



CITY OF
**PALO
ALTO**

Planning & Transportation Commission Action Agenda: June 8, 2022

Meeting
6:00 PM

Call to Order / Roll Call

6:02 pm

Chair Lauing: Call to order the regular meeting of the Planning and Transportation Commission for June 8, 2022. Would you please call the roll??

Madina Klicheva, Administrative Assistant: Commissioner Chang?

Commissioner Chang: Here.

Ms. Klicheva: Commissioner Hechtman?

Commissioner Hechtman: Here.

Ms. Klicheva: Chair Lauing?

Chair Lauing: Present.

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1 Ms. Klicheva: Commissioner Reckdahl?

2

3 Commissioner Reckdahl: Here.

4

5 Ms. Klicheva: Commissioner Roohparvar?

6

7 Commissioner Roohparvar: Here.

8

9 Ms. Klicheva: Vice-Chair Summa?

10

11 Vice-Chair Summa: Here.

12

13 Ms. Klicheva: Commissioner Templeton?

14

15 Commissioner Templeton: Here.

16

17 Ms. Klicheva: We have a quorum.

18

19 Chair Lauing: Excellent. Unanimous. Okay. Let's see what we have online relative to... Well, do

20 you want to read the legislation about meeting offline...

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1 Ms. Klicheva: Pursuant to AB-361 this meeting will be held as a hybrid meeting. During the
2 meeting members of the public may provide live public comments by submitting a speaker
3 card. Speakers may speak on items not on the Agenda during Oral Communications. If the
4 public comment speaker wishes to speak on more than one agenda item please indicate so on
5 the speaker card. Spoken comments via a computer will be accepted through zoom to the
6 conference meeting to address the Commission go to <https://zoom.us/join> with meeting ID 916
7 4155 9499. When you wish to speak on an agenda item, click on raise hand. When called
8 please limit your remarks to the time limit allotted. Spoken public comments using a smart
9 phone will also be accepted through zoom mobile application. To offer comments through a
10 regular phone please call 1-669-900-6833 and enter the Meeting ID: 916 4155 9499. Thank you.

11 **Oral Communications**

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

13

14 Chair Lauing: Okay, thank you. Now, we move to oral Communications. If someone from the
15 public would like to speak on our agenda... on an item that is not on the agenda, you can do so
16 now, there's nobody in Chambers yet, there are a few online. So, if anyone online wants to
17 speak on an item not on the agenda, please raise your hand.

18

19 **Agenda Changes, Additions and Deletions**

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

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1 Okay, then we'll move along. Are there any agenda changes additions or deletions?

2 Commissioner Hechtman?

3

4 Commissioner Hechtman: Chair Lauing I think we need to adopt our teleconferencing
5 resolution, did we do that?

6

7 Chair Lauing: I thought that's what she just did. Actually.

8

9 Commissioner Hechtman: I missed a vote.

10

11 Ms. Klicheva: I just conducted the roll call.

12

13 Chair Lauing: Yup. Thank you.

14

15 MOTION

16

17 Commissioner Hechtman: So I'd like to move that we adopt the resolution authorizing the use
18 of teleconferencing for Planning and Transportation Commission meeting during Covid-19 State
19 of Emergency.

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1 SECOND

2

3 Vice-Chair Summa: I'll second that.

4

5 VOTE

6

7 Madina Klicheva, Administrative Assistant: Commissioner Chang?

8

9 Commissioner Chang: Yes.

10

11 Ms. Klicheva: Commissioner Hechtman?

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13 Commissioner Hechtman: Yes.

14

15 Ms. Klicheva: Chair Lauing?

16

17 Chair Lauing: Yes.

18

19 Ms. Klicheva: Commissioner Reckdahl?

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1 Commissioner Reckdahl: Yes.

2

3 Ms. Klicheva: Commissioner Roohparvar?

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5 Commissioner Roohparvar: Yes.

6

7 Ms. Klicheva: Vice-Chair Summa?

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9 Vice-Chair Summa: Yes.

10

11 Ms. Klicheva: Commissioner Templeton?

12

13 Commissioner Templeton: Yes.

14

15 Ms. Klicheva: Motion carries 7-0

16

17 MOTION #1 PASSED 7 (Chang, Hechtman, Lauing, Reckdahl, Summa, Roohparvar, Templeton) –

18 0.

19 **Commission Action**: Motion by Hechtman, seconded by Summa. Motion Passed 7-0 .

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1 **City Official Reports**

2

3 Chair Lauing: Okay. Thanks Commissioner Hechtman. now we go to the directors' report and
4 Director Lait here today with us.

5

6 1. Directors Report, Meeting Schedule and Assignments

7

8 Director Jonathan Lait: Great. Thank you Chair Lauing and good evening Commissioners. It's in
9 not so long, but a little bit of time since I was here last, just a couple of things to share with you.

10 Monday was a consequential day with City Council where we had resolution to the Castilleja
11 project. This Commission and staff and community members and the applicant team, have all
12 spent a considerable amount of time, reviewing that project and processing it. So that received
13 resolution on Monday and so we'll be coming back to the City Council with a Second Reading of
14 an ordinance on June 20th and we're working on changes to the record of land-use action,
15 based on the City Council's Direction. On Wednesday last week, the City Council also met and
16 approved the Planning and Transportation Commission's Work Plan, along with the ARB and
17 HRB. The Council had some great questions and extended its gratitude to the Commission for
18 the work that's being done. Mr. Lauing, Chair Lauing would you like to offer some additional
19 perspective from the meeting?

20

21 Chair Lauing: Yeah, what I think the Commissioners would like to hear are some of the
22 comments there. So, Assistant Director Tanner made a few comments about basically, how

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1 much of our work is given to us by Council, which was actually the first thing that I was going to
2 say. So, I did anyway, just to underscore the fact that a high percentage of the work is, is
3 content that is either by law or from Council coming to us and then said that we wanted to add
4 a couple of things this year and went through things that we did on the Work Plan. The first of
5 which was when we added the section in the mission about having a robust Community
6 engagement in a forum for public comment, to add that high value. And then I talked about the
7 two items that PTC initiated, the traffic study session to discuss data and hear public comment
8 for high concern areas of collision, and the second one of we created a structured framework or
9 maybe Frameworks as we put in the Work Plan, for planning the future of Palo Alto
10 neighborhoods both existing and new but particularly new as the Housing Element goes into
11 place. And then I mentioned that there are some sort of dependencies, and one is that the Cal
12 Ave area, there's a lot of overlap with other consultants and so on that are coming on. And so
13 that's why there's a number of projects that mentioned that, but we don't have that isolated or
14 a timeline. And then the last thing I mentioned was that there's a lot of references in our Work
15 Plan to Staffing and I pointed out that that was in their control. So, let's see what they can do
16 on that one. But I just want to give you some just a couple of specific comments because I was
17 pleased at the overall positive comments from a lot of different Councilmembers. First at least
18 three, I think Councilmembers, love the fact that we have now spelled out the importance of
19 PTC for public forum. So that was a very strong positive that came back to us and then I think
20 almost every Councilmember commented on Project Goal number one which is the the traffic

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1 study and some of the comments that they made were, you know, let's not just talk about it.
2 Let's do it. Let's move along on this thing with some level of urgency, every possible variation
3 should be looked at, you know, bikes hitting pedestrians, pedestrians hitting cars, cars hitting
4 bikes. I'm not trying to be facetious, but I mean, they want a real thorough view of this. So
5 maybe even beyond what we scoped. So, I think that's really good and important feedback.
6 They also added some stuff. Although one Councilmember of Council, Filseth, what are you
7 guys going to do in your spare time? And I said, well, we'll probably come up with something
8 new to do, but then they mentioned that we should do what we can on getting that shuttle
9 started, and also just broadly on bike plans. So, that was very well received. There was some
10 mention on retail that in spite of the fact that yes, there's a lot of overlap there. We could look
11 at trying to particularly help restaurants and parking relative to the adjustments that might be
12 made there for restaurants, so that could be a separate Agenda item, was I believe, the Mayor
13 made that suggestion. And then, let's see. Lastly, there was a comment also from
14 Councilmember Filseth that at some point in time, on the parking issues that we'll be seeing, he
15 wants to urge that the city does a quantitative analysis on demand for parking so that we have
16 to have data to do analysis about that. So, any other editions I know Vice-Chair Summa couldn't
17 come but she watched it. So, if you have any comments or anybody else to watched it. Okay
18 thanks, Jonathan back to you.

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1 Director Lait: Maybe just a couple of other follow-up announcements related to that evening.
2 The City Council adopted the objective standards ordinance again, I think the Commission was
3 involved in that as well. Appreciate your time on that. That was adopted last Wednesday. There
4 was a general recognition that there may be some more work that we still need to do on those
5 objective standards. But that what we've had what was adopted was good to advance the City's
6 interests and ensure that projects are being constructed in a way that is consistent with our,
7 with our values as expressed through our Objective Standards and all we have a couple of
8 recruitments that are underway and we hope to be appointing some individuals to our current
9 planning program and the assistant director position is progressing. We hope to have some
10 additional information in about a month's time, an update on that and then just lastly, the City
11 Council recess will begin at the end of June. And they are going to adopt the budget for next
12 fiscal year on a think it's the 20th of June and, if you're going to be, if just so we can have a
13 sense for who's here, who's not here. If, if you're planning on going on vacation relative to the
14 Planning Commission agenda schedule, just keep us posted, so that we can make sure that we
15 have a quorum for any future meetings that we're setting up and that's it. Thank you Chair.

16

17 Chair Lauing: Okay, any questions for Director Lait? Commissioner Hechtman?

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1 Commissioner Hechtman: Thank you, Director Lait. I think it was in April, one of the items that
2 came to us was a lot split, a parcel map subdivision where there are currently four cottages. I
3 was wondering if you knew when that was going to make its way to Council.

4

5 Director Lait: Yes, I think that is scheduled for August.

6

7 Commissioner Hechtman: Thank you.

8

9 **Action Items**

10 Public Comment is Permitted. Applicants/Appellant Teams: Fifteen (15) minutes, plus three (3) minutes rebuttal.

11 All others: Five (5) minutes per speaker.

12 3. 2023-31 Housing Element Goals, Policies and Programs

13

14 Chair Lauing: Okay, nothing else for Director Lait? Then we'll move on to the first action item
15 and that is the 2023-31 Housing Element goals, policies, and programs. And think Tim Wong is
16 on to give us a staff report on that.

17

18 Mr. Tim Wong: Yes, so I'm here. Good evening, Commissioners. Again, my name is Tim Wong,
19 Senior Planner, and working on the, as the Chair said, the 2023-31 Housing Element update. So,
20 I do have our presentation, Madina, if you could, please bring that up.

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1 Ms. Klicheva: Yeah, just a moment.

2

3 Mr. Wong: Thank you. Madina. If you could just, okay. So again, good evening. Tonight before
4 you, this is one of two meetings where the PTC will be discussing Housing Element, Goals
5 Policies, and Programs Madina, if you could go back a couple slides, please. Yeah. No, you're
6 going forward. If you could go reverse, please... Apologies. Even after two years, we're still
7 having these technical difficulties so thank you for your patience.

8

9 Ms. Klicheva: Okay I think it should be correct now.

10

11 Mr. Wong: Okay, thank you. But as mentioned this is the first of two meetings to that the PTC
12 will discuss. Thank you very much Madina. And next slide, please. So tonight, what we'll be
13 covering is just there will be a brief introduction to housing element goals, and policies. We'll
14 talk about housing element program requirements. And lastly, the PTC will provide common
15 direction on the draft housing element programs, that staff has provided in Attachment A of
16 the Agenda Packet. Next slide, please. And with that, just to do an introduction, the hierarchy a
17 next slide, please. This is a hierarchy of the relationship between goals policies and programs
18 really briefly. So, a goal is an end condition statement, you know, save the world or a really big
19 picture item. And so, the Housing Element does require goals, policies and programs and the
20 policies are some of those position statements that how the city will move towards

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1 implementing or enacting that goal. And lastly, there are programs and objectives. Those are
2 the actual implementing items that will be used to achieve that goal. And the reason in this
3 Slide the programs and Objectives are in red is because when it comes to HCD or Housing and
4 Community Development review from the state, they will really be scrutinizing these programs
5 and objectives. And so that's one reason that a little greater focus is being put on programs and
6 I'll explain additionally, why the emphasis on programs but next slide. And so just to start with
7 the Housing Element goals, these are the required program categories that must be touched
8 upon in a Housing Element conservation and preservation of existing housing stock. assistant
9 affordable housing development, provide adequate sites for all types of housing, removal of
10 constraints or how to increase housing production, specifically housing for persons with special
11 needs. And then lastly, Fair Housing and Fair Housing is a new requirement had been interest in
12 previous Housing Elements but this is a new State requirement. So based on these program
13 categories, next slide, please. We crafted goals around each one of those categories. As you can
14 see, the first category is conservation and preservation of existing housing stock. And so, our
15 first goal proposed goal is similar or addresses that category and I'm just going to not going to
16 go through all the policies, but you can see the policies that are proposed to achieve goal
17 number one, second next slide please, for goal 2 it's assisting an affordable housing
18 development. So, here's our goal 2 to talk about assisting in the provision of safe, attainable
19 and sustainable housing, especially affordable housing. That's our goal. And those other policies
20 that are being proposed for that goal. Next, slide, please. The third is provide adequate sites for

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1 a variety of housing types. And so goal three is support, holistic and strategic Housing
2 Development with a variety of housing prices, types, tenures to meet the diverse needs of all
3 current, and future residents. And just to point out, these goals were also part of it was vetted
4 through the working group. Asking them what goals do they have for the City of Palo Alto? And
5 their comments were also inserted or incorporated into these goals next slide. And this is an
6 important one, but removal of constraints or increasing opportunities for housing, this is more
7 to the goal of increasing housing production in the city. Next, the fifth goal matches the fifth
8 category is housing for persons with special needs. And so to specifically focus on housing types
9 to accommodate persons and households with special needs and just to explain a special needs
10 household could be considered seniors, female-headed households, persons with... both
11 intellectual or developmental disabilities, both physical and intellectual, large families. Those
12 are considered types of households with special needs. So, this goal would address those
13 particular groups. And lastly, the six category was fair housing to... for the city to proactively do
14 affirmatively further fair housing. It's a proactive stance required by this, by the State in which
15 this is to promote equal opportunity for all housing types and for all residents and pardon. And
16 so just that's a very quick overview of goals and objectives, but wanted to move on more so for
17 programs and I'll explain why with the next, the following slides. So, with Housing Element,
18 Programs next slide, please. Housing Element programs is an actual government statute. That
19 jurisdictions must have programs in their Housing Element to incorporate or Implement their
20 stated goals. And so, in these programs must include specific actions that it will take to

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1 implement those goals and policies and objectives that it has stated in its Housing Element next
2 slide. And so previously mentioned it was those specific actions and these are those specific
3 actions that HCD requires as part of its review for Housing Element that would be in compliance
4 with State Law. So, each program must have a definitive time frame. If it's a rezone, when are
5 you going to rezone, if you're going to establish this program, when you going to establish,
6 program, which government agency will be implementing that particular objective or program.
7 And what will they do specifically? And also, what steps are they going to take to implement
8 the program? Again, maybe rezone or establish a rehab program to preserve the existing
9 housing stock. And then also, they must have measurable incomes. Excuse me, measurable
10 outcomes, not incomes, such as this program will serve 16 households during the planning
11 period and all these actions will demonstrate a firm commitment to implement the program.
12 And lastly, if there may be particular instances where we'll have to identify funding sources but
13 with all our proposed programs we do ID those funding sources, whether it's to do the rezone
14 using general fund, or if we establish an affordable housing program, we could use CDBG or
15 Community Development block grants to help fund for the development of affordable housing.
16 So, these... these criteria will be very important moving forward in the crafting and preparation
17 of programs for our Housing Element next slide, and over the past few years, the State has
18 passed a number of... number of pieces of legislation that does affect the Housing Element and
19 housing in general. And the Housing Element must show how the jurisdiction or Palo Alto will
20 Implement all State legislation. And the last bullet is HCD will review to make sure that our

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1 programs are adequate to comply with State Law or Implement State Law. Next slide. So, here
2 are just... is just some of the housing legislation that the State has passed that affect all aspects
3 of housing in in Palo Alto and in the State. And there are a number of programs that are part of
4 the proposed programs that address these requirements next slide. And so, here are some of
5 those required programs because of State legislation that need to be addressed in the City's
6 programs, which we have included in the draft or Attachment A that you received, including a
7 providing adequate sites to meet our RHNA and just for reference, our RHNA is a little over
8 6,000 units and we will need to rezone some sites to help meet our RHNA preservation of
9 assisted housing developments requires a program replacement of existing affordable units.-
10 And also this one, previously identified non-vacant and vacant sites by right development. That
11 is also a State, a piece of State legislation that requires that if we carry over certain parcels from
12 previous from previous Housing Elements, there is a by-right provision that is applied to those
13 sites. In addition, there are... there still additional legislation that addresses ADU development,
14 housing rehabilitation, that's more to cover preservation of existing housing stock, reasonable
15 accommodation, for those with disabilities. And lastly, again, the new requirement fair housing.
16 So, we do have a number of programs that address fair housing. Next slide. And just to put a
17 framework around how staff has crafted these housing programs... a it's to make sure that
18 these programs meet State legislation, what has been required by the State, second is in
19 addressing fair housing requirements to provide additional programs for vulnerable groups and
20 populations. That are identified in this City's housing needs chapter because as part of the

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1 Housing Element, we have to do an analysis of housing needs specifically foc.. and there's a
2 section that's focused on special needs and whatever analysis comes out of the will be
3 incorporated to or programs will address those identified needs. Also, we crafted programs to
4 reduce housing barriers that have been identified in the City's housing constraints, whether
5 that be development standards, permit processing times, to even funding sources for
6 affordable housing. Those are some things that could be potential programs. And lastly, all our
7 programs were also in response to community input and feedback. Whether that be from the
8 working group emails that have come in from the public at large, and also from various
9 interested stakeholders and so incorporating those comments and input from the community
10 next slide. And so just one to highlight, this is addressed in the staff report but just real quickly
11 the role of the PTC in developing these programs. One of the things staff is looking for is for the
12 PTC to provide direction for potential new programs. You have seen what staff is proposed in
13 working with the working group. But are there any additional programs that the PTC would
14 potentially like to explore or pursue direct staff to pursue, and secondly, understanding that
15 these programs are still in the process of being prepared. As you notice, there are certain
16 programs that may be missing certain data or numbers... staff is still in the process of filling in
17 those literally filling in those blanks. But in the interim, we would like to have the PTC review
18 what staff has proposed at this point, in other words, maybe the overall program language at
19 this point and staff will continue to prepare the implementing details, such as which agency,
20 where the funds are coming from. Especially because a workload, maybe those timelines,

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1 certainly we will put all that those implementing details together for PTC to review as that
2 analysis and review becomes available, if you will, for PTC review. Again, we're still doing some
3 studies and looking at a few other doing a little more research to provide more detail in those
4 programs. So that is what we would staff is requesting for from the PTC next slide. And so, in
5 terms of the review of the Housing Element programs, just after this presentation, we will
6 slowly... We will begin reviewing Attachment A which is the all the proposed programs. But next
7 slide please. Just wanted to quickly explain kind of staff's format in in doing... in formatting the
8 programs. So, this is the very first Proposed program in on Attachment A, the green bar. You
9 see where the programs that identify adequate sites when appropriate, with appropriate
10 zoning that directly addresses a State requirement that we have to have adequate sites to meet
11 our RHNA for all income levels. So, under that specific State requirement, we have included all
12 those proposed programs to touch on that particular requirement. And as you can see the
13 program number, there's the language. And there are those implementing criteria in there...
14 there's the time frame who's going to do the rezoning for adequate sites. Who, where ...
15 Where's the funding source? The target population and the implementing objective, talking
16 about the rezone to be able to provide adequate sites to meet the City's to meet the City's
17 RHNA. And down below, this is not a State requirement, if you will, but it's more for reference
18 to show what this program is addressing. Is it an HCD requirement, a State requirement or a
19 local policy, which a local policy initiative could be, for example, something from the 2018
20 Council Work Plan. So, that would fall under a local policy initiative. So, just would like to break

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1 down how staff moved forward with these or formatted these programs. Next slide. And so
2 that just one last shameless plug for the city's housing, element update website at
3 www.paloaltohousingelement.com , and for the Commissioners, feel free to contact staff. But
4 the community out there, you can always submit any comments, input you have at
5 heupdate@palosalto.org. Next slide. And so here is staff's recommendation for this evening is
6 to receive public testimony, review the 2023-31 Housing Element draft goals, policies and
7 programs as listed in your Attachment A, and provide initial feedback to staff in the PTC
8 Housing Element ad-hoc. So, with that that concludes staff presentation and be happy to
9 answer any questions that the PTC may have.

