that might enhance
12 your suggestion before you move on to the other sections.

13

14 Commissioner Hechtman: Sure.

15

16 Ms. Atkinson: Thank you for the comments. Alternatives are mentioned quite a few instances in
17 the ordinance and so I acknowledged. And specifically, in regard to Item 12 that you
18 mentioned, the specific wording is... you're correct, for Tier II and Tier III applications proposed
19 for the right of way an alternatives analysis. And in Staff's experience, the alternative analysis
20 that applicants already do is... I think your description accurately reflects Staff experience

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1 where wireless carriers do go out and look for alternative locations and look for sites. And they
2 have a lot of information already available so generally, Number 12 would be fairly easy to
3 satisfy based on existing work that carriers already do. That distinction that I'd like to point out
4 on Number 13 though is and I think is very key relative to your comments is that the
5 preparation of plans and so forth are only for those applications that include exceptions. And
6 so, I think that's a key distinction because at this point when we receive an application and then
7 we're required by the federal shot clock to process these applications within 60-days. We're
8 trying to identify any alternatives in addition to the primary location that... basically trying to
9 evaluate alternatives and see how many exceptions are going to be required and have a
10 meaningful comparison between all of the different primary locations versus alternatives. And
11 we're required to process this within 60-days and how could we do that without full plans on
12 some of these alternatives? And so, it's a question and that's the reason why we ask for plans
13 on the alternatives because of these processing shot clocks that the federal government sent to
14 Staff. So, I think that's an important distinction. It wasn't to be more laborious to say, it's
15 response to the processing timelines that we have.

16
17 Commissioner Hechtman: Thank you for that clarification so if I'm understanding you correctly
18 the sentence I was concerned about in 13, the complete project plans for alternative locations,
19 that only applies for applications that include exceptions. Is that correct? Alright but according
20 to the Staff report that's going to be most applications right because the way we have designed

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1 our system between the ordinance and the Resolution with the objective standards. It's
2 designed so that most applications will require exceptions which means that doing these plans
3 for the primary and alternatives will be the rule, not the exception. It will happen more often
4 than the not. Is that... am I understanding it right?

5

6 Ms. Tanner: I think that you are accurately characterizing that many of the applications that we
7 at least seen thus far might require exceptions and if the past is an indication of the future that
8 we will see requests for exceptions accompanying them and thus the plan set. So, I can
9 certainly see the merit of your suggestion in terms of trying to find a balance between having
10 the applicant provide reasonable alternatives which I think is what Ms. Atkinson is indicating. Is
11 that when we get the complete application we really need it to be complete because Staff are
12 not able to then go out say well what about this pole? What about that pole? Why didn't you
13 look over here and that's often also what members of the public are curious about? Well,
14 there's this other thing over here that's away from this house, why are you choosing this pole?
15 And so instead of trying to have that discussion in the 60-days, which is quite short, we need
16 that information to come in on day one of yeah, we looked at that pole and here's why we
17 chose not to use that. So, if you were to suggest and the Commission where to be persuaded to
18 alter this requirement to not require a full plan set we would still request that it require some
19 type of analysis be presented to Staff and thus the public so that we can understand why other
20 poles were not selected.

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2 Commissioner Hechtman: Ok and I appreciate that and I do acknowledge that this is an
3 extraordinarily complicated issue and decisions can't be made on this issue. I mean... well, we
4 could just decide just to move it forward but I think that some consider... additional
5 consideration needs to be made but not decisions tonight. And so, we'll see how the rest of the
6 Commission feels about putting this back on Staff's lap for a little bit but let me go through my
7 other comments. None of which -- there are quite a few of them but none of them will take as
8 long.

9

10 So, some... let's see, let me start... and again I think I'll just go through in order. Packet Page
11 121, Paragraph D, the language we've added at the end of this short paragraph is noise, public
12 welfare, and safety. I think that that safety reference because of the federal limitations we have
13 should parrot the safety language up in Paragraph B which refers to traffic and pedestrian
14 safety or traffic and pedestrian safety hazards. So, I'd suggest you make those references to
15 traffic and pedestrian because I think that's the focus.

16

17 Then the next Page 122, Subpart H, so the sentence starts "The purpose of this section..." Well,
18 it turns out the way this ordinance is written, this section is referring to Section One of the
19 ordinance which is really just the prefatory language. So, I think what you mean here is the

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1 purpose... either the purpose of Section Two below or the purpose of Section 18.42.110. So, I
2 think that would be a useful clarification.

3
4 Next is Page 124 in Number Six your definition... the definition of eligible support structure
5 which is tended to be just a restatement of the federal definition in the CFR, but actually by
6 adding the word existing with a capital E at the front of that definition, you've made it... it's
7 been made to not match. And yeah, it's been made to not match the federal definition and so I
8 think to fix it, to make it match, you get rid of existing before the word tower. And then later in
9 that sentence, it says "that exist." You change that to "that is existing" with a capital E because
10 that will match up with the federal requirement.

11
12 Next Page 128, so at the top of the page we have a new subheading D, Types of WCF Permits
13 Required, right? And then Item One just below that is "a permit is required in all cases" etc.
14 Then when I drop down to the next Subpart which should list more types of WFC permits
15 required, instead, there's a paragraph here that says "the thresholds for a substantial change"
16 and so it doesn't actually describe types of WCF permits required. So, when I looked at that
17 Paragraph Two which is really what I want to focus on. I think that paragraph is just... all the
18 provisions are fine but they need to be moved to where they really belong. And I think that the
19 first sentence which is about substantial change, I think that really belongs in B (13) which is
20 back on 120... it starts on 125 where you have the definition of substantial changes or

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1 substantial change. So, I would suggest moving that first sentence, importing it somewhere into
2 Subpart 13. And then the rest of that Paragraph Two on Page 128 which starts the threshold for
3 height increases or cumulative limits, I think... as near as I can tell I think that is related to B (12)
4 which... and this was not as clear. But your... in B (12) which starts on 124, it's the definition of
5 small wireless facility, a lot of your height numbering was in that section. And so, I think that
6 this sentence belongs in B (12). And again, the only... the reason I care about this is that
7 somebody who reads through these reads through regulations and tries to advise clients. It's a
8 trap for the unwary if you have something related to your section but it's nowhere near your
9 section. And it's... I've missed it many times so if to the extent that we can avoid that and make
10 our ordinance easy for everybody to understand then we should do that.

11

12 Ok next in on Page 129, so Subpart 8 in the last full line you'll see the word existing with a
13 capital E. So existing is a defined term both in our ordinance and in the CFR. And I think it's
14 pretty clear to me at one point in amending this ordinance, adding the redline, somebody did a
15 global capitalize existing every time you find it. And that works in all but three places that I've
16 found and this is the first one. So, I think this should be a lowercase E because the definition of
17 existing in the CFR and in our ordinance, with a capital E, only applies to base stations and
18 towers. And I don't think that's our intent here so I think that should be a lowercase E and I'll
19 point out the other couple of times.

20

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1 And then the next paragraph down, Paragraph 9, the end of that paragraph ends with the
2 language “the WCF equipment will not generate noise.” So absolute statements are one of the
3 bans of my existence and as I’m sitting up here my stomach is probably growling in a way that
4 would violate this ordinance because a lot of things make noise. If there’s any electrical impulse
5 at all in the equipment, there’s going to be some level of noise. I think the... and I don’t want us
6 fighting where the level of noise is actually imperceptible. So, from the work that I’ve done with
7 sound engineers what I usually hear is three decibels is the lower range of what is perceptible
8 by the human ear. And so, what I would suggest here is that Staff consider some very low
9 standard that allows noise that’s not perceptible to not be a violation.

