



CITY OF
**PALO
ALTO**

Planning & Transportation Commission Action Agenda: August 10, 2022

Zoom & Community Meeting Room
6:00 PM

Call to Order / Roll Call

6:02 pm

Chair Lauing: Thank you. I'd like to Call to order the regular meeting of the Planning and Transportation Commission for August 10, 2022. Would you please call the roll??

Ms. Klicheva: Commissioner Hechtman?

Commissioner Hechtman: Present.

Ms. Klicheva: Chair Lauing?

Chair Lauing: Present.

Ms. Klicheva: Commissioner Reckdahl?

Commissioner Reckdahl: Here.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Roohparvar?

2

3 Commissioner Roohparvar: Present.

4

5 Ms. Klicheva: Vice-Chair Summa?

6

7 Vice-Chair Summa: Present.

8

9 Ms. Klicheva: Commissioner Templeton?

10

11 Commissioner Templeton: Here.

12

13 Ms. Klicheva: We have a quorum.

14

15 Commissioner Roohparvar: What about Commissioner Chang?

16

17 Ms. Klicheva: And Commissioner Chang is absent today.

18

19 Commissioner Roohparvar: Okay.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: So, we have one, two, three, four Commissioners in chambers, actually in the
2 conference room near chambers, and we have one absent and two on zoom. Okay, now we'd
3 like to do the resolution relative to the (interrupted) Go ahead.

4

5 Chief Planning Official Amy French: Pursuant to AB-361 (interrupted)

6

7 Chair Lauing: Mic.

8

9 Chief Planning Official Amy French: Pursuant to AB-361 this meeting will be held with the
10 option to attend by teleconference or in person. Members of the public may provide live public
11 comments by submitting a speaker card prior to the start of Public Comment on that item.
12 Speakers may address items not on the Agenda during Oral Communications portion of the
13 meeting. Spoken comments via a computer or a smart phone will be accepted through the
14 zoom app. To address the Commission go to <https://zoom.us/join> the meeting ID 916 4155
15 9499. When you wish to speak, click on raise hand. To offer comments using a regular phone
16 call 1-669-900-6833 and enter Meeting ID: 916 4155 9499. When you wish to speak on an
17 agenda item hit star (*) 9 on your phone so we know that you wish to speak. Thank you.

18

19 Chair Lauing: Okay also pursuant to law at the beginning of each month we have to revote as a
20 Commission to do exactly what was just described, to have all communications, so Packet page

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 five (5), we need a resolution authorizing use of teleconferencing for PTC Commission
2 meetings. I like a motion please.

3

4 MOTION

5

6 Commissioner Hechtman: So moved.

7

8 SECOND

9

10 Vice-Chair Summa: Second.

11

12 Chair Lauing: Moved by Commissioner Hechtman and seconded by Vice-Chair Summa. Any
13 comment on that? Commissioner Templeton is your light on?

14

15 Commissioner Templeton: No, sorry.

16

17 Chair Lauing: Okay, then roll call vote please.

18

19 VOTE

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Hechtman?

2

3 Commissioner Hechtman: Yes.

4

5 Ms. Klicheva: Chair Lauing?

6

7 Chair Lauing: Yes.

8

9 Ms. Klicheva: Commissioner Reckdahl?

10

11 Commissioner Reckdahl: Yes.

12

13 Ms. Klicheva: Commissioner Roohparvar?

14

15 Commissioner Roohparvar: Yes.

16

17 Ms. Klicheva: Vice-Chair Summa?

18

19 Vice-Chair Summa: Yes.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Commissioner Templeton?

2

3 Commissioner Templeton: Yes.

4

5 Ms. Klicheva: Motion carries 6-0

6

7 MOTION #1 PASSED 6 (Hechtman, Lauing, Reckdahl, Summa, Roohparvar, Templeton) – 0-1

8 (Chang is absent).

9 **Commission Action**: Motion by Hechtman, seconded by Summa. Motion Passed 6-0 .

10

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 excellent, it's now the time in the meeting for oral communications, if

15 there's any member of the public that would like to speak on an item that is not currently on

16 the agenda, please raise your hand, there's non in chambers and Madina will monitor this.

17

18 Ms. Klicheva: We have one raised hand, and it is Rega Wood. Rega Wood you have three

19 minutes for your comments.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Rega Wood, Public Comment: Hi. I am not familiar with this procedure, I wanted to speak about
2 the ADU provisions as they affect us. I'm not sure if this is the right time.

3

4 Chair Lauing: No, as soon as this section is over... section is over, then we're going to move to
5 that agenda item so you can speak at that time.

6

7 Ms. Wood: Okay.

8

9 Chair Lauing: Okay, thank you. Just another note of procedure, particularly for our zoom
10 colleagues, we are in a conference room with a completely different hook up, when you're not
11 on screen, it is very hard to see a little post card on the screen so I may not see you to call on
12 you and just remind me if that occurs. So our action item tonight is a continued hearing and it
13 has to do with a potential change to a (interrupted).

14

15 Commissioner Hechtman: Chair.. do we need a directors report, did I miss that?

16

17 Chair Lauing: Oh, sorry, go ahead.

18

19 **Agenda Changes, Additions and Deletions**

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

21

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. French: Sure, and there by the way there are no Agenda changes, additions or deletions.

2 **City Official Reports**

3

4 1. Directors Report, Meeting Schedule and Assignments

5

6 Ms. French: Just to let you know we will be meeting on August 31, 2022, coming up the
7 Planning Commission will have two action items, one is an open space home to review and then
8 there is an ordinance for the conditional use permit thresholds, it's currently an interim
9 ordinance and along with those we do have a planned study session on retail best practices,
10 although we have not received the report yet from our consultant so that could be put off, I
11 don't know, it's the plan thought. So that's a full meeting, hopefully we'll have a quorum on
12 that date. Then just an overview, I don't know, obviously Racheal is no more, serving as our
13 assistant director, and we are... we have not hired a replacement. So, staff is pinch hitting,
14 myself included for different roles that she was performing. I don't know if you would often talk
15 about what's next on the Council Agenda, obviously the Council is meeting tonight, in the
16 chambers and that's why we're here, for our carry over from last night... sorry, from Monday
17 night. The next Council meeting, August 15th doesn't not have any planning action items on it
18 that I can see. So, I don't see that there's any need for representation. And, then we're on to a
19 new month, September, I believe.... We'll I don't think there's anything on the 22nd but I can
20 check that. The September 12th will be the meeting that we do have some Planning items,
21 although those Planning items have not been before the Planning and Transportation

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commission, they are a couple of PHZ (Planned Home Zoning) prescreens, so that will be the
2 Council's first look at a couple of those, addresses, 70 Ancina and 4345 El Camino Real. And
3 then of course the following week the Council will also see another prescreening, a PHC, at
4 3400 El Camino Real. So you see, it's working, there's housing projects coming forward at least
5 in prescreening mode for consideration. Another one of interest is the Policies and Services
6 committee on September 13th, that's targeted for the rental survey program overview. So that's
7 a first time that we're doing something like that. And nothing else left to report, the
8 department obviously is seeking staffing and as every other company around, from what I
9 understand. So, that concludes my report.

10

11 Chair Lauing: Okay. Thanks for pinch hitting. Yes, I was going to announce that Rachael has left
12 us, and you were standing in. So, thanks. Is there representation from Transportation?

13

14 Ms. French: Yes, Rafael Rius is attending.

15

16 Mr. Rius: Hello. Thank you. I'm Rafael Rius, senior engineer with the office of Transportation.
17 Just to give a brief update on what's going on around town. School is starting back up this week.
18 Some grades started today, and I think everybody will be back starting tomorrow. So, be aware
19 of more kids and traffic on the roads. A quick update about our Charleston/Arastradero project,
20 it's still under construction, most of the medians and striping have been put in place, and it's

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 ready to go. A few of the traffic signals have been pushed back, anticipated to be completed in
2 November. These are the intersections of Charleston at Luis Rd, Fabian and Wilkie, and a little
3 bit of good news is that we are going to try to get the intersection at Luis, Montrose, and
4 Charleston up and running sooner using some temporary equipment. We're targeting early
5 September, hopefully by Labor Day, but can't quite promise it, but that's our target at this time.
6 And with that, we are still trying to establish a date to have a study session regarding traffic
7 safety and high incident locations in the City. A little bit of an update on that, we are working
8 with our Regional Congestion Management Agency VTA is developing a local road safety plan
9 specifically for Palo Alto, and that will help also identify locations, so right now we've discussed
10 with our other staff and we're waiting for that report to come in and that could help us with
11 our discussions that we have in the future.

12
13 Chair Lauing: Okay, any Commissioner questions for either of the staffers that we heard from?
14 Commissioner Hechtman.

15
16 Commissioner Hechtman: Thank you. First, I actually wanted to thank Ms. French for her
17 vibrant reading of the opening announcements, that was the best version I've heard yet and I'm
18 interested to see if it actually spurs extra public comments tonight since you made it so
19 welcoming to do that, so I'll keep my fingers crossed that happens. I did have a question. Earlier
20 in the year, one of the items the Commission dealt with was a lot split, it was the property that

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 had the four cottages on it, I think that may have gone to Council earlier this month and if so,
2 I'd like to hear what happened.

3

4 Ms. French: Sure. I did attend that Council Hearing, actually I should say those Council
5 Hearing's, there was a continuation from the first Hearing. This is Amarillo, and I just want to
6 say 1033, but I might be wrong, okay, sometimes numbers lodge themselves and sometimes
7 they escape. So the Council did approve that preliminary parcel map with exceptions, with
8 findings and conditions that then moved into, kind of protection of affordable housing. So there
9 was quite a discussion, and this was just Monday night, so it's fresh. There was a discussion
10 about somehow having a condition that would ensure that there was some continued units and
11 affordability. So, we'll see if that works, but that was the intent.

12

13 Chair Lauing: Vice-Chair was there, why don't you comment as well.

14

15 Vice-Chair Summa: Yeah, thanks. And Amy that's right. Really what they were concerned was
16 that they would get three units, a primary house, an ADU and JADU on each of the two new ten
17 thousand approximately square foot properties. So, they asked if that could be a condition
18 applied for the final map. So, there seemed to be a little bit of discussion about if that was legal,
19 and apparently it was decided it was legal, so in the end that's what will happen unless
20 something else comes up with the property. Yeah, I was there.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

Commissioner Hechtman: Okay, thank you.

Chair Lauing: Other questions?

Vice-Chair Summa: Oh, I have something with regards to affordability of course, there is no way... under SB9 and under the City's additional laws, there's no way to ensure affordability of either ADUs or JADUs. I think that was the aim but in the end they had to give that up because there's no mechanism for that, it's just making sure there's three units on each, with a shared driveway.

Action Items

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

Chair Lauing: Okay, alright we'll move on to our only Action Item, a continued hearing to review and discuss potential ordinance changes to Code 18.09 on accessory and junior accessory dwelling units. It's a continuance so we'll have staff kind of pick up where we left off, we covered part of the Agenda and made motions on part of the Agenda so let's all catch up on where we are.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 3. 2023-31 Housing Element Goals, Policies and Programs

2

3 Mr. Sauls: Definitely. My name is Garrett Sauls, I'm the Planner who's working on the ADU

4 Ordinance update. The items with which we discussed last week, sorry, on July 13th, were as

5 follows: basements, noise producing equipment, parking and allowances to be, have

6 attachments with ADU to those parking structures, privacy, corner lot incentives, and all the

7 policies identified in the Staff Report as "E" one-through-eight. The items with which we did not

8 discuss, or the item that we did not discuss at that time was the section of the Staff Report

9 which discusses the affordable ADU incentive program. Two of the items that the

10 Commissioners previously discussed, the Commission previously discussed, were basements

11 and noise producing equipment which it sounded as though there wanted to be a little bit

12 more discussion on that but all of those items that I mentioned before, did receive motions and

13 the motions were for the policies about basements to adopt all the bullet points that were

14 recommended in the Staff Report but to require all basements to count as floor area and not

15 just when it's habitable or not, that proceeded on a 5-1-1 vote. The noise producing equipment

16 policies were to adopt staff's conceptual staff recommendations to reduce setbacks for junior

17 and accessory dwelling units, but leave the primary unit regulations alone, that was a split at 3-

18 3-1, the policies related to allowing an attached parking garage to an ADU without counting

19 towards the ADU's maximum size, PTC recommended to support staff's recommendation, to

20 remove that limitation. That was done ... and to not allow a doorway between any attached

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 garage and an ADU. That was put forward 6-0 vote with one absent. The other item was about
2 privacy that motion sought to adopt conceptual staff recommendations that also was a 6-0-1
3 vote. The corner lot incentives similarly received a 6-0-1 vote as well, that was to adopt the
4 staff's recommendations and then it was further to ... there was further direction to staff to
5 consider how that policy could potentially be abused in a manor where someone might be able
6 to develop an ADU at a 10-foot setback with a house at a 10-foot setback and then in the future
7 come back and say they want to relocate that ADU. The PTC recommended staff reevaluate...
8 take another look at that and understand how that may or may not be able to be controlled.
9 And the last items were the Policies one-through-eight that's identified as item... section E in
10 the Staff report. All of those received a 6-0-1 vote. So, again the remaining items to be
11 discussed if the PTC wants to bring them up again is basements and noise producing
12 equipment, as well as the item which we did not discuss which was the affordable ADU
13 incentive program. So, I can share my screen and walk through the Policies we were including in
14 the Staff Report on the Affordable ADU Incentive Program.

15

16 Chair Lauing: Okay, one other thing I want to add beforehand that we discussed in the pre-
17 meeting, is that originally, in the last meeting, the plan was to have Staff come back with some
18 changes to be discussed but instead you've chosen to get other changes for tonight, and then
19 intentionally we'll have a third meeting to consider this whole thing with all the changes.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: That's correct, Yeah. So if the PTC decides that, for example, the affordable ADU
2 policy is not something we want to create and instead use those incentives and put them
3 towards making it available to all units to utilize those incentives, not just ones that are deed
4 restricted be affordable, staff would modify that draft ordinance and return back in the third
5 hearing, primarily just to have PTC review the final... I say final draft but you know, final version
6 of the draft to identify any further modifications or to move it along to City Council.

7

8 Chair Lauing: Right, Okay. So, just before you put up your slides and get going here, we
9 definitely did not... we definitely parking lotted the affordable ADU discussed and we're going
10 to start that from scratch, although we have talked about it in the past. So that's there, but the
11 other two, I'd like to get some input on from the Commission that we actually have already
12 discussed and wrestled with and then made a vote, as to whether or not we would bring that
13 up again, which would be a little bit off procedure but that's okay, we can have that discussion
14 as well. So, I think I'd rather let... have that second point first, where we discuss if we want to
15 re-discuss something that we already discussed and voted on, because we'll know exactly what
16 we're going on. So, I'd just like to open up for discussion and I'll do my best to see the screens
17 up there for Commissioner Roohparvar and Templeton. Opinions on whether we should revisit
18 those. Commissioner Hechtman.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Hechtman: Thank you Chair. So, unfortunately the verbatim minutes for that
2 meeting which was for July 13th aren't out yet and I wasn't, and I didn't independently make
3 notes about why we would want to revisit the noise and basement issues. I'm not apposed to it,
4 but it just... and in fact, part of the notes I made after the meeting, at the end of the meeting
5 was specifically that we were going to do it, so I think by the end of the meeting, you had at
6 least outlined what you wanted to accomplish tonight, and it included both of those items. So,
7 I'm not sure why we'd want to talk about them more, but I'm open to it. I did want to mention
8 on the basement and again this would be something we see when the minutes come out, I
9 think that one was approved 5-0, Commissioner Chang was absent and Commissioner Reckdahl
10 had to leave the room briefly and I think he was out during the tail end of that conversation and
11 the vote. So I guess that would be an abstention rather than a 5-1-1. I don't think you,
12 Commissioner are opposed, but maybe you registered your vote later and I just didn't
13 remember it.

14

15 Commissioner Reckdahl: I did not register my vote.

16

17 Commissioner Hechtman: Okay, alright, so I think that accurately that was a 5-0-2 vote.

18

19 Commissioner Reckdahl: The dilemma we had was, you know, if you look at that drawing on
20 Packet Page, what was that, 16, is not so much whether we allow the first one, but whether we

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 allow the middle one. And that five, you said it was 5-0-1, or 5-0-2 I guess it would be, was that
2 the middle one, or did that include just the first one?

3

4 Commissioner Hechtman: So, in my notes it was all four bullets except, which are on the top
5 half of that same page, except the word habitable I think was deleted from the fourth bullet.

6

7 Commissioner Reckdahl: Okay.

8

9 Chair Lauing: Did you have a comment? Vice-Chair Summa.

10

11 Vice-Chair Summa: So, unfortunately I didn't watch the whole meeting and as Commissioner
12 Hechtman noted the minutes aren't available, but I did watch the end and you made the
13 motion and it quite clearly, and I took notes on the motion that night, quite clearly we did say
14 noise and basements and affordable ADUs, so, why don't we go ahead and do that and so...
15 were you thinking Commissioner Chang was not at that meeting?

16

17 Commissioner Hechtman: I'm sorry, I was remembering you were the one that was absent
18 rather than Commissioner Chang.

19

20 Vice-Chair Summa: No we were both there.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Templeton: I was absent.

Commissioner Hechtman: Okay. I knew somebody was absent, Somebody was absent, I didn't remember who.

Vice-Chair Summa: Yeah, Okay. Thank you.

Commissioner Hechtman: Like I said, I've got no problem at all going through these items again and my notes indicate that that was our plan.

Chair Lauing: Okay good. So, that's the plan. So, then we probably should start with those two before we go to the affordable. Is that alright with everybody? Oh yeah, sorry. This is a continued Hearing so we generally don't have public comment, we do have a letter from Ms. Wood that I was going to have our staff comment on in Lieu of Public Comment, so Garrett, would you, I have the letter in front of me, would you please comment on her concerns and where we are with that, and I know you've been in dialogue with her.

Mr. Sauls: Yeah so I've been in email correspondence with Ms. Wood and I think initially there was some misunderstanding about some aspects of the policies that we're putting forward,

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 which I communicated to her, were different than I think the understanding that she had
2 initially taken to it, I wasn't available last week, so I wasn't able to get some subsequent
3 response to her before this meeting, but I do intend to reach out to her regarding the letter
4 that she submitted on August 5th which is the one that you have next to you that you are
5 referencing. I haven't been able to fully evaluate and review those items that she's indicating
6 within that letter, to the extent that I would be able to fully more detail out the... any sort of
7 responses to. I do intend to (interrupted)

8

9 Commissioner Templeton: Chair I raised my hand... Sorry, I can wait until you're done.

10

11 Mr. Sauls: I do intend to reach out to you Ms. Wood and I apologize that I haven't gotten the
12 chance yet. I'm still just catching up on some things.

