

From: [Paul Machado](#)
To: [Council, City](#); [Kou, Lydia](#); [Tanaka, Greg](#); [Filseth, Eric \(Internal\)](#); [DuBois, Tom](#); [Burt, Patrick](#); [AlisonL.Cormack@cityofpaloalto.org](#); [Stone, Greer](#)
Subject: item 8AA on 10/4
Date: Friday, October 1, 2021 5:08:24 PM

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On page 16 of the staff report it is noted that architects, developers, and consultants who can benefit financially from changes in the city ordinances were contacted to assist with this report. I note although residents' homes and their privacy are to be greatly impacted by these changes, the participation of residents did not seem to be a primary concern.

Although the invited stakeholders mentioned in the report may know the subject matter very well, the general public may not. It is believed the more than 30 pages of new ordinance could have been presented in a manner that explains to the common resident what exactly they may be losing in the new ordinance and why.

An example is the City required solar panels on our neighbors newly constructed home. Also we have sought bids for solar panels on our home which the city encouraged. Will these new changes allow developers to cast a shadow at any time of the day on a neighbor's solar panels costing the neighbor energy/money. If so will the city/developer be liable.

Perhaps the staff could return with a report that is more user friendly and not one that is just intended for professional stakeholders.

Thanks

Paul Machado

From: [Melanie Grondel](#)
To: [Council, City](#)
Cc: [Melanie Grondel](#)
Subject: Oblective Standards
Date: Sunday, October 3, 2021 11:49:23 PM

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Dear Mayor Dubois and Council Members,

The Objective Standards package is a hot topic of conversation in the community, accompanied by much confusion. Below are my concerns.

As I understand it, the Objective Standards will streamline the approval process for multi-family housing development.

Recently a package of State Laws, sponsored by the legislators Wiener and Atkins, that includes but is not limited to SB 9, and SB10, has been added to existing legislation that includes SB35, for the purpose of facilitating housing development.

To my great regret these new laws do not focus in any way on developing affordable housing. I urge you to facilitate the development of affordable housing in every way you can.

In addition livability is of key importance for all residents whether they live in the new multifamily housing or live with the multifamily housing as neighbors, all need the benefit of green in de form of trees, plants and open space such as parks. Objective Standards need to keep our city livable for all.

It is my undedtanding that if a multifamily project exceeds the Objective Standards it will be returned for approval to the ARB according to the regular process.

I am concerned that office development included in many housing development projects will increase the amount of jobs and thereby contribute to new and increased RHNA demands for the next Element. This way we end up in endless games of housing development allocations, never getting ahead but remaining under the gun to accommodate developers and the investment community demanding to build multifamily housing at market rate but not as affordable housing.

I did listen in on the Objective Standards discussion at the PTC, and was struck by a lack of clarity in the Staff proposal. At one point Staff maintained that changing a sentence for stylistic reasons was necessary to "clean up the code", while the Commisioners perceived a significant change in policy. This pertained to the 150 ft required between a highrise and single family houses.

Clarity is extremely important.

In particular when the frequent use of the ministerial method of approval that bypasses neighborhood notification and input, will be felt as a significant sacrifice by a great many homeowners.

Therefore I urge the Council to improve communications with the residents on the subject of Objective Standards.

Thank you very much for your consideration.
Melanie Grondel
College Terrace
Palo Alto, Ca

From: [Palo Altans for Sensible Zoning](#)
To: [Council, City](#)
Subject: Objective Standards
Date: Monday, October 4, 2021 12:50:15 AM
Attachments: [image002.png](#)

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October 3, 2021

Dear City Council Members,

We believe it critically important to express to you our concerns over the new, proposed Objective Standards, the need to have more community involvement, and a detailed analysis of how these new standards will affect our entire community.

To quickly summarize, we hope you will focus on 7 key issues or areas which we believe are deeply concerning to us:

