



Planning & Transportation Commission

Action Agenda: June 9, 2021

Virtual Meeting
6:00 PM

Call to Order / Roll Call

6:03 pm

Chair Hechtman: Thank you. I will call to order this meeting of the Planning and Transportation Commission. It's a regular meeting tonight, June 9th, 2021. I will welcome members of the public, members of Staff, and my fellow Commissioners. Ms. Nguyen, can you roll the tape, please?

[An automated voice recording begins to play disclosing Zoom procedures.]

Chair Hechtman: Mr. Nguyen, please call the roll.

Mr. Nguyen, Admin Associate III: Chair Hechtman?

Chair Hechtman: Present.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Present.

Mr. Nguyen: Commissioner Alcheck?

Commissioner Alcheck: Present.

Mr. Nguyen: Commissioner Chang is absent tonight. Commissioner Lauing?

Commissioner Lauing: Present.

Mr. Nguyen: Commissioner Summa?

Commissioner Summa: Present.

Mr. Nguyen: Commissioner Templeton?

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1 Chair Hechtman: You're muted Commissioner Templeton if you're trying to say present.

2

3 Ms. Rachael Tanner, Assistant Director: I think we can't hear you. Vinh, is she unmuted on our
4 side as well?

5

6 Commissioner Templeton: I'm here. My mic isn't working so I'll switch devices, but I'm here.
7 Thank you.

8

9 Mr. Nguyen: Alright, thank you. We have a quorum.

10

11 Chair Hechtman: Thank you. We will now move onto oral communications.

12 **Oral Communications**

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

14 Chair Hechtman: This section is for the public to speak on items not on tonight's agenda. Please
15 raise your hand if you wish to speak. On the Zoom App, there is a raise hand button on the
16 bottom of your screen. If you are dialing in from a phone, please press *9. Mr. Nguyen, are
17 there any speakers for oral communication?

18

19 Mr. Vinh Nguyen, Admin Associate III: Yes, we do have one raised hand from Hamilton
20 Hitchings. Ok, Hamilton, you can unmute yourself and speak.

21

22 Hamilton Hitchings: Ok, can you hear me?

23

24 Mr. Nguyen: Yes, we can, thank you.

25

26 Mr. Hitchings: Hi, this is... I want to talk on a subject that is not on tonight's agenda but I think
27 it's very important. And I think it's still in front of the PTC before it goes to Council and that's
28 about the street openings. I know you've met at least once to talk about it at a very high level.

29

30 Specifically, what I and I think many, many other Palo Alto residents would like to see is to
31 retain some of the benefits we've seen from having these street closers of Cal Ave and
32 University Ave. While at the same time not negatively impacting commuters and businesses
33 during the week. And so, what I propose, and I think this should be easy to get wide consensus
34 on this, is Cal Ave and University Ave to be permanently closed on weekends and holidays and
35 be open during the week. And this allows the restaurants to have more space and stores in the
36 street. Make it a pedestrian area during the weekend. The weekend can start Friday evening or
37 Saturday morning, depending on what you guys prefer. But it also allows commuters, whether
38 they're going from Caltrain to the Research Park or from 101 to Stanford or to Palantir or to the
39 other businesses, to get in and for people to do quick errands. We know that peak parking is

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1 during the week at lunch. So, it also allows a lot of people from the Research Park and from
2 Stanford to come over to University Ave during the week.

3
4 So, I think this is pretty uncontroversial. I think it's the number one thing you could do to
5 support the recovery for the retail businesses in both of these retail districts and I hope you
6 decide to approve it. And I would also suggest putting in bollards as well so that they can be
7 raised and lowered for these areas.

8
9 And lastly, I think if you moved the farmer's market from Hamilton and Forest over to
10 University Ave. You'd get a lot of additional foot traffic for the retail, just like you do on Cal Ave.
11 So, I hope you'll seriously consider this and advocate for it at the Council. I know I will be. Thank
12 you very much for listening.

13
14 Mr. Nguyen: Thank you Hamilton for your comments. Chair, that concludes... actually I'm sorry.
15 Oh, we still have a new raised hand but it's from the same person. So, yes, that concludes
16 public comments for this item.

17
18 Chair Hechtman: Alright, thank you. We'll move now to agenda changes, additions and
19 deletions.

20 **Agenda Changes, Additions and Deletions**

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

22 Chair Hechtman: And I have one. It's my intention tonight to flip Agenda Items Two and Three.
23 Agenda Item Two is Objective Standards. That is going to be a lengthy agenda item and it is not
24 time-sensitive. Agenda Item Three, the PTC Workplan, is time-sensitive. We have to get that
25 item to the City Council before their break which is before our next meeting. It's a short item.
26 It's scheduled for half an hour on our agenda. I think it could take a little bit longer than that,
27 but I'm expecting that we will be through it sometime between 7:00 and 7:15 and then we will
28 move to Objective Standards. So, unless I have any feedback from my fellow Commissioners on
29 that, if you have some feedback, you're welcome to raise your hand, but I'm not seeing any so
30 that's what we will do. And with that, we will move to City official reports. Ms. Tanner?

31 **City Official Reports**

32 1. Directors Report, Meeting Schedule and Assignments

33 Ms. Rachael Tanner, Assistant Director: Thank you, Chair. Good evening Commissioners, good
34 to be with you all this evening. Just a few updates about items that are going to City Council. So,
35 this past Monday, Council considered 855 El Camino Real, which was a request for a Text
36 Amendment from Town & Country to add medical offices. Initially, that was amended by the
37 Council to have the PTC look into defining Retail Health and to allow Retail Health possibly at 10
38 percent of the ground floor area. Council did take a look at the PTC's recommendation and
39 ultimately denied the request for the legislative change. In par, I think the Council was hoping

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1 instead maybe for a definition that started at medical office and tried to incorporate retail.
2 Something that started at retail and incorporated medical office there. And just didn't want to
3 have the Staff and PTC spend more time on reviewing the application and wanted to maybe
4 incorporate this into other work that we have on our docket regarding adding additional uses
5 and coming up with additional definitions. So, I'm happy to answer more questions about that,
6 but Commissioner Summa was also there. Thank you, Commissioner. I know they didn't call on
7 you but I do appreciate you showing up nevertheless, so I appreciate your time there.

8
9 We also have coming up the North Venture Coordinate Area Plan on next Monday, June 14th.
10 And so that will be, there's three items for action that night, we're the third. Hopefully, they
11 stay on time and we should be up around 8:30 pm. So, hopefully, that does goes as planned and
12 we are asking Council to look at the PTC's recommendation and to select a preferred
13 alternative. We have forwarded the recommendation of Alternative 3B to the Council.

14
15 Then the following week, June 21st and the 22nd, which are Monday and Tuesday, the Council
16 will be meeting both days. June 21st. I believe is the idea the budget will be adopted. There was
17 a budget discussion this last week. The final budget would be adopted and then a final meeting
18 on the 22nd. And then the Council will be on recess and their next meeting will be on Monday,
19 August 9th.

20
21 The next week, also the Finance Committee of the City Council is meeting on Tuesday, the 15th.
22 There is a discussion about ballot initiatives and whether or not what direction the Committee
23 will give to Staff regarding perusing any ballot measures that might raise revenues for the City.
24 There is an attachment to that report, which I'll share with you all once it's published, that does
25 discuss measures that could be used for affordable housing. And so, Council will have that as
26 part of their discussion kind of overall about raising additional revenues for the City.

27
28 I do want to comment just in response to Mr. Hitchings's comments. Just that the PTC will not
29 be opining on the street closure. That item is not before you tonight, it won't be before you
30 before June 22nd, which is when the Council will be discussing that item. So, certainly appreciate
31 the comments but don't want Commissioners to think that you've missed something, that will
32 be coming to you for review. If you do have thoughts and opinions regarding whether or not
33 the street should be opened or closed or other ideas. As individuals, you are certainly
34 welcomed to let the Council Members know what you're perspectives are on those options,
35 and happy to answer any questions because I'll be carrying that water to the Council as well.

36
37 Lastly, in meeting updates, the Housing Element continues to be understand way. Thank you
38 Commissioner Lauing for being our Chair, one of our Co-Chairs, along with Sheryl Klein of Alta
39 Housing of our very lustrous and so far, well-attended 15 member working group. We had a
40 great session last week. Lots of really good, creative conversation very collegial. I'm hoping...

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1 kind of excited when we can finally meet in person, whenever that is. But I think we've got a
2 great group of people who are really dedicated and really interested in understanding the work
3 that's going to be hard. But I hope if we can keep that collaborative spirit we have, I'm pretty
4 confident we'll be able to achieve this very, very challenging goal. And next week... we'll be
5 meeting next in July is the next working group meeting and the Council Ad Hoc Committee on
6 the working or on the Housing Element will be meeting on June 17th which is next Thursday. So,
7 they'll be... they're role is not necessarily direct the working group but really just help to make
8 sure that we're aligned with the Council and what the Council is hoping to see come out of this
9 process. So, we want to have a lot of touch points so that we don't end up with coming at the
10 end with the Housing Element that surprises folks. Hopefully, PTC, Council, and the working
11 group will all be abreast at what's in it and why and the direction that we're headed.

12
13 So, those are all of my comments that I have for today, but happy to answer any questions. And
14 I could give a little bit of an update about COVID-19 but honestly, it would be more that we're
15 still trying to understand what's come from the state. But I can share some news or updates if
16 there's specific questions you have about any industry or kind of what to expect with reopening
17 and things like that. So, that's my report.

18
19 Chair Hechtman: [unintelligible – no audio] Ms. Tanner. Commissioners, any questions of Ms.
20 Tanner or Staff on the City reports? Commissioner Templeton.

21
22 Commissioner Templeton: Thanks. I was just wondering, it looks like there's been some
23 adjustments to our in-person meeting or virtual meeting times on the calendar. Is that
24 something that we would discuss now or at the end of the meeting?

25
26 Ms. Tanner: In terms of the TBD on the look-ahead?

27
28 Commissioner Templeton: Yes.

29
30 Ms. Tanner: Yeah, I think we... you know I'm happy to talk about that now. I think just generally
31 I don't believe that we'll be in person on June 30th. Certainly, that's not the expectation and we
32 did get word maybe it was yesterday? It sometime... it was either yesterday or the day before.
33 That the state is going to keep the Emergency Order in place for the state and keep in place the
34 Brown Act leeway that we've had. So, what I would anticipate is that we would return to the
35 Council Chambers once Council has returned to the Council Chambers and pave the way for
36 how to integrate the remote access with the in-person access. So, more to come on that and so
37 I would probably schedule if it's ok with the Commission and subject to change from direction
38 the Council that through August we would likely be remote. You know, of course, the one
39 change could be that if Council does start out in person on August 9th. Maybe the other Boards

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1 and Commissions might follow sooner and so possibly our August 25th meeting might be in
2 person.

3
4 Commissioner Templeton: Thank you.

5
6 Chair Hechtman: Questions of Staff? Alright, thank you, Ms. Tanner. We will now move to our...
7 the action items on our agenda tonight and we'll start with Action Item Number Three. As I
8 mentioned at the top of the meeting we are (interrupted)

9
10 Ms. Tanner: Chair, sorry, can I interrupt just one moment? I'm sorry. I just wanted to ask and
11 Sylvia Star-Lack just messaged me to announced that the City of Palo Alto has been named a
12 Gold Level Bicyclist City and so that is quite an honor. We can send out more information about
13 the press release that's posted on the City's website. But it's a pretty big deal and certainly
14 something that builds on our legacy of being a very bike-friendly City and so It's nice to get the
15 recognition for it. So, we'll send that to you all and you can share it on social media and of
16 course, Chair Hechtman you bike a lot. So, hopefully, you can endorse it as a true and well-
17 earned gold medal.

18
19 Chair Hechtman: Absolutely and I know that as soon as we finish the bike bridge, which is
20 pictured above my head, we may be able to move to the platinum medal stage. Even better.
21 And I saw a sign driving on Highway 85 that said the Highway 101 is going to be closed in Palo
22 Alto this Sunday morning from 1:00 to 6:00. I expect that is because that's when they are going
23 to install that 107-foot missing link.

24
25 Ms. Tanner: Yeah, and I've heard the story. I don't know if you all heard from the City Manager
26 but it's so big and the way it has to get here. I guess it must have come into the port of Long
27 Beach or LA because it had to come from south to north and so they've had to find the route
28 that it can go and fit and not be unable to clear. It has to have an escort. All these things so it's
29 quite an interesting [unintelligible](interrupted)

30
31 Commissioner Alcheck: It's sitting right now on 237 (interrupted)

32
33 Ms. Tanner: Oh great.

34
35 Commissioner Alcheck: On the westbound side of the freeway. Just parked on the right with
36 like 40 wheels underneath it. So, if anybody wants to look at it, it's pretty close by.

37
38 Chair Hechtman: Right.

39
40 Commissioner Alcheck: It's made it's way.

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1
2 Chair Hechtman: Alright, well that is great news. I'm really excited to have that link completed.
3 Alright, so with that, we will now move to our action items and as I mentioned at the top of the
4 meeting, we're going to flip our agenda and take Action Item Three before Action Item Two and
5 so we will move to that now.

6
7 [The Commission moved to Agenda Item Three – see page 70]

8 **Action Items**

9 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.
10 All others: Five (5) minutes per speaker.^{1,3}

11
12 2. Public Hearing: Request for Recommendation on Objective Standards Project
13 Including the Following Modifications to Title 18: 1) New Chapter 18.24, Objective
14 Design Standards, That Would Replace Existing Context-Based Design Criteria
15 Contained in Multiple Chapters of Title 18; 2) Modifications to Chapters 18.30(J) and
16 18.30(K): Affordable Housing (AH) and Workforce Housing (WH) Overlay Districts to
17 Eliminate the Legislative Process Requirement; 3) Expansion of Affordable Housing
18 (AH) and Housing Incentive Program (HIP) to PTOD-Eligible Properties; 4) Changes to
19 Remove Inconsistencies and Redundancies, and Streamline Project Review in various
20 Title 18 Chapters

21 Chair Hechtman: This is a public hearing request for a recommendation on Objective Standards
22 Projects including the following modifications to Title 18. Number one, new Chapter 18.24,
23 Objective Design Standards, that would... sorry. The title of the new Chapter 18.24 is Objective
24 Design Standards that would replace existing Context-Based Design Criteria contained in
25 Multiple Chapters of Title 18. Number two, modifications to Chapters 18.30 subpart J and 18.30
26 subpart K. Affordable Housing or AH and Workforce Housing, WH, overlay districts to eliminate
27 the legislative process requirement. Number three, expansion of Affordable Housing, AH, and
28 Housing Incentive Program or HIP to PTOD-Eligible Properties and finally number four, changes
29 to remove inconsistencies and redundancies, and streamline Project Review in various Title 18
30 Chapters. May we have a Staff report, please?

31
32 Ms. Rachael Tanner, Assistant Director: Certainly. We've got quite the team here tonight so I'm
33 going to kick it over to Jodie Gerhardt and she will lead us through this effort. Thanks, Jodie.

34
35 Ms. Jodie Gerhardt, Planning Manager: Alright, thank you, everyone. Good evening PTC
36 Members and the public. My name is Jodie Gerhardt. I am the Manager of Current Planning and
37 working on this project. I'd like to introduce the team and then Jean will go over the two main
38 parts of this project and give you a brief overview of the changes since the last hearing. On the
39 Staff side, we have myself and we have Amy French, our Chief Planning Official. Our main
40 consultants include Jean Eisberg and Chris Sensing [note – phonetics]. The ARB has also greatly

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1 reviewed this, the Objective Design Standards. That will be the Title 18.24. They recommended
2 approval of these standards with the condition that the ARB Ad Hoc Committee further refine
3 the graphics that are going to go into that document. And so, we'll have those refinements
4 before we go to City Council. With that, I'm going to turn it over Jean, let her pull up her
5 presentation. I believe we also have the ARB Chair Thompson was going to join us. I don't know
6 that she's here quite yet. She's got some family in town but she was going to try and join and
7 just give you a brief overview of the ARB's deliberation. So, we'll see when she's able to join. It
8 looks like she should be joining soon so I'll let Jean take it and then she should be ready. Thank
9 you.

10

11 Ms. Jean Eisberg, Consultant: Thank you. Good evening Chair Hechtman and Members of the
12 Commission. I'm Jean Eisberg. We are back tonight talking about Objective Standards. We're
13 going to recap what you... the overview of the project, talk a little bit about your feedback
14 when we met in March and then go over the two key components of the ordinance which right
15 now is split into two attachments. First the Objective Design Standards and that was the focus
16 of the ARB's effort and then second, other updates to parts of Title 18. And we'll focus on
17 changes since the last time you saw the ordinance in March and then we'll provide the Staff
18 recommendation.

19

20 So, this project is an effort to provide the City Subjective Design Criteria that cannot be used for
21 some multi-family... some types of multi-family and mixed-use projects, given changes in state
22 law. Including SB35 streamlining, SB330 which changed a number of elements of government
23 code, and the Housing Accountability Act. And so, the project proposes to transforming the
24 existing Context-Base Design Criteria into Objective Standards and make some other changes to
25 Title 18 to develop these Objective Standards and streamline the review process.

26

27 The project is funded by Senate Bill 2 which has three main purposes. To streamline housing
28 approvals which is the primary focus of our effort and then when we talk about the opportunity
29 to revise the legislative actions. Those really relate to facilitate to housing production and
30 housing affordability specifically.

31

32 So, our schedule in terms of where we go next. We... since we saw you last April 1st, the ARB
33 recommended approval of the Objective Design Standards, and tonight this is an action item
34 asking for a recommendation on the Design Standards and other updates to Title 18. And then
35 we're looking to go to the Council on August 16th.

36

37 When we met in March, the feedback that we got from the Commission was that there was
38 general agreement with how this Objective Criteria has been translated into Objective
39 Standards, an appreciation for the ARB contribution. There was general agreement that the
40 standards should apply to the housing development projects as defined under the Housing

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1 Accountability Act and that those are the types of projects that would be eligible for this
2 streamlined review; a meeting one non-binding ARB hearing. There were some concerns among
3 the Commission that Design Standards... these Design Standards could apply more broadly to...
4 in the interest of streamlining to a broader ranges of projects. We have not proposed that at
5 this time. And then there were some Commissioners who shared the ARB's concerns about not
6 wanting the Design Standards to be too prescriptive and in that way potentially affect variety in
7 terms of project types or innovation. And again, we've tried to structure these standards so
8 that there's a sufficient amount of flexibility to not be too prescriptive but to allow flexibility in
9 design.

10

11 Over the last 6-months Staff has reached out to a number of stakeholders. Particularly
12 architects and developers who are regular applicants to the City. And so, at three points in time
13 over the last 6-months, Staff reached out to a group of over 30 stakeholders and we received
14 five comment letters and one public comment from Stanford University Bill of State
15 Representative at the last two hearings and they provided a wide ranges of feedback. Those are
16 summarized in the March study session report and ranging from the effects to the Design
17 Standards based on context, the location of projects, based on different project types and we
18 have in some cases responded specifically with standards to match that feedback.

19

20 So, looking at changes since your last review, the ARB during their action hearings made
21 modifications. I would describe those minor modifications to measures, to ratios, to
22 dimensions, specific changes to the material section of the Design Standards, and then also
23 added some specific standards for townhomes. Particularly, end units where units wrap around
24 a corner. As Jodie indicated, there are still revisions to graphics in that Design Standards
25 chapter underway with the ARB Ad Hoc Committee. And then you'll see as part of the
26 ordinance, a proposal to expand the Housing Incentive Program within the PTOD, that's the
27 Pedestrian Transportation Oriented Development Overlay in the Cal Ave area, and I'm going to
28 go into that in a little bit of detail. Lastly, based on the Commission's feedback, we did make
29 revisions to the Design Standards language around height transitions. Commissioners were
30 concerned that we were overstepping and making changes that frankly were not intended by
31 Staff. This section's really intended to make text clarifications so that the language is more
32 clear. Staff is not proposing substantive changes to that section. We did receive a few public
33 comments on this issue and so I'm going to spend a little bit of time going over those slides.
34 Additionally, the ARB did have a discussion outside of this process in terms of height transitions
35 and generally how those are handled and regulated in the code. And that is a discretion that
36 may be continued through the Housing Element Update process.

37

38 So, starting with our first focus area, the Objective Design Standards. As I mentioned, this was
39 the focus of the ARB's work. The full Board met seven times to revise, refine, continue to
40 workshop those standards in Attachment A and they also worked with an Ad Hoc Committee.

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1 We do have also Thompson, the Chair of the ARB, here tonight. I see she's here. She's going to
2 say a few words at the end of my comments and I... Jodie has indicated she does have other
3 plans tonight. So, we would ask you to provide comments and questions to her first and then
4 we may let her go towards the end of our discussion.

5
6 So, overall, this was a very in-depth process at the ARB. I want to acknowledge that there were
7 some philosophical concerns about the idea of Objective Standards and the state's way of
8 encouraging Cities to develop more Objective Standards to allow for streamlining. But
9 generally, there was support for the two-path options and support for the Design Standards
10 and the amount of flexibility that we tried to retain in them.

11
12 So, I'm just going to go through a few slides on the Design Standards. First applicability, we
13 talked about this last time. The standards are generally applying to chapters of the coder where
14 the design... Context-Based Design Criteria currently apply. A couple of exceptions, one is
15 Chapter 18.20, which is generally more of an office commercial district, but there are... multi-
16 family is an allowed use in some of these zones. And so, our recommendation that's in the
17 ordinance is to apply the Objective Design Standards to multi-family projects within Chapter
18 18.20, but not... but do not apply the standards or the Intent Statements to the commercial
19 development in that district.

20
21 We do have a question for the Commission's consideration which is the applicability in the
22 Public Facility Zoning District and this is emanating because the Comp Plan update allows higher
23 density multi-family housing in the Major Institution/Special Facilities land use designation. And
24 that's shown in the lighter blue on the land use map and it includes hospitals but also some
25 parking lot sites, some county sites, the VA Hospital. And then the corresponding PF Zone,
26 that's the Public Facility Zone, allows City or other entities to develop multi-family residential,
27 but otherwise multi-family residential is not an allowed use in that PF Zone. So, currently, the
28 PF Zone is not subject to Context-Based Criteria but it is possible and we'll talk about this in a
29 couple slides after this. That the multi-family housing will be built in the PF Zone and so right
30 now the Design Standards would not apply. So, the question for consideration is should the
31 Objective Design Standards apply to housing development projects in that Public Facility Zone
32 and then potentially outside of this project. Should the City consider allowing multi-family
33 residential use in the PF Zone overall and that could be beyond the City as a public entity. And
34 we're raising this now because these are the set of current projects in the pipeline that could be
35 subject to this ordinance and the Objective Standards. And coincidentally, two of these projects
36 are in the Public Facility Zone. So, since the way it is now and the way the ordinance is written.
37 These standards do not apply for the first two projects but potentially would apply to the
38 second two projects on this list.

39

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1 Just a reminder about how the Design Standards are organized. Each topic, design topic, has an
2 Intent Statement which is a subjective statement and that's to clarify the intent of, if for
3 example here, building massing. And these are often drawn verbatim from the Context-Based
4 Design Criteria and so those Intent Statements apply to all different project types. Including
5 commercial development in the applicable district and then the next layer is the standards. And
6 so, these only apply to residential uses, these housing development projects and these are
7 objective measurements, the Statement of Allowance or for prohibition and often listed as a
8 menu of options to allow for flexibility.

