



PLANNING & TRANSPORTATION COMMISSION MINUTES

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Special Meeting of Wednesday, October 21, 2009 at 6:00 PM

Council Chambers, Civic Center, 1st Floor

250 Hamilton Avenue

Palo Alto, California 94301

ROLL CALL: 6:05 pm

Commissioners:

Daniel Garber - Chair

Samir Tuma – V-Chair

Susan Fineberg

Karen Holman

Arthur Keller

Lee I. Lippert

Eduardo Martinez

Staff:

Curtis Williams, Planning Director

Donald Larkin, Assistant City Attorney

Julie Caporgno, Chief Planning and Transp. Official

Cathy Siegel, Advance Planning Manager

Ron Babiera, Senior Planner

Chitra Moitra, Planner

Zariah Betten, Admin. Associate

AGENDIZED ITEMS:

1. Review and discussion of major themes and vision statements of the adopted Comprehensive Plan.
2. Review and Discussion of Housing Element –Vision, Goals, and Key Issues
3. P&TC Annual Report to Council

Chair Garber: Good evening everyone. Welcome to the October 21 Planning and Transportation Commission meeting. Would the Secretary please call roll? Thank you.

Commissioner Lippert will join us at seven o'clock as he had informed me earlier.

Let me ask if there is anyone that would like to speak to the Commission on items not on the agenda.

ORAL COMMUNICATIONS. Members of the public may speak to any item not on the agenda with a limitation of three (3) minutes per speaker. Those who desire to speak must complete a speaker request card available from the secretary of the Commission. The Planning and Transportation Commission reserves the right to limit the oral communications period to 15 minutes.

Chair Garber: I see no cards and no audience members so we will move to our first agenda item.

AGENDA CHANGES, ADDITIONS AND DELETIONS. The agenda may have additional items added to it up until 72 hours prior to meeting time.

Chair Garber: The first agenda item is the Review and discussion of major themes and vision statements of the adopted Comprehensive Plan. What I would like to suggest we do

1 Commissioners, is we have seven different themes, and if you are amenable we will go down the
2 row and start with the first one and reach the end and then go to the next one. I have been
3 forewarned that some of you may want to speak more on some of these and less on others. If
4 you need more time we will somewhat arbitrarily put in five minutes for everybody but if you
5 need more time that is fine too.

6
7 **NEW BUSINESS**

- 8
9 1. Review and discussion of major themes and vision statements of the adopted
10 Comprehensive Plan.

11
12 Chair Garber: I am actually going to start if I may with just a couple of general observations
13 about the vision statements that were created, when was this? 1980?

14
15 Ms. Julie Caporgno, Chief Planning and Transportation Official: It was in 1998 so they are ten
16 years old.

17
18 Chair Garber: Thank you. In general vision statements are an envisioning of the future, a future
19 state. So one of my first somewhat quibbles with the structure and the form of the vision
20 statements as they exist right now is they don't all do that. Vision statements are not meant to be
21 measurable devices like goals and objectives. So there should be, by way of example, a
22 statement that talks about automobile trips being reduced by ten percent. Presumably we would
23 find that further down in the general Comprehensive Plan.

24
25 There are a number of instances where strategies as opposed to visions are stated here which
26 presumably should also occur in the policy portions of the plan. So for instance in Land Use
27 Community and Community Design Element the sentence that states, "The diverse range of
28 housing and work environments will be sustained and expanded to create more choices for all
29 income levels." The vision there is that Palo Alto will have a diverse range of housing and work
30 environments, period. The way in which that is attained, in this case by sustaining and
31 expanding something to create more choices is a strategy. So although I know that the Council is
32 not looking for major rewrites of this I am offering these comments as suggestions and ways to
33 think about the vision statements.

34
35 The other thing I will note just by way of general criticism or not criticism but review is the style
36 of some of the way that these have been written. I am trying to look for a specific. Here we are.
37 Many of the statements are constructed as opposites and trying to create these opposites to exist
38 side-by-side. I was trying to find the one example here, which talks about residences versus
39 business districts occurring side-by-side although they are not, I will find it in a moment, but it
40 talks about the differences. In general, I would say that the way that at least we are trying to
41 approach the view of the city is to try and find ways to manage things together as opposed to
42 articulating the differences between things. So just in terms of style, and one was the residences
43 and the business, the other one actually is in the National Environment Element talks about the
44 differences, creating lines, creating divisions, siloing things, more interest in the lines between
45 things as opposed to the way things work together. So that would be another sort of very general
46 style statement that I would have.

1 With that would anyone like to speak to Land Use and Community Design Element? Thank you
2 for all your lights. No one? I was just going to take each element and go down the line with
3 them if there were comments on them. We will talk about each one of them. We have seven and
4 they are Land Use and Community Design Element, Housing Element, Transportation Element,
5 Business and Economics Element, Natural Environment Element, and Community Services and
6 Facilities Element. Commissioner Keller.

7
8 Commissioner Keller: I am wondering if we should deal with the elements or if we should first
9 deal with the comments that are listed as themes, Building Community and Neighborhoods.
10 These are these paragraphs as themes as the middle of these paragraphs and we haven't addressed
11 those.

12
13 Chair Garber: Actually, when I sent out instructions to the Commissioners what we had focused
14 on in the pre-Commission meeting and the instructions that I sent out were to try and focus on
15 the vision statements because the themes exist underneath the vision statements. But if you
16 have comments there we can take those too. Would you like to start there?

17
18 Commissioner Keller: Well, let me just start by mentioning a few things. There are sort of the
19 balance is missing. For example, in looking at Building Community and Neighborhoods is
20 basically says yeah, rah-rah, schools, libraries, parks, public facilities, and small businesses are
21 an essential part of neighborhood life and help build good stuff. But there is no statement in
22 there that says when you build housing you have to correspondingly increase these things. So
23 that is an example of something that is missing in terms of this.

24
25 For example, meeting housing supply challenges. It says we want to increase the supply of
26 housing at all price levels. Well, we don't need to increase the supply of housing at all price
27 levels. We have seen a great explosion of housing at the biggest price level with a shortage of
28 below market rate housing. So in some sense the way that these things come about doesn't quite
29 fit. I am not sure where those fit into the Land Use and Community Design. I will return back to
30 that later but I am just pointing out that in some sense there are some sort of stuff missing from
31 this process partly because reality has changed in the last 12 years but also partly because of a
32 lack of balance.

33
34 Chair Garber: In specific what you are saying is that one of the themes of your readings as you
35 are going through the original Comprehensive Plan document is that you don't have as part of
36 the vision this sense of balance as opposed to -- you are not finding the balance in the way that it
37 has been written.