1. **There is no explanation of the impacts of these proposed new standards on neighbors and our City.** Which specific rules are being removed or modified? What is being lost or changed? The staff report fails to provide any details on the impacts of removing these criteria or even have a public discussion on these impacts in a manner that residents, Council, or others can review.
2. **The new standards clearly eliminate meaningful privacy protections for residents.** For example – the current law states that new projects must “respect privacy of neighboring structures, with windows and upper floor balconies positioned so they minimize views into neighboring properties.” The new standards eliminate the above statement and replace it with only “a landscape screen that includes a row of trees with a minimum 1 tree per 25 linear feet and continuous shrubbery planting”. It doesn’t say anything about respecting privacy or how those trees or shrubbery will prevent views from a second or third floor of a building.
3. **Several new loopholes – buried inside -- are created by the new standards.** Table 1 on page 111 says that the new standards will apply to a number of zones, but there is huge exemption. Largely, commercial properties. Instead, these commercial properties will be able to avoid the Objective Standards and be only asked to comply with a series of very weak “Intent Statements”, which are located inside the chapter of the Objective Design Standards. So, to put it simply, if a commercial building is less than 2/3rds residential, they don’t have to follow the Objective Standards and instead just the “Intent Statements”.
4. **The staff proposal favors upzoning for commercial development.** The proposed ordinance would allow more large-scale housing by commercial developers without acknowledging that this will raise land values and make it harder – not easier – to build the affordable housing we need in our City.
5. **The new standards would remove protections from multi-family residences, thus discriminating against the same residents they are trying to attract.** Example – the current Context-Based Criteria states, “Where new projects are built abutting existing lower-scale residential development, care shall be taken to respect to scale and privacy of neighboring properties . . .”. The new standards totally eliminate this sentence and says, “When a building abuts a side and/or rear property line with a RE, RMD, R-1, or R-2 zoned parcel or existing single-family use, the building shall break down the abutting façade by . . .”. This means that some people living in RM-20, RM-30, or RM-40 could be losing their rights and protections. It’s simply unconceivable that these residents should be discriminated against by our City and they should be treated in the exact same way as other residents. It is critically important that this be changed.
6. **The new standards are poorly-written and could eventually lead to being unenforceable.** One example – in the proposed Objective Design Standards at 18.24.050(b)(1), page 136, it says, “When the height of the subject building is more than 20 feet above the average height of an “adjacent” building an upper floor step back shall start within 2 vertical feet of the height of the adjacent building.” However, the law doesn’t specific what “adjacent” means, so isn’t that up to staff to interpret? A court could one day rule that this law requires too much staff interpretation and consider all the objective standards invalid.
7. **Lastly, these standards were developed by not treating residents as “stakeholders” too.** In the staff report, page 120, it says, “On January 22nd, March 23rd, . . ., staff sent an email to a wide range of architects and consultants that **have worked with** the City in the recent past on development projects to solicit their comments on the draft objective standards.” It’s a shame that Staff did not consider that residents might also be interested or be “key stakeholders” as well in this process. It’s unfortunate that developers and contractors that the City has “**worked with**” are treated as their primary stakeholders and not residents.

We sincerely hope you will review these 7 points and truly take the time necessary to change and reformulate these objective standards. It is critical to all Palo Altans and is not something left to Staff to decide. Thank you.

Respectfully,

Palo Altans for Sensible Zoning

Palo Altans for Sensible Zoning
PO Box 305, Palo Alto, CA 94302

<http://sensiblezoning.org>

From: [Palo Alto Forward](#)
To: [Council, City](#)
Subject: Support for Transitional and Permanently Affordable Housing
Date: Wednesday, September 22, 2021 6:25:31 PM

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RE: Agenda Item #3,#9, and #10

Dear Mayor DuBois and City Council Members,

Palo Alto Forward is a non-profit organization focused on innovating and expanding housing choices and transportation mobility for a vibrant, welcoming, and sustainable Palo Alto. We are a broad coalition with a multi-generational membership, including new and longtime residents.

We support both the proposal at 525 East Charleston Road for 50 new, affordable homes with half reserved for the intellectually and developmentally disabled community members and the \$2M allocation from our local affordable housing funds for the project. The County partnership with Eden Housing that led to this proposal demonstrates a commitment to community engagement and meeting our affordable housing needs. Like many nearby cities, Palo Alto has consistently failed to meet our very low and extremely low-income housing targets. This proposal would move us in the right direction without substantial local investment.

In addition, we support the Project Homekey proposal brought forward by LifeMoves, constructing 88+ new, transitional housing units in Palo Alto. There are few other sites that could accommodate this number of units due to development cost and our low-density restrictions which need to be more flexible. Providing immediate shelter and services, while helping residents secure permanent housing, is the best way to end homelessness. We are concerned that there are a variety of transportation options available to residents to connect them to the community. This proposal is not the only solution, but it's an important interim step!

Lastly, we ask that this Council consider how policy changes, relaxing heights and FAR in our zoning and development standards, might hasten the needed development of new homes to address the housing shortage. These restrictions remain impediments. As we review proposals like those heard tonight, what steps would make this process more clear for our staff, community, and developers?