10

11 Chair Lauing: Let me just review the sort of working game plan here. So, we do want to do a
12 round of questions of staff that I'll call loosely technical questions, they aren't technical in that
13 way, but you know, informational oriented questions without drilling down on any of the
14 objectives right now. And then we want to go to public comment. There are some potential
15 speakers. Then I'd like to get a report of the ad-hoc committee to report out on, you know,
16 content and process, see where we are. And from there, after your report, the ad-hoc, want to
17 sort of sort out exactly how we're going to organize tonight's meeting and how much goes in
18 this week and how much goes three weeks from now and that's dependent on stuff to become
19 before that and then we'll eventually shift each each one of the objectives as as Tim mentioned.
20 Okay? So now we're going to go to any questions that Commissioners have our staff at I'll call

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1 technical questions but broadly speaking. So, any anybody want to jump in first? I think that's
2 Commissioner Reckdahl.

3

4 Commissioner Reckdahl: Tim I had one question about the special needs categories. You
5 mentioned the veterans and stuff like that. Is, that defined by the state? Is that defined by the
6 city?

7

8 Mr. Wong: That is from the state.

9

10 Commissioner Reckdahl: Okay, so what is considered special needs is consistent from City to
11 City?

12

13 Mr. Wong: Excuse me, could you, what is the definition?

14

15 Commissioner Reckdahl: Yeah, I mean the what... what people would ... classify, what people
16 would be classified as special needs? Is that the same in Mountain View as would be in
17 Sunnyvale as would be in Palo Alto? Or does each City shape their list differently?

18

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1 Mr. Wong: No, the categories are all pretty much, not pretty much, but all specified by the
2 state.

3

4 Commissioner Reckdahl: Okay.

5

6 Mr. Wong: You can go beyond that, but the core group, the core definition is defined by the
7 state.

8

9 Commissioner Reckdahl: The one question that I had was female-headed households, were
10 special needs. How about a single male head a household that consider special needs?

11

12 Mr. Wong: It could be but it's... the state specifically says female-headed households.

13

14 Commissioner Reckdahl: Okay yeah. It's all. Thank you.

15

16 Chair Lauing: Any other Commissioners want to ask a question? Commissioner Hechtman.

17

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1 Commissioner Hechtman: Thank you Chair. A couple of questions really on the overall staff
2 report. I see we have the city has a deadline of May of next year to have the HCD certify our
3 Housing Element. Can you remind us Mr. Wong, what the penalty is if we don't make that
4 deadline?

5
6 Mr. Wong: If we don't make the deadline the most apparent, or the most instant is a... the city
7 could not apply for any state housing funds. You must have a compliant or certified Housing
8 Element to be eligible for State housing funds. And in addition, though it could, if we don't have
9 a certified or compliant Housing Element, that could leave the City open to potential lawsuits.
10 HCD does have an enforcement division now and they could potentially initiate some
11 proceedings. It is also, I believe, some low-income housing groups, or, or the community at
12 large, could also have a lawsuit with the City because the Housing Element is one of the
13 mandated Housing Elements on the Comp Plan. So, it could potentially invalidate the
14 Comprehensive Plan also. Those are some potential impacts for a non-certified... or, or a
15 Housing Element that's not in compliance.

16
17 Commissioner Hechtman: Thank you. That was helpful. And then the other kind of general
18 technical question I have is when I look at the work that staff and the, and the ad-hoc group
19 and the working group has done, which is really impressive, because there's a lot of it that's
20 new, there's a lot of it that you don't find in our existing Housing Element. So, we're... we're

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1 creating new language, new policies, new programs, reworking things. And I was wondering if
2 the city, I know that every city in California is doing this at the same time because they've got
3 the same deadline, we're all, it's all in the same cycle and so I'm wondering if the City of Palo
4 Alto is collaborating with any other cities who are going through the same effort to share best
5 practices and knowledge. Just wondering if that's happening.

6

7 Mr. Wong: Yeah. So, Commissioner Hechtman, yes, the jurisdictions in Santa Clara County
8 meet on a regular basis to discuss Housing Element strategy, questions... just exchange of
9 information. So, we are doing that. In addition, we are reviewing certified Housing Elements
10 from Southern California, understanding that those programs have been approved by the... by
11 the State. So, we are also reviewing those Housing Element programs to see what could
12 potentially be, would be appropriate for Palo Alto also.

13

14 Commissioner Hechtman: Thank you, chair. Those are my questions.

15

16 Chair Lauing: Others... Comm... Vice Chair Summa.

17

18 Vice-Chair Summa: Thank you. I just had a quick question about the timeline, which is back at
19 page 45. I was curious about the black rectangles which are HCD actions. The difference
20 between above the black line, the release of the 30-day public review and below it, the 90-day

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1 review starts and then they give comments to the City and sometime after that, the city would
2 adopt it. What is the reason for the 90-day and the 60-day review, does anything change
3 between then and... and then does anything change between the 90-day review period and the
4 HCD comments. And by change, I mean are there changes to the document Housing Element
5 and why there's a 90 and a 60? I was just curious.

6

7 Mr. Wong: The 90 and the 60 are our statutory, I believe HCD has those two review periods as
8 part of the entire Housing Element update. And the 90-day is their initial initial review and it
9 has been just talking to other jurisdictions, looking at the Southern California experience that...
10 during those 90 days they have been really scrutinizing draft Housing Elements and so they will
11 provide a number of comments, typically on the Housing Element and the 60-day review is to
12 make sure that a) the jurisdiction has addressed those comments provided during the 90-day,
13 and then any other programs or discussions that we've had with the state during that time to
14 make sure that, if those are addressed during that 60-day review, then we should be having a
15 compliant Housing Element. So hence the two review periods.

16

17 Vice-Chair Summa: Okay, thank you. That that makes it clear. Those are two different comment
18 periods, and a response period. Thank you.

19

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1 Chair Lauing: Okay, I don't see any more Commissioner lights so I think we can now get a re
2 know we go to public comment.

3

4 Ms. Klicheva: We have several raised hands. And our first speaker is a phone caller with last
5 digits 424. So, you would need to press *62 to unmute yourself.

6

7 Chair Lauing: Let us know if you're there.

8

9 Ms. Klicheva: I think this person accidentally hang up. He disappeared from Zoom screen.

10

11 Chair Lauing: Okay, let's go ahead and then maybe they'll come back.

12

13 Ms. Klicheva: Okay, our next speaker is Steve.

14

15 Steve (public comment): Can you hear me?

16

17 Ms. Klicheva: Yes.

-
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1

2 Steve: Thank you. First. A couple of rounds of thank yous' to Jonathan and Tim for a staff report
3 that I think is a great start and for incorporating some of the feedback they've been very open
4 and helpful with their time, and second to you all for moving the rest Bayshore Project forward
5 last week. I sent you a long memo and I'll try and hit the highlights. As I read the staff report
6 they have added sites which I think makes sense, there's an important distinction, the sites in
7 your sight inventory are legal, but I have strong professional doubts that they are feasible.
8 That's one of the reasons that staff is doing a feasibility analysis and has recommended some of
9 the additional programs, so I keep that distinction in mind. I think the additional sites are great.
10 I have two other suggestions, although you can't get Stanford sites, probably in this site
11 inventory, I would sure start those discussions, Jonathan and Tim, that you mentioned because
12 projects can come forward in this period, even if they aren't in the site inventory. They're
13 always projects that come forward and I would go big on the parking lots, I wouldn't restrict
14 them to affordable housing. I would go for a mix of housing. Second, you all know, the
15 programs, we have a very large charge, that all cities have a tripling of our RHNA and so it's
16 height, which the staff talks about for some areas, it's if they are that the staff talks about its
17 reducing fees, it's more by right and process time. It's reducing parking and retail requirements.
18 We know that what we have though, it's good hasn't even fulfilled our fifth cycle. So, we know,
19 we have to go big. I'd encourage you to recommend what the staff is proposed and go bigger
20 taking those concepts of height and if they are, to all non-residential areas. I think and finally, as

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1 the staff said, we are like many cities on the peninsula in the crosshairs of HCD. They are going
2 to be looking at this carefully and I hope that you come forward with a robust and compliant
3 Housing Element. Thank you.

4

5 Chair Lauing: Okay, thank you next speaker please

6

7 Ms. Klicheva: Its Gene Snyder.

8

9 Ms. Jean Snyder (Public comment): Hi. Can you, can you hear me?

10

11 Chair Lauing: Yep.

12

13 Ms. Snyder: Okay. Good evening. My name is Jean Snyder. I have been a member of the
14 Housing Element Working Group and I'm also a representative of Stanford University. I wanted
15 to thank you for the opportunity to speak tonight and a sincere, very heartfelt thank you to City
16 staff for all of their hard work and steering the working group to this critical point in the
17 Housing Element process. I'm here to respectfully request two things. Things one is to adopt a
18 more holistic planning approach to the current housing sites proposed in the Stanford Research

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1 Park and two... to pause on stipulating very specific design standards and inclusionary housing
2 levels until feasibility studies can be completed. Related to the first request, we appreciated
3 City staff consolidating the Stanford housing sites in one aggregated program. It has made a lot
4 easier to see all of those perspective sites in one place. It also however, illuminated for us that
5 the research Park specific sites all located on El Camino. At this point are mostly contiguous.
6 And because of that, there is an opportunity for the City to contextually, and holistically address
7 the design standards for this particular area. We would like to request that in lieu of
8 individualized, parcel by parcel development standards, that the City staff consider an overlay
9 with consistent parameters that we [inaudible] see and the City can collaborate on introducing
10 housing in the research park in a much more holistic and connected way. Our second request
11 relates to financial feasibility. Stanford's interest is ensuring housing is not just planned, but is
12 actually built and realized. To that end, we are concerned about prematurely stipulating specific
13 design requirements at this stage of the Housing Element that unwittingly render housing
14 unfeasible to build at the numbers that are identified for these sites. Another area of feasibility
15 concern is with the inclusionary housing percentages stipulated for the Stanford sites.
16 Prescribing affordability percentages now seems premature when the City has identified a
17 Housing Element program to study feasible, inclusionary housing percentages for rental
18 communities. Our request is to delay stipulating an inclusionary housing on any Housing
19 Element sites, including Stanford's, until after the city completes its planned feasibility analysis
20 and adopts a citywide inclusionary ordinance for rental housing. We thank you for your

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1 consideration of these requests and we're here to answer any questions you may have. Thank
2 you.

3

4 Chair Lauing: Thank you very much.

5

6 Ms. Klicheva: Our next speaker is Hamilton Hitchings.

7

8 Hamilton Hitchings (Public Comment): Hello.

9

10 Chair Lauing: Hello.

11

12 Mr. Hitchings: My name is Hamilton Hitchings and I'm a member of the Housing Element
13 Working Group, but the following are my personal comments on changes I recommend to the
14 PTC draft of the Housing Element. Last RHNA cycle, Palo Alto met its market rate housing goals,
15 but fell woefully short of its below-market RHNA targets. In particular we fell short for
16 moderate, low, and very low-income units, which in this RHNA cycle is well over half of the total
17 housing units needed. During our HEWG public comment section, develop affordable housing
18 over the transit center, and public parking lots to address below market shortfalls where two of
19 the most common suggestions by members of the public. I would encourage the PTC to tie

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1 more up-zoning and developer bonuses to affordable housing. This will create a more diverse
2 socio-economic community and create access to housing, and educational opportunities, not
3 otherwise, possible for lower-income folks who play vital roles in our community. For example,
4 require primarily affordable housing at the transit center which is PF zoned, when up-zoning it.
5 In addition, stand for properties on 300 and 3128 El Camino should require a higher percentage
6 of affordable housing in exchange for the 75-foot height limit. For housing above City-owned
7 parking lots, we should require 75% of those units to be affordable with a focus on very low-
8 and low-income categories. Because the city is providing the land and should do so in
9 conjunction with State grants, this is one of the few opportunities to provide very heavily
10 subsidized housing, since land is so expensive in the City of Palo Alto. I'd also recommend only
11 exempting development impact fees for BMR housing that is 80% of AMI and below. When up-
12 zoning Parcels for housing, we should no longer allow office space on them. Due to time
13 constraints, some of the programs in your Housing Element packet were never shown or
14 discussed with an HEWG. This included the renaming of the R-1 designation to something more
15 permissive, increasing the height by an unspecified amount for mixed-use projects, and the
16 housing, the HIP removal of transition heights and removal of retail requirements for HIP. These
17 are programs where I have concerns which I detailed in my email comments which I sent to you
18 on Tuesday. City Mayor Pat Burke said he is concerned Stanford is getting off easy. And I also
19 share this concern. Even proposed renegotiating the development agreement that allows
20 Stanford to build more office building in SRP. Instead, I suggest we put some teeth into the

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1 program to guarantee Stanford commit to build its fair share of housing for the next RHNA cycle
2 on Stanford lands under CERT City jurisdiction. Thank you.

3

4 Chair Lauing: Thank You Hamilton. I think that's the last speaker. Is that right?

5

6 Ms. Klicheva: Yeah. That's right. We don't have any raised hands.

7

8 Chair Lauing: Okay. And there's none in Chambers so that closes public comment. Okay. Now I
9 think it'd be good if we had a report out from the ad-hoc Committee three members, you can
10 each talk or if you've chosen a spokesperson, or just kind of get a feel of where you are on this,
11 what's been accomplished, where we are tonight, which will help guide us on what we do
12 tonight as well as in the next meeting.

13

14 Commissioner Reckdahl: I'll give a quick overview and we can hand off the other
15 Commissioners. I'm a little ahead of them because I've had plenty of meetings and we've had
16 two meetings now in the ad-hoc and we've just scratched the surface really there've been
17 introductory we've had some good discussions. I think they've learned a lot but we haven't got
18 any specifics about sites or programs really had some good discussions, but I just think there's a
19 significant amount of additional material that they need to cover. So, I'm concerned that this is
20 not going to be trivial.

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Chair Lauing: Okay, other ad hoc members. Commissioner Chang.

Commissioner Chang: Can I first just ask that we can see Commissioners Roothparvar and Templeton on the screen in front of us because we can't see their faces. No no... we just, it's an issue of at the technical issue where we're not seeing your faces the way we normally do.

Commissioner Templeton: Oh.

Commissioner Chang: Yeah. So, we want to see your face. Your smiling faces.

Ms. Klicheva: Let's see.

Commissioner Chang: So we can't see if you have hands up either.

Chair Lauing: Well, I can pick that up on the iPad here. Yeah, but I'm looking for hands all the time now.

-
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1 Commissioner Chang: But that I want this to be a true hybrid meeting so that we can see their
2 faces [crosstalk]

3

4 Ms. Klicheva: Yeah, I changed it [Crosstalk] in the meantime while they're... so sorry for
5 interrupting you Commissioner Chang I change the from gallery to speak review. Maybe now
6 we'll be able to see Commissioner Templeton and Commissioner Roohparvar when they speak.

7

8 Commissioner Roohparvar: So you need us to say something? Can you see us?

9

10 Chair Lauing: There we go. That works.

11

12 Commissioner Chang: We only see you if you're speaking, but normally we have a gallery view
13 we can see you even if you're not speaking.

14

15 Commissioner Roohparvar: Isn't it just the switch to gallery view button, Madina?

16

17 Chair Lauing: Madina's working on that right now.

-
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Commissioner Chang: Yeah, right now we only see what is being captured by video.

Vice-Chair Summa: : Oh, but we can do it on our monitors to on the upper left dots. That's on the upper left.

Commissioner Chang: I don't have that.

Commissioner Roohparvar: Looks like a keypad. It says switch to gallery view.

Commissioner Chang: Okay, I have it now on my personal view, okay. Thank you. In the meantime, in terms of the update, I think Commissioner Reckdahl covered we've only met twice. The first time was much more of a process overview. The second time we did review, we sort of started to review programs through, I think through program 2.2. But what we see here in the PTC packet is still a little different from what we like, there's been additional staff work that has been put in to the 1.X programs. So that's the main update that I have to give Commissioner Templeton, is there anything that you'd like to add?

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1 Commissioner Templeton: No, I don't have anything to add at this point. Thank you.

2

3 Chair Lauing: Okay, Tim, you're online.

4

5 Mr. Wong: Okay.

6

7 Chair Lauing: We went through, we went through in the pre-meeting yesterday, we went down
8 to... What number... do you concur with the report from the ad-Hoc?

9

10 Mr. Wong: Unfortunately, I was not at the last Friday meeting, but I had heard they had made
11 it through program 1.6 in talking about the Stanford University program, but maybe they went
12 a little bit on that.

13

14 Chair Lauing: Yeah Mr. Lait can comment on that.

15

16 Mr. Lait: Yeah, thank you. So, we did it. We went through the first two programs, and we
17 stopped at programs... program 3 and to Commissioner Chang's point, we did staff as we have

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1 said, you know, throughout this this process this is going to be an evolving document that
2 responds to, you know, our work and research. And so, there are programs even since the ad-
3 hoc. When they've looked at this, where we've evolved it further and made some refinements
4 and that's just where we are in this process of having to make changes going forward. What
5 we'll do is... is after we look at this document tonight, we can begin to do like a strikeout
6 underline format, so that you can see as a group where changes are being made. So, I think
7 tonight, this will be a good sort of starting place for us and then we'll be able to track those
8 changes going forward.

9
10 Chair Lauing: Okay. So, the basics of the discussion that we had in a pre-meeting is that the ad-
11 hoc has vetted, sort of at least through 1.6, and that's a very small percentage of the total. So
12 obviously that means we can go through 1.6. and then say ad-hoc people have another five
13 meetings before our next meeting and then we're going to go over the rest of it, or we can say,
14 because of the time constraints and where you've gotten so far. All of us just want to jump in
15 tonight on some of the things and move it forward. After which, the ad-hoc could still go back
16 and work the things that we do, as well as... you know, we don't expect to be finished tonight
17 with everything that's here. The second aspect of that is that there are some items that are
18 missing a lot of data and it may not make any sense to address those at all. For example, the
19 HIP program on packet page 33, pending additional analysis is on almost every one of those
20 bullet points. So, I don't see any reason to be digging into that one. And we have to push some

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1 anyway to the next meeting. So, that would be an obvious one to push. So, it seems to me, like
2 those are the two objects options is that we just go through 1.6 and say good night or we go
3 through 1.6, you know, maybe more easily and then with more difficulty, start moving beyond
4 that to see how much that we can do. That's... that's not ideal, you know, I was hoping that
5 we'd have more pre-process by the ad-hoc but it here's where we are. So, comments from
6 Commissioners?

7

8 Commissioner Templeton: I'm one.

9

10 Chair Lauing: Commissioner Yup. I just saw your hand go up. Go ahead.

11

12 Commissioner Templeton: Thank you Chair. Yeah, I would say that your... your hopes for how
13 much we can get processed and pre-processed on the ad-hoc committee, we may not reach
14 that. We do have limited time and we are on deadline. We have had some really good
15 discussions. And I think it's possible that if we have a good dialogue through tonight on as much
16 as we can, so we can then take that back and maybe post-process might be the better way to
17 do it. Just throwing that out there as a possibility because I still think we can add value but it's a
18 tremendous amount of work as Unity.

19

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1 Chair Lauing: If possible could you turn up your speaker a bit.... I mean mic? Okay, other
2 thoughts?

3

4 Commissioner Templeton: Is this better Chair?

5

6 Chair Lauing: It's way better. Thank you.

7

8 Commissioner Templeton: Okay. So, did you hear what I said?

9

10 Chair Lauing: I think so. Did everybody hear okay? Okay. Okay, thanks. So, Commissioner
11 Hechtman.

12 Chair Lauing: Oh, really. [Crosstalk]

13

14 Commissioner Hechtman: So, just trying to understand the way that things are laid out in
15 Attachment A, it's the goals and policies and then the programs. So, when you're talking about
16 us getting through at least 1.6 tonight, are you talking about doing all the goals and policies and
17 then starting the programs and getting to 1.6?

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Chair Lauing: Well, they're... they're coupled and the fact of having 1.6 have been pre worked by the ad-hoc we can certainly get through those. But then I think we just take Attachment A like we have a with other things in the past and just move through them as best we can.

Commissioner Hechtman: Okay? So, but if we were to stop at 1.6, for example, does that mean we would not talk about goals 2-6 tonight, or the policies under those, or the programs under those?

Chair Lauing: It's up for debate.

Commissioner Hechtman: Okay, so I guess I'm thinking we should go up to and discuss 1.6 and then see what time it is.

Chair Lauing: That's fine.

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1 Commissioner Hechtman: Because I have... I don't really have a good sense of how much
2 dialogue there's going to be, how long, maybe it's going to be condensed, maybe it's going to
3 be stretched. So... so, that'll just be a good check in point and... and then we will kind of
4 understand the flow of our dialogue and maybe have some sense for how much work is ahead
5 of us.

6

7 Chair Lauing: I agree with that and then the caveat is that that's already been pre-processed so
8 the stuff after that might not be as efficient, so we have to add that to our analysis.
9 Commissioner Chang.

10

11 Commissioner Chang: I just wanted to add from the ad-hocs report that we did not go through
12 the goals and policies in great detail and focused most of our time and effort on the program
13 specifically because we think that's where HCD is going to be having the most scrutiny. And so
14 we did not Wordsmith, you know, or then we thought they were pretty good as is, is what I
15 would say. And then the second part of my comment is just that I agree. Let's check in after we
16 finish 1.6 and see, see how we all feel.