38
39 Commissioner Keller: Right. I don't see a balance in the way that it is written. I don't see
40 basically -- essentially what has happened in the last 12 years is we have seen a dramatic
41 explosion of housing with nothing or hardly anything else keeping up with it. Schools have
42 struggled to compete to balance. We have had one park built for housing in one area. So there
43 are a lot of things like that that haven't really corresponded with or match that. I think that is the
44 important thing. If you think about the kind of housing, I will talk a little more when we get to
45 the Housing Element maybe as far as this, but in terms of thinking through what kind of things
46 we need and how they balance together I think a lot of people in Palo Alto think that the fabric of
47 Palo Alto has been torn apart because of the stresses from building several times the amount of
48 market rate housing we were supposed to have built and yet we didn't even come close to the

1 amount of below market rate housing. So that to me is kind of a big stressor in terms of what is
2 happening with the fabric of the city and how that affects things.

3
4 Chair Garber: Thank you. Commissioner Tuma and then we will go to Fineberg.

5
6 Vice-Chair Tuma: I wanted to ask a question that takes the two things that you guys were just
7 talking about to try to help me guide my focus here. It seems that the stage we are at right now is
8 at the visioning stage or revisioning stage if you will, as to what the vision of the city would be.
9 So I think Arthur's point is excellent in that we have not kept up with any number of services,
10 infrastructure, and all these other things that go with that. I guess my question maybe of Staff or
11 the Chair or anybody else is it seems like the portion of the visioning that would get to Arthur's
12 issue for example in Land Use and Community Design Element is the portion that says, 'The
13 elements that make Palo Alto a great community – its neighborhoods, shopping centers,
14 employment centers, civic uses, open spaces, and natural resources – will be strengthened and
15 enhanced.' Perhaps would add something there to like 'and balanced' or something like that. Is
16 that the level at which we are supposed to be looking at this thing now, or should we be getting
17 further down into the details of what the implementation of the vision would look like?
18

19 Ms. Caporgno: I would say that what you described is pretty accurate as far as your first
20 statement. What we envisioned number one, is that you were looking at the context, because you
21 are going to be looking at all these chapters in the next few months. So the context of what the
22 Comprehensive Plan is predicated on, the vision and the themes of existing Comprehensive Plan,
23 and obviously the vision is what you want to achieve not where there are necessarily
24 impediments. You kind of deal with the impediments, get at that, through the individual
25 chapters, probably the Programs and Policies to try to implement the vision to make it better, and
26 not that you are recognizing these are things that are problematic.
27

28 In an hour or so we are going to start talking about the Housing Element, the vision alone and
29 then we will be subsequently each chapter going through the programs and policies.
30

31 Vice-Chair Tuma: I would characterize what Commissioner Keller said maybe as instead of an
32 impediment but it is more of something that we have to do in order to achieve the vision. So if
33 we establish the vision and the vision includes this great community with all of these assets, in
34 order to achieve that vision the next step down would be well how do we do that? Part of how
35 we do that would be through making sure that if we have gotten out of balance with housing and
36 not enough infrastructure and amenities that part of what we do to achieve the overall vision is to
37 rebalance that. That would be for example tonight in our next item we are going to get to a
38 discussion about the Housing Element and maybe that is the place to have this more solutions, or
39 ideas, or implementation of the vision, and how that would work. Is that?
40

41 Ms. Caporgno: Yes, and maybe I wasn't making myself clear. The vision is the goal of what
42 you are trying to achieve and then if there are problems with your achieving that then you get at
43 that. The way that I would interpret this is in the individual chapters where you try to identify
44 the programs and policies that you are going to implement to direct your efforts to try to achieve
45 that.
46

1 Chair Garber: Can I try? The vision statements or the envisioning critique that we are doing this
2 evening shouldn't have anything that actually talks about solutions. We should be talking about
3 what our community should look and feel like and not how it is that we accomplish that.
4

5 The classic management strategy is you look at a future state, you look at your existing state, and
6 then you figure out the gap between and you figure out how to close that gap. The way that you
7 close that is through strategies. The City hasn't used quite that same lingo. It talks about
8 policies instead of strategies but those are the ways that you look to close that gap.
9

10 Mr. Keller would like to give us a little bit more and then we will go to Fineberg.
11

12 Commissioner Keller: Sure. There is a missing step that we have not done. We are talking
13 about the vision of the future but part of what you do when you vision the future is evaluate the
14 present. In some sense coming to the end of the Comprehensive Plan of 12 years, how well did
15 we meet with these vision items in the last 12 years? Where did we fall short? It is not merely a
16 what would we like to see but what have we done wrong in terms of this vision. I think that is
17 something we have not done enough of.
18

19 Chair Garber: I would agree with that. The statement defining the existing state is in fact part of
20 that or that step. Let's go to Fineberg. Julie?
21

22 Ms. Caporgno: I was just going to get at something to maybe help Commissioner Keller. Each
23 of the chapters, when you go through them, we were anticipating that you would be evaluating
24 the vision statement for those individual chapters also. It is just that we were hoping tonight that
25 you could look at it kind of in a whole context so that kind of how this balance right now is
26 achieved. Not so much are there things that are out of balance with what was previously
27 envisioned but how they all work together. So that when you go forward and look at the
28 individual chapters you can remember that there are these other chapters that you have to be
29 mindful of. A good example probably is when we did the Housing Element five years ago or I
30 guess seven years ago we didn't look at any of the other chapters. We looked at the Housing
31 Element in a vacuum. We were directly told to do that. Had we had the opportunity to look at
32 all of the other chapters and make revisions to all of the other chapters it may have been a
33 different Housing Element or at least it may have been the Comprehensive Plan may have
34 worked better as a whole. It may not have been something that the current Planning Commission
35 is comfortable with but it at least it wouldn't have been incompatible. But now we have
36 something that somewhat incompatible. So that is what we were hoping to achieve tonight or
37 with this first session is to have you just kind of understand the direction of the existing
38 Comprehensive Plan. Obviously as we go through this process there is an opportunity to make
39 changes to the vision, because we are 11 years past that first decision point.
40

41 Chair Garber: Julie remind me, as I recall Staff was originally recommending that we would just
42 go directly to the individual elements. Then I believe we had suggested that we look at having
43 an opportunity to look at all of these overall and how they might relate to each other.
44

45 Ms. Caporgno: That is correct. Actually, the Chair and Vice-Chair in one of our pre-
46 Commission meetings had suggested that you thought that that would be appropriate and almost
47 mandatory. So that is why we included that.
48

1 Chair Garber: Commissioner Fineberg.

2
3 Commissioner Fineberg: On the matter regarding the vision statements. I am inclined to ask, do
4 they matter? I don't mean that rhetorically. In our Staff Report on page 1 it says, "Although the
5 vision statement of the plan is not legally binding the goals, policies of the plan guide
6 development and the Zoning Ordinance is the primary regulatory tool for implementing those
7 goals and policies." So while I understand that we try to articulate our dreams of what the city
8 will look like, our vision of what the city will look like in the future, we then take a do not go to
9 jail and ignore them when we evaluate specific projects. I am deeply troubled by that and maybe
10 this would be the time I could ask Staff why do we do that? If the Comprehensive Plan is the
11 document that Council adopts to guide our development why do we then ignore, in project
12 review, the highest level of vision?

13
14 Chair Garber: Commissioner Tuma.