Gail A. Price
Palo Alto Forward

From: [Jamie Beckett](#)
To: [Council, City](#)
Subject: 9/27 - Agenda item #9 - Objective Standards worsen discrimination against RM-40
Date: Saturday, September 25, 2021 1:59:37 PM

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Dear Palo Alto City Council,

We are homeowners in Palo Alto Central, a 140-unit condominium complex that is facing the prospect of a giant office complex that would be built just 10 feet from our homes. We have learned the hard way that Palo Alto zoning laws discriminate against people like us who live in residential zones designated RM-40.

If you adopt the Objective Standards proposed by staff, you will be compounding the inequities we face.

City zoning code shelters residents in other zones from some of the impact of large developments close to their homes. These protections include height restrictions, requirements for a daylight plane, setback requirements, open space requirements and more.

Not RM-40. We are granted only the flimsiest protections. If the council adopts the proposed Objective Standards, you will be ripping away even these bare shreds.

Although the city claims to want more multi-family housing near transit -- exactly the kind of housing we represent -- city zoning laws punish us for choosing homes in RM-40.

Under current law, RM-40 homes are restricted to 35 feet, but a builder can put massive structures as high as 50 feet **within 10 feet of our homes** and we have no recourse. Developers can invade our privacy with their glass-walled buildings, build projects with too few parking spaces, add hundreds of cars to clog our streets, build towering structures that cloak our homes in shadow -- and it is just too bad for us.

Current law treats us like second-class citizens. The proposed law is even more unfair.

The only protections that current zoning code offers RM-40 fall largely under Context-Based Design Criteria (18.16.060). But even these will be removed under the so-called Objective Standards.

RM-40 housing:

- Brings in more tax revenue for the city per square foot of land than any other residential land (just because it is that much denser)
- It costs less to the city in terms of services and maintenance (think just about the number of stops for trash collection)

- It brings more consumers into nearby business districts and benefits local businesses
- It's closer to the public transportation, which reduces traffic
- Requires less water and energy per housing unit than single family homes.

Despite its stated desire to add more housing, Palo Alto really isn't interested in attracting people willing to live in denser housing. Why should anyone pay the inflated Palo Alto housing prices when they can go to other cities where costs are lower for the same amount of benefits?

Rather than drive us away, the city should fight to retain us by providing us with the same benefits others in Palo Alto enjoy -- public open space, adequate setbacks, traffic mitigation, privacy protections, etc.

That means rewriting the municipal code to erase the inequities and provide the same treatment to everyone in Palo Alto. Isn't that the kind of city we want to be?

Best regards,

Jamie Beckett
Peter Jon Shuler

2577 Park Blvd., V203
Palo Alto 94306

From: [Susan Kemp](#)
To: [Council, City](#)
Subject: Item #9, September 27, 2021 - Please Preserve Existing Residential Protections and Keep the Focus on Incentivizing Affordable Housing
Date: Sunday, September 26, 2021 1:54:32 PM

CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.

Re: Item #9, September 27, 2021 - Please Preserve Existing Residential Protections and Keep the Focus on Incentivizing Affordable Housing

Dear Mayor DuBois and City Council Members:

I am concerned that the new Objective Standards far exceed what the State law is asking us to do.

This proposed change serves only property owners and drives up the value of the land and disincentivizes below-market-rate projects.

Also, provisions against height and massing that have protected all residents in the city should not be cherry picked so that some neighborhoods are saved while others are sacrificed. Please provide parity for all neighborhoods.

Before making any changes to the code, please find out what other changes are proposed. Staff should provide an accurate comparison of the proposed code with the current code so that we fully understand all the changes.

Also please allow adequate time for public review and input. Perhaps a review and correction of staff processes is needed to avoid last minute "At Places Memos" being submitted to Council before staff has solicited and received input from residents affected by the changes being recommended instead of what appears as their only soliciting input from developers, consultants and architects.

Thank you.

Susan Kemp
Ventura resident

From: [Sheri Furman](#)
To: [Council, City](#)
Subject: Letter regarding Sep 27 Objective Standards agenda item
Date: Sunday, September 26, 2021 1:44:09 PM
Attachments: [Objective Standards Letter.docx](#)

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Please see the attached.

September 27 Council Meeting -- Objective Standards Agenda Item

September 25, 2001

Dear Mayor DuBois and Council Members,

We, the co-chairs of PAN, are concerned that the new Objective Standards will do away with rules that for decades have prevented larger new buildings from overwhelming nearby residences.

We understand that the State is requiring Objective Standards for *some* new residential and mixed-use proposals. That being the case, why does the proposal do away with Objective Standards for commercial buildings? Whether that is the intent or not, such an oversight must be corrected.