13

14 Chair Lauing: So yeah, this will come back again, and before it's an ordinance, so we will have
15 time to take a look at it.

16

17 Commissioner Templeton: Chair?

18

19 Chair Lauing: Yes, I was just going to say... I was just going to call on you, it's very hard to see
20 up on that screen, So....

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Commissioner Templeton: I know, I know, sorry (interrupted)

Chair Lauing: I don't mind at all when you do that when you say "Chair", because I know then you're ready to talk. Go ahead.

Commissioner Templeton: Exactly, I'm trying to make it work for everybody, so I appreciate your patience. So, just a procedural question, earlier Ms. Wood did try to make a comment and she was deferred until we had this action item in front of us, but if she wasn't going to be allowed to speak to this action item, shouldn't she be allowed to have spoken at the general comments? It's confusing. I just want to make sure, she's still on the line it appears I just want to make sure if she would like to speak that we get to hear from her.

Chair Lauing: I think the technical answer to that is no. But I can allow comment and I'd be happy to do that. Be happy to allow Ms. Wood to comment. So, we're going to set that up.

Ms. Klicheva: So our first speaker is Rega Wood. Hi, please introduce yourself and you have three minutes to speak.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Wood: Thank you for permitting me to speak. I'm apposed to regulation that make ADUs
2 more difficult to establish. Our particular situation involves an ADU we wish to build for our son
3 who's a substitute teacher in east Palo Alto. We had planned an ADU with a flat roof that was
4 going to be within the... at the four-foot setback position so what that means is a lot. We
5 planned an ADU with two very small bedrooms basically a bedroom and a study, or a second
6 bedroom, a small kitchen, a very small bathroom and a very small living area. That brought it to
7 eight-hundred and ninety-five feet. At that point, you're subject to the daylight plane
8 regulations, that meant that the roof could only be twelve foot tall. Of those twelve foot, four-
9 foot-eight-inches has to be taken up with piers or so that the finished floor has to be four-foot-
10 eight inches above ground level. That leaves you with very little space and if you been assumed
11 an average width. Roof say ten inches, then you're left with a floor to ceiling height that is less
12 than seven feet. And that is not allowed by the Palo Alto building code. So we're put in the
13 position where it is impossible to proceed. I was hoping that some way to making it possible to
14 go forward could be found. That's all I had to say and thanks for listening.

15

16 Ms. Klicheva: Thank you. I don't see any raised hands to other participants.

17

18 Chair Lauing: Okay. Thanks very much and as was stated Ms. Wood, staff is going to get back to
19 you about these things and I'm sure there's some resolution here. Okay. So then let's go to the
20 staff report and I think we should start in the order, either basements or noise, whichever.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Mr. Sauls: Okay, let me go ahead and share my screen again.

Ms. French: Okay so we're starting again on Packet Page 16.

Chair Lauing: Yes and thankfully last packet and this packet are numbered the same, for a change, excellent!

Mr. Sauls: Okay, so the first two items are about basements and noise producing equipment. Basements and regulations in particular discuss how the... how the city would be able to regulate for table two units, the square footage that might be counted towards floor area, to come extent being able to capture that space in terms of the total maximum allowable floor area that these units can be developed to. Other aspects that staff had raised in the staff report were related to whether or not the city wanted to, the Planning Commission wanted to recommend to Council the... any specific language regarding requiring basements to be fully below grade rather than allowing them to be partially sunken, there were some privacy issues that staff had highlighted in the staff report that the center image of what you're looking at on page 16, here, could create the opportunity for two-story unit, which again, raises some issues of privacy towards adjacent neighbors. The other policies identified in the staff report would be to allow for light wells to be no closer than four-feet to a property line and also provides

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 protection measures for existing trees that might be out of their protected species and of the
2 new tree technical manual, new tree ordinance or at least provide for protection in the event
3 that those root zones may be significantly affected that they could potentially fail. As it relates
4 to noise producing equipment location standards, that policy in particular was to provide for
5 some additional measures on street side yards for anytime there are noise producing
6 equipment placed in that area to basically require that they be screened from view either
7 through landscaping or some other means to be... in order for them to be integrated well into
8 the sight and the overall design, and then additionally to suggest further relaxing the noise
9 producing equipment standards specifically for ADU and JADU units. The reason being is that
10 many of the units' staff are seeing, HVAC units that staff are seeing, tend to conform already
11 with the City's noise producing ordinance, generally in R1 zoned districts, the maximum decibel
12 rating at a property line is 66dB. Many of the units we're seeing are either around 60dBs or less.
13 So, that's why staff is suggesting it could be for ADUs, and JADUs specifically only those units
14 could be potentially even closer to a property line and still be compliant by their design, with
15 the City's noise ordinance. The other policies related to noise producing equipment for the
16 primary home would remain the same. And then further distinguishing any sort of unit that
17 might try to be shared within or between an ADU and a primary home would need to follow the
18 more stringent requirements being the primary home's setbacks, rather than the junior or the
19 ADU's setbacks.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Okay, so let's take those two before we go to the affordable because this is sort
2 of a rerun here. So. Okay might as well do it in that order. Commissioner Reckdahl you started
3 on that, want to tee it up?

4
5 Commissioner Reckdahl: Yeah, I've been thinking about the basement issues. The whole
6 purpose is we want to encourage ADUs and so I would think that we should do our best to
7 make the basements work and Commissioner Hechtman did point out that it's very unlikely
8 that a full basement would be built, it'd be just quite expensive. So, if we do have basements in
9 ADUs, I suspect it will be four or five feet deep, something like that. That raises though, that
10 you have a floor that's five feet off the ground. No anyone standing in there is looking out so
11 my inclination would be to say yes, you can any basement that you want, but if any finished
12 floor is say above five feet, it can only have opaque windows facing property lines. And that
13 would allow people to have ADUs but also prevent you from looking over into the neighbor's
14 fence which is only four feet away.

15
16 Chair Lauing: I just quick want to be clear on what you described. We need a white board in
17 here if we're going to be changing buildings here.

18
19 Commissioner Reckdahl: So, you can have any basement you want, whether it be fully
20 depressed or partially depressed, but if a finished floor is more than five feet off the ground,

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 then that... the windows on that level, can not have transparent windows. Any windows must
2 be opaque that face... any window that faces a property line, would not be able to have
3 transparent windows.

4

5 Chair Lauing: Are you talking about a first floor or a second floor?

6

7 Commissioner Reckdahl: Any finished floor that is five feet off the elevation, five feet off the
8 ground. So that would be mostly likely a second story. If you had a basement, but you know like
9 the public commenter was saying, well her floor was four and a half feet off the ground. If for
10 whatever reason you had a finished floor that was on pillars that was five feet off the ground,
11 you shouldn't be able to look over into your neighbor's yard at that point. I think the cleanest
12 way to say it is any floor that's five feet off the ground, the windows on that level, that face a
13 property line, can not be transparent.

14

15 Chair Lauing: Commissioner Templeton.

16

17 Commissioner Templeton: Thank you. Yeah, I was just wondering if we have requirements like
18 that for any other kind of structures. I'm see second stories go up that clearly can see into the
19 neighbor's back yard and I've heard of no such restriction. Just wondered why we'd want to do
20 it for this kind of structure when it doesn't apply to any other, more aggrieves situations.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Lauing: Could we have staff come in on that?

Commissioner Reckdahl: The reason I'd bring this up is you only have a four-foot setback. Maybe say if the setback is less than six feet, and the finished floor is more than five feet off the ground, then you can not have transparent windows facing the property line.

Commissioner Templeton: Oh, thank you Commissioner, I was just wondering if like that makes sense because if you're a little bit further back and twice as high, you can still see the same, if not better into your neighbor's yard. So yeah, I'd definitely love to hear from staff thank you.

Mr. Sauls: Certainly. So, Commissioner Templeton to you're question, currently staff required surred glazing on windows on the second-floor levels as part of the IR, the Individual Review Program for a new two-story home. Typically, we'll require them for windows that do not have at least a five foot ceil height from the second-floor level. Otherwise if the windows are at that second-floor, that five foot ceil height we do not require them to have obscured glazing but for any windows that, like I said, don't satisfy that requirement, we do require them to utilize that. To Commissioner Reckdahl's point, I think one of the things that we had raised in previous staff reports were concerns about identifying where privacy becomes an issue or not, as it relates to setbacks from properties. Only because that can to some extent infer privacy beyond that point

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 is no more of an issue, contrarily to it, right. And so that also is... gives some concern to staff for
2 specifically the IR Program where privacy typically if you think of a traditionally interior lot you
3 have either a six or and eight foot side setback or a twenty foot rear yard setback, along the
4 rear we traditionally only use landscaping as a means to screen that as its certainly much
5 further away as it's part of an intent to be more common sensible to not require usually master
6 bedrooms are kind along those rear facing areas, not kind of block out those spaces, right, for
7 the occupants along the interior side we will require obscure glazing between that six and eight
8 foot distance but that's only because people traditionally built to those setbacks, right. So if
9 they were further away I think we would still require obscured glazing even if it was say eight to
10 ten feet and landscaping between those spaces. Because those are the areas where there's
11 more visibility that I think people are a lot more concerned about.

12
13 Commissioner Templeton: Thank you. Yeah, I think that's exactly the scenario I was thinking
14 about on my street one of the neighbors back yard adjacent neighbor built a second story and it
15 is very tall and it's a full double French door so the windows are straight visible into the
16 property behind it. Also, there's cables that go through along the property line, so the
17 vegetation isn't an option. So, there's... it's interesting that you know, that some of these
18 privacy situations wouldn't be as applicable but it's also interesting to hear, I mean it wouldn't
19 be universally applicable and it's also interesting to hear that there's some potential negative
20 side effects of having it defined so specifically in one scenario which would imply that it

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 wouldn't be applicable to another scenario. Are there any safety concerns as well about... is it
2 just window like screening or you wouldn't have windows. I was trying to clarify what the
3 suggestion from Commissioner Reckdahl was. But I would think that you might want to have
4 some alternate mode of exit available, so I think sometimes you may need to have a window
5 there. I'd love to hear comments on that from staff as well. Thank you.

6

7 Mr. Sauls: So the policies that were previously recommended by PTC to move forward with
8 were to require all egress windows to face towards the front property line. There still can be
9 interior side and rear facing windows but those would be the five foot ceil height windows
10 which I just described before which would need obscured glazing. So to some extent, I don't
11 think they would serve the same purpose as an egress window, right, in that you can easily or
12 more easily escape out of them in the event of a life safety event. But to Commissioner
13 Reckdahl's point, I think if there's an interest in doing something along those lines, the more
14 objective we can make that approach, the easier it is for staff to implement. Whereas right
15 now, for the IR Program, the individual review program, that is to some extent a conversation
16 with the applicant in where staff go back and forth to say we think you need more privacy
17 measures, we have ones we traditionally work so to some extent they become objective and
18 that has somewhat distilled into the staff report and into the draft ordinance but if there are
19 other policies that, like you were suggesting you wanted to put a certain height limit which
20 faces this area at this level needs to utilize some obscured glazing, if there could be an objective

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 standard I think that's much more easier to implement, rather than having to have these
2 conversations on the permits because they are supposed to be ministerial, so there's not
3 supposed to be discretion applied to any of these projects.

4

5 Chair Lauing: Commissioner Roohparvar.

6

7 Commissioner Roohparvar: Thank you. I guess my question relates to this overarchingly for City
8 Attorney Yang, so look, I've canvassed ADU regulations and statutes probably across thirty-five
9 forty jurisdictions in California and I haven't seen things like glazing, etcetera, I guess my
10 concern is and I know the statute says like you can't be imposing anything on [unintelligible]
11 and I don't think like glazing necessarily is on [unintelligible] I've seen a lot of more detailed
12 restrictions in our ordinance that I've seen in ... literally I've looked at forty other ordinances.
13 Do we have any concerns generally, should we be keeping in mind like maybe feedback that we
14 might get from HCD and rejection of our ordinance or like any issues with State law, because
15 State law is pretty... the whole purpose of the State law was to make sure there was a
16 proliferation of ADUs and that you know, cities aren't adding additional restrictions. I kind of
17 just wanted to get your take on that overarchingly as I think through these issues.

18

19 Mr. Yang: Yeah, I think there is certainly the possibility that we could layer on so many
20 requirements that it could have a chilling effect on ADU production. I don't know that we've

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 seen that in practice, you know I know that we continue to see you know a lot of ADUs that
2 come in for permits and be approved. So, you know I think it's... a good point to keep in mind
3 that you know, we are able to regulate based on our concerns for certain classes of ADUs.
4 There are other ADUs for which we just have to approve them, even if they have you know,
5 windows on a second story that look right out onto the neighbor's lot. You know, if they fall
6 within a certain parameter of size and height, setbacks, we would just have to approve them.
7 So, it's not something that we've seen as an issue so far, but it's something that we would
8 certainly monitor.

9
10 Commissioner Roohparvar: Okay. And so the glazing what we're talking about here would only
11 apply to ADU's over eight-hundred square feet right, so anything under you couldn't do any of
12 these additional...

13
14 Mr. Yang: Yeah, that's right. I mean it's a little bit more complicated which ADUs it would apply
15 to but (crosstalk) if you had a detached ADU that's under eight-hundred square feet these
16 regulations aren't going to apply.

17
18 Commissioner Roohparvar: Okay. Okay. That's really helpful. I don't have anything against
19 glazing I just wanted to ... it's an overarching concern making sure we don't run into issues with
20 like State law or HCD if we get too restrictive. Thank you.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Chair Lauing: Vice-Chair Summa.

Vice-Chair Summa: Yeah, I had a question regarding Commissioner Reckdahl’s comments and concerns. So we can’t really do that for 18, the ministerial section, so we’re talking about 1809040 which is the one... yeah, I’m wondering if that is already covered really, honestly under 1809040 Page 46 at the bottom of little “I”, little “I” privacy. Second story doors and decks shall not face... oh and then second story windows, excluding those required for egress, wouldn’t that count for second stories that are above basements also or do we need to clarify somehow in this section.

Mr. Sauls: Right now, we don’t allow basements for these Table Two units. So, within the section that you’re referencing, we don’t currently provide an allowance for basements, presumably in the example we have in the staff report of the center image of the sunken basement space, that was the issue that staff was trying to raise to say this can create that... provide more of an opportunity to create that situation, that conflict in privacy. And so as a result of that we want to be making sure to communicate to the PTC and to the public who are listening of course to you know, what measures can we implement to protect privacy concerns.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Vice-Chair Summa: Okay, then I agree with Commissioner Reckdahl that these same privacy, A,
2 B, and C, issues should apply to... if approved, should apply to units with basements. I think that
3 makes sense.

4

5 Chair Lauing: Commissioner Hechtman.

6

7 Commissioner Hechtman: Yeah, thank you. So the... our existing ordinance before we were
8 even talking about revisions actually addresses a lot of Commissioner Reckdahl's concerns.
9 Vice-Chair Summa had pointed us to Packet page 46 on to 47 that's the existing part of the
10 ordinance and B is really the operative provision that most directly addresses what
11 Commissioner Reckdahl was talking about but if you go to Packet page 34 and 35, I think that's
12 more instructive because that's the same ordinance but with staff's recommended changes if
13 I'm reading that correctly. Is that right?

14

15 Mr. Sauls: That's correct.

16

17 Commissioner Hechtman: Yeah, and so... so if you look at the very bottom of page 34, the
18 existing language was second story windows. But staff has recommended a change to windows
19 on a second floor loft or equivalent space, right, which I think gets at... partially at
20 Commissioner Reckdahl's point of its not nec... depending on the site situation, it's not

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 necessarily going to be a second floor and I had actually, in the edits that I had emailed before
2 the last meeting suggested we put in the word elevated. And that's one of the things that we'll
3 see when staff comes back with a marked-up version whether they like that or not, but I think
4 all of these things get at the point that Commissioner Reckdahl was trying to make. As the unit
5 goes up, and it's in close proximity to the property line, that we want to make extra... we want
6 to have those extra protections and so my point is, we already a lot of that, and staff is
7 proposing in the language to fine tune it even further.

8

9 Chair Lauing: Does staff agree with that?

10

11 Mr. Sauls: That's correct. Making a more direct relationship to like a specific height right, of
12 when these things apply is I think what Commissioner Hechtman was saying is the equivalency
13 of these spaces I think is what we are trying to target with this draft language in front of us, we
14 may you know... when we're preparing this I think we were thinking more along the lines of you
15 know, that floor level as it's created, the loft you know space, is when we're really going to start
16 to say this is you know, comparable to a second floor where we really want to protect against
17 privacy issues versus saying you know, is there an equivalency space in a way that we think of it
18 as counting twice towards floor area for the normal regulations we have for the primary home
19 that would be something that if the Commission feels strongly about having some more direct
20 language there, we can certainly do that.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Commissioner Hechtman: Can I continue Chair?

Chair Lauing: Yeah, certainly.

Commissioner Hechtman: Alright, so now I'd like to look more broadly the way Commissioner Reckdahl started because he's really talking about these three images that we're looking at on Packet page 16 and really the focus is on the middle unit because I think all the Commissioners, according to my notes, were supportive of the two diagrams on the ends. The discussion was focused on whether this middle image is a good idea. So, I wanted to follow up on that a little bit. The last diagram, two levels above grade, and I'm looking at the clear space on the second floor and it looks like six foot nine [inches] (6'9"), so the first question I had is, is there anything in our code that would prevent a closed door bedroom with a 6'9" ceiling, is that allowed.

Mr. Sauls: To my I'd have to check about that specific narrowly directed question as it relates to like a floor level or habitable space. My understanding is that the building code requires seven and a half feet at a minimum, to become a habitable space, in which case this would be more like a loft.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Hechtman: Okay. Alright, because I do think that's important and we did talk
2 about this a little bit at our last meeting. My belief is that if we're creating housing, we want to
3 create livable housing and whether it's a loft with a roof line at sixteen feet or a bedroom with a
4 roof line at sixteen feet, I mean we want to be creating places where people can sleep, and
5 where they are comfortable. I've got a son in Brooklyn right now who is sleeping in his bedroom
6 overnight and in the morning, he gets up and he goes over to his desk in the same room and
7 works remotely all day. And we want those opportunities, particularly with ADUs and so I think
8 we want to encourage livable spaces and that function well for residents of our community and
9 so I think if to give somebody a more livable space we need to allow them to excavate a little
10 bit to get a more reasonable height inside that allows a seven foot five ceiling as long as they're
11 not going over the max, which it think is sixteen feet, I'm supportive of that.