10

11 Let’s see, alright, the section that starts on Page 130 at the bottom of the page, incomplete
12 applications and applications deemed denied. So, this... this to me is very problematic and again
13 I want to start with my experience. So, I work on a wide variety of projects and I work with
14 some of the... some very sophisticated development teams who know how to put an
15 application together. But I would say in my experience that... and it’s not a... it’s a pretty
16 accurate estimate. Probably 90 percent of the applications that these sophisticated teams
17 submit to various jurisdictions on various items, about 90 percent of them get kicked back at
18 least once with an incomplete letter. It’s virtually... it’s not impossible but it’s remarkably hard
19 to get everything, every detail that the City’s expecting to see in the first try. And so that’s why I
20 think we have this process where you get an incomplete letter and you get some amount of

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1 time to fix the problems. And then you try to fix the problems and hopefully after Staff review
2 you get a letter that says complete but about 25 percent of the time that my client does that
3 they get a letter back with more incomplete items that should have been but were not on the
4 first go around. And so, the problem I have with the harshness of the way this is laid out is that
5 if an application is incomplete then you can deny it and just make them start over with new
6 fees, new plans. That's in Subpart 2 and in Subpart 3 you can deny it if Staff feels that any
7 answer would change the nature of the application. I just don't think that's the right way to go.
8 I don't think it's a good process and we should be striving for the best process. So, I think at
9 most they should get one... at least they should get one incomplete letter, an opportunity to
10 resubmit, and if there's some significant problem with the second application then I think you
11 look at some more harsh remedies. But I think this... again from my perspective this... it's not
12 good or fair so I would strike 2 and 3, possibly substitute something... some language after the
13 second... after the first incomplete letter comes back. But if you didn't want to do that then
14 really, you've got the whole Subpart G because then all that's left is if they turn in something
15 that's not complete, you give them a letter saying it's complete and you're already doing that
16 anyway.

17

18 Not many more. On Page 132, so actually this begins on 131. This concept of an independent
19 expert, I think it's typical across many kinds of development where technical reports are
20 submitted by an applicant and the City wants peer review. They want an independent peer

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1 review and I think that's entirely appropriate. But... and I think a lot of this... and I think a lot of
2 these subparts are entirely proper and describe that but when we get to Item I, "if applicable
3 rebuttal evidence." So, these are the things that the Director can go look for in an expert. "If
4 applicable rebuttal evidence to the conclusions reached or claims made by the applicant." So,
5 when I read that to me that presupposes an outcome. In other words, the Director has received
6 reports and wants a contrary report. And so, then you're going to end up shopping for a
7 consultant who will give you a contrary report and I don't think that that was really intended
8 here but it invites that... it invites it. And I don't think we need it because the item above it is an
9 assessment of the validity of the applicant's conclusions reached or claims made and that's
10 where your independent expert if their opinion is that the applicant's conclusions are invalid,
11 will tell you why with evidence. So, I think it's already covered and I just think it's... it's not good
12 language to have in an ordinance because it invites bias.

13
14 Alright at the bottom of that Page 132 and this is actually something that I just wanted to
15 mention because it was raised in nearly all of the letters from the public that we saw. And that
16 is a desire that for Tier II permits which are on Page 132 and then again for Tier III permit,
17 instead of the Director may refer to the ARB. The request... the suggestion was made that that
18 should be changed to shall. So, from the permissive to the mandatory and I wanted... I just
19 wanted to respond to that because I understand the concern. I personally think that may work
20 better here. And the reason is again, this applies to every application to which an exception is

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1 requested and not all of those exceptions will involve design issues. Some will but some of
2 them won't and as for the ones that won't, I don't see any benefit in convening the ARB to hear
3 about some non-design issue and make a decision on it. So, and even if it does have a design
4 aspect the Director is going to decide whether you know, I should really turn this over to a
5 panel of experts but to me, the ultimate protection for the neighbors would be the right to
6 appeal to the City Council. So, if it's a design issue and the Director rules and approves and
7 people don't like it. They can appeal to the City Council and when they get to City Council they
8 can say this should really go to ARB and if the Council agrees it will. So, I think that there's good
9 protection, I like the flexibility of this aspect of the ordinance so I would leave it as is;
10 understanding the concerns of the neighbors but thinking that those are protected.

11

12 Alright, two more, let's see, Page 134, new Subpart 10, third line there's a capital E existing.
13 This is another one of those places where I think it should be lowercase.

14

15 And then I think the last one I have... where is it? Yeah on Page 135, same issue in Subpart 3,
16 the fifth line at the end of that line with other existing with a capital E. I think you intended a
17 lowercase E there.

18

19 So, thanks for bearing with me everybody.

20

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1 Chair Templeton: Is that all Commissioner Hechtman? No, thank you very much for that
2 detailed feedback. I'm sure that Staff will find that very helpful. Commissioner Roohparvar... I
3 mean Vice-Chair Roohparvar.

4
5 Vice-Chair Roohparvar: Just two... sorry, just two quick comments. I don't want to get into
6 wordsmithing or anything like that but it's going to be super quick. I appreciate your comments,
7 Commissioner Hechtman. I think that setting the standard for locations based on reasonable
8 location and reasonable submission of evidence versus actual hard plans is going to invite
9 litigation and confusion. Again, I base that on my years of experience litigating. I think it's better
10 to have something clear cut in terms of what needs to be done or base on your practice and
11 procedures. That would just be my opinion.

12
13 And then one minor point on Packet Page 121 where Commissioner Hechtman said that we
14 need to modify Section D to say traffic and pedestrian safety standards. I disagree with that
15 because Section B refers to safety generally and thereafter goes into including and gives traffic
16 and safety as an example, not as all-encompassing.

17
18 I think my third question which would be helpful in my mind in deciding whether we need
19 more time or not would be directed to the City Attorney. Do you... the comments that
20 Commissioner Hechtman raised... and tell me if this not a fair question because I know this is all

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1 being thrown at you. Are there corrections that now you feel need to be made or do you feel
2 that those were suggestions as to different... like subjective opinions as to how it should be? Do
3 you feel you need to fix this ordinance? Do you feel that there... that you need additional time?
4 Like where their errors? Does that make sense?

5

6 [note – many Commissioners started talking at once off mic]

7

8 Vice-Chair Roohparvar: If it's confusing I can withdraw it.

9

10 Ms. Sandra Lee, Assistant City Attorney: No, no, well (interrupted)

11

12 Ms. Tanner: (off mic) It makes sense but I want to know there are a number of comments that
13 where (interrupted)

14

15 Vice-Chair Roohparvar: Your light. Yeah, there's a lot.

16

17 Ms. Tanner: There was a number of comments that were suggested and I think we haven't
18 heard from the Commission support. We just heard from the Vice-Chair some support for
19 some, some opposition to others, some like typographical errors like capital E, ok that's minor.
20 Somewhere substantive and I think we would need to know some direction.

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Vice-Chair Roohparvar: Ok that's fair.

Ms. Tanner: And to have clear direction. I don't know, Sandy if Aylin if you want to go into more detail but it depends, right?