17

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1 Chair Lauing: Yeah, I think the main focus of our responsibilities in the next two weeks, anyway
2 is programs. So, Anyone else? I don't see any more lights. So let's jump in. So, if Tim can come
3 back on and put up ... did you have another comment Chair [Commissioner] Hechtman?

4

5 Commissioner Hechtman: Well, before we dive into specific programs, I did have a couple of
6 overall comments.

7

8 Chair Lauing: Sure.

9

10 Commissioner Hechtman: On the whole of attachment A.

11

12 Chair Lauing: Sure, go ahead.

13

14 Commissioner Hechtman: So, the first one is I think my fellow Commissioners know, well, so
15 what the staff is looking for particularly tonight is feedback, and in advance of the meeting I
16 went through all of Attachment A and hand marked some feedback, some suggested changes
17 and those are just for staff's consideration and the PTC's and for public comments. So,
18 members of the public you can access those as well. A few of those are just typos I caught. The
19 rest I would describe as either intended to clarify language or on some occasions to provide
20 more flexibility, because I think as we enter into this new housing cycle, flexibility is going to be

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1 paramount that we're not, you know, I mean, one of the categories is constraints on housing.
2 And so we don't want to build constraints into the thing that is supposed to eliminate
3 constraints. So, a few of my changes are that way. So that's one overall comment. I wanted to
4 make the next one, and this is really kind of the format of this Attachment A which has been
5 presented to us. It's going to come back to us in a revised form and then it's going to go to
6 Council. And so when Mr. Wong ran through the slides on the goals, each one of those had a
7 heading that tied it to the category that's required by State Law for our Housing Element. And I
8 thought that... that those slides were great because that heading oriented me to the goals and
9 policies underneath it. When I look at Attachment A, it doesn't yet have that. It just says, for
10 example, goal one and then it states the goal. So, a recommendation I have is to add those
11 headings. Those six categories at the beginning of goals 1-6 to help orient us, and particularly
12 the Council next time around. So, it's a suggestion. And then the other suggestion I have is
13 these concepts are linear. I think so. We have a goal and then we have policies under that and
14 then I think we have programs implementing the policies with objectives for those programs.
15 The way Attachment A is written right now, we've got one section with the goals and policies
16 and a different section with the programs, but it... but in a lot of General Plans I've seen, they
17 are linear and in Tim's slide earlier, showed them as linear. And I think when you view these
18 things linearly, in other words, if we took the, well, our programs are labeled 1.1 to 6.12, and I
19 think that those are corresponding to the six goals, I may be wrong, it just could be a
20 coincidence, but if that's true, then I think, maybe the next time this comes to us, give us Goal

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1 1, then policies 1.1 to 1.4 and then the the Goal 1 programs so that we can see that package all
2 under that category and I think that will help us avoid inconsistencies that we may not see
3 when we got them on different pages in different sections. So just an idea. Thanks.

4

5 Chair Lauing: Okay Commissioner Chang?

6

7 Commissioner Chang: Thanks Chair. Well as staff explained it to us. The programs are not
8 necessarily 100% linear and so that was what.. well in the ad-hoc, they explained to us that
9 there's kind of a goals and policies section and separately the programs because there are some
10 programs that actually cross over into multiple goals and policies. And so, I think that was the
11 logic behind that organization and having read it, it does seem to me... it's not a one-to-one,
12 linear correspondence.

13

14 Chair Lauing: Okay, they have that comment. I said you had a comment. Let's see who's up
15 now? Vice-Chair Summa.

16

17 Vice-Chair Summa: Thank you. I'm intrigued by Commissioner Hechtman's idea because I think
18 it's more consistent with the rest of the way, the comp plan reads, and if staff thinks that's a

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1 good idea, I think it might be easier for people to use the document that way because the goals
2 and programs and policies that are under the goals specifically, in the rest of the Comp Plan.

3

4 Chair Lauing: Are there any downsides for it Mr. Wong or Mr. Lait?

5

6 Director Lait: So, no, it's this format has been... You can see the format that we've
7 recommended in Housing Elements from Southern California. Similarly, you can see, in fact, we
8 started off with goals and policies and programs. When we were going through the working
9 group discussions, we did pivot away from that format because the the goals themselves while
10 they generally aligned with the State in terms of the over-arching objectives of State Law, the
11 goals themselves are meant to be, you know, unique to Palo Alto to some degree. To reflect
12 our, our goals in this community. And so, I think that it's okay that they're different and that's
13 why we don't have like a heading over each of the goals. We did want to provide a heading
14 under the programs because there it's clear the State has an interest in making sure that you
15 have programs that meet these certain criteria so for people who are reviewing our Housing
16 Element and we know that people will be reviewing our Housing Element. We wanted to be
17 really clear for this State requirement, here are the programs that we think address those
18 issues, so we can have a really focused discussion on programs which is, which is really where
19 the rubber meets the road. We can talk about goals and policies and that's important because it

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1 helps frame the direction that we're heading, but as the programs and the in particular, the
2 implementing objectives that are critical in HCDs review and and the public review of the of our
3 document, which is why we separated it they're together, they need to work together, but we
4 thought from a from a review standpoint, this might be a better format. But we can certainly,
5 we hear, we hear the perspectives. And we're happy to go ahead and take a look at that
6 further.

7

8 Chair Lauing: Okay, so any other comments, were you done Vice-Chair? Okay, Commissioner
9 Hechtman?

10

11 Commissioner Hechtman: okay, so I appreciate that explanation and the reality is I spent a few
12 hours working with this but staff has spent dozens of hours and... and so it's helpful for me to
13 understand that perspective. If, if you want to keep them separate, then I think I'd ask you to
14 consider a couple things. First renumber the programs so it doesn't look like they correspond,
15 and they're just moved to the back end;use any kind of numbering system. The other thing you
16 might want to consider, if we're going to keep all the program goals and policies up front and
17 then all the programs to follow is, and the HCD might appreciate this, some cross-referencing,
18 like if when you're listing the programs refer to which goals or which policies, and there may be
19 multiple, I think Commissioner Chang mentioned that, that they can, they can cover different
20 current ones. So, if you do that kind of cross-referencing that's going to make it easier for the

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1 HCD to connect the dots and the easier we make it for them to connect the dots, the easier it is
2 for us to get certified.

3

4 Director Lait: Yeah. Understood I think that's a great suggestion. Will definitely, you know,
5 consider all these comments and if we if we keep the format, let's... let's do that cross-
6 referencing. I think that's a good idea too.

7

8 Chair Lauing: Okay, great. Thank you, let's see Commissioner Reckdahl.

9

10 Commissioner Reckdahl: Did everyone finish up talking about formatting? That when said if I
11 did that, okay, on a different subject and the State really wants firm commitments, they don't
12 want wishy-washy programs, like, consider doing this or look into this. They really want to say
13 do this. The problem with that is that sometimes some of these programs are... require some
14 investigation to find out the right answer. We don't know what the right answer is right now. If
15 we knew the right answer we would probably be doing it, so I don't know. Sure, if Jonathan or
16 Tim wants to talk about this. How do we balance giving firm commitments to the State with
17 actually being responsible and doing due diligence in investigating these issues?

18

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1 Director Lait: Yeah, that's a great question. And I think one that were, you know, we're kind of
2 stumbling our way through. In the process, where we... Chair, you noted the Housing Incentive
3 Program. Here's an area where we're looking to be specific about that, but we still don't have
4 enough information to do that. We do think that we need to have some specificity to be clear
5 about what it is that we're to address the feasibility standard of our suitable sites. There are
6 other areas, and this is included in our in our programs, where we talked about changes to the
7 inclusionary requirements. And we don't know, because we have to do a feasibility study again.
8 And so that's an area where I think it's appropriate for us to say, we're going to do that, we are
9 going to do our feasibility study and depending on where it is feasible, where the market
10 conditions would allow, lets, you know, increase the inclusionary or alternatively, because we
11 talk a lot about having and we'll get to this in the program. And maybe the answer to this
12 question gets answered as we go through the programs. I just lost my train of thought there,
13 but on the, on the inclusionary requirements, But I lost it. Just...

14

15 Mr. Wong: Maybe I can jump in.

16

17 Chair Lauing: I think you were going to say you need to do the feasibility analysis to see the
18 back end to what numbers are available in terms of inclusion percent...

19

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1 Director Lait: Oh... thank you.. I get what I was going to... I was going to say before I had my
2 moment there... It was that we we know that our inclusionary standard now is that the 100 and
3 120 percent area median income and we also know that we have an interest in, and maybe
4 seeing more housing at the lower income levels 80% or for example. And so, it may be one of
5 the things that we're studying in that program or would like to study in that program, is how do
6 we get that 80% income level? It may mean we're not requiring 15%, because the deeper the
7 affordability, then you gotta ease up on the inclusionary requirement but that's a policy
8 consideration I think the City will need to evaluate and we're not going to have that answer at
9 the time of Housing Element adoption. So, we want to study that and then come back to it. But
10 that's an example where I think we don't know, and we'll study it, but we do know that we
11 want to try to have more inclusionary standards as long as that the inclusionary standard isn't
12 so great that it discourages housing to, right?

13

14 Mr. Wong: Chair Lauing if I may?

15

16 Chair Lauing: Sure go ahead.

17

18 Mr. Wong: Yeah. To to add upon John's point and also Commissioner Reckdahl, is we can craft
19 language to study to explore options and you know, John use the BMR example. But even when

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1 it comes to development standards, we can continue with the feasibility study, yet explore and
2 develop options to bring back to PTC and Council for consideration. So, Commissioner
3 Reckdahl's perfectly correct. There does bear A study with a lot of these things. And so, we'll
4 just come back for those policy options in the future and we can craft the programs that way.

5

6 Chair Lauing: Is that all okay,

7

8 Mr. Wong: That's it. Sorry.

9

10 Chair Lauing: Yeah. Okay. I don't see any more lights from Commissioners at this point. So, I
11 think we should jump in and I'd like to suggest and see what the ad-hoc thinks is that since
12 you've already been through these first ones, if one of you... excuse me, if one of you could lead
13 on each one to give us the context of where you ended up or or you made no changes or
14 whatever just so that we don't have to ask the same questions all over again. We can try that.
15 See if it works. That okay with everybody. Commissioner Chang.

16

17 Commissioner Chang: Just a quick question. So, are we going to discuss goals and policies at all?
18 Are we skipping straight into the program's?

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Chair Lauing: I think, unless it's super pertinent to the program, we don't really need to, particularly given what Director Lait said that they're meant to be kind of umbrella programs. I'm not going to rule it out. If there's something that's important there, certainly.

Director Lait: Chair. If I can offer, also the, you know, What we would like to know from the Commissioners is if you see... So, they're very broad statements and they get increasingly more specific as you go down that that, you know, hierarchy if you feel like we've missed something that we need to articulate as a goal, we would like to know what that is. If you if you think that we got something wrong in terms of this isn't really a value to us or this policy is not correct. We would like that to be flagged. I think the goals are, you know, they've been nobody has spent, you know, a considerable amount of time on them and I think that's in part and parcel to the nature of the goals and policies themselves, there are these broad statements that generally resonate with you. And then these policy statements that reaffirm sort of the goal interest and also should resonate with most people. So we wouldn't expect a lot of tension or issues with the goals and policies, but if it does trigger your, you know, if you focus in on something let's pay attention to that and that's feedback that we can get from the Commission, either initially or you can send us an email. Happy to address that that way too.

Chair Lauing: Commissioner Chang.

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2 Commissioner Chang: You can tell me if we're going too far into the weeds here, but I did read
3 Commissioner Hechtman's comments on the or his public comment on the goals and policies
4 and for the most part, you know, for this small typos and edits, I was in complete agreement.
5 But there was... there were two things that struck me a little bit and I think that...

6

7 Chair Lauing: Go ahead.

8

9 Commissioner Chang: While I understand Commissioner Hechtman's intent that we don't want
10 to box ourselves in. I wonder if we have some unintended consequences with some of the
11 changes that he was proposing. So, for goal one where he's talking about adding the language
12 or replace "in-kind" rather than just preserve and improve. I guess my concern is, does
13 replacing "in-kind" also cause displacement potentially and, it may and so, I just wonder if we
14 want to get to that level of specificity about replacing "in-kind" in our programs instead of in
15 this very broad goal. So that was one thought I had. And then the other one that I reacted to,
16 because I think it was probably intentional on the part of the working group is on packet page,
17 22 under goal, 3.1. The language and policy 3.1 talks about encouraging compact infill
18 development, and he suggested removing that and maybe staff could talk a little bit about was
19 that intentional. Is that trying to capture something? Because compact infill is potentially

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1 different. If so, I just wanted to flag those two, otherwise in general. I mean, I understand your
2 sentiment Commissioner Hechtman, but I just wanted to make sure that we're thoughtful
3 about how we phrase the goals.

4

5 Mr. Yang: I'm just... to respond, maybe. Yeah, compact, to address Commissioner Chang's
6 question. Yeah, maybe compact may not be the best word. Maybe, maybe efficient might be
7 another one Compact. Yeah. Does specify or imply smaller and, and so maybe that's not
8 typically the or the best word but maybe efficient, infill development.

9

10 Chair Lauing: Mr. Hechtman. Go ahead.

11

12 Commissioner Hechtman: Yeah, thank you. So I thought, I provided these comments without
13 any elaboration and I appreciate Commissioner Chang first reading them and then asking
14 questions about them. So let me just start with the word compact since Mr. Wong was just
15 talking about that. So my concern there, again, I'm thinking about flexibility in the future. And
16 what I worry about is if somebody proposes a mixed use containing housing and they want it to
17 be five stories... 50 ft., and we have this word compact in here. Well, that's not very compact,
18 right? Thirty feet is compact, or twenty feet is compact, but fifty feet is not. So, I think that this
19 would be used to... the unintended consequence of keeping the word is to compress

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1 development. I think a word like efficient is perhaps more appropriate here. So, and again we're
2 not making decisions tonight just dialoguing feedback for staff in terms of goal number one.
3 And actually, that or "replace in-kind" language, I use that twice... twice in goal number one and
4 then again down in policy 1.4 under the goal and the concern I have that I'm trying to get out
5 there is we are a built out city and that we don't have vacant land. So virtually any time you
6 want to build new housing, you're going to tear something down. And what we want to happen
7 is if you're going to tear down four units, we want you to put up 16 or 116, some larger
8 number. And I think that's the intent underlying State Law and that's the goal of the HCD. And
9 that is what I think they are expecting to see reflected in our Housing Element. And so I didn't
10 just say replace because then you could replace affordable housing with non affordable
11 housing. So that's why I like the language in kind. I think there are better ways, maybe to say
12 that and I'm open to that and staff can think about that, but I just wanted to give everybody
13 kind of the context, that's why I don't think it should be a goal for us to keep all of our housing
14 units in their existing condition because if we do that we don't come anywhere near our RHNA
15 numbers. We are stopped at the starting line.

16

17 Chair Lauing: Vice-Chair Summa.

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1 Vice-Chair Summa: Thank you. And I too read your memo to the public so I will comment that I
2 think where is it the compact where compact is I just don't think you need any word there. I
3 personally don't like extra words in law that have to be interpreted. So, in you know, encourage
4 infill. As to the in-kind, I didn't really know what you were going there for. I was afraid it would
5 see. This is the thing I was afraid that might mean replace with something exactly the same. So I
6 actually read it totally differently than you meant it, so I'll just point that out and then as to
7 your suggestions and the punctuation stuff is fine as to your suggestions for policy 1.4 maybe
8 you can explain what you were looking for there because I wasn't really understanding.

9

10 Commissioner Hechtman: Sure, if I may Mr. Chair respond to that?

11

12 Chair Lauing: Of course.

13

14 Commissioner Hechtman: So the language that was there seemed to me to be disjointed
15 because first it talked about lower income units and then, it talked about existing units. But my
16 impression is they were talking about those because they're talking about retention of lower
17 income units and replacement of... then I think they're also talking about lower income units
18 there. And so, I was trying to clarify that whether you're talking about retention or
19 replacement, this is our policy regarding lower income units, rather than this is about two

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1 different things. If you're going to keep a lower-income unit or replace an existing unit which
2 may or may not be lower income. So, I thought it was confusing the way it was written and I
3 was trying to clarify it the way I thought it was intended to communicate.

4

5 Vice-Chair Summa: Thanks. And I also think the in-kind here is where I get stuck.

6

7 Commissioner Hechtman: And then maybe staff... can, you're right, that it does have a
8 meaning. But it could be easily misinterpreted. And I think if people are interested in
9 clarification, I think staff can at least consider whether there are other ways to clarify these
10 points using language that is you know, not that vague.

11

12 Vice-Chair Summa: Yeah and I because I actually looked it up meanings and it almost most
13 frequently refers to a financial arrangement it seems. And I was sure that was not what you
14 intended. Also so.

15

16 Chair Lauing: Director Lait did you have a comment here?

17

18 Director Lait: Yeah, I think, I think the ad-hoc actually talked about this policy in particular and
19 and this this is one that I think... the Housing Element working group also, got stuck on to. So
20 there's reason for us to maybe pause and take a look about what we're trying to accomplish

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1 here. The the as I read it and have come to understand it, there's an interest in recognizing that
2 we have, and I know we're using a term lower-income-units here and that's, you know,
3 somewhat of a defined term. But I sort of interpreted this more as, you know, possibly, even
4 affordable by design or by age that it's a housing stock. That is more accessible because of, you
5 know, how it was built and and so forth. And the second part of this policy recognizes that
6 there might be some lots that don't have that many units on the parcel, that we might want to
7 see redeveloped, because you can get a greater yield on the number of units that could be
8 established on the site. So, if it's got 2 units, but can accommodate eight? That might be a site
9 we want to see redeveloped, even though it might be, you know, an older sort of housing stock.
10 So, we can, we can spend a little bit more time with this, the fact that it's been, you know,
11 tripped a few people up more than once suggests that it requires some more attention.

12

13 Mr. Wong: Yes, I think that's right Chair Lauing.

14

15 Chair Lauing: Yeah.

16

17 Mr. Wong: The policy was initially just to talk about preservation of existing housing especially
18 lower income, but I can understand all the different comments. So, thank you for the all the
19 comments and direction in regard to this policy and whilst we can certainly reword it to clarify
20 the intent. So, about preservation. You so we can certainly do that.

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Chair Lauing: Does that cover all of your comments on your document?

Commissioner Hechtman: Well, other than those that other Commissioners wanted to talk about? Yeah.

Chair Lauing: Okay. Yeah, Vice-Chair.

Vice-Chair Summa: Yeah. And as a matter of fact, there is a lot of kind of crossover in these first three goals. They state a lot of the same things and it's all good because you're really trying to cover lower-income housing, but I think the end of the program suffers from redundancy as well. So that might be an idea.

Chair Lauing: Okay, so are we comfortable starting with programs now on page 25? And an ad-hoc person could start this off on that one. Okay. Commissioner Chang.

Commissioner Chang: Sure. Not much to say about this one. We didn't think it was particularly controversial and kind of left it as it was.

Chair Lauing: That's a very concise report.

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Commissioner Chang: So, I mean in summary though, there are ones that Director Lait had flagged for us that are going to be more controversial and others that were not. And so, for the ones that were not we just kind of scan them said, yep, doesn't seem controversial. So, this is one of those.

Chair Lauing: Okay. Did any other Commissioners have comments on that one? I'm sorry, I'm looking at screens and I'm looking at lights and I'm looking at people. I'm sorry. Yes, go ahead.

Commissioner Reckdahl: Yeah, program 1.1. I mean, the first thing is these are big numbers, right? But also their big across the board that we have, not only the 2600 of market rate, but we have 3400 of below market, and that sometimes can be in conflict, right? If we put in like, after they talked about if we increase the inclusive inclusionary requirements 20% that may boost below market but may actually hinder our market rate. So, there's kind of this tug-of-war is that, what do we concentrate on? Do we say that, well market will take care of itself and we concentrate on the low end or do we say we have to concentrate on both or what, the Director Lait brought up a question that I did not know about that the State has specific penalties if you do not need market rate and not a specific penalties, if you do not meet below-market, you want to talk about that Director Lait please.

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1 Director Lait: Well actually, so you're referring to State Bill 35 and there's actually penalties for
2 missing your affordable targets and we are subject to that today.

3

4 Commissioner Reckdah!: Okay.

5

6 Director Lait: And there are also grab the how the penalties differ, or if they deserve here. so
7 so, so if you're not meeting your your RHNA targets for market or affordable, SB 35 kicks in. I
8 think there's like half dozen jurisdictions in California that are not exempt that are exempt from
9 SB35 because they're meeting both their targets maybe a little bit more. So, if you fail to meet
10 your low-income targets, the... a housing developer that provides 50% of the units as low
11 income or meeting your, you know, below market requirements set forth in the law can be
12 approved, ministerially. And there's a whole host of other requirements that need to be met
13 living wage, you know, salaries for the construction workers, etc, etc, etc. So you're not typically
14 going to see that kind of a development take place. If you do that, if you do, you're going to see
15 in the form of a non-profit, probably building, 100% affordable housing. So the fact that we and
16 other jurisdictions have not met the, the lower income units has not resulted in a significant
17 increase in development activity and based on SB35. Where we fail to meet our market rate
18 targets, which is brought up many times that we have not missed, you know, in the past, we do,
19 we are in jeopardy of missing it in the future because the number is so, so great. And if we do
20 fail, and I think the State checks in on this every four years or so. So four years into the housing

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1 cycle, if we're not on pace to meet our market rate production... now projects that are that
2 provide 10% of the inclusionary requirement, or I think because we have a local standard that
3 says 15%, they would have to provide 15%, if you meet that standard... It's processed
4 ministerially, based on objective words and so on and so forth.