9
10 The Objective Design Standards have created a new... proposed a new process and these
11 projects, these housing development projects, would be exempted from Architectural Review.
12 And so, this is a new section in 18.17 [note – 18.75?] and 18.76. Since the idea that this
13 streamline process for housing development projects that comply with Objective Standards,
14 such projects would go to the ARB for one study session, one non-binding hearing, and the Staff
15 report would look a little different. It would be in the form of a checklist that takes those
16 Objective Design Standards, the applicant is responsible for checking the box of which standard
17 that they're meeting, perhaps where that [unintelligible] pages and putting the ominous on the
18 applicant to identify where those Objective Standards have been met, having Staff verify that,
19 attaching that to a much shorter Staff report for review by the ARB. And then that study session
20 with the ARB again would be advisory design comments.

21
22 And so just to illustrate what that looks like. We've got that overarching Intent Statement that
23 all projects are meeting and those housing development projects must meet Objective
24 Standards subject to that ARB study session; whereas other discretionary residential projects or
25 commercial projects are going through the City's Standard Architectural Review process.

26
27 So as an example, the types of projects that could be eligible for the new streamlined review
28 process are multi-family housing in the RM districts, mixed-used projects with at least 2/3 floor
29 area but is residential in a commercial district, SB35 projects, the streamlining projects. Projects
30 that are non-eligible are mixed-use projects that have less than 2/3 residential floor area, any
31 project that's seeking a rezoning, or projects that are seeking a FAR increase under the Housing
32 Incentive Program.

33
34 So next section is the other updates to Title 18. So, number one is the transformation of the
35 existing Context-Based Design Criteria which I just talked about. Item two is really about
36 reorganizing and removing redundancies in the Design Standards and district regulations and I'll
37 talk more about the height transition issue there. Third is to make changes to other subjective
38 regulations. Many of these are in Performance Standards so things around landscaping, around
39 lighting. To strengthen those Objective Standards and then remove redundancies and then
40 lastly, I'll spend a little time on this. This is the idea we presented to the Commission in March

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1 about transforming legislative action into Objective Criteria to increase affordable housing
2 productions and housing affordability.

3
4 So, focusing on the height transitions, overall these are special standards that apply when you
5 have a higher density district, commercial district, next to a lower density residential zone. And
6 you can see these areas are shown in the zoning map with blue hatching and so here we've got
7 this 150-foot buffer and the genesis of this was to identify properties that had that non-
8 residential or residential adjacencies that must adhere to Performance Criteria. So, the other
9 application of this was the height transition from a standard height which may be 50-feet to a
10 lower height which is typically 35-feet. You know, each section in each district in the code
11 expresses the height requirement in a slightly different way and that's one of the things that
12 have added some confusion for Staff and for applicants about these code sections are
13 interpreted. So, the Staff intent is to retain the spirit of these regulations but streamline the
14 language. Our intent is not to make changes to the essence of the height transitions. When we
15 presented this to you in March, we made some changes that were really unintended and so we
16 talked to several Commissioners here and have made changes corrodingly to make it more
17 clear. So, just to put a finer point on it, if we look at the graphic on the right. Typically, the idea
18 is that if you have this 50-foot height limit in the commercial district in blue. When you're
19 adjacent to a residential district, you have to reduce the height within 50-feet of the property
20 line and this is how Staff has been interpreting this section of the code for a long time.

21
22 I do want to mention the RM-40 Zone in particular. That zone has always been explicatively not
23 included in this height transition. So, the way it is now, and here's an example from 18.16, the
24 CN, CC, CS Zone so typically an El Camino condition, within 150-feet of a residential zone. It says
25 other than an RM-40 or PC Zone, abutting or located within 50-feet of the side. It's a very
26 complex sentence, it's actually not clear in that you have to read it a couple times to try to
27 understand the intent. But the way that Staff has been interpreting it is as shown here in the
28 graphic. So, the RM-40 District, which has a height limit of 40-feet, has always been excluded
29 from this height transition requirement. The proposed language aims to just make this simply
30 more clear and just state that within 50-feet of a residential zone district, other than RM-40 to
31 PC Zones, that lower height limit would apply.

32
33 Just to show two examples of what this looks like in practice. This is the Wilton Court project
34 that I believe the Commission reviewed during the approval process. And this is just showing
35 this adjacency to the RM-30 on this side, El Camino on this side, and you can see that the
36 building is setback 50-feet or reduced in height within 50-feet of that property line but not the
37 greater 150-foot. If the 150-foot height transition was in play, you would see this building as
38 three stories across this whole plan. Another built example is this hotel on El Camino Real. It's
39 within in 50-feet of the property line of this RM-30 building but the height has not been

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1 reduced. If this had been applied at 150-foot dimension, then you would see this corner of the
2 building reduced in height but that's not how this code section has been interpreted.

3
4 So, number three in our list is the revising and reorganizing other design regulations. And so,
5 this both taking the Performance Standards chapter, rescinding it, and putting it in locations
6 that make more sense. So, an example, there are parking sections in here that we've move to
7 the parking facility design section. We have made a number of changes to strengthen those
8 Objective Standards. So, actually updating language to make it more clear of what is required in
9 terms of [unintelligible], water quality, landscape screening, lighting, etc. The way it is now, the
10 Performance Standards were, as I said earlier, they were initially only applied to projects with
11 that adjacency. The residential/non-residential adjacency, but in practice had been applied to
12 all uses and so we've made that more clear. And then lastly, we've provided some cross-
13 references in the code to hand out like zero waste handouts, stormwater handouts, that get
14 updated from time to time by those departments. And so, we've made that clear in the code
15 that is one of the state law requirements and Objective Standards need to know at the time of
16 application.

17
18 Ok, last section, so this is about transforming legislative action. So, you may recall, we
19 presented this in a similar slide last time. We have three overlay districts in code. The Work
20 Force Housing Overlay, Affordable housing Overlay, and the Pedestrian Transit Oriented
21 Development Overlay in the California Avenue area. And these three overlays are intended to
22 encourage housing near transit and to create incentives for below-market-rate and moderate-
23 income housing which had been expressly desired in the Comp Plan and the Housing Work
24 Plan. However, these overlays require legislative action, they require review and approval by
25 the Planning Commission and the City Council which adds a layer of time and uncertainty to
26 process. And so, what the proposed ordinance does is to allow these flexible standards by right
27 in the Work Force Housing Overlay, Affordable Housing Overlay. So, when a project comes in, it
28 meets that affordability criteria, it automatically can qualify for the reduced Development
29 Standards, reduced parking, increased density. Both of these overlays, ARB review would
30 continue to be required.

31
32 We have not proposed to make any changes that PTOD District at this time but have proposed
33 to instead expand the Housing Incentive Program which, as you may recall, increases incentives
34 for housing production. Particularly increasing FAR and relaxing some other Development
35 Standards. These projects also require ARB review and cannot be combined with State Density
36 Bonus Law. We propose to expand that eligible area into RM-30, RM-40 and CC Zone. We
37 particularly excluded the NVCAP area since that's a separate process and the GM and PF areas
38 which as discussed earlier those zones currently don't allow multi-family housing. So, just to
39 show where that would be located. Right now, the Housing Incentive Program is along El
40 Camino in the pink areas and in this CC(2) Zone on Cal Ave. This... the lime green color is

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1 showing other PTOD eligible areas and so the application of the HIP as proposed in the draft
2 ordinance would be in the RM, RM-40, there's a couple PCs properties over here and north of
3 Page Mill.

4
5 Ok, last slide before I pass it on to Chair Thompson. The Staff recommendation is to the Council
6 to modify Title 18, two components. The draft Objective Design Standards and we are looking
7 for your feedback on applying Objective Design Standards to the PF Zone that is currently not
8 written into the ordinance that's proposed. And then second, recommending other changes to
9 Title 18 to strengthen Objective Standards and looking for your feedback on expansion of the
10 Housing Incentive Program in the PTOD-eligible area and that currently is written into the draft
11 ordinance. Separately, for another discussion, if time allows or there's interest, should the City
12 consider as part of the Housing Element process, allowing multi-family residential uses in the PF
13 Zone. So, that concludes my presentation and I'm going to ask Chair Thompson to provide her
14 feedback as an ARB Chair and Ad Hoc Committee Member. Thank you.

15
16 Ms. Osma Thompson, Architectural Review Board Chair: Hi there. Wow, what a great
17 presentation Jean. That was very, very thorough. So, I all attempt not to repeat too much and
18 Jean really laid out that the ARB has met a whole bunch. The Ad Hoc Committee has me a lot
19 too. We have been working really hard and diligently and spent a lot of time refining and
20 making it as a document that we can feel proud of.

21
22 We put a big emphasis on listening to others and incorporating other's concerns and if you
23 listen to our meetings. You know, if there was a concern from a community member or within
24 our own Board. We did as much as we could to go item by item, line by line, issue by issue to
25 make sure that whatever is in the Objective Standards meets and addresses all those concerns.
26 So, that it is a document that we can feel proud of and I think ultimately, you know Jean's right
27 that there were philosophical concerns within the Board about prescribing Objective Standards
28 to the building where the scale is... it has to be very contextual and the context is not consistent
29 everywhere around Palo Alto. And so, there are philosophical concerns about whether you can
30 create Objective Standards that can successfully allow you to yield a great building at the end of
31 the day. And I think those physical... those philosophical concerns are there regardless but
32 ultimately, I think we created or we even put in the document that you see in front of you is the
33 result of a lot of input and a lot of effort to make it as good as we can.

34
35 And then the other item I'll add is that there were, as part of our discussion in the ARB, we are
36 continuing to work and tweak and fine-tune the graphics. We think it's important that the
37 graphics illustrate the standard very well without trying to impose too much on architectural
38 style since we know that that will evolve. And yeah, that's the summary. I'm happy to answer
39 any questions.

40

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1 Chair Hechtman: Does that conclude Staff report or Ms. Gerhardt, is there more?
2

3 Ms. Gerhardt: Yes, thank you. That does conclude our Staff report.
4

5 Chair Hechtman: Thank you, Ms. Eisberg and Chair Thompson. So, what I'd like to do now is I
6 want questions on the Staff report and in particular, to respect Ms. Thompson's time and other
7 commitments outside of this meeting, what I'd ask my fellow Commissioners to do is to the
8 extent we have questions of the ARB or about the ARB process, let's ask those up front. So as
9 Ms. Eisberg suggested, we can hear those responses from Chair Thompson and then release
10 her, and then we can ask questions of our Staff. So, let's start with any questions of... about the
11 ARB process. Commissioner Summa.
12

13 Commissioner Summa: Thank you so much and thank you to everyone and I'll be brief. I just
14 wanted to ask Chair Thompson. Remind me who is on the Ad Hoc for ARB.
15

16 Ms. Thompson: Yeah, it's me and Board Member David Hirsch.
17

18 Commissioner Summa: Ok, so just two of you, ok. And then, were you both fully satisfied with
19 the Objective Standards? I mean I'm not an architect and this is... we had hoped actually for the
20 PTC to have a joint meeting with ARB because ARB speaks kind of architect lingo and not all PTC
21 members know that. But were you happy with all aspect of it and particularly, I'm wondering
22 about how it works on... how some aspect of this work on specific sites that isn't really
23 addressed? Such as on a hill or whether you think a 2-foot setback for the top level is a
24 meaningful setback and whether the base, middle, and top division idea of buildings applies to
25 all architectural forms and all buildings performance uses?
26

27 Ms. Thompson: Yeah, I mean that's a great question and, in all honesty, I don't know that we're
28 all... that issue of base, middle, top has definingly been a really hot button item. Even between
29 Board Member Hirsch and myself, we have little differing views on that, and I think as far as I
30 understand. The one side of the argument is that you know creating those kinds of standards
31 can be really restrictive and has the danger of potentially not having a meaningful move. Like
32 you say like that 2-foot setback, there's a danger in potentially prescribing something like that
33 where if inside the program it doesn't make sense. That danger is there in Objective Standards
34 as well and then on the flip side of that. There's... if you don't prescribe anything, then you can
35 end up with anything and then there's that other danger. And so, as part of those concerns,
36 especially when it came to the dimensions of things. I work on multi-family housing. Board
37 Member Hirsch also has experience with multi-family housing. So, does a lot of the Board and a
38 lot of input from the folks that we got and we tried to make a lot of those dimension flexible.
39 So, it wasn't like it is 2-feet, it's like a range between like 1 ½ to 4. I'm making those numbers up
40 right now but you know what I'm mean? That there's... we created a range that could make

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1 sense to allow for that kind of flexibility so that the program and the building design doesn't get
2 compromised. And we tried to create that range for what is typical for say like a bedroom or a
3 bedroom/living room stacked next to each other. Those kinds of things.

4
5 Commissioner Summa: So, do you think a 2-foot setback for the top floor of a building is a
6 meaningful setback for the pedestrian level experience, and is it a meaningful amount of space
7 in terms of using the setback at the top level? I mean it's not... 2-feet is small. So, I just worry
8 about some of those things and I didn't see that one as being in a range. Maybe I'm wrong, I
9 just saw it as being 2-feet and modulations in the façade also. Those seem like pretty minor
10 dimensions to me but I'm not an architect like I said.

11
12 Ms. Thompson: I mean I guess I could have looked up the 2-foot one in advance. I thought in
13 most of our... in most of the standards, there is a range. So, there is, even for the façade
14 modulation, there's a choice to modulate and it's not like you have to... there's a... the whole
15 way it's set up is it's all set up as a menu of options. And so, there are ones where you don't
16 even have to modulate the façade. You can choose to address the standard in a different way
17 or like in that particular way I should say in that way.

18
19 So, in terms of the minor moves, architecturally, there's some moves, you're right, that are in
20 material to the program within. So, a... for example, 4-inch projection, that shouldn't really
21 affect what's happening on the inside but it creates visual interest on the outside. And so those
22 are the kind of moves that I think we thinking of. That we want to allow the applicant to meet a
23 standard in a whole different array of ways and so that's kind of one way they could do it. But
24 there are other ways like if they wanted to modulate with material or fenestration. You know
25 like... I think one of them is like fenestration pattern. You know that's... you don't have to do
26 any other modulations but maybe consider that as part of your façade. And so, I think there
27 should have been a bunch of different ways to address to a certain standard.

28
29 Commissioner Summa: Ok, thank you.

30
31 Ms. Thompson: You're welcome.

32
33 Chair Hechtman: Other Commission questions of Chair Thompson? Commissioner Lauing.

34
35 Commissioner Lauing: Yeah, thanks. Questions of the Chair of the ARB as well as just by default
36 Staff actually. You know, what you approved is just really hard to come up with valid Objective
37 Standards that are going to work and I appreciate Staff including comments from ARB and your
38 comments that it wasn't unanimous. There were heated debates, there are philosophical
39 differences and even still, as I read through the code, there's words like minimize. So, my
40 minimize might be different than the next guys. "If feasible" do this and that just shows how

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1 hard it is to give the peer Objective Standards so I think we all have to take that into
2 consideration. Well, we're trying follow the law and do what's right.

3
4 And also, the comments from a number of architects were really helpful in last time's Staff
5 report and this one as well. You know, Ms. Uang talked about the problem of different size lots
6 and ordinance configuration of lots. And then Heather Young talked about one size doesn't fit
7 all. Can we have something besides a lock-step checklist for Objective Standards? So, my
8 question is, was there any concerted effort put into that latter question of odd lot sizes and
9 configurations and things like that? Such as if that could be claimed, then there could be some
10 medium ground between Objective Standards and some subjective ones. I just don't know if
11 you addressed that on ARB is the question.

12
13 Ms. Thompson: Yeah, we did. Oh sorry, that was a little loud. Yeah, yeah, we did. We...
14 remember reading out those comments from the two people that you mentioned just now.
15 And we have some standards specifically regarding setbacks and bigger moves that we've noted
16 if the lot is not that size or if the façade length is not that size. It's not applicable. So, most of
17 those standards are applying for very, very long facades that can be really, really tedious if
18 there are... if there is no various. But for things... I think we have a criteria, it's less than 150-
19 feet, I have to check, but it's something like that and we had a lot of negotiation about that
20 number. Of how long is too long of a relentless façade? And especially for smaller lots, we
21 wanted to have that caveat where if the lot... if the façade is not even that long. Don't even
22 worry about that particular standard. It wouldn't be applicable. But yes, we did take that into
23 account.

24
25 Commissioner Lauing: So, I'm not clear as we're moving forward with implementation. If
26 somebody can claim that this is an irregular lot of whatever or you're saying that they don't
27 need to because you've already accommodated that?

28
29 Ms. Gerhardt: So, if I may? If there's a lot that is that irregular, we do have a way out of the
30 Objective Standards process where an architect/applicant can chose to go through the regular
31 ARB process and use the ARB findings and not use the Objective Standards if they so choose.
32 But we have tried to make these standards fit as many instances as we can. We've tried to
33 make them fit mixed-use down to townhouses. As Chair Thompson was saying we've tried to
34 make them fit narrow as well as wide lots.

35
36 Commissioner Lauing: Yeah, I presume that this was all under the umbrella of Discretionary
37 Review in the case of irregularity or so on. But I didn't know how it was addressed in and if
38 there were two or three automatic exceptions and you could still use some Objective Standards
39 or how you came out on that. It's unclear.

40

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1 Ms. Gerhardt: So, I think... to go to the Objective Standards route and to just have those sort of
2 really quick one-hearing. Then you would need to meet all of the standards. If you cannot meet
3 all of the standards, then you need to go through the regular process. But I think certainly we're
4 going to use our common sense and ARB would do this as well. If we've got a project that can
5 meet 90 some odd percent of the standards. Then maybe we truly only need one ARB hearing,
6 we can make the findings and approve it. But we just have to sort off see project by project.

7
8 Commissioner Lauing: Ok, thank you.
9

10 Chair Hechtman: Other Commission questions of Chair Thompson? Alright, seeing none, before
11 we release you, I just want to express my appreciation to you and the other Members of the
12 ARB. Like us, you are a volunteer body, and the... as near as I can tell your efforts, the ARB's
13 efforts here were really herculean. I think it was seven full ARB sessions and I thought I read in
14 the Staff report there may have been 11 meetings of your Ad Hoc Committee. It's really
15 extraordinary the amount of effort that this group of experts put into this highly detailed work.
16 So, I just wanted to say and I'm sure other Commissioners would echo that I'm sorry we didn't
17 get a joint study session, but I greatly appreciate your taking the laboring oar and I'm not
18 discounting the work that Staff did in any way. But it's terrific and really the detail really shows
19 in the study of the draft ordinance so thank you.
20

21 Ms. Thompson: I really appreciate that. Thank you.
22

23 Chair Hechtman: Commissioners, Staff, can we release Ms. Thompson to her family? It looks
24 like we can. Alright, thank you again.
25

26 Ms. Thompson: Appreciate it. Thank you so much.
27

28 Chair Hechtman: Alright Commissioners, now we can turn our attention to our Staff and
29 additional questions that any of us may have of Staff before we go to public comment?
30

31 Commissioner Alcheck: I didn't find Attachment Four in the Packet and maybe someone could
32 provide a link and email it around.
33

34 Chair Hechtman: Let's just clarify.
35

36 Ms. Gerhardt: Yeah, what's the title of Attachment Four?
37

38 Commissioner Alcheck: It's referenced on the last line of Packet Page 23.
39

40 Ms. Gerhardt: Can you read me that sentence?

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1
2 Commissioner Alcheck: These comments are summarized below and included in their entirety
3 in Attachment Four.

4
5 Ms. Eisberg: They're not attached to the Staff report. They are in the March study session and
6 unchanged. We can try to find a link and send that around, but they're in the March 10th Staff
7 report. Not in this one.

8
9 Commissioner Alcheck: They're not new comments.

10
11 Ms. Eisberg: Apologizes for that. There are no new comments.

12
13 Commissioner Alcheck: Understood.

14
15 Chair Hechtman: Ok, it looks like we have three Attachments to the current Staff report.
16 Referenced on Packet Page 24 as A, B, and C.

17
18 Ms. Gerhardt: Correct.

19
20 Chair Hechtman: Ok, alright, good clarification Commissioner Alcheck. Other questions of Staff
21 before we go to public comment? Alright, seeing none, I'm going to open the floor for public
22 comments on this agenda item. Please raise your hand if you wish to speak. On the Zoom App,
23 there is a raise hand button on the bottom of your screen. If you're dialing in from a phone,
24 please press *9. Mr. Nguyen, are there any public speakers for this item?

25
26 Mr. Vinh Nguyen, Admin Associate III: Yes, and I do see that more hands are being raised in the
27 last couple seconds. So far, we have six... seven and the orders of these speakers shall be
28 Hamilton, followed by Judith, followed by George, followed by Jeff, followed by a phone caller
29 with the last four digits 0002, followed by Julia, followed by Anoja, and then followed by Mary.
30 Ok up next... up first is Hamilton.

31
32 Mr. Hamilton Hitchings: Hi, my name is Hamilton Hitchings and my comments on the Objective
33 Standards are as follows. While I think we're moving ambiguity out of housing developers is a
34 good thing. A lot of the projects are contextual so I have concerns about taking ARB out of the
35 loop.

36
37 In terms of workforce housing, which is 100 percent of AMI, I feel it's not a meaningful subsidy
38 for BMR housing and thus should not be eligible for major up zoning or incentives.

39

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1 Moving on, I object to the proposed removal of the following language from Section 18.16.60
2 which states within 150-feet of a residential zone, other than an RM-40 or PC Zone, abutting or
3 located within 50-feet of the side. As Staff states, the Performance Criteria in Chapter 18.23
4 were originally conceived to address potential co-location impacts when non-residential uses
5 were located within 150-feet of the residential districts. Both of these clearly state, especially
6 the first one, that within 50-feet of the side or 150-feet of behind or even in front and it states
7 it in plain English and in unambiguous. Despite claims to the otherwise and despite for some
8 reason planning's interpretation that does not a hear to the current standard.

9
10 This is a major code and policy change. Staff gave an example of a 50-foot building next to an
11 RM-30 building that was within 50-feet. But that same standard would also apply next to single-
12 family home which is a much more drastic transition. It appears to me that Staff is proposing to
13 remove the 150-foot protection for residential neighborhoods and Table Two does not
14 adequately address residential protections. When we look at resident concerns about height,
15 they're really about ensuring a gradual transition to single-family neighborhoods. So impacted
16 homes do not lose noticeable sunlight, including in the winter, and suffer impacts such as noise,
17 parking, and lighting. I see removing this as stripping away protections to single-family
18 neighborhoods. I think only relying on the daylight plan is not reliable. I also think the majority
19 of City Council may share resident's concerns on this issue.

20
21 Another concern I have is about providing wide enough sidewalks and step-ups in order to
22 provide pedestrian-friendly sidewalks. If we look at an example like 550 High Street, it's an
23 example of where it is not a pedestrian-friendly sidewalk. Thank you very much.

24
25 Mr. Nguyen: Thank you for your comments. Our next speaker is Judith and Judith, if you're
26 there, you can unmute yourself and speak. Last call for Judith.