To reiterate, the State is not requiring us to revise our standards for all new buildings. The staff report cites just two such projects in the city that have requested exemptions from the current Context-Based Criteria as allowed by state law but does not say if they are even eligible. Without specific examples, data and justification, does it make sense to change how we govern all other buildings, such as offices, especially if we will end up with weaker standards for those?

Plus, the staff proposes rezoning more parcels for the HIP. Instead the Council should insist that changes to zoning makes 100% affordable housing projects the most valuable use of land. This will incentivize more below-market rate housing, which is what we need.

Additionally, the staff report fails to detail any impacts whatsoever, let alone the huge potential fallout from removing our current standards. Some key problems with proposed changes as outlined in the staff report:

- Little public input; however input was sought from developers, consultants, and architects.
- Absence of analysis of any impacts.
- No outreach to residents affected by the code change, as has become far too frequent.
- No comparison of new rules with the old rules.

The proposed ordinance removes privacy protections for residents near new development and deletes long-standing context-based protection rules. It even favors unzoning for commercial development (which we don't need), making affordable housing (which we do need) harder to build. What other changes might be buried in the new code that we have yet to discover? A line-by-line comparison of the new code and old code must be done so we can identify what is gained and what is lost to the community.

Please send these new standards back to staff and

- Insist on a detailed 1-1 comparison
- Insist that residential privacy be fully protected in the new standards
- Retain old context-based rules wherever the state allows (i.e., on most buildings)
- Don't expand HIP – instead prioritize 100% affordable housing
- Expand protection to RM-40 and all other residential uses
- Remove ambiguous and unenforceable language from objective standards

Thank you.

Sheri Furman
Becky Sanders

From: [Andie Reed](#)
To: [Council, City](#)
Subject: Objective Standards
Date: Sunday, September 26, 2021 4:25:23 PM

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Dear Council Members,

Switching out Context Based Design Criteria with Objective Standards for new projects, which is currently under review by Council, is a process that appears to result in making major modifications to the municipal code. Although the staff report references many ARB and PTC meetings that have addressed this issue, and that there has been outreach to builders and architects ("stakeholders"), there has been little public outreach (aren't residents "stakeholders"?).

It is an important goal to set up guidelines that will ease production of **below-market-rate** housing in Palo Alto, streamlining the process by adopting state-mandated rules. Converting subjective rules to objective ones is, on its face, a good charge, if both sides, meaning current residents and potential developers, are equally represented.

Please address:

1. what code items are being replaced with the new standards described in Attachments A. Without a comparison as to **what currently exists versus what is being proposed**, we don't know what will go away and be lost in the shuffle.
2. while we're changing guidelines, why not make **incentivizing Below Market Rate housing** a priority? This would be the time to step up to our goals of providing housing for workers, relaxing review for 100% affordable housing first.
3. why are some neighborhoods exempted (south of Forest Avenue)?
4. what standards will apply if the Context Based Design Criteria standards are deleted and a project doesn't qualify for Objective Standards? where do commercial projects fall?
5. where is the emphasis on liveability; trees, open air, light, privacy, that residents prize? why are we making it easier for developers over residents?

Are we encouraging large multi-unit projects with fewer design/context elements and without a requirement for significant amounts of **Below Market Rate** housing, making it much easier for builders to cash in on Market Rate housing?

Thank you for your hard work on this tough subject.

Andie Reed
Old Palo Alto

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From: [Ann Balin](#)
To: [Council, City](#)
Subject: Wary of planning's Objective Standards
Date: Sunday, September 26, 2021 5:04:58 PM

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Dear Mayor Tom DuBois & fellow council members,

Thank you for leading regarding the NVCAP last Monday. It was refreshing to see the city council be the driver of this important land use process. I am impressed by the depth of your motion Mayor Dubois. I appreciate greatly the forceful insights of Greer Stone, Lydia Kou, Pat Burt and Eric Filseth on this critical matter as well.

I am writing because of my concerns that city staff is again pushing to undo the existing Context-Based Design Standards. Staff presented their Objective Standards at the last Planning and Transportation meeting. I observed a flawed process. Staff deluged the commission with their new code. Chair Hechtman did not allow for an item by item review. Staff did not present a list of the actual Context-Based Design Standards to compare with the their new Objective Standards.

The city is not required by the state to revise our existing code at this time. Yet the planning staff has created these Objective Standards under the pretext of 'cleaning up' the code.

There are many problems with these Objective Standards. This is a gift for developers and architects who are cited as the 'stakeholders' by staff. Where is the public in this process? As you know there has been no community outreach. Residents need to be involved as this impacts all of us.