5

6 Commissioner Reckdahl: Do they have to be zoning compliant?

7

8 Director Lait: They, you know, for example well it would yes, it would have to meet the
9 objective standards but they presumably would also be eligible for State density bonus and
10 state density bonus grants you opportunities to go beyond your base development standards if
11 needed.

12

13 Commissioner Reckdahl: So, for example, if you had a residential Lot only could build residential
14 on that, you would not be able to put mixed used on...

15

16 Director Lait: Yeah. Yeah. You're not. That's correct.

17

18 Commissioner Reckdahl: Okay. So, that... whenever you lose control that's troubling but it
19 sounds like it's not quite as dire as I thought it was. And that... as long as you have written good

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1 objective standards its just shortening the timeline.. you may not be able to get ... the ARB
2 would not review this, you would be able to go straight through.

3

4 Director Lait: So this is an area that's is embedded in our programs and it's a question that
5 community is really going to have to answer, and when I say the community, through the
6 commissions and as represented by the City Council. We enjoy design review in town because it
7 gives us the chance to influence the project in terms of how it looks and fits in with the
8 neighborhood, it also provides for an appeal process to City Council and the fact that it's
9 discretionary and the fact that it could be this protracted review process subject to appeal,
10 makes it... discourages developers because of time and uncertainty and all that kind of stuff. So,
11 to the extent that we do have objective standards, we, you know, maybe we can get to a place
12 where the community is comfortable with having some level of certainty knowing... you know,
13 it's going to be this high, it's going to be this much FAR, I know what's... what can happen. As
14 opposed to, and that's what the HIP speaks to and if we get to that this evening, maybe we
15 don't quickly brush over it but maybe speak conceptionally about what its trying to accomplish,
16 as opposed to a project that is looking at your base zoning and asking for a bunch of waivers
17 and concessions for which the City might not have as much control over, likely doesn't in terms
18 of height or floor area or setbacks or whatever it takes to build the units that are allowed for in
19 the base zoning. So, I think again, we're on program 1.1 and I think as we get further down we
20 can get into some of the details of how staff is suggesting some paths of how we can provide

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1 some clear expectation for the community but also providing a clear and objective path for
2 homebuilders to understand what it takes to build in Palo Alto. And, hopefully they align neatly
3 in the middle where it works for everybody. That's the goal.

4

5 Commissioner Reckdahl: Thank you.

6

7 Chair Lauing: Okay. Is there any other comments on 1., sorry I already turned the page... two,
8 sorry, 1.1. Right? Exactly. No, okay then 1.2, would an ad-hoc member like to comment on that?

9

10 Commissioner Reckdahl: This one... not much to talk about.

11

12 Chair Lauing: You want to take that one Commissioner Reckdahl?

13

14 Commissioner Reckdahl: Oh, you talking about 1.2?

15

16 Chair Lauing: Yeah.

17

18 Commissioner Reckdahl: Yeah just... well, the no net loss. One-six-six... does that ... that
19 expires? The sunsets? The no net loss?

20

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1 Director Lait: So, this... there's two no net loss concepts. This one is dealing with the City
2 planning for more RHNA than was assigned to us. This is the 10% increase beyond the regional
3 housing needs. So that if a housing opportunity site gets developed with something other than
4 housing or with few housing units, over time, over the planning horizon of the eight years, we
5 would make sure that we have this surplus planned for so that we don't fall below what is
6 expected for us in RHNA. So, what the objectives do in this particular program is lay out all of
7 those sort of mechanisms that we will have today and will continue to implement going
8 forward to make sure we don't fall below our planned number. The other one is down...

9

10 Commissioner Reckdahl: The no net loss per parcel as opposed to over all in the housing
11 inventory.

12

13 Director Lait: I'm not sure I understand.

14

15 Commissioner Reckdahl: So, there's two types of no net loss.

16

17 Chair Lauing: Yeah, we'll get to that other one.

18

19 Director Lait: : The other one is forthcoming.

20

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1 Commissioner Reckdahl: But this is just for (interrupted)

2

3 Director Lait: This is just for our planning purposes and making sure that we have a surplus
4 going into adoption.

5

6 Commissioner Reckdahl: Right.

7

8 Chair Lauing: Commissioner Templeton.

9

10 Commissioner Templeton: Thank you Chair. I... I just wanted to propose a slight modification
11 into how we're going through these. I mean, it might be better for staff to present these than
12 the ad-hoc, then if you have questions, we can chime in. I think that staff has already
13 incorporated our feedback, so I'm not sure... I'm just suggesting it might flow a little bit better
14 and might be an easier process. I'm just throwing that out there.

15

16 Chair Lauing: Well, we've only got about four more to do so.

17

18 Commissioner Reckdahl: Okay.

19

20 Chair Lauing: Did you have any other comments?

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Commissioner Reckdahl: I don't have any comments on 1.2.

Chair Lauing: Okay. Any other comments on 1.2? Okay. 1.3. Sites used in previous housing cycle. Commissioner Chang.

Commissioner Chang: Alright this is another one that's not [inaudible] because this is basically just stating what the Housing Element and what the State... what's dictated by State Law. So, it's just modifying the code to allow to be consistent with State Law. That's the simplest way to say it. I think we've all read this one, so if you want me to go deeper I can, but...

Chair Lauing: That's fine. Any other comments on that from anyone?

Commissioner Reckdahl: We did have one question about it was different between the draft that we saw last week and this. Was is just the text was... was it cleaned up or did you find some difference... some discrepancy from.

Director Lait: On program 1.3?

Commissioner Reckdahl: Yeah 1.3.

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Director Lait: I'm not recalling a change on this one.

Commissioner Reckdah!: Was it... which one was that?

Chair Lauing: Commissioner Chang is saying there was no change.

Commissioner Reckdah!: Okay.

Mr. Wong: And if I can just jump in, just a little bit of information, the blank... there are 16 carryover sites so this By Right provision will apply to 16 sites on our housing inventory, just to let you know.

Chair Lauing: Okay. Commissioner Hechtman.

Commissioner Hechtman: Mr. Wong just answered my question before I could answer it... he answered it before I could ask it.

Chair Lauing: He's good isn't he?

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1 Commissioner Hechtman: Yeah. Thank you, Mr. Wong.

2

3 Chair Lauing: Okay. No other comments then 1.4. Someone what to take that? Doesn't matter
4 to me if it's staff or ad-hoc, I was just trying to... this is the ad-hoc's work, I was just going in
5 that direction but... I actually had a question on this one. Which is it seems like right away it's
6 focused on transitional housing but then it also talks about lower income housing, but then it
7 comes back to transitional housing, so is this the place where we're trying to fit in transitional
8 housing to make sure that it's covered?

9

10 Director Lait: Thank you for that question. We'd... Tim and I had actually talked about this one,
11 and I'm wondering if this is... if this got blended with another sort of discreet program or
12 implementing objective relating to transitional housing, so we'll take another look at that,
13 unless Tim you're researched that and already know. But, okay so barring that, what we... I
14 think the reason this is noted as revised from again, when we have these notations on here it's
15 not so much from the ad-hoc group but from the original Housing Element Working Group
16 recommendations. A lot of this stuff gets revised because we have more specificity, this one
17 was updated to reflect the Council's previously stated intent to redevelop surface parking lots
18 or at least explore the possibility of redeveloping them, with affordable but also with the
19 possibility of market rate, so it's that inclusion of market rate housing on the surface lots.

20

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1 Chair Lauing: I thought it was all market rate ... I don't think that HEWG talked about
2 transitional on parking lots at all.

3

4 Director Lait: Yeah. That's [Crosstalk]

5

6 Chair Lauing: I don't think Council did either.

7

8 Director Lait: Right, I responded to transitional and then I made a switch to something else. I
9 agree with you. I think the transitional housing is something that got blended with this one and
10 we'll talk a look at that offline, Tim and I, to see if that gets pulled out and becomes another
11 implementing objective. So, put that aside for a moment this program on surface lots, the
12 Working Group favored, as we heard in public testimony this evening, to use the surface
13 parking lots for affordable housing, and that was a strong sentiment on the Working Group. If
14 you're going to use public land, it should not be used for private purposes of profit, but for
15 affordable housing. The Council has weighed in on this already and have given direction to staff
16 to prepare an RFP for a public/private partnership that may including market rate housing, so
17 this program has simply been updated to reflect the Council's already previously stated
18 perspective on this issue.

19

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1 Chair Lauing: Okay. And it's also interesting as we learned in the Housing Element Working
2 Group, that HCD wants us to make those lower income numbers but they don't care where we
3 put it in the Site selection, so whether this was 100% housing or 0% housing on parking lots,
4 they don't care. To them it's just units right, that go into inventory. We care eventually because
5 we have to both house the people but also make the quotas. So what I'm saying is, using this as
6 an example, no matter what we would like to have affordable, they don't care about that in
7 terms of counting the units within the possible feasible inventory on that item alone. We do,
8 but they don't, that's what I'm saying. Okay, others Commissioner Hechtman.

9

10 Commissioner Hechtman: Thank you. When you look in 1.4 at objective A, it contains two
11 sentences which to my reading seem to be entirely discreet exercises, so I'd ask staff to take a
12 look at that, and if that's right, consider making that A and B and then changing current B to C.

13

14 Mr. Wong: Okay. We'll take a look and consider it, but...

15

16 Chair Lauing: Commissioner Chang.

17

18 Commissioner Chang: Yeah, I think that's a really good comment by Commissioner Hechtman
19 because I think some of the identification might be done in a more concrete timeframe, for
20 example, than the second sentence about preparing an RFP and so I think to lend specificity to

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1 the program, breaking it up into the different pieces and then attaching timeframes where
2 possible will make it seem more credible.

3

4 Commissioner Hechtman: Thank you.

5

6 Chair Lauing: Okay, any other comments on this one? Vice-Chair Summa.

7

8 Vice-Chair Summa: I would say that I agree with what I think is a majority opinion of the
9 Housing Element Working Group that this... it's more appropriate to use public land for low and
10 very low-income housing projects and I think you'll run into less opposition than if you sort of
11 give it... I know you're not going to give the land, but if you sort of give that for market rate
12 housing I think there could be a lot of opposition. And of course, how the parking needs are
13 assessed for the future and how they're managed and maintained here is important, but we
14 don't know anything about that right now.

15

16 Director Lait: Yeah, and I'll add a footnote to that. The reason you might want to include
17 private enterprise in that development is so that you can actually build more structured parking
18 to support downtown too. So, it's not... the idea that the City's getting something out of it as
19 well, even if we do allow market rate there. Anyway, plenty more on that to come as we go
20 forward. But it's not intended to just be a giveaway.

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2 Chair Lauing: Commissioner Reckdahl.

3

4 Commissioner Reckdahl: Yeah, we did struggle with this because it is public land and so you
5 really want to use it for public good, and market rate housing is slightly good, but not as good
6 as affordable housing. And so the optics of having market rate housing on public land is
7 troublesome. But on the other hand, if it's 100% affordable, then that seems kind of
8 segregational and that... you really want these affordable people to be part of your community
9 and be mixed with your community and having a mix, even if it's 75/25, I think is preferable
10 than a hundred percent just because it has a different feel to it. And if you do now it would cost
11 less because all these affordable units have to be subsidized, they don't come for free and so if
12 you had 25% market rate, your subsidy would be less for that. Which means that instead of
13 building three parking lots you maybe could build four and the end result is that you might have
14 the same amount for the same subsidy, same government subsidy, you'd have the same
15 number of subsidized units, but it would be spread over four areas and mixed in with some
16 market rate, which might be a healthier situation.

17

18 Chair Lauing: Commissioner Templeton.

19

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1 Commissioner Templeton: Thank you. Yeah, not sure if this is tangential but Vice-Chair
2 Summa's comment made me think about how the lots are owned and the ownership is... the
3 ownership, we don't specify that it might transfer if we develop it, do we?

4

5 Chair Lauing: The working plan is that it would be retained by the City and there'd be some sort
6 of lease back.

7

8 Commissioner Templeton: Yeah. So, I mean we can... Stanford does that right? They own it and
9 you can develop it, but they still own the land. I don't know. It just saying that some of the
10 assumptions and the way the discussion has been going assume that we can't do something
11 different with that property in the future if we want to, but we could if we retain the right, so
12 just throwing that out there. Thanks.

13

14 Chair Lauing: Any other comments on this one? If not then we'll go to 1.5 which is Faith-based
15 institutions and from some where it says recommend deleting...

16

17 Director Lait: Chair, I'll take that one. This is a recommendation that came from the from the
18 Housing Element Working Group. It's an interesting idea. I'll note that the State Law... There is a

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1 State Law that allows for housing development to take place on church parking lots. And
2 without the need to replace the parking lots that are there, the spaces. And, the suggestion was
3 well, let's come up with a local alternative to that, that guarantees or insures that the displaced
4 parking spaces remain I guess.. or, get built back into the development and that's... and that's
5 fine, we can do that. But we would.. we... to incentivize somebody to go through a local
6 alternative to what the state already authorizes means that we're going to have to give a lot
7 more incentives than are already provided for by the State and given that many of our faith-
8 based institutions are located in residential neighborhoods. It just doesn't seem like a practical
9 program that we should be advancing. So, staff recommends that this will not be forwarded on
10 to City Council and I think the ad-hoc supported that.

11

12 Chair Lauing: Alright. And the units in this item we're really small, do you have that one off... off
13 hand? How many units had been proposed for faith-based institutions.

14

15 Mr. Wong: I believe approximately a hundred forty-eight units. I want to say.

16

17 Director Lait: But those are not impacted. Those are, those are not impacted that. We still have
18 those as opportunities sites (crosstalk).

19

20 Chair Lauing: You mean per the existing State Law?

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Director Lait: This this program is suggesting... has nothing to do with our identification of faith-based Institutions as opportunity sites. It's saying, let's come up with different development standards to ensure that the parking spaces if the site ever gets redeveloped, get retained on premise. So, it's not about our opportunity sites, it's about coming up with a system to allow different zoning to keep faith based parking spaces that are can already be eliminated by State Law for a Housing Development

Chair Lauing: Okay. Commissioner Templeton.

Commissioner Templeton: Thanks, there's been a couple remarks tonight about how we voted, we didn't vote. So, I just wanted to clear the record there. We had a really productive collaborative discussion. It was amazing. So there was no voting insides taken. It was just a really good discussion.

Director Lait: I think... I think I said supported and I think that's a fair representation but...

Commissioner Templeton: I was not referring to your comment. Thank you.

Director Lait: Okay. Sorry.

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Chair Lauing: Let's see, Commissioner Hechtman.

Commissioner Hechtman: So I appreciate... one of the questions I had coming in is why is it being recommended for deletion? And now I understand. I think we could go two ways with this. I think the simple way is to just delete it. Because as, as Director Lait described, there's a State Law that allows kind of development on faith-based institution with residential without replacement parking and so there's an avenue in that direction. And so if we delete it, that's the avenue available. If we keep it, then I think we have to expand it before HCD sees it, because what I didn't get when I read this language and I think this is the flaw is... what this language does is okay as an alternative for them doing that, we're going to develop the multifamily but keep the parking. So that's... that's less good. Right? The way this is written, it's less good than what State Law allows, when you contrast that to 1.6, which we're about to talk to about. And some of the other programs further on where we say, as an alternative to State Density Bonus Law, and then we have some carrots that are actually described in the program, right, that make that pot sweet enough that maybe a developer would want to bypass... would choose that instead of using State Density Bonus Law. So, I think if we're going to keep this, we have to build the carrot into it so that it's clear that that's what we're talking about is... Yeah, you can go build per State Law housing with no replacement parking, or if you want to keep the replacement parking then this is what will give you that you couldn't get under State Law. So, I

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1 don't know that... that's... we have a lot of work to do and I don't know that that... that's in a
2 this very small Market... is it really an efficient use of time. If we find ourselves with a couple of
3 three months at the end of this process, then maybe. But for now, I think taking it out makes
4 the most sense.

5

6 Chair Lauing: Okay, any other comments on that one? Seeing none. We can go to the big one.
7 So for the 1.6, were there was a consolidation and a lot of items there. So, who would like to
8 summarize that one? Commissioner Chang's volunteering.

9

10 Commissioner Chang: Yeah. So I will volunteer to summarize this one. This is where the ad-hoc
11 spent the bulk of its time and we're gonna have to go through them, kind of one by one. And
12 when we did this, we didn't the comments from the public commenter from Stanford but in
13 philosophy and the rest of the ad-hoc should correct me in a moment if I'm not capturing it
14 accurately, we thought that these particular sites with the exception of 27 University which we
15 did not discuss at length at all, we didn't really cover that item but these various sites and El
16 Camino were a good place for housing and potentially for more housing, meaning higher
17 heights than many other places in Palo Alto particularly because it's not adjacent on the back
18 side of the property to lower residences, that would be affected the loss of light and air.
19 These... we were told that these properties abut office and so it's a particularly good location
20 and also on on El Camino, so, like a larger thoroughfare. So that was why we talked about it

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1 being a good place to potentially increase the height limit to 75 feet. However, we were also
2 worried about affecting kind of like how it feels in Palo Alto. We don't want high-rises
3 everywhere. And so, we talked about how setting back a development from the road, makes it
4 feel less like a high rise as well as kind of slowly stepping up the elevations as they get further
5 away from El Camino, as being another way to lessen, the kind of massing. What we, what
6 differs is, some of the numbers of units are different, as well as some lin... So these are some of
7 my questions for staff in a moment, and we had originally seen some 20% inclusionary housing
8 in each of the El Camino, or at least two of the El Camino Parcels. So, there are some stuff here
9 that we did not discuss and then the other regarding the Pasteur and Welch parcel our
10 consensus there is that while it was higher, this is a... this is a parcel that kind of set... it's
11 outside of the center of Palo Alto and it's sort of a self-contained Stanford managing Stanford
12 issue. So, we didn't... we felt okay with that one. So that would be my summary. And would
13 anybody else like to add?

14

15 Chair Lauing: Commissioner Templeton.

16

17 Commissioner Templeton: Yes, thank you. I thought we did discuss 27 University. I don't think
18 we came to conclusions, but I am pretty sure we discussed it and how as a lot on a major road,

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1 proximate to a transit station, it was one that we should be revisiting because I thought we
2 discussed that.

3

4 Commissioner Chang: that's fair enough. Yes are we didn't come to any conclusions? That's fair
5 that's fair enough.

6

7 Commissioner Templeton: Yeah, I just want to be clear because that's slightly different but
8 yeah, just to clarify, we are discussing it. We didn't come to any conclusions. It is a controversial
9 subject because we've already voted on this before and people have some opinions. But I think
10 in this context of the Housing Element, it might be kind of low hanging fruit to revisit. So, I just
11 want to throw that out there. If anybody has creative thoughts about how we can come
12 together on that. Thanks.

13

14 Chair Lauing: The Pasteur Drive, if I can comment, from the Housing Element Working Group,
15 that one we agreed in the Housing Element Working Group it's kind of isolated on Stanford's
16 Campus and fine... no harm, no foul. So, that's consistent. Commissioner Chang you said
17 something about there are some different numbers, I wasn't quite sure what you meant, were
18 there some different numbers than what was in the site selection?

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1 Commissioner Chang: So, our discussion centered primarily on ... oh how high do you think
2 would be reasonable to go on say 3000 El Camino and 3128 and 3300 El Camino. What we
3 didn't discuss so much was the 30 units per acre versus 40 units per acre in Item B and in fact
4 the original had said 40 units per acre so I'm surprised to see it go down to 30 units per acre,
5 maybe staff needs to tell us what happened since the time the ad-hoc discussed. So, in
6 addition, now we have an attachment of the number of units and as we were discussing this in
7 the ad-hoc we weren't sure about the exact number of units that we would gain Director Lait
8 provided us estimates of the number of units that we would gain and our feedback had been...
9 it would be very helpful to the Commission and the public to kind of specify by going this
10 additional height you gain this many units, and so that is... some of that information is provided
11 here but we did not know for sure what the units would be in changing the height so that's new
12 information for us. And then finally, one of the biggest differences is that in C) 3128 El Camino,
13 as well as B) 3000 El Camino, the original had mentioned a 20% Inclusionary Housing
14 component and that language has been taken out, and so again that's a question for staff as to
15 why that language was taken out, because at least in our discussion, it was sort of with the
16 understanding that this 20% Inclusionary component would be there, so there for it might
17 make sense to raise the height limit and to allow additional units both market rate and
18 inclusionary because by increasing the height limit we would have more units overall.