15
16 Vice-Chair Tuma: Let me try at least a thought on that. I think that vision statements, generally
17 and I think it certainly applies in the Comprehensive Plan, are statements that in and of
18 themselves are very much open to interpretation. In other words, a vision when you get down to
19 applying that vision – if you when straight from a vision to a project you couldn't get there in my
20 view, because the vision is too broad. It is too vague in a way. So you have to then go down
21 through the policies and all the other elements in order to get to ultimately the zoning code and
22 then use that. So one person's interpretation of a vision statement and how that vision statement
23 would apply to a particular project may be very different from another person's interpretation of
24 the vision statement and how that would apply to a project. So I think in the process that is why
25 you take that and you drill that down and you try to come to a consensus as to what that means,
26 but that consensus is derived in the detail, in the policies and procedures and ultimately in the
27 zoning code. So when we get to a project if you look at the vision one person may say well my
28 interpretation of the vision is that this project works, and the other person may say that it doesn't
29 work. That is why I think sometimes all of us get frustrated when we look at a vision statement
30 and try to say that is what the Comprehensive Plan says because the vision statement is at such a
31 high level that there is a lot of opportunity for interpretation. So that is a thought. I don't know
32 if it is useful or not.

33
34 Chair Garber: Commissioner Fineberg.

35
36 Commissioner Fineberg: Thank you. I appreciate that Commissioner Tuma. So part of the
37 reason I raised that was relative to the last sentence of the Land Use and Community Design
38 Element Vision Statement talks about all Palo Alto neighborhoods will be improved, each to
39 have public gathering spaces, essential services, and pedestrian amenities to less reliance on the
40 automobile. It is a lofty goal. I think I agree with it. However as Commissioner Keller
41 mentioned you evaluate how to go forward by where you are now and where you have been. If
42 we look back at the last ten years of the Comprehensive Plan the first several large projects were
43 done under Area Plans, they amenities added, they had appropriate things to deal with reducing
44 the impact of automobiles. Then if you look at the last five years of our Comprehensive Plan
45 there were multiple projects all in South Palo Alto, pretty much all with no public gathering
46 spaces, no additional essential services, no pedestrian amenities, and increasing the reliance on
47 the automobile. So what we are doing is the antithesis of what our vision is. It is a good vision
48 and I understand that the solution might be changing the goals but I still struggle with how you

1 then have a vision statement that you just get to ignore and does it make sense to keep the same
2 vision statement or is the reality that we can't live up to it, we need to change it, or where do we
3 go?
4

5 Chair Garber: So I don't think there is a direct answer to your question. On the heels of
6 Commissioner Tuma's comments or statement or attempt at explanation you can't use a vision
7 statement to measure the success of a project. The vision statement has to be broken out into a
8 series of policies, which support that vision statement. Those policies then have programs which
9 become even more specific, i.e., in order for a project to be accepted it should be reducing either
10 usage of cars or car spaces by ten percent or something, something that actually is measurable.
11 Presumably we will get there with the Housing Element. At which point we will be talking
12 about things, which actually will have critical defining elements to how a project is designed
13 such that it can be evaluated against that when it is submitted. Does that help at all?
14

15 Commissioner Fineberg: I understand, and I am not saying you hold one project to the vision
16 statement. I am saying that if you take an analysis of the last five years worth of projects, maybe
17 there are ten of them, and you look at the specifics of the programs and goals, and maybe I will
18 be exaggerating but you plant two trees therefore it enhances the urban forest. But you might
19 have put 100 houses that required the removal of 50 trees that were immature and not protected.
20 Or build 300 houses next to a highway, walkable to nothing, and you do that ten times but you
21 decrease the parking because then they will rely on public transit. When you have done that ten
22 times it teaches me it is not working. You don't keep doing the same thing that isn't work again
23 and again. So what I am trying to figure out is do we need to change the vision because it is not
24 working or do we say no, this is the right vision, let's wait and change the programs and goals of
25 how we implement the vision? But I am still thinking this vision is broken.
26

27 Chair Garber: This is a great conversation, which I actually would love to get into in a lot more
28 detail but to keep it to an hour, let's keep going. Commissioner Holman and then Martinez.
29

30 Commissioner Holman: Thank you. I think part of the conversation that has happened
31 heretofore is the recognition that even within the themes and vision statements that we shoot for
32 the moon. Palo Alto is a wonderful community and has an awful lot of amenities and a lot of
33 characteristics that we really do want to retain. I think what we do in shooting so high without
34 cross-referencing is we have built in a whole set of conflicting policies and programs. I think
35 that is where we get into trouble. If you think about the nonprofit world, which Palo Alto City is
36 a nonprofit, you have a mission statement and the implementing policies of your programs
37 should all be driven by the mission statement. That is exactly how the City from my perspective
38 should operate as well. We just have sort of more than one mission statement because we have
39 all these vision statements. So that is where I think we end up with kind of the does it satisfy the
40 Comprehensive Plan? It is over here. This isn't exactly where you wanted to go but I think I am
41 just trying to put a different umbrella over this. So I think that is where the fault, if I might say,
42 lies.
43

44 I think it is possible too that while themes and vision statements should be broad and general I
45 think there are cases here, and perhaps we can get to those, where they are too general and do not
46 cross-reference, recognizing that there are limitations. I think that would be helpful if we could
47 get to maybe addressing some of those limitations or at least the cross-references. I am going to
48 stop there for the moment.

1
2 Chair Garber: Commissioner Martinez.

3
4 Commissioner Martinez: Thank you. I don't know if I am being contrary or not but I kind of
5 like the idealism of the vision statements. To me it is kind of like planning's bill of rights, like
6 all trees are created equal. I think what it does for me in having these vision statements, maybe
7 because I am recent on the Commission and having read them is more recent for me, I sort of
8 bring those with me to every deliberation. It sort of helps me know when we are crossing the
9 line, are we widening a street and cutting down trees or building houses and not planting trees as
10 Commissioner Fineberg has said. Or as in a recent project, are we approving a big transit related
11 development and only building eight stinking houses when this is an opportunity to really assert
12 our support of our Housing Element? I sort of look at those things as we deliberate the things
13 that come before us and I really sort of look at them as sort of guiding principles. Sure they are
14 not policy and we can differ on which way to go, but they certainly are kind of universal and
15 lasting. I would only look at really trying to make them sort of step up, that their profoundness
16 sort of speak to us in sort of a greater manner than they do now. I will stop there.

17
18 Chair Garber: All right we have all had a chance, some of us a few more than once. Let's go
19 through another round and maybe we can focus more specifically on the Land Use and the
20 Housing Element. Maybe we should skip the Housing Element because we will get to it in a
21 little bit unless someone has something specific they want to say.

22
23 I have a couple of comments on the Land Use and Community Design Element. I do like that
24 first sentence because it gives in priority I think the things that our land is supposed to do for the
25 city, to live here, to work here, and then to visit here, and the implied priority that those have.