12
13 Chair Lauing: So, you're saying you want to make the third graph look more like the second
14 graph.

15
16 Commissioner Hechtman: What I'm saying is I would support the second... all three of these
17 options should be available to members of our community who want to build an ADU.

18
19 Chair Lauing: Okay, got it. You're not saying the third one should be ruled out because it's only
20 six nine.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Hechtman: No, if somebody wants to build that, if that's what they want on the second floor, a loft, that's their business. But if they want to enclose it, and they come up and they say I want to closed door bedroom here, then I want staff to be able to direct them, well, the issue you have if you start at ground level, is you only have six-foot nine clear space and that only allows a loft because you need seven and a half. If you want to have a closed door bedroom up there, what you're going to need to do is excavate down x number of feet to give yourself seven and a half clear space.

Chair Lauing: Yeah, I was just trying to get clarity on that because we could say that number three is out because the ADUs are going up for fifty years and we want to make sure anybody can live there as opposed to people who want lofts. I was just asking a point for clarification. Do we have another question down here? Vice-Chair Summa.

Vice-Chair Summa: I was wondering if Mr. Sauls could tell us what our motion, like straw pull motion and vote was.

Mr. Sauls: Yeah, so the motion previously was to adopt all of the bullet points, the four bullet points you see, on Packet page 16, and then to also modify the last bullet point to say that regardless of whether the space is considered to be habitable, if it's sub-terrain construction,

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 that counts towards the floor area for the unit. So, in the example that you see on Page 16,
2 Packet Page 16, if you can imagine that first example and the second example, something in
3 between, where it's not a full floor level, below grade, that would still count towards floor area
4 towards the site, rather than being exempted. And that was the motion that went for 5-1-1, 5-
5 0-2, whichever.

6

7 Vice-Chair Summa: Okay, Thank you.

8

9 Chair Lauing: Two Commissioners online, now the sun is setting over your heads as well, so it's
10 even harder to see, feel free to speak up. Okay, other comments from Commissioners on where
11 we are. I'd like to take it back to you Commissioner Reckdahl because you raised it and then
12 heard some comments, is it in the ballpark for you?

13

14 Commissioner Reckdahl: Yeah, it's in the ballpark. I mean, I think it's a lot cleaner from a
15 legislative standpoint to say you can have a basement as opposed to saying it has to be fully... it
16 has to be a seven-foot basement. It can be any basement that the builder wants provided that
17 the roof is under sixteen feet. I think that's good practice.

18

19 Chair Lauing: Okay and originally, I was just raising as a clarification for debate, but I'll raise it
20 again as a question for myself, which is considering what Commissioner Hechtman said, there

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 are still going to be ADUs that go up at six foot nine. And the question from a policy standpoint,
2 would we want to recommend that not happen because we want to have habitable space for
3 the long term.

4

5 Vice-Chair Summa: I'll jump in. And I'll say I mean a lot of people in cities, a lot of housing has a
6 loft that is usable, you can crawl up there and sleep, I mean it wouldn't be the way everybody
7 wanted, but I think it's fine. I mean it's kind of a standard practice, it doesn't bother me. I think
8 I'll restate something I recall that I said in the last meeting and that is I'm not a big fan of
9 basements for environmental reasons, and I'm not a fan of more excavation in basements on a
10 site but I don't think it's fair to not allow them for ADUs when we allow them for the primary. I
11 did want to ask a question, I don't recall if I asked this, but it's in my notes, on bullet three, a
12 new basement must not negatively impact tree roots on adjacent lots, I'm concerned that it
13 says adjacent lots but not on its own lot. Is that an unnecessary concern?

14

15 Mr. Sauls: Presumably it could be both, I think the idea in general was to provide protection in
16 particular for adjacent lots that might not have the ability or authority within the permit
17 application to do anything, where the property owner is managing their own boundaries,
18 everything that's occurring on their own lot, for adjacent lots that might not realize until work
19 starts what's going on, you know, if there's an issue where a tree root basically gets cut in half,

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 that tree is more susceptible to failing. Which means, collapsing, falling, harming some other
2 property, right.

3

4 Vice-Chair Summa: Okay, so does it need to be added here or is it just understood that would
5 be part of the application process by the primary lot owner? Trees on the applicants lots are
6 also protected, is that covered?

7

8 Mr. Sauls: Yeah.

9

10 Vice-Chair Summa: I think it is, but I'm just checking.

11

12 Mr. Sauls: If I remember correctly, I'm just trying to find it in the packet now (crosstalk)

13

14 Vice-Chair Summa: (crosstalk) Commissioner Hechtman for directing, I was looking at the wrong
15 version, but I knew it was in there, thank you.

16

17 Mr. Sauls: So, there is... all of this is more regulated by the urban forestry department right, so
18 they obviously have much more authority in how things are, or knowledge really, in how well a
19 tree will be able to survive impacts like that. But on Packet page 34, if you look at section J,
20 which is setback, it would be J-2, at capital C, it would say: The new basement in the draft

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 ordinance, the new basement shall not negatively impact tree roots on the subject property or
2 an adjacent lot such that it would require the tree to be removed or fail.

3

4 Vice-Chair Summa: Okay thank you, then that's covered.

5

6 Chair Lauing: So, based.... Question for staff, based on our conversation here, is there any
7 changes for you, to be made? And if so, do you know the direction?

8

9 Mr. Sauls: I understand the direction, I'll have to take another second to look at it to see if
10 there's a need to change anything. I don't believe that there is, I think more so just a question
11 raised in the staff report to you know, those three diagrams, do we want to include additional
12 language to regulate whether they can be... basements can be you know, sunken, fully below
13 grade or whatnot. But I'll take a look at it now, just a second.

14

15 Chair Lauing: Because if there are any changes, we'll be happy to put it to a new vote.

16

17 Mr. Sauls: No, there's no need to change anything in the draft ordinance that's in front of you,
18 based on the direction that everyone has talked about (interrupted)

19

20 Chair Lauing: Right and we're all going to see it again when it comes to the ordinance.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Mr. Sauls: Right.

Chair Lauing: Alright, any other comments then on basements generally? Okay.

Mr. Sauls: I think Commissioner Templeton wanted to say something I saw, I think she was muted but I'm not sure, maybe she was not talking to us.

Commissioner Templeton: No there is some off-screen activity in my house. So, that was not for you (laughter). Got to get the rambunctious children to quiet down during PTC time, thank you though.

Chair Lauing: Okay thanks. Commissioner Hechtman?

Commissioner Hechtman: Yeah, so I just, the way we're ending this issue without any further motion I just want to make sure I understand, our current ordinance scheme will allow an ADU in any of these three diagram type designs shown on Packet page 16, and staff was bringing this item to us in case we wanted to limit it, in which case we would need to add language to our ordinance. Do I have that right?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: That's correct. Where basically you have A, B, C, D, it would be A, B, C, D, and
2 potentially E, or some additional language from the draft ordinance within those four.

3

4 Commissioner Hechtman: Okay. Thank you. So then I'm comfortable with the ordinance in it's
5 current form, which allows submerged, partially submerged or unsubmerged. Thanks.

6

7 Chair Lauing: That sounds dangerous, we better work on that wording for sure. Okay, let's
8 move to noise then.

9

10 Mr. Sauls: So, the noise ordinance section was a bit more straight forward, like I mentioned
11 before, that... those policies in particular were discussing... reducing further the location
12 standards we have in place today for noise producing equipment specifically for junior and
13 accessory dwelling units. The current standards are that all noise producing equipment
14 associated with those units have to follow a four-foot setback to the property line and what
15 staff's proposal based on the PTC prior direction was to allow for effectively a zero to four foot
16 setback depending on which ever intent a property owner would want to pursue. The separate
17 item to that was to just provide some kind of screening measures for street site setbacks, for
18 units placed on a streetside setback, but they would be screened utilizing some sort of
19 vegetation so that on another street facing side, you know, you don't just see a bunch of

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 mechanical equipment on front of the house. And that direction, as I mentioned before, the
2 motion that had been made was a... did not carry forward, it was a 3-3-1 vote.

3

4 Chair Lauing: Who wants to kick that off with any new insights. Commissioner Reckdahl?

5

6 Commissioner Reckdahl: I can start. I voted for it because I do think it allows for more sufficient
7 use of the parcel and if we can do that, that's always a good thing. I had a couple of concerns,
8 one of them is fire, if we have something in that setback that impedes the fire, could that make
9 it harder to fight fires or respond to emergencies. Have we cleared this with the fire
10 department.

11

12 Mr. Sauls: So these, all these structures, given their proximity to property lines need to be fire
13 rated, which means that they're either multi, I'd say multi-minute but hour rated, right is
14 usually the typical term that we've experienced when people are building structures close to a
15 property line. And what that means effectively is that you know, within an hour's time, if
16 there's a fire that's ignited, you know that that structure's not going to light up like a tin... like a
17 match... poof. Presumably there could be an impediment of, you know, having anything within
18 that space, although I would say that there are many instances with units that are at or almost
19 adjacent to a property line, so if the issue is whether or not something is accessible between
20 that space, we may not have... there may be an argument to say you know, it may be

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 equivalent, almost, one of those scenarios where the fire department will usually find a way to
2 be able to solve the issue. Even when there's a structure closer to a property line, regardless of
3 if it's spaced and there's a mechanical unit there. With the mechanical unit it's a little bit easier
4 to maneuver around it than an entire wall, you know, sister'd next to a fence.

5

6 Commissioner Reckdahl: Right. You know these split units are pretty small. Could we have like
7 a two-foot setback for the HVAC equipment?

8

9 Mr. Sauls: We could have like a two-foot setback.

10

11 Commissioner Reckdahl: And that would allow people to use that setback to, so it doesn't
12 clutter up their yard but still, that would give access to emergency responders.

13

14 Mr. Sauls: Yeah.

15

16 Commissioner Reckdahl: Okay. That would make me feel better than allowing the whole
17 setback to be used by the HVAC that you would have only a two-foot setback. The second issue
18 is that, suppose this thing is really loud, you're two foot closer to the property line and so I
19 went back to my freshman physics book and dug out the acoustics and did the equations and
20 for... for that first five feet there really is a big roll off. Two feet actually makes a big difference.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 When you start getting out thirty or forty feet that's more of a plane wave and you don't have
2 the roll off nearly as much. The number of (interrupted)

3

4 Chair Lauing: Could you translate that please?

5

6 Commissioner Reckdahl: The number of dBs that are used per foot is quite high when you're
7 close to the device because it's one over radius squared. And so, as you go out that radius, that
8 radius gets larger and therefore the roll off isn't nearly as much. So, for that near feel, when
9 you're close to that device, two feet really matters. So, but, if that device is quiet enough, then
10 we don't care. And so, let's say it was a 65 dB device, the neighbor is not going to hear that. If
11 it's an 85 dB device the neighbor will hear it. And so, it isn't just location, it's how much noise it
12 makes. So, if we put some type of reasonable limit on that device that's in that four-foot
13 setback, I think the neighbors are protected, and as you mentioned, the modern split units are
14 quite quiet. It'd be quite easy for a homeowner to get under 65 dB limit. But we also are
15 precluding them from having a very noisy unit when there are quieter units on the market. So.

16

17 Mr. Sauls: That is correct.

18

19 Chair Lauing: Madina, we've lost the screen entirely now.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Oh, sorry.

2

3 Commissioner Hechtman: So Chair, the screen has flicked off and on a couple times, my
4 impression is that we're still live....

5

6 Ms. Klicheva: Yeah we are live.

7

8 Commissioner Hechtman: Yeah, it's just that we can't see (interference).

9

10 Commissioner Roohparvar: We can still see you guys.

11

12 Chair Lauing: Okay great, I just want to make sure the two remote Commissioners could
13 participate.

14

15 Commissioner Roohparvar: Yeah we'll speak up, I think Cari you can say, but we'll speak up if
16 we want to say something if that's helpful, that way you won't have to mess with the screen.

17

18 Commissioner Templeton: Same.

19

20 Chair Lauing: Yeah, that's great. Okay Commissioner Hechtman.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2 Commissioner Hechtman: So, I'm looking at the language of the ordinance which Mr. Sauls
3 pointed out, it's at the bottom of Packet page 33, so, these units, they have to be insulated,
4 okay, have to be housed, and they have to meet our noise standards at the property line. And,
5 so, I think that covers us whether the unit is two feet from the property line or four feet from
6 the property line. I do think, and maybe this is an inquiry we should have since this whole item,
7 the whole ordinance is coming back to us, maybe between now and our next meeting where
8 we cover this, we can get some clarity on noise attenuation over space, because I think I
9 mentioned it at the last meeting that in my work I've been involved with a number of noise
10 studies and the general understanding I've always had is that you get three decibels of
11 attenuation over fifty feet and below three decibels the human hear can't even hear it. So, at
12 twenty-five feet you couldn't even tell the difference. But what Commissioner Reckdahl has
13 found is something different from that, that suggests that actually in close proximity there may
14 be a difference and so I'd be interested in the City chasing that down for our next meeting so
15 we have better factual basis to make these decisions because I do think that could be relevant. I
16 do... I guess I'm... when I think about the fire issue, which obviously is important, but when I
17 think about a lot of these... So, I think if we have an ADU that is four feet from the property line,
18 which it's allowed to be, you know, I'm kind of thinking in my head about water heaters and air
19 conditioning units insulated in a housing and how those could be and sometimes are, wider
20 than two feet. And so, if we require a two-foot setback, then are we unintentionally excluding

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 the ability to have the equipment on that side because you can't fit it in the two feet next to
2 the... next to the ADU which is at four-feet. So, on that particular issue, I'd really like to just let
3 our fire folks tell us if they have a concern that we should be thinking about with equipment on
4 the property line side of an ADU that's four-feet away from the property line.

5

6 Chair Lauing: Vice-Chair Summa.

7

8 Vice-Chair Summa: Yeah, so, currently we don't allow noise producing equipment in the side
9 setback, which is six feet.

10

11 Mr. Sauls: Four feet.

12

13 Vice-Chair Summa: Oh, it's four feet.

14

15 Mr. Sauls: For ADUs (crosstalk) For a primary home it can't be in the front yard, the rear yard or
16 the side setbacks. Typically, that's twenty-feet front/rear, six or eight feet on the sides.

17

18 Vice-Chair Summa: So, I don't understand, I still have concerns and maybe if we get some of
19 this data that my colleagues have requested when we're looking at the final version of the
20 draft, but I still have concerns that we're just reducing the... that we're increasing the potential

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 for noise traveling into other people's yard and I think I asked at the last meeting, you know,
2 there could be such equipment on three sides of your house if three people had ADUs, so I'm
3 still not convinced that this is a good idea and that it's not a reduction of our noise policies.

4
5 Chair Lauing: I think the suggestions are very good to just kind of hold on this, and get some
6 real data from both the fire department and the respective engineer that can give us that data.
7 And I think that will inform Council and that's even more important. So, I'd be comfortable
8 with that.

9
10 Mr. Sauls: I will say we don't have a noise engineer on staff, so it will be a lot of internet
11 research. Which is not a problem, it's obviously not entirely inaccurate but,

12
13 Commissioner Reckdahl: I'm happy to give you my equations and you can verify if I've made any
14 mistakes.

15
16 Mr. Sauls: Alright, we'll see how this works. (Laughter) Do we need a special calculator for that?
17 HP 84 or (laughter), TI.

18
19 Commissioner Templeton: Chair?
20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Yes, go ahead.

2

3 Commissioner Templeton: Just tying this back to a conversation we had earlier this evening, do
4 we think that restrictions like what we're talking about now would slow down or prohibit
5 development of ADUs?

6

7 Chair Lauing: Was the question if we had this restriction would it slow down ADU projection?

8

9 Commissioner Templeton: Yes.

10

11 Mr. Sauls: I would say it has not seemed to slow down ADU production from what we've been
12 able to tell.

13

14 Commissioner Templeton: Okay.

15

16 Mr. Sauls: This would just provide some additional flexibility to site planning for the unit.

17

18 Commissioner Templeton: Thank you.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Okay, do we have a general consensus so we can hold on this until we get that
2 information? Okay. Great. We can move on to the third one unless folks want to take a short
3 break. This is our only Agenda item. No. Okay let's press on to the affordable ADUs.