19

20 Chair Lauing: Staff want to comment on that? The changes since the ad-hoc looked at it?

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Director Lait: Yeah, Thank you, we did make some changes, I'm trying to remember... so, so on B), it sounds like we're moving past A, there seems to be support conceptionally for that, so on B) which is 3000 El Camino Real, this is Palo Alto Square, this is not a housing opportunity site, is that right Tim?

Mr. Wong: Correct, it is not a opportunity site.

Director Lait: It may become one at some point but for this moment in time, we are identifying it as a property that, through our conversations with the long term lease holder at the site... have a housing concept that is reflected in this language here. I'm trying to remember why we went from 40 to 30 but that was a change and I think that change might have been a mathematical correction to align with the 450 units which was roughly anticipated at that site. I can spend a little bit more time thinking about that. And with respect to B) and C) and the 20%, with... well, let me start with B, you know, I don't know... there's been some conversation about that, but you know, 20% is a big change from 15%, I mean I know it's a 5% difference but it has a significant impact... it requires significant consideration... maybe, when we're thinking about the cost of development. And so, it doesn't preclude that from being something that we implement as we change the zoning, as we think about what the inclusionary standard may be, I do think there's conversation that we need to have with the long-term lease holder, if we're

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1 going to do 20%, but even at 15% we're still yielding a fair number of units. For the... for C), the
2 McDonald's site, we did have 20% on that one originally because it was modeled in part after a
3 planned home zoning application that was filed next door at the fish market and that
4 application came in at about 50 or 55 feet, a hundred and I'll say roughly thirty units, and that
5 one would have necessarily needed to meet the 20% inclusionary requirement to qualify for a
6 PHC and so in the first draft presented to the ad-hoc, we thought yeah, let's include that 20%,
7 but I think also with the ad-hoc we shared, or I shared, you know, some hesitation and I think
8 we talked a little bit about whether we include it or not include it, you can see here in the draft
9 before the Planning Commission I wasn't as confident about putting the 20% in at this moment.
10 That's not the case for letter D) where we do have the 20% and that's because D) does reflect
11 the planned home zoning application, that was filed with the City and reviewed. And, it... what's
12 written here is consistent with what was presented to the City, and I still think, after having
13 conversations with that lease holder, that that project is still one that still has some potential
14 but they are pursuing their office project at this time. The two projects are not exclusive of each
15 other. So, that takes us through D anyway, I do want to acknowledge there was a change from
16 what the working group had seen... what the ad-hoc had seen and I think that reflects mostly
17 our attempt to balance the issues that we're all trying to balance.

18

19 Chair Lauing: Vice-Chair Summa.

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1 Vice-Chair Summa: Thank you. So, my thoughts about this section is I find it really hard to
2 understand why ... each one is expressed differently, each one of these, A-G, is expressed
3 somewhat differently, there's not a standard description of lot size, it's very hard to evaluate
4 lot size, number of units, FAR's and heights, without having all those things. And I think it's a
5 little bit odd to do in the Housing Element, but maybe it's not, I'm not as familiar with the
6 Housing Element as other parts of the Comp Plan but for instance in our discussion about 27
7 University before, at 4.5 acres there's no reason to go to 85 feet, there would be.. unless your
8 making huge, huge units, or you wanted to put in parking also. The examples I gave then is that
9 we have two sites, Wilton Court and the VTA lot that are almost the same in that they are both
10 half acre and they are both approximately 50, one may be 52. But approximately 50 units, so
11 that makes that RM 100, so if you have 4.5 acres, I don't understand the height. It doesn't make
12 any sense to me that we need it, so, in the absence of having all these parcels, the information,
13 all the information given completely and all the same information, it's very hard to understand
14 how it's not perhaps a little arbitrary. So, and I don't know how big, off the top of my head, Palo
15 Alto Square is, but it's... I don't know how many acres, but it's hard... (interrupted)

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17 Director Lait: Fifteen

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19 Vice-Chair Summa: Fifteen?

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1 Director Lait: Fifteen acres.

2

3 Vice-Chair Summa: Okay, so I'd have to do the math, I can't do the math in my head, but it's
4 hard for me to relate the height and densities and FAR when ... and units, when sometimes in
5 this section you use units and height and sometimes you use FAR, and sometimes you use other
6 development standard descriptors so I think this section needs to be rewritten to be more
7 clear.

8

9 Director Lait: So I think many of those things are there, I appreciate that they... they are built
10 out differently and that is intentional to reflect what it known about those sites and the
11 development potential that we understand to be possible at that site based on what Stanford
12 has represented, to the Housing Element Working Group based on conversations that staff has
13 had with long term lease holders of these properties, I'm putting 27 University aside, again I
14 know I never wanted to include that one in the first place, but I was overruled and that's fine,
15 but the... but again, I think there's broad agreement on A .. on Pasteur, because the impacts are
16 internalized to Stanford, on B... Palo Alto Square is an enormous site with large buildings and a
17 lot of parking lots, there's a lot of trees on that site too that we need to be mindful about but
18 there's a lot of parking space and... and again, conversations with the long-term lease holder
19 are consistent and in line with what's being represented here. I understand that we don't have
20 all of the details, but we don't need all the details in the Housing Element because there's a

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1 whole zoning ordinance that needs to be updated and this site actually has a planned
2 community overlay, right? So you're actually amending the PC for that project to add the
3 additional entitlements that would be conveyed through the Housing Element here. So there's
4 understandably more work that needs to be done, but we have the concept of the number of
5 units and I hear what you're saying about But we just don't know yet the overall mass that
6 that may translate to because there's another layer that we need to go. But I think it's
7 important to have that number for... in the Housing Element because I think that this will
8 eventually turn into a housing opportunity site, we want to be able to have that number and
9 count that in our inventory.

10

11 Vice-Chair Summa: Yeah but if we can get 100 units per acre currently, using the two ½ acre
12 sites at approximately 50 that I mentioned, it's not clear to me how these heights relate to the
13 number of units... and it has a lot to do with size of units (interrupted)

14

15 Director Lait: Let me offer a perspective on height. Okay? So, I believe Wolton Court's three
16 stories okay, the ... and Tim can speak to this too because he's been having a number of
17 conversations with non-profit and for profit housing... home builders. One of the issues that we
18 are running up against is height, building height and we have this 50-foot standard in Palo Alto
19 that we really adhere to. What we know from the planned home zoning applications that have
20 been submitted and reviewed by the City Council is that most of those are asking for increases

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1 to height. And the City Council itself has indicated a willingness to tolerate a 10% increase
2 beyond the 50-foot height limit, up to 55 feet. And the reason why 50 is challenging is because
3 when you're building a wood frame home construction at 5 stories, you need about 11 feet,
4 floor to floor between ... you know, for each of those stories. Many housing projects aren't
5 going forward because they're missing a whole floor of housing units because we cap it at 50
6 feet. So, if we allow a development to go to 55 feet, and actually, you know, you probably want
7 a little bit more, if you want to have different roof forms, if instead of just a flat roof. Or at least
8 you're going to want to allow for the parapet to extend beyond 55 feet. That's an ideal
9 construction prototype. The other challenge thought and the reason why you get to some of
10 these higher numbers, 75 and higher, is because of the parking. Many of our sites are
11 constrained. They're constrained by their size, and the low-grade parking is very expensive as
12 the Commissioner's know, so a 75- to 85-foot-tall building anticipates two levels of podium
13 parking, a concrete podium and a five story wood frame construction on top of that. And so, if...
14 and in addition to being really concerned about height, we're also very concerned about
15 parking. So, if we want these developments to be parked, and we want the housing to be built,
16 we're probably going to have to allow for it in some kind of a podium structure, and that
17 podium structure is going to require 5 stories of housing on top of it. There's some variation in
18 those numbers, I don't profess to say that you couldn't reduce it a little bit, from 11 to maybe
19 10.5 or something like that, I mean I think there's probably some variability in here. But on
20 balance, that's what developers are looking at.

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Vice-Chair Summa:: Well, I guess I feel that we need to balance what developers are looking for as their maximum, what they'd like the most, and what we also need to do, as Commissioner Chang was saying is you know, maintaining some sense of who we are as a community and what we like. That being said, I don't think fifty-five feet is significant. I don't think people can see the difference between a fifty-five foot building and a fifty foot building. So that's not a problem for me, but some of these heights ... and like I said I just can't quite make sense of what these buildings are in all cases and what the units are and it is very.... It's ... I have no idea what's Stanford would prefer on these sites except I do appreciate the comment about having kind of a standard for this area. And that might be worth the exercise and maybe there's not time to do it... for the timeline for the Housing Element but this area makes me particularly uncomfortable. That being said, there are all good places for taller buildings, without a doubt.

Chair Lauing: How high are the office buildings at Palo Alto Square?

Director Lait: Tim do you have that number?

Mr. Wong: I want to say about 120 feet. (crosstalk) 120-125.

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1 Director Lait: It depends where they cut the parapet of the roof. I think the top of the parapet
2 is 140.

3

4 Chair Lauing: I just want to get for this discussion, just get kind of feeling of what a 75-foot
5 building would look like up against whatever is there, set back from the street. I just wanted to
6 get that kind of visual. Well let's see, I think Commissioner Hechtman is up next.

7

8 Commissioner Hechtman: Thank you. I wanted to follow up on the comments made by one of
9 our Public Speakers, Ms. Snyder, because I thought they were, she had two ideas that I thought
10 were worth some discussion. The first one, as I understood it was, she was suggesting that this
11 program take more of a holistic approach towards the Stanford Research Park sites which, I'd
12 like confirmation that those would be items B, C and D, the three that are El Camino... Is that
13 what ... She referred to the sites along El Camino and Stanford Research Park and I was a little
14 confused.

15

16 Director Lait: Yeah, No, I would not... hearing what you heard, I would conclude B, C, and D.

17

18 Commissioner Hechtman: Okay.

19

20 Commissioner Templeton: And F, right?

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Director Lait: F is further down.

Commissioner Templeton: Oh, okay.

Chair Lauing: Yeah.

Commissioner Hechtman: Okay, so I'm going to... in looking at this, after hearing her comments, I was focused on B, C and D, and it's an interesting concept I think, to... because what she was suggesting is, ... this is structuring three separate developments and that's not necessarily so. There could be a combination, an assemblage of sites. And we don't want a possible assemblage to be constrained by these three sets of rules that are a little different for each property. And it's true, in my experience that, the development community can be very creative and sometimes they will assemble a group of parcels and create something that could only be created at that efficiency at that scale. And so I like the idea, but ... the variant on that that I wanted float with staff is .. what if we keep B, C and D but add another item as an alternative that recognizes the potential to And I guess I was kind of thinking of it as akin to like a PD zoning where maybe we can be more flexible, if you're going to put together B and C, we'll have some flexibility as to what these parameters are in looking at that. And so, I don't think for that alternative we need the preciseness that we have in B, C, and D, in fact, I think we

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1 just want to precisely explain that there could be some flexibility there, and again, that would
2 encourage the possibility of maybe something better than what we're looking at for B or C or D.
3 That was my approach on that. Ms. Snyder's other suggestion was to put a hold on the design
4 criteria, which I think we've been talking some about, height, setbacks, things like that, and the
5 inclusionary housing mandates which I think we only see that right now in D. Now I think that
6 comment of hers was germane to all of the Stanford properties and so I'd have to go back and
7 look and see if we have any others, but she was suggesting let's not lock in numbers until the
8 feasibility studies are done. And we had a discussion like that earlier tonight on a slightly
9 different topic, and it's kind of .. are we putting the cart before the horse and so on that one, I
10 actually wanted to hear staff's thoughts on this timing issue of ... do we hold the design criteria
11 and the housing percent ... affordable housing percentages for the feasibility study or is it
12 important that we have them so that we can study the feasibility of them... what are... I was
13 wondering what staff's thoughts were on that concept.

14

15 Chair Lauing: Yeah, I'd like to just piggyback on that, because I have some of the same
16 thoughts. And we're getting down to designing each of three buildings here and I'm not sure for
17 the program stage of this that that's what we really want to do, I think the Stanford
18 representative Miss Snyder definitely has a point of that's why we're doing feasibility studies
19 for a lot of these other things. So, to build in feasibility and design and come up with a unit
20 number... I just agree with Commissioner Hechtman, let's get staff's view on why we should be

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1 doing that now, as opposed to saying.. you know, here's some ways to build out these... you
2 know we already had the unit number suggested for that so.

3

4 Director Lait: Yeah, so, there's a lot there, I'll try to you know, I have a few different thoughts
5 about it and I hope in my expression of those thought, I answer those questions. But the... I will
6 say that there's value in specificity and I don't think... and I don't think you're suggesting this,
7 the way the programs are written now, they're not designing the buildings, we're not at that
8 level by a long shot. What we're saying is, the reason why we have heights in here, and the
9 reason we have units and the reason why we have units per acre in some instances, or floor
10 area, is because, I think it's important that the community... you know, it's all about
11 expectations, and what do we... what are we saying in terms of what's going to get built here. I
12 don't want to have some general statements of ... Up zone this area for x units per acre and
13 then when it comes to changing the zoning, have a community conversation about, we'll that's
14 not what we expected. So, there's a deliberate motivation from staff to add numbers to elicit a
15 reaction and to have a conversation, because I'd rather have it now, in the planning stage,
16 where we may need to pivot and say ... Okay, if we're not going to go to the 75 feet in height,
17 we're going to get the same unit yield that we were expecting in these areas... we need to go
18 back and take a look at our opportunity sites and see if we need to make some changes. So,
19 what... the language that we have in here talks about approximate units, approximately 450
20 units, at least 125 housing units. D is really explicit because we had a development proposal

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1 concept that was submitted to the City so... and Stanford, albeit the numbers and the
2 conceptual projects that they presented to the Housing Element Working Group, were their
3 concepts, their heights, their densities, their floor areas, Stanford's not going to propose that if
4 they don't think it's achievable. Right? So, I don't think there's a question of feasibility and to
5 be clear, the City's not doing any feasibility study analysis relative to these sites, it was never
6 our intention and we're not doing that. I think the size of these parcels are notable, they're
7 large, they're perfectly efficient to accommodate all kinds of development. There's no
8 constraints really... you know, on any of these sites and so I think that's why we have sort of
9 each site called out specifically with its sort of unique sort of parameters. Two other comments.
10 One, is that the housing ... the PTC ad-hoc, we looked at the google street view of this and we
11 went up and down El Camino, and we recognized that there's a string of properties that are
12 right for development for housing at heights that might be a little bit more than what we're
13 traditionally used to seeing and at densities that we're traditionally used to seeing and I don't
14 disagree that some kind of over-arching overlay would be... that could be useful. And so, I have
15 no problem adding that as another program, to say... you know, in addition, you know this
16 doesn't preclude the City and Stanford from engaging in a conversation about what can be
17 achieved there. Because I do think that there's additional opportunities, and I would expect
18 that there'd be more lot consolidation opportunities. We're just talking about something that
19 we know that's available today. So, oh, and then... on the 20% you know, our housing... our
20 inclusionary requirement is 15% today. We have a program to study that and this is where I

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1 kind of think I align with some comments that were made by somebody, might have been Jean,
2 or somebody, we have our program, we need to study it, if we want to increase it to 20% that's
3 fine, but we're going to also have to then do extra studies to understand if that cancels out and
4 we would have to study the types of projects that we would expect to see, to make sure we're
5 not impacting that. Anyways. Bit of a rambling response but I hope somewhere along the way I
6 answered your question... (interrupted)

7

8 Chair Lauing: That sounded very helpful. Very helpful thanks.

9

10 Commissioner Hechtman: Part of it that was the most educational for me is... it sounded to
11 me... I was under the impression that we were in the midst of a feasibility study and we're not.
12 Not on this. We're involved in multiple feasibility studies, three of them are referenced further
13 on in the programs, but not here. And so... I think... this structure now makes more sense to
14 me. I would make a couple of points. First, Ms. Snyder may want to consider if there are going
15 to be numbers here on item 1.6, and Stanford doesn't think that those numbers are the right
16 numbers, then you might want to engage in a dialogue with us now, while we're forming this
17 document to tell what they think the right numbers are and why, so that we can at least have
18 that conversation. The other point is, of course, this housing element is going to be adopted in
19 a year, it's our Housing Element for 8 years but ... and maybe Mr. Yang can correct me if I'm
20 incorrect, I would think that we could amend our Housing Element as necessary during that 8-

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1 year period. So, if something proved infeasible and needed to be ... in order for a development
2 to be approved a modification to the Housing Element specificity had to be adopted, that could
3 be accomplished.

4

5 Director Lait: Yes. So, a couple responses to that. One, this that this is another reason why we
6 have the surplus of units, because some sights may not be developed to their full potential. So,
7 but that doesn't require an amendment do the Housing Element. We also don't need to be...
8 because of that, precise with you know, meeting each of these numbers. But I will say that one
9 of the criticisms that we've received from the community is that we've underestimated the
10 development potential of sites. I think Tim, we used a minimum or 30 units per acre. And that's
11 a fair criticism. And the reason we did 30 units per acre is not that we think they'll get
12 developed at that, which is what... where the HIP comes into play later on, but because we
13 didn't want to overstate and rely to much on an individual parcel and find out later that that
14 didn't get developed and we're missing our numbers. So, there's a reason why we're
15 representing the numbers at a lower density than maybe is resonating with many in the
16 community. With respect to these sites, I think these are toward the minimums in terms of unit
17 production and I would expect that that would be potentially higher. Last point I wanted to
18 make, because I think it's important for the record, staff didn't make up these numbers. These
19 are numbers that were submitted by Stanford and incorporated into the administrative record
20 as we're doing this. So, and.. to recognize, they didn't have construction drawings, they're

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1 doing analysis and it's a ballpark and that's all we're talking about here is, you know, some
2 ballpark numbers. But we think, we're definitely in the ballpark.

3

4 Commissioner Hechtman: So, can I just have a couple more comments to finish up.

5

6 Chair Lauing: Sure. Go ahead.

7

8 Commissioner Hechtman: And so, having talked about whether it's wise or not to include
9 numbers, talked to us briefly about the numbers, first of all, you'll see a couple of suggested
10 additions that I proposed were where we have this concept of a setback from the street, I've
11 suggested that we add some number there, and I don't really care what number it is, the
12 concern I have is, if you just leave it that way, you're going to have endless arguments about
13 how much is enough. And if we put some number in there to set expectations, I think that will
14 make the future processes easier. So that's why I made that suggestion for staff's
15 consideration. And then, the last comment I wanted to make on specific numbers is, I'm
16 actually okay, I'm comfortable with the height being specified what it is at these locations and
17 in part because when you are describing the height and the number of units, by allowing a
18 taller building contain those units, if we assume the developer is going to want to build the
19 same size units no matter what, if they can build up rather than out, and do that, that leaves
20 more room on the site for open space, which is an important... this Commission has made clear

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1 repeatedly that as a desirable element and an expectation, of future development. And it
2 should be. But it's a balancing and so I think that pushing up the heights in these particular
3 locations that we already have very tall buildings next to them, we don't have... as
4 Commissioner Chang said, I think Commissioner Chang, we don't have low... one, two story
5 homes next to it. I think it's worth the flexibility to keep those heights and I'm supportive of
6 them. Thanks.

7

8 Chair Lauing: Commissioner Chang.

9

10 Commissioner Chang: Thanks. So I did want to follow up on something that Commissioner
11 [Vice-Chair] Summa said where I had the exact same questions as I was going thru these items,
12 was that... how was that number of units calculated, what does this mean in terms of RM.. RM
13 what is it on this parcel (?) because I don't know the parcel sizes also. And so, since Director Lait
14 you had mentioned that this is kind of a communication document to the community too to
15 manage expectations, I do think that some sort of way to make it apples to apples across all the
16 sites is useful, and also because people understand what RM30 looks like, or feels like. Right. I
17 think the height is important because that does give people some idea of what to expect there,
18 but then it... without... but then I think even if we had an RM number on each of B, C, and D, I'm
19 still confused about B... the Palo Alto Square parcel with 15 acres, because what I would hate to
20 see happen there and what would theoretically be possible with the 15 acres is you know,

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1 these units spread, just massive units going up to 75 feet where really what we could have
2 gotten was some smaller units but many many-many more. And so, I know that we don't get to
3 control that, that's what a developer decides but that would be the loss of some serious
4 housing potential on a 15 acre site, so maybe can you talk a little bit more about that and how
5 we would... try to avoid having that type of scenario.

6

7 Director Lait: Yeah. And the scenario is where it's larger units spread out over the entire site,
8 or...

9

10 Commissioner Chang: Yes. Big mansions, mansions.

11

12 Director Lait: Oh sure (crosstalk).

13

14 Commissioner Chang: That's not what we're trying to create here, we're trying to create lots
15 more units of housing that's accessible.