27
28 Ms. Judith Fields: OK, sorry, couldn't quite get it.

29
30 Mr. Nguyen: Thank you. We can hear you now.

31
32 Ms. Fields: Thank you. My name is Judith Fields and I basically live at the corner of Grant and
33 Park in the Palo Alto Central Condo Project. This plan that you have is obviously well thought
34 out and you worked very hard but you've left out the human part of this. I want to give you an
35 example of what it feels like. Caddy-corner from me is the new police Public Safety Building.
36 Across the street on Park is the... a new would-be housing development for teachers and so
37 forth. Also, across from me on Grant but to the other side is the other large parcel that once
38 applied for or started to apply for a plan that included 80-units to the acre as well as two floors
39 of what looked like a dormitory. Though I think they were most likely studios. I want you and
40 everyone who works on this, that you've got to have a humane element in this. My life has

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1 been disturbed a lot lately and will continue to be even more disturbed over the next couple of
2 years.

3
4 I disagree with you that it's ok to go five or seven stories, whatever it is, the 150-feet next to a
5 40. The other building is already... the teacher building is already at 80-units to the acre which is
6 double the density that is around here. Please don't make our lives miserable. Please don't
7 cram every single building and space that we have here. We're a mid-rise area. We don't have
8 enough parking, we don't have enough circulation, we just don't... we're looking into scarce
9 resources and I need you to honor the people that are here. I've lived here over 25-years. I want
10 you to understand the implications on a human level of what this is going to be and I think until
11 the plan includes some reference and impact on the people who live around these proposed
12 huge projects. How can you go forward? It seems like this is yes, it's a great plan on paper but it
13 doesn't work for people. And we're people and we're citizens of this community and we want
14 to be heard and we want to be honored. Thank you very much.

15
16 Mr. Nguyen: Thank you for joining us tonight. Our next speaker is George.

17
18 Mr. George Thomas: Hello, my name is George Thomas, and my wife and I have been a resident
19 of the Palo Alto Central Condominiums for over 35-years. Palo Alto Central is one of the ones
20 classified as an RM Zone in the Cal Ave area and I've enjoyed living in this neighborhood. I've
21 seen a lot of change during that time but recently it has turned into a construction warzone
22 which I feel is exacerbated by loose interpretations of zoning regulations. And now it appears
23 that Objective Design Standards changes are being proposed that unfairly impact RM-40 Zones
24 compared to other zones. Specifically, I'm referring to increased height limitations and the loss
25 of privacy. I do not understand the rationale for the proposed changes because there has been
26 no community involvement to date and I recommend the PTC reject the changes until the City
27 provides a public awareness process. So, the impact of these changes is fully understand...
28 understood by RM-40 residents. Thanks for listening.

29
30 Mr. Nguyen: Thank you for your comments. Our next speaker is Jeff.

31
32 Mr. Jeff Levinsky: Ok, good evening Commissioner Members. Regarding the Context-Based
33 Design Criteria, at first, few projects were going to be subject to these but now it's many. I hope
34 someone can point out how the public press and Commissioner Members can ensure the
35 protections in our current standards will be preserved in the Objective Design Standards
36 proposed as replacements. There are clearly some vital differences. For example, our current
37 standards have a role to protect the scale and privacy of lower-scale residential development.
38 That seems to be at lost, frankly thrown out and the closest I could find to rules that not only
39 protect single-family and dual family homes and even those respect scale differences. So,

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1 applying the next rules broadly without understanding the consequences is risky and in
2 prudent. The Staff's original narrow applicability seems wiser.

3
4 Another concern is the proposed change in 35-foot height limit near many residential sites. With all
5 due respect to Staff, the law clearly says it's 150-feet from the property line. Staff even wrote
6 that in reports last year and this January to Council for 2951 El Camino. It's in black and white,
7 their name is on it. Tonight's Staff report doesn't explain the importance of this change. If you
8 look at Chart Three on Packet Page 19 it shows a two-story residential building. The impact will
9 probably be much greater on one that's three stories or has a roof deck or both. The larger
10 building on the right has upper floors 150-feet away. They won't shade or block views as much
11 as if they are just 50-feet away, but you can't tell that from the chart because it doesn't even
12 show a three-story residential or roof deck or tall two-story one. It doesn't show the true 15-
13 foot extra height on top of the larger building. It doesn't show you the difference in sightlines
14 between the current rules and the proposed ones. There are no photographs from real
15 buildings that follow the 150-foot rules to see how it works and tell us how many residents will
16 be affected and who they'll be? Otherwise, again we have a proposed change with no study of
17 the true impact and that leads to a third point.

18
19 Height limits are extremely controversial in our Town. They're debated in Council elections.
20 People pour their life savings into buying a unit or will in the future. Including the very people,
21 we're trying to help live this City and they may find themselves losing their views, their
22 privacy, their property values and the enjoyment of their home for the rest of their life due to
23 this change. So, why is raising the height limit not even mentioned in the agenda description
24 tonight or in the document summary? The first mention I could find was buried deep on Packet
25 Page 13 and nowhere is there an analysis of how this will impact people. Frankly, this appears
26 to be one more zoning proposal favoring specific large-scale owners. Just like the one crafted
27 for Town & Country that the Council shot down 2-days ago. I've heard no good reason to
28 change the 35-foot height rule, but if you and Staff insist on carrying this notion forward. Split it
29 out, agendaize it separately and provide full information to the community on its true impacts.
30 Thank you.

31
32 Mr. Nguyen: Thank you for your comments. Our next speaker is a phone caller with the last four
33 digits 0002. Please press *6 to unmute yourself.

34
35 Mr. Terry Holzemer: Hello, can you hear me?

36
37 Mr. Nguyen: Yes, we can. Thank you.

38
39 Mr. Holzemer: Yes, this is Terry Holzemer. I, first of all, want to thank the Commissioners for
40 their volunteer service and consideration tonight. This is a difficult subject but a very important

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1 one and it's a shame, not more citizens are aware of it. As a resident, who has lived in RM-40
2 for many years, I am very concerned about the new Objective Standards. My first concern is
3 about removing protections for privacy and shielding that could impact everyone in my
4 neighborhood. The current law or code says that, and I'm quoting here when new projects are
5 building abutting existing lower-scale residential development. Cares shall be taken to respect
6 the scale and privacy of neighboring properties. However, in the new Objective Standards
7 proposed, this language has been removed totally and then appears to provide some benefits
8 to only single-family homes and duplexes. Not us in RM-40 zones.

9
10 I am very confused as well about whether Staff is changing any new requirements over height
11 limitation in RM Zones. In an earlier Staff report, all mention of RM Zones including... being
12 included... were included in a 35-foot height limit for an abjonting PC project, but all of these
13 were removed in that earlier report. Now I don't know whether it's back, that 35-foot limit, or
14 not. That is not clear.

15
16 Finally, as a resident of Palo Alto Central, it is also not clear what the height limit is adjoining...
17 projects adjoining us. For example, in one part, it says 37-feet but in an actual part of another
18 code... of the code it says 50-feet. So, what is it?

19
20 So, I'd like to make some quick suggestions very quickly. First of all, provide a full and
21 transparent and public awareness process. Especially to RM Zones to residents about these
22 design changes and how it will affect them. Up to now, there has been no public outreach at all.

23
24 Second, provide the PTC or the public with the visual examples of how sight lines, privacy, and
25 shading will be affected by these changes. As they say, a picture is worth a thousand words.

26
27 Next, provide a clear table comparing state required mandates on Objective Standards versus
28 the proposed Staff changes to those standards. Have a comparison between what is required
29 and what Staff is proposing. This will give us all an understanding of whether the state or
30 whether the City or Staff are proposing changes that are beyond what the state requires.

31
32 Mr. Nguyen: Concluded your thoughts.

33
34 Mr. Holzemer: And finally, real quickly, I'd like to talk about the Staff report and what it says
35 about interpreting code. I don't think codes should be interpreted. It has existed for many years
36 and doesn't deserve interpretation. (interrupted)

37
38 Chair Hechtman: Last sentence, please.

39
40 Mr. Holzemer: We as residents follow the codes and do what is right. Ok, thank you.

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Mr. Nguyen: Thank you for joining us tonight. Our next speaker is Julia.

Ms. Julia Grinkrug: Hello, thank you for the presentation tonight and I feel like I will repeat some of the previous comments. I am a resident of Palo Alto Central which is designated as RM-40. And I want to second some of my... some of the previous speakers about the importance of community engagement or community outreach explaining the change. Our community became aware zoning issues due to the new project proposed on 123 Sherman located directly next to our complex. That proposal included a massive 50-foot high building towering above our homes and this is not including the HVAC and the elevator shaft which add additional 7 to 10-feet.

We are aware of the housing crisis of the region and we fully support and intend to provide more housing. However, we also assert our rights as existing residents to seek protection and consideration regarding the impacts of the densification. We, as residents, are under the assumption that we are protected with the transition zone of 150-feet, limiting the heights to 35-feet. However, we see with the Objective Design Standards that this protects was removed to or reduced to 50-foot buffer zone and allowing project to get to 50-foot height. So, for us as residents, it's a major change and it's not only some [unintelligible] language streamlining. It's especially alarming to us that we realize this changes by chance and it had to go through really complicated and obscure regulatory language to unpack them.

We feel like this is very important for the Staff to be more proactive in exempling the changes and the impacts that will affect our lives and our properties. And this outreach should include visualization as was mentioned before that explains the contextual impacts of adjacent and residential buildings. Thank you again very much for opening up for comments.

Mr. Nguyen: Thank you for joining us tonight. Our last three speakers will be Anoja, followed by Mary, and then followed by Rebecca.

Ms. Anoja Herath: Hello there, I'm also a resident of the Palo Alto Central complex. Hello, can you hear me? Yes. So, I'm also a resident of Palo Alto Central complex, me and my family and my biggest concern again is this removal of the height restriction next to RM zoning. So, this being RM-40 zoning and again, like the previous speakers were saying. There are a lot of developments coming up in this neighborhood and a proposed development right next to the PAC which is... which it will go up to 50-foot plus elevator shaft etc. further up.

You know, my family and I, we moved here 4-years ago because of the quality of life this neighborhood presents and given in over the last 4-years. We were just watching all these developments come in and now a huge development right next to us proposing with very high

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1 density. We're wondering what that's going to do. We bought this... if this development goes
2 ahead, that the traffic in the area is going to increase. We don't have enough parking around
3 here. What is that going to do to the safety on the street? You know there are bike lanes. We
4 are... we moved here because kids can cycle to all the schools around here. Are we going to feel
5 safe to have kids cycle on the street with all this development and these big towering buildings
6 going up? We are going to lose our views, so these are the concerns. If... just like so many other
7 speakers said ahead of us. You know it's one thing to say we are standardizing but it's another
8 thing if we make a standard and a developer can come in and just put something up without
9 consideration of the neighbors right next to us. So, that is our biggest concern.

10
11 So, just... actually, just like the other speakers are saying. It would be very helpful for us
12 residents to understand what these changes to the zoning codes are and if there can be more
13 community outreach. That would be excellent. So, that's definitely a request from my as a
14 resident. Yes, thank you, thanks for allowing us to speak. Thank you.

15
16 Mr. Nguyen: Thank you for joining us tonight. Our next speaker is Mary.

17
18 Ms. Mary Ryan: Hi, my name is Mary Ryan. I have lived for the last 25-years at Burge Court
19 which is a 40-family condominium complex that is founded by Grant, Burge, and Ash Street. I
20 learned about these major changes from other area residents. Not from the City. You know, if a
21 restaurant on California Avenue applies for a liquor license. I get a postcard in the mail. Here,
22 the size of buildings and density of construction is under consideration and there was no notice.
23 There are administrative procedures that need to be followed when homes and ours are multi-
24 family home but they are our home are impacted. So, we should be able to expect that the City
25 would notify us and give us a real opportunity to respond before these proposals would go
26 forward.

27
28 You spoke earlier this evening about social equity but you're saying that the people who live in
29 RM-40 areas can be denied protections, that the setback limitations don't apply, that the
30 building height requirements do not apply. So where is the social equity for the people in the
31 RM areas? Thank you

32
33 Mr. Nguyen: Thank you for your comments. Our next speaker and also our final speaker is
34 Rebecca.

35
36 Ms. Rebecca Sanders: Good evening Commissioners. This is Rebecca Sanders. I'm contacting
37 you from Ventura. I know it's probably just me but I had a really hard time parsing the 100
38 Page... 110 Page Staff report. It was hard for me to tell if and how residential zones would be
39 impacted by the proposed changes but it does look like maybe R-1 up to R-20 might be ok. I
40 couldn't tell in some cases but it looks like we might be doing away with protections to daylight

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1 plane, privacy, shielding for the RM-40 people. We might be doing aware with 35-foot height
2 limit altogether in some cases and then there seems to be some threat to the 150-foot distance
3 before we hope up to 50-feet. So, if I sound confused, I am.

4
5 So, I would like to align my comments with those, the former speakers. Terry Holzemer ideas
6 for transparency around the changes we are contemplating. He calls for an open and detailed
7 hearing where we can see with charts and pictures the true impacts of what Staff is proposing.
8 That would be fantastic. I like the idea of the code not being open to interpretation. I mean
9 they can be precise and it should be as precise as possible. So, that residents and developers
10 know what is possible and we can stop all this Variance bagging that goes on and wastes
11 everybody and their grandmother's time at City Hall. So, I would like to make sure that all
12 residents are treated fairly. I'm totally hung up on that in Ventura. As I'm sure you're aware of
13 by now, that Ventura just gets the shaft and 2951 El Camino Real. It's like sure, let's take aware
14 R-1 Zones. So, I'm very touchy, especially like Mayfield's right next door and Ventura's right
15 here. We got NVCAP so this could have a super impact on NVCAP. Even though they said it
16 doesn't apply to NVCAP.

17
18 So, anyway, the 35-foot height limit adjacent to residents seems inappropriate thing to
19 maintain and it's been the law forever and I don't think it makes sense to slip a possible change
20 like that into some instances without a bigger Citywide conversation about it. So, please,
21 please, please do not make any sudden decisions tonight but take the time to weigh these
22 important matters and please include the people that would be most affected by them. Thank
23 you for your service. I know this is a really hard job and also thank you to Staff. I know you guys
24 are working very hard in your... you've got a lot going on. Ok, thank you so much.

25
26 Mr. Nguyen: Thank you for your comments. Chair Hechtman, that concludes public comments
27 for this item.

28
29 Chair Hechtman: Alright thank you and thank you members of the public. We greatly appreciate
30 particularly when so many of you share your voice with us. It really helps us to focus on the
31 issues and see things through your eyes. I'm going to bring it back to the Commission for
32 deliberation. I would like to start off with a couple of clarify... questions I'd like some
33 clarification on that really key off of the public comments we just heard.

34
35 First question and I don't know if this is to Ms. Tanner or maybe it's Mr. Yang. What is the City
36 requirement for public noticing when we're dealing with a Citywide zone change? Could we
37 understand that?

38
39 Ms. Tanner: Certainly, I'll ask Mr. Yang if he can respond to that. It certainly is not a mailed
40 notice to every home in the City. Mr. Yang, do you want to respond to that?

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Mr. Albert Yang, Assistant Attorney: I believe if it's a Citywide zone change, it's publication in a newspaper 10-days before. In addition, it's just the normal agenda publication requirements.

Chair Hechtman: And as far as you know, did we do that regarding this meeting today?

Mr. Yang: Yes, to the best of my knowledge.

Chair Hechtman: And was that also part of the... was that the same noticing that would have happened before each of the seven ARB meetings? Do you know?

Mr. Yang: I think Ms. Tanner (interrupted)

Ms. Gerhardt: Yes.

Chair Hechtman: Alright and those seven ARB meetings, was public comment allowed at those? I haven't actually attended an ARB meeting.

Ms. Gerhardt: Yes.

Chair Hechtman: Ok, alright, so this is... and then this is our I think third meeting on this. So, I'm counting 10 meetings inviting public comment. Alright, so I wanted that kind of context because I think it's always important to us to make sure that there's ample opportunity for public input in these processes where we're looking at laws that affect people throughout the City. So, thank you for that.

The other clarification I'd like to ask for before we engage in the Commission discussion and we heard this from a number of our public speakers tonight regarding whether or not the changes that are in the draft ordinances that are in front of us tonight, whether they include a change or a clarification to this height limit adjacent to certain uses. Clearly, from a number of our members of the public, they've described it as a change. Something that use to be 150-feet is now changed to 50-feet by virtue of the language changes we're making in the ordinance. I thought I heard from Staff earlier that it's not a change from the way this ordinance which is difficult to read has been routinely applied by Staff. So, I'd like to maybe have Staff reiterate or clarify whether what is before us tonight does change the basically the law of Palo Alto on this particular issue.

Ms. Tanner: Thank you, Chair. I'd like to ask Jean if she can bring up the slide that I think she had that had a visual diagram of the issue or maybe it was in the report. And I would ask her also to perhaps to elaborate a little bit on your question, if it's ok Chair, to explain how it

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1 applies in the RM-40 because we did hear some comments related that particular zoning
2 district. So, Jean if you can share your screen and then she will respond but also Ms. French and
3 Ms. Gerhardt may have additional comments.

4

5 Ms. Eisberg: I'm happy to and can you still see my screen when I switch between? Are you
6 seeing the ordinance right now?

7

8 Ms. Tanner: Yes, it's very small though I think, maybe.

9

10 Ms. Eisberg: Oh, it's very small. I will zoom in. So, in short, the height transition requirement
11 does not currently apply to the RM-40 District. It only applies to the lower density districts and
12 so if we got rid of this proposed language change altogether. From what I understand and
13 gleaned from the comments that were just made. It would have not an effect on that, so that
14 height transition would still not apply in the RM-40. And so, to just show what this looks like
15 and I recognize it's a very long Staff report. It's a lot of redline strikeouts. So, I'm going to start
16 on Page... Packet Page 80 and I'll zoom in. And this is... if you look at the previous page, this is
17 the CD Zone so this is downtown districts. So, if you look at the top of Packet Page 80, and I
18 want to be clear, the CD District is different. The CD District, its very clear that it's about 150-
19 foot transition zone and that is not changing here. So, we've got this table, it says maximum
20 height standard 50-feet and the reason this language about the RM-40 Zone and the residential
21 district zone is underlined and looks like its new language is because if we look on the next line
22 it says within 150-feet of abutting residential zones. This lower height limit applies and what's
23 struck out is Foot Note Four. So, if I go down the page to Foot Note Four, it's a little hard to see
24 here but it says for sites abutting an RM-40 Zone residential district or PC District. The
25 maximum height may be increased to 50-feet. So, this is... again, this is only for commercial
26 zones abutting, in this case, an RM-40 district. Currently today that height limit does not need
27 to be decreased to the lower 40-feet. So, if you've got RM-40 next to the CD Zone, you can still
28 have a 40-foot commercial mixed-use building within that 50-foot height limit. All we've done
29 here is move that footnote... we've eliminated the footnote four and put it in the table. Frankly
30 an effort to make it more clear of when this next line of code applies. And so again, this tier,
31 we're not talking about changing this 150-foot distance to 50-feet. I'll go through that on the
32 CN, CS, CC, but here it's very clear. It says within 150-feet of an abutting residential zone and
33 this is where we asked the ARB in the CD example. Do you have other ideas about height
34 transitions? Frankly, they thought 150-feet was a bit wide and that may be a discussion for
35 another day but again, intention not to make substantial changes here. So, that was the CD
36 District downtown.

37

38 I hope to maybe not be more confusing here but this is the CN, CC, CC(2) Districts. So, now I'm
39 on the... I'm going to look at that next Packet Page 74 and this is the El Camino condition. And if
40 we look at both the redlines and the strike out. We have a maximum height limit of 35 or 50-

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1 feet, depending on which CC, CN District that you're in, and then if we ignore the new redline
2 text here and look at what's been struck out. This is the language that has identified as
3 confusing. It says within 150-feet of a residential zone district, other than RM-40 or PC Zone,
4 and then it continues. So, the RM-40 Zone again does not currently have height transition
5 requirements applied to it. There's no height transition required for the RM-40 today. So, if we
6 got rid of all these redlines, that would spill into this. It's only RM-30 and below in terms of
7 lower density. And so, this CN, CS, CC site is the place where we've suggested some more
8 simplified language and again this is based on Staff's interpretation. But we're only looking for
9 that reduction of height in the portion of the building within 50-feet of the property line of the
10 lower residential zone. And I don't know if Jodie or Amy want to add anything, anymore?

11

12 Ms. Amy French, Chief Planning Official: I think you covered that. Thank you.

13

14 Ms. Gerhardt: Yes, thank you.

15

16 Chair Hechtman: Alright and then just... thank you. I think that clarification was helpful and then
17 just to follow up on that, this interpretation, so as I understand it, this new language that you're
18 showing at the top of the box is an effort to clarify the existing language crossed out just below
19 it. And my impression... and I've heard Staff in the Staff report and before say that this new
20 language more clearly articulates the way that Staff has interpreted the unclear language that's
21 crossed out here. And I'm wondering if there's an example or two that Staff can offer where it
22 provided that interpretation for a project that was subsequently approved essentially with that
23 interpretation by the City Council? Do we have any examples of that?

24

25 Ms. Gerhardt: So, I think... yes, Jean has two examples that were in her initial presentation and
26 so the Wilton Court was actually an Affordable Housing Zone. However, the effect is the same
27 that it was set back I think 49-feet instead of the 50-foot transition zone. But it gives you that
28 same effect where you have the lower sort of backside of the building adjacent to the lower
29 residential and then you see the taller four-stories closer to El Camino. And so that's one
30 building and then there's a second example I think that Jean had for the Hilton Garden Inn
31 where you can see it's adjacent to residential. It was more than 50-feet away and so it did not
32 need to have that transition and this has been our... Staff's interpretation over many years. I
33 think the public will certainly bring up at least one example where we've done something
34 differently, but all the more reason why we would like to clarify this language. So, that
35 everyone has the same interpretation, and that being the public, the Staff, the developers. So,
36 that we can all be on the same page and we don't have to make these interpretations.

37

38 Ms. French: I'll just add that Jodie is being modest when she says many years. I would say many
39 decades as I've seen many other projects besides the ones noted on the screen since 1998 with
40 that code.

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2 Chair Hechtman: Alright, so thank you for that. Commissioner Summa, I see your hand. It's a
3 few minutes before 8:00 and I was thinking now might be an appropriate time to take a 10-
4 minute break. But on the other hand, if you're looking at perhaps a follow-up question on this
5 issue, maybe that question we should take before the break. Your choice.

6
7 Commissioner Summa: What you'd like Chair but it's up to you but it is on this issue.

8
9 Chair Hechtman: Ok, well let's take it and see if it will take us to 8 o'clock.

10
11 Commissioner Summa: So, I don't know about the Hilton Garden Inn. It's not a project that I'm
12 familiar with. I will note that the Affordable Housing Overlay does not require the 150-foot
13 transition zone that has been in the code I guess since 1998. It does not apply to RM-40 or PCs. I
14 understand that, but the Affordable Housing Zone does not... does have because of the value of
15 all affordable housing projects, had a relaxation of that standard.