4

5 Mr. Sauls: Okay. So, these three items that are included in the ordinance based on PTC's
6 previous discussions about creating an incentive program for affordable junior and accessory
7 dwelling units, was to allow for a reconstruction or expansion of non-confirming walls, what
8 that means is for existing non-confirming spaces those would be portions of a structure like a
9 garage, or a pool house that right now may be developed close than a four-foot setback, one of
10 the incentives was to allow for those areas which would not currently be able to be expanded
11 in that envelope without shifting it outside of the four-foot setback for an ADU. It would be to
12 potentially allow that expansion to increase in width by about six inches and increase in height
13 the initial proposal was up to one foot. With the direction based on some of the conversation
14 that occurred during that previous meeting, there was some hesitation about further reducing
15 very confined spaces between fences, property lines and these units where you may have,
16 which is very common actually, an existing accessory structure adjacent to or abutting to a
17 property line or fence where, if you don't currently have a lot of space, you now have to
18 coordinate with your neighbor to you know, access their... your property, via their property... to
19 do maintenance on that wall. And so staff had taken that direction and incorporated it into the
20 draft ordinance to identify that for areas where you do not have at least a one-foot separation,

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 between a property line or a fence and the structure, then you would not be able to benefit
2 from this provision. So, you would need at least a foot and a half from your interior or rear
3 property lines to benefit from that expansion. The other policy was to allow for, like a said
4 before, a one-foot height increase which, what staff's take on that policy was to allow for
5 structures to increase either up to a maximum of one foot or up to a maximum of twelve feet if
6 the existing non-conforming structure is already overly tall, based on that location. What that
7 means is... if the structure today is eleven and a half feet tall, there effectively would be a cap of
8 twelve feet that that structure could be expanded to, so rather than a foot increase in height,
9 they would only be allowed a six-inch increase in height to be able to achieve that. Additionally,
10 staff included in the draft ordinance a requirement that the roof line be maintained. The
11 existing style of roofline, either a shed, you know, a gable roof line, would be maintained such
12 that even though the structure is expanding from a massing and visual standpoint, it would to
13 some extent not be changing so dramatically in terms of what residents might be experiencing.
14 It might certainly be slightly larger, but the overall impact is still about the same. The second
15 policy was about removing existing... the existing requirement for a garage placement. What
16 that is and what from the replacement or the not needing to... the policy which does not
17 require replacement parking for a garage being converted to an ADU, that structure needs to
18 exist in the first place. And so, what this incentive would be... to do... I'm sorry, what that
19 incentive would do is for anyone who's proposing to build a brand-new home, they can have
20 one of two choices, they can build a brand-new home, and build a garage and build an ADU. Or

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 they can build a new home, and they can build an ADU. So, to some extent in that instance, you
2 would not have covered parking anymore if someone went down that route with this specific
3 incentive. And every kind of iteration in between, would be approvable. Right. That the idea is,
4 much like some of the Commissioners have mentioned tonight, we're trying to find ways to
5 encourage affordable hou... encourage ADU development and so one of the barriers to that is
6 the need to have an existing garage in order to convert that, to no long have to provide a
7 covered parking space on site, which counts towards the floor area of the totals for the
8 property. And those kind of development standards can have a push-pull factor as to natural
9 incentives for a homeowner to either engage in this process or not engage in this process. The
10 last item that the PTC had discussed was providing for an exemption of all fees for impact fees,
11 for plan review fees, for units that fall underneath this category. So, impact fees are only
12 applicable to units that are seven-hundred and fifty square feet or greater, if you're seven-
13 hundred-forty-nine square feet or lower you do not pay impact fees. You still have to pay plan
14 review fees. Impact fees have gone up substantially as a result of the parks fee increasing
15 substantially, more recently in the last two years. We're at now... the per unit, if you can think a
16 one-to-one relationship in size for an ADU and a primary home, so you have an eight-hundred
17 or one thousand square foot home, and you building an ADU that is the exact same size, you
18 would have to pay about \$67,000 dollars in impact fees. Building impact fees will vary between
19 four and ten thousand dollars but it also... that's just kind of an estimate, it's also dependent on
20 the evaluation of the work that's being done, so that fee could even be more. So, just for those

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 two fees which are not including school impact fees, of course, can be substantial for a project
2 that may, from what's been communicated to us from the local architect group who's been
3 working on these policies, you know, that could be a sixty-seven to almost eighty-thousand-
4 dollar add-on to your two hundred to three-hundred-thousand-dollar loan that you're taking
5 out to build your ADU. So, that can become a more significant incentive provided that is the
6 correct relationship... the actual example we're dealing with. The way impact fees are assessed
7 is it's proportional to the size of the home. So, if you have a thousand square foot ADU and a
8 two-thousand square foot home, you're only paying a fifty percent of that sixty-seven thousand
9 dollars that I mentioned before. And so, as you kind of tinker with those numbers, those
10 percentages will fluctuate so you may pay less or more if you build a unit that's over 750 square
11 feet, depending on how large your home is, your existing home is, or your proposed home is.
12 And then the last item that you see on the screen about other dimensions of affordable ADU
13 policy, this is to resurface the discussion that occurred previously as to the time lengths for how
14 long... if this program is something that the PTC want to suggest to Council to create, then last
15 time there was a non-decision, effectively made as part of a motion to say that the PTC couldn't
16 make up their mind as to what direction and length... duration and length of affordability they
17 would want to make these units. If that was a program that they wanted to do. So, the entire
18 discussed last time also couched this discussion on presenting this item to the PTC as these
19 specific incentives incorporated for a program for ADUs and junior ADUs, presented to the PTC
20 as an incentive program to which the PTC also could take a vote to say that they do not want to

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 proceed with this program and instead vote to incorporate these policies into the standard
2 allowances for every type of unit, non-deed restricted, non-affordable, just incorporate them
3 into chapter or section 18090040 as kind of a by-right-allowance.

4
5 Chair Lauing: That's it? Okay. It seems to me procedurally we should go through these first
6 three on their own without respect to whether it would apply to BMR or everything unless
7 people have an objective that say number shouldn't be applied to everything, because again, in
8 the spirit of trying to do as much as we can, it seems like that's the simpler way to do it. Does
9 anyone have any comments on that? Yeah, go ahead Commissioner Hechtman.

10
11 Commissioner Hechtman: I guess I had some more overall comments before we delve down
12 into the weeds on these specific items.

13
14 Chair Lauing: Yeah, that's fine, I think we should put questions now to staff, I had a couple now
15 as well. So, go ahead.

16
17 Commissioner Hechtman: I didn't have questions as much as overall comments.

18
19 Chair Lauing: That's fine.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Hechtman: Okay, so my overall concept here is first of all, ADUs by nature are
2 more affordable housing type but they're not... the use of the word affordable there is not the
3 same as we're talking about in this incentive program. We've talking about definitionally
4 affordable within our housing affordability brackets so it's a We're trying to fit the sixty to
5 eighty percent AMI, those sorts of things. So, we want to encourage ADU because they're
6 naturally more affordable than other housing types and this program we're looking at, do we
7 want to create a special subset of deed restricted, even more affordable ADUs. And I think we
8 should try it, but I don't think that... I don't think we're going to get much action there. And so
9 what I want to avoid as we go through this is taking things off the table for a regular ADU that
10 might actually make somebody build one, and reserving that for an affordable ADU, which
11 nobody does build. So, my overview here is like items one and two, I like those for all ADUs and
12 I think when it comes down to an affordable ADU, it's a property owner's decision to deed
13 restrict his ADU. Its either going to be altruistic as Vice-Chair Summa has talked about from
14 time to time, which can and I think does happen, or it's going to be basically numbers driven.
15 And the question is going will be, can we with item three, exemption from fees, give them
16 enough of a financial incentive and a short enough duration of the deed restriction that they
17 say, you know, I can do that. And so, that's kind of my overview of how we balance our desire
18 to get more ADUs overall, with an opportunity for people to do a deed restricted more deeply
19 affordable ADU.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Yeah, I mean that's basically the kind of direction that I was seeing here. Was that
2 on the first three we wouldn't have to decide if they were for just BMR ADUs, it should be
3 discussed in general if we want to do that or not before we get to the fourth one. Which was
4 really difficult last time and I would agree with you, I predicted it'd be really hard this time. I
5 just had a couple quick questions on... so on number one, as I understand it, if there's an
6 existing garage, actually, like mine, on the lot line, it was that way when I moved in, but if I want
7 to make that an ADU then I have to move it a foot.

8
9 Mr. Sauls: If you're looking at trying to utilize the first incentive the only areas you would be
10 able to benefit is ... the only area you'd be able to utilize this more likely than not would be the
11 height increase. You would most likely not be able to do any type of width increase. Because if
12 you're going to move the structure, the City would say you'd now have to move it to the four-
13 foot setback. You can't just peel away certain portions of it to say, oh, well this one is fine now
14 and also separately it would seem counter-intuitive peeling away some portions of the
15 structure (crosstalk, interrupted)

16
17 Chair Lauing: Yeah, a better example is there was somebody that I know from the Athletic team
18 and they asked the question about it because they had one exactly the same way and they said
19 in the current plan we couldn't build an ADU using the wall that was on the lot line. And that
20 was restrictive so they weren't ... therefor they decided not to put up and ADU. So, that's a kind

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 of good example of is that what we really want or if it's been there for fifty years, why do we
2 care that it's still on the lot line. And maybe you're saying, we don't. Because they could still... if
3 we adopt one here, does that mean this person can keep the unit, the garage that their
4 converting, on that lot line?

5

6 Mr. Sauls: That's correct. What they'd be able to do is pop it up a little bit more, potentially, but
7 the width would probably stay where it is.

8

9 Chair Lauing: Okay. That was a question because I just wanted quite getting it.

10

11 Mr. Sauls: And that is one thing in particular in the task force's letter that they had indicated
12 was, as a result of this policy in particular, something that could help some of those old carriage
13 type house garages, build up a little higher so that the insulation can be accommodated better.

14

15 Chair Lauing: Yeah. Okay and then on the second one, and I know we've gone over it a couple
16 times, it basically means that in your last statement you said people could put up a home at and
17 ADU and no garage. Which would mean there'd be no covered parking for either of the two
18 units. Is that correct?

19

20 Mr. Sauls: Correct.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Chair Lauing: Okay.

Commissioner Reckdah!: But they'd still have offsite parking required, or off...

Mr. Sauls: No.

Commissioner Reckdah!: You can have uncovered...

Mr. Sauls: Presumably yes, would they be what the City considers to be required spaces, no. Can you park in your driveway anytime? Yes. Does the City consider that to be satisfying the required parking spaces, no. So in that example specifically, if someone comes in, builds a new home with a detached garage, sorry, with a detached ADU, or an attached ADU, they would not need any covered parking at all on the site and to that extent they would not need any offsite parking at all. There would no longer be a requirement to show parking on the property.

Commissioner Reckdah!: What is the requirement for single family house right now? For parking.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: The current requirement is at least one covered space and one uncovered space.
2 Both of which need to be beyond the front yard setback, and outside of the streetside setback,
3 if that's applicable.

4

5 Commissioner Reckdahl: Okay. So, can I keep on going?

6

7 Chair Lauing: Yeah, go ahead with questions.

8

9 Commissioner Reckdahl: This makes a lot of sense to me to allow the garage to turn into an
10 ADU, I don't understand why that, you still don't have a uncovered parking spot requirement.

11

12 Mr. Sauls: The previous direction from the PTC was to... I mean separate from that, when you...
13 based on current State law, if you are converting a garage to an ADU, you do not need to
14 replace parking on the site, at all. Uncovered, covered, nothing. And that stands for table one
15 and table two units. So, that's just a policy that applies to all garage conversions.

16

17 Commissioner Reckdahl: When we allow garage conversion we not only not have to replace
18 that covered parking, you can not delete your uncovered parking requirement.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: That's correct. The difference is that currently it's a two-step process. You have to
2 build a garage, and then you have to convert it, to no longer have parking – quote/unquote –
3 on the site. Right.

4

5 Commissioner Reckdahl: Yeah, which makes no sense. Okay.

6

7 Chair Lauing: Other questions before we.... Okay then let's jump in on number one. Vice-Chair
8 Summa.

9

10 Vice-Chair Summa: Sure. So, the non... the six inches wider is to make bring a wall up to a
11 current building standards. Right?

12

13 Mr. Sauls: Right, insulation, basically a space right, to expand the... apologize, expand the
14 envelope just slightly to make it more habitable.

15

16 Vice-Chair Summa: So that is not problematic to me at all. The one foot taller is to
17 accommodate the same sort of... cur... building standards.

18

19 Mr. Sauls: The same approach, yes.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Vice-Chair Summa: So that's not problematic to me. And that would not apply in a situation
2 where the ADU wall is less than one and half feet from the property line basically.

3
4 Mr. Sauls: It could be one feet, one inch, and benefit from it. It would just be, they only get an
5 inch. Right. The policy is basically to say if you have a foot, you know, or if you have more than a
6 foot between the interior or rear side property line, wherever that comes about, you can
7 expand that slightly if you do not have that, you can not benefit from that policy. You would
8 basically still, for the side wall, need to maintain that existing envelope or non-conforming
9 condition.

10

11 Vice-Chair Summa: Okay. I'm taking them one by one so (interrupted)

12

13 Chair Lauing: Yeah, I think that's good. Anybody else on one? Commissioner Hechtman.

14

15 Commissioner Hechtman: Yeah, just to remind me, you know we talked earlier tonight about
16 ADUs can be up to sixteen feet. Here, we're talking about basically a limit of twelve feet on a
17 conversion to an ADU. And so my... which seems like it might conflict with the sixteen feet, but I
18 think what we're talking about is the ministerial type ADU versus this discretionary type where
19 because for example this garage is right up against the setback, or close to it, within or closer
20 than four-feet, we don't' have to let them convert if we're going to allow them, then we can

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 impose additional sort of balancing constraints. Is that our theory on having less than sixteen
2 feet here?

3

4 Mr. Sauls: It's more focused on that. It's actually only for areas between zero and four-foot
5 setbacks. Because once you go beyond a four-foot setback, you can expand that structure to
6 sixteen feet. So, where right now those that are considered to be non-conforming conditions,
7 we think of it like a shrink wrap. It holds everything in place, you can demolish and reconstruct
8 to that shrink wrapped idea, that's what State law and City code allows for. But you cannot
9 push that shrink wrap out. Where this policy would allow for those zero to four-foot setback
10 areas to push.

11

12 Commissioner Hechtman: That's very helpful, thanks.

13

14 Mr. Sauls: So to your overarching question, it would not conflict with State law because State
15 law says you can demo and rebuild to the same dimensions of what is out there today. It does
16 not currently provide a provision to expand non-conforming spaces.

17

18 Chair Lauing: Any other comments? Commissioner Reckdahl.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Yeah that was my exact question, so if you had an old garage there
2 with a certain size, and was non-conforming, you could knock it down, replace it, but an exact
3 same footprint and you have a new building on that new spot, on the existing spot.

4

5 Mr. Sauls: That's correct.

6

7 Commissioner Reckdahl: Okay, and the twelve feet limit, for the height, is that just for the area
8 that's within the four feet?

9

10 Mr. Sauls: Correct.

11

12 Commissioner Reckdahl: And so, if it ramped up and it went higher, there'd be no constraint on
13 that...

14

15 Mr. Sauls: Once it goes past four-feet, no.

16

17 Commissioner Reckdahl: Okay. And there's constraint on if it goes higher and goes to twenty
18 feet, if it's an existing structure that goes to twenty feet, you could rebuild that at the exact
19 same envelope.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: That is correct. Yes.

2

3 Commissioner Reckdahl: Okay.

4

5 Mr. Sauls: That would be another form of non-conforming condition, right.

6

7 Commissioner Reckdahl: Okay. Okay that's it, thank you.

8

9 Chair Lauing: Should we go on or would it be more helpful to vote on these? It's easy enough
10 to do.

11

12 Commissioner Hechtman: Wonder if maybe... I've kind of give my overview but maybe other
13 people haven't and maybe that's going to effect on how you vote on something, so maybe... the
14 kind of discussion we've just had about one, is good and then we do two and three and then
15 come back and vote?

16

17 Chair Lauing: Either way.

18

19 Commissioner Hechtman: That gives everybody a broader perspective.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Okay, Item two is what we were just talking about. Converting and not requiring
2 any parking. Remove the existing garage/carport requirement on convergence. Comments?
3 Commissioner Roohparvar.

4
5 Commissioner Roohparvar: I just have a question for staff, so, this is basically like process issue,
6 so instead of having to build and, is that what you were saying? Instead of having to build then
7 demolish the garage, you can just build the ADU directly?

8
9 Mr. Sauls: Correct. The main benefit and difference is that State and previously the City even,
10 provided a allowance to not have to replace that required parking on the site. Previously, and
11 from previously I mean prior to 2020, the City allowed for you to convert your garage to an ADU
12 and replace those spaces as uncovered spaces. Those would now become the required parking
13 spaces as uncovered instead of having a new covered structure, which counts as floor area, lot
14 coverage, which may or may not be doable based on however the lot is currently developed.

15
16 Commissioner Roohparvar: Got it. Okay that makes sense, thank you.

17
18 Chair Lauing: It's still unclear to me why if the home is going up with out an ADU it requires one
19 covered space, right?

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: Two spaces, one covered, one uncovered.

2

3 Chair Lauing: A new home you mean...

4

5 Mr. Sauls: Correct.

6

7 Chair Lauing: So if they put up the same new home with an external ADU, not a junior, then
8 they don't have any covered space requirement.

9

10 Mr. Sauls: With this policy, if it were adopted, yes. That is the intention here, otherwise they
11 would be required to have garage, you know a covered garage, attached, detached, based on
12 the context. The contextual garage placement.

13

14 Chair Lauing: So, going to the sort of back up plan there, the way this is being proposed, then
15 they would still have to have one uncovered space?

16

17 Mr. Sauls: They would need no uncovered spaces. They would need no parking at all,
18 effectively.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: In terms of designing that, is that because we felt people were going to run out of
2 space for cars?

3

4 Mr. Sauls: No, it's not that, it's more procedural step as Commissioner Roohparvar was saying.
5 There's two steps right? You build it, and then you convert it. If your intent from the beginning
6 is to build an ADU, but you do not want to build detached garage or an attached garage, and an
7 ADU, and take up that space on the lot, and the floor area from your lot, right? You have to go
8 through those procedural hurdles.

9

10 Chair Lauing: I get all that. I'm just trying to figure out why in the proposal staff has jumped to
11 eliminating all parking on the lot. So, I'm for the convenience, I get that part. But why couldn't
12 we still say you have to have a required parking space, one.

13

14 Mr. Sauls: I think you certainly could, as an incentive program and this is where I think Mr. Yang
15 can probably talk about this in terms of the legal aspect of it, right, you can certainly, with an
16 incentive program, say that you could do that, because it's not a requirement for you to go
17 through that incentive program. If we were to say you are required to replace parking, when
18 you convert a garage to an ADU or try to couch it in that type of argument, that would I think,
19 create a conflict with State law.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Yeah, I mean, this so, the scenario that I'm trying to get a read on and maybe Mr.
2 Yang can speak to this, is that the presumption here which is being addressed, which I agree
3 with, is we shouldn't force people to put stuff up and then rip it down. You know, and if they
4 want to do an ADU, we want them to do the ADU and then take the garage down. It's not clear
5 to me why we also have to give up the fact that they have to have one car parked somewhere
6 on the lot. So, maybe Mr. Yang can address that legally.

7

8 Mr. Yang: Yeah, so, we've already decided as a City that we're not going to require parking for
9 an ADU, that is a part of our code right now. And the State has told us that when someone
10 converts a garage that they're not required to replace that parking space, or spaces I guess that
11 are lost from that conversion. So, you know, I guess if I'm understanding your question
12 correctly, well can we take back that space that we've said okay you don't have park your ADU,
13 can we say if you are, you know, removing spaces as you as a result of conversion you do have
14 to park your ADU?

15

16 Chair Lauing: No, I'm saying basically the opposite. If an... if a house right now has a required of
17 one parked space and one unparked, so right now that's what a house has. I thought it was one
18 covered and one uncovered (crosstalk), yes that's what I was trying to say. So, it's two right
19 now.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Yang: Correct.

2

3 Chair Lauing: And there's no ADU up, and let's say... and they convert that. I understand the
4 laws mean that you don't have to replace any parking for the ADU, so that takes care of one of
5 the spots that's required, I don't understand why we automatically eliminate the second spot
6 that was required before the ADU went up. And I was presuming that you were just trying to
7 squeeze a car onto smaller square footage. But it doesn't sound like that's the issue. But I don't
8 understand how that conflicts with State law because we're saying, you had two, we're letting
9 you convert the thing and now you have non required.