Privacy would be eliminated should this new code be established. Check out their proposed shrubs and border of trees mitigation that would not ensure privacy. The planning staff is urging that protections be removed for residents in multifamily housing. The newly proposed code is poorly-written and lacks clarity. How can it be enforced if the language is purposefully vague? The staff argues that all new building other than single family homes and duplexes will be subjected to the new Objective Design Standards chapter. Buried in that chapter, you will find section 18.24.010(b) which says that ""objective design standards apply to new multifamily housing with three or more units (see definition in 18.04.030), supportive and transitional housing and residential and mixed use projects with at least two-thirds residential square footage." That sentence means that the specific objective standards listed within the chapter do not apply to buildings unless they are two-thirds residential. An office building would be exempt from having to follow the actual Objective Design Standards. This is what I call a LOOPHOLE. How would these new Objective Standards further the city's obligation to create truly affordable housing?

The process appears to be circumvented by the planning staff as the optics reveal it to be rushed and obfuscated. I ask that you ensure that the public is adequately included in this process.

Very truly yours,

Ann Lafargue Balin

From: [Tirumala Ranganath](#)
To: [Council, City](#)
Cc: [ranguranganath](#)
Subject: Re : Item #9, September 27, 2021 - Please Incentivize Affordable Housing and Maintain Existing Residential Protections
Date: Sunday, September 26, 2021 11:54:14 PM

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Dear Mayor DuBois and City Council Members:

I am very concerned that the new Objective Standards being pushed by the City's Staff report far exceed what the State law is asking us to do. *The State of California is not requiring us to revise our standards for all new buildings. Developers can already apply for exemptions from the current Context-Based Criteria as allowed by state law. The staff report cites just two such projects in the city that have requested such exemptions - however the report does not say if even these projects meet the state's eligibility requirements. Under these circumstances, without specific examples, data and justification, does it make any sense to overhaul our code? This appears fishy to me, bringing up the obvious question : Who is the city staff working for , residents or developers ? In addition the staff report fails to detail any impacts whatsoever, let alone the huge potential fallout from removing those standards. Here are some key problems that one can immediately think of with proposed changes as outlined in the staff report:*

Little public input, however input was sought from developers, consultants, and architects - why is this happening ?

Staff report provides no analysis of impacts - why is that ? Isn't that part of the staff's responsibility to be transparent ?

Staff report does not provide point by point differences between existing and proposed - Isn't this essential, so the City Council can make an objective and fact based decision ?

Last but not least, where is the outreach to residents affected by the code change, a trend that appears to be more and more the case nowadays ? Has the staff forgotten that there is a large group of residents seriously interested in these matters ?

This proposed change serves only property owners and drives up the value of the land and disincentivizes below-market-rate projects. Even though staff maintains that objective standards only apply to certain projects, the old context-based

design criteria are being completely removed from the code. Therefore, any new development will have either the less powerful objective rules, or neither the old nor new protections. Why?

In addition provisions against height and massing that have protected all residents in the city, should not be cherry picked so that some neighborhoods are saved while others are sacrificed. Please provide parity for all neighborhoods.

Before making any changes to the code, isn't it essential for the city council to know what other changes are proposed ? Staff should provide an accurate comparison of the proposed code with the current code so that we fully understand all the changes.

If these proposed changes are adopted without careful scrutiny by the city council and the public, these sweeping changes will certainly sound the death knell for affordable housing in this city. Relaxing building standards

instantly drives up the value of the land by increasing the density of what can be built on it. This Objective Standards Developer Giveaway makes it possible and financially lucrative to max out construction footprint, incentivizes business over homes and offers no provisions for more parkland and community

amenities.

It is imperative to please allow adequate time for public review and input.

Thank you for your kind attention,

Ranganath (a 40 year Greater Ventura resident)

From: [Jim Colton](#)
To: [Council, City](#)
Subject: Re: Item #9, September 27, 202 Please Incentivize Affordable Housing
Date: Monday, September 27, 2021 6:23:07 AM

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Dear Mayor DuBois and City Council Members:

I am concerned that the new Objective Standards far exceed what the State law is asking us to do. It discourages below-market-rate projects, the type of projects that we need the most.

Also, provisions against height and massing should not be used for particular neighborhoods but should apply to all neighborhoods.

Before making any changes to the code, please find out what other changes are proposed. Staff should provide an accurate comparison of the proposed code with the current code so that we understand fully all the changes.

Also please allow adequate time for public review and input.

Thanks,

Jim Colton
Green Acres II

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JimColtonPhotography.com