16
17 And I will note that the 150-foot transition zone, I'm not married to the 150-foot but that is the
18 standard and after the last meeting on this that we had. Staff actually sent me an example of six
19 buildings that had been interpreted at 50-feet which frankly was not... it wasn't accurate. And
20 so... and Hilton Garden Inn was not one of them and I would note that one of them was the
21 Mike's Bikes project which Chair Hechtman, you weren't the Commission when we approved
22 that project, but many of us were. And there was much talk, in fact, there's eight times in the
23 verbatim minutes from that meeting where it is clarified by Staff, the applicant, and the
24 applicant's architect that it follows the 150-foot rule. So, reducing it from 150-feet to 50-feet
25 may be the right thing to do. It may not be the right thing to do in terms of privacy and light and
26 air.

27
28 I still don't know... and I brought this up at the last meeting because we have not had any
29 analysis of this. And most particularly, the ARB felt that the daylight plane made the 150-foot
30 rule redundant but there has been no analysis of it, so I don't know frankly. So, I just will
31 mention that, to put it on the record as a fact. And it's disappointing to me because I mean I
32 would entertain a discussion of a change in the 150-feet but I cannot do so in the absence of
33 any data or analysis and the clear meaning across the code. I have a friend who's a land-use
34 attorney who said yeah, that's a clear meaning of the law and if we're going to discuss changing
35 it. I also think it should be agendized to such and I understand that the public notice was
36 sufficient for all these meetings. But the description of the agenda, in my opinion, was
37 insufficient in really alerting the public to what was going on here. So, with that said I will stop
38 and I'm sorry to be a bit picky about this issue but I feel strongly about it.

39

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1 And I will say one last thing that has always been bothersome to me that for some reason RM-
2 40 is the only zoning that is not protected in this way and it seems frankly, someone brought up
3 social equity. Frankly, it seems to me wrong, morally incorrect. What's the difference
4 between... what is the difference for light and air for people that live in RM-30 or RM-40? It just
5 never has made any sense to me and I've mentioned that before. So, I will stop with that. Sorry.

6
7 Chair Hechtman: Thank you, Commissioner Summa. So, it's 8 o'clock. Let's take a 10-minute
8 break and resume at 8:10 with Commissioner discussion. Thank you.

9
10 [The Commission took a short break]

11
12 Chair Hechtman: It looks like Commissioners, you're all back. Thank you. So, let's move into our
13 Commission discussion and I'd like to frame the discussion if I can just to try to organize it.
14 Based on the Staff report, I think we have three and possibly four things to discuss tonight on
15 this agenda. One is the revisions to the ordinance. Two is whether the PF Zones should be
16 included, meaning that these Objective Standards would be applicable in PF Zones. Three
17 expand the... should be expand the HIP and fourth, if time allows, should allowing multi-family
18 in a PF Zone be part of the Housing Element Update discussion? So, I would suggest that we
19 should tackle those issues in that order. I think it's really important for us first to under...
20 essentially understand the ordinance that we're going to forward to the City Council before we
21 can talk about whether we think that ordinance should apply within a PF Zone. So, to me that
22 makes sense and so I would like to start us with a discussion of the ordinance. And so, I'm going
23 to ask for hands and what I'd suggest is maybe in this first round Commissioners, up to 5-
24 minutes to discuss overview, and if there's time within your 5-minutes then to delve into some
25 specific details and I see Commissioner Lauing. Thank you for leading us off.

26
27 Commissioner Lauing: Yes, so first of all I just want to focus on what our agenda is tonight.
28 Particularly in light of the very helpful public comment but we're... the agenda says we're
29 suppose to evaluate these new Objective Standards that ARB worked very hard on. And we
30 know that they apply only to the housing development... excuse me... projects as defined on
31 Packet Page 10 and the three overlays that are on Packet Page 21. I think we also should know
32 which of these proposed changes in the ordinance go beyond the requirement of state law
33 because that is arguably on the agenda or not on the agenda. In the Packet, it also says that
34 there will be other code updates to support Objective Standards. So, if that it or not but as I
35 reviewed some of the specifics of the ordinance and even referred prior code. Some of the
36 language doesn't seem to be addressed only to housing development projects. It's not labeled
37 that way. So, I'm wondering if we're making some decisions on an ordinance that's broader
38 than just the original agenda of Objective Standards.

39

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1 And particularly in light of the RM-40 discussion and height transitions. That seems like a pretty
2 significant issue that is possibly not part of Objective Standards and possibly shouldn't be in this
3 ordinance right now. So, I think maybe the action item or the answer that I'm looking for on this
4 is if we could find out some sort of comments on what is not required by state? And if there are
5 things here that go more broadly than... in terms of applicability in the ordinance beyond the
6 housing development projects.

7
8 Ms. Tanner: So, I'll just answer Commissioner Lauing by saying that I think we did state. This is
9 not a state law required... completely required project. Part of the objective of the grant
10 proposal that we as a City wrote and submitted to the state to get funding was to try to
11 streamline housing production. And so, you see changes here that are related to streamlining,
12 reorganizing, and things of that nature. In addition to the Objective Standards which is not
13 necessarily required by state law, but if we don't have Objective Standards. Then when certain
14 projects apply and we don't have Objective Standards. We get in a challenging situation
15 because we don't have them to apply to a project and so would be challenged to provide really
16 any feedback or guidance to that project in terms of its design. So, I'll ask Ms. Eisberg if she
17 might be able to further tease out kind of what parts are what part. So, to understand how
18 these things are layer together. Jean, can you help to walk through what part is related to the
19 Objective Standards and then the parts that are around the streamlining and other provisions?
20

21 Ms. Eisberg: Yes, and I think that you captured that very well. So, as Rachael indicated, the way
22 it is now, the Context-Based Design Criteria are primarily subjective regulations. And so those
23 cannot be enforced for certain types of projects that are undergoing stream lining; which is why
24 we were seeking through this grant to transform them into Objective Standards. So, although
25 state law does not require the City to have Objective Standards. For projects that are
26 undergoing streamlining under state law. They need to meet Objective Standards and so this
27 was an effort to prioritize what was important to the City in terms of design and identify those
28 as Objective Standards. So, that's really the Attachment A, the ARB's work, the Objective Design
29 Standards.
30

31 The other ordinance with effects a number of different chapters of the code was intended to
32 reorganize, sometimes transforms subjective to objective, make more clear, reduce the code
33 complexity, and then add this new and so that does apply to all projects. Those are lists of
34 whether they are housing development projects under the Housing Accountability Act, or just
35 other residential projects undergoing streamlined or excuse me, undergoing discretionary
36 review.
37

38 The final process change relates... in the full draft ordinance, that Attachment B, relates to this
39 streamlined process and so that would apply to housing development projects under the
40 Housing Accountability Act. That could go through this one meeting with the ARB so they could

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1 receive advisory comments only the one study session. So, that's the process change for the
2 Design Standards and then second, we listed out potential changes to the overlay district.
3 Again, in the interest of streamlining and under SB2, the housing production and housing
4 affordability goals. Transforming the existing legislative overlay actions into Objective
5 Standards. So, say the Work Force Housing Overlay process, rather than making that a
6 legislative action. Again, if a project complied with that affordability criteria, they could
7 automatically qualify for the more flexible standards. So, that's part of the streamlining process.

8
9 And again, not a requirement under state law except that was part of this SB2 funding was
10 looking at ways to streamline.

11
12 Chair Hechtman: Commissioner Lauing, are you... you've been answered and you're done with
13 your turn? Alright, there will be more opportunities. Vice-Chair Roohparvar.

14
15 Vice-Chair Roohparvar: I have a quick follow-up question to Commissioner Lauing's question.
16 So, if we don't have Objective Standards, the projects that are going through streamlining HA...
17 the Housing Accountability Act, SB35, SB330, does... what happens? Does that mean they
18 automatically get approved without... how does that work?

19
20 Ms. Gerhardt: We would have very minimal standards that we would be able to apply to them.
21 We would have setbacks, we would have height limits (interrupted)

22
23 Vice-Chair Roohparvar: And that's it?

24
25 Ms. Gerhardt: But we wouldn't have much else.

26
27 Vice-Chair Roohparvar: So, just the setbacks. Just the basics that are already in there but we
28 couldn't apply... ok, so the... now I understand. That make sense. Thank you.

29
30 Chair Hechtman: Other Commissioners for first-round comments? Alright, while I'm waiting to...
31 oh, there we go. Commissioner Summa.

32
33 Commissioner Summa: Refresh my memory, what do you want comments on at this time? The
34 Objective Standards, the new part of the code or?

35
36 Chair Hechtman: Well, the... all of the ordinance basically, so that would include this whole new
37 section 18.24 plus the changes that are being recommended by Staff to the various other code
38 provisions. Some of which dove tail with 18.24 and as the Staff explained, some of which are
39 just, independent of Objective Standards, efforts to clean up, clarify and streamline our
40 ordinances.

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Commissioner Summa: So, are we going to go through not the new part of the code but the changes to the existing code kind of change by change or just in (interrupted)

Chair Hechtman: My thought was not to do that because we've only scheduled... we haven't scheduled what I would think be a 6- to 8-hour event. But rather to invite any Commissioner that had a question about a change and you'll notice that many of the changes are repetitious. You see them in three or four different places as they feed into the different zoning districts. So, my thought was that any Commissioner that had a question about any change would just raise the question about that change.

Commissioner Summa: Well I have questions about a lot of them. I already expressed my concerns about the transition zone and my deep-felt feeling that we should extend it to any residential use because I don't understand why... it's like there some assumption that people that live in certain types of multi-family buildings don't have the same needs for air and light as the rest of us.

But that being said, I also have questions about other sections. Just picking one is the off-site parking section on Packet Page 108 and maybe Staff can clarify this. It was very confusing as to what part of the code this applied to and I believe this refers to parking in the CD District. Perhaps Staff could clarify this but (interrupted)

Chair Hechtman: I see Ms. Tanner's hand is up. Do you want her to (interrupted)

Commissioner Summa: It's so little I can't read.

Chair Hechtman: Ok. Do you want her to respond?

Ms. Tanner: Yeah, sorry, I think Ms. Eisberg is trying to get to the page that you noted Commissioner.

Commissioner Summa: Yes, thank you. I think this refers to offsite parking in the CD District downtown. Is that correct?

Ms. Tanner: Can you zoom in one more zoom, Jean?

Mr. Yang: Yeah so this is a parking standard that applies to all development that has 50 or more dwelling units and I believe this was something that our transportation Staff was seeking to basically have a requirement for those types of structures to have a ride share/delivery service sort of loading zone.

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1
2 Commissioner Summa: Well, I'm specifically referring to Section 33 little letter c, offsite parking.

3
4 Mr. Yang: Oh, I'm sorry. I was looking at the wrong spot there.

5
6 Ms. Eisberg: Oh sorry, bottom of the page, right?

7
8 Commissioner Summa: Yes.

9
10 Ms. Eisberg: So, this one... the way it's currently written, this is about offsite parking which
11 means that a site can satisfy its parking requirement not on the site but instead off the site and
12 this is simply a Subjective Criteria. It says that offsite parking needed to be a reasonable
13 distance from the site and that's not... that's subjective and we wanted to come up with an
14 Objective Criteria. 500-feet, it's a little bit more than a block if you're downtown where other
15 section of the code I believe, I can look it up, but I believe else ware in the code there is a
16 specific number associated. It may be Cal Avenue, I can look that up shortly but that was
17 [unintelligible] the intention was to make this subjective.

18
19 Commissioner Summa: Ok, I understand that but what... is this just downtown in the CD Zone,
20 or is that all zones and is this for commercial buildings or mixed-use?

21
22 Ms. Eisberg: Let me double-check (interrupted)

23
24 Commissioner Summa: Thank you.

25
26 Ms. Eisberg: To see in the existing code and get back to you.

27
28 Mr. Yang: So, this section (interrupted)

29
30 Ms. Eisberg: Unless Albert knows.

31
32 Mr. Yang: Is just for the CD Zone. It's just for the downtown area where we have an existing
33 regulation on off-site parking in the CD Parking District.

34
35 Commissioner Summa: Ok, I thought this was for CD.

36
37 Mr. Yang: Yeah and we're just taking [unintelligible] to 500-feet to make it objective.

38
39 Commissioner Summa: But this would apply to mixed-use so or just commercial parking? Would
40 this apply to residential parking?

-
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Mr. Yang: Yes.

Commissioner Summa: And would this only apply to HAA projects or to all... it looks to me like it would apply to any mixed-use in the CD Zone, including residential.

Mr. Yang: So, this would only to apply to non-residential uses in the CD Zone.

Commissioner Summa: This only applies to non-residential?

Mr. Yang: That's right.

Commissioner Summa: Ok, if it... that's going to... if it only applies to non-residential, that's fine but if it applies to the whole CD Zone. We can have mixed-use with residential in the CD Zone and I think having a standard that allows... first of all, I think that this rule hasn't worked very well in the past because the offsite parking gets lost historically. And I think I'm kind of remembering... Amy French would probably remember this. 636 Waverley maybe had a problem with this where the parking was lost and the building was torn down and the offsite parking didn't exist anymore. So, it became a problem but where it becomes a real problem for me is when it applies to residential use. 500-foot is pretty far away really, it's like 2-blocks and for people, women and disabled people and parents with young children. People who work shifts where they come home late at night. It's a safety and convenience issues. So, if it applies to mixed-use with housing, I find 500-foot to be unsafe and undesirable. If it's only for commercial uses, then that's a different thing, but I read that I was the whole zone. It's kind of hard to take these portions and find them in the code and it's just kind of confusing the way it's done but I did want to make that comment.

And I've already commented on the... I also think... I think removing the two-step process basically for the overlays is fine because they would have to meet all the existing standards. And we're not reducing any of or we're not changing any standards for those overlays. Is that correct?

And I wanted to ask about the presentation regarding the PF Zone. You gave two examples and one was I think 525 Charleston. I wanted to ask what that was? If (interrupted)

Ms. Tanner: What's the question, Commissioner?

Commissioner Summa: What the example given in the presentation for the PF Zone? Applying these standards to the PF Zone, the new standards. I think one of them was 525 Charleston if that's correct? I'm looking at my notes.

-
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1
2 Ms. Tanner: Yes.

3
4 Commissioner Summa: Yes. What is 525?

5
6 Ms. French: I can answer that. We have a county-owned... there's a county-owned property
7 that they are looking to create affordable housing, 100 percent affordable housing on that site.
8 So, they have been securing a consultant, architect, and they have a community outreach
9 meeting coming up. I believe it's on... in June. June 22nd perhaps.

10
11 Commissioner Summa: Is that on Charleston, kind of in front of the special needs park? Is that
12 kind of where it is?

13
14 Ms. French: Yes, it's between (interrupted)

15
16 Ms. Tanner: [unintelligible]

17
18 Ms. French: The Unitarian Church and the school on the corner.

19
20 Commissioner Summa: Ok but so for a county-owned property, we don't need to... the county
21 uses its own standard. We don't need to do anything for that right?

22
23 Ms. Tanner: That is true for some county-owned land and that is true I believe for the court
24 house project that they are also moving forward with. I see Mr. Yang came on and I do
25 apologize. I'm going to have to turn my camera off because I'm getting a bad internet
26 connection message. But I think it's both specific to think about this 525 Charleston but also
27 other PF Zoned properties which in our Comp Plan, we indicate can have housing but then
28 don't have any accompanying standards related to that housing. And so, Mr. Yang, did you
29 want to provide feedback on the county's... how the county land and their rules apply or don't
30 apply in certain cases?

31
32 Mr. Yang: Yeah, it's a complicated question and it requires a case-by-case look at what's being
33 proposed. So, I wouldn't say as blanket that just because the county owns the land, it's not
34 subject to our [unintelligible].

35
36 Commissioner Summa: Ok and then there isn't... I didn't find anything, and perhaps Staff can
37 help me with this, but I didn't find a reference to PF Zones being used for housing in the Comp
38 Plan. So, if you can direct me to that, that would be great. I think it might be special institutions,
39 not PF Zones called out so it might be a land-use designations. Not an actual zoning designation
40 and (interrupted)

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Ms. French: Correct.

Ms. Tanner: That is correct.

Commissioner Summa: And I would note that our public plazas and parks are PF Zones. So, I'm not sure where we're going with designating PF Zones. There's very few PF Zones that come into private hands like the VTA... former VTA lot where we have... on the corner of Page Mill and El Camino. So, I would need a lot more information about that to be able to support it because parks are PF Zones and we still have sadly a few parks that have not been dedicated. So, they wouldn't be protected by the Parkland Dedication Law. So, seems like kind of a... I don't think we need it for 525 Charleston because it's county land but I appreciate that it may be more complicated than I understand. That it's not just simply the county can do what they want.

Ms. Tanner: Just Commissioner Summa, on that point, I think I want to just make sure that you and the public know and the Commissioners know. We are not, as Staff, suggesting that we would turn park land into housing. But what we are trying to prepare for and true-up is what we say in our Comp Plan about what can happen on PF Zones and then if that comes over into the code and doesn't have standards. Then it's a little bit challenging to then process applications for county projects or should the City want to do any housing on its own PF Zone parcels. And so rather than respond when we get the proposal, it would be nice to be ready for it. But certainly, our intent would not to see parkland become housing but you can imagine there may be other PF Zones, that land that would be appropriate for it.

Commissioner Summa: Ok, so is (interrupted)

Ms. Gerhardt: And just to be clear, these are changes that can already happen today. The Comp Plan says that high-density housing is encouraged and the Zoning Code says that public agencies can move forward any type of project. So, we could get a housing project tomorrow and we would not have a whole lot of standards to apply to it. It's the same ideas Objective Standards anywhere in the City.

Commissioner Summa: Ok and is this screen that you're showing from that... that's not from the Comp Plan though.

Ms. Eisberg: So, this is (interrupted)

Commissioner Summa: I'm just confused (interrupted)

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1 Ms. Eisberg: This is from the Comp Plan (interrupted)

2

3 Commissioner Summa: Because the Comp Plan does call out special institution but not the PF
4 Zone. That's my concern.

5

6 Ms. Eisberg: That's right, that's right. So, the PF Zone corresponds to multiple land use
7 designations in the Comp Plan. So, the Comp Plan only specifies multi-family housing being
8 encouraged within this Major Institution/Special Facilities so the lighter blue. However, the PF
9 Zone, you indicated, is a zone for public parks and for other public facilities and so that... the
10 Comp Plan does not say that houses permitted in a public park, and that of course, is not our
11 intention. So, the PF Zone, when I say PF Zone, it would need to be specific to the Major
12 Institution/Special Facility land use designation.

13

14 Commissioner Summa: Yeah, so I think that's a good distinction maybe to clarify. I... well, I'll let
15 somebody else go. I've taken a lot of time. Thank you.

16

17 Chair Hechtman: Alright, thank you, Commissioner Summa. Other Commissioners for first
18 round? Let's see, while... I guess while I'm waiting for hands, I will provide some preliminary
19 comments.

20

21 First, I want to start, as I did with Chair Thompson, by thanking Staff for what was really a
22 tremendous effort over a long period of time on highly detailed work. I think it's challenging to
23 create an entirely new chapter and to reorganize aspects of a code that you've been living with
24 for a long time. I think it's not an easy task and so I appreciate the effort that went into it.

25

26 I do think that at least among... this is a complex subject and I'm talking now about the
27 Objective Standards. And I think that they're, judging from the public comments we received, I
28 think there's some confusion, at least among the public, on what's really going on here and why
29 it's really important that we convert Subjective Standards to Objective Standards as applied to
30 these certain kinds of housing projects, and what happens if we don't and so just to try to
31 clarify that a little bit. One of our public speakers referenced a part of the code, I don't know
32 where it's from, but it had language something like that care should be taken to respect scale.
33 And that's a very comforting, totally Subjective Standard, so the problem with that standard is
34 that when one of these kinds of housing applications is made that is limited to Objective
35 Standards, that sentence is basically struck out. It has no effect and without an Objective
36 Standards, there's nothing to replace it and so the citizens of Palo Alto, in that scenario, have
37 no protection whatsoever in terms of care taken to respect scale. So, I think what Staff's efforts
38 have been here is to take Subjective Standards like that and quantify them. So, that we have
39 some measures, and often times it will be a range so that we're not bare. I think Staff has been
40 understated when they say that it would... we'd have some challenges in processing those kinds

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1 of applications because the truth is, that without these Objective Design Standards, it's really
2 no problem. We're limited to height and setback and they can propose a flat faced,
3 extraordinarily boring, intensive design. So, I think this effort is really important to protect us
4 and I think that has been the goal.

5
6 And I guess the last thing that I want to say in this initial round is on this height setback issue. I
7 look at the existing code language and it makes a reference to 150-foot and 50-foot and I know
8 from... that ordinance is a law and that when you interpret a law, you can't just ignore part of it.
9 And I don't understand how if the interpretation is everything within 150-foot has to be set
10 back, how that gives any meaning to the 50-foot? So, my attitude toward that particular issue,
11 which is repeated throughout these code changes, is that I am inclined to take the Staff
12 position. That the way... the change they are making is consistent with the way that Staff has
13 interpreted it historically and the Council has approved projects historically and, in my view, it's
14 a Council issue. If the Council wants to do away with the 50-foot all together and have
15 everything next to residential be 150-foot, then I think that's their discretion. That's their
16 decision but they haven't directed us to look at that and my understanding of the change
17 before us is it doesn't change the implementation of the code. It just clarifies the way the code
18 has been implemented. So, that's how I intend to react on that on that set of changes clarifying
19 this distance and setback and stepdown requirement.

20
21 So, I'm going to leave it there with my first round of comments and see if there are other
22 Commissioners who want to have a first-round comment. Commissioner Alcheck.

23
24 Commissioner Alcheck: Alright, I'll bite. Well, let me start by just expressing gratitude to the
25 Members of the ARB and Planning Department for their work in general but also specifically on
26 this item. With respect to the ARB, I reviewed their work and was astonished at the depth they
27 went into in their discussion. I think seven meetings on one topic is no small achievement and
28 despite the comments that were made tonight. I think that represents a remarkable
29 opportunity for public participation.

30
31 I'll stay high level on this go-around. I think the Objective Standards are a nimby nightmare and
32 frankly, the consequences of not adopting Objective Standards will be a nimby nightmare.
33 We've been judged, as a number of local municipalities have and our Subjective Standards are
34 too good at stopping the housing development. Basically, restricting supply which is at the
35 heart at the entire housing crisis. It's not the demand curve, it's the supply curve and go ask
36 Cupertino what life is like without Objective Standards so [unintelligible] [note-adopt them
37 all?].

38
39 Well, let me, I'll be really concise. I'm inclined to accept the work of the ARB. As an individual
40 on a Board and Commission, you're appointed to provide guidance in the area of my expertise. I

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1 look to the members of that Board as architects as they are required to be and having looked
2 and dived into their deliberations. I'm not prepared to unwind whatever sort of elaborate
3 concessions they worked hard to put together. The... I am sure that an architect who I respect
4 and admire outside of that group might have a lot of suggestions and send me an email or two.
5 But it's a complicated matter making so many recommendations in a single effort and my
6 approach to this is City Councils in the past have founds these individuals trustworthy and so I
7 do as well.