10

11 Mr. Yang: In the example you described, are you imagining one covered space and one
12 uncovered space?

13

14 Chair Lauing: No, one uncovered.

15

16 Mr. Sauls: I think in the example what you're trying to describe is we have a requirement now
17 for one covered space and one uncovered space. And if you covert that covered space, what's
18 happening with the one uncovered space that we still say has to be beyond the front yard
19 setback.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Right.

2

3 Mr. Sauls: What I would say in that specific example that yes, we could still potentially require
4 that uncovered space to be beyond the front yard setback, however, realistically, on a plan,
5 what you're going to see is just a long driveway to a certain point. Right, and will that
6 meaningfully create more different kind of parking concept? Probably not. Right. The only
7 meaningful impact would be not... I'm sorry, having a two car garage example where you have
8 two covered spaces and now you do an ADU and now you have no covered spaces what so
9 ever. Those two covered spaces were satisfying the City's requirement and I think is part of
10 your suggestion is that you know we're creating an incentive program and it's going to a
11 different step than what currently the State law requires for conversion, can we require
12 uncovered spaces as a result of those covered spaces being lost, is that part of that question?

13

14 Chair Lauing: Yeah, but I'm still coming at it from a whole different direction. Which is, we're
15 giving them an incentive that they don't have to replace the parking for the ADU going up, but
16 there's still sort of a built-in parking space that was required before, that had to be below... had to
17 be beyond the ten-foot setback.

18

19 Mr. Sauls: I understand what you're saying. To couple it a little bit, we are required to, we are
20 no longer allowed to require parking if it's converted.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Chair Lauing: For the ADU.

Mr. Sauls: For the ADU, correct. Yes. I think you understand that. For the home either. Correct as a result in that case. So, I think the primary issue of...

Chair Lauing: Oh no, that's the point I'm missing then.

Mr. Sauls: Okay, yeah sorry. For the primary home, you know, right now, garages serve, you know, covered ... enclosed garages, that serves as our offsite... sorry off street parking requirements for the primary home. When someone converts that to a garage... to an ADU... that garage to an ADU, the house effectively has no covered parking anymore. No need for...

Chair Lauing: In all cases.

Mr. Sauls: In all cases. Yes. (crosstalk)

Chair Lauing: Clarified it for me.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: But, if you currently have a single family house with a one car garage
2 and one uncovered parking spot and you convert that one car garage into an ADU, you do not
3 have to replace that covered spot, but that uncovered spot still remains.

4
5 Mr. Sauls: Correct. Which like I was saying before, you know, if you imagine the uncovered
6 space as being a driveway on the side of a home, it's effectively just some hardscaping leading
7 up to, you know, wider space on the side of the home. Right, that's where a car would park.
8 And on a plan set, we would say, here is your setback line, your front yard setback line, you
9 have to show us an uncovered space over here because that's not part of the conversion. Only
10 the garage being modified to an ADU is, that's from a technical standpoint we could require. I
11 think realistically, is there meaningful difference between those and I think staff's argument at
12 this point is there's not really a meaningful difference between those two if you still have your
13 driveway in the front of the home that serves that same kind of purpose... for the uncovered
14 parking example specifically.

15
16 Commissioner Reckdahl: So that... so you have... let me make sure we're clear here. You have a
17 one car garage and a driveway going up to that one car garage that driveway has a one
18 uncovered space.

19
20 Mr. Sauls: Yes, tandem. If you think of it like that.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: Yea, tandem.

Mr. Sauls: Or it could be either. Right, it could be tandem to it, right, garage in front and then uncovered space on a plan set showing in front of it, or as Commissioner Hechtman was trying to suggest just now, side to side.

Commissioner Reckdahl: But you have one uncovered spot somewhere.

Commissioner Hechtman: But it can't... to be tandem I think it can't be in the front setback.

Mr. Sauls: Correct.

Commissioner Hechtman: It has to be far enough into your.... If the front setback is for example twenty-five feet, then what you're talking about is your driveway is maybe thirty-five feet long, and then goes into a one car garage. So, then you have one car in the garage and one car that is twenty-five feet from the property line if that's what the front setback is, to count. Otherwise, it's just driveway parking which in building the home, wouldn't count to satisfy your at least one covered and one uncovered parking requirement.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: That's correct.

2

3 Chair Lauing: So, it sounds to me like the way you answered the same question to Ed and Keith
4 is totally different. And I'm on board with Keith.

5

6 Mr. Sauls: Maybe we do need a white board here.

7

8 Chair Lauing: That's exactly right (laughter). I guess just the concern that I'm raising is... has...
9 has nothing to do with the ADU at this point. It has to do with where cars are going to go. And it
10 seems like if a driveway is generally a parking lot for cars which it often is in our town, that's
11 fine, but at the least you should require that happen so to point one, meaning they can't take
12 out the driveway and turn it into landscaping.

13

14 Mr. Sauls: Yeah, we could certain... and I'll say this and Mr. Yang can speak more to it, again
15 from kind of a legal stand point, I think that's something I've certainly thought about as being a
16 potential issue right, that no longer, you know if someone goes through this process, you know
17 that they don't... they no longer, would no longer be required effectively after the fact, to build
18 a driveway to access your parking, which I think is what you're trying to get at.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: That's what I'm trying to get at. Because there's no reason... if they want to just
2 park on the street in front of someone else's house, then they could take out their driveway
3 and put in more landscaping, and then the parking problem goes to the neighbors, not
4 necessarily to them. So what I'm trying to preserve here is a place to put one car on the lot. And
5 the second thing I was going to say is, that if it's the setback, I'd rather see us do something like
6 in the event an ADU is put up, that for the one parking space, it doesn't have to be within
7 twenty-five feet of the front of the yard. Because you only need, whatever it is... you know,
8 eight feet for a car.

9

10 Mr. Sauls: Yeah, eight and a half by eighteen, nineteen.

11

12 Chair Lauing: You would know the extra six inches that I didn't.

13

14 Mr. Sauls: Nine feet if you're next to a wall or a fence. That's what we always tell people.

15

16 Chair Lauing: Yeah.

17

18 Mr. Sauls: So, Mr. Yang, maybe you can speak to that, I know that you and I have talked slightly,
19 briefly, maybe some time ago about that.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Yang: Just so I understand, the idea being discussed is to require that any uncovered
2 parking on the site be provided, for the single family home.

3

4 Chair Lauing: One space be provided somewhere on the lot square footage. Uncovered.

5

6 Mr. Yang: So, I think we can require that when one space is existing that it be retained, but
7 there's the situation where someone builds a two car garage, and then that is converted, we
8 wouldn't have the ability to require an uncovered spot to be created, after that conversion.

9

10 Chair Lauing: Are you assuming no driveway in your example there?

11

12 Mr. Yang: No, I mean if it's a... if the garage is not at the rear of the property, the driveway
13 might not be outside of the front setback.

14

15 Chair Lauing: Let's go to Commissioner Roohparvar.

16

17 Commissioner Roohparvar: Thank you. Okay, so, maybe this will help clarify or confuse things
18 more. But it sounds like we don't ... it's not a parking incentive program. Like we're not giving
19 like anyone any sort of concession in terms of parking for putting in affordable unit in place. It
20 sounds like the law just doesn't allow us to require this additional parking. So, if they put in ...

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 you know if the... both spaces are in a single garage and a person converts the garage to an
2 ADU then we're out of luck, there's no parking that we can require. And then separately if it's
3 just one covered parking that's converted, then that's fine, the uncovered one exists but I
4 think... I think maybe... and correct me if I'm wrong staff, but it sounds like we're not giving any
5 sort of parking incentive at all for building an affordable unit. We're not saying Oh you don't
6 need to put parking, I hear what Chair Lauing is saying that is concerning, there's going to be
7 now no parking, but it sounds like we're kind of stuck because of the law unless there's a
8 creative way without violating State law, where we can ask for parking. Am I getting that right?

9
10 Mr. Sauls: I think the creative way that Chair Lauing was suggesting would be to, as a part of
11 this incentive because it goes beyond what the State law currently requires which is...
12 effectively the State law creates that two-step process as well. You build a garage, or a garage
13 exists and then you convert it. That's how you no longer have parking requirements for your
14 main house, right, so, that's kind of the first example, that's what we're dealing with today. This
15 scenario that we have in the draft ordinance is to say you don't even have to build a garage at
16 all if you're building a new home or whatever kind of iterations come to it.

17
18 Commissioner Roohparvar: Right, the process issue, we're cutting out the process.

19

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: Right. We're cutting out the process and that to some extent an incentive because of
2 the lack there of for the applicant to go through having multiple plans developed, going through
3 the processes, paying fees, getting inspections done and then doing an entirely different
4 structure, and building it to something entirely different.

5
6 Commissioner Roohparvar: Yeah, I get that that's an incentive, it's a process incentive, but
7 we're not saying... they're not getting any sort of discount on having to not have parking now.

8
9 Mr. Sauls: They would be in that example on that they would no longer need to put parking on
10 the site.

11
12 Commissioner Roohparvar: But they wouldn't have to put it on the site if they went through
13 the two-step process anyway.

14
15 Mr. Sauls: That's correct. And we in this incentive would be trying to eliminate the two step
16 process.

17
18 Commissioner Roohparvar: Got it. Yeah, okay. I'm not ... it made it more clear in my mind, I
19 don't know if I confused things a bit more.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Commissioner Reckdahl.

2

3 Commissioner Reckdahl: I mean by getting around the two-step process, if you wanted to do it
4 today, you'd have to provide parking. So, we're giving them an incentive now to build the ADU
5 in saying you don't have to replace that garage in this one step process which is going to be
6 more economical. I would have no problem if that one uncovered spot went into the setback. If
7 that (crosstalk), Yeah, if that encourages ADU production, I think that's a good trade off.

8

9 Chair Lauing: Counsel Yang came up with kind of a corner case there, but I can't believe that's
10 not fixable with some variance or another. Vice Chair Roohparvar... I'm sorry, Vice-Chair
11 Summa, I had Roohparvar on my mind after her last comments.

12

13 Vice-Chair Summa: Thanks. So, the City doesn't require parking for the ADUs, the state says
14 when you renovate a garage you don't need to replace that parking. So, if it's a one car garage,
15 you don't have to replace one of the two required parking spots. If it's a two-car garage, and
16 that becomes an ADU, you don't have to require... you don't have to provide both required
17 parking spots.

18

19 Mr. Sauls: Correct.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Vice-Chair Summa: And what we are thinking about doing, is not requiring any onsite parking
2 for new builds, new single-family homes with ADUs. Which I am not in favor of. I do not care if
3 they're covered, but I think we should be still requiring the parking for the primary home and of
4 course let them not build... have to apply for a garage, build it, and then also convert it. That
5 nonsense should be removed it makes no sense. But we have too many neighborhoods, you
6 know, prior to our disastrous Covid, too many neighborhoods had real serious problems with
7 on-street parking not being adequate for the homes and it's very inconvenient if for certain
8 people, especially disabled people, older people, women with small children to not be able to
9 find a place to get out of their car and into their home easily. So I think where we can't control
10 it because of the State, then there's nothing we can do about that, but I think it's highly
11 desirable to still require two off-onsite parking spots for new builds and eliminate the two-step
12 nonsense and I was going to ask about when you have a contextual garage space that allows
13 front garages, wouldn't the little short driveway, which is usually long enough to park one car
14 in, that is in the front setback, it's just allowed in that condition, I just wanted to clarify that.

15

16 Mr. Sauls: So, if you do not have any garage on the property existing, non-conforming for
17 whatever reason, or you've converted your garage to an ADU, the City's municipal code
18 automatically considers that to be a rear-placed garage.

19

20 Vice-Chair Summa: Right.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1

2 Mr. Sauls: So, if your context previously was front facing, majority front facing, fifty percent or
3 greater, right, front-facing garages and you're either at that trigger point of fifty or greater or
4 everyone along the block decides we want to do an ADU in our garage, that context changes
5 now so anyone who comes in and wants to build you know, a new home with a detached or
6 attached garage, ADU, and also built a garage, would be subject to a rear-placement... a
7 contextual rear-placement garage requirement. So, there is the instance where that can have
8 an impact on that but as the City decided to update that ordinance, update that ordinance
9 more recently, it re-emphasized the interest that they had... or the City re-emphasized it's
10 interest in having a rear-placed garage over a front-placed garage.

11

12 Vice-Chair Summa: Right, but I was just point out that in the case of the front-faced garage, that
13 you have a car's length leading up to it, that is also a second spot. So, we can have a parking
14 spot in some cases in the front. I would not, I don't think it matters where it would be
15 contextually since it's not a structure, but I do think we should be requiring... I don't think we
16 want to eliminate on-sight parking requirements because it can be very problematic. But I am in
17 favor of eliminating the two-step process. Let somebody build, apply for a primary home with
18 an ADU, detached ADU, and two on-site, uncovered parking spots, is my preference.

19

20 Chair Lauing: Other comments on this? Commissioner Hechtman.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Hechtman: I want to start big picture. I support this concept, and I support it for all ADU's and not just a special incentive for affordable ADUs. One of the things I like most about this concept and it really hasn't been discussed yet is, if I've got a tear down, I'm going to build a new house and I know I want an ADU, if I have to do the two step process, then I'm going to have built a conventional garage in a conventional location and then I'm going to board it up, right? And so, typical, I think most of the houses here in Palo Alto are front-loaded. You come in from the street, in front of the house and that's your garage. Some of them are tucked around but they're still facing the street. So, with this policy, I think, I don't have to put the ADU where the garage would be. I have more flexibility to make a better design that you know, enhances the overall utility of the property. So, that's an aspect that I really like about this. It ... by not... But once I had to build the garage, that's where the ADU is going. If I don't have to build it in advance and I'm collapsing this process, I can put it wherever it works best. So, that's the big picture. The thing that we've been discussing a lot, I think there's a separate analysis for front loaded garage and rear loaded garage. And frankly, I was trying to think if I... in some jurisdictions, I've seen a lot of this where you have this kind of alley ways, and all of the garages are at the back of the property. Usually right on the alley line, right, and you just turn in there. And that kind of layout, you actually don't have any on-site parking. Other than those two garages, you drive in and close the door, there's not a driveway, because those garages back up right to the alley. So, in that... if we have those in Palo Alto, and again I'm just not thinking of

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 them, but if we do, if I have one of those and I under State law convert that garage to an ADU, I
2 don't have to replace those parking spaces, and that's just the State law, there's nothing we can
3 do about it. I don't think we can... well, we can't. I know we can't say, okay, well if you're going
4 to do that, now you have to go to the front, or break a hole in the fence and put a covered, an
5 uncovered spot outside along the back or the front. We can't do that. Because the State says
6 we can't. So, I think in that scenario which is in the minority of cases in Palo Alto, because it's
7 not a prevalent layout, we're just stuck that way. And State law makes it so. But the other more
8 prevalent situation is where you have a street loaded garage and as Vice-Chair Summa was
9 saying, all of those have a driveway before you get to the garage or carport or whatever it is,
10 because that's been our requirement forever, for a long time, that because you were never
11 allowed to use that driveway for parking because it's in the front setback. So, you always had to
12 have something behind the front setback. So, so now, and I have that. That's what I have. I've
13 got a two-car garage and a driveway apron that's whatever, twenty-feet before it hits the
14 sidewalk. So, if I convert my garage to an ADU now, I'm losing the two parking spaces, at least
15 one covered, one uncovered, and in my case they happen to both be covered; I'm losing those,
16 I don't have to replace them. As a practical matter though, I'm going to be parking my cars on
17 the driveway. And while I appreciate the Chair's concern about somebody choosing with a new
18 build just to landscape the front and have no driveway, I think that's more theoretical than
19 practical, I know when I come home with the groceries, and my kids have filled the driveway
20 with their cars, and I have to park on the street and carry the bags in, I'm irritated. I want the

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 convenience of pulling into my driveway to unload, or if it's raining. And so, I think it would be
2 the exception rather than the rule that somebody would say... I'm just going to have no
3 driveway. I'm not going to have any parking for myself, I'm going to roll the dice everyday that
4 one of my neighbors isn't having a party and fills the street in front of my house, so I have to
5 park down the street. So, I just don't think that will happen very much. So, I'd be supportive
6 of.... I think to some extent we're stuck by State law and by our own ordinance, but I'm okay
7 with that, so I support this for all ADUs.

8

9 Chair Lauing: Commissioner Templeton.

10

11 Commissioner Templeton: Thank you. I do think that Commissioner Hechtman covered most of
12 the spirit of the comments I was planning to make but I will add some antic data to the
13 frustration of not having the use of your driveway. In my previous home we had to refinish,
14 resurface our driveway and it became a lengthy project because we also adjusted the fence and
15 put in a gate and things like that, so we could have use of some of the... we had a very long
16 driveway. So for about a month we did not have use of it and I can tell you, it was an extreme
17 frustration and it's not something that I can imagine, people would be doing flippantly, I think
18 you'd really have to take into serious consideration if that was sensible so, I do have good faith
19 in our neighbors here in Palo Alto and I think that it's very unlikely that people would

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 intentionally eliminate all spaces, although they might eliminate all covered spaces. In any case,
2 I agree with Commissioner Hechtman's suggestion of applying this to all the ADUs. Thanks.

3
4 Chair Lauing: Just one specific... I have a friend who has one of those alley way situations and
5 the garage is an art studio, in his case. But they also have a pull in, to put cars, so they actually
6 have two choices of what to do, so in his case, whether it's required or not he would keep those
7 two spots in back, or maybe it's only one back there actually, and then use the ADU. The
8 other... as we said, that's a very small inventory though, of folks that are accessible off the alley.
9 I think mostly Professorville, because of the age of those homes. So, whatever we do there,
10 even if their exempt, it's not going to be affecting a lot of units.

11
12 Ms. French: I thought I'd add to that, Professorville is one area, but there's also Community
13 Center which is over near the community center, there's quite a few alleys in that area of town
14 as well.

15
16 Chair Lauing: Okay.

17
18 Ms. French: I should also point out, small lots, you know, a number in College Terrace, there's a
19 small lot situation, so what if somebody wants to build a single-family residence and then an
20 ADU and there's not a lot of room for uncovered parking even, in that situation.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

Chair Lauing: Well, that was the basis of my original question, which is... were we concerned about the total square footage of the lot not having room for the ten-foot car and the ADU and the home. But it didn't seem like that was the driver of the policy. So. Any other comments?
Vice-Chair Summa.