16

17 Director Lait: Yeah... (crosstalk) Yeah. Certainly not the mansions, we get that. But there's the
18 continuous... sort of balance between the studio, the one bedrooms and the family sized units
19 so I think that's the context that we're expecting development to take place. On ... so we don't
20 need to get into that level of specificity in the Housing Element and if we look at the program,

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1 we talk about specific actions that are taking place, so like for B, we say “For this specific
2 property, amend the planned community ordinance that applies to the site to allow these
3 broad parameters of development to achieve this unit density. That’s sufficient for the Housing
4 Element. But when we draft the ordinance, we’re going to be a lot more specific about open
5 space, about setbacks, about average unit size and that’s going to be a public process, you’re
6 going to see it ... it will come before the Planning Commission, they’ll be Public Hearings, and
7 we’ll go to the City Council and it will get endorsed. Ideally, we’re doing it in concert with the
8 property owner... lease holder at the same time so that we can answer some of those questions
9 but I also think that there’s an advantage to make some of these changes so that the developer
10 also doesn’t have to go through the process of the legislative changes which could be a long
11 process. If we can take care of that zone change before they submit, and detailing out all the
12 things that are important to us, then when it’s right and appropriate, they can come forward
13 and go to architectural review and pull their permit. So, the bottom line is there’s more
14 specificity after we get past this piece.

15

16 Commissioner Chang: Thanks.

17

18 Chair Lauing: Commissioner Reckdahl.

19

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1 Commissioner Reckdah! In recap, Commissioner [Vice-Chair] Summa had a very good
2 suggestion, I thought, is that instead of going through PHC and doing everything one by one,
3 having like an RM 50 and have the design standards, even if this was just a generic, even if it
4 was applied just to this area, I think this would be a good thing to do. Because we are, whether
5 it's over in the new areas in the ROLM where maybe find the desire to have more density, it
6 makes a lot of sense for us to consider what would we want in something like an RM 50, what
7 kind of design standards. So, I think that would be a good thing to look into.

8

9 Director Lait: Chair, if I can respond to that.

10

11 Chair Lauing: Yeah.

12

13 Director Lait: And Tim, correct me if I'm wrong, but I think the RM 20, 30, 40, 50 are reflections
14 of unit density.

15

16 Mr. Wong: That's correct.

17

18 Director Lait: Okay. And so, you know, one thing that I think we need to talk about and we raise
19 the... we begin to raise the issue in the housing incentive program piece, if we get to that later,
20 is maybe shifting away from calling out unit density on these sites and let building height and

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1 floor area and parking requirements, kind of like a form based approach, dictate how many
2 units might get built on the site. And that's going to go a long way to help advance our concerns
3 by housing advocates that are questioning whether our sites are suitable or provide adequate
4 density. And when you look at the types of housing developments, Wilton Court, the Charleston
5 project, 525 Charleston, the project that I know some of you enjoy... At Paige Mill and El
6 Camino, those aren't 50 units per acre. Those are higher density projects... 90, 100-units per
7 acre kind of a thing, and that's the kind of density that I think we're... you know, going to be
8 looking at some sites, not all sites, but... so I love the idea of like adding another sort of tier, I
9 think we do need to do that, but we might need to shift from this notion of density per acre, to
10 just a category of you know...

11

12 Commissioner Reckdah! Both RHNA and also our zoning kind of encourages these micro units.
13 And for some people that's really good. We want a mixture of housing, we don't want all micro
14 units in the city. And we have some programs later on that deal with... they encourage larger
15 units for families. And so I think going away from a unit based design standard and having some
16 type of FAR limit, that makes a lot of sense. Another thing that you mentioned earlier about
17 being conservative in the number of units you have, another ground... another consideration is
18 ground floor retail. Is that, if you're talking about RM 40, and it's just 100% housing, or if you
19 have RM 40 and you have ground floor retail, those are two different animals. And so being
20 conservative does, especially along the El Camino, we're adding people there, El Camino is a

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1 good spot anyway for retail, a lot of these places are going to want to have ground floor retail,
2 and so you now assume a very high unit density you may not be able to achieve that with
3 ground floor retail.

4
5 Chair Lauing: I wanted to ask a question as I did on the Housing Element Working Group on
6 these last two items here, I'm not sure how we get any extra credit or gold stars from HCD to
7 be talking about this next cycle after this one.

8
9 Director Lait: You get zero. What we get is a... HCD is not going to care about that. We're going
10 to care about it because we have an interest in what happens... I mean, whoever's here, sitting
11 up there and sitting here, they're going to care that we've done some work in advance to
12 prepare for the next RHNA cycle and we've given them potentially sort of a suite of properties
13 that they can count towards their housing inventory site in the next RHNA cycle. That's the
14 goal. It doesn't do anything for us right now.

15
16 Chair Lauing: That's exactly what I thought. Commissioner Chang.

17
18 Commissioner Chang: Yeah, I mean I understand why you're asking, but different audience I
19 think for this last two items, F and G, in other words, when we get that Comp Plan programs
20 tracking progress report that we get every year, you know in the future we can ask... okay, are

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1 we having conversations with Stanford about it and that way having it here allows us to push to
2 make sure these things happen.

3

4 Chair Lauing: Any other questions on this, I don't see any hands on-screen. Alright, so we've
5 now finished up through 1.6 which was pre-processed by the ad-hoc and we agreed to chat
6 about this, it's coming up on 9 p.m. and on a per page basis we've done four pages and we have
7 15 pages to go. So, as we said before, we can either say we're done and ad-hoc has to keep
8 processing this and come back, but that's going to make one very long meeting, three weeks
9 from now, or we can jump in on some of these other ones, potentially taking guidance from
10 staff on which ones not to address because there's not enough detail there yet, like the 3.5 HIP.
11 So, comments from Commissioners. Commissioner Chang. Ope Sorry, light's still on.
12 Commissioner Hechtman.

13

14 Commissioner Hechtman: Thank you, so I can go either way. I can either do more tonight or
15 not. Just to preview, I do have a couple what-does-that-mean questions that I'd like to ask
16 tonight on a... just clauses on a couple things and beyond that, there are only a couple of things
17 I want to talk about in the remaining program. So, I'm not... even though it's more pages, I for
18 one don't see that I'm going to have a lot to say on those 15 pages.

19

20 Chair Lauing: Okay. Very good input, thank you. Others? Commissioner Reckdahl.

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Commissioner Reckdahl: I think it would be useful for the ad-hoc to hear the comments, especially the big picture comments, because as the ad-hoc is going through they may remember the comments and that may make the discussion better, they may bring up points that we may have overlooked. So, I would welcome it, I don't want to get stuck in the mud and debate fine points, but I would like to hear opinions.

Chair Lauing: And then those that we don't get to, the ad-hoc will just go ahead and process. Any other comments? Yeah, I'm okay going forward just to see you know, how far we can get. I don't necessarily want to... I don't think we should try to intentionally drive this to closure tonight, and I know you have an event later that you have to go to so, do we want to pick a 10 o'clock check in and decide if that's going to be a check out time. Does that sound about right? Any other comments?

Commissioner Chang: I'm good with that plan and my suggestion would be to have staff lead us through the remainder, the way they led the ad-hoc through the items so that we're just kind of continuing the work that we do as the ad-hoc, in a way, but as a larger group.

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1 Chair Lauing: Okay, does anyone want to take a 5-minute break before we get going on this?
2 We've been here for almost three hours. I'm okay either way... nobody does? Okay. Then we're
3 on 2.1, we'll take it to you that ... Jonathan are you going to do this one? Let's see...

4
5 Director Lait: Yeah, Tim, are you...

6
7 Mr. Wong: Sure, I'll be happy to. Program 2.1 is about our affordable housing program, as
8 opposed to our BMR program, but this is where we collect fees for our housing trust fund to
9 fund for financial... excuse me to provide financial assistance to 100% affordable housing
10 projects. So, as part of this the implementing measures are to look at... to contend to use our
11 funds to provide gap funding and also to look at carving out some additional revenue if the City
12 decides to place... have the business tax in the future, see if we can carve out some specifically
13 for affordable housing and taking a look, I believe... I had a conversation with Commissioner
14 Hechtman about a feasibility study to look at potentially adjusting the fees that the City charges
15 in order to afford this program. That is program 2.1. John is you have anything else to add, but
16 that's...

17
18 Director Lait: No just, thank you Tim, maybe just to underscore Implement Objective B, I think
19 that's potentially a sizable contribution to the City's affordable housing fund and a local
20 strategy to really try to address housing, low income housing production in Palo Alto.

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Chair Lauing: I have just a quick question on this, you say it's affordable housing, definitely 100%?

Director Lait: It doesn't have to be.

Chair Lauing: If it is that we should say that, otherwise...

Director Lait: Tim an speak more to our Fund guidelines, Tim?

Mr. Wong: Yeah, generally it is... should be a 100% affordable because to... it is... this is more where all those non-profit and affordable housing developers whether it be Alta, Eden, Bridge, MidPen, all those use the City's affordable housing funds and generally the other funding sources are for 100%. It's very difficult to fund a project that could be 75%, or primarily affordable housing, we've had some of those discussions with the Working Group, there for, yes, it's 100% and we can clarify that.

Chair Lauing: Yeah, that was all I was suggesting. And on C, I don't really understand that, particularly the last part of it... Commercial Housing Development Fee as appropriate, that

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1 doesn't seem to meet the specificity criteria. But I may not understand what you're saying
2 there, I just really don't understand C.

3
4 Director Lait: Yeah, so C is a good example of one where you know, we don't have the data yet,
5 so we need to say that ... we can't make an affirmative action on something if we don't know
6 what the results part is going to be. We also know that because of change... State Law we need
7 to, I think it's every... within every... I think it's 8 years, maybe it's less than that we know that
8 we have to update our development impact fees with the new NEXES study for we can't charge
9 that impact fee. So, we know that in this Housing Element cycle we're going to have to do that,
10 so we're picking a time frame and we're saying we're going to study that and based on the
11 results, adjust our fees.

12
13 Chair Lauing: That's quite clear now, now I know what you mean there. Commissioner
14 Roohparvar.

15
16 Commissioner Roohparvar: Thank you. I think this program could benefit from a little more
17 specificity. It's somewhat vague in terms of how it's phrased, and I'll give you examples of what
18 I mean. But if with respect to the Gap Funding first designating 100% affordability to with
19 respect to the Gap Funding, if it makes sense to add information about up to X amount or this
20 percentage, or do you take an ownership stake in the projects for which you provide Gap

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1 Funding, how does it work, if not if that's too much details at least say that per the Fund
2 Guidelines set forth by the City of Palo Alto. And then the second comment that I had was that
3 it's a bit vague in terms of the source of funding, until you verbally explained it to me, when I
4 read it, it didn't click so what I would suggest is you know, the funds from the Affordable
5 Housing Funds that is within the General Fund and that in addition, additional sources of
6 funding could be the business tax proceeds, because that was unclear until Jonathan just said it.
7 So, just you know, flush it out a bit more so it doesn't get conflated when you just read it first
8 pass. Thank you.

9

10 Chair Lauing: Other Commissioner comments? Commissioner Reckdahl .

11

12 Commissioner Reckdahl: Yeah. Can you clarify where the money does come from? We talk
13 about the business tax in B, in C we're talking about commercial and residential.. so there's...
14 whenever you build an apartment complex they'll be a... when this is... we have already the
15 15% BMR, there's additional fees on top of this? Or is this just single-family houses would be...

16

17 Mr. Wong: No, with any commercial development, any net new commercial square footage
18 gets charged a commercial impact... commercial housing impact fee and we take those funds to
19 provide the gap financing, in addition currently, yes, we have a 15% inclusionary but that's only

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1 for ownership developments right now if you propose a multifamily rental development, you
2 also pay a fee.

3

4 Commissioner Reckdah!: Okay. I got cha.

5

6 Mr. Wong: Yeah.

7

8 Chair Lauing: No others on 2.1? Let's move to 2.2.

9

10 Mr. Wong: We had just mentioned the 15% inclusionary fee... inclusionary percentage and that
11 applies to the BMR so we will look at where fees... where it is feasible looking at to increasing
12 that 15% for ownership housing in addition we'll also look at maybe tiered inclusionary
13 requirements in different areas of the City, that's Implementing Objective B where market
14 conditions can support that and then lastly with Implementing Objective C, Amend the BMR
15 program to extend that affordability term, right now with our ownership inclusionary we have a
16 59-year deed restriction on those ownership units and this would be extending it for the life of
17 the project. So, yeah just extending the deed restrictions.

18

19 Chair Lauing: Okay thanks. Commissioner Chang.

20

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1 Commissioner Chang: I have a quick question that actually applies to the whole document.
2 When timeframe is listed as pending under a program, does that just mean TBD, you're going to
3 fill it out by the time we finalize this thing?

4

5 Director Lait: Yes.

6

7 Commissioner Chang: Got it. Thank you.

8

9 Chair Lauing: I had a question on item B, where market conditions support, when is that ever
10 going to happen... on inclusionary... I think that's a little optimistic.

11

12 Director Lait: What this is speaking to, and if there's different language, we should be using let
13 us know, but what we know from our 2020 study is that ownership products downtown were
14 able to support a high inclusionary rate than ownership products on El Camino Real or
15 elsewhere in the City. And so, the idea here is right now it's 15% across the board might we,
16 based on the study, want to make it 20 or 25% some places and maybe lower it to 10% in other
17 areas if that's more appropriate based on land costs and return on investment.

18

19 Chair Lauing: It must be high rents where you think you can get the 20%, because it would
20 probably be the same costs... construction costs.

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1

2 Director Lait: Right. But high resale or high rents yes.

3

4 Chair Lauing: Yeah, it should be clarified a little bit. Whether that's by geographical area in
5 town or by neighborhood or something like that, I think just to show what you mean. Others? Is
6 your light back on Commissioner Chang? No? Going once, going twice, Okay. Program 3.1.

7

8 Mr. Wong: Program 3.1 speaks about fee waivers and adjustments, and we are looking at in
9 support of affordable housing to waive certain fees for those directly related consultants trying
10 to reduce some of those carrying costs or construction costs, development costs for affordable
11 housing. So that's Implementing Objective A and to encourage ADU production to exempt
12 ADU's from development impact fees if they have an affordable period for low income. Because
13 right now I think we are using ADU production above-mod based on their rents, so this is to
14 encourage some more low income and then also per an economic feasibility study to analyze
15 the impact fees so to so how that might hinder housing production.

16

17 Chair Lauing: Okay, Commissioner Roohparvar.

18

19 Commissioner Roohparvar: Thank you, quick question. So, State Law exempted all ADUs from
20 development impact fees, in what scenario would they not... would there be... would State Law

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1 not apply to the ADU, is that where the lot exceeds the number of ADU's allowed on it? Is that
2 what you're contemplating? What are you envisioning?

3

4 Director Lait: I don't believe that all ADU's were exempted from development impact fees, I
5 think there's a square foot threshold.

6

7 Commissioner Roohparvar: Yeah, 1600 or 1200 square foot threshold. So, you're envisioning
8 any ADU that is larger than the square footage threshold or the height threshold is what you're
9 envisioning.

10

11 Mr. Wong: It's actually, it's only ADU's that are only 750 square feet or below that are
12 exempted from impact fees.

13

14 Commissioner Roohparvar: That's right.

15

16 Mr. Wong: So quite a number of ADU's will probably still be subject to impact fees.

17

18 Commissioner Roohparvar: Yeah, it's this size, so anything between 750 and 1600 is what
19 you're contemplating now exempting, or the 1200, for whatever the height... maximum
20 threshold was.

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Mr. Wong: Yeah.

Commissioner Roohparvar: Okay. That’s all, thank you for that clarification.

Chair Lauing: Commissioner Chang.

Commissioner Chang: So, I think this kind of goes without saying that for C, there’s this economic feasibility study to understand the impact of development fees on housing production of all sorts, not just affordable, and then to adjust the fees as appropriate, and I would just say, and this kind of goes into Finance Committee territory but I think it’s important to say, we need to balance our checkbook here, so that’s fine, if we think housing is a priority as a City, and we want to lower the development fees to encourage production of housing that’s fine, Yet, when we build housing, we... there’s still that impact. So that means we need to make the money somewhere else, so then I would want to add as sentence to make this like an actual feasible policy to say something about... and then determine other sources for this... to make up for lost revenue. I think it’s really important that we don’t just keep... I mean that’s one of my big beefs with the State that they’re giving us a burden, and how... who’s going to pay for that, right? We’ve got to pay for it somehow. Otherwise, we run our City into the ground for our current and new residents.

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Chair Lauing: Vice-Chair Summa.

Vice-Chair Summa: My thought was in B, Exempt Accessory Dwelling Units not already exempt by State Law, when deed restricted at 80% is that 80% AMI? Okay. I think you should put that there, probably.

Director Lait: It's there.

Vice-Chair Summa: Oh, sorry. At an inc... for 10 years. So, I have a problem with the 10 years actually. I... we had a lot of discussion about this at PTC and... but on the previous page in 2.2, we're talking about increasing the MR... the income restriction for the units of the life of the projects so maybe that wouldn't be desirable for ADU's, but 10 years seem pretty slim so, if they exit... if an owner didn't pay impact fees and they exit after 10 years, providing an affordable unit at 80% AMI, would they then pay the impact fees?

Director Lait: If they left before the 10 years?

Vice-Chair Summa: No, if after 10 years..

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1 Director Lait: Oh no. No.

2

3 Vice-Chair Summa: Because you were exempt... the idea is and this goes along with
4 Commissioner Chang 's desire to balance the budget as well, and understand that a lot of the
5 things impact fees pay for are direct amenities and necessities for having a good life in Palo
6 Alto, so I don't know why... I don't think 10 years is long enough and I also... I don't know who
7 we deal with sales of houses, even within a short 10-year period, I think we haven't thought this
8 out well enough and then I also would question whether they... any... they should be exempt
9 for life from paying an impact fee because they're no longer in the business of providing a
10 slightly affordable unit. So, those are my concerns with that area.

11

12 Chair Lauing: Commissioner Reckdahl.

13

14 Commissioner Reckdahl: Yeah, Let me respond to that. I understand the spirit of that, I'm a
15 little concerned that 10 years for the City looking for affordable housing is really short. For a
16 homeowner, who's looking at retirement or perhaps selling their house, they may not want to
17 build something that constrains them more than 10 years. So, I think, even though I don't like
18 seeing that affordable unit disappear, I think it may be a good decision to allow that to
19 encourage the ADU's to be built. Because here we're getting an 80% unit for no cost to the City,
20 which is pretty good, most the other 80% we have to subsidize something. So, we're getting

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1 something for free, so we're getting a really good benefit, but for a very short period of time
2 and so that's a tradeoff. But I agree with Commissioner [Vice-Chair] Summa that it doesn't
3 seem to be... that this could use some more work. But, I think we're going down the right path.
4 I'm just not sure what the right number is.

5

6 Vice-Chair Summa: And I don't know if somebody wants to buy the house, but they don't want
7 to rent the unit, they need it for their grandmother or something, I don't know how we'd deal
8 with that. I don't...

9

10 Director Lait: That would qualify right? I mean I think a lot of ADU's are built for family
11 members or any number of circumstances that I think that we've heard about so it almost sort
12 of recognizes the... how some of these units are being used. And not all of them, some people
13 build it and they rent it out as much as they can to have supplemental income and that's fine,
14 they're not going to take advantage of this program and they'll pay their impact fees and you
15 know... things with go on, but for other's who are willing to deed restrict their property, so for
16 the next donor that comes in, they're also going to be subject to this... this restriction. You
17 know, it's a different housing prototype than we see with multifamily housing projects so that's
18 why we think a lower threshold is appropriate, but I always want to come back to
19 Commissioner Chang's comment, recognizing that none of us in the room make the Financial
20 decisions for the Council this is a... this is just kind of getting it tee'd up for the Council, I think

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1 they're going to have some opinions about this as well, so we may not need to solve it, I think
2 we can flag our concerns but again, we're just trying to identify opportunities where we can
3 reduce the cost.

4

5 Chair Lauing: Commissioner Hechtman.

6

7 Commissioner Reckdahl: Can I follow up?

8

9 Chair Lauing: Sorry.

10 3:10:56 <https://www.youtube.com/watch?v=bu1ozG5ZgZ4&t=3s>

11 Commissioner Reckdahl: If someone did this and paid no impact fees and then had 80% AMI,
12 would they be required to rent it out? Right now you can build an ADU but you're not forced to
13 rent it out, you can have it just be a shed in the back yard.

14

15 Director Lait: Yeah, that's a good point, I mean... and I think Tim maybe you can...

16

17 Mr. Wong: Yeah, we can bake that into... or make that a requirement in the deed restriction
18 that it would need to be occupied.

19

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1 Commissioner Reckdahl: If then, we can follow up right, as part of our annual inventory
2 analysis of...

3

4 Mr. Wong: We can do some monitoring of the... just to A) guarantee that resident is a low
5 income and that it's being rented at a 80% AMI rent level, those type of things. There will be
6 some administration but we can certainly guarantee those things.

7

8 Commissioner Reckdahl: And I think we may want to consider an exit fee, for example if you're
9 building this knowing that your mother-in-law is going to be moving in and she had a stroke
10 after three years and you want to bring her in, the fact that you'd be constrained and you'd
11 have to rent this out for another 7 years to a stranger while your mother-in-law can't move in,
12 may prevent people from doing this, so three years later if you pay 70% of the impact fee, you
13 can get out. That may incentivize people to do this. People don't like to have their hands tied
14 and this maybe a way of allowing them, worse comes to worse, you have a way out.