8
9 And this represents an effort at addressing the challenge of recreating Objective Standards.
10 Objective being an adjective that the social equity should be pointing towards. So, the
11 comments suggesting that there is social inequity in approaching this with Objective Standards
12 are falling on deaf ears in my opinion because the Subjective Standards are, in my opinion, a
13 demonstration of a lack of transparency. One property owner could get this and the other
14 property... you know it goes in weird ways and it's not consistent and that to me presents its
15 own sort of set of challenges. So, to me the objective... even the notion of Objective Standards
16 should always be a goal.

17
18 I would suggest... so with respect to the first sort of block of this. I'm very appreciative of the
19 effort and I support the changes and I believe that we live a system where we can implement
20 these changes and then review them when we find there are issues. One of the common tactics
21 that you see from individuals who oppose changes like this is the illustration that suddenly
22 there will be 15 buildings that surround you in all corners that will benefit from the changes and
23 that's just not how it works. We're not going to see such a large proliferation. It will be
24 piecemeal and we will have opportunities to reflect on whether the architects that are in
25 charge; or the architects that will one day be involved in the ARB may have alternative positions
26 about this and their feedback should be taken into heart.

27
28 I would say that I support the idea of modifications in the AH and the workforce housing. I
29 think... well, let me put it to you this way. I think that the standards should apply to housing
30 projects regardless of zones. So, I don't think PF Zones should be limited. I think a project... let's
31 say a project that meets the... that is I read my notes. An applicable housing project should
32 benefit from review on the Objective Standards regarding less of zone and I think you used that
33 Windy Hill reference because that parking lot was PF Zone. Is that right, across from AT&T?
34 That's the former ride share park for VTA parking lot that's across from the AT&T store and so,
35 you know, I think Objective Standards should be used in developments in PF projects like that.

36
37 A lot of talk has been made on the 50-foot rule. I don't know, I can't remember which
38 Commissioners were a part of the Commission when we looked at how that applies to the
39 Housed Building [note – not sure?] and their roof deck. But I remember in that meeting just us
40 hitting... banging our head on the table trying to... understanding it and the Staff basically

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1 repeatedly explaining exactly what they've explained tonight and has been their approach and
2 the historical approach and their interpretation. And so, I think that this is a good opportunity
3 to address that and I think that... well, I should note, enough said. I would support that effort as
4 well. The inclusion of that... well, I guess other code updates to support Objective Standards I
5 would support as well.

6
7 And then I'll just say finally that I think that it would be a disservice to the work of the ARB and
8 also, in my opinion personally, not... feeling not particularly well suited to the task of essentially
9 reviewing each item in the Objective Standards effort. I... it's almost like separation of powers
10 here. I really think the ARB are really equip to do this and I differ to them. The 2-feet this,
11 those... I'm not suggesting I fail to appreciate the significance of them but I believe that to get
12 to the recommendation that they came up with. To get to the whole picture, many levers were
13 probably pulled and we know, as Commissioners, what that looks like. Would a... well ok, well I
14 can agree to that but maybe we should do this.

15
16 So lastly, I'll just say this. I think that and the... I don't have an issue with the inclusion of RM-40
17 in the discussion. I think that and maybe something... there's something to be said for RM-30. I
18 think that we have a multi-family... let me put it to you this way. A two-story home in Palo Alto
19 is going to be 35-feet tall. I don't think that... well, I stand in the camp that believes that we
20 need to be more flexible in our approaches with respect to density as we get farther and
21 farther away from RM-1. And so, when you start to get into 30 and 40-units an acre. I think
22 that's where the projects abutting those zones should have greater flexibility. So, to the extent
23 that we would create Objective Standards for those projects, I think that that's such a good
24 idea.

25
26 Chair Hechtman: Thank you, Commissioner Alcheck. Other Commissioners, first round?
27 Commissioner Templeton.

28
29 Commissioner Templeton: Thank you. [unintelligible – audio cut out] this discussion tonight
30 because some of the things I've heard the... they concern me greatly if they are true. Some of
31 them aren't agendized, so I'm not exactly sure how to address it and there's another kind of
32 perspective of we need to stay in our lane tonight. I appreciate the structure that you've
33 provided Chair. I think that is helpful.

34
35 I guess the main thing I would add to what you've said is just that I appreciate the work that has
36 gone in to prepare this discussion and I recognize there are some kinds of trust issues that are
37 coming out as part of this discussion. But I don't think this is the venue where we can resolve
38 the trust issues that have come up. So, I hope that we can find a way to address those, but how
39 I'm planning to proceed tonight is on good faith. I believe that our Staff and our colleagues on
40 this Commission and our colleagues on the ARB all have the best of intentions and are doing

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1 their best to protect the City and its residents from potential liability that could come about as
2 a result of inactions. So, I think it is upon us to understand that these recommendations are
3 necessary and that we do need to take some action to define Objective Standards or the
4 consequences could be really unpleasant for our residents and our City. So, just on the
5 overarching question of should we be doing this and should we be having these discussions? I
6 think the case has been made, as far as I'm concerned. It's agendized and we're going to
7 proceed with that.

8
9 So, that said, I echo Commissioner Alcheck's comments about respecting the ARB and the
10 tremendous investment and due diligences that they put into their portion of this
11 recommendation as well as the work that Staff has done. So, I feel comfortable moving forward
12 with the outline that the Chair has provided. Thank you.

13
14 Chair Hechtman: Ms. Tanner.

15
16 Ms. Tanner: Thank you, Chair. I just wanted to add, one of the things that we could as Staff
17 should the PTC make a recommendation tonight, which would then go to the City Council. Is
18 between now and going to the City Council we can do a webinar or a session that would allow
19 the public to ask questions and engage. And so that would combine both the ARB's
20 recommendations, the PTC's recommendations to Council and to make sure that there is at
21 least understanding. So, that folks do know what the Council will be considering. As you noted,
22 there was just some perhaps misunderstanding of some parts of what's before you and so
23 happy to engage with folks, happy if folks disagree, but certainly want them to know what the
24 substance is so they can opine with that knowledge.

25
26 Commissioner Templeton: Thank you, Director... Assistant Director Tanner. I think that is a
27 really interesting idea and something we should think about when we get closer to the motion.
28 I appreciate you bringing that up. Thank you.

29
30 Chair Hechtman: Commissioner Summa, I see your hand up. Floor is yours.

31
32 Commissioner Summa: I can wait if somebody hasn't spoken for the first time. I was going to
33 respond to Assistant Director Tanner's offer though.

34
35 Chair Hechtman: I don't see any hands so go ahead and make that response and we'll see if
36 (interrupted)

37
38 Commissioner Summa: I think that's a fantastic idea. I think the public... I don't think the public
39 is very... is concerned about the Objective Standards as much as the other changes in the code.
40 And I think there was a misunderstanding that RM-40 was protected by the 150-foot transition

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1 height which they weren't. But I think it would be really good to have outreach and I note that
2 the Staff presentation did a lot of outreach to architects and developers but not the public. And
3 I think that's probably the right thing to do for the Objective Standards, but the changes to the
4 other parts of the code I think the public would really like to have a chance to weigh in on. And I
5 think that does have a little bit to do with the way this was agendize so thank you Assistant
6 Director Tanner for that idea.

7
8 Ms. Tanner: You are most welcome.

9
10 Chair Hechtman: Alright other Commissioners for a first-round comment or second-round
11 comment? Commissioner Lauing.

12
13 Commissioner Lauing: Yes, I think everyone has done first rounds so yeah, I mean as I said at
14 the outset just kind of summarizing here. I mean we have to do Objective Standards. That's on
15 the table, it's going to stay on the table and we have to take some action. I do see really quite a
16 bit of difference between the first section 18.20 with ARB work done and Commissioner
17 Alcheck and others have said we need to respect that. We certainly do because architect is
18 beyond our pay grade and they've done the work and they've done it quite well.

19
20 I have a different view of the actual code because that, even as the Staff report says, is more in
21 our domain as this thing is parsed out. So, I still have a number of comments about things in the
22 code that I want to ask about or suggest.

23
24 And then the third point is that we had some very helpful comment from the public tonight I
25 and via letters on a number of issues that are being touched on here but it suggests that we
26 should look at some changes. We should look at including RM-40 in some sort of height
27 transition. That's not on the agenda tonight so we really can't adjust that and as Commissioner
28 Summa said I think early on is that it may be that the answer to the height transitions is all in
29 the light plans but we don't have that data. So, it would be great to have some data before
30 we're going to make a decision on that. So, I think there's a number of things on the docket
31 here but the main one is to proceed with some Objective Standards which are necessary. As I
32 also mentioned, you know tough to deal with because they're not easy to get completely
33 objective and we still have to move forward with them.

34
35 So, I have two or three other things in the code that I'd like to address and in no particular
36 order. But just on Page... Packet Page 87, I was interested to see that... it's a process question
37 really because some of the statements here seem to be subjective. Like we're going to minimize
38 the visual impacts and we're going to compliment the architecture design. That's in the Intent
39 Statement, so what my question is if the ARB in their hearing thinks that it's not minimized
40 enough. Does that give them actually too much clout and so then it's not as objective to kick it

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1 to a discretionary stage? And in other words, are we happy that this isn't too objective? Are
2 there places like this that we should try to be finding more words that are objective?

3
4 And let me just mentioned one other one that's over here that's I just couldn't find on Packet
5 Page 93, T&C, Midtown, Charleston will not be considered eligible for application of affordable
6 housing. Is that just an all-new policy or is that put somewhere else because I didn't find it? So, I
7 would like to get that answer because if it's not somewhere else. That seems like a substantive
8 policy change.

9
10 Chair Hechtman: That was on Packet Page 93.

11
12 Commissioner Lauing: Correct.

13
14 Chair Hechtman: One more page.

15
16 Ms. Tanner: Ms. Eisberg, do you want to answer the question about do we have too many
17 subjective words remaining first and then the other question?

18
19 Ms. Eisberg: Yeah. So, some of our changes to these other sections, including lighting, were to
20 set them up similar to how we've organized the new Section 18.24. So, you have an overall
21 intent of subjective language, subjective guidelines, and then we have a series of standards that
22 are requirements and so if we look on the next page which is Packet Page 88. The way it's
23 organized now is sort of everything is all over the place. So, we've done some reorganization to
24 put subjective in the intent and guidelines and then identify requirements which are standards
25 in... under this umbrella of requirements. And so, under the standards we see things like ok, use
26 of high-pressure sodium and metal highlighter permitted light sources. Very specific things.
27 Exterior light and fixtures equal to existing 15-feet from grade of top of fixture, so again very
28 specific. If we go back to Page 87, this is where you get this subjective language that follows the
29 intent. So, if we're being very... if we have a project that's undergoing streamlining and only
30 needs to meet Objective Standards. Then really, they only need to meet these requirements,
31 and if they do meet these foot candle requirements. The ARB would not have further discretion
32 to enforce other subjective elements of the code, like on the bottom of the second half of Page
33 87. So, they couldn't say ok, we want to see you achieve maximum energy efficiency if you're
34 already meeting the standards.

35
36 Commissioner Lauing: Ok, I saw it on the final two pages I saw some of the same thing. 90 and
37 91 where you're talking about landscaping. You know residential properties should fence by a
38 fencing walls or landscape buffers. You know, are they completely covered on day 1, or do they
39 have to grow for 5-years? So, there was another thought I thought you know, we could
40 probably get more objective there. So, I just didn't know how you guys had thought about that.

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1
2 Ms. Eisberg: You know, that's right and so we have tried to segment the purpose and the Intent
3 Statement because we do think that's helpful. In the absence, if we just had the standard, it can
4 be very difficult for applicants/architects to understand really the purpose of what we're trying
5 to do. So, that's why we've got those Subjective Standards and then to the extent possible
6 we've tried to make the requirements as objective as possible.

7
8 Commissioner Lauing: Ok and then are you going to address the other question on Page 93
9 about removal of those shopping centers from affordable housing?

10
11 Ms. Eisberg: So, this is the Affordable Housing Overlay.

12
13 Commissioner Lauing: Bottom of the first paragraph.

14
15 Ms. Eisberg: And we're in the applicability section. Let me just orient myself.

16
17 Commissioner Lauing: Packet Page 93 and the very bottom of the first paragraph.

18
19 Mr. Yang: So, I can answer that. It looks like there is an underline that isn't... didn't print for
20 some reason. If you look at the second line down on Packet Page 93, at the end of that line it
21 says but excluding Town & Country Village Shopping Center, Midtown Shopping Center, and
22 Charleston. So, it's moved up into that part and it should have been underlined. I'm not sure it
23 didn't show up (interrupted)

24
25 Commissioner Lauing: And that was my marginal question, was it moved somewhere or brand
26 new? So, it was just moved somewhere and then sort of my last one is back on the appeal
27 process which I had asked about last time so I want to understand that. I guess this is Packet
28 Page 115. So, if someone files an appeal and the Director feels that there are mitigations. Does
29 the Director just itemize those mitigations and say the appeal is denied? Is it that simple? So,
30 this would be small two double i on 115. Further up I think on the screen.

31
32 Ms. Tanner: You said it's roman numeral two?

33
34 Commissioner Lauing: Small double i at the top of Page 115.

35
36 Ms. Tanner: There is no feasible method to satisfactory mitigate or avoid the adverse impact?

37
38 Mr. Yang: Yeah, so this is just explaining what an appellant would need to be claiming.
39

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1 Commissioner Lauing: Right and I'm asking what the Director can do? Can the Director just say
2 I understand that but here's the three mitigations and you're right. We need some mitigations
3 where we're going to go forward with it?
4

5 Mr. Yang: No, the way that this is set up, that would need to be determined by the City Council.
6

7 Commissioner Lauing: Ok, that's an important question. I'm glad I asked that. It relates directly
8 to the other one I was going to ask which is that under the decision by City Council. You're not
9 automatically putting that on Consent Calendar and for just visibility, I'm not sure why you
10 wouldn't routinely put it on Consent Calendar.
11

12 Mr. Yang: So, the reason here is because these streamlined projects often have very strict
13 timelines that they're entitled to and so that doesn't always allow for an appeal to go on the
14 Consent Calendar. And then if the Council wants to pull it, have it get re-agendized for 2-weeks
15 later or something like that. So, in the events that let's say we have 90-days or 180-days to
16 make a decision on a project and we're at the 150th day when the appeal comes in. You know, it
17 probably makes more sense just to schedule it as an action item for the Council rather than
18 have it go on Consent and have them go through that process of pulling it.
19

20 Commissioner Lauing: Ok, alright, that's good, that makes sense. So, that's all my questions on
21 code so I'll let someone else speak.
22

23 Chair Hechtman: Alright, thank you, Commissioner Lauing. Other Commissioners for round
24 two? Alright, while I'm waiting for hands I will I guess give a few rounds two comments. First of
25 all, I want to thank Commissioner Alcheck for saying what I was thinking as I read through the
26 Staff report and the ordinance in advance of this meeting. And that is that I respect the work of
27 the experts and when we're talking about design feature, the experts are the architects. Not
28 the land use lawyers like me and so when it comes to looking at these ordinances, particularly
29 when they've been labored over as long and as hard the ARB and Staff did together, I'm
30 inclined to trust, as Commissioner Alcheck said, that the process worked pretty well and I'm
31 comforted with the fact that as we approve an ordinance and put it to work, that over time we
32 will see whether it has flaws and we can fix those. But we can't fix what we haven't approved
33 and so I think it's important to... if we see something that's already broken, and I haven't, then
34 we fix it now., Otherwise, I believe we move forward with it and I am comfortable with the new
35 18.24 and with the changes that Staff is recommending to the other sections that are in our
36 Staff report tonight, some of which changes are intended to deal with, sort of dove tailing,
37 those ordinances to this new 18.24 and others are designed, as Staff said, to streamline and
38 clarify pursuant to the grants we received. So, and then... so those are my thoughts on the
39 ordinance and then the other issues that Staff has asked for guidance on.
40

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1 Whether to include PF Zones in the Objective Standards, I think the answer to that is from my
2 perspective is yes. Because again, in the absence of any standards, then there are no standards
3 and that means if there is a governmental entity that has a right to build housing a PF Zone in
4 this City. There's no guidance and I would rather that there be guidance. The same guidance
5 that applies to the other buildings. The other multi-residential buildings that we have in the
6 City. And I will say, based on my experience working with governmental agencies, that even if
7 there were a situation where as Commissioner Summa suspects. The county wants to build
8 housing on PF Zone property in the City and the City doesn't... can't actually enforce its
9 requirements. And I don't know if that's true or not on that site, but what I've observed is that
10 Cities... the Cities in this county and the county generally try to get along and cooperate. And
11 that even if the... even if it were true that the City couldn't actually require the county to abide
12 by its standards. There would be a dialog between the City and county that says look, this is our
13 standards. This is the Palo Alto look and while we can't make you. We'd appreciate it if you'd
14 follow them. They're designed to make big beautiful buildings for housing and I've seen in that
15 kind of situation where the governmental entity will cooperate so I think it's useful.

16
17 And then the third item which I'll just touch on briefly is the idea of expanding the HIP which I
18 think is... it falls within the third item... third subitem in our agenda. Expansion of affordable
19 housing and Housing Incentive Program to PTOD-eligible properties. I'm supportive of that as
20 well. I think that that is a program that I think the Staff report shows us it encourages housing
21 projects and that's... we need to do more than pay lip service to that. We need to provide tools
22 and if this tool might help us get more housing. Then I think we should do it.

23
24 So, those are my thoughts on those items and I do think I'll wait on this issue of allowing multi-
25 family PF Zone. Should we try to fold that into our Housing Element Update? I think I'll hold that
26 for the next round and see what other Commissioners have to say.

27
28 Other Commissioner comments? Commissioner Summa.

29
30 Commissioner Summa: Thank you. I had a question for the Staff about the PTOD issue which is
31 18.34. I'm not sure what Page that is on in the... what Packet Page. Maybe Staff could pull it up
32 and kind of compare it. I was having trouble finding it.

33
34 Ms. Eisberg: So, the only change that we're proposing to the PTOD is to rescind the Context-
35 Based Design Criteria and replace those with the new 18.24 Design Standards.

36
37 Commissioner Summa: Ok, so it's not actually (interrupted)

38
39 Ms. Eisberg: So, we're not proposing to make any changes to the PTOD Overlay as it exists.
40

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1 Commissioner Summa: Ok so that's why it's not in the code... the ordinance I guess.

2

3 Ms. Eisberg: That's right.

4

5 Commissioner Summa: Ok, I just didn't find it and so I was confused. Is there... so since it wasn't
6 in here, could you... if you can maybe kind of compare what the Objective Standards to the
7 existing PTOD standards? Are they... if you can.

8

9 Chair Hechtman: You're muted Ms. Eisberg.

10

11 Ms. Eisberg: Thank you. You mean the HIP standards to the PTOD standards?

12

13 Commissioner Summa: Yes, thank you.

14

15 Ms. Eisberg: Yes, ok. You may recall we presented this table and I believe it was included in the
16 March 10th study session Packet. And so, I know there's a lot of information on here but this is
17 our effort to compare the PTOD to the Housing Incentive Program. And the way the table's
18 organized is there are two zoning districts... two commercial zoning districts within the PTOD
19 area. So, we're looking at the CC(2) which is along California Avenue, and then the CN along El
20 Camino Real. And the... you know we've got the different types of standards on the left side.
21 Obviously, there's a lot of different numbers here but the big point is that PTOD is a legislative
22 action. So, in terms of review process, it requires architectural review and then the PTC
23 recommendation and City Council action; whereas the Housing Incentive Program only require
24 architectural review. The Housing Incentive Program allow for more FAR. So, we're looking at
25 for the CC(2) 1.25 or 1.5 FAR, depending on how much below-market-rate housing you're
26 applying... you're allowing, versus 2.0 FAR in the CC(2) Housing Incentive Program or even
27 higher if you're doing 100 percent affordable. So, you get more FAR in the HIP and you don't
28 have a residential density limit. You do have a residential density limit in the PTOD.

29

30 The height standards are fairly comparable. It looks like actually, the PTOD is slightly higher. The
31 PTOD actually doesn't have this height transition standard when you're within 150-feet of the
32 residential zone that we've been talking about, but the Housing Incentive Program does.

33

34 Parking spaces are (interrupted)

35

36 Commissioner Summa: So, where... if we apply the HIP standards to the PTOD where it abuts a
37 residential zone. It would be held to the residential zone height within 150-feet. Is that what
38 this... this is a confusing sort of... is that what that means?

39

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1 Ms. Eisberg: There's a lot of information. So, the Housing Incentive Program... the CC(2) Zone...
2 oh ok. The CC(2) Zone, as we've shown earlier, includes that height transition requirement. The
3 PTOD Overlay, that section of code does not include that height transition requirement. So, it
4 would not be applied if someone requested this PTOD Overlay but would be applied in the
5 Housing Incentive Program. And the way that Staff has been interpreting this standard is
6 within... if you're within that 150-foot zone. The portion of the building 50-feet from the
7 property line would be subject to that lower height requirement.

8
9 Commissioner Summa: Ok, thank you for clarifying that, and then I had another question about
10 the two examples of the 50-foot height. One was the affordable project which... at Wilton Court
11 and El Camino and the other one was a hotel. Where was that hotel located?

12
13 Ms. Eisberg: Let me bring it back up.

14
15 Commissioner Summa: Sorry.

16
17 Ms. Gerhardt: So, the Hilton Garden Inn, the address is 4216 El Camino.

18
19 Commissioner Summa: Ok, 4216 and what zone does that abutt? Oh, RM-30, I see.

20
21 Ms. Gerhardt: Yes, so it's in the CS Zone but adjacent... abutting RM-40, and is there RM-30 as
22 well Jean?

23
24 Ms. Eisberg: There's RM-30 here. I believe this one is RM-40 and that's why we didn't highlight
25 it because it does not apply.

26
27 Commissioner Summa: So, can you explain this slide to me? What is... the slide is saying 50 plus
28 feet reduced height not required. What I'm... I'm on [unintelligible](interrupted)

29
30 Ms. Eisberg: So, if we look at this (interrupted)

31
32 Commissioner Summa: About what this means.

33
34 Ms. Eisberg: If you look at this section of zoning (interrupted)

35
36 Commissioner Summa: The CF [unintelligible](interrupted)

37
38 Ms. Eisberg: If we looked at this section on the zoning map, it would have that hatching over
39 this site identifying it as a location that's within 150-feet of the... of a residential district. And
40 then Staff's interpretation of that piece of code is that ok, we're looking at that overlay area.

-
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1 This RM-30 site and there's arrowing pointing to the property line of the RM-30 site. This
2 distance we've measured at greater than 50-feet but it's really less than 150-feet. And so,
3 Staff's application of that is that there was no requirement to reduce the height of the building
4 in this location because the building was beyond 50-feet but less than 150-feet. If the
5 interpretation was that the height transition came into play when you're within 150-feet of the
6 property line. You would see a carve-out on this building. It would be three stories in this
7 location and we'd see that roof height dropped down, but that's not what happened. That's not
8 how Staff interpreted it here.

9
10 Commissioner Summa: Ok, so that's one example. That the other... the Wilton Court/El Camino
11 affordable housing project doesn't count because all affordable housing projects have a
12 different height standard. So, if that's one example, I can give many, many examples otherwise,
13 and like I said. The ARB felt that the daylight plan standard, that the 150-feet was redundant
14 with the daylight plan but we haven't seen any analysis of that. So, I just wanted to bring that
15 up again so and yeah so thank you for that.