26
27 I think the other thing that I would appreciate in this statement is something that actually talks
28 directly about how we use our land in the city. Let me give you an example. I used to work for
29 a company that rather than looking at its real estate holdings as simply a place that it needed to
30 house their employees to do the work for the company they purchased property in market places
31 that were important for them to have a strategic marketing advantage because it created identity
32 for them, etc. At that particular time and in that particular market that was a fairly unusual way
33 of using real estate. Now the City also uses real estate and there are a couple of things that it
34 seems to me that we should acknowledge.

35
36 It is not clear to me exactly how, but it seems to me that this the appropriate place to recognize
37 that there is a certain way that we have to use the land because it is built out. We don't have any
38 more land to use. So we should acknowledge that in some way. Two, we use our land to control
39 the density of the city and where that density occurs. That is key because we are not doing it –
40 different cities utilize and manage density in different ways. Sometimes they use transportation
41 to a greater extent. We do too. They often legislate where that will be regardless of
42 transportation or regardless of business, etc. We tend to correlate density with retail. We tend to
43 when we have open space obviously we make it less. I think addressing some of those very
44 obvious but very critical ways go a long way to telling people about how it is we envision the use
45 of the land in our community.

46
47 Commissioner Keller and then Tuma.
48

1 Commissioner Keller: Thank you. I think that if you think about the Comprehensive Plan as
2 consisting of an Introduction, which starts off with seven major themes. Then starts after that
3 talking about the use and organization of the plan where it mentions the seven
4 elements and the six Palo Alto elements. It seems to me that in some sense the way that the
5 Comprehensive Plan is written that the themes are above the elements and that within the
6 elements are the visions.

7
8 So based on that let me give a very brief feedback on the themes and then go into a little bit more
9 on the Land Use and Community Design Element. So if you think about the themes, the first
10 theme is Building Community and Neighborhoods. It talks about schools. First of all, this is the
11 first one that mentions schools which is good. It talks about these as being important and the city
12 is committed to building on the strengths of its neighborhoods keeping them safe and attractive,
13 and maintaining a distinct identity for each. What is interesting here is in some sense these
14 facilities and building communities and neighborhoods has not really matched the development,
15 especially the development that has happened south of Oregon Expressway in the last ten or so
16 years. Particular care was made toward the development in SOFA. Some particular care was
17 made to the development in Stanford West. But the development south of Oregon Expressway
18 has had impacts on the city in which these things have not been taken into account.

19
20 If you look at maintaining and enhancing community character they are talking about
21 maintaining the features but it doesn't really talk about the idea of this notion of balance. When
22 you add more density you have to correspondingly add more things that create community
23 character. That is not merely maintaining and enhancing it is also need to add to. There has a
24 park, Heritage Park, in North Palo Alto we need to correspondingly think about adding similar
25 parks in other areas that correspond to the increase in development. That notion of balance is
26 missing.

27
28 Reducing reliance on the automobile. The last sentence of this that the City will strive to create a
29 development patter where people can walk, bicycle, or take public transit. Well that is certainly
30 not the case for the developments along East Meadow Circle. It is even less the case for Classic
31 Communities on West Bayshore, for example. So here again this idea of are we really creating a
32 development pattern and how does that particular sentence, which I agree with, affect what we
33 do in the next go around in terms of how we design where density should go? Do we take that
34 into account? I think that is important to think about because that is actually a very good,
35 important sentence.

36
37 In terms of meeting housing supply challenges we traditionally build lots of market rate housing.
38 We build tons of the stuff. We are way behind in building below market rate housing. If you
39 look at most of the housing that is built in South Palo Alto has essentially been family oriented
40 housing and a small amount of senior housing. If you look at the need in Palo Alto there is a
41 need from my perspective in more senior housing as Palo Alto grays, in more housing for 20 and
42 30-somethings without kids to move into the community. We have plenty of family oriented
43 housing. So the idea of saying that namby-pamby create housing supply at all price levels is not
44 realistic based on what it is we need. We have done a lot in terms of protecting and repairing
45 natural features. I think that is the one area in which we have been fairly faithful. We talked
46 about for example the increased parkland at Arastradero Preserve and things like that.

1 Meeting residential community needs. I think that if you asked the average person who has been
2 here at least 15 years the average person in Palo Alto is not going to think that the residential and
3 the commercial needs are better met today than they were when the Comprehensive Plan went
4 into effect 12 years ago.

5
6 Providing responsive governance and regional leadership. I think that hopefully we are
7 beginning to see more responsive government. I think that to me the distress for California
8 Avenue trees is not so much whether the trees belong or not belong it is that one branch of
9 government essentially did not invite the public to participate, invited a small segment of the
10 public, and didn't encourage public participation. That theme in terms of public participation
11 comes across for example in Lytton Plaza. At Lytton Plaza the fences went up before the
12 ordinance was even officially passed by the second reading. So it says to me something about
13 the lack of public input. How the process works for the CIP that kind of thing also has problems
14 with public participation. The CIP process, the Capital Improvement Plan process is designed in
15 such a way that it makes it impossible for there to be effective public participation. Maybe you
16 can turn down a project that you wouldn't want to have but essentially the prioritization of the
17 project compared to the backlog doesn't really happen. So here are situations where evaluating
18 where the Comprehensive Plan goes right and where the Comprehensive Plan goes wrong and
19 where it has failed in the last 12 years and what things can be done better I think is worthwhile in
20 order to figure out what kinds of things we can improve, because that is sort of a high level
21 vision. Thank you.

22
23 Chair Garber: Commissioner Tuma and then Fineberg.

24
25 Vice-Chair Tuma: I have one comment related to the Land Use and Community Design
26 Element. As our Chair pointed out the first sentence talked about live, work, and visit and I
27 agree with him that those are sort of in the right priority. However, the rest of the paragraph and
28 the vision statement talks about live and work and doesn't talk about visit. We have something
29 called Destination Palo Alto. There is a sentiment within the community I think that we want to
30 become in some regards more of a destination. I don't think anyone wants to turn Palo Alto into
31 Lake Tahoe and become this international visitor's center but if we are going to realize some
32 element of being a visited destination I think we need to take that into account when we talk
33 about how we are going to use our land. So that is a comment related to Land Use.

34
35 The other is a question as opposed to a comment. One thing that is lacking here is a vision
36 statement about sustainability. Could you tell us how we are going to work sustainability? I
37 know that there is a plan for it and I think it has been mentioned in the past but it would help me
38 to refresh how we are going to work sustainability into this. Whether it is going to get worked
39 into all the vision statements or we are going to have a separate vision statement. Obviously that
40 is something that the focus there has become much more intense than it was certainly last time
41 this plan was drafted.

42
43 Ms. Caporgno: When we spoke to the Council and actually at the Commission-Council meeting
44 we had proposed, and I think that it was generally accepted, that we were going to create a major
45 theme for sustainability and then it would be worked into each of the chapters as applicable for
46 each of these different topics. So sustainability will be found throughout the document but it
47 would have its own major theme of sustainability, kind of what we are attempting to achieve.