Vice-Chair Roohparvar: Yeah, that's fair.

Ms. Lee: Thank you Madam Chair. I'm going to ask Aylin Bilir from my office to further respond. She's been working on this matter.

Ms. Bilir: Yeah and I will say there was... to meet the Council timeline a push to get this in front of you quickly so you can always do a better job with more time. I don't know if the Commission thinks we should be spending more time and really doing more word smithing but I will say from our perspective this was sort of a first cut to get your input. We're certainly happy to go back and do additional review.

Vice-Chair Roohparvar: I don't have any more questions.

Chair Templeton: It's not on but Commissioner Lauing. It's not working. There we go.

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Commissioner Lauing: The one at that end worked differently. I'm adjusting to my new chair. So, I actually have a number of comments as well and I do have I would say without a JD [note – ?], I'm discounting it that way, but I do have substantial agreement with some of the issues that the Commissioner just raised here. So, one of the... I wrote down at the beginning of my comments/questions for tonight to begin with, what are the issues that are being expressed by the applicants that you were trying to address with this and sort of what war stories from the field? Is it around application process or infeasibility? So... but hearing some public comment I'm now concerned that maybe there wasn't a lot of input from the applicant and so with respect to this idea that's been floated about maybe more time. There were some excellent comments from Verizon and AT&T on one side but were also some excellent comments from a couple of the public folks thereof changes to this that we're kind of hearing for the first time. So, I think there's some merit to that. This is a very complicated issue, unlike the previous item, this is not going on Consent Calendar when it leaves here to go to Council. And I've personally have said for 3-years that getting a complicated ordinance, reviewing it, and approving it in one night is not a good thing. I don't believe that's good for the public, I don't think that's good for PTC because we have to have credibility in our recommendations. Having said that, I don't want to go too far down that because these are substantive amendments, not the total ordinance and we've been requested by Council to get these and move it along. So, this idea of pause and discussion I think if there's agreement here and it's not a fire drill. I think that would be

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1 preferable. This does go to Council and I think we should try to have it as right as we can get it.
2 On the other hand, this is a complicated one that they're going to have to take on it at their
3 level.

4

5 So, then a number of questions overall that I had without referring to the code actually touched
6 on a number of things that Bart [note – Commissioner Hechtman] did there. So, let's see, a
7 couple of these have already been answered of course. Yeah, all these comparisons in terms of
8 the alternatives, I can understand why you have some alternatives but the way that it was
9 stated cochlear here, you know why are you going to put it on that tree and not one of these
10 other 12 trees. It seems like there could be some limitations for everybody's benefit; Staff and
11 so on. I mean we're going to be having to add a lot of Staff which costs the City money or we
12 have to hire consultants. If there was some way to constrain that and still get to the essence of
13 what we're trying to accomplish I think that would be much preferable.

14

15 I'm not going to make some of these comments made notice of earlier. Who... in the
16 infeasibility and exception and alternatives, is it the Planning Director that ultimately makes the
17 final decision on this? Each one of these obviously only goes to Council in certain
18 [unintelligible](interrupted)

19

20 Ms. Tanner: The final decision that a location is infeasible or (interrupted)

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Commissioner Lauing: Location and design and so on.

Ms. Tanner: So, I think that... I mean an ideal situation, I don't know if it's ideal but, my understanding is that the applicant would come forward. Let's say they need to request exceptions they are requesting at the beginning of their application process. We are proposing it on this pole in the right of way. Based on this poles location it needs these exceptions and based on our design of our antenna it needs these exceptions. And so ideally, we're knowing that going in that these exceptions are being requested and then in terms of who is the final sign off on that exception. The Staff would review it and then I believe the Director would sign off on that exception request. Is that correct Rebecca?

Ms. Atkinson: He... no, the Director would review the Exception Request in accordance with the findings that are listed in the current ordinance and also the findings that are subject to discussion tonight in the proposed amendments.

Ms. Tanner: And then it there's (interrupted)

Ms. Atkinson: There are detailed findings for exceptions.

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1 Ms. Tanner: And then they would be appealed to the City Council.

2

3 Commissioner Lauing: Right and I noticed that much later in the report, it was also one of my
4 comments, is that it says that an individual can object. So, a resident can object to the approval
5 and with one resident objecting it has to go to Council. It's just another area (interrupted)

6

7 Ms. Tanner: That's correct.

8

9 Commissioner Lauing: It's just another area that unless that's a state law it seems like there...
10 obviously, the public should have full access to City Council but maybe it's not one person.
11 Maybe it's a petition of 20 or something but if that's controlled by... is that controlled state law
12 or is that just what you guys put in there?

13

14 Ms. Tanner: I don't believe its state law. I believe it's consistent with other local practices that
15 we have in terms of who is eligible to request an appeal.

16

17 Commissioner Lauing: I didn't hear the first part of that sentence.

18

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1 Ms. Tanner: It is not required by state law to my knowledge but it's consistent with other parts
2 of our local code that allow any person to file an appeal. It's... some might see it as very liberal
3 which could be a good thing or it could be a downside.

4
5 Commissioner Lauing: I just... I would feel that that's worth of debate because we're just going
6 to... you're going to spend a lot of time on that and Council is going to spend a lot of time on
7 that so.

8
9 Ms. Tanner: Certainly true.

10
11 Commissioner Lauing: Alright just a couple more. That was that one. So, I guess back to the first
12 comment that I made is do you feel like you have had enough input from applicants to make
13 decisions that in many cases are going against their requests? I'm not saying that's wrong, I'm
14 just saying do we have the feedback there?

15
16 Ms. Tanner: Commissioner Lauing I think in light of your other comments in terms of this is a
17 complex issue that we want to not just move along just because and it's... certainly, we want to
18 be responsive to Council. And It would be great to get back with them by April, certainly before
19 their break for summertime. However, if this body did choose to see this ordinance again we

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1 could in that intervening time reach out to project sponsors and applicants and get additional
2 feedback from them if they feel that they have not been heard in this process.

3

4 Commissioner Lauing: If that happened, I'm not envisioning a year process of discussing but just
5 so that parties are heard and so that other parties can object and say no, this is not why it
6 makes sense. You folks are going to be making the final decision to bring to us and to bring to
7 Council.

8

9 So that said the couple of things that I'll just quickly reiterate what Bart [note -Commissioner
10 Hechtman] said. The incomplete applications denied I think that's unusually harsh, just get it
11 fixed. Maybe even applications withdrawn after 90-days, that can be a little bit longer and the
12 alternatives analysis he covered in great detail.

13

14 So, I would be amenable to supporting seeing this again which is what Bart [note -
15 Commissioner Hechtman] is suggesting. Thank you.

16

17 Chair Templeton: Alright thank you, Commissioner. I'm going to make some comments now I
18 think if you're already done? First, I want to thank Ms. Atkinson for preparing this very detailed
19 and thorough presentation and engaging our Commissioners so effectively. I think that has

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1 definitely got all of our attention and I hope that the feedback is useful. I found it quite
2 interesting.