16
17 With regards to the new section of the code, 18.24, I guess I have misgivings about it but... for
18 some of the reasons I mentioned. But and also, I was... I thought that the letter from a local
19 architect who had thought [unintelligible] is very interesting because she had a lot of
20 reservations about it. But I appreciate it's hard to make up a whole brand-new section of the
21 code and I appreciate that we may have to adjust it afterward. But and that it may not apply to
22 many buildings but we have applied it in other places in the code. So, I don't know, I just have
23 questions about it and with regard to all of these code changes to the existing code.

24
25 I would have been much more comfortable with a process where we went through them one
26 by one and just discussed them because I really benefit from listening to my colleagues and
27 Staff answer questions. So, I feel like we're rushing that portion of it a little bit this evening.
28 That's just a process comment. Thank you.

29
30 Chair Hechtman: Thank you, Commissioner Summa. While I'm waiting to see if... oh,
31 Commissioner Lauing.

32
33 Commissioner Lauing: No, go ahead.

34
35 Chair Hechtman: It's a question for Staff really and I just don't know the answer. Ms. Tanner,
36 you can probably answer this for me. Many... most jurisdictions that I know, planning Staff,
37 which is routinely working with the Zoning Ordinance all the time, from time to time is finding
38 some aspect that lacks clarity or could be improved, and they figure out a fix. And in many
39 jurisdictions, they basically identify those things, bundle them, and either annually or
40 something regularly will bring forth a series of code changes that aren't even necessarily

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1 related to each other. It's just an annual clean-up effort and I'm wondering if Palo Alto does
2 that?

3
4 Ms. Tanner: That's a great question, Chair. I have only been here for about 2 1/2-years so I
5 would ask Jodie or Amy to answer that. I think one additional difference between Palo Alto and
6 other jurisdictions is other jurisdictions may use a Zoning Administrator interpretation to official
7 to record the interpretations of codes. So, that it's clear to everyone how that code is being
8 read and applied, but I don't believe that has been our practice. I saw Ms. Gerhardt come on
9 and Amy is ready to so go ahead.

10

11 Ms. Gerhardt: Amy, if you want to go.

12

13 Ms. French: Hi. Yes, so in 2015 we did, we called it the omni bus, that was our first annual code
14 update. That covered a wide swath of chapters from Title 18. The next we year we did another
15 code update. That one ended up being the ARB Findings that we paired down and beefed up in
16 the same breadth. We've done some code updates since that weren't quite as comprehensive.
17 This is the most comprehensive I think we've done since 2016 or 2017 perhaps. You know, of
18 course, we did the Comprehensive Plan and we know there's... that was a big effort that the
19 long-range planning team was involved in. So, there have been tweaks since then, of course,
20 notably for affordable housing legislation that we had to do and the ADU is part of that. So, yes,
21 we do annual code updates. It's not... oh and I should also say we have an... in that 2015 code
22 update, we added an interpretation clause that enables the Director to do a written
23 interpretation and have a process to appeal and bring that up to Council for discussion. So
24 that's in our code and then Jodie has something to add.

25

26 Ms. Gerhardt: Yeah, no, thank you. Great Amy.

27

28 Chair Hechtman: The reason I ask that question is I've heard from some of the Commissioners
29 tonight some interesting questions raised that I don't think are within the parameters of what
30 we're being asked to decide tonight but that doesn't mean that they're not worth while
31 investigating. For example, I think earlier Commissioner Summa asked why isn't I think is the
32 RM-40, why is that excluded from whatever the... well, from the height limitation? And I
33 imagine there's a historical reason for that but it doesn't mean that it's not worth revisiting.
34 And so, I'm wondering if there's a mechanism where through our dialog tonight where if
35 Commissioners were interested in that kind of issue being revisited as part of the planning
36 Staff's cycle of building the next group of code changes, we can make those requests that those
37 be looked at. Otherwise, I don't know how to handle these issues that come up. They're not
38 part of the motion tonight but they're important.

39

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1 Ms. Tanner: I think that's a great suggestion. I would say you know we could handle it in a
2 motion that tries to capture the notes from the Commission to then have a future agenda item
3 or work item around kind of we'll call it code cleanup. I know some of it may be more than
4 cleanup but clarification and clean up. You know we are taking notes of what the
5 Commissioners are saying and obviously have the video and the minutes and so could return
6 there. But it could be part of the motion to also have Staff prepare in the future, it would come
7 back to PTC before going to Council of course. You know clean up and code clarification related
8 to other items discussed tonight. That might be a way to handle that.

9
10 Chair Hechtman: Thank you. So, Commissioner Lauing, before I get to you I want to ask
11 Commissioner Summa and I know Commissioner Alcheck also echoed Commissioner Summa on
12 this. Are you interested in that kind of process to follow up on your question?

13
14 Commissioner Summa: Yes, I think all... I think we should acknowledge... I think it would be
15 good to acknowledge that all residential uses have the same... they have people living in them
16 and they have the same desire to have air and light. Regardless of whether it's RM-30 or RM-40
17 or PC, a residential PC even. I think that's a great idea.

18
19 Chair Hechtman: Alright, Commissioner Lauing thank you for the latitude to follow that. You're
20 up.

21
22 Commissioner Lauing: Sorry, did Commissioner Alcheck get to speak? His hand is not up.

23
24 Commissioner Lauing: No, I thought you had asked him to answer a question. Ok, fine.

25
26 Chair Hechtman: No, no, I was just saying that he had echoed on this why isn't RM-40 covered.
27 He had referenced Commissioner Summa's comment.

28
29 Commissioner Lauing: Well, I'm going to comment on that because it was already on my list to
30 come right back to it. I wanted to ask one other question. It's another process question because
31 we're all trying to learn how this is going to work. So, earlier in the Packet on Page 17, you say
32 that if an applicant chooses the discretionary path. The project is no longer meeting Objective
33 Standards, obviously by definition, and therefore would not be compliant with Housing
34 Accountability Act. So, two questions, one is, of course, they could still go build a building. It
35 just wouldn't be under those terms I presume. That's point one and point two, is there any
36 reason that if they went down the discretionary path and just for whatever reason they oh,
37 that's costing too much. We'll just take Objective Standards. Would that be ok with us too?

38
39 Ms. Gerhardt: So, we haven't had... we obviously haven't had projects go through this process
40 yet. I think most developers wouldn't want to sort of go back and forth between Objective

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1 Standards and subjective but I guess I don't see any reason why they couldn't. But the main
2 point is (interrupted)

3

4 Commissioner Lauing: I didn't either but that's why I'm asking the question so.

5

6 Ms. Gerhardt: Yeah, the main point is if you're going to go the Objective Standards route and
7 that the one streamlined hearing. You need to be all of the Objective Standards. So, if you miss
8 one, then you go through our standard discretionary process that we do right now with the
9 ARB.

10

11 Commissioner Lauing: Yeah, ok, good. And then I hadn't commented yet on the PF and the
12 extension of the HIP and the Housing Element for the other item. I would think that the PF
13 could go along with the other item on... both go to the Housing Element. You could gang them
14 together. I mean the Housing Element is going to be on top of us in a matter of months so
15 that's not pushing it out very much. So, I would think that you could bundle those together.

16

17

18 With respect to the HIP, I think it's quite valid to try to expand that. You know that's working in
19 a number of neighborhoods because it is easier for... to meet the standards there. So, I'd go
20 ahead and extend that.

21

22 And when we get to the two aspects of A and B, as I said before in support of I think
23 Commissioner Alcheck said it originally, is that I don't think that we're here to object to what
24 the ARB did with their skill set on Design Standards. The codes a little bit different so I would
25 suggest that we address those and even vote on them separately and let me throw an idea out
26 for the second one. As I see it, this is not supposed to go Council until August sometimes, mid-
27 August and we're in mid-June. So, what if we approve the A but ask B... I mean part A and part
28 B to come back with some new language on the 100 versus 50 and adding RM-40 for the same
29 treatment as 30s and 20s. So, Staff would do just a little bit of work on that, at which point we
30 could see if you want to go with a light plane approach and you feel like that fixes it. Then we
31 finally have some data to support that for our residents. So, we have real reasons that they
32 haven't heard before. So, those two items could come back to us in a matter of a couple weeks
33 or whenever you could have them ready. So, that would be a suggestion on how to manage this
34 and address the real needs that have been brought to our attention by the public. Thank you.

35

36 Chair Hechtman: Commissioner Alcheck.

37

38 Commissioner Alcheck: So, I guess since you're asking, I'm not... I don't... that wouldn't be the
39 approach that I would support. I think I guess the best way I could say this is if... well Chair if
40 you made a... if you articulated a motion that was consistent with your first and second

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1 comments. I would support it. I think that that's sort of where I'm standing. I think... in case
2 that's helpful.

3
4 Chair Hechtman: [unintelligible- no audio] Commissioners? So, let... while I'm waiting to see if
5 there are others, let me just respond with my initial thought on Commissioner Lauing's idea of
6 basically breaking the... breaking our vote into two pieces. One on Section 18.24 as I understand
7 it and then a second motion on the... which is a brand-new ordinance and then a second
8 motion on the collection of other ordinances which are already existing but are being changed.
9 I think that was the idea.

10
11 The concern I have about that is that they're actually interconnected and that for 18.24 to work
12 properly, it needs a series of changes that are carried into these other... those other ordinances
13 and so I would be hesitant to approve either without knowing the final form of the other or to...
14 I should say recommend approval of either. And so, if it were the will of the Commission to
15 basically hold the collection of the ordinances other than 18.24, I would think we would also
16 need to hold 18.24. Even though we don't plan to change and frankly, well so that's my initial
17 thought.

18
19 Commissioner Lauing: Can I just respond?

20

21 Chair Hechtman: Sure.

22

23 Commissioner Lauing: None of this is going to get to Council for 2-months but in the interim, I
24 would like to signal to residents, the Council, ARB, and Staff that we find the first Section A as
25 I'm calling it quite acceptable. And I commented on a few areas in the second one but there
26 seems to be the significant one where we can really add value to our City is to address that
27 around the step-down. So, there's not delay but it's a process that signals a positive outcome
28 on the whole process.

29

30 Chair Hechtman: Thank you for the clarification. Other Commissioners? Commissioner Summa.

31

32 Commissioner Summa: Thank you. I would be very comfortable with that... with Commissioner
33 Lauing's approach because I don't see one as hinging on the other. I mean 18.24 is a kind of a
34 standalone for HAA applications, SB35 and SB330, and the rest is I think separate. So, I
35 personally would be comfortable with that. I would be more comfortable with that because I'm
36 going to have a hard time voting for the rest of the code changes and I wouldn't want to hold
37 up the Objective Standards for HAA projects. That's just my two cents.

38

39 Chair Hechtman: Commissioner Templeton.

40

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1 Commissioner Templeton: Thank you, Chair. You were asking just about the temperature on
2 which direction we could go. I don't feel the need to delay or revert back. We have a lot of
3 information is represented to us and very thoroughly vetted and researched. Thank you.

4
5 Chair Hechtman: Vice-Chair Roohparvar.

6
7 Vice-Chair Roohparvar: Yeah, I was going to... Commissioner Thompson [note – Commissioner
8 Templeton] took the words out of my mouth. I would agree with that and I would also... could
9 you repeat the two because I recall when you said it I was in agreement with what the two
10 points that you had raised. Can you repeat them again just so we kind of have that on the
11 table?

12
13 Chair Hechtman: Sure.

14
15 Vice-Chair Roohparvar: It was the PF Zone which should have Objective Standards which I
16 agreed with because otherwise, we're going to be left with nothing.

17
18 Chair Hechtman: Right so the issue there is should the Objective Standards that are contained
19 in 18.24 apply to the PF Zones. That was that... the first issue and the second was should we
20 expand the HIP to include (interrupted)

21
22 Vice-Chair Roohparvar: Overlay the PTOD... the PTOD Overlay but you had made two... you has
23 suggested two things. Remember when you commented you said here's what I would suggest.
24 What were your two suggestions? I have vague notes on them.

25
26 Chair Hechtman: I thought those were them.

27
28 Vice-Chair Roohparvar: They were to include... yeah, sorry, go ahead.

29
30 Chair Hechtman: I thought they were to include PF Zones. Maybe the Objective Standards
31 applicable and expand the HIP to the particular PTOD-eligible properties that Staff has
32 identified which if I'm understanding that correctly, it's not all PTOD properties. There are some
33 limits. I think in the Staff report they've identified certain parameters. Let me see if I can find
34 that quickly.

35
36 Ms. Tanner: Jean, did you want to show the map that had the image of the map? I think that's
37 what you're referring to, Chair Hechtman?

38
39 Vice-Chair Roohparvar: I think it's Attachment C, right or?
40

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1 Ms. Eisberg: Yes, I'll bring it up.

2

3 Vice-Chair Roohparvar: Yeah, I have the map but if you want to throw it up.

4

5 Ms. Eisberg: So, the bottom portion of the slide, the recommendation, or what we have
6 included in the draft ordinance is expanding the HIP in the RM-30, RM-40, and CC Zones.
7 Excluding the NVCAP area, the GM and the PF which currently do not allow residential uses and
8 the NVCAP exclusion was because there's another process there. So, that's why we have the
9 north of Page Mill. So, highlighting a few places, that's RM-30, RM-40, RM-40 and there's a CC
10 Zone... oh, CC right here. So, that excludes the PF which is a bunch of these sites. It excludes the
11 GM.

12

13 Chair Hechtman: And the question for us then do we want to include... I mean you've given us
14 an ordinance that does that part but it excludes the PF and the RM and is the question to us
15 from the Staff report do we want to fold those things in?

16

17 Ms. Eisberg: No, to be clear, the question is are you ok with the expansion of the HIP in these
18 locations and specifically, because we did not talk about this in March. Everything else we really
19 talked about but we didn't... we talked about generally should we make changes to the overlay
20 but we did not suggest this HIP expansion. So, that's the new piece. We don't recommend the
21 GM and the PF because right now those do not allow housing and again, don't want to mess
22 with the NCVAP process.

23

24 Chair Hechtman: Ok but if (interrupted)

25

26 Ms. Eisberg: It's more of a confirmation that everyone is comfortable with it.

27

28 Chair Hechtman: Ok so if you go back to the prior slide just to understand this. So, if I
29 understand, this area in the bottom box green, you have modified the... the modifications in the
30 codes you've given us do that last bullet and you're flagging it for us because we didn't talk
31 about it before and you want to make sure that it's ok.

32

33 Ms. Eisberg: That's right.

34

35 Chair Hechtman: Ok, alright, and let me just ask one related question. If the Commission
36 decides tonight that PF Zones... Objective Standards should apply to PF Zones. Then when I look
37 at this last green bullet and it says exclude NVCAP, GM, and PF, would PF drop out of that list
38 there or would the HIP... because the PF... I thought you said the reason the HI... well, explain to
39 why the HIP (interrupted)

40

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1 Ms. Gerhardt: We're trying to apply the Objective Standards to PF which is the 18.24 but the
2 HI... we're not trying to apply HIP.

3
4 Chair Hechtman: Ok. Alright, so this is a long way to answer Vice-Chair Roohparvar's question.
5 This was the second thing that I was suggesting is what's shown here in this last green bullet
6 which I think is captured in Item subpart three of the way this is listed in our agenda. Expansion
7 of affordable housing, AH, and Housing Incentive Program to PTOD-eligible properties.

8
9 Vice-Chair Roohparvar: That makes sense to me and then it wouldn't apply to... yeah, I would
10 be support... then it wouldn't apply to PF Zones because that's only the Objective Standards
11 that we're applying to PF Zones. Those are going to be excluded from the HIP expansion, PTOD-
12 eligible areas. Specifically, the zones that were identified and that all makes sense to me.

13
14 And I agree with what others have said about respect... without needing Objective Standards
15 and respecting the ARB's purview with respect to what is directly within their scope, and what
16 they've recommended, and the amount of time and effort that they've spent on this topic.

17
18 Chair Hechtman: Alright, so Commissioner Templeton. Commissioner Templeton, actually I see
19 Ms. Tanner's hand up. Would you mind if I called on her first?

20
21 Commissioner Templeton: That is a legacy hand. I will lower myself. Go ahead to Director
22 Tanner or Assistant Director Tanner. Thank you.

23
24 Ms. Tanner: Thank you, Chair, and sorry to cut in front of you Commissioner Summa, or maybe
25 your hands down now too. Ok, so I just wanted to offer to the Commissioners that this
26 discussion about the transition zone between certain residential zones and other more dense
27 zones. That could be just jettison from this if that would allow the Commission to approve what
28 you all feel comfortable with and send that to City Council and just leave that language
29 unchanged and to retain essentially the current language which is the abutting language and
30 near to aside. And either that can come back in the future as a standalone discussion because I
31 think it could be significant and you know, we also have our Housing Element going on. So,
32 there are number of other projects that we could use to tackle that particular topic and what
33 the transition zone... what it says but also what do we want it to say, right? So that it could
34 really look to what is the desired transition zone that we want to have in Palo Alto. So, I just
35 offer that as a possible way to move forward with the bulk of what we are really focused on and
36 that is a very minor part. I would not want to hold back this legislation from going forward for
37 that one piece. Let's take that off and deal with that separately. That'd be a suggestion I would
38 make.

39

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1 Chair Hechtman: Thank you, Ms. Tanner. Commissioner Templeton, did you want to... you had
2 your hand up and then you yielded.

3
4 Commissioner Templeton: No, I don't need to speak. Thank you.

5
6 Chair Hechtman: Ok, alright. Commissioner... Vice-Chair Roohparvar.

7
8 Vice-Chair Roohparvar: Did you, I don't know Chair Hechtman if you had anything further to say
9 but I was going to make a motion along the lines of where I see consistency and then what
10 Assistant Director Tanner said. But I'm going to make it along the lines of your recommended so
11 if you want to go ahead and do it or have comments. Then feel free, you should go first.

12
13 Chair Hechtman: Well, I don't want to make a motion but I did have just a couple of quick
14 comments before a motion is made. First, because I haven't talked about the allowing multi-
15 family in the PF Zone as part of the Housing Element Update. As I understand it, right now in
16 our Land Use Element has portion of what's called PF Zoning, which is an institutional... I'm not
17 going to remember [unintelligible – audio disturbance] but institutional in our land use allows
18 housing. And as I would like to do, we transport that into our zoning or PF Zoning allowed in our
19 Zoning Code. I think it would naturally need to also fold into our Housing Element as our
20 Housing Element [unintelligible – audio disturbance]. So, I would be supportive of that. Looking
21 at the Housing Element Update process, which Commissioner Lauing is deeply active in, to fold
22 that concept in.

23
24 I wanted to make that note and then I guess regarding Ms. Tanner's suggestion, I think I could
25 go either way on that. I guess my feeling was if we recommend the change which frankly I'm
26 comfortable doing, the change in language which my understanding is not a change in effect,
27 just a change in language. I think that the issue gets presented to the City Council now and let
28 them wrestle with it. And if they think that it should be 50-feet, they will support that
29 recommendation. If they think it should be 150-feet, they should change that recommendation
30 but if we pull it and just leave the existing language, then we retain the vagueness and the
31 Council may do nothing and for people like Commissioner Summa who thinks it should be 150-
32 feet and think that's the proper interpretation of the ordinance. At least that was my
33 understanding. What it means is that it perpetuates a Staff interpretation that not all of our
34 Commissioners agree with. And so, part of the reason I liked having Staff move forward with
35 the changed language is it really confronts the Council with the issue and lets them make a
36 decision. And I didn't mean to call Commissioner Summa out in any negative way. I don't... I
37 respect her opinion on it, but it's clear that the language draws diverse opinions as to what it
38 means and I guess that part of the point is we should get the Council fix it.

39

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1 I've got Commissioner Roohparvar's hand up and then Commissioner Lauing. I'm sorry Vice-
2 Chair Roohparvar followed by Commissioner Lauing.

3
4 Vice-Chair Roohparvar: So, I was going to try to take a stab at making a motion, and if it... it has
5 support, great. If not, we can come back and other people can take a stab at it and it's going to
6 be along the lines that you suggested Chair Hechtman. Can we... does Staff mind throwing back
7 up those slides to help me make the motion? That finale... the slide that had (interrupted)

8
9 Ms. Tanner: We'll bring that up for you and if there are any questions you need assistance on
10 from Staff. Please let us know, Vice-Chair.

11
12 MOTION

13
14 Vice-Chair Roohparvar: So, I'm going to move that we recommend to City Council that the
15 Objective Design Standards should be applied to the PF Zone and that the Housing Incentive
16 Program should be expanded to the PTOD-eligible areas as were identified in our subsequent
17 chart specifying which zones it would apply to which it wouldn't. So, I think that captures
18 Commissioner... Chair Hechtman's comments. Is that accurate and then let's see if it has
19 support. It does, if not we can modify.

20
21 Chair Hechtman: If I may Vice-Chair Roohparvar, I think what's missing from your motion is the
22 top part of the Staff recommendation.

23
24 Vice-Chair Roohparvar: Adoption.

25
26 MOTION RESTATED

27
28 Chair Hechtman: Right, that you're actually going to recommend that the modification to Title
29 18 of the... to add the draft Objective Standards which is Attachment A including what you
30 mentioned on the PF Zone and recommend these other changes to Title 18 including the HIP
31 item. I think (interrupted)

32
33 Vice-Chair Roohparvar: Thank you. So yes, that's what I meant so let's move with that.

34
35 Chair Hechtman: Ok. So, we have a motion. I need to see some faces here.

36
37 SECOND

38
39 Commissioner Alcheck: Second.

40

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1 Chair Hechtman: Second? Commissioner Alcheck, did I hear you second?

2

3 Commissioner Alcheck: Yeah, I did.

4

5 Chair Hechtman: Ok, thank you. So, we have a motion and a second. Vice-Chair Roohparvar you
6 want to speak to your motion?

7

8 Vice-Chair Roohparvar: I can. I'll be brief because I just spoke to why. Again, it makes sense, the
9 PF Zone, because we need to have some sort of Objective Standards there otherwise we're
10 going to be left with nothing. I think the HIP Program is working. I think we should expand it as
11 Staff proposes. The Objective Standards, you know we need to have them, it makes sense to
12 me. I've looked through the revisions, all of them look good. I do think that we should, maybe
13 subsequent to this motion, look into the clean-up and clarification to address some issues that
14 were raised but that's separate and apart from where we're at but I'll keep this brief.

15

16 Chair Hechtman: Thank you. Commissioner Alcheck, you want to speak to your second?

17

18 Commissioner Alcheck: Sure. I think inaction here is not an option. I think we have to address
19 this and I think that, like I said earlier, I was astonished that at the degree of the depth in the
20 ARB. And I would suggest that look, I said this before. Perfect is the enemy of good here. I think
21 we need to see this put in motion and then we need to course-correct if we feel like we do. We
22 cannot delay because then we're in a completely different environment with respect to
23 applications and to sort of respond to this idea that we've got 2-months. Look, I don't think we
24 would create a unanimous consent on this topic if we had a month and I think one of the things
25 I like the most that came out of the discussion was the idea that between now and that August
26 date. Staff might have a webinar that provides a greater exposure of how these changes will be
27 implemented if the recommendation is accepted. And that to me would be a better use of time
28 than us having a meeting on this at the next month in July since I assume that... well, since I'm
29 not sure yet if we're having our June 30th meeting or not. So, that's where I'm at. Again, I don't
30 this is a small... this is not a... I mean, as a land use attorney I would suggest that this is a
31 particularly complex achievement, right? The idea of just essentially going back and addressing
32 all of these Subjective Standards.