1 Vice-Chair Tuma: Okay, a theme but it won't be an element.

2
3 Ms. Caporgno: Correct. That was the other separate thing. If we had an element then it would
4 be kind of a standalone. This way we could integrate it because we felt it was much more
5 important to integrate it throughout all the different elements.

6
7 Chair Garber: Commissioner Fineberg.

8
9 Commissioner Fineberg: I made my comments earlier on the Land Use and Community Design
10 Element. I would like to echo Commissioner Keller's comments I think were very articulate and
11 I would echo them.

12
13 I want to take a step back if I might though to talk about the themes, which feed into the Land
14 Use and Community Design Element. Just above that in our Staff Report, above the section, it's
15 like the fourth or fifth page where it says major themes of the Comprehensive Plan. It talks
16 about that the Comprehensive Plan is the legal document, the state specifies what must be in it,
17 and it includes all policies that apply to all property within Palo Alto's sphere of influence, a
18 boundary that may include all land within the City limits, Stanford University, and other property
19 in unincorporated Santa Clara County. I don't know if we can get it answered today but I am
20 just wondering if any of these themes or elements have to deal with the fact that we know that
21 there are events that happen on the Stanford land that now that the GUP is in place it is unclear to
22 me whether they are out of our sphere influence now or they are still in our sphere of influence
23 but just we have no control over what they do because this was negotiated with Stanford and the
24 County. Do we need to treat the impacts or the goals or policies any differently now under those
25 element vision statements?

26
27 Ms. Caporgno: I think that the Commission can recommend changes if you want but really the
28 situation hasn't really changed from 1998. They have a new General Use Permit. The County
29 has a new General Use Permit but there as a General Use Permit in place at the time the 1998
30 Comprehensive Plan was adopted. The Stanford lands are still within our sphere of influence but
31 we don't have jurisdiction over them. So as far as what they do yes they affect Palo Alto but we
32 can't really control them. Obviously when you go through the Land Use policies you are going
33 to find ones that deal with that relationship with Stanford. There may be ones that you want to
34 strengthen because of that but as far as us being able to really control anything that happens on
35 Stanford lands we are unable to do that.

36
37 Chair Garber: Thank you. Commissioner Holman and then Martinez.

38
39 Commissioner Holman: Thank you. The Business and Economics Element. These are the
40 vision statements. One of the things I find with rare exception is the reference to retail is used I
41 think maybe in one form referring to shopping areas but we kind of lump together commercial
42 and business, not to carve out retail as a special aspect of that which is so essential. Even in the
43 Business and Economics Element it doesn't really talk about retail.

44
45 Going to comments made earlier and the interrelationship among the vision statements and
46 among the themes again is the interrelatedness. One of the things that I find that is a bit lacking
47 in all of these, and I think is lacking in our zoning code that implements this, is the lack of
48 context. I think reference to context would be important here. Kind of as I mentioned earlier,

1 we tend to look at one of the vision statements like this is a great vision statement. Well, yes it is
2 but how does it relate to another vision statement so that is context. How does a particular
3 project relate to the whole streetscape? We tend to look at projects from lot line to lot line and
4 not in context. So we carry that all the way down through for our review projects.
5

6 In the vision statement under Land Use and Community Design there are often times words, and
7 I don't want wordsmith this, but there are a handful of words I think that may not serve us well.
8 The next to the last line there says, "All Palo Alto neighborhoods will be improved," and then it
9 goes on to state kind of by reference that we will be adding public gathering spaces, essentially
10 services, and such. To us the words, 'will be improved,' that is such a subjective term that I am
11 not sure that it is a good use of words. I am not going to take the full Commission's time to
12 highlight those specific words throughout but I would invite other Commissioners to weight in
13 either tonight or subsequently as to those kinds of vagaries.
14

15 One other one that I think is worth pointing out tonight is under the Themes, Meeting Housing
16 Supply Challenges, last sentence there says, "It proposes new map designations where higher
17 densities are allowed in appropriate locations and new policies to ensure that the remaining
18 housing sites are used efficiently." That could mean any number of different things to any
19 number of different people. So without trying to design outcomes I would suggest that we not
20 use language that is so exceedingly vague that it leads to implementation policies and programs
21 that send us down a path of unknown outcomes.
22

23 Chair Garber: Thank you. Commissioner Martinez.
24

25 Commissioner Martinez: Thank you. Going back to the Land Use Element and picking up on a
26 point that Commissioner Holman was just stating, there is a sense in this element that the
27 community is about change. We know from practically each item we consider that the
28 community thinks it is about staying the same, about not losing what they have, holding onto
29 what they cherish, being able to go about their business without interruption. Yet we are kind of
30 lumping everybody together and saying we are going to enhance the community and the
31 neighborhood, and we are going to add community facilities. I think there is a lot to be said if
32 we just acknowledge that neighborhood preservation is an important quality of the plan, and
33 insert some language that respects this. Thank you.
34

35 Chair Garber: Commissioners, it is ten of seven o'clock. Let's open up our remaining
36 comments to address any of the remaining elements that you would like to. Let's see if we can
37 go down the line and give ourselves each maybe four minutes, because five minutes takes us 30
38 minutes. So maybe we will save a couple of minutes there.
39

40 I will start. On the Transportation Element I think there is one word that is missing here that
41 absolutely needs to go in and that is the word 'safe.' Then the other concept that is not in there
42 that absolutely needs to be in there is 'trains,' especially in light of recent events in the city.
43

44 In the Business and Economics Element the word in the second sentence is 'competing.' I think
45 we need to recognize this is a case where we are not talking about balance but we are talking
46 about managing those two to the best value of the overall community. There are some references
47 here to employment areas and that is sort of outdated terminology. What we are really beginning

1 to talk about here are transit areas that are sort of organizing the way in which we are thinking
2 about business, especially in light of recent acts with the state.

3
4 Natural Environment, the word 'respect' I don't understand what that means in light of this.
5 Rather than simply 'manage' maybe something more progressive like 'actively manage.' Again,
6 there is a hint here that we should be creating open areas that we just sort of let take care of
7 themselves and we shouldn't be going in and doing anything with them. I think one of the huge
8 learnings in the last two years was seeing the Baylands report and recognizing that there is no
9 part of the Baylands that we can just simply let go. We have a responsibility to actively manage
10 not only those boundaries but what happens inside those boundaries, and that is part of what our
11 community is about and what our vision of Palo Alto's use of those natural spaces are. We have
12 to shepherd them as opposed to just let them go.

13
14 Then finally in Community Services rather than 'high quality' maybe 'highly valued.' There
15 may be some other ways of addressing that. Again, in support of Commissioner Martinez's last
16 comment in the last sentence something that is missing there coordinates efforts with
17 neighborhoods in addition to public agencies, nonprofits, and private sector. Then the other
18 thing that I would add in there in concept with the sentence before is, and again I don't like the
19 sort of solutioning or strategizing language here. It should just be stated as 'we will do these
20 things,' or 'this is what we do.' In our relationships with the community and the residents, etc.
21 that we do that in a transparent, open, and fair way.