Vice-Chair Summa: Okay, I guess I'm a little confused because I thought Commissioner Hechtman was making an argument for needing a driveway, or what I would call uncovered on-site parking. So, I don't know why... I guess you think it's okay to eliminate the requirement because it won't happen frequently, am I understanding that?

Commissioner Hechtman: No, the State is eliminating the requirement. I don't have any opinion on that, it's done.

Vice-Chair Summa: No, no, no, no, that's not what I meant, in the case we're considering here is for new houses, two things, eliminating the two step-process, which I think we all agree on, and the second thing is not requiring two uncovered parking spots for the new build. That's what I meant.

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Hechtman: So, when you... right now, I've got a house it's got two covered
2 spots, if I do an ADU, convert my garage to an ADU, I don't have to replace the parking.

3

4 Vice-Chair Summa: Correct.

5

6 Commissioner Hechtman: It's a practical matter that I have a driveway in the setback that I'm
7 going to use for parking, but it doesn't satisfy the City's parking requirements. I'm going to park
8 there, but the City doesn't count that as on-site parking. Right. And that's the way it is. So, what
9 they're talking about, now here, is if I scrape my home, right now under our law and State law,
10 I'd have to build back a two-car garage, so I have two car parking... (interrupted)

11

12 Vice-Chair Summa: No, I understand that we all agreed there shouldn't be a two-step process.

13

14 Commissioner Hechtman: No, no, but they're related. You can't... that's what I'm saying, you
15 can't separate them because that's the whole point of our discussion, is when... what happens
16 when you... what we're talking about, if we're going to collapse the two-step process into one,
17 are we carrying the baggage of the two-step process with it, or are saying hey, we'll give you an
18 opportunity to avoid the two-step process but there's a cost and that cost is you don't get the
19 benefit of the State law that says you can't apply the parking requirements associated with the

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 conversion because you're not converting. So, I guess maybe that's one way to frame the
2 discussion. Because (crosstalk)

3

4 Chair Lauing: But you also said everyone is going to just use their garage anyway. So,

5

6 Commissioner Hechtman: You mean the driveway?

7

8 Chair Lauing: The driveway, sorry. Yeah, there won't be anymore garage. (interrupted)

9

10 Vice-Chair Summa: But I'm suggesting it's appropriate for new build, that wants an ADU to also
11 supply two on-site parking spots.

12

13 Commissioner Hechtman: Can they be in the setback? Can they be the driveway spots.

14

15 Vice-Chair Summa: I don't care where they are.

16

17 Commissioner Hechtman: Okay.

18

19 Vice-Chair Summa: They should be that everybody parks in their driveway anyway, and the
20 reason is because households have more people living in them than they used to, for many

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 reasons, mostly the cost of housing here, boomerang kids, whatever, and everybody parks in
2 their driveway. I'm saying that's appropriate, and we should be able, and in the case of front
3 place garages, their parking in the setback when they park in their driveway. That was my point.
4 I do not wish to eliminate that ... that requirement and create more parking problems in our
5 neighborhoods. I think it's very hard for elderly, disabled, and even you when you're bringing
6 your groceries home to not know where... that you can pull up. So that's why I would retain
7 that requirement.

8

9 Commissioner Reckdahl: Are you calling Bart elderly? (laughter)

10

11 Vice-Chair Summa: I put him in a different category... someone who buys groceries.

12

13 Commissioner Hechtman: Yes, I got that (laughter). So, I think it's an interesting idea and again,
14 I think what you're... when you talk about it that way, we are saying we'll give you this benefit
15 of not having to build and convert, but there is a potential cost to it. My belief is, most people...
16 if the cost is I have to provide on-site parking that can be within the setback, in other words,
17 the driveway before, I think most people will be doing that anyway. So, I kind of like that idea
18 except that it doesn't work on the rear loaded, then I think you end up with a situation possibly
19 like the Chair's friend who had a tuck in next to the spot.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Vice-Chair Summa: But that provides the same thing and coming from Chicago, where, with an
2 alley service format, the garage is never the whole width of the property there's always a pull in
3 and a tuck in and often there's space, garage and tuck in as you call it, then there's the yard and
4 then there's the house. So, I don't think... I think we will be creating a problem and I agree most
5 reasonable homeowners would want to do that, we have a lot of unreasonable people who
6 own property in Palo Alto as investment, who can say oh I can save \$4,000 dollars by not having
7 a parking spot on site for these people. I think it is substandard actually and, in many cases,
8 dangerous and undesirable. That's why I would still require it, and I think it can be anywhere it
9 makes sense on the property and if there's a property that's so small that it cannot
10 accommodate the rule in general, we have a process called variance and then we can look at
11 that, that already exists. So, I am totally not in favor of this for those reasons except the first
12 part which is the stupidity of them requiring them to build a garage that's going to turn into an
13 ADU when they might not want the ADU in the space where the garage is required to be front,
14 rear or front. Those are my thoughts.

15

16 Chair Lauing: Commissioner Templeton.

17

18 Commissioner Templeton: Yes, I just, this discussion is started to make me feel pretty
19 uncomfortable. I don't feel comfortable with characterizing Palo Altans and Palo Alto
20 homeowners and property owners as some how not understanding the needs of parking for

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 their sites. It seems incredulous and that's, I think, the nature of some of these antic dotes was
2 about, to say that I think it's pretty straight forward that most people understand that parking
3 and parking accessibility is important. So, that's said I think I want to focus back on what's the
4 point of this discussion. The point is how do we incentivize more ADUs and I think, you know,
5 the idea that has been proposed is fine, it's streamlining the process, eliminate your product
6 obstacles, but then adding in more things on top of that, especially if it somehow contradicts or
7 is meant to work around other laws that are inconvenient, it starts to feel pretty uncomfortable
8 and I'm not sure how to get on board because when I'm listening to us I think we all mostly
9 agree, so I just want to kind of throw that out there as kind of a complication in the turn of... in
10 the direction this discussion has taken. I would say I support policies that reduce bureaucracy,
11 like this one that's been proposed, and I support policies that will encourage more ADUs, like
12 this one is being proposed. Thanks.

13

14 Chair Lauing: Okay. If there's no more comments on this one, we've completed two of the four,
15 and it's been two hours and twenty minutes, so I suggest we take about an eight-minute break,
16 takes it up to 8:30, and then come back to the next one which is the impact fees. Right.

17

18 Commissioner Roohparvar: So, like an eleven-minute break, right?

19

20 Chair Lauing: Let's just go to 8:30. Yup.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1

2 Commissioner Roohparvar: Okay. Thanks.

3

4 Chair Lauing: Okay. Stand-by.

5

6 **BREAK 8:19 to 8:30 PM**

7

8 Chair Lauing: (in progress) Exempting units from impacts fees and plan review fees the title
9 again uses the word affordable but we're going to discuss that these are applicable... suggest
10 that these are applicable to all or just affordable. And the number that you reported out, would
11 you say it's just the average or the median that were sixty-five thousand?

12

13 Mr. Sauls: That's the upper limit.

14

15 Chair Lauing: Upper limit.

16

17 Mr. Sauls: So, in our development impact fee spreadsheet on our webpage, it breaks down park
18 fees, general government fees, public services, you know, all the development impact fees that
19 we charge for anytime a new unit is created. For ADUs specifically, again, it's for any new unit

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 that's created that's seven-hundred-fifty square feet or larger. Where before it would have
2 been any unit that was created. And that number now is around sixty-seven thousand dollars.

3

4 Chair Lauing: It goes as low as and as high as what... it sets sixty-seven at the top? (crosstalk)

5

6 Mr. Sauls: It goes as low as zero dollars and as high as sixty-seven thousand dollars and every
7 range between.

8

9 Chair Lauing: Okay. So, other questions for staff or if not then comments. Commissioner
10 Reckdahl.

11

12 Commissioner Reckdahl: You mentioned that the calculation involves both the size of the
13 house and the size of the ADU. Can you go into that?

14

15 Mr. Sauls: Yeah, so the way State law updated its ordinance to define or exempt certain affor...
16 I'm sorry, certain accessory dwelling units from impact fees was to say that the way you factor
17 or determine that amount is a proportional relationship between the house and the ADU. And
18 how we understand that to mean is, you know, what is the size comparison, right? And if, like in
19 some of the examples I've provided before, if you have an eight-hundred square or a thousand
20 square foot home and you propose an eight-hundred square or thousand square foot [technical

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 difficulty] that relationship is going to be one hundred percent. A one-to-one relationship.
2 They'll be both the same size. And in that instance it's effectively being treated as equivalent to
3 a brand new unit.

4

5 Commissioner Reckdah!: So that would be sixty-seven thousand.

6

7 Mr. Sauls: Correct. In that example it would be sixty-seven thousand dollars, right, for the
8 development impact fees. For a unit that is half the size, or you know, a quarter of the size, you
9 would do that factor calculation and determine okay, it's not sixty-seven thousand anymore it's
10 thirty-eight thousand five hundred. Right, or a quarter, right, of that sixty-seven thousand
11 dollars and that number like I said before ranges, really just dependent on the size of the unit
12 that someone is proposing and the size of their existing or proposed home.

13

14 Commissioner Reckdah!: And then that's the maximum the City can charge. Could the City
15 decide to charge smaller?

16

17 Mr. Sauls: We could, potentially do that, yes, it would be, it would require us to kind of rejigger
18 how that ratio or some other number occurs, the importance would be that it does not result in
19 an amount, or whatever formula we created right, does not result in an amount that is greater
20 than the proportional calculation.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: Okay. (Crosstalk) Are we asking questions right now?

Chair Lauing: Yeah.

Commissioner Reckdahl: or expressing opinions.

Chair Lauing: I think we can ask questions or now we can move to comments, I don't see any others from the screens. So go ahead.

Commissioner Reckdahl: Okay. As a parks guy... parks aren't free, so we should charge for impact fees to build parks. But when we were setting this impact fee, I don't think we were considering an eight-hundred square foot ADU as having the same impact on parks as a huge two-story house. So, to me it doesn't seem quite right that the ADU be charged a maximum of sixty-seven thousand, that seems excessive. The other issue is that if this ADU is behind a small house or behind a big house, it has the same impacts on parks. So, it seems strange that we have this formula. I think just a smaller flat fee, or maybe something proportional to the square footage of the ADU would be a better alternative.

Chair Lauing: Commissioner Hechtman.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Hechtman: You saw my itchy finger.

Chair Lauing: I saw that finger go for that light (laughter)

Commissioner Hechtman: Alright, so, this program I think should be our carrot for affordable ADUs. This program that we're talking about that staff has drafted, I think it's on Packet page 37, is the ordinance for the deed restricted affordable ADU program. I think this should be something that is available as the exchange to deed restrict your ADU for a duration that we'll discuss later. You're not going to pay any City fees, because you're going to give us a different benefit than your money, which would go to parks and streets and whatever. The benefit you're going to give us is you're going to have a home for somebody of more limited means for X number of years. So, I like it for that purpose, and I think that related to that, as was mentioned in the staff report, already our audience is only ADUs over seven-hundred-fifty square feet anyway. Because below that you don't pay impact fees. It's not clear to me, you might have to pay plan check fees and other development fees, which are not insubstantial and in fact if you look at the architects letter that was attached to the staff report this time and last time, on Page 55 of our staff packet, I think it's 55, they actually go through some of the math to look at the kinds of fees that are being charged on all ADUs, and they didn't even flag the large number Mr. Sauls gave us about the maximum impact fee. So, so, we're not talking about

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 ADUs less than seven-fifty and I think we have something like a hundred-fifty currently active
2 ADU permits out there, if that numbers about right. What it's telling me is people are willing...
3 wanting ADUs outside of this program and they're willing to pay the freight to get them. I'm
4 sure if we cut the fees that might more incentivize them, that's possible, but we're getting a
5 good flow of them now, paying their proportionate share which is the way the ordinance has
6 identified, and so that's why I'd like to try it just for these deed-restricted affordable and see
7 over a two or three year period if we can actually attract anybody to bite.

8

9 Chair Lauing: See no current lights, I'm just going to give a couple of comments. I think that we
10 in general want to encourage more ADUs. That's the whole goal of all this time we've been
11 spending on it for months. And I think that when it gets as high as sixty-seven thousand, that
12 really does start to be a barrier and as Keith pointed out, some of these things are not quite
13 tallying up for what it costs for that extra person to come to park. That said, there are hundreds
14 of ADUs, maybe thousands in the next ten years that come out of this. Which is a good thing.
15 And that's thousands of people. So, moving ADU fees down to zero, at any range is going to be
16 an expensive proposition that I'm not sure how we back-fill for that because they're
17 incremental costs. They really are, that's why they're there at all. This is not extra revenue that
18 we get as a City, ooh we found a new revenue stream, this is more cost for more people in all
19 the services and police and so on. So, I don't think we have enough data tonight on the non
20 BMR units to come up with some number, but I think I would address this by saying let's

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 encourage staff to come up with some new fee schedule that would look at, whatever you
2 want. You know, size and fee relative to the size of the unit, and I'm also going to... I amenable
3 to suggest as Keith just did, I'm also amenable to a flat fee. So that everybody knows, you know,
4 it's over seven-hundred and fifty but it's not going to be seventeen thousand. So, it's roughly
5 the same size, so I think we can come up with maybe a flat fee. But I don't want to get out
6 another white board and start trying to figure out what the fees are, you know, so I would
7 basically say I think we should look at some reduction in ADU fees overall and we don't have
8 the data to talk about that. The next thing we're going to talk about is the BMR, and we can
9 readdress your points I think on the BMR, but one thing, in addition to that, or instead of that
10 maybe, I'd be willing to, in fact I'd encourage us to take a look at a new fee schedule just to see
11 what might work that's more palatable to more people. And get more built that way. Nobody
12 on screen, Vice-Chair Summa.

13

14 Vice-Chair Summa: Sure. Thank you. So, I do think the proportional thing is kind of... results in
15 the extreme cases of sixty-seven thousand kind of ridiculous outcome, so, I would agree that
16 maybe those impact fees need to be looked at and I think as far as the development fees,
17 unless it's changed, the development center fees were there to pay for the services required to
18 process the applications and I believe the development center's revenue neutral. In other
19 words, it's not making money for the City's general fund it's making money so it can keep
20 operating. So, I don't see how those can be removed in any situation. And I know that also

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 because I was on the Development Center Customer Advisory Group for years. It was like eight
2 years that this group existed to help sort of figure out some new direction for the development
3 center. Cutting fees of all kind of impact fees will cut services in the City and what's not clear to
4 me is that it's not the... in the case of BMR ADUs, it's not the BMR tenant that pays the fees, it's
5 the homeowner that is building the deed restricted BMR so, I would not.... I think... I'm open to
6 agree that we need to change some of these fees and we don't have the information to look at
7 that in detail and make a recommendation tonight, but I think in case... there are cases and
8 there are programs in the State and I think the County to assist people with loans, lower income
9 people to help them build ADUs and I point of that has nothing to do with BMR ADUs, it has to
10 do with helping lower income people and at the same time, it could be a revenue source for
11 them and at the same time providing a new dwelling unit. Okay. So, I think in that case, people
12 who qualify for those other kinds of assistance through programs not... we're not offering
13 them, but I have read about them, then it would be appropriate to consider waiving fees in
14 situations like that, before, I don't see why for everybody. And I think it was Commissioner
15 Chang who brought up, she was happy to waive all the fees but she felt that then there should
16 be a plan of how to replace that money in another way. And that the Council might consider
17 that. So, those are my initial thoughts in general.

18

19 Chair Lauing: Okay, I don't see anymore comments on this one.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: For the purpose of discussion I'll maybe play devil's advocate to contradict your
2 opinion or your position that you were commenting on about proportionality. So, as it relates
3 to people living in a space, right, you don't have half person, you don't have a third of a person,
4 you have a whole person or multiple, right, previously before the proportionality aspect we, I
5 think if I remember correctly, had about like a .6 ratio for ADUs and those were pretty flat rates
6 I think between seven to twelve, sometimes fourteen thousand dollars right, I think again, just
7 trying to play devils advocate to try to spur maybe part of this conversation and maybe think
8 about some of these things too, the kind of comparison almost that the State is making is you
9 know, what is the size of the unit, compared to like a regular home, right. And what is the
10 proportion of that impact from that unit versus you know, thinking of it as ... okay we'll create ...
11 we'll set a flat fee on everything right, no one has to pay more than x number amount. To come
12 extent someone might argue that's almost a fairer comparison, because you have a relationship
13 instead that's tied to the size of the unit and the impact it can create versus saying that there's
14 maybe a flat you know, percentage, or a flat ratio, you know... flat fee to assume that
15 something is or is less impactful because it is a different kind of unit. So, when you have a unit
16 that is a one-to-one relationship right, the example eight hundred to a thousand square foot
17 unit, right, that's the same size of your home, what is the difference, between the impacts from
18 a home that's a thousand square feet and the impacts from an ADU that's a thousand square
19 feet. The difference really is only the nomenclature, rather than the actual impact. Like I said
20 just maybe part of this conversation... I don't know if that has any effect on thoughts like that.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1

2 Chair Lauing: Yeah, my proposal was just simply that we should look at other ways of doing the
3 fee. Based on what's being charged now for what size of unit. But I think the impact fees are
4 driven primarily by the people, not the size of the unit, and an ADU is not going to have eight
5 people in it. So, that's why I was thinking it might be simpler to do it non proportionally. I'm
6 clearly open to proportion but you might want to change the proportion. You know, so they're
7 only paying twenty thousand dollars instead of sixty thousand dollars. So, I'm interested in
8 seeing if there's a reasonable way to get the costs down but still cover your costs for processing
9 this and getting real impact fees. But I also yield to my ex-colleague on parks and my current
10 colleague here that maybe the park fees weren't thinking about this in the proportional way
11 that you're proposing. So that's my only point on this right now. We can't just ... we can't make
12 any decisions without data, and we only have one data point in front of us from zero to sixty-
13 seven thousand. So, I think any adjustment downward at this point we can't make, but I'm
14 willing to consider what that should be because I know that people have said in public
15 comment that it costs a lot just to pay you guys, to put it up. And we do want units. So, that was
16 my only point. Commissioner Hechtman.