3
4 I went through as I was reading the letters that came from the public and from potential
5 applicants, from residents, also while I was listening to the Commissioners and I marked with a
6 highlighter all of the sections that were up for discussion. And it's significant and I think it's... we
7 can look at it like oh, yeah, we got to have another revision but it's also a gift because many of
8 the people that provided comments are trying to look ahead at how this would be applied and
9 challenges we can avoid by changing the phrasing or tweaking the language a bit. So, I think I'm
10 agreeing with the sentiment I'm hearing from the other Planning Commissioners up here that
11 we might appreciate another revision. And despite the fact that Council has provided an
12 aggressive timeline for this, they may appreciate some of the changes that you make if we were
13 to able to still get it before summer break. It sounds like some members of the community
14 would appreciate that too.

15
16 Some questions I have answered since we do have this slide up is do we know how is the
17 requirement phrased in terms of what portion of land should be available? Is it like how many...
18 what percentage of poles there should be available? What percentage of land is eligible?
19 Whether or whether it does or doesn't have a pole on it? How is the language there phrased?

20

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1 Ms. Tanner: In terms of the language that we're trying to comply with from the federal
2 government it is... and I'm not going to quote exactly right but essentially, we can't make it
3 infeasible, impractical for a wireless carrier to establish a functioning network. And so, to some
4 degree, it's up to the experts. We don't know what it takes to have a functioning network but
5 what we do know based on experience and what the wireless carriers have indicated is that
6 they need to have a certain number of antennae in certain proximity to their carriers. And right
7 now, the 5G technology that's... and some applicants are rolling that out and not every cell
8 antenna is 5G. There's a greater number of antennae in closer proximity and then it's actually
9 improving service. And so that's part of the reason that we have some of the sections around
10 hiring experts and making sure that we can understand why something is being proposed. Is it
11 infeasible and also the requirements around showing why these other poles it doesn't work for
12 them to have it at those locations so we can understand that requirement?

13

14 Chair Templeton: And sort of I would add probably to address the fast-changing technology that
15 that may change from year to year.

16

17 Ms. Tanner: Indeed.

18

19 Chair Templeton: Ok that's really helpful. So, in general, I think that a lot of the feedback from
20 the public has been incorporated and I'm very happy to see that. I agree that it would be useful

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1 to revisit some of the feedback from potential applicants. And regarding the one person being
2 able to take it to Council, a point that Commissioner Lauing brought up, I was thinking maybe a
3 scenario might be that a particular property was affected and that person may need the right to
4 escalate it. So, there are cases in which it would make sense so I'm ok with that language. If it
5 becomes... if it starts to look like it's being abused of course Council would have the authority to
6 modify this, right?

7

8 So that's the extent of my comments so if there anyone who wanted to pursue the Staff
9 recommendation at this point or are we comfortable asking for another revision?

10 Commissioner Summa.

11

12 Commissioner Summa: So, I'm comfortable because it seems like that's where my colleague...
13 the majority of my colleagues are going with asking for another revision. And I appreciate the
14 very detailed comments from Commissioner Hechtman and I think typos and the capital E issue
15 is... those are kind of different.

16

17 I have a strong preference however for also incorporating a stronger language about the
18 Director shall send to ARB. I think this could become... I think that going to the ARB gives the
19 public a right before a decision is made to have a public hearing where they can opine about it.

20 I think mostly it probably will be the case that it goes very quickly at ARB. Sort of like a Consent

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1 Calendar item but there may be cases where that's the public's only chance to really publicly in
2 a public hearing to opine about this.

3

4 And I would also like to see consideration of the distance from residences. I'm... like I said
5 earlier I'm missing the values that exist between 20 and 100-feet that may be more satisfactory
6 to many members of the public.

7

8 And also, with regards to the distance from schools, we also have PAUSD opining about that.

9 So, in addition to the typographical errors and some of the concerns, I would like those three
10 items specifically to be looked at.

11

12 And maybe also look at incorporating the standards into the ordinance itself. I would like more
13 information about that. Thanks.

14

15 Ms. Tanner: So, I think I'm really grateful for all the feedback that we've received. I do want to
16 note some of it is at direct odds with each other so in terms of direction for some of these items
17 we don't have clear direction. So, if the Commissioners do have motions to make on certain
18 items in terms of directing Staff to do something or to not do something that would be helpful.
19 For example, Commissioner Summa wants it to be may go to ARB, Commissioner Hechtman
20 had the opposite opinion. And so, Staff will come back with essentially the same thing we have

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1 today and you have to debate the merits of either of those options. So, I don't necessarily want
2 to... I mean it's only 8 o'clock, it's early, but to the degree that you feel comfortable weighing in
3 and opining and deciding tonight would be great. Again, some items we'll just simply come back
4 with the same recommendation because the direction is none here in my opinion. So, if there
5 are items that clear (interrupted)

6

7 Commissioner Lauing: We can take simple votes on those that are in (interrupted)

8

9 Vice-Chair Roohparvar: (off mic) Yeah, that's a good idea.

10

11 Commissioner Lauing: Not with zero discussion but not with an hour each on each of these
12 points. And so, you have more... so you know if it's a 5-1 or what are we at?

13

14 Ms. Tanner: And some items obviously are things we can show. (interrupted)

15

16 Commissioner Lauing: 4-1 or whatever.

17

18 Ms. Tanner: For example, the distances we can provide the analysis that would perform to
19 show what would happen with the greater distances. So that you have better information
20 regarding why that was the conclusion.

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Chair Templeton: Commissioner Hechtman.

Commissioner Hechtman: Thank you, so I understand the dilemma. The comments that I made tonight were suggestions, my views and as far as I know Staff may or may not have had that dialog internally. And so, what I was trying to convene tonight was not necessarily make this change as much as I think this change should be made and I'd like Staff's considered response to that. So, and that really applies to every comment I made except for the one on Page 121 which I agree with Commissioner Roohparvar [note – Vice-Chair Roohparvar] that the safety language doesn't need to be added because she's correct. It's the... it reflects the broad one so we can ignore that. But so that was what I was envisioning and I'm not sure if we get there by motion to direct Staff to basically take our input and come back with your comments on these issues.

And frankly, the issue Commissioner Summa and I have differing views on, what that does I think is highlight for you that we both need to understand a little bit better what Staff is thinking. Why it's in the ordinance this way and then we may get to a point at our next meeting where we vote to keep it one way or change it but I think that may be helpful.

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1 The other pointed I wanted to make, just to clarify, my understanding is the distance of a WCF
2 from a house, the 20-foot figure, is contained in the objective standards and the distance from
3 schools is contained in the objective standards. Those are not before us tonight. Those were
4 adopted by the Council in December and we can't change those here. I think that those were
5 very valid points to bring up with the Council if people are dissatisfied with that but the most
6 we could do here is write into the ordinance something that would conflict directly with what's
7 in the adopted operating objective standards and we can't do that. You have to have what's
8 called horizontal consistency among your regulations. So, I don't think we can tackle those two
9 issues in the objective standards unless we are also reopening... I'm sorry, we can't tackle those
10 in the ordinance unless we are also reopening the objective standards.

11

12 Ms. Tanner: That makes sense to me. Chair Templeton, if you would like we can respond to
13 some of the comments that the Commissioners have made this evening. I think many of these
14 items Staff have considered and have put thought into the recommendations here. So, if that is
15 the intent of some of the comments was to receive discussion, we can entertain that
16 discussion. If the intent was for us to go back and think some more, I mean again some of them
17 we would need to sharpen our pencils but some of them we have considered. I'm not sure
18 what the direction is this evening.

19

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1 Chair Templeton: I would be happy if there were comments on some of this feedback to help us
2 understand the context and the way you're seeing it. And I'm also happy after that to consider
3 motions.