33

34 I can't decide yet if I like the format of intent and then specific but I want to see. I sure I'm
35 going to have exposure to this in other Cities and I'll have other feedback. And maybe, who
36 knows, by the time this comes back to the Commission in a few years, if we re-review, I might
37 just be a local resident providing some input. But I'm... I thank the Staff and the ARB
38 tremendously for this work and I'm excited to see us take a step forward in what seems like a
39 very proactive actually effort so.

40

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1 Chair Hechtman: Thank you. Commissioner Lauing.

2

3 FRIENDLY AMENDMENT #1

4

5 Commissioner Lauing: Yes, thank you. I'll go back to what I was going to comment on before. I
6 mean let's be clear, there's absolutely no reason not to accept Assistant Director Tanner's
7 friendly amendment. She represents Staff and she represents moving forward on a positive
8 basis and they have something that they have interpreted and continue to interpret. But the
9 fact is, but they might not even be interpreting it according to how it's legal right now. So,
10 they're willingness to go forward on this basis and maybe change it anyway with a separate
11 motion that we can vote on. And whatever that vote turns out to be, that's what it's going to
12 turn out to be like any other vote. So, there's absolutely no reason no to include the elimination
13 of that commentary that's in there right now and the 50 and the 150-foot. And therefore, you
14 know this motion will get a lot more support and will be out from under that particular problem
15 and we will have a commitment to the residents to work on the adjacency for the RM-40s as
16 well.

17

18 As I've said three times now, I don't have any problem at all with everything that the ARB has
19 done on their, what I call Section A, 10.24. There's no question about that in my mind and I
20 don't think that's a question for any of us that are on the table. There's just some other things
21 in our part of the ordinance, the PTC part of the ordinance, and so I would like to offer that
22 friendly amendment to this motion and get a second on that and move forward and maybe we
23 can get seven people to approve it with that friendly amendment.

24

25 Chair Hechtman: It would be six to nothing but your point is well taken.

26

27 Commissioner Lauing: Pardon me?

28

29 Chair Hechtman: It would be six tonight since Commissioner Chang isn't here but your point is
30 well taken.

31

32 Commissioner Lauing: Sorry.

33

34 Chair Hechtman: Commissioner (interrupted)

35

36 Commissioner Lauing: The motion I'm making is the language that Ms. Tanner used.

37

38 Chair Hechtman: So, you are... you have proposed a friendly amendment. I guess at this point I
39 should ask the maker of the motion if they want to accept the friendly amendment.

40

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1 Vice-Chair Roohparvar: I don't because I was convinced and in alignment with what you had
2 said about let's bring this up to Council. Let's have the discussion made there so I will not. But if
3 it doesn't... if this doesn't pass, I would be supportive of a subsequent motion being made with
4 that language.

5

6 FRIENDLY AMENDMENT #1 FAILED DUE TO SUPPORT BY THE MAKER OF THE MOTION

7

8 Chair Hechtman: Thank you. Commissioner Templeton, I saw your hand go up then down.

9

10 Commissioner Alcheck: Chair, Chair, do you mind if I just also add a point? I know that she
11 didn't accept it but if I could just (interrupted)

12

13 Chair Hechtman: Yeah but before you do Commissioner Alcheck, I still see Commissioner
14 Lauing's hand up. I don't know if you've raised it again.

15

16 Commissioner Lauing: No.

17

18 Chair Hechtman: Ok, alright.

19

20 Commissioner Alcheck: I want to just respond to that, his friendly in a way that maybe would
21 [unintelligible].

22

23 Chair Hechtman: The floor is yours.

24

25 Commissioner Alcheck: I would just... look, I would just say I think that this is less controversial
26 issue than it appeared tonight. And it's rare when Staff takes a really strong position in their
27 view of how they interpret something and for another Commissioner to be like well I can think
28 of thousands of ways. You know, many versions... many examples that it's not been done that
29 way and I think when we have... I think this is a perfect scenario of a time when you just want to
30 move it right up to Council quickly because when two trusted sources in the community,
31 Commissioner and Planning Director or Staff representative, are miss... are not aligned on the
32 same topic. I feel like that... that shouldn't... we shouldn't leave too much time before there's
33 an opportunity to address this.

34

35 And I'm... I would just suggest that the reason I was comfortable with the making the Staff
36 recommendation which is the interpretation that Staff has lead up to this. Is in my experience
37 on the Commission, that's how I've understood it. That's how I understood it when we talked
38 about with respect to Houses and the other example that I can think of. I mean I have to
39 Google... I had to search in my ever notebook to find examples of it but anyway. So, I don't... I
40 just want to suggest that I don't think by not taking more time or approaching it differently

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1 we're not giving it a chance to be heard properly. I think if it's any consultation to you, I mean I
2 think asking Council just to weigh in actually provides a great deal of clarity here. So, that's sort
3 of the reason why I think this the better way to go.

4
5 Chair Hechtman: Alright, I've got a couple quick questions of Staff on this motion. So, there's
6 been some discussion about this idea of a webinar which I didn't mention but I think it's great.
7 It seems like a lot of the Commissioners do. It's not included in the motion. Does it need to be?
8 How does... how do we make that happen?

9
10 Ms. Tanner: This is Assistant Director Tanner. We don't need to have that in the motion.
11 Certainly, if the Commission wanted to have that to have the assurance of the public, it might
12 say Staff to host a webinar accessible to the public regarding the content of the Objective
13 Standards and other proposed items in the motion. That might give some assurance to the
14 public that it would happen but we don't need it to effectuate it.

15
16 Chair Hechtman: It will... if I understand what you just said. It will happen even if we don't
17 include it in the motion.

18
19 Ms. Tanner: That would be what I would direct our Staff to do, yes.

20
21 Chair Hechtman: I'm comfortable with that. Similar question, looking at this slide, do we need
22 something in the motion about the City considering allowing multi-family residential uses in the
23 PF Zone as part of the Housing Element process? Do we need that in addition to the part of the
24 motion that's already talking about applying it within our zoning to make it happen?

25
26 Ms. Tanner: Ms. Eisberg, do you have thoughts around... I know we're saying Objective
27 Standards are applying to the PF Zone in the motion. I think for the multi-family residential
28 uses, I do think it would be most appropriate for that to happen in the Housing Element and
29 maybe that would be nice to... if the Commission is concurring with that recommendation. Then
30 to include that in the motion so it's clear that that's kind of being handed off to that process. Or
31 if the Commission does not support doing that, then you don't have to speak to it in the
32 motion.

33
34 FRIENDLY AMENDMENT #2

35
36 Chair Hechtman: Alright, I think that's helpful. That being the case, I would offer as a friendly
37 amendment addition of the language that the City should consider at part of the Housing
38 Element process, allowing multi-family residential uses in PF Zone. So, I'll ask the maker of the
39 motion whether they would accept that friendly amendment?

40

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1 Vice-Chair Roohparvar: Do others have comments on that? Does anybody... I'd be curious to
2 see if anybody else has... if that's fine because we didn't discuss this topic in-depth or in details
3 as the other ones in all fairness. So, if... I just kind of want to... before I accept or not is that
4 appropriate for me (interrupted)

5
6 Chair Hechtman: Yeah, fair enough so I'm proposing that as a friendly amendment.
7 Commissioners, any comments on that that might help Vice-Chair Roohparvar... our maker and
8 seconder of the motion decide what they've like to do with that suggestion? I'm not
9 (interrupted)

10
11 Commissioner Alcheck: I'll just (interrupted)

12
13 Chair Hechtman: There we go.

14
15 Vice-Chair Roohparvar: And it's only to consider. Yeah, go ahead.

16
17 Chair Hechtman: Commissioner Summa has her hand up and then Commissioner Alcheck.
18 Commissioner Summa.

19
20 Commissioner Summa: Yeah so PF Zone is Public Facility Zone and it's for like the plaza in front
21 of... King Plaza in front of City Hall and Parks and things like that. And I think what the Comp
22 Plan says is to consider it a Major Institution and I think the intention there is to consider
23 housing above shopping at the Stanford Shopping Center. So, I don't see any PF Zones that this
24 would apply to other than the one that is owned by the county that was mentioned on
25 Charleston. So, I favor this because I think it looks like we're trying to put basically housing out
26 public plazas and parks where we really don't want it. So, I would be careful about it. I think PF
27 Zone is different than the land use in special institutions.

28
29 Chair Hechtman: Commissioner Alcheck.

30
31 Commissioner Alcheck: Ok so I guess quick question of Staff. Is the Windy Hill Project a PF
32 Zone?

33
34 Ms. Tanner: The question is if the Windy Hill Project is in the PF Zone?

35
36 Commissioner Alcheck: Yeah.

37
38 Commissioner Summa: Are you talking about the VTA lot?

39
40 Commissioner Alcheck: I am.

-
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Commissioner Summa: Yeah, yeah, that was a PF Zone. That was (interrupted)

Commissioner Alcheck: So, I just want to respond to your comment which is I just feel like the one example we can think of, of housing and its workforce housing. So, it's, by definition, to an agree affordable. Like the one example that I can think of is in a PF Zone and it's right next to that... is it a summer... is it... it's right next to another development. To me, that was a... I can't remember if it was a unanimous support from the City Council or not, but the one example of a housing project in a PF Zone makes like perfect sense to me. And so well, I think that there's some probably specific PF Zone lots that are not suitable. I think the way you get there, the idea of appreciating which PF Zone lots are suitable, and then maybe creating a distinction and a way to evaluate them, if to incorporate that dialog into the Housing Element process.

Commissioner Summa: So (interrupted)

Commissioner Alcheck: So, I have no objection to the friendly amendment. I'm recommending that the Housing Element process include an exploration of the utilization of PF Zones because I assume that the process would involve some discussion, debate, and evaluation that would help the community appreciate what made the VTA lot a great candidate for workforce housing. And why such and such park or plaza would not be a good candidate and how we can tailor our code to incentive one over the other if you will. So, I... to me what I think Commissioner Hechtman [note – Chair Hechtman] is not to... if it's not the City should include the PF Zone as a zone where housing can be a part of it in the Housing Element. It's to consider whether PF Zones are an appropriate zone in the Housing Element Process which even if we didn't make this recommendation Staff should do that. Because everything is up for grabs right now in the Housing Element process. We should be evaluating every zone to determine whether it's suitable for housing and affordable housing development.

So, yes, I would accept this friendly amendment, and two, I don't think that it's particularly problematic regardless of how you feel about the idea of them.

Commissioner Summa: May I?

Chair Hechtman: I know Commissioner Summa... yeah, Commissioner Summa and then Vice-Chair Roothparvar.

Commissioner Summa: So, I don't know if other Commissioners remember this but the workforce... the overlay, which allowed the VTA lot to be developed that way, applies to all PF Zones. So, it's actually sort of redundant and unnecessary unless we're trying to get at major institutions which is what's in the Comp Plan I believe. So, the Workforce Housing Overlay

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1 applies to PF Zones specifically. So, I don't know which... I don't even think it's necessary.
2 Maybe Assistant Director Tanner could comment on that also.

3
4 Chair Hechtman: What's the question that you'd like (interrupted)

5
6 Ms. Tanner: I think maybe Commissioner Summa is asking to respond to the Workforce Overlay
7 question and certainly that is correct. And so, one interpretation would be that that's sufficient
8 to provide for the housing on the PF Zone land. Ms. Eisberg, I think there may be additional
9 reasons in that like other types of housing that aren't workforce housing again could move
10 forward on these properties. And so again, that would be where we want to make sure there
11 are Objective Standards that we have to, as I say, catch that project and apply to it.

12
13 Ms. Eisberg: And part of this is coming from, you know, we were looking at the applicability to
14 the PF Zone. So, the purposes of the Design Standards, looking at for example what's on the
15 screen. The current pipeline project, it so happens that a couple of them are in the PF Zone, so
16 housing is happen in PF Zones. When the workforce housing is applied to the PF Zone, it allows
17 for workforce housing. So, just that moderate-income type of housing but there are other types
18 of housing as Assistant Director Tanner said that could be on these types of lots. And so again, it
19 is just a suggestion that it be considered part of the Housing Element Update process and not...
20 would not affect the ordinances proposed here.

21
22 Chair Hechtman: Vice-Chair Roohparvar.

23
24 Vice-Chair Roohparvar: I appreciate all the dialog. It's been extremely helpful. Yes, now I'm
25 ready to accept your friendly amendment that say we recommend that the City Council
26 consider including multi-family housing in PF Zone. I think that's what it was without looking at
27 the prior slide.

28
29 Chair Hechtman: The language that... it was basically the language that Staff has shown on the
30 earlier slide.

31
32 Vice-Chair Roohparvar: Yeah.

33
34 Chair Hechtman: Right.

35
36 Vice-Chair Roohparvar: Consider allowing multi-family residential uses in PF Zone.

37
38 Chair Hechtman: Ok, so we have now a motion and a second with a friendly amendment. Is
39 there further discussion on the motion?

40

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1 Ms. Tanner: I'm sorry, can you just please repeat that? It broke up on my end. I'm just trying to
2 write down Vice-Chair what you said for your friendly amendment. You restated it.

3
4 FRIENDLY AMENDMENT RESTATED

5
6 Vice-Chair Roohparvar: Just what is written, that we recommend that the City Council also
7 consider as part of the Housing Element process, allowing multi-family residential uses in PF
8 Zone. Is that accurate Chair Hechtman of what you had... you're friendly amendment?

9
10 Chair Hechtman: Yeah, it's just that the City... I mean the language in the slide says should the
11 City consider and so I hadn't... I'm not sure if there's a difference between, in this instance, City
12 and City Council. So, I was just using the language of the slide.

13
14 Vice-Chair Roohparvar: So, we can say City. That's fine. We can say we recommend the City
15 consider as part of the Housing Element process allowing multi-family residential uses in PF
16 Zone.

17
18 Ms. Tanner: Thank you.

19
20 VOTE

21
22 Chair Hechtman: Alright, Mr. Nguyen, will you conduct a roll call vote, please?

23
24 Mr. Nguyen: Yes. Commissioner Alcheck?

25
26 Commissioner Alcheck: Aye.

27
28 Mr. Nguyen: Chair Hechtman?

29
30 Chair Hechtman: Aye.

31
32 Mr. Nguyen: Commissioner Lauing?

33
34 Commissioner Lauing: Abstain.

35
36 Mr. Nguyen: Vice-Chair Roohparvar?

37
38 Vice-Chair Roohparvar: Aye.

39
40 Mr. Nguyen: Commissioner Summa?

-
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Commissioner Summa: No.

Mr. Nguyen: Commissioner Templeton?

Commissioner Templeton: Yes.

Mr. Nguyen: Alright, the motion carries 4-1 with... oh I'm sorry, 4-1-1 with one Commissioner absent.

MOTION PASSED 4(Alcheck, Hechtman, Roohparvar, Templeton) -1(Summa) -1(Lauing abstain) -1(Chang Absent)

Chair Hechtman: All right I'm going to ask Commissioner Summa to first if she wants to speak to her no vote and then I will ask Commissioner Lauing next if he wants to speak to his abstention. Commissioner Summa.

Commissioner Summa: Thank you. Yeah, there's just too much in here that we didn't really... for me that I wasn't comfortable with and that we didn't even discuss fully. I would have... there are more items really to bring up but no, I just don't support all of these changes and we didn't even get to some of the ones I was talking about. So, just I mean I think I... I think you guys all... I think everybody heard my concerns and [unintelligible] more so. That's about it. I wish we had split it. It would have maybe been a more successful for me. So, thank you very much.

Chair Hechtman: Commissioner Lauing.

Commissioner Lauing: Yes, thanks. As I've said now four times, I complete support 18.24 that ARB worked so hard on. I fully support that our City should support the law of Objective Standards and there's good progress there. But I provided two options with the strong assist from Staff to separate this issue of height and transition clearly out of the motion here. It doesn't need to be in a motion on Objective Standards or frankly, even on the agenda for Objective Standards. So, I want to signal my support for the former and my disappointment that we couldn't find a structure to deal with the second one. And we are going to deal with it, as is Council, so I hope we deal with it before they get it. Thank you.

Chair Hechtman: Alright, thank you Commissioner Lauing. So, that completes Agenda Item Two. We will move now to approval of minutes.

[The Commission moved to the approval of the minutes.]

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1 **Commission Action:** Motion by Roohparvar, seconded by Alcheck. 4-1-1-1 (Summa against,
2 Lauing abstain, Chang absent)

3 3. Planning and Transportation Commission (PTC) Review and Recommendation to City
4 Council on Adoption of a PTC Work Plan

5 Chair Hechtman: Action Item Three is the PTC review and recommendation to the City Council
6 on adoption of our inaugural PTC Work Plan. Ms. Tanner, can we have a Staff report, please?
7 You are muted.

8
9 Ms. Rachael Tanner, Assistant Director: It's a very short presentation about the first-ever, I
10 guess the inaugural draft annual Work Plan which will be finalized after this evening. And so, I
11 won't repeat everything that's in the Staff report but try to add a few things.

12
13 So, just a reminder, that Council requested in its handbook that each Board and Commission
14 prepare an annual Work Plan and specifically requested that we prepare one before their
15 summer recess to consider on their Consent Agenda later this month. Staff requests the PTC to
16 consider and make any changes to the draft Work Plan. Some changes you might consider are
17 prioritizing items if there's any that you might want to note to the Council like man, we really
18 want to get this one done in this next year. And again, the Work Plan goes from July of this year
19 to April of next year. And then also the PTC may want to consider adding study sessions topics.
20 We had a practice of having some items kind of waiting in the wings if you will that the PTC is
21 interested in learning more about and that can become study sessions if we have a lull in
22 projects, or just as we are trying to do our work. Things the PTC wants to become better
23 informed on.

24
25 One of the other items... there we go. There are four other items I wanted to review that the
26 Council is looking to see in our Work Plans. One is really thinking about racial and social equity.
27 And what we might do, since our items really come to use from the Council or from
28 applications, is that we want to state affirmatively that we would execute the Work Plan in a
29 way that promotes racial and social equity. For community involvement, we could add a note
30 that Staff will track the number of participant speakers in the content of spoken or written
31 comments and also that they... Staff will summarize those comments that are expressed in the
32 reports to Council. We typically do this already but we can just state that affirmatively so it's
33 there for Council to see. We might also want to note that Ad Hoc Committees may be used
34 depending on the project. Council has asked for the Boards and Commission to note any items
35 where an Ad Hoc Committee may be formed. With items that have not yet been heard, the PTC
36 may not be able to project that an Ad Hoc would be needed but we would say, you know, as
37 items come. Ad Hocs could be created and can certainly inform Council any time we do that.
38 And then lastly, Council wanted priorities and so you'll see that the Staff report of the draft
39 Work Plan is organized chronologically starting from whatever is coming soonest, now, until

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1 next year. But it could be that we think about prioritizing our items such as time-sensitive
2 Council items always being our highest priority. Serving customers so any applications and
3 matters requiring annual review which are regular but usually do have deadlines associated
4 when they need to be reviewed.

5
6 So, the rest of the slides here are the draft Work Plan slides and so... if they would advance...
7 and so I'm not going to go over them but they are here for visual reference as the PTC has its
8 discussion. So, I will stop my sharing and that concludes the presentation.

9
10 Chair Hechtman: Thank you, Ms. Tanner. Questions of Staff on the Staff report before we go to
11 public comment? Commissioner Templeton, you're going to defer? Alright, so I'm not seeing
12 any hands so let's go to public comment. I will open the floor for that purpose. Please raise your
13 hand if you wish to speak. On the Zoom App, there is a raise hand button on the bottom of your
14 screen. If you are dialing in front a phone, please press *9. Mr. Nguyen, are there any public
15 speakers for this agenda item?

16
17 Mr. Vinh Nguyen, Admin Associate III: Chair Hechtman, we do not have any raised hands for
18 this item.

19
20 Chair Hechtman: Well, then we will leave public comment and come to Commission discussion.
21 So, I'm hoping to move through this item fairly quickly so I will encourage brevity among my
22 fellow Commissioners. Commissioner Templeton, lead us off.

23
24 Commissioner Templeton: Thank you so much and thank you very much to Staff and whoever
25 contributed to putting this draft together. It's a lot easier to have something to respond to than
26 to kind of pull it out of thin air so thank you.

27
28 Regarding racial and social equity, one thing that I think we could highlight is programmatic that
29 we recommend maintaining the ability to dial into this meeting. And I think that would be a
30 great way to promote racial and social equity and make sure that people if they're at home for
31 whatever reason or at work and can't come to the meeting in person, can still participate. So, I
32 would love to include that recommendation from a process perspective. Although I know it isn't
33 exactly a program so I'm not sure how we would fit that in.

34
35 The other question I have is I was just thinking about transportation and I think we've definitely
36 got several parking projects in here and a few biking program projects. One of the things I hope
37 we can talk about and if we can't do it this year, perhaps it fits in the future but just improving
38 the safety of our streets. We've got a lot of challenges and we've had incidents recently over
39 the past year. Some that have really come to light even with the limited traffic due to COVID.
40 So, I hope we can find a chance to talk about that together and I don't know if that would be

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1 included in the Bike and Pedestrian Transportation Plan but that's not till Q2 of next year. So,
2 that's the main thing I was thinking about was how do we elevate and get more involvement
3 with the transportation discussion. Thank you.

4
5 Chair Hechtman: Thank you, Commissioner Templeton. Other Commissioners? Vice-Chair
6 Roohparvar followed by Commissioner Summa.

7
8 Vice-Chair Roohparvar: I just had a few brief comments. I agree with what Ms. Tanner
9 suggested regarding in terms of prioritization. You know the Council... urgent... the urgent
10 Council items and then customer service type items and having some sort of prioritization how
11 we address these issues. I think that's helpful.

12
13 I'm not sure we can indicate which items we want to see come before us because we're
14 somewhat of a reactive body. The items just show up when they're ready.

15
16 I also like Ms. or Commissioner Templeton's idea on maintaining the ability to dial in for racial
17 and social equity and I would want to know if we can incorporate that. And also, would want to
18 think about and I don't know the answer to this. But how we can go a step further and
19 incorporate more racial and social equity in our action items; or what are the ideas do other
20 Commissioners or even Staff have on how we can do more on that front would be great. And
21 that's it, thank you.

22
23 Chair Hechtman: Commissioner Summa.

24
25 Commissioner Summa: Thank you. I had a question for Staff on it's the fourth item, California
26 Avenue In-Lieu Parking. Is that regarding... I wasn't aware there was an in-lieu parking program
27 on Cal Ave...in the Cal Ave Business District. But is that regarding adjusting the fixed parking
28 requirements for different types of retail that got locked in when the Cal Ave Parking
29 Assessment Area was finished?

30
31 Ms. Tanner: Yes, that is correct. So, there is currently not an in-lieu program in Cal Ave and
32 that's correct. And this would be a discussion of how to weather or how to adjust parking
33 requirements for different uses in Cal Ave and/or to also allow an in-lieu program. So, you know
34 we could one and not the other but that would be the discussion and the question to the PTC.