17

18 Commissioner Hechtman: Yeah, to react to the concept of reducing impact fees for ADUs,
19 generally, not focused on an incentive for BMRs, deed restricted, I like the idea. I like the idea
20 because I think that our affordable, our BMR ADU program is not going to have many takers.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 And I think it actually is going to become more true... the more we reduce the impact fees to all
2 ADUs, the less incentive there is... the less I save by making mine deed restricted. So, that will in
3 fact, depending upon where we go with that, I don't even think it's worth maybe pursuing a
4 BMR ADU program. But, if we can by reducing impact fees specifically for ADUs, generate more
5 ADU development, I think that's good. I think we'll gain more ADUs that way then we're going
6 to lose on the BMR program that again I think is going to be totally described. But, when we're
7 looking at those impact fees, and I think when staff comes back if maybe we could have some
8 of the example math laid out, it think it would help us. That sixty-seven thousand figure is
9 startling but we're really hearing it, rather than seeing it. I think what that is, if my main house
10 is eight-hundred square foot, which is rare, and I'm building and eight-hundred square foot
11 ADU, that's when I think, I hit that max impact fee because my ADU is equivalent to my main
12 house. So, I think if we can have some examples to show us how that proportionality works in
13 whatever you bring back, I think that would be helpful.

14

15 Chair Lauing: I totally agree with that and that's exactly what I'm saying. We basically have zero
16 data that we can process and think about and figure it out and so, we almost have to table I
17 think this issue at this point.

18

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Hechtman: Yeah, I think we need to get out on the table all the things that we
2 want staff to cogitate on and bring back to us, and then it doesn't seem like we're ready to
3 make any decision tonight or any kind of motion.

4
5 Chair Lauing: Yeah, I'm not even sure you can get that ready in like four weeks. If that's when
6 you're coming to us with the ordinance because you've got some data crunching to do there.

7
8 Mr. Sauls: If it comes to spreadsheet numbers, I mean that's something I can even show today,
9 but it's a matter I think as Commissioner Hechtman was saying, writing out the formula,
10 expressing it in a more visually dynamic way.

11
12 Chair Lauing: Yeah, we want to see statistically where they all... why and are they all small units
13 or is it just proportional so, it's the data analysis right. Okay. So, there's no other comments on
14 this, let's go to the fourth one. And first, just a matter of history, I want to go back there
15 which... back to this BMR issue because we went... we spent quite a lot of hours back in zoom
16 only days, I remember that meeting, trying to figure out if there was a way to make affordable
17 housing units... make BMR... make ADUs into BMR ADUs which would make affordable housing
18 more affordable. And I feel like we hit a wall that was sort of... and the conclusion that I recall is
19 that they're already inherently affordable and we're new at this, so go with the plan here and
20 see how things continue to develop. And the second thing which was harder was getting any

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 sort of agreement on length of time that something would remain a BMR before it reverted to
2 not BMR which would mean that you know, those units would be lost X years from now. So, in
3 terms of framing the discussion I would ask the question of what more are going to gain by
4 relooking at this from last time versus just saying, it's too early to move on BMR ADUs.

5

6 Vice-Chair Summa: Well, I would say we do have a concrete proposal from staff on Packet page
7 37. And we didn't before, right?

8

9 Chair Lauing: Yeah. Exactly.

10

11 Vice-Chair Summa: So.

12

13 Mr. Sauls: So on the screen here, shows the items that the PTC previously did not agree on
14 which are shown as these asterisks and these plus marks which are the items that PTC did
15 recommend, in that discussion when we had that. So the items for duration of affordability
16 there was no consensus on the time period. Staff had suggested fifteen years, PTC... some
17 members of the PTC said ten years, some said twenty, some said thirty, so that was where
18 there was no consensus on that duration, nor consensus on duration of potentially providing a
19 shorter period for a deeper level of affordability. What there was consensus on was trying to
20 target the ADU to a hundred-twenty percent area median income thresholds where the low

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 income, fifty to eighty percent are primarily addressed through larger affordable housing
2 projects and multi family projects that incorporate those components to them. There was
3 consensus on Alta housing being the administrator, that they would also be the one who is
4 income certifying potential tenants or that homeowners may be able to select and then
5 separately from that when it comes to tenant selection that homeowners would have the
6 option to present a prospective tenant to Alta housing to have them vetted rather than
7 choosing from a pre-established list, which would have been Alta's preference. That would be
8 easier for them to administer. There was a consensus on Alta... sorry, homeowners being
9 responsibility for doing the seven-hundred dollar yearly... sorry the initial income certification
10 which costs around seven-hundred dollars and then a five-hundred-dollar annual
11 recertification. And some of the other item's PTC had consensus on was potentially using State
12 funds to either create loan programs or work with loan organizations to find was to finance
13 some of these things.

14

15 Chair Lauing: Open for discussion. Commissioner Hechtman you're lights on.

16

17 Commissioner Hechtman: It's a carry over actually from last time, I do have some things to say
18 but if somebody else wants to lead off that's fine.

19

20 Chair Lauing: No, go ahead.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Hechtman: Okay. Well, I really think this whole concept is DOA, unfortunately, but I think that staff can... when they come back can help us with some numbers to kind of prove the point. And the reason I think it's DOA is I think when staff comes back with the numbers, what we're going to see is, this just can't pencil out, for a homeowner who's willing to consider it. And so, for example, this outrageous version of the impact fee is sixty-seven thousand dollars right, if you look at the, Mr. Randy Popp's letter, he's talking about maybe another ten thousand dollars in City fees and school fees and so, that's seventy-seven thousand. So if I say to a developer, or somebody that's going to build a home, I'm going to save you seventy-seven thousand dollars, you don't have to pay for it, you don't have to pay any of that money, but you have to be deed restricted for... and I'm just going to say ten years which we could not get the majority of the commission to agree to last time, ten years, you have to take less rent by deed restriction, so, if that less rent is, just call it seven-hundred dollars a month, that's going to be eighty-four hundred dollars a year, or eighty-four thousand dollars over just the ten years. So, I'm going to save seventy-thousand upfront but it's going to cost me eighty-four thousand over just the ten years and of course if I span that out to fifteen years, now it's going to cost me a hundred and twenty-six thousand, I think. For fifteen years, right? So, the numbers are just not going to work out. So, but that's just off the top of my head and I think we could have some more accurate numbers if staff could look at this when they come back and look at the kind of... you know, you're showing item B here where we've got

1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 kind of different levels of affordability and what would that mean in terms of a rent reduction if
2 we're going to have somebody agree to, you know, deed restrict at fifty to eighty percent of
3 AMI, what kind of rent on a, you know, whatever, two bedroom, one bath ADU, would that be
4 what we expect and then carry that... compared to market and then carry that out over you
5 know, a year and ten years because again, I think what this is going to show is that the numbers
6 are not going to add up, nobody is going to do it. And if that's what the numbers show, then we
7 shouldn't be wasting effort on this BMR version of ADU and we should continue to focus our
8 efforts on the generic ADU and how to encourage that, by possibly reducing impact fees or you
9 know, some kind of better scale.

10

11 Mr. Sauls: Just a point of clarification, your suggestion of seven hundred that's what you're
12 seeing there is it's seven hundred less than the market rate you might get for it, is that what
13 you're saying, that's the loss?

14

15 Commissioner Hechtman: Yeah, that was a hypothetical; without the deed restriction if I could
16 rent this unit for twenty-five hundred but because it's deed restricted, I can only rent it for
17 eighteen hundred, that's costing me seven hundred a month. Just hypothetically.

18

19 Chair Lauing: Vice-Chair Summa.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Vice-Chair Summa: Yes, Thanks. Yeah, I kind of worry that this isn't a very practical idea anyway
2 and I also... so, the AMI is a County figure, countywide, and Palo Alto is significantly more
3 expensive to live in than the median county price, so I think it would be hard to calculate what
4 the market rate is even and what the reduction that's realistic also and I would never be
5 comfortable with an eighty to a hundred-twenty percent AMI because I think then you're giving
6 potential, well, as Commissioner Hechtman points out it might end up costing money anyway,
7 so it wouldn't be saving money for the landlord and I think at that income level I don't think
8 we're... I understand what you're saying about most people that are at the thirty to sixty AMI
9 being in larger buildings that are developed and are operated just for that purpose, but I also
10 think, just at one-twenty and BMRs are... I mean ADUs we already think are going to be
11 naturally more affordable, I don't see where, where this is going to really produce housing
12 that's very different from market rate potentially, especially when we're look at the county
13 numbers and Palo Alto's numbers are much higher. Much more expensive. So, I wish we could
14 make this work, but it doesn't ... it just doesn't sound practical. And I think that some... yeah,
15 those are my thoughts, I kind of agree with Commissioner Hechtman on this and I worry that
16 it's not practical and that it's not really going to provide much of a cost reduction to the tenant.

17

18 Chair Lauing: Commissioner Reckdahl.

19

20 Commissioner Reckdahl: Me too.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Lauing: Other commissioners? We can't see the screen now so...

Commissioner Templeton: Nothing from me now. Thank you Chair.

Chair Lauing: Okay.

Commissioner Roohparvar: Yeah.

Chair Lauing: The slides up so we can't see online commissioners. Commissioner Hechtman any more comments?

Commissioner Hechtman: Nope. I think that, as long as you know, staff has... and again, I think this is a really important discussion we just had on these last two items and I just want to make sure that staff has you know, a fairly clear idea of the kind of information we'd like to see, when it comes back, whenever this comes back in September I suppose.

Chair Lauing: Okay, so then I think we go back... oh. Did you have a comment? Then I think we want to go back to the top of the four and see if we can have votes on each of the four. Simpler way to do it. Split them up. Is that okay? Any comments on that?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Vice-Chair Summa: So are we going to vote for all of the bullet points for all ADUs and for BMR ADUs or just for all ADUs.

Chair Lauing: No, I'm just... oh, okay, that's a good question. It's four bullet points but we're not going to cast the first three in the context of BMR.

Vice-Chair Summa: Okay.

Chair Lauing: So this would be... so for the first three we're going to say, are we going to apply this to all ADUs and or just BMR ADUs, that we decided in the fourth point that we're not going to move forward with.

Mr. Sauls: (no mic) Okay so we're still in item D of staff report, right.

Chair Lauing: Yes.

Mr. Sauls: Those four.

Chair Lauing: Yes.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Mr. Sauls: Okay.

Ms. French: Good, so you're going to take item one, so item one you're going to vote for if it applies to all ADUs as opposed to two separate votes all or BMR. Is that what you're saying?

Chair Lauing: Yeah, That's right (crosstalk) So we can propose it either way, as the motion is made. So. So the first one, do you want to just recap this in like two sentences so we, for the record. If people are reading these minutes, they'll know what we're voting on.

Mr. Sauls: Yeah, so item, the first item would be allowing the reconstruction or expansion of a non-conforming structure.

Chair Lauing: Okay, so can we have a motion on that.

Chair Lauing: Okay, I'll move it then. Oh sorry, I just can't follow you, two sides of lights and two people on screen. Go ahead Vice-Chair.

MOTION

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Oh, okay. I'll move the staff's proposal on item I for all ADUs.

2

3 SECOND

4

5 Vice-Chair Summa: Second.

6

7 Chair Lauing: Reckdahl and Summa. Any further discussion?

8

9 Commissioner Hechtman: Just a clarification, I don't think... I think the way the staff presented
10 this to us, they weren't ... they weren't... the motion made it sound like they were
11 recommending that this concept be applicable to all ADUs, and I think that staff was neutral on
12 that and in fact it's under the heading incentives for an affordable ADU and so they were asking
13 us. So, I think the motion is just... we like this idea, and it should be applicable to all ADUs and
14 kind of leave out the staff recommendation part.

15

16 Mr. Sauls: Yeah, that's partly at the end of each of those sections where it identifies you know
17 that PTC previously recommended this could be done for all ADUs and that we need that
18 direction, so.

19

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Staff did talk about twelve inches and twelve feet and all those specific
2 numbers.

3

4 Mr. Sauls: Yeah, I think the numbers would stay the same, it's a matter of what it's applying to.

5

6 Commissioner Reckdahl: Yeah, I think we're all on the same page.

7

8 Chair Lauing: Yeah, we are.

9

10 Commissioner Reckdahl: I agree.

11

12 Chair Lauing: Okay. No other comments, then lets vote on that, take a roll call please.

13

14

15 VOTE

16

17 Ms. Klicheva: Commissioner Hechtman?

18

19 Commissioner Hechtman: Yes.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Chair Lauing?

2

3 Chair Lauing: Yes.

4

5 Ms. Klicheva: Commissioner Reckdahl?

6

7 Commissioner Reckdahl: Yes.

8

9 Ms. Klicheva: Commissioner Roohparvar?

10

11 Commissioner Roohparvar: Yes.

12

13 Ms. Klicheva: Vice-Chair Summa?

14

15 Vice-Chair Summa: Yes.

16

17 Ms. Klicheva: Commissioner Templeton?

18

19 Commissioner Templeton: Yes.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Motion carries 6-0

2

3 MOTION #1 PASSED 6 (Hechtman, Lauing, Reckdahl, Summa, Roohparvar, Templeton) – 0-1
4 (Chang is absent).

5

6 Chair Lauing: Okay, very good, thank you. And now we're going to move to double i, (ii) Packet
7 page twenty. Sorry. Yeah, it's headed as removing the existing garage/carport requirement. So,
8 anyone like to make a motion on that?

9

10 Commissioner Reckdahl: Okay.

11

12

13 MOTION

14

15 Vice-Chair Summa: I'll do it. So, so I'm going to frame this in... the PTC is making a motion on
16 staff's idea of removing the exiting garage/carport requirement for conversions to all ADUs.

17 That's all part of it.

18

19 Chair Lauing: I don't think so.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: No, part of this... this policy only says... or as written, this policy only says if you
2 eliminate the one-step process, you no longer need parking whatsoever.

3

4 Chair Lauing: Yeah, so you (crosstalk)

5

6 Vice-Chair Summa: New builds.

7

8 Mr. Sauls: Eliminate the two-step process which in effect means ... (interrupted)

9

10 Vice-Chair Summa: Okay, let me withdraw that. That doesn't capture.

11

12 MOTION WITHDRAWN

13

14 Vice-Chair Summa: We can vote on eliminating the two-step process for all ADUs?

15

16 Chair Lauing: Yes, and you want from your prior comments that there be a remaining required
17 parking of whatever it is, one or two spaces.

18

19 MOTION

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Vice-Chair Summa: Okay, let me restate this. With regards to staff's recommendation on
2 removing existing garage/carport requirements for conversions, move that the two-step
3 process be removed but that for new applications... for new builds, that two onsite parking
4 spots, regardless of covered or uncovered, well, uncovered parking spots shall still be required.

5

6 Chair Lauing: On the lot.

7

8 Vice-Chair Summa: Yeah. On the parcel. It's kind of clunky.

9

10 Chair Lauing: Okay, any second to that?

11

12 FRIENDLY AMENDMENT

13

14 SECOND

15

16 Commissioner Reckdahl: I'll second that and add a friendly amendment of allowing it to be on
17 the setback.

18

19 Vice-Chair Summa: I think you mean the front setback? Or do you mean front or rear or both?

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Reckdahl: Conceivably if you had an alley, it would be in the rear setback, but...

2

3 Vice-Chair Summa: So, I'll accept that if we specify that it's front or rear setback.

4

5 Commissioner Reckdahl: Okay.

6

7 Commissioner Templeton: To the maker I have a suggestion. You said uncovered, you mean
8 covered or uncovered?

9

10 Vice-Chair Summa: That's fine, I don't think there should be a requirement for covered.

11

12 Commissioner Templeton: My concern was the working may imply the requirement is
13 uncovered, so I just wanted to double check that. Thank you.

14

15 Vice-Chair Summa: I can change that if people would prefer it. I don't care of somebody builds

16

17 Chair Lauing: Well, you said one or the other, so that probably covers it.

18

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: We'll probably just focus on uncovered instead of having covered spaces, where it
2 could say it can be anywhere, you cannot have a garage right at your front property line which
3 is not something that is copasetic at least in Palo Alto right now, right.

4

5 Vice-Chair Summa: Yeah, I think that's better. Okay.

6

7 Mr. Sauls: So, and to clarify Commissioner... Vice-Chair Summa sorry, your recommendation is
8 to allow this policy be available to all ADUs, not just affordable ADUs. Is that correct? That's one
9 part of it, right. That's the first part, is that you want ... your recommendation is to allow this for
10 all ADUs.

11

12 Vice-Chair Summa: When there's a new build, allow, yes. Sorry. For new buildings. New
13 applications for single-family homes that want to have an ADU remove the two-step process so
14 they don't have to build a garage and then change it into an ADU, but to retain a requirement
15 for two on-site parking spots.

16

17 Mr. Sauls: okay.

18

19 Chair Lauing: Comments from Commissioners? Commissioner Hechtman.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Commissioner Hechtman: So, I think we have to be careful with this motion that it be phrased
2 in a way that doesn't potentially conflict with the State law that says when you convert you
3 don't have to replace parking. And so, I think it's easy to do that, I think the concept is, and
4 we've seen it in other some of the other areas, this is really an option that the City, you can
5 build... with a new build you can build a garage, and then tear it out and get your ADU.
6 Alternatively, we'll give you the option of skipping the two-step process of provided you're
7 willing to provide two uncovered spaces on-site including in the front or rear setback. So, I think
8 when we... and maybe Mr. Yang will chime in on this, but I think we want to state it in a way
9 that makes clear that if somebody wants to do what the State law says, fine, you can build a
10 garage, and then tear it out and build the ADU, if they don't want to provide on-site uncovered
11 parking. Because we can't stop them from doing it.

12
13 Vice-Chair Summa: No, we can't stop them, for conversions, the State prohibits us from
14 requiring replacing the parking. But for new builds, which this specifically addresses, we are
15 saying let's take this two-step process out but require on-site parking, which the State has not
16 opined or prohibited.

17
18 Commissioner Hechtman: Okay, I still see it as an alternative to What the State says is you
19 have to allow the conversion and when you allow it, you can't require replacement parking.
20 That's a law.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Vice-Chair Summa: Yes.

Commissioner Hechtman: We're not.... So... again... what this motion would do is give people an alternate path but there's a cost to it. That's all I'm saying.

Vice-Chair Summa: When they're rebuilding.

Commissioner Hechtman: They don't have... No. With a brand-new building, right, I've got a vacant lot, I've got two choices, if I don't want to put any parking on my site, then I'm going to do the two-step.... I'm going to build... it's probably has to be a rear loaded, right, or else I'm going to have a front driveway because of the front setback, so, on a rear loaded, I can build my new house, with my two car garage, facing the alley then as soon as I get the certificate of occupancy, I'm going to apply to convert that two car garage into an ADU and I won't have any housing... I won't have any parking on site. Right. I can do that. Or alternatively, I can save the money of not having to build something and reconfigure it, if I'm willing to provide two on-site uncovered spots that can be in the front or rear setback. So that's why I think this is an alternative to the... what's allowed under State law.