15

16 Director Lait: Yeah, so thank you, good comment, so what I'm hearing is that we need to add
17 some language in here that talks about a little bit more about the program implementation like
18 reference to that and some of the topics that we might consider... and it can come back before
19 the Commission too and actual implementation and we can vet out a little bit further.

20

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1 Chair Lauing: Commissioner Hechtman.

2

3 Commissioner Hechtman: So, I think we had a variation on this conversation when we were
4 talking about the amendments to the affordable housing ordinance, part of our zoning code.
5 My perspective, now we're talking about... this is the Housing Element, we're talking about
6 ways to promote housing. Get more housing in Palo Alto. If I can get an ADU that is deed
7 restricted at 80% for 10 years by waiving impact fees, then that gives me another housing unit
8 that's going to be filled by somebody at 80% income for 10 years, and then even once that 10-
9 years is over, I've still got another housing unit in Palo Alto. So, it's a win. And so, and I think 10
10 years is the right sweet spot, because at some point, as you stretch out the number of years,
11 it's math, right, okay, I can pay this development impact fee upfront and I'm going to accept
12 reduced rent for a certain number of years. Well if you push me out 20 years, the math isn't
13 going to maybe work, and I'm not going to build the ADU. Or at least I'm not going to build the
14 ADU to be affordable, and again, we're looking for ways to sleep that community. So, I'm
15 supportive of this. I do think... I think Commissioner Reckdahl's idea is interesting, but I think
16 we've got to kind of run the numbers, because what, you've provided kind of a sympathetic
17 example of when somebody might want to do it, but somebody else might want to do it just
18 because rents skyrocket and now, heck it's worth it for me to pay that, I'm three years in, it's
19 worth it for me to pay 70% of an impact fee because I can get... I can make that up in four years,

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1 renting at market. So, maybe it's something for staff to explore, but that is ... that's how, we'd
2 have to be worried about misuse of that tool.

3

4 Chair Lauing: Remind us approximately what those fees are, on an ADU, that we're talking
5 about giving up.

6

7 Director Lait: Tim, do you have an estimate on that?

8

9 Mr. Wong: I don't but if you give me a few minutes I can take a look.

10

11 (crosstalk)

12

13 Director Lait: They're not going to be big numbers, relative, but they are... it's an area of
14 complaint that we get a lot, from folks who are building ADU's and it's just one more expense
15 that makes it hard to build them.

16

17 Chair Lauing: Yeah, that's why I want to figure out, it might be an easy give, economically, I
18 don't know if it's going to break the budget. It might be an easy give, to get an 80% at 120% but
19 an 80% AMI...

20

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1 Director Lait : Yeah, as I'm thinking as we get it ready for the Council, maybe we can have
2 some of those numbers too to illustrate, you know, what that impact might be too. Right?

3

4 Chair Lauing: Yeah.

5

6 Director Lait: So that, based on x number of ADU's produced a year at this size, you know, if
7 50% of them took advantage of this... this is what it would be. Fifty percent might be optimistic.

8

9 Chair Lauing: Okay, Commissioner Chang.

10

11 Commissioner Chang: I remember us having a pretty extensive conversation about affordable
12 ADU's at one point on the Commission.

13

14 Chair Lauing: We did.

15

16 Commissioner Chang: And it was really sticky in terms of... sticky meaning difficult in terms of
17 who's going to manage this, how do you determine who can rent, and so I don't know if it's as
18 easy as putting it.... In here. I don't know staff is on that affordable ADU's discussion after we
19 discussed it, but there were a lot of intricacies to it, so it might not be as easy... and we certainly
20 want to see if that pencils out, meaning what's this fee, does this... would this even be an

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1 incentive at 80% of AMI or is the math never going to work out. Right? So, um (crosstalk) this
2 one just bares a little bit more of the back of the envelope and maybe checking in with our
3 other process that we had going on with affordable ADU's because there's this whole idea of
4 having to have a renters list that was pre-vetted, and then checking up on to make sure... is the
5 owner going to be allowed to decline who lives there... it was really complicated, and I
6 remember it not... ultimately most of the ideas not really working, so I'm not saying I'm not
7 supportive of this, I'm just saying there might be some feasibility that actually may make it such
8 that we need to eliminate it because it's not feasible. That's kind of my recollection of our
9 Commission discussion.

10

11 Chair Lauing: Yeah, definitely plus we said that ADU's are basically affordable anyway
12 compared to other stuff so...

13

14 Commissioner Chang: Yeah so I don't want to... not trying to be a Debbie Downer here, I'm just
15 saying I remember us having a really long discussion, I can't remember all of it, and it wasn't an
16 easy nut to crack.

17

18 Chair Lauing: I think there's some loops holes here, particularly when you start talking about
19 family members, because if I want my son to come home from LA and I save 80% of market, I
20 work that out in the back yard later, there's a lot of loop holes that you can't even track.

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2 Director Lait: Yeah, we'll again, we can... we could talk about more of the sort of program
3 components of it, for the purpose of the Housing Element, it's the concept and, but I'm hearing
4 that there's a lot of details that we would need to sort through, again, there's the monitoring
5 piece that we have an agency that actually monitors these affordable housing units, City wide,
6 so it would be a legitimate monitoring program, so I think there'd be rent and demonstration
7 that it's meeting the income limits and all that kind of stuff.

8

9 Chair Lauing: The core thing is to make it credible here to HCD. So. Okay. Anything else on that
10 one? Okay, 3.2.

11

12 Mr. Wong: 3.2. So this program just pledges to HCD that we will look at our development
13 standards on a consistent basis to see how those new standards are working, and adjust
14 accordingly if we do find something... that development standard doesn't produce the desired
15 result in a nut shell. So, that is program 3.2.

16

17 Chair Lauing: Okay. Comments? Commissioner Chang.

18

19 Commissioner Chang: So when I read this, I was wondering if this is specific enough, or...
20 because it sounds as if... it sounded a little bit like just when our dressing... or is what we're

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1 talking about here just the same way Congress has an Office of Management and Budget that
2 looks at every piece of legislation, figures out the budgetary impacts here for every piece of
3 housing ordinance... development ordinance legislation, we would look at it and understand the
4 housing impact, is that what we're saying?

5

6 Director Lait: Yeah. That's the concept.

7

8 Commissioner Chang: Okay.

9

10 Director Lait: And maybe not to that Federal level, but...

11

12 Commissioner Chang: Yeah, yeah, yeah, I understand that. So maybe if we just saying
13 something about like... The City shall prefer... So I mean I think it's analysis... analysis before the
14 ordinances passes, right? Or any regulation is passed.

15

16 Commissioner Reckdahl: I have a question of whether this will get us brownie points with HCD.

17

18 Director Lait: You know, today no, but I think it signals... I think it's an important thing for us to
19 do, you know, I think we've learned from you know, we are learning through a couple of
20 different experiences, one with the development... with the park impact fee, the first time

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1 around, right... when that came through, there really wasn't coordination on that, and this next
2 time around there has been and that's why we flagged more of our ... you know, concerns
3 about... let's get a NEXUS or feasibility study done before we raise the fees. And then, also the
4 recent passage of the tree ordinance on Monday, which I failed to mention in my Director
5 Reports, you know, that's another area where we've really needed to coordinate with Public
6 Works on how the tree piece is... you know, how... to what extent does that impact ADU
7 production and there was some correspondence from the community about that. So, I think
8 that's an area where it's a good practice and one that we probably need to shore up a little bit.
9 So, will HCD... you know, I think they'll say good, you should be doing that. And I agree, we
10 should be doing it.

11

12 Commissioner Reckdah!: I'm just wondering does every good idea... should every good idea be
13 a program, or do we just want to limit the programs (interrupted)

14

15 Director Lait: I think we do want to limit our programs because we do want to you know, sort
16 of... you know, we want to accomplish these things too. And I haven't added up the total
17 recently but it's getting long and I think we may have a few more that we want to add, so, point
18 well taken, if it's not going to get us the credit, do we need it.

19

20 Commissioner Reckdah!: Yeah.

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2 Mr. Wong: If I might can add, I think in some ways it does show that yeah, the City's being
3 proactive in trying to encourage more afford... housing production. And that's a real emphasis.
4 So, I would say it wouldn't hurt.

5

6 Commissioner Reckdah]: Okay. Thank you.

7

8 Chair Lauing: Commissioner Chang.

9

10 Commissioner Chang: I guess my question is these feasibility studies are not easy to do , so if
11 for example, you take the tree ordinance and you say, well, what's the impact of that going to
12 be on housing production, unless you got down to specific numbers, it wouldn't be particularly
13 useful and to get down to specific numbers, that's a tremendous amount of work and money
14 and I don't even know if it's really possible. So other than saying that it might make it more
15 difficult, I don't know what ... you know, for many many pieces of legislation, I'm not quite sure
16 how feasible it is to get to a granular enough level of detail that you could actually make a really
17 good decision on it. So that's why I kind of asked about this one, is it just window dressing, and
18 to the extent that staff thinks that it would be helpful, and it is certainly good for us to think
19 about how different pieces of our ordinance interacts, it's certainly important but I also don't

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1 want to create a standard there that you can't meet. I mean it's really difficult to provide really
2 good information I think, on a lot of changes that might happen.

3

4 Director Lait: Yeah, No. Appreciate those comments and well, I kind of made my joke, not at
5 the federal level I think it reflects an expectation that it's probably not going to be to that
6 granular level, not everything is going to require a NEXUS study, NEXUS studies are expensive as
7 you know, and while it's appropriate when we're raising development impact fees, we're not
8 going to do it on something like the tree ordinance. The intent here is just to make sure that
9 we're being... you know, it's our department that typically is involved in planning new policies
10 development but there's other departments that also get involved. Community Services and
11 Public Works for instance. And so the idea here is just to make sure that we've got a system in
12 place so that somebody's asking the question, will this... is there an issue here, do we need to
13 think about it in terms of housing and for the most part, it's probably going to be no, you know,
14 it's... but on the occasion that you know, this prompts us to ask that question and think it may,
15 and then we can explore that further, it could just be a staff level analysis that allows us just to
16 sort of circle back with our staff or consultant to just vet it out a little bit more. But... but I hear
17 the comments and we can, from a staff perspective you know, we don't need to add more work
18 to our plate if it's not going to have a whole lot value locally, internally, or with HCD. So, let us
19 follow up on that.

20

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1 Chair Lauing: Any other comments on this one? Nope. Okay. 3.3, is this one that we should
2 skip, or is there enough here... we should skip this one?

3

4 Director Lait: I'm sorry Chair, what number are we on?

5

6 Chair Lauing: I was just looking at staff if there was not enough stuff here yet, we could just
7 kind of jump over this one and get on to some other ones.

8

9 Mr. Wong: This is one proposing some relaxation of some development standards and so John,
10 what do you think, is it ready for prime time?

11

12 Director Lait: Okay, so we're on 3.3, yes?

13

14 Chair Lauing: Yup.

15

16 Director Lait: Okay.

17

18 Chair Lauing: It just seems like this one might be kind of complicated and may have stuff you
19 still have to do on this one, that's why I'm asking the question.

20

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1 Director Lait: Okay let me just take a quick scan, so A is just implementing State Law, so that's
2 not anything. B is okay...

3

4 Chair Lauing: Night parking spaces at .75 and etc. etc.

5

6 Director Lait: This is... (interrupted)

7

8 Mr. Wong: My apologies, I think, I was thinking of program 3.4 for mixed use where we had a
9 lot of blanks.

10

11 Chair Lauing: No, 3.4 and 3.5 I think we are going to skip right?

12

13 Director Lait: Okay, hold on, I think... on.. oh okay... yeah, no I think we should go through
14 these, I think they are relatively straight forward. A is State Law, so we just need to make these
15 changes to incorporate these changes into our local ordinance. B is simply saying that we are
16 going to continue to allow the affordable housing overlay... or the... the affordable housing
17 incentive as we're calling it now, for 100% of affordable housing projects. This is existing code.
18 So, we're just going to continue to do that. C recognizes that the City Council, recently, on June
19 first made a change to this requirement, or provision, getting rid of the overlay and making it a
20 by-right development, or by-right... it's still subject to you know, it's subject to... it takes... it can

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1 have increased height and floor area based on the parameters that are set forth in B, and if it's
2 subject to the Objective Standards, which the City Council just also recently adopted, it would
3 have a courtesy review before the Architectural Review Board. So, C reflects current law, or
4 what will be current law in about 30 days or so. And then D, is a suggestion that we've made
5 some good progress on the affordable housing overlay/incentive program. But there's this
6 requirement right now that says you can go up to 2.4 but the .4 of that is commercial, so this D
7 suggests that we eliminate the... that we allow that .4 to go to the residential building, so no
8 change to the over all FAR, we're just saying you don't have to have the commercial and also
9 for ... also that we allow the project to go up to 60-feet in height. And the reason for that as
10 we're seeing with the application that's on file with the City at 3001 El Camino, State Density
11 Bonus Law super density bonus provisions allow you to go to 60-feet anyways. So, this is
12 something that's an alternative to State Law. If we want to stay competitive with the state
13 density bonus, but still have our process, you know, someone in place this is just sort of
14 recognizing the State of Affairs. So, it looks like a lot and, and it is from a, an affordable housing
15 developer standpoint. This is a great. This is something that people have been asking for a lot
16 and we've made some great progress recently and I think there's just a few areas that we can
17 maybe enhance it a bit further.

18

19 Chair Lauing: So, you're saying we're close to here already with the... (interrupted).

20

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1 Director Lait: Your except for... except for D, you're there already and D is making... is fine-
2 tuning it. And again, these are projects that are 60% AMI.

3

4 Chair Lauing: Vice Chair Summa.

5

6 Vice-Chair Summa: I do have a couple, oh my mic, sorry, I do have a couple questions about B,
7 and it says... right after it says in parens... New, in red, so but you're saying that's not new?

8

9 Director Lait: It's new from what the Housing Element Working Group looked at. These
10 notations about new or revised were an effort to cross walk the last iteration that the Housing
11 Element Working Group looked at and show that we've made a change, or we've added
12 something. So this is a new objective that we've added to our programs, but it's not a new
13 policy, it's an existing policy.

14

15 Vice-Chair Summa: It's an existing policy.

16

17 Director Lait: It's qualified, it's in the books, it's something we're already doing. Wilton Court is
18 the project that took advantage of this.

19

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1 Vice-Chair Summa: Which one? Wilton Court? Okay, okay, I wasn't remembering. And just in
2 general, when we say up to 120% AMI, I forget, I think I've asked this before, does that mean it
3 can be all at 120, or does it have to be a mix? And, or... in B.

4
5 Director Lait: It does not need to be a mix, it can, the Council approved it when it adopted this
6 overlay regulation up to 120% AMI.

7
8 Vice-Chair Summa: For any project that would use this?

9
10 Director Lait: If... (interrupted)

11
12 Vice-Chair Summa: Could it be all 120 AMI's as opposed to some blend between... (interrupted)

13
14 Director Lait: It could all be 120% AMI.

15
16 Vice-Chair Summa: Okay.

17
18 Director Lait: Again, existing code.

19
20 Chair Lauing: This is the original affordable housing overlay, right?

-
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Director Lait: Yes.

Vice-Chair Summa: Just a thought that maybe we want to consider not just simply up to 120% to get a little broader spread of income ranges, but...

Director Lait: I don't know many market rates developers that are going to build to 120%, and if you're an affordable housing provider, to take advantage of certain tax credits, you're going to need to have lower income anyways. So, I understand why you might hesitate on that 120, I think in practice it's probably not likely to be built at all 120.

Vice-Chair Summa: Yeah because a tax credit is capped at 60, I believe. Okay. Thank you.

Director Lait: I think there's different tax credits depending on how much, it's a complicated formula and I've tried many times to understand it but it's... so... it's... just different thresholds, different layers or qualifications.

Chair Lauing: Any other comments on this one?

-
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1 Commissioner Reckdahl: I had one question back on 3.2, I noticed on the check box it says HCD
2 requirement. Did... is it actually explicitly a requirement or do they just want us, that area as a
3 required area and that implementation is just one way of implementing what they want.

4

5 Director Lait: I think it's the latter, but Tim... can you clarify?

6

7 Mr. Wong: I think it's just... yeah, an HCD requirement that wants us to consistently review our
8 development standards.

9

10 Commissioner Reckdahl: Okay, thank you.

11

12 Chair Lauing: Okay so, is 3.4 completed enough to work it or do we want to push that one?

13

14 Mr. Wong: There are still... I think a number of these will... are our feasibility study which is
15 forthcoming, will address some of these ratios, and so maybe some of that detail and... so I
16 would save this for the 29th.

17

18 Director Lait: I might suggest if, because I think there's some other... clearly there are some
19 gaps, in D, and maybe we don't get into that so much but B, has a concept that is not, you
20 know, it's not dependent on a study, and...

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Chair Lauing: Do we want to... do we want to half of a program here? Or do we want to just consider this altogether when we have all the data? Since we're not going to get through all these all tonight anyway, that's all I'm asking.

Director Lait: Chair, I'm just reading through these here.

Chair Lauing: Yeah, go ahead.

Director Lait: Yeah, E, yeah, I... Your call. I think that there's some important concepts here that we need to talk about, retail preservation being one of them, but you're right, maybe we come back to 3.4.

Chair Lauing: We can start there on the 29th. And 3.5 we definitely need more data there for the HIP.

Director Lait: Okay, but we can we talk about that just in concept?

Chair Lauing: So we're on 3.6.

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1 Director Lait: Chair, can we just spend a minute on what our concept is on 3.5? Because this is
2 some new... we don't have specifics but it's a new concept and I think it... if the Commission's
3 up for it then... I don't think it would take too long. But...

4
5 Chair Lauing: Okay, but we're going to have to come back to it anyway so, because the data
6 that's missing there.

7
8 Director Lait: Yeah, well, you know, we may not have the data at the next meeting though
9 either.

10
11 Chair Lauing: If it's a concept you want us to think about in the next three weeks, then yeah,
12 you should go over it now. (crosstalk) the ad-hoc is going to meet some more.

13
14 Director Lait: Okay so we can talk about this with the ad-hoc I guess, 3.4 and 3.5 maybe. But on
15 the, we hope to have some information by the 29th but it may be that some of this information
16 is, you know, we're going to have to see how our analysis is coming along. So, I think we can
17 skip it for now.

18
19 Chair Lauing: So, 3.6 is expedited project review.

20

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1 Commissioner Hechtman: Mr. Chair?

2

3 Chair Lauing: Yes.

4

5 Commissioner Hechtman: I had one of my what does this mean questions on 3.4, and it would
6 help me to have that answer, it's pretty simple...

7

8 Chair Lauing: Makes total sense.

9

10 Commissioner Hechtman: So on Packet page 32, Objective E, the language I didn't really
11 understand was ... provides clear rental subsidy compared to market rents. Maybe just a brief
12 little explanation, help me understand, who subsidizes, or yeah, explain it to me because I was
13 wondering if maybe there was a clearer way to state that so it flows better.

14

15 Director Lait: Yeah. Yeah. This is great, so if there's different words we should be using, we'll...
16 let us know. But the concept is... we have one work force housing overlay project in the City, it's
17 at 2755 El Camino Real, and that's Paige Mill and El Camino, and it's the workforce housing
18 project that is, I think may have paid the in lieu fee but was required to provide, I want to say,
19 20%, but it may be more than that, of the units restricted at a 130 and a 140% AMI. And the
20 criticism of that project after it's been built and marketed, is that the... the rental rates, they're

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1 all studios right, studio apartments. And so, because the size of the units the rental rate isn't
2 really, it's pretty much in line with market rate rents.

3

4 Commissioner Hechtman: On a square foot basis.

5

6 Director Lait: Yeah yeah.. and so, the idea is, you know, we may just want to scrap it, you know
7 that's one solution, but we didn't want to... and that may come out through this process, that
8 we don't want to pursue it, but if we do, how do we do it in a way where we actually realize
9 some benefit to the 130-140% income. And maybe it doesn't qualify for studio projects, or
10 studio units, you know, but that's what we're trying to say here. Do we want to scrap it as a
11 policy, or do we want to try to fix it.

12

13 Commissioner Hechtman: Okay. What we're talking about with the use of the word subsidy
14 here, we're talking about compelling the developer to rent at a lower rate than they otherwise
15 would.

16

17 Director Lait: Lower than market rate.

18

19 Commissioner Hechtman: Okay. So that's helpful, I'll sort of think about that between now and
20 the 29th, and maybe have some language. Thank you. That was it on 3.4, thank you Chair.

-
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Chair Lauing: I had that one underlined as well, so you answered my question too. Let's see.
Okay, we're done with that. 3.6, Expedited project review.

Mr. Wong: This is just looking at limiting certain number of Public Hearings, also looking at what potential permit applications can be done at the administrative level, and in addition to formalize a procedure to provide some just some free technical services prior to submittal of the application and those are really it. Staff did remove some other considerations but I think they were, we just kind of repackaged them in A, B, and C. So,

Chair Lauing: Thanks.

Mr. Wong: Yeah.

Chair Lauing: Comments from folks? Question from Vice-Chair Summa.

Vice-Chair Summa: Thank you yes, so for B, formalize a procedure to offer no cost pre-application complication services, isn't that going to be difficult from the standpoint of budget for Development Services?