35
36 Commissioner Summa: Ok, thank you.

37
38 Chair Hechtman: Other Commissioners? Commissioner Lauing or Alcheck, any comments?
39 Alright, sorry about the background phone. I will add just a couple of comments. First of all, as
40 Commissioner Templeton said, thank you to Staff for putting this together because when I

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1 thought about a blank page and how we, as Commissioners, would fill it out, I had no idea how
2 to even start and of course, you've done it and I think that the organization of it makes a lot of
3 sense.

4
5 I do like the four additional items that Ms. Tanner showed in her slide. I did find that those are
6 items that are called for in the Work Plan. So, I think it's appropriate to add that in some sort of
7 statement at the bottom of the Work Plan.

8
9 I like Commissioner Templeton's idea to get a little more specific on that first item, the racial
10 and social equity by adding after that a clause to the effect of including retaining virtual
11 attendance at our meetings. Something... whatever language Staff feels appropriate so we
12 specifically call that out and I suppose we could... in response to what Vice-Chair Roohparvar
13 said, I suppose we could also make that language broad enough, and I'm not remember exactly
14 how Staff had written it, but rather than just to ensure we're doing it, to really seek out ways to
15 enhance how we deliver equity. So, make it a little more of an action statement. I like that idea
16 from Vice-Chair Roohparvar.

17
18 And then in terms of Commissioner Templeton's idea for a street safety... sort of a deep dive
19 into street safety and those related traffic issues, I'm all for that, to the extent that it's not
20 captured already in the... because I did notice, I think it's the very last item on the Work Plan.
21 It's something that might be related in Q2 of next year. If... and I'm not exactly sure what that is
22 and if it matches this vision that Commissioner Templeton has. If it doesn't, I was thinking we
23 can just add at the bottom of the Work Plan a TBD item that... a potential study session on
24 street safety in Palo Alto if that is something that other Commissioners are involved with. And
25 that way we capture the idea in our Work Plan and we can move into it if we find the time
26 without having to go back to Council to say that we want to add something.

27
28 So, those are my thoughts. Job well done. Vice-Chair Roohparvar.

29
30 Vice-Chair Roohparvar: I had a just quick follow-up question for Ms. Tanner. In terms of social
31 equity, is that intended to be all-encompassing? So, gender, racial, criminal justice,
32 socioeconomic. Is that... I just want to (interrupted)

33
34 Ms. Tanner: That's my understanding from following the Council conversations. They have been
35 working on that the last year and so it is not just racial but all elements of equity that we could
36 look at.

37
38 In response to your earlier question from your earlier comments. I think the way that Chair
39 Hechtman phrased it in terms of seeking out ways to enhance. There are a couple things that
40 come to my mind. There are a couple organizations that offer train for government employees

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1 and for Board Members like yourselves. So, that could be a first step in just having that be an
2 activity. Either that they come to us or we participate in the training or a little bit of both. So,
3 that would be a first step, and then that may give us more ideas about how we then further
4 incorporate that into our particular Board and into the PDS department's work both for PTC but
5 also, I see it could extend to ARB and HRB as well.

6
7 Vice-Chair Roohparvar: That's great. I mean that sounds interesting. I personally would be
8 interested, if other Commissioners are, in having them come talk to us. Thank you.

9
10 Chair Hechtman: Thank you, Vice-Chair. Other Commissions comments? If not, then this is an
11 action item so we need a motion to move it forward and I would invite a Commissioner to make
12 a motion. Commissioner Summa, I see your hand, your actual hand.

13
14 MOTION

15
16 Commissioner Summa: Thank you. I will move Staff's recommendation.

17
18 Chair Hechtman: Let me, while we wait for a second let me just ask for a clarification of the
19 motion. There has been, in the Commission discussion, a couple of augmentations, sort to an
20 elaboration of that social equity item and possibly adding the possibility of adding a street
21 safety study session. Were you intending to include those refinements or not?

22
23 MOTION REVISED

24
25 Commissioner Summa: Sure. I will move Staff recommendation, including new considerations
26 brought up in the discussion this evening by the body.

27
28 Chair Hechtman: Let me see if there's a second and then we'll make sure with Staff that
29 they've... they have an understanding of the motion. Commissioner Templeton (interrupted)

30
31 SECOND

32
33 Vice-Chair Roohparvar: I'll second. Oh.

34
35 Commissioner Templeton: I was going to second but that's Vice-Chair.

36
37 SECOND WITHDRAWN

38
39 Vice-Chair Roohparvar: You do it, it was your suggestion so why don't you do it.

40

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1 SECOND

2

3 Commissioner Templeton: Yes, well I thank Commissioner Summa for including those additions
4 and I'm happy to second it with those included.

5

6 Chair Hechtman: We have a motion and a second. Let me ask Ms. Tanner if Staff feels they have
7 their arms around the refinements that were discussed sufficiently that they can craft them
8 into language.

9

10 Ms. Tanner: Yes, I do feel that. Thank you very much.

11

12 VOTE

13

14 Chair Hechtman: Any further Commission discussion on the motion? Seeing no hands Mr.
15 Nguyen, will you conduct a roll call vote, please?

16

17 Mr. Nguyen: Commissioner Alcheck?

18

19 Commissioner Alcheck: Yes.

20

21 Mr. Nguyen: Chair Hechtman?

22

23 Chair Hechtman: Yes.

24

25 Mr. Nguyen: Commissioner Lauing?

26

27 Commissioner Lauing: Yes.

28

29 Mr. Nguyen: Vice-Chair Roohparvar?

30

31 Vice-Chair Roohparvar: Yes.

32

33 Mr. Nguyen: Commissioner Summa?

34

35 Commissioner Summa: Yes.

36

37 Mr. Nguyen: Commissioner Templeton?

38

39 Commissioner Templeton: Yes.

40

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1 Mr. Nguyen: The motion carries 6-0 with one Commissioner absent.

2

3 MOTION PASSED 6(Alcheck, Hechtman, Lauing, Roohparvar, Summa, Templeton) -0 -1(Chang
4 absent)

5

6 Chair Hechtman: Thank you, thank you and I want to applaud the Commission. That's the first
7 time in my memory that we finished an item in less time than we had budgeted on our agenda.
8 So, we're definitely taking steps in the right direction but I also think it's reflective of the fine
9 work... advance work that Staff did to give us less to talk about. So, thank you to Staff for that.
10 Alright, let us move now to our next Agenda Item which is Agenda Item... Action Item Number
11 Two.

12

13 [The Commission moved to Agenda Item Two – See page 7]

14 **Commission Action**: Motion by Summa, seconded by Commissioner Templeton. 6-0-1 (Chang
15 absent)

16 **Approval of Minutes**

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

18 4. May 12, 2021 Draft PTC Meeting Minutes

19 Chair Hechtman: We have May 12th draft PTC minutes as revised. Can I have a motion to
20 approve?

21

22 MOTION

23

24 Commissioner Alcheck: So, moved.

25

26 Chair Hechtman: Commissioner Alcheck motion, can I have a second?

27

28 SECOND

29

30 Commissioner Summa: Second.

31

32 VOTE

33

34 Chair Hechtman: Thank you, Commission Summa. Mr. Nguyen, a roll call vote, please.

35

36 Mr. Vinh Nguyen, Admin Associate III: Commissioner Alcheck?

37

38 Commissioner Alcheck: Aye.

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Mr. Nguyen: Chair Hechtman?

Chair Hechtman: Yes.

Mr. Nguyen: Commissioner Lauing?

Commissioner Lauing: Yes.

Mr. Nguyen: Vice-Chair Roohparvar?

Vice-Chair Roohparvar: Aye.

Mr. Nguyen: Commissioner Summa?

Commissioner Summa: Yes.

Mr. Nguyen: Commissioner Templeton?

Commissioner Templeton: Yes.

Mr. Nguyen: The motion carries 6-0 with one Commissioner absent.

MOTION PASSED 6(Alcheck, Hechtman, Lauing, Roohparvar, Summa, Templeton)- 0- 1(Chang absent)

Chair Hechtman: Thank you.

Commission Action: Motion by Alcheck, seconded by Summa. 6-0-1 (Chang absent)

Committee Items

Chair Hechtman: Committee items? Do any Commissioners have Committee items tonight? Alright, then I will move us to Commissioner questions, comments, announcements or future agenda items.

Commissioner Questions, Comments or Announcements

Chair Hechtman: Any... Commissioner Templeton.

Commissioner Templeton: Yeas, I was wondering did we make any conclusions about summer or near-term weeks that we won't be convening?

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1
2 Chair Hechtman: We haven't and it was my intention to bring that up now after we've seen
3 (interrupted)

4
5 Commissioner Templeton: Oh, considered yourself queued.

6
7 Chair Hechtman: Alright, so yes, so I know it's 10:15. I'm hoping this won't be a long item but I
8 think tonight is the night really where we need to talk about this and decide what we're going
9 to do because it can affect people's planning.

10
11 So, we started... well actually we started this discussion at the first of the year and as to a
12 possible summer break, put that off for discussion later in the year and we talked about it a
13 little bit last time. What we learned at the end of last meeting was that there are two
14 Commissioners out on July 28th, there's one Commissioner out I think on August 11th, Ms.
15 Tanner, you can correct me if my memory is faulty, which also happens to be the back school
16 week I think for Palo Alto's elementary schools. There was some discussion of taking those two
17 dates off of our calendar and make a (interrupted)

18
19 Commissioner Alcheck: Chair, if you don't mind I want to clarify? I was unavailable on the 30th
20 of this month, June. I don't know if you mentioned that.

21
22 Chair Hechtman: I did not mention that the 30th you were not available. Right.

23
24 Commissioner Alcheck: Ok.

25
26 Chair Hechtman: Did I get the other ones right? The 28th and 11th of August? July 28th and 11th
27 of August.

28
29 Ms. Rachael Tanner, Assistant Director: I had in my notes from last time (interrupted)

30
31 Commissioner Alcheck: The 28th I'm also not available and that's the... yeah and the 11th. Those
32 three dates.

33
34 Chair Hechtman: Commissioners, are there others of you who know your schedules and know
35 you have conflicts between now and September that... to put on the table? No? Oh, Vice-Chair
36 Roohparvar.

37
38 Vice-Chair Roohparvar: I don't know the exact dates yet but sometime in August I will be out.
39 Either early August/late July. Sometime in that timeframe, I'm planning on taking off.

40

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1 Chair Hechtman: Commissioner Templeton.

2

3 Commissioner Templeton: I don't have specific dates but I just want to say I would welcome a
4 break. It's been a long year and a half so.

5

6 Chair Hechtman: Commissioner Alcheck, did you... you said something but maybe it wasn't to
7 us.

8

9 Commissioner Alcheck: I thought I wasn't the only one unavailable on the 30th but maybe I'm
10 wrong.

11

12 Ms. Tanner: I don't have any other absences recorded for the 30th but I think maybe it was that
13 Commissioner Chang's gone today and then you're out on the next meeting. That may be what
14 you're thinking about.

15

16 Commissioner Alcheck: Ok.

17

18 Chair Hechtman: So, to adjust our schedule, [unintelligible - audio cut out] motion to take...
19 how do we do that? Is it the Chair's discretion to say we're not going to meet on certain days? It
20 seems like a (interrupted)

21

22 Commissioner Templeton: I recall having (interrupted)

23

24 Vice-Chair Roohparvar: We did this with Billy... do you recall we did this with Billy
25 Commissioner... Chair Templeton [note – Commissioner Templeton]?

26

27 Commissioner Templeton: Yeah, I can't remember if we voted on it or if it just something we
28 discussed and Staff set the schedule.

29

30 Vice-Chair Roohparvar: I thought it was the latter. Do you remember? Does... Commissioner
31 Lauing, Commissioner Summa, Commissioner Alcheck, you guys were all here. We did this 2-
32 years ago.

33

34 Commissioner Alcheck: I think we had more overlap. I didn't... I wasn't paying attention so all I
35 wrote on this was Alcheck, Alcheck, Alcheck so I don't know if there's more overlap. I don't
36 know who's unavailable.

37

38 Commissioner Lauing: In the past, I don't recall actually blanking out weeks or a month in the...
39 this is my 5th year. So, not that we shouldn't or (interrupted)

40

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1 Commissioner Alcheck: I think when there's more overlap, it's just if you think that there's a
2 chance we're only going to have five Commissioners or four Commissioner. Then it becomes a
3 little bit more obvious. So, maybe... I mean if I was going to make a recommendation here,
4 maybe since we would... some people need more time to sort of finalize our dates for August.
5 Maybe the idea there is to wait another week and you can do it offline. You can do it midweek
6 next week to clarify. I don't know. I don't want to force your hand here but, in the past,
7 (interrupted)

8
9 Commissioner Templeton: To the Vice-Chair's point with (interrupted)

10
11 Commissioner Alcheck: I think the past there's overlap when there's more overlap it's easier to
12 say ok well why don't we just not do that.

13
14 Commissioner Templeton: I think to the Vice-Chair's point, we did with... when Chair Riggs
15 was... I guess that was a couple years ago. We did just decide these two consecutive meetings
16 would be canceled.

17
18 Commissioner Summa: Actually, I cannot... actually we never took a vacation (interrupted)

19
20 Vice-Chair Roohparvar: No, it was 2-months.

21
22 Commissioner Templeton: We had a break.

23
24
25 Commissioner Summa: Since I've been on the Commission. The year Chair Riggs was... the year
26 Commissioner Riggs was Chair, that was the year we had half of our meetings canceled but we
27 didn't take a vacation. You guys (interrupted)

28
29 Commissioner Templeton: We had a summer break.

30
31 Vice-Chair Roohparvar: Yeah, we had a... no defiantly I recall we took July through August off to
32 make it consistent with City Council taking off. 100 percent I have a recollection of that so we
33 did do that and I would be supportive of the 28th and 11th if people want to do that and I'll plan
34 my absence to be then too. Just put my cards on the table and I'll just plan my absence around
35 that, those dates.

36
37 Ms. Tanner: Chair?

38
39 Chair Hechtman: And I'm supportive of those two dates also.

40

-
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1 Ms. Tanner: I noticed Mr. Yang came on Chair. I don't know if he had a historical perspective if
2 that's needed but in terms of the procedure that's required if there is any.

3
4

5 Mr. Albert Yang, Assistant Attorney: So, I don't... I also don't have a recollection of what the
6 process has been in the past. I think in the absence of a clear consensus among the
7 Commission, a motion would probably be helpful and it wouldn't be inappropriate. I know the
8 City Council sets their breaks by formal action so.

9

10 Chair Hechtman: That's helpful, so and I should mention I am the other Commissioner who is
11 absent on... will be away on July 28th. So, and I said, I'm supportive of not holding those two
12 meetings, July 28th and August 11th. Vice-Chair Roohparvar.

13

14 MOTION

15

16 Vice-Chair Roohparvar: I can make the motion and let's see if it has support. So, I would move
17 for us to not hold the meetings on July 28th, 2021, and August 11th, 2021.

18

19 Chair Hechtman: Second?

20

21 SECOND

22

23 Commissioner Alcheck: I can second that.

24

25 Chair Hechtman: Alcheck seconds, thank you.

26

27 Commissioner Lauing: Do we... did you get a perspective in advance from Ms. Tanner in terms
28 of the timing and amount? Just so we can have that data.

29

30 Ms. Tanner: I'm sorry Commissioner Lauing, is that in terms of scheduling items?

31

32 Commissioner Lauing: Yeah, exactly.

33

34 Ms. Tanner: We should be fine with canceling those two dates. We have some items on the 30th
35 and then the 14th but we have not booked out to the 28th and 11th yet.

36

37 Chair Hechtman: Did that answer your question Commissioner Lauing?

38

39 Commissioner Lauing: Yeah.

40

-
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1 Chair Hechtman: Ok. Any other Commission discussion? Commissioner Templeton.

2

3 Commissioner Templeton: I'm happy to support a motion on it. I don't know that we need a
4 motion if we're going to have half us gone those 2-weeks anyways. It sounds like we already
5 have three people absent on the 28th and 2 ½ at least on the 11th because I'm not sure given
6 with the school situation what my commitments will allow. So, I'm... I think it makes a lot of
7 sense to... that we're talking about it ahead and planning ahead that those meetings could be
8 canceled so.

9

10 VOTE

11

12 Chair Hechtman: Thank you. I don't see any more hands so I'm going to ask Mr. Nguyen to
13 conduct a roll call vote, please.

14

15 Ms. Vinh Nguyen, Admin Associate III: Commissioner Alcheck?

16

17 Commissioner Alcheck: Yeah.

18

19 Mr. Nguyen: Chair Hechtman?

20

21 Chair Hechtman: Aye.

22

23 Mr. Nguyen: Commissioner Lauing?

24

25 Commissioner Lauing: I'll go with the majority. Whatever you want.

26

27 Mr. Nguyen: Vice-Chair Roohparvar?

28

29 Vice-Chair Roohparvar: Aye.

30

31 Mr. Nguyen: Commissioner Summa?

32

33 Commissioner Summa: I'll go with the majority too. Whatever you want.

34

35 Mr. Nguyen: Commissioner Templeton?

36

37 Commissioner Templeton: Yes.

38

39 Mr. Nguyen: Ok the motion carries 6-0 with one Commissioner absent.

40

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1 MOTION PASSED 6(Alcheck, Lauing, Hechtman, Roohparvar, Summa, Templeton)-0 -1(Chang
2 absent)

3
4 Commissioner Alcheck: Commissioner Hechtman [note – Chair Hechtman], I should say that I
5 don't know that if it's... maybe it's Ms. Tanner's credit but I can't think of a year in my 9 ½
6 where not a single meeting between January and July wasn't canceled. So, we've had a pretty
7 full calendar and whoever's responsible for that efficiency is due credit.

8
9 Chair Hechtman: Alright, any other Commissioner questions, comments, announcement or
10 future agenda items? I don't see any hands and due to the lateness of the hour, I don't want to
11 bring up the retreat discussion tonight. Hopefully, we'll find some night where it's early enough
12 where we can reasonably have a conversation about that. So, Commissioner Lauing, I see your
13 hand.

14
15 Commissioner Lauing: I just wanted to ask if we have some perspective on what's happening
16 on the 30th or is it just ADU code changes?

17
18 Chair Hechtman: Thank you, Commissioner Lauing.

19
20 Ms. Tanner: Thank you, Commissioner Lauing. Yes, we will be discussing the ADU code changes
21 which will be continuation of the affordability discussion that we started I guess it was last time
22 we were together. So, with that time we hope to be able to wrap that item within the meeting
23 time.

24
25 Commissioner Lauing: Ok so it's just one item and basically the same Staff report?

26
27 Ms. Tanner: Yes, I think we may add some additional information. I'm forgetting now, there was
28 a question about something that we got some more information on. So, we may add a little bit
29 of information but nothing that would be very substantive. It might be some of the charts and
30 things that we prepared and sent you all via email. Just providing those in this report so that it's
31 easier for the public and for Commissioners to just have it in one place.

32
33 Chair Hechtman: Ms. Tanner (interrupted)

34
35 Commissioner Alcheck: I won't be in attendance I'm afraid so Staff knows that so you'll be
36 down one.

37
38 Chair Hechtman: Ms. Tanner, is there anything on the Council's agenda between now and the
39 end of the month that Vice-Chair Roohparvar and I need to be aware of as the liaisons this
40 month?

-
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1
2 Ms. Tanner: Yes, on Monday, this coming Monday the 14th, it is the NVCAP item. So, you should
3 receive a link from the City Clerk's Office to be a panelist for that item. It's scheduled at 8:30. I
4 will note there is an item from the police department ahead of us and another item ahead of
5 us. So, I'm hoping 8:30 remains true but just want to flag the PD item could be length. I just
6 don't know, but that's the only item that came from the PTC to the Council.

7
8 Vice-Chair Roohparvar: So, Assistant Director Tanner, can you explain? You're going to... how
9 this procedurally. You're going to email me the item and I attend the City Council hearing and
10 then (interrupted)

11
12 Ms. Tanner: Yeah so, the City Council will be considering the NVCAP and the recommendation
13 from the PTC to recommend alternative what we're calling 3b. It was the modification that the
14 Commission recommended and the City Clerk runs our City Council meetings. So, just like you
15 get an invitation to the Zoom meeting, you'll get an invitation to that Zoom meeting. That will
16 be a link that will let you be a panelist where you can speak and be on camera and things like
17 that. We can make sure that you all actually get the Staff report just so you can see since you all
18 had a hand in that recommendation and of course, Commissioner Summa actually on the
19 working group. Thank you for your service. So, we'll make sure you all have that to review and
20 certainly, Commissioner or Vice-Chair Roohparvar to have that to refer for Monday's meeting.

21
22 Vice-Chair Roohparvar: Ok, so Monday the 14th, 8:30 pm?

23
24 Ms. Tanner: That's correct.

25
26 Vice-Chair Roohparvar: I have that in my calendar and you'll send me an invite as well as the
27 Staff report and then do you mind sending me the prior meeting minutes as well?

28
29 Ms. Tanner: Yeah, we can defiantly do that.

30
31 Vice-Chair Roohparvar: Great.

32
33 Chair Hechtman: They don't usually send that participant invite out I don't think until the day of
34 the meeting.

35
36 Vice-Chair Roohparvar: I didn't... I've never gotten it.

37
38 Ms. Tanner: Yeah it's like... it's not the last minute but it is the day of that it comes.

39
40 Vice-Chair Roohparvar: Ok.

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1
2 Ms. Tanner: If all else fails, we will send you... in the agenda if the just general public login and
3 we can see you there and promote you. So, for anybody, if all else fails, just log in and we'll get
4 you into the panelist portion.

5
6 Commissioner Templeton: Can I ask a question?

7
8 Chair Hechtman: Yes, you may.

9
10 Commissioner Templeton: Just going back to our schedule, so for 6/30 and 7/14 are we pretty
11 sure those are going to continue to be virtual meetings?

12
13 Ms. Tanner: I'm going to say yes. That would be... definitely 6/30 and 7/14 I would... yeah. I
14 mean I think we're not going to be in part because again, we're going to look to Council's
15 leadership on the process for being in the Chamber and they're not going to be meeting in
16 person at least until August would be the soonest.

17
18 Commissioner Templeton: Ok. So, the next two meetings would be most likely virtual meetings.
19 The next two after that are canceled and then the one in August we should plan is probably
20 going to start in person unless something changes.

21
22 Ms. Tanner: Yeah, I think that as a contingency that it may be 50/50 but if you want to air on
23 the side of being available and in town and commuting and all that. I would plan on that but I
24 will get more information as soon as I can around when we're going to start us in person...
25 really in person anything. Community meetings, Council meetings, etc. so.

26
27 Commissioner Templeton: Yeah, I think it's good to kind of give ourselves a gradual ramp back
28 up and setting our expectations. It's been a long time since we've been in person. So, for us and
29 for the public we should figure out when that's going to be and it sounds like Council will be
30 working with Staff on that but if we have a tentative plan. I think that kind of helps us mentally
31 prepare. Thanks.

32
33 Chair Hechtman: Alright, Commissioners, anything further? If not, I adjourn this meeting. Thank
34 you all.

35
36 **Commission Action:** Motion by Roohparvar, seconded by Alcheck. 6-0-1 (Chang Absent)

37 **Adjournment**

38 10:32 PM

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