Vice-Chair Summa: Okay.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Hechtman: And I would support it in that form because I don't want us to write an ordinance where HCD says you're in conflict with State law.

Chair Lauing: Yeah, so, my thought on this, as you said Commissioner Hechtman, I think people are going to want to keep their driveways and park there. So as long as we've released that problem by letting them park in the setback, I don't think this is going to have any material effect at all, on the owner of the house. So, I don't think is onerous to them and it does provide some protection that it's not spillover into the neighborhood, and it doesn't turn into a large landscaping project. Which I also think would be a very small number of cases. So. I'm comfortable with this.

Vice-Chair Summa: Yeah, if Staff feels we need to add that this is a alternative to the State law, that seems like a clunky thing to put in the motion.

Chair Lauing: Yeah, it just did. It is that.

Mr. Yang: I think staff understand this proposal and we'll figure out a way to phrase it.

Vice-Chair Summa: Okay. Commissioner Roohparvar.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Roohparvar: I was just going to say I'm supportive of the motion as long as the phrasing is as Commissioner Hechtman recommended just to get it, just to make sure we're not in violation of State law. It's just a matter of semantics. It seems like staff has it. Thank you.

Chair Lauing: Counsel Yang is going to protect us from that, I'm not worried. If there's no other comments, we can move to a roll call on this one.

VOTE

Ms. Klicheva: Commissioner Hechtman?

Commissioner Hechtman: Yes.

Ms. Klicheva: Chair Lauing?

Chair Lauing: Yes.

Ms. Klicheva: Commissioner Reckdahl?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: Yes.

Ms. Klicheva: Commissioner Roohparvar?

Commissioner Roohparvar: Yes.

Ms. Klicheva: Vice-Chair Summa?

Vice-Chair Summa: Yes.

Ms. Klicheva: Commissioner Templeton?

Commissioner Templeton: Yes.

Ms. Klicheva: Motion carries 6-0

MOTION #2 PASSED 6 (Hechtman, Lauing, Reckdahl, Summa, Roohparvar, Templeton) – 0-1
(Chang is absent).

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Okay. Thank you. So for the next one, on units for impact fees and plan review
2 fees, and this is strictly on non BMR, based on our last conversation on item number four, so,
3 do you need anything other than direction from us that we'd like to see some stats.

4

5 Mr. Sauls: No, I don't think so.

6

7 Chair Lauing: Okay. Commissioner Reckdahl.

8

9 Commissioner Reckdahl: I'd also be interested in seeing what percentage of the ADUs are
10 above seven-fifty. If I'm putting up an ADU today and I have to pay sixty-seven thousand, I'm
11 stopping at seven-forty-nine. And if we want a variety of ADU sizes, cutting the fees may be
12 beneficial so it would be interesting to see what the current status is.

13

14 Chair Lauing: Yeah, that's something I've also asked our data team to help me figure out,
15 because our quarterly ADU report identify how much impact fees we take in every year and you
16 can clearly see precipitous fall from 2017 to 2020, in terms of the amount of impact fees that
17 we're taking in. And, I haven't looked at it yet recently, I wouldn't be surprised to see
18 commensurate increase in the average size of units, like you're suggesting. Right, that there's that
19 threshold point that everyone now is clear and understanding of, I can go up to here, and I have
20 no problem, I go just a little bit more, now I have a lot of money I have to spend. Maybe not a

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 lot but could be a fair amount of money to spend. Right. So, previously, if I remember correctly,
2 before 2020 our average unit size was about... between three and four hundred square feet, I
3 wouldn't be surprised to see that average has doubled. But we should have had the quarter one
4 and quarter two reports to Council within the last couple of months, so I can certainly take a
5 look back at that and incorporate that into the part of that discussion next time.

6

7 Ms. French: And there are other advantages for staying under seven-fifty, not just these, right.
8 The people will do the administerial projects, so we have other perks that come with that.

9

10 Vice-Chair Summa: Yeah, I also just wanted to mention, and I know this may not be possible but
11 it would be so valuable to know how many of these ADUs are being... providing housing for
12 another family or individual as opposed to just being used for extra space, guest house, office,
13 for the family. And I know that's hard, but it would be so valuable to know that.

14

15 Mr. Sauls: There was a... I wish I could remember off the top of my head the agency that did
16 this, I believe it was Statewide survey that was done within California to understand that
17 specific question and from my recollection there was less than six-hundred responses, for the
18 entirety of the state. So, hard to say that that's entirely representative of the population of
19 everyone who's built and ADU in the state, however, that relationship can up to be about
20 thirty/thirty/ten, sorry, thirty/thirty/thirty/ten which was, like, rental income, you know, elderly

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 care, or you know family care unit right, where there's no unit... there's no charge right to rent
2 or there's no income received, I wish I could remember the other two now, of course, the most
3 important one was about a third, almost of what that response came back with. One of the
4 things that we've internally been discussing about is trying to find a way to capture some of this
5 data, so we have Palo Alto specific information. One, in general I think there's a sentiment that
6 these units are naturally affordable, which we cannot prove. Primarily because there is no data
7 to demonstrate it. And what data we have found, is inconclusive which spans between... and by
8 data, I mean what I can find online. You know, researching websites, craigslist, apartments.com,
9 you know, Zillow, which ever you want to find, whichever platform you want to describe, right,
10 it is wildly varied between eighteen hundred and four-thousand dollars, for a unit that is also
11 wildly varied between two-hundred square feet and nine-hundred square feet. And those two
12 numbers are not related to each other. I've seen one's charge more for smaller units than larger
13 one and vice versa. So, the last of that information is hard to really put a concrete number to
14 and its certainly frustrating, we've certainly had internal discussions about trying to create a
15 prompt and how we can integrate that preferably into maybe a permit application so that when
16 applicant submits something to us, we can just ask them three or four or five questions ...
17 what's your intention behind this, we're not going to capture their personal information but
18 just get a survey of it right, to start pulling that data in which, if we determined at the end of it
19 that these do, or the anticipation is that these units will be rented for whatever qualifies as fifty
20 to eighty percent or eighty to a hundred-twenty percent AMI, can we present that data to HCD

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 and say these units here, this number, this proportion of the units we've proposed and have
2 built, should count towards our affordable RHNA goals. Right. So there's a relationship there
3 that can be valuable but we haven't developed that yet and I think there's still some hesitation
4 to really go that far to either make it a mandatory you know response from the applicant,
5 versus you know, a suggestive one, in which case you may really not get responses at all.

6

7 Vice-Chair Summa: Sure, and you don't want to make people feel like their doing something
8 wrong because their building it for their own family use, because that's not the case. It's really
9 tough. It would just... it's kind of frustrating.

10

11 Chair Lauing: Okay so, should we just give you a ... sorry.

12

13 Commissioner Roohparvar: I had some comments Chair.

14

15 Chair Lauing: Sorry. Go ahead.

16

17 Commissioner Roohparvar: Thanks Vice-Chair Summa. So, it's, I think as we were thinking
18 about for staff, UCLA/Berkely Turner Center for Housing put a number of drug addicts, yeah...

19

20 Mr. Sauls: That's correct.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Roohparvar: They have some great surveys out that they did statewide and then there are a number of accelerator programs in place too, that could give you data on affordable housing incentives and programs, other counties and jurisdictions have run, and I'm happy to share that contact with you. And then I was going to say it's nice to have, but it'd be interesting to see what other jurisdictions have done with respect to their affordable programs for ADUs so maybe we can get some ideas, if you guys have time, something to look at.

Chair Lauing: Okay thanks. Commissioner Templeton.

Commissioner Templeton: Thank you. I just wanted to elevate something that Commissioner [Vice-Chair] Summa said right at the very end, that it should be embraced and okay for us to as a City to accept and understand that having family members and extended family is not only culturally appropriate but welcomed in our community so I think it is important to understand it, but it does still serve as a place for someone to live that they wouldn't have if the structure hadn't been built. So, just wanted to make sure we're all on the same page about that. Thanks.

Chair Lauing: So, staff would you just like a general motion that we'd like to see data distribution on (crosstalk)

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Mr. Sauls: Yeah, I think that's helpful if you can (crosstalk)

2

3 Chair Lauing: present to us some data distribution on impact fees across you know, size of units
4 and any other relevant material so we can evaluate whether or not to look at reducing
5 development fees and if so, in what way.

6

7 Commissioner Hechtman: Do we really need a motion for that? I mean it feels like we've got
8 (interrupted)

9

10 Mr. Sauls: I don't think we do. I think it's just for clarity.

11

12 Chair Lauing: Oh, I thought you just said you wanted one.

13

14 Mr. Sauls: Sorry, I apologize I communicated that, I mostly just wanted that to be more clear
15 what the approach was that you wanted up to go with. So, I don't think we need a motion for
16 that, it's just that knowledge.

17

18 Chair Lauing: Okay, Okay, that's fine. Yeah, I think everyone is... I don't see anyone objecting to
19 more data. This Commission usually asks for more data. So that's very consistent. Right, right.
20 And then on the last one I think there was pretty much consensus that at this point that dog's

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 not going to hunt so do you want a recommendation that we do not think that Council should
2 proceed with BMR ADUs? It wouldn't hurt right?

3

4 Mr. Sauls: Yes, it would not hurt just to have a clear direction as to whether or not we really
5 want to engage in this program, because as you can imagine, time saved is time spent better on
6 something else.

7

8 Chair Lauing: Right, right. So, it seems like that's kind of where we're ending up that at this
9 point in time, seems like Commissioner Hechtman has a comment.

10

11 Commissioner Hechtman: Yeah, so I'm not ready to be there yet, for the same reason we need
12 data before we make a decision on what to do with impact fees, I have suggested that we need
13 some data on this last item to help us understand, a schedule of possible rent differentials over
14 a period of years;that my speculation is this is going to prove to be financially infeasible. But I
15 don't want to make a vote and tell us we shouldn't do it based on my speculation. I'd like to see
16 some data. So, I prefer that this be deferred until staff comes back... like item three. Come back
17 with the data and then we can make an informed decision.

18

19 Chair Lauing: Is that enough direction Garrett? Okay, great. Any minority views on that? Looking
20 at screens and people.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Reckdahl: well...

Chair Lauing: Go ahead.

Commissioner Reckdahl: I'm pessimistic data is good, I would just say, tell staff not to waste a lot of time... collect the data but don't do a lot of processing on it, I think trying to get the biggest bang or the buck. It would be nice if it works out, but...

Vice-Chair Summa: Yeah, and based on what Mr. Sauls just said about trying to find out about how much people are renting ADUs for and sometimes smaller ones are more expensive and... it would be hard, but I don't want to give up on this idea yet, either ... completely.

Mr. Sauls: Yeah, and there is no reason to make a recommendation on that, we are intending... we... I am intending to do something about that. Again, preferably with just a short survey which we'll either be able to send out to the addresses we've received applications for, and preferably get an answer about that and then going forward, ideally, have it be something that future applicants just, like their application form, will just fill out and give to us to start tabulating that data. Right.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Okay, fine. Anything else on this item that you need feedback tonight?

2

3 Mr. Sauls: I guess the noise producing is still a little bit left at the moment, it sounds like
4 (crosstalk) Consensus.

5

6 Chair Lauing: More data. Right, we're going to get those two items which was kind of a fire
7 assessment and (interrupted)

8

9 Mr. Sauls: Yeah, we'll ask the fire department to give us their thoughts on if that creates a
10 conflict with them... don't think that there will be, but we'll confirm with them and then the
11 separate aspect of that also, to see if we can find some resource to help us understand that
12 distance relationship and how noise attenuates over (crosstalk). We're going to consult you
13 know, bring on a contractor... Commissioner Reckdahl to you now, do that work for us. Yeah
14 not him, his physics book, actually.

15

16 Commissioner Reckdahl: I'll give you my physics book, yeah. (laughter)

17

18 Chair Lauing: Okay.

19

20 Commissioner Hechtman: Are we ready for a motion to continue with item?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Chair Lauing: Yup.

MOTION

Commissioner Hechtman: Okay. So, I move that we continue this item, to review and discuss potential ordinance changes to our municipal code regarding ADU and JADUs to, and I'd like to make the motion to move it September 14th. I understand we've got an impacted calendar on August 31st; I think we want a date certain to number one give staff enough time to gather data but also gives the public a firm date that they can count on to hear us wrap this up.

Chair Lauing: I would yield the staff on that to know what's not only coming but what they have stacked up.

Ms. French: I mean if you can continue it to that date and we're not ready, we'll just continue that again. I mean it's certainly nice to shoot for something.

Chair Lauing: Okay, so that's the motion. Is there a second?

SECOND

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1

2 Vice-Chair Summa: Second.

3

4 Chair Lauing: There's no other comments can we take a roll call vote for the continuance?

5

6 VOTE

7

8 Ms. Klicheva: Commissioner Hechtman?

9

10 Commissioner Hechtman: Yes.

11

12 Ms. Klicheva: Chair Lauing?

13

14 Chair Lauing: Yes.

15

16 Ms. Klicheva: Commissioner Reckdahl?

17

18 Commissioner Reckdahl: Yes.

19

20 Ms. Klicheva: Commissioner Roohparvar?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

Commissioner Roohparvar: Yes.

Ms. Klicheva: Vice-Chair Summa?

Vice-Chair Summa: Yes.

Ms. Klicheva: Commissioner Templeton?

Commissioner Templeton: Yes.

Ms. Klicheva: Motion carries 6-0

MOTION #3 PASSED 6 (Hechtman, Lauing, Reckdahl, Summa, Roohparvar, Templeton) – 0-1
(Chang is absent).

Commission Action: Motion by Reckdahl seconded by Summa. Motion Passed 6-0 .

Commission Action: Motion by Summa seconded by Reckdahl. Motion Passed 6-0 .

Commission Action: Motion by Hechtman seconded by Summa. Motion Passed 6-0 .

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Chair Lauing: Okay. Thank you. These are always complex issues, we made good progress.

2

3 **Approval of Minutes**

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

5

6

7 Chair Lauing: So, the next item is ... Four has been postponed, so the next item is Minutes of

8 June 8th, Draft Verbatim and Summary.

9

10 4. June 8, 2022 Draft Summary and Verbatim Meeting Minutes

11

12

13 MOTION

14

15 Commissioner Hechtman: I will move approval of the June 8th draft verbatim and draft

16 summary meeting minutes as revised.

17

18 Chair Lauing: Second please

19

20 SECOND

21

22 Vice-Chair Summa: Second.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1

2 Chair Lauing: Vice-Chair Summa seconds, any other comments. Roll Call please.

3

4

5 VOTE

6

7

8 Ms. Klicheva: Commissioner Hechtman?

9

10 Commissioner Hechtman: Yes.

11

12 Ms. Klicheva: Chair Lauing?

13

14 Chair Lauing: Yes.

15

16 Ms. Klicheva: Commissioner Reckdahl?

17

18 Commissioner Reckdahl: Yes.

19

20 Ms. Klicheva: Commissioner Roohparvar?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Commissioner Roohparvar: Yes.

Ms. Klicheva: Vice-Chair Summa?

Vice-Chair Summa: Yes

Ms. Klicheva: Commissioner Templeton?

Commissioner Templeton: Which date is this for?

Ms. Klicheva: June 8th.

Commissioner Templeton: Was I here June 8th? Make sure I'm not voting on one that I wasn't here. Just give me a second, I can't find it in our booklet.

Chair Lauing: You were here.

Commissioner Templeton: That was a day I was here, then for June 8th, Yes. Thank you.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 Ms. Klicheva: Motion Carries 6-0.

2

3 Commissioner Templeton: Thank you Chair.

4

5 Chair Lauing: Yeah, I'm reading it.

6

7 MOTION #1 PASSED 6 (Hechtman, Lauing, Reckdahl, Roohparvar, Summa, Templeton) – 0

8 (Chang absent).

9

10

11 Chair Lauing: June 29th, 2022 and Vice-Chair Summa was not present for that.

12

13 5. March 30, 2022 Draft Verbatim Meeting Minutes

14

15

16 MOTION

17

18 Commissioner Hechtman: Move approval for the draft verbatim meeting minutes for June 29th

19 as revised.

20

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1 SECOND

2

3 Chair Lauing: I'll second. Roll Call Vote please.

4

5

6 VOTE

7

8 Ms. Klicheva: Commissioner Hechtman?

9

10 Commissioner Hechtman: Yes.

11

12 Ms. Klicheva: Chair Lauing?

13

14 Chair Lauing: Yes.

15

16 Ms. Klicheva: Commissioner Reckdahl?

17

18 Commissioner Reckdahl: Yes.

19

20 Ms. Klicheva: Commissioner Roohparvar?

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Commissioner Roohparvar: Yes.

Ms. Klicheva: Vice-Chair Summa?

Vice-Chair Summa: Abstained due to absence.

Ms. Klicheva: Commissioner Templeton?

Commissioner Templeton: Yes.

Ms. Klicheva: Motion carries 5-0-1

MOTION #2 PASSED 5 (Hechtman, Lauing, Reckdahl, Summa, Roohparvar, Templeton) – 0-1
(Chang is absent, Vice Chair Summer Abstained).

Commission Action: Motion by Hechtman, seconded by Summa . Motion Passed 6-0.

Commission Action: Motion by Hechtman, seconded by Lauing. Motion Passed 5-1.

Commissioner Templeton: I’m sorry, I was missing up with July before, so thank you for helping me out there.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson’s presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1
2

3 **Committee Items**

4 Chair Lauing: Yeah, Okay. I don't think there are any committee items because the only
5 committee I can think of is the Ad-hoc on ADUs so...

6

7 **Commissioner Questions, Comments or Announcements**

8

9 Chair Lauing: Okay, any comments or announcements?

10

11 Commissioner Roohparvar: Chair.

12

13 Chair Lauing: Yes, go ahead, please.

14

15 Commissioner Roohparvar: Thank you, I have a planned absence on 8/31. I just wanted to let
16 the Commission know that. Thank you.

17

18 Chair Lauing: And we have the upcoming agenda items as much we know it right now, so we
19 talked about that up front. So, I don't think we have to address that. Okay. I think that wraps it
20 up, so, thank you all and we stand adjourned.

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.

1

2 **Adjournment**

3 9:37:00 pm

-
1. Spokespersons that are representing a group of five or more people who are identified as present at the meeting at the time of the spokesperson's presentation will be allowed up to fifteen (15) minutes at the discretion of the Chair, provided that the non-speaking members agree not to speak individually.
 2. The Chair may limit Oral Communications to 30 minutes for all combined speakers.
 3. The Chair may reduce the allowed time to speak to three minutes to accommodate a larger number of speakers.