4

5 Ms. Tanner: So, I'm just going to... I have my list here and I can invite my colleagues to jump in
6 as they have also comments to make. Again, trying to just promote dialog between the Staff
7 and the Commission.

8

9 So, we did discuss the idea of whether or not how would applicants present the alternatives.
10 And so, I think Commissioner, you are correct, Hechtman when you say that when folks need
11 exceptions, which might be frequently, that we're requiring a higher degree of plan sets. And
12 again, as you pointed out the administrative records so essentially folks in the public might
13 submit locations to say why not this pole? Why not that pole? So, we certainly could look at
14 tightening that up if that is the desire of the Commission to have that be maybe a lighter touch
15 of what it means to look at an alternative and to think through an alternative that a carrier
16 might provide. But we also want to provide language that is equivalent that is to say what one
17 carrier provides evidence of researching an alternative is something that another carrier could
18 provide. And thus, the members of the public could look between carriers, between
19 alternatives and be able to understand what that is. And so, we could look to try to decrease

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1 perhaps the amount of work that an applicant might have to do to provide an alternative. We
2 could look and think about what that might be.

3

4 We covered the issue with safety and I think Commissioner Roohparvar is correct... Vice-Chair
5 Roohparvar in that regard.

6

7 Regarding noise, we can look a little bit closer at the definition of noise and to ensure that yes,
8 any... many things make noise. If you turn it on it's going to make a noise, it has a vibration, and
9 so... and we would want to make sure I think that the definition of noise is consistent with other
10 ways that we regulate noise in the City. When is a noise, a noise and when is it a nuisance and
11 what is that threshold and that barrier? And so, our Noise Ordinance I think is pretty helpful in
12 understanding when it becomes more than just a noise that you can hear, a sound perhaps, and
13 when it becomes a nuisance. Rebecca do you have any comments on that regard?

14

15 Ms. Atkinson: Yes, in regard to the comments on noise, that was an application requirement to
16 submit a noise report. And the way that they wouldn't need to submit a noise report would be
17 just to say that the wireless facility is not going to produce any noise and submit evidence of
18 that through the manufacturer's specifications. So, it a way of getting out of submitting a full
19 report by an acoustic engineer. So, it was actually written in a way that was trying to not have
20 the requirement for a noise report for silent facilities. Yes, there are silent facilities.

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Ms. Tanner: So, for those carriers who choose those facilities they wouldn't have to submit a noise report so that's a benefit for those folks.

On the notice of incomplete, I think this is a discussion area that would be of interest I think to Staff to understand other Commissioner's thoughts. And thank you Commissioner Hechtman and Lauing for sharing your opinions on that topic. Certainly what... certainly many applications that come to the Planning Department are incomplete when they arrive and they require some number of documents and other assessments to become complete applications. Whether it's a housing project, office project, or a wireless facility. So, it's not uncommon for projects of any kind of to get a notice of incomplete. I think one of the things that we're trying to guard against is projects sitting for a year or more, a number of months, with no updates, with no actions from the carriers. With interest from the community, what's happening, what's going on and just kind of ongoing yeah, yeah, we'll get to that soon. So being able to have the discretion to say ok, enough is enough, your application is incomplete and we are actually going to say you've got to start again. In particular, as our laws keep changing the codes that apply to that carrier also begin to change and so we get to points where we say we've updated our standards but this person filed their incomplete application on X-date. What standards are applicable? And so, I think it would be interesting to know more from Commissioners about if you are interested in seeing maybe that come back to be either a little bit more specific? Still allowing

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1 some discretion but be a little bit more room for applicants. I think Commissioner Hechtman
2 suggested that they would get one notice and have some time period to correct with the idea
3 also being that the City's notice of incomplete would contain all the items they need in order to
4 become complete. So, we're doing our part to help them get into compliance. So, if that's
5 something that the Commission is favorable to we could certainly consider how to draft the
6 ordinance as such.

7

8 The ARB item, our ARB is certainly a talented and much-used body in our community. They
9 meet every other week to consider projects that are coming through for planning entitlement.
10 So, we have also... and I don't know if we've talked much about this. The 60-day window to
11 review wireless applications when they come in and so it's a very tight window to get the
12 application, to get everything prepared, and get it to the ARB. And again, I think it was pointed
13 out that all the considerations and exceptions may not be designed based. They may need an
14 exception for some other part of the ordinance and so having everything go to ARB as a matter,
15 of course, would tremendously impact the amount of work the ARB has. That some Members
16 of the ARB may or may not consider to be the core values or core body of the work that they
17 are assembled to review in that it may not have any design exceptions or aesthetic related
18 exception.

19

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1 So that would be one reason I think Staff would not be favorable to moving the may to shall as
2 it allows when there is a design-related reason to send it to ARB but when there's not it
3 wouldn't need to go to that body. Otherwise, the ARB also becomes somewhat of a rubber
4 stamp if they're always getting things that they don't really have a lot to say about but are
5 being asked to say something. It could be challenging. In addition, running up against the 60-
6 day clock and I believe after 60-days are the application deemed approved?

7

8 Ms. Bilir: It depends on the type.

9

10 Ms. Tanner: It depends on the type, ok, of course, it always depends. Never a clear answer with
11 wireless. So, we wouldn't want to run into any of those issues.

12

13 Just turn my page and please stop me if you have any questions. I'm just kind of motoring
14 through these items. And certainly, one person to file an appeal I think that could be something
15 that we've heard some Commissioners speak on tonight.

16

17 And then as far as Commissioner Summa, I think you wanted to know a little bit more about the
18 radii and the distances and while the distances are before you in the ordinance as they are
19 within the Wireless Standards. It's certainly something when we come back we can just explore
20 a little bit more for your benefit of understanding how this ordinance fits with that other... with

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1 the Resolution. I don't think it's out of the Commission's purview. You could choose to ask for
2 the location preferences to be named in the ordinance. They are included by reference so that
3 is... we've done it again so that if the Resolution gets updated then the ordinance is
4 automatically updated with changes to those location preferences. If the Commission did want
5 to send a note or message to Council that they thought that those distances were too great we
6 could certainly convey that message to Council when we take the item forward. That you feel
7 the Resolution should be updated with shorter distances and that could be something that they
8 consider. We would not want the two documents to be out of sync with each other.

9

10 So that's my comments. I don't know Rebecca if you have any further comments on any of the
11 items that the Commissioners brought up that you'd like to clarify?

12

13 Ms. Atkinson: Thank you. I guess in regard to the incomplete applications and the different
14 things that if an applicant was deemed incomplete. I'd like to highlight that on Packet Page 131
15 and I don't know if it changes the discussion or the sentiment shared here but I'd like to
16 highlight that you have Subsection G; and in order to promote efficient review and timely
17 decisions, Packet Page 131, the City at its option may take any of the following actions. So, it's
18 not to say that if an application was deemed incomplete that we would for sure take any of the
19 following actions one, two, or three. It's just that the option more in these cases that Rachael
20 [note -Ms. Tanner] described where applications have been lingering in some cases many years.

-
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1 So, it's an option as opposed a requirement for Staff to take action. So, I don't know if that
2 changes the sentiment or if anybody wanted to speak to that further?

3

4 Ms. Tanner: Thank you. So, if you... we're here for dialog if you so desire and then really just to
5 answer any questions and try to move ahead.