-
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1 Director Lait: I'm sorry, what was the question?

2

3 Vice-Chair Summa: B is the one about eliminating ... (interrupted)

4

5 Director Lait: B... letter B?

6

7 Vice-Chair Summa: Yes, letter B.

8

9 Mr. Wong: Yeah, to formalize no cost pre-ap.

10

11 Vice-Chair Summa: Yes.

12

13 Director Lait: No, I don't believe that will have a significant effect in many ways, it actually
14 helps us because the quality of the application materials come in, we have a change to
15 articulate what is needed.

16

17 Vice-Chair Summa: So it wouldn't be a lengthy process for staff.

18

19 Director Lait: It's probably about an hour. Yeah.

20

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1 Chair Lauing: Commissioner Reckdahl.

2

3 Commissioner Reckdahl: Yeah, I have a conceptual question on C where you're limiting the
4 number of ARB hearings. How does that work? If... Does that mean that the applicant has to
5 agree to everything that the ARB says?

6

7 Director Lait: So I'll... I'll start by saying that the world is changing and objective standards kind
8 of you know, and State Laws are evolving. And so, the role of the Architectural Review Board
9 is... is something that is you know, we're having to sort of reconcile through this process. Our
10 existing Municipal Code limits Architectural Review to three meetings.

11

12 Commissioner Reckdahl: Okay,

13

14 Director Lait: And that doesn't preclude the city and the applicant from having additional
15 meetings, you know, if that's, you know...

16

17 Commissioner Reckdahl: If the applicant wants them.

18

19 Director Lait: If that's agreeable.

20

-
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1 Commissioner Reckdahl: Okay.

2

3 Director Lait: And actually I think it's the director who gets to ultimately make the call but it's
4 usually done in concert with an applicant. I would imagine there'd be similar language in
5 something like this that, you know, if the applicant felt like they wanted to go back and have
6 another meeting fine, we would do that but what we're seeing now with our objective
7 standards, what we anticipate is that more projects are going to meet these objectives
8 standards. And there's really not going to be that much more for the Architecture Review Board
9 to weigh in on. They may have some perspective and comments and some suggestions and
10 maybe they come back with some refinement to that, but it's it would only... but that's the idea,
11 is that for a housing project, you know, one of the complaints is it takes too long, it's subjective.
12 So, we've got objective standards and we're trying to convey to reduce the... the time.

13

14 Commissioner Reckdahl: Forgive my ignorance, the townhouse project that we looked at last
15 meeting. We were just looking at splitting the lots, that went to ARB, ARB didn't like it.

16

17 Director Lait: Yep.

18

19 Commissioner Reckdahl: Is that irrelevant? What's the, how does that affect the Project to the
20 ARB doesn't like it.

-
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2 Director Lait: Well, they... (interrupted)

3

4 Commissioner Reckdah!: For that particular project.

5

6 Director Lait: Yeah, so that one's a little bit... (interrupted)

7

8 Chair Lauing: That was a 330 project. Right? SB330?

9

10 Director Lait: Yeah it's definitely a State Density Bonus Law project, I thin it was a 330, SB330
11 project, so, it did lock in, sort of the standards, you know, so we're publishing a report on that
12 project tomorrow, so you can hear staff's recommendation, we really don't feel like State Law
13 allows us to deny that project, so you'll see that reflected tomorrow. Typically, you know, I
14 think this is an area where we need to have a conversation with the Architectural Review Board
15 and talk about what we're able to approve and what we're able to deny and you know, if
16 increasingly, you know, it's harder to deny housing projects and that's intentional. So if the
17 Architectural Review Board is struggling with the project, we really want to kind of work with
18 the applicant to see how far we can get them to move in that direction.

19

20 Commissioner Reckdah!: ARB is just kind of offering some suggestions? .. is that (crosstalk)

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2 Director Lait: So they always make recommendations and those recommendations are made to
3 the Director and 90% or better of the time, probably much better than that, it's a project
4 approval and recommendation and a project goes forward. Rarely does the ARB get to a place
5 where they feel like they need to deny a project. And the ones that they've denied, typically are
6 City projects, or cell sites, this is the first housing project, straight housing project that I think
7 the ARB has denied since I've been here, recommended denial for. So I think it's a bit of an
8 outlier.

9

10 Commissioner Reckdahl: So maybe back off and bigger picture, how is this limiting the ARB to
11 two meetings affect...

12

13 Director Lait: It's one less meeting.

14

15 Commissioner Reckdahl: What are the ramifications of that?

16

17 Director Lait: Well, so if it's... if the applicant is not able to respond satisfactorily to the Board's
18 comments, the Board may not issue a recommendation of approval, and that's one thing, the
19 other is community members maybe dissatisfied with the end result and feel compelled to
20 appeal the project, that's a possibility. But, in that scenario, you know, this still moves it

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1 forwards because it's less, you know... let's see... anyways, I think those were the two you
2 know, potential scenarios. The other scenario is the applicant responds and it's one less
3 hearing. I also think that the Board doesn't always spend three meetings, right, it's not correct
4 to assume that just because they can go to three, they always do go to three. A lot of projects
5 are processed within two meetings anyways. And it does help to have a little bit of a back stop.
6 There is another procedure in the code, minor ARB applications that has a two-meeting back
7 stop. So, you know, it's... we're just trying to find ways to cut the time down and if the
8 Commission feels that this is one where it's not appropriate to do that, because maybe most
9 projects don't end up going to three meetings anyways, we can pull it off.

10

11 Commissioner Reckdah!: Thank you.

12

13 Chair Lauing: Okay, anything more on that one? Oh, Sorry, go ahead, Vice-Chair Summa.

14

15 Vice-Chair Summa: Thank you. I watch a lot of ARB meetings and they really provide... they
16 hardly ever deny anything. Jody gearheart said, since she's been here, they'd have denied two
17 projects and I can't remember what the other one was there. They're very collaborative with
18 the applicants, but what I observed is, how much better they make the projects for everyone.
19 And since we're not going to have as much control... over some projects because of objective
20 standards and State Law, I would be more comfortable leaving it at three unless the ARB

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1 prefers to, you know. So, I guess maybe ask them and but I really note, even a giant project like
2 Castilleja, you know, which got it got... it got to be, but it got to be a lot better in many ways
3 because of the Public Hearing process. That's probably not a good example because we're all
4 still thinking about it...

5

6 Director Lait: PTSD...

7

8 Vice-Chair Summa: But... but I notice it on a lot of smaller projects too. I think it's very
9 collaborative and useful.

10

11 Director Lait: Yeah. So, you know I... it's a question really for the Commission as to whether or
12 not you think this is a program that's worth advancing. I feel like you know, staff is you know
13 can go either way on it.

14

15 Vice-Chair Summa: Okay.

16

17 Director Lait: Tim, I don't mean to speak for you but I don't think you were a fan of this one in
18 the first place. Where you.

19

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1 Chair Lauing: I think more efficient process to take, you know, things out of the processor going
2 to be credible to HCD because that's, you know, what we're trying to do and and might help
3 with our Public Image as well. Commissioner Chang.

4
5 Commissioner Chang: I was actually going to ask that if we are going to do this, is it worth
6 changing the language so that says reduce... will limit the number of hearings before the ARB to
7 a maximum of two meetings rather than... some indication of what it was before right? Because
8 that's... but I don't know, I'm fine with... it's just is unclear that this is like a big Improvement,
9 which it is there.

10
11 Chair Lauing: Yeah, Good point. Let's jump over to replacement housing and see if there's any
12 comments on that. We're getting close to our 10 o'clock mark. Any comments on that one?

13
14 Director Lait: Tim do you have any set up...

15
16 Mr. Wong: No, additional, this would just require replacement of low-income units and also
17 add commercial demolition as... as... to... a commercial development would have to replace
18 housing in expansion of the SB330 requirements. Currently SB330 does not require replacing
19 those units for commercial, future commercial development.

20

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1 Director Lait: Commissioner Reckdahl this is one of those no net loss provisions that we had
2 talked about, and this is fixing what we think was either an oversight, but if Albert, if you're still
3 on, is the State Law still on path to correct this? Is the State making this change too?

4

5 Mr. Yang: I don't believe so.

6

7 Director Lait: Ah, okay, so then this would be a local sort of, you know, enhancement to
8 preserve housing that might otherwise be replaced by commercial development.

9

10 Commissioner Reckdahl: I don't understand number B, or letter B. To require any commercial
11 development to replace any...

12

13 Director Lait: Yeah, yeah. If you have a commercial lot, that has a couple of units on it now, the
14 way the law is set up, a developer could remove those two units and build a 5,000 square foot
15 commercial building. What this law would do is, you can do your 5000 square foot commercial
16 building, but you also have to replace those two housing units.

17

18 Commissioner Reckdahl: Okay. Thank you.

19

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1 Chair Lauing: Okay. How about 4.2. All these are kind of pretty straight forward here, but... 4.2
2 and 4.3. We can talk about those together.

3

4 Mr. Wong: Yeah, 4.2 is just to provide additional information for renters... (interrupted)

5

6 Chair Lauing: Yeah, that's good enough.

7

8 Mr. Wong: Basically empowering renters with great information, and it's a more proactive
9 approach. So that's for 4.2.

10

11 Commissioner Reckdahl: What is the definition of substandard housing? Is that something
12 that's now allowed by code?

13

14 Mr. Wong: Yeah, if it doesn't meet building code.

15

16 Commissioner Reckdahl: So why would we just... why would we provide information to a
17 resident, why wouldn't we send the code enforcement officers out there to site the unit?

18

19 Director Lait: If we knew about it we could do that, and part of this is helping, arming tenants
20 with information to ask the question, wait a minute... this doesn't seem right, you know, maybe

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1 I do have an issue here. And then I can call code enforcement. It's like, renters may not know
2 that the conditions they're living in can be improved and need to be improved. So it's an
3 opportunity to add some more awareness for renters.

4

5 Commissioner Reckdah!: Maybe we should reword this because it seems like we're just passing
6 the buck as opposed to this being the first step in getting the problem fixed.

7

8 Director Lait: Are we on, I'm sorry, 4.2?

9

10 Commissioner Reckdah!: 4.2, yeah. Am I misreading that or do.. you... (crosstalk) same
11 impression that the...

12

13 Commissioner Hechtman: You might be, and I've done that a number of times on these, it
14 seems pretty clear to me, that if I'm a renter, I'm going to get a piece of paper that's going to
15 tell me among other things, what to do if I think that the place, I'm living is substandard. Right,
16 so it's an information sheet for me, and it tells me, among other things, go talk to code
17 enforcement.

18

19 Director Lait: It's actually quite proactive and not something we do today.

20

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1 Commissioner Reckdahl: Okay.

2

3 Mr. Wong: It's almost more like... know your rights.

4

5 Commissioner Reckdahl: So, if a complaint is received, I would think that we would... wouldn't
6 we refer it? Or would you... if you call them up, you triage them up over the phone, okay that
7 sounds legit and instantly refer it to code enforcement?

8

9 Director Lait: Yeah, if we get a complaint, it goes to 311, and code enforcement goes out and
10 takes a look at it. We don't... you know... if somebody has a concern about that, we would
11 quickly check that out. So again, this is just an informational piece of... we don't do it know and
12 I'm getting tired Chair.

13

14 Chair Lauing: Okay.

15

16 Commissioner Reckdahl: It seems like it's kind of do nothing project, program, but I don't
17 oppose it.

18

19 Chair Lauing: Commissioner Chang.

20

-
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1 Commissioner Chang: I had a question about 4.3 B, so seek additional funding sources to
2 supplement CBD funding, is there something we can do to make that sound more real, because
3 I would like more funding for everything. I could seek more funding for affordable housing, but
4 I'm never going to get it. Right, so, is it through grants, is it through... is it like, is this realistic?
5 Where do we get these, where would we seek? I feel like I could add that to every single item
6 that requires money, so, how is this one different and how do we make it better?

7

8 Mr. Wong: That's true, at this point, right now, we only dedicate CDBG funds Community
9 Development Block Grant funds to the City's rehab program, but this is something that we
10 could supplement with, for example, the State has come out with a few additional sources
11 through the parcel tax... (interrupted)

12

13 Commissioner Chang: For example, through State Grants or such and such, I just think that
14 would be a little bit... more realistic.

15

16 Mr. Wong: Okay. And there might be... Okay, we will clarify 4.3 – B.

17

18 Chair Lauing: Okay and then just 4.4 and we'll finish up 4 and be done for tonight I think, this
19 one talks about requiring seismic upgrades of vulnerable housing stock. Pretty straight forward.

20

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1 Mr. Wong: I believe this is soft story, isn't it John?

2

3 Director Lait: It would include soft story. That's the... yes... but it's a broader program and
4 we're... we have a budget request in this budget cycle for funding for that program. So this is
5 something that if supported by the City Council later this month, we might be able to advance
6 starting next year.

7

8 Vice-Chair Summa: I think it's a great idea. People have been asking for this for 20 years.

9

10 Director Lait: Yeah, it's past due.

11

12 Chair Lauing: Okay. So it's 10, yeah Commissioner Hechtman.

13

14 Commissioner Hechtman: Yeah, just before... well I guess if we're going to leave this item, I did
15 just want to... and this is something I talked to Mr. Wong about offline, this coming back to us
16 on the 29th, and my request is when you bring it back to us, if you will... and Director Lait
17 mentioned maybe that you'd do this, basically provide us the goals, policies and programs in a
18 redlined form so that we can see the changes that you made from the version that we have
19 tonight, because that way we can... because we've all studied this, and that way we can... it will

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1 be a lot more efficient for us just to see what's new and we can focus on that so, I'd appreciate
2 that if that was in the staff report next time.

3

4 Chair Lauing: Okay. Commissioner Hechtman was correct, we did get through a lot of these
5 page, good prediction, quite a few of them and those two big ones needed some data anyway,
6 so I think we're content to finish at this point unless someone is eager to press on. But we do
7 have a meeting next time, and... like...

8

9 Commissioner Reckdahl: Does anyone have any big picture, what-the-heck-is-this comments
10 on the remaining items that the ad-hoc should dig through?

11

12 Commissioner Hechtman: I have one, Chair, if I may.

13

14 Chair Lauing: Go ahead.

15

16 Commissioner Hechtman: Just... present it that way, because I'm going to raise it eventually. If
17 you go to Packet page 43, it is the objectives for program 6.10, affirmatively Furthering for
18 Housing, in Objective C, the term rent stabilization is included and the thing I wanted to talk
19 about is whether, in a document intended to promote the development of housing, whether
20 this is an appropriate place for that concept because my view is rent stabilization chills the

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1 development of new housing. So, I'm not looking to debate that tonight, but that's something
2 I'm going to bring up next time and so if the ad-hoc is going through 6.10, that's something you
3 might want to think about.

4

5 Chair Lauing: Okay.

6

7 Commissioner Reckdahl: Fair enough.

8

9 Chair Lauing: Any other comments on that? Okay so there's going to be changes to this
10 document so technically we don't have to continue this meeting, it's going to be a new hearing
11 on additional things so there's no motion required.

12

13 **Approval of Minutes**

14 Public Comment is Permitted. Three (3) minutes per speaker.

15

16 Chair Lauing: So, let's move along to minute approvals and then we're ready to go... so. The
17 standing order of our minutes is not quite correct, so we're going to do them in actual calendar
18 order. You can call them out.

19

20 4. March 9, 2022 Draft Summary Meeting Minutes

21

22 Commissioner Hechtman: We need to make a motion.

-
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1

2 Chair Lauing: Yeah, we need to know which one we're talking about first.

3

4 Director Lait: So March 9th would be the first in chronological order.

5

6 Chair Lauing: That's right.

7

8 Commissioner Hechtman: May I Chair?

9

10 Chair Lauing: Go ahead.

11

12

13 MOTION

14

15 Commissioner Hechtman: I move approval of the March 9th 2022 draft summary meeting
16 minutes as revised.

17

18 SECOND

19

20 Vice-Chair Summa: I second that motion.

-
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1

2 Chair Lauing: Roll Call vote please.

3

4

5 VOTE

6

7 Ms. Klicheva: Commissioner Chang?

8

9 Commissioner Chang: Yes.

10

11 Ms. Klicheva: Commissioner Hechtman?

12

13 Commissioner Hechtman: Yes.

14

15 Ms. Klicheva: Chair Lauing?

16

17 Chair Lauing: Yes.

18

19 Ms. Klicheva: Commissioner Reckdahl?

20

-
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1 Commissioner Reckdahl: Yes.

2

3 Ms. Klicheva: Commissioner Roohparvar?

4

5 Chair Lauing: Looks like we lost her.

6

7 Ms. Klicheva: Looks like it. Vice-Chair Summa?

8

9 Vice-Chair Summa: Yes

10

11 Ms. Klicheva: Commissioner Templeton?

12

13 Commissioner Templeton: Yeah.

14

15 Ms. Klicheva: Motion Carries 6-0.

16

17 MOTION #1 PASSED 6 (Chang, Hechtman, Lauing, Reckdahl, Summa, Templeton) – 0

18 (Roohparvar disconnected).

19 **Commission Action**: Motion by Hechtman, seconded by Vice-Chair Summa. Motion Passed 6-0.

20

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1 Chair Lauing: Next up is March 30, 2022 Draft Verbatim meeting minutes. Mic...

2

3 5. March 30, 2022 Draft Verbatim Meeting Minutes

4

5

6 MOTION

7

8 Commissioner Hechtman: I don't know who Mike is... I move approval of the March 30th 2022

9 draft verbatim meeting minutes as revised.

10

11 Chair Lauing: This is where you come in Commissioner Chang

12

13 SECOND

14

15 Commissioner Chang: Second.

16

17 Chair Lauing: Roll Call Vote please.

18

19

20 VOTE

-
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1

2 Ms. Klicheva: Chair Lauing?

3

4 Chair Lauing: Yes.

5

6 Ms. Klicheva: Commissioner Chang?

7

8 Commissioner Chang: Yes.

9

10 Ms. Klicheva: Commissioner Hechtman?

11

12 Commissioner Hechtman: Yes.

13

14 Ms. Klicheva: Commissioner Reckdahl?

15

16 Commissioner Reckdahl: Yes.

17

18 Ms. Klicheva: Vice-Chair Summa?

19

20 Vice-Chair Summa: Abstain, I was absent.

-
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Ms. Klicheva: Commissioner Templeton?

Commissioner Templeton: Yeah.

Ms. Klicheva: Motion Carries 5-0.

MOTION #1 PASSED 5 (Chang, Hechtman, Lauing, Reckdahl, Templeton) – 0 (Summa abstained and Roohparvar absent).

Commission Action: Motion by Hechtman, seconded by Chang . Motion Passed 5-0.

Chair Lauing: Okay, next up is May 11th, 2022 draft verbatim and summary.

6. May 11, 2022 Draft Verbatim and Summary Meeting Minutes

MOTION

Commissioner Hechtman: I move approval of the May 11th draft verbatim and summary meeting minutes as revised.

-
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1

2 SECOND

3

4 Vice-Chair Summa: Second.

5

6 Chair Lauing: Okay, Roll Call Vote.

7

8

9 VOTE

10

11 Ms. Klicheva: Commissioner Reckdahl?

12

13 Commissioner Reckdahl: Yes.

14

15 Ms. Klicheva: Commissioner Chang?

16

17 Commissioner Chang: Yes.

18

19 Ms. Klicheva: Commissioner Hechtman?

20

-
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1 Commissioner Hechtman: Yes.

2

3 Ms. Klicheva: Chair Lauing?

4

5 Chair Lauing: Yes.

6

7 Ms. Klicheva: Commissioner Roohparvar? Oh sorry. She is absent.

8

9 Ms. Klicheva: Vice-Chair Summa?

10

11 Vice-Chair Summa: Yes.

12

13 Ms. Klicheva: Commissioner Templeton?

14

15 Commissioner Templeton: Yes.

16

17 Ms. Klicheva: Motion Carries 6-0.

18

19 MOTION #1 PASSED 6 (Chang, Hechtman, Lauing, Reckdahl, Summa, and Templeton) – 0

20 (Roohparvar absent).

-
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1 **Commission Action:** Motion by Hechtman, seconded by Vice-Chair Summa. Motion Passed 6-0.

2

3 Chair Lauing: Okay, thank you.

4 **Committee Items**

5 Chair Lauing: Looking at the Agenda for the next week, we know what that is, it looks a lot like
6 this Agenda for this week, and that's the only item thus far, unless Jonathan, you know of
7 anything additional. Okay, and then predicted after that is revision of ADU laws but I don't
8 know if that's still going to happen. No, it would be the first one in August.

9

10 Director Lait: Do you have a meeting in July?

11

12 Chair Lauing: In July? Yeah.

13

14 Commissioner Hechtman: The first meeting in July, not the second.

15

16 Chair Lauing: I'm sorry, June 29th, I was thinking July 29th. No we do have one in July, that's
17 correct. Okay, 7-13.

18

-
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1 **Commissioner Questions, Comments or Announcements**

2

3 Chair Lauing: Okay, any comments or announcements? Excellent meeting, we stand adjourned.

4 Thank you all.

5

6

7

8 **Adjournment**

9 10:13:00 pm

-
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