22
23 Finally, one just larger comment, nowhere in any of these things do I see Stanford and the City's
24 relationship to Stanford addressed. That is the 800-pound gorilla and I think we have to talk
25 about them and what we believe we envision our relationship with that entity is because it is so
26 key to the success of our community. Commissioner Keller.

27
28 Commissioner Keller: Thank you. So let me add one more thing to Land Use and Community
29 Design Element. It says 'All Palo Alto neighborhoods will be improved' but we really refer to
30 improvement based on deficiencies. So you need to figure out which neighborhoods are short of
31 parks, which neighborhoods are short of other community facilities, and then understand based
32 on that what to give them. As opposed to everybody gets an equal amount of rain or an equal
33 amount of institutional haircut.

34
35 With respect to the Transportation Element I have three level acronyms that I want to
36 throw in here. The first is Reduce Greenhouse Gases. This is a key one particularly since about
37 half of the greenhouse gases in the Bay Area are produced by transportation, and in particular a
38 lot of it from single occupancy vehicles. That is a key thing that needs to be added to that. The
39 second thing that needs to be added to that is reducing VMT, or Vehicles Miles Traveled. So
40 rather than thinking in terms of measuring reducing automobile trips by ten percent or some
41 measure like that it is reducing trips but also reducing vehicle miles traveled overall. The third
42 thing that fits in here very importantly is TDM, Transportation Demand Management. In
43 particular I think we need to figure out how to really improve the transportation demand
44 management even when there aren't development projects. Think about the idea, right now we
45 have a Transportation Impact Fee. Well, the Transportation Impact Fee is with PM commutes
46 and not AM commutes. As a result of that because the students don't commute in the AM they
47 only commute in the PM essentially it means the Transportation Impact Fee can't be used to
48 improve school commuting. So one thing we should do is move the Transportation Impact Fee

1 to affect the AM commute where it can affect school commutes. Also think about imposing fees
2 and measures that increase the use of alternative transportation mechanisms such as carpooling
3 and vanpooling and Caltrain and buses and shuttles and things like particularly for businesses,
4 for commercial uses, where we have a lot more leverage than over our residential uses, where we
5 essentially have no leverage over except as was mentioned by Commissioner Fineberg, we can
6 limit parking which simply causes spillover parking in the idea that there won't be any cars.

7
8 I think in terms of Business and Economics Element the idea of retail mix. I was talking to
9 somebody today who mentioned to me that East Palo Alto actually has some notion of BMR
10 retail in some of their development. They actually have the notion that you can have increased
11 development if you lower the rent to locally owned retail businesses. Somehow we haven't
12 thought about that as a general thing and maybe we should think about that particularly since
13 there was a development project that came up recently.

14
15 With respect to Natural Environment Element my biggest thing here is the balance with housing.
16 You increase housing density, and you increase housing units, then the natural environment, like
17 parks, all those kinds of things have to go up in tandem with that. This Natural Environment
18 Element is written as if the city is frozen and nothing else changes anywhere else.

19
20 With respect to Community Services and Facilities Element this is the first time the schools are
21 mentioned. I think the schools need to be much more prominent in terms of what the City can do
22 to work with schools and not overly impact schools to enhance our schools. In particular, one
23 thing I would like to see as part of the Community Services and Facilities Element is that we
24 need to collect full impact fees based on nexus studies for housing development, for commercial
25 development, and all of that because that is the fees that come in to support the funding of the
26 Community Services and Facilities. It is not clear to me whether we are in fact collecting the
27 maximum impact fees that we can based on the available nexus studies. Thank you.

28
29 Chair Garber: Thank you. Commissioner Tuma and then Fineberg.

30
31 Vice-Chair Tuma: On the Transportation Element I want to pick up on something that Chair
32 Garber alluded to and it has to do with rail. I think the big hot topic here is high-speed rail but I
33 think beyond that even if high-speed rail wasn't on the table, as I understand the projected
34 growth of Caltrain that there is going to be a significant impact there as well. So I echo his
35 sentiment but put maybe a little bit more color on it. What that thought also leads me to is
36 something else that seems to be kind of missing here which has to be balanced with a comment
37 that Commissioner Martinez made.

38
39 Commissioner Martinez's comment was about neighborhood preservation. At the same time I
40 think we have seen, well at least the Commissioners other than myself because I was not
41 involved in the Stanford matters, but through that process what has come to light are statistics
42 about anticipated regional growth. I think somewhere we have to acknowledge that regardless of
43 what Palo Alto wants or does due to the regional growth there is going to be significant pressure
44 put on Palo Alto along with every other city in the entire area. So in my view we have to be
45 planful about that growth as opposed to just trying to act as if it is not going to happen or just
46 preserve the status quo. I think the status quo will not be able to be maintained. What we have
47 to do because I think Commissioner Martinez is right that there is a certain desire for elements of
48 our neighborhoods to be preserved, and that is something important to Palo Altoans, we have to

1 find a way to balance those things. We have to acknowledge that there is going to be growth no
2 matter what we do and being planful for that growth in such a way that we can accommodate
3 some of it but at the same time preserve the things that are important to us. To me, we have to
4 do that because otherwise we will be sort of overcome by this growth. If we are not planful
5 about it it will happen in a way that doesn't work for Palo Altoans and doesn't preserve the
6 things that we want to preserve.

7
8 Just one other element that I want to touch on is the Business and Economics Element. Again,
9 first to echo Commissioner Holman's point about retail because it is extremely important that we
10 isolate retail for a number of different reasons. One is it is something that the community values,
11 and two it is also something that generates revenue for the City. So that component is extremely
12 important. That whole last sentence about most development will occur within Palo Alto's
13 employment areas, I agree with Commissioner Garber that the employment areas terminology is
14 outdated. That whole concept almost seems to be a little bit odd at this point in our evolution. I
15 am not convinced that the most of the development has occurred only in those areas or should
16 occur only in those areas. So I don't know what the right answer is and we will get to that when
17 we get to talking about that element, but that whole last sentence seems to be outmoded.

18
19 Chair Garber: Commissioner Fineberg, then Holman, and Martinez.

20
21 Commissioner Fineberg: I would like to see a statement about our desired growth rate
22 incorporated into the various vision statements. I think if we have a sense for example of where
23 we want to be at the turn of the century in 2100, do we want to be a city of one million people or
24 do we want to be a city of 100,000 people? Do we want to have the same amount of office space
25 plus some modest growth or do we want to have multiple high-rise towers of office space? If I
26 knew the answer about both extremes that would lead to very different plans, very different
27 Comprehensive Plans, and then very different goals and policies to achieve either of those
28 objectives. Right now I think we are a bit too passive in that we have the big picture of growth
29 being mandated by ABAG. Then we comply with state laws and find ways to fulfill those
30 requirements. I would like to have a public policy discussion, members of the community, this
31 body, Council saying how big do we want to be at the end of the century. That gives us a
32 roadmap. You then bring it back to the ten year plan that we have hear facing us today and the
33 outcomes would be different depending on what growth rate is desirable to the community.
34 Without that nice as this is, idealistic and lofty as it is, is it getting us where we can be? I don't
35 know. So that is one big answer I would like to see to know if we are going in the right
36 direction.