6

7 Chair Templeton: (off mic) Alright, someone to my right? Someone to my right, who is that?
8 Commissioner Lauing, did you have a comment and then Commissioner Summa.

9

10 Commissioner Lauing: She answered the question I had.

11

12 Chair Templeton: Oh ok, great. Commissioner Summa.

13

14 Commissioner Summa: So, with regards to ARB review maybe it would be appropriate for all
15 design issues to go to ARB then. I... from what you said I understand there's exceptions that
16 wouldn't involve design issues which I'm kind of curious what those might be, but if that would
17 be more appropriate language I would... that would be alright.

18

19 And the reason I brought up the distances and what not is because we had eight slides I think at
20 the end of the presentation referring to all key modifications for the objective standards. So, I

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1 thought it was something we could opine about tonight. Especially since there's a chance to put
2 those things, depending on how my colleagues feel and Staff feels, to put those things in the
3 actual ordinance. So that's why I felt that it was on the table tonight.

4
5 Ms. Tanner: That's a great point but just for clarification we included slides that we might be
6 referring to as we talk about the distances because we know that's a topic of great interest. So
7 again as... some visuals to explain some of the processes that we went through and we didn't
8 use all of them but we did use a couple of them. So, I know also sometimes the visuals can be
9 hard to see on the screen so making sure you had a hard copy as well.

10
11 In regards to the ARB, I think that's something we definitely can consider. One thing that
12 Commissioners may know or may not know is that we do have certain pre-approved designs.
13 And so, when folks are... applicants are saying well we want to do a different type of design
14 that's not part of our pre-approved set, that might be something that would go to the ARB. An
15 example of something that's not design based might be well we want to have it here, it's within
16 in distance of X that you said we shouldn't be within, but we're using one of the standard
17 designs and so it's a location decision versus a design exception that they need.

18
19 Commissioner Summa: Yeah and another thing is that Director's decisions are kind of hard for
20 the general public to find online and given that there's a limited amount of time to appeal

-
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1 Director's decisions. So maybe there could be a much more robust listing of Director's
2 decisions. They're really hard to find so and that's the only way people would know about it
3 then. So, I would feel ok if we had a more... if we could also have a more robust Director's
4 decision page on our website someplace.

5
6 And with regards to appeals, I think across the board any one individual can appeal a decision
7 and I don't... I personally don't think the standard should be different for this. So that's just my
8 thinking on that.

9
10 Chair Templeton: Thank you. I also want to weigh in about the ARB. I would be concerned
11 about overloading them and I appreciate that you're thinking about it. And I know that you will
12 process this a little bit more before it comes back to us.

13
14 Notice of the incomplete applications, I find your explanation of why it was presented this way
15 to be totally acceptable.

16
17 I am open to motions if people are ready. If not, we can continue discussing. Feel free to... oh,
18 we got some lights on. Who (interrupted)

19
20 Vice-Chair Roohparvar: (off mic) I'm ok.

-
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1

2 Chair Templeton: Commissioner Roohparvar [note – Vice-Chair Roohparvar]? Ok.

3

4 Commissioner Lauing: (off mic) [unintelligible] Bart [note -Commissioner Hechtman]?

5

6 Chair Templeton: Bart [note -Commissioner Hechtman]?

7

8 Commissioner Hechtman: Sure.

9

10 Chair Templeton: Commissioner Hechtman.

11

12 Commissioner Hechtman: (off mic) I'm going to try a motion and if it gets a second then I'll

13 [unintelligible]. [unintelligible – off mic]

14

15 Ms. Tanner: Sounds like a good strategy.

16

17 MOTION #1

18

19 Commissioner Hechtman: I'm going to start by turning my mic on and then I'm going to say that

20 I'm going to try a motion, if I get a second then I'm going to speak to it. So, I'm going to move

-
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1 that Staff bring us a revised ordinance addressing the comments I made... and I'll list in a
2 moment the particular pages that I'm referencing... and bring it back to us in a revised form
3 with a Staff report that is limited to just focusing on those changes that the Staff has continuing
4 concerns about. That in following our direction Staff had some worry concern that perhaps we
5 didn't see. So, and the pages that I'm going to reference which again they're all ones that I
6 brought up before except I'm excluding Page 121. It's the safety comment. Those would be 122,
7 124, 128, 129, 130 to 131, two items on 132, 134, 135, and then the alternative issues which is
8 primarily two places on 130 and also on 139 but the word appears in other portions of the
9 ordinance. So that's the motion.

10

11 Chair Templeton: Any seconds?

12

13 SECOND

14

15 Commissioner Lauing: Well yeah, I would second that but I want to ask the maker a question
16 about that. So, does this leave out any of the subsets that have been discussed up here so I
17 know this covers, for example, the incomplete application but what about other things that
18 have been discussed up here? What's not included in that because we're not going to go back
19 and read these numbers here so?

20

-
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1 Commissioner Hechtman: So, through the Chair, so the numbers I gave are the points I raised
2 so if someone... I'm open to adding more items from other Commissioners but that was the
3 base list that I started with. And so, if there are other items to be added I'm open to hearing it...
4 an amendment to the motion so we have a complete list for Staff to work on.

5

6 Chair Templeton: Commissioner Lauing, did you want to continue with your second?

7

8 Commissioner Lauing: Yes.

9

10 Chair Templeton: Ok and did we want the maker to have his comments and then Vice-Chair
11 Roohparvar or?

12

13 Vice-Chair Roohparvar: There were just two points (interrupted)

14

15 Chair Templeton: Two points.

16

17 AMENDMENT #2

18

19 Vice-Chair Roohparvar: That people have raised that weren't in our comments because I was
20 taking notes. The first one was the radii, I don't think that was in your comments, was it? The

-
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1 one with Commissioner Summa and Commissioner Templeton [note – Chair Templeton] raised
2 the issue about the radii and more analysis to how it was done. Was those in your comments?

3

4 Commissioner Hechtman: It wasn't on the basis that we can't change the ordinance to change
5 (interrupted)

6

7 Vice-Chair Roohparvar: That's right, that's right.

8

9 Commissioner Hechtman: New but that could be a supplement that is not a change in the
10 ordinance but sort of an explanation of why these figures are what they are. Is that what we're
11 talking about and what the process would be to change them?

12

13 Vice-Chair Roohparvar: Yeah (interrupted)

14

15 Chair Templeton: To include comments on that in the Staff report?

16

17 AMENDMENT #2

18

19 Vice-Chair Roohparvar: Yeah, you had both raised it and then you explained why and then the
20 second that I have listed was Commissioner Summa's... I hope this is helpful... comment about a

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1 more robust listing of Director’s decision alternatives. That was the other one that I didn’t see
2 in your comments.

3

4 MOTION #1 AMENDED AND RESTATE

5

6 Commissioner Hechtman: And it wasn’t so I... and I’m agreeable to amend my motion to include
7 both of those items.; an explanation in the Staff report about the distance issues and whether
8 it’s an explanation in the Staff report or perhaps they can find a location in the ordinance. I’m
9 not sure where the noticing of decisions occurs. I don’t remember seeing it in the ordinance so
10 either an explanation in the Staff report of where that is and what it would take to make that
11 more robust or if it is part of the ordinance then additional language to do that. So, I’d do that.

12

13 Chair Templeton: Alright seconder, do you agree with those changes?

14

15 Commissioner Lauing: Yes.

16

17 Chair Templeton: Ok so discussion?

18

19 Commissioner Hechtman: So, I just wanted to speak to a couple of the what I think are the
20 bigger pictures. On the incomplete really what I’m looking for there is more something that

-
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1 applies when enough is enough. Again, the concern I have right now is enough can be enough
2 just when all you've done is submit the application. It comes in, it's incomplete, that's... we're
3 drawing the line. So that's the direction I'd like to see that done.

4
5 And then on the alternative analysis, I do... I did listen to Staff and I don't entirely understand
6 the 60-day time constraint and how it plays into these alternatives. And so, it would be very
7 helpful to me when you come back with the Staff report if that could be something that I could
8 become educated on. Those are my comments, thanks.

9
10 Chair Templeton: Thank you. Any other comments? Commissioner Summa.

11
12 Commissioner Summa: So first a question. How long does Staff... with regards to this coming
13 back to us instead of us giving you feedback to take this to Council. How long does Staff think it
14 would take them to come back to us? I have a little concern about this being bogged down at
15 Planning Commission and not going to Council.

16
17 Ms. Tanner: So, I think that just needing to come back... and the answer is I need to look at the
18 calendar but I think it would be unlikely that we would come back to Council before early April.
19 And certainly, maybe before May would maybe be... just because part of what we strive to do is
20 ensure that our reports here are thoroughly reviewed before they come back to the PTC. And

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1 then for Council review require even more review from various Staff in the City and so the
2 timeline for Council reports is quite lengthy in terms of when we have to get it started. And so,
3 we'd want to finish the item here before we queue it up for City Council. So, it's already
4 February 12th, you know I'm hoping we'd come back here at least the second meeting in March
5 and then that means we may be to Council in sometime in May. So not far off but it could be a
6 little bit of time.

7

8 **AMENDMENT #3**

9

10 Commissioner Summa: Ok and then I'd also like to ask the maker if he would be willing to
11 incorporate the idea of all design exceptions going to the ARB?

12

13 Commissioner Hechtman: I would be agreeable to that with the understanding being that again
14 Staff will comment on how they perceive whether that's a good way to go or not because I
15 don't fully understand the breadth of the kinds of applications that might come in. So yes, I
16 would agree to that.

17

18 Chair Templeton: So just to clarify we're including Staff comments on how to engage the ARB
19 based on our feedback and then we'll be voting on that in the future. Is that correct?

20

-
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1 Commissioner Hechtman: Say that again.

2

3 Chair Templeton: I certainly didn't clarify that. Sorry, about that. So, what you're asking
4 Commissioner Summa is for the Staff report to include comments on how to engage... how and
5 when is it appropriate to engage the ARB. Is that what you're asking?

6

7 Commissioner Summa: So, my concerns about the alternatives... you're... I think your key
8 concerns. I don't share those concerns about the alternatives and I would like to make sure that
9 some of the concerns that I think have been informed by the voluminous quantity of comments
10 we have gotten from the public get incorporated enough for consideration. I don't agree with
11 your comments so I'm trying to find a way to support your motion which has... and I'm
12 assuming if Staff finds that the alternatives are well thought out they won't need to make the
13 changes that you would prefer. So, I don't mind that being looked at but I want to make sure
14 that the other concerns that I mentioned are incorporated in whatever they can because I
15 believe those are the main concerns that we have heard from the public. I don't think the public
16 had as much interest in the administrative things that you were concerned about and I
17 understand that you looked very carefully at it.

18

19 So, I just want to make sure my other concerns which is ARB design approval and the robust... a
20 more robust way to convey the Director's decisions to the public which I think is a general thing

-
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1 we should be doing anyway. And then my concern about the setback distances for both
2 residential uses and the schools be reevaluated. So, if you can incorporate all of that in I can
3 support your motion.

4

5 [note – unknown female:] (off mic) What was the setback from schools [unintelligible]?

6

7 Commissioner Hechtman: So, on the distances I... what I've offered is that in the Staff report
8 that comes back they could further explain where the distances are located, what document
9 and what the process is for changing that. And I believe that's as far as we can go given the
10 noticing that we currently have. So, if what you're looking for is that the motion include Staff to
11 come back with language in the ordinance changing 20-feet to some other number or changing
12 the 600-foot school to some other number or broadening the definition of schools I'm not
13 including that in my motion because I don't believe I can properly.

14

15 So, and then on the... just to be clear on the ARB issue, what I was supportive of is I thought
16 your idea was to take the existing Tier II and Tier III provisions and really add kind of another
17 layer. As to design issues, those shall be referred to ARB as to any other non-design issue, that's
18 in the Director's discretion to refer to ARB.

19

20 Commissioner Summa: That was my intention also based on Staff's clarification.

-
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Commissioner Hechtman: And so, I agree that that can be part of my motion and again Staff I think can come back and explain to us with that new language which they'd come up with, the benefits or pitfalls whatever they may be of that.

Chair Templeton: Any other discussion? Commissioner Lauing? Commissioner Roohparvar [note – Vice-Chair Roohparvar]?

Commissioner Lauing: No, I accept his second as clarified. I mean I accept his motion; second his motion.

Vice-Chair Roohparvar: I'm supportive of your motion. Again, I view this as you're going to come back to us with whatever revised ordinance you come out with and do your own analysis, but in that Staff, report go into detail to these various issues because I also feel uneducated at this point as to the various nuances and how the balances were struck. So, I would like to see more in that Staff report of why and then better to be able to decide on the ordinance.

Chair Templeton: I'm also supportive of this motion. I'm a little apprehensive about the inclusion of shall but as long as we have a good discussion about it when we come back and that you're willing to share the pros and cons a little bit more in more detail I think that would

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1 be helpful for us. And maybe include something around the lines of volume of requests and
2 how... if we are concerned it will bog them down help us visualize that with some data that
3 would be super helpful. But yeah, I think these are all great suggestions and will be supporting
4 the motion. Are we ready to vote?

5

6 Vice-Chair Roohparvar: Yes.

7

8 VOTE

9

10 Chair Templeton: All in favor? And including your revision, you don't want to support it? Ok,
11 alright and all opposed? Ok.

12

13 MOTION #1 PASSED 4(Hechtman, Templeton, Roohparvar, Lauing)- 1(Summa) -2 (Alcheck and
14 Riggs absent)

15

16 Commissioner Summa: And may I speak to that no vote?

17

18 Chair Templeton: Yes.

19

-
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1 Commissioner Summa: It's not that I don't think that a lot of it was really good but I felt that the
2 ordinance was in question tonight and I have a strong preference I think for the... some of the
3 objective standards to be in the ordinance. And so, I felt it was agendized and could have been
4 considered tonight and the absence of that being in the motion I just... obviously, it's going to
5 pass with the majority of you but I... for the record I think it's... what... those are the things that
6 concern the public the most. So, leaving them out was problematic for me.

7

8 Chair Templeton: Commissioner Summa I... should she be allowed to make another motion that
9 would address the other part of the material that's in front of us or does it all have to be
10 included in one?

11

12 Ms. Tanner: I assume you can make another motion and if she found a second and a majority
13 she could move that forward. I think in regards to whether... I guess is the question whether or
14 not the Resolution is before us? If she was making a motion on the Resolution I do not believe
15 the Resolution has been agendize for discussion this evening.