37
38 The second thing I would like to echo comments made by Chair Garber and Vice-Chair Tuma
39 about the need to include comments within these visions particularly in the Transportation
40 Element about high-speed rail. What do we as a community want? If we want high-speed rail
41 we need to say that in the Comprehensive Plan. We need to then have policies and goals that
42 allow us to zone for what we want, if we don't want it that would take us in a different direction.
43 If we know what sort of high-speed rail we want that then allows us to define the goals and
44 policies that get us where we want. So I think it is absolutely critical that we address high-speed
45 rail in this Comprehensive Plan because this will be the Comprehensive Plan that will exist as the
46 development of high-speed rail comes through state process.

1 The last piece I would like to comment on is the Natural Environment Element. I think that
2 element is a natural place to deal more with global warming, with sea level rise, and the potential
3 impacts on low-lying areas of the city. We do talk about flooding down in that last sentence but
4 given that the risk of floods will be greater, the locations of the floods, the potential development
5 that we are having in parts of town that will be subjected to greater flood risk, and potentially the
6 need to dedicate more resources to mitigating those risks whether it be working with the Army
7 Corps in building new outboard levies or whether it be potential relocation of vital services,
8 some of that may be 20 and 30 or 50 years out rather than ten years out, but I think we at least
9 need to acknowledge that there may be some needs coming down the pike there.

10
11 Chair Garber: Thank you. Commissioner Holman and then Martinez.

12
13 Commissioner Holman: If we go to the Themes, back to Themes again. I had one other thing to
14 add there, which is under Providing Responsive Governance and Regional Leadership. There
15 are a couple of things that I think are missing there. Starting with the second sentence, “It
16 encourages collaboration among citizens,” etc. I would suggest that it should read ‘it encourages
17 open, transparent, and timely collaboration among citizens, business, staff, and local officials.’ I
18 think that is what the goal has been but it is not stated here. So I think it helps to have it stated
19 clearly.

20
21 Under Vision I agree with the comments that have been made about schools and the importance
22 of including reference to them here. One thing that we have not spoken about yet under
23 Transportation is referencing the Safe Routes to Schools. I think we need to do that. If there is
24 any reason we can’t I would like to hear it but it is something that we consider when we are
25 doing review of development plans. So I would like to add that.

26
27 The only thing that I have disagreed with anybody, and my apologies Chair Garber, is under
28 Natural Environment Element I think Palo Alto will respect and manage natural resources. I
29 think respect is an appropriate word to use in relation to natural resources. So it is my only really
30 I think counter to comments that have been made.

31
32 Under Business and Economics Element again focusing back on retail, as has been mentioned by
33 myself and others here, there seems to be a conflict built in here where it talks about ‘business
34 will be balanced so that neighborhoods are protected and enhanced while business districts are
35 competitive and attractive.’ I think it kind of misses the point in this day and age that while we
36 do have say for instance Stanford Research Park even it needs to be integrated to the extent
37 where there is interface into the neighborhoods. I would rather see this read something more on
38 the lines that the needs of the businesses, residents, and businesses will be served and that there
39 be a positive relationship in terms of deliverance of services and products.

40
41 Under Natural Environment Element, this might go under Transportation or it might go under
42 Natural Environment Element but accessibility to these open space I think is also an important
43 criteria that we ought to address and I don’t see it addressed anywhere.

44
45 On the last one under Community Services and Facilities Element I believe it is the last sentence,
46 “It will coordinate its efforts with other public agencies, nonprofits, and the private sector to
47 reduce overlap and maximum the use of resources.” I think it is probably worthwhile there to

1 consider adding neighborhoods because neighborhoods sometimes have resources and
2 information that could be helpful in that dialogue. I think that's it.

3
4 Chair Garber: Thank you. Just before I go to Commissioner Martinez, my comment about
5 respect is really that has been a word that has often been used in decades past. Its intended
6 meaning has been used passively to keep people from developing open lands, which I think is a
7 good goal. I think the way that it often gets interpreted is that it shouldn't be touched, shouldn't
8 be managed, and I think in our community we can't afford to do that. That's why I am
9 concerned about the use of the word here. That's all.

10
11 Commissioner Holman: Just a point of clarity. So you think we can't afford to not develop it or
12 not manage it?

13
14 Chair Garber: We can't afford to not manage it actively. If you go back to the Baylands one of
15 the big problems that the park district is having with the Baylands is all of the invasive species.
16 If they were to allow those species to overrun it would become a single culture of one species of
17 plant. So it has to be actively managed to maintain the open space character that it has been. Is
18 that making any sense?

19
20 Commissioner Holman: It does. I don't disagree with your comments. I don't see how the word
21 respect disagrees with that and maybe I am just not quite understanding.

22
23 Chair Garber: Maybe it just needs some more definition.

24
25 Commissioner Holman: That could be. I just don't read it as being we shouldn't manage open
26 spaces because clearly there are needs.

27
28 Chair Garber: Okay. Commissioner Martinez.

29
30 Commissioner Martinez: We are going to deal with the Housing Element next?

31
32 Chair Garber: Yes, we will do that next.

33
34 Commissioner Martinez: Okay, I will skip over that. Just a couple of points. One on
35 Transportation. I don't want to use too strong of a word, but I think we are neglecting the reality
36 of the automobile in the City. I agree with Commissioner Keller about the importance of
37 emphasizing alternative modes but we still need to say something about mitigating the impact of
38 automobiles under development, on accommodating them, respecting people's right to drive
39 their cars. I don't know what it is but this element is weighted to public transportation that it
40 doesn't talk about the things that we deal with every day. I think we need to craft some way of
41 just inserting the fact we are aware we have a traffic problem and we are looking at ways to
42 make sure it improves.

43
44 On Natural Environment I agree with Commissioner Fineberg about this is where we should
45 really step up and take our stand against global warming. We should also insert strongly our
46 support of sustainable environments. I do think though that it is becoming kind of a catchall
47 where preparation for natural disasters and like that might really be a part more of the following
48 Community Services. I don't think it has something directly to do with our natural environment.

1
2 Finally, the last thing, I would really like to see us, and I will help in any way I could, try to
3 rewrite these elements. Not just merely kind of cut and paste what has been suggested tonight
4 but really try to put a 2009-2010 context to it, kind of take away some of the 20 year old phrases
5 that are still in there, and really make it pointed towards sort of the really important work that
6 lies before us, whether it is 100 years or the next ten years. I think it would be really important
7 to really try to put a fresh look on that and bring it back to us, to remind us, this is what we are
8 working from. The programs may be what we implement but it is really these lofty goals that
9 really sort of drive the point home to us to make sure that we are really serving the city. Thank
10 you.

11
12 Chair Garber: Commissioner Holman and then we will finish up from the Commissioners and
13 give the floor to Commissioner Lippert who has joined us. He can have many minutes to address
14 any of these elements that he would like. Commissioner Holman.