16

17 Ms. Lee: If it's a separate matter then that has already been voted on so if it's something that
18 was already discussed and considered to be part of this motion. That has already been decided
19 but if it's a separate matter then the Commissioner can make a motion.

20

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1 Chair Templeton: So, Commissioner Summa can speak to this but my understanding is that
2 there was some confusion here about what was before us. So, do you want to speak to that and
3 see if there's a possibility that you can have the comments you made addressed through
4 another motion?

5

6 MOTION #2

7

8 Commissioner Summa: Sure, I can try, not to take up too much time on this though because I
9 think you guys have made a decision. I make a motion that the... there be a reconsideration of
10 the setbacks from residential uses and from schools that be incorporated into the ordinance
11 itself based on a more detailed analysis of options other than 20-feet and 100-feet. Anyone
12 want to second?

13

14 MOTION DIES DUE TO THE LACK OF A SECOND

15

16 [note – unknown female speaker:] That's ok. Yeah, it's fine.

17

18 Chair Templeton: Alright the motion fails. Well, thank you for giving that a shot Doria [note –
19 Commissioner Summa]. I think that was perfectly... my understanding was that you had the

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1 right to do that so I appreciate you guys helping clarify that and adding that to our discussion.

2 Alright, so I believe that ends our work on Agenda Item Three.

3

4 **Commission Action:** Motion by Hechtman for staff to bring back a revised ordinance, seconded
5 by Lauing. 4-1 (Summa against, Riggs absent, Alcheck left early)

6

7 **Commission Action:** Motion by Summa to reconsider setbacks failed due to lack of a second.

8 **Approval of Minutes**

9 Public Comment is Permitted. Five (5) minutes per speaker.^{1,3}
10

11 Chair Templeton: Alright and then do we have any more discussion tonight. It looks like there's

12 no minutes.

13 **Committee Items**

14 Chair Templeton: Any Committee items? Commissioner Summa.

15

16 Commissioner Summa: I just wanted to remind everybody that there's a NVCAP community
17 workshop coming up on Thursday, February 27th from 6:00 p.m. to 9:00 p.m. at Gunn High
18 School, Room P115 and 116 if anybody wants to attend.

19

20 Chair Templeton: Thank you and the NVCAP is the North Ventura work about design proposals.

21 So that's really interesting project, I encourage people to participate.

22

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1 Commissioner Summa: Last NVCAP meeting because I'm the PTC rep to the NVCAP we had sort
2 of our first proposal of three alternatives. So that's going to be discussed in a broader context
3 at the... in a community meeting.

4
5 Chair Templeton: Thank you for sharing about that. I will also add that the rail crossing
6 discussion known as XCAP, Extended Community... I'm losing track, Advisory Panel, thank you,
7 happens right now for the next few weeks almost every week. And you can find more about
8 that online as well. It's a very interesting discussion and we do have members of the public
9 come and discuss about what the railroad crossing proposals would... how they would affect
10 their quality of life and their commutes and things like that. So, it's really good to get involved
11 with that.

12 **Commissioner Questions, Comments or Announcements**

13
14 Chair Templeton: Alright the rest is Commissioner questions, comments and announcements,
15 and future agenda items. So, any other announcements? Several of you have asked about a
16 retreat. We are looking at trying to get that scheduled for later in the spring so nothing urgent
17 right now. I'm not going to pop it on your calendar at the last minute and so we'll talk more
18 about that in the future. I also wanted to remind Commissioners... I'm trying to find the page
19 here... that we have a schedule of upcoming meetings and I would love to have people look
20 ahead to the next few months. I'm specifically concerned about the first meeting in April on

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1 April 8th. It falls during the PAUSD's spring break and that people may have plans during that
2 time. If we need to move that up or down a week to accommodate that please let me know and
3 yes?

4

5 Commissioner Hechtman: Also, first night of Passover.

6

7 [note – many people started talking at once]

8

9 Chair Templeton: Oh, that's the one so we already have quite a few conflicts so we may want
10 to... should we... do we need to vote to remove that from the schedule?

11

12 Ms. Rachael Tanner, Assistant Director of Planning: Maybe folks could email Vinh if they're
13 going to be absent we can see if we'll have a quorum. If not then we can bring that to the next
14 meeting to cancel that meeting.

15

16 Chair Templeton: That would be super useful, thank you and also maybe to take a look into the
17 summer. If you already have plans and do let us know so that we can get those missing dates
18 confirmed if we don't have a quorum.

19

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1 And then the last thing is I would just ask the Commissioners to please let me know if there are
2 topics of special interest to you that you might want to do additional work on or dig in more. As
3 we engage with Staff sometimes there are opportunities for us to share those interests and
4 maybe work through and contribute to an ongoing project or discussion. So just please let me
5 or Ms. Tanner know. Thank you.

6

7 Commissioner Lauing: Can I ask about future agenda items?

8

9 Chair Templeton: Yes, yes.

10

11 Commissioner Lauing: What is 840 Kipling? What's that issue?

12

13 Ms. Tanner: It's a Variance that's being requested and being challenged by a neighbor.

14

15 Commissioner Lauing: I see, ok and do we have any visibility yet on the parking
16 recommendation that Council sent to us quite a long time ago?

17

18 Ms. Tanner: I believe that the parking recommendations have been incorporated into... I know
19 they were incorporated in part to the Transportation Work Plan for last year the end of 2019.

-
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1 And so, I can check with the Director of Office Transportation about what's the 2020 Parking
2 Work Plan look like and kind of how those recommendations are being incorporated there.

3

4 Commissioner Lauing: Excuse me, when he came to speak briefly to us he said there were 35
5 and he was going to bring us nine.

6

7 Ms. Tanner: Yeah those are the other all I think and then they've kind of narrowed it down to
8 the nine things that were action items so I can speak with him about that.

9

10 Commissioner Lauing: And these other two we've been carrying on here for a number of
11 months, are they still current or should they be (interrupted)

12

13 Ms. Tanner: The to be scheduled items?

14

15 Commissioner Lauing: Co-working and SB 50.

16

17 Ms. Tanner: Yeah, I believe my understanding... well SB 50 maybe can be taken away unless
18 another SB of its same nature with a different number comes along. These were items that we
19 wanted to have study sessions on to my understanding so the co-working office model we
20 could seek to have speakers there. Especially if we do have an evening that has a light agenda

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1 could be a good evening to try to secure speakers and if any of you know folks who are
2 operating in that space who you suggest to be speakers that would be helpful. Yeah, SB 50
3 probably can get dropped our list.

4

5 Chair Templeton: Alright thank you very much. This meeting is adjourned.

6 **Adjournment**

7 8:50 pm

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Palo Alto Planning & Transportation Commission

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Commissioner Michael Alcheck
Commissioner Bart Hechtman
Commissioner Ed Lauing
Commissioner William Riggs
Vice-Chair Giselle Roohparvar
Commissioner Doria Summa
Chair Carolyn Templeton

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Write to us. Email the PTC at: Planning.Commission@CityofPaloAlto.org. Letters can be delivered to the Planning & Community Environment Department, 5th floor, City Hall, 250 Hamilton Avenue, Palo Alto, CA 94301. Comments received by 2:00 PM two Tuesdays preceding the meeting date will be included in the agenda packet. Comments received afterward through 2:00 PM the day of the meeting will be presented to the Commission at the dais.

Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

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