15
16 Commissioner Holman: As we serve on the Planning and Transportation Commission and most
17 of us have been involved in City affairs much longer than our terms here it also does cause me to
18 think about these in a little bit different way, both the vision statements and the themes. I was
19 wondering if we might benefit from having just a basic outline of the major and consistent
20 planning, land use, environmental, governance policies and programs that have proven over
21 decade, and decades, and decades to be tried and true. The reason for that is because I tend to
22 look at things, or try to I can't say I am always successful, I try to look at things with binoculars
23 and bifocals. I remember one time having a conversation with Julie Caporgno, I hope you don't
24 mind my saying this, and saying that sometimes communities, I am paraphrasing here too, that
25 communities Palo Alto not being exempt from this look at things about here is the latest thing,
26 here is what we ought to be doing. When we really need to be looking at that in addition to the
27 long-range planning, look at where we have come from, where we really want to go, and what
28 has again proven to be successful over time. Just one example is we find ourselves now looking
29 at New Urbanism. Well, New Urbanism isn't really new urbanism it is old urbanism that has
30 been reinvigorated. So I am just wondering if other Commissioners might find that sort of just
31 basic, maybe a two-page guidance, or bible, or whatever you want to call it, might be helpful or
32 instructive to other Commissioners and the public as they weigh in on this as well.

33
34 Chair Garber: Maybe it is something we can take to Staff and they might come back to us with a
35 suggestion for us to adopt. With that Commissioner Lippert, you have joined us late but if you
36 would like please enlighten us with your various thoughts on these visions and themes.

37
38 Commissioner Lippert: Sure. Actually, I will be brief. I will probably have more comments for
39 the next item. First of all, I want the record to show that entered at seven o'clock. I have
40 listened to most of your comments and there is very little that I disagree with here.

41
42 I would like to add a couple of lines here however. Under Meeting Residential and Commercial
43 Needs at the very end there I think there is an opportunity here for us to include some language
44 that says Palo Alto shall remain a renaissance center for the innovation, reinvigoration, and
45 reinvention of new technology and research development throughout Silicon Valley, California,
46 and the world. That is often overlooked. When you tell people that you come from Mountain
47 View or Sunnyvale, California they go well, where is that? You answer that it is in Silicon
48 Valley. When you tell people that you come from Palo Alto, California that is Silicon Valley,

1 California. So it sounds a little arrogant but I think it is real important in terms of us looking at
2 three distinct elements, which are residential, businesses, and the innovation of technology.

3
4 Chair Garber: Great. Nice way to end. Thank you all, nice discussion. Julie.

5
6 Ms. Caporgno: I just want to make sure that the Commission understands we took all your
7 comments down. As we bring back each of these vision statements with the relevant chapter we
8 will provide you with the comments that you made so kind of have a starting point as to what
9 you discussed tonight. Obviously these are going to be before you several times in the future so
10 you will have opportunities to make additional changes.

11
12 I think when Commissioner Holman mentioned about the major theme of meeting housing
13 supply challenges and it proposed new map designations, in reading that I was thinking probably
14 these themes were completed after the Comprehensive Plan was prepared because we have the
15 mixed use and the transit oriented development, those are the new land use designations, so
16 probably the themes we might want to revisit at the end to just kind of go over this is what now
17 the plan incorporates and then address the themes to kind of finalize the changes to the themes at
18 that time.

19
20 Chair Garber: Thank you. Commissioner Tuma.

21
22 Vice-Chair Tuma: I just want to make a quick comment that even though he came late and that
23 was sort of a tail-end comment I don't want Commissioner Lippert's comments to just fall of the
24 table. I think it is incredibly insightful. I think a lot of Palo Altoans consider part of the identity
25 of this town is, and whether it is more so or less so than anywhere else that is beside the point, in
26 my view we do think of this as in many ways the birthplace-of much innovation. When you
27 think about Hewlett-Packard, and our history, and where things come from, and the profound
28 impact that those things have had I don't think there is anybody who has lived here any period of
29 time who doesn't identify with that and feel that that is a very significant piece of what Palo Alto
30 is about to our residents. So I think that is incredibly important. I think it is also very forward-
31 looking and that really does need to get captured and brought in here. Thanks for bringing that
32 up.

33
34 Chair Garber: I agree. Let's move into item number two. I would like to try and get through
35 this item in two hours, which would be 9:30. We will take a break at eight o'clock, which is 35
36 minutes from now.

37
38 This item number two is the Housing Element Update, a study session on the Housing Element
39 Vision, Goals, and Issues. We will have a brief presentation by Staff, which will last
40 approximately ten minutes. Then Commissioner Fineberg will give us a brief report on the TAG
41 Committee's work. Staff?

42
43 2. Review and Discussion of Housing Element –Vision, Goals, and Key Issues
44
45

46 Ms. Caporgno: Thank you Chair Garber. Ron Babiera, a Senior Planner, is responsible for the
47 Housing Program is going to give the presentation. Before he begins I just want to remind the
48 Commission that this is the first evaluation of the Housing Element. Again, we are just kind of

1 focusing tonight on the vision statement and kind of where we are with everything as far as
2 working with the Technical Advisory Group. Commissioner Fineberg has been participating
3 with that group. We wanted also to kind of go over some of the constraints of Housing Element
4 namely statutory requirements. So to just kind of give you some of the referrals from both the
5 Planning Commission and the Council as far as items that they wanted to have addressed in this
6 update to the Housing Element. Ron.

7
8 Mr. Ron Babier, Senior Planner: Good evening Chair Garber and fellow Commissioners. As
9 Julie said, my name is Ron Babier, Senior Planner. I am here tonight to present to you the
10 Housing Element, specifically the Housing Element Vision, Goals, and Key Issues surrounding
11 the Housing Element. I also would like to discuss with the Planning and Transportation
12 Commission the Technical Advisory Group's comments and suggestions of the vision statement
13 and the goals, and some key issues again surrounding the Housing Element. Also here tonight to
14 outline requirements in state law for Housing Elements

15
16 As you are exposed to a number of times the vision statement for the Housing Element is
17 relatively long. Just for your information this vision statement has been utilized for the last
18 Housing Element cycles, the one that was adopted in 1998, and the one that was adopted in 2002.
19 The only difference in 2002 there was inclusion of this language, "including converting
20 nonresidential lands to residential or mixed use."

21
22 Along with the vision statement there are five supporting goals. The first one talks about supply
23 of affordable housing, as well as the market rate housing that meets Palo Alto's share of original
24 housing needs. The second one refers to the conservation and maintenance of Palo Alto's
25 existing housing stock in residential neighborhoods. The third one is about housing
26 opportunities for diverse population of the city including very low income and moderate income
27 residents, and special group populations of persons with special needs. The fourth one is about
28 fair housing, to end housing discrimination on the basis of any protected class, race, religion,
29 national origin, age, sex, sexual orientation, marital status, physical handicap, or other barrier
30 that prevent choice in housing. The last one but not the least is about energy conservation.

31
32 As you may know there is a Technical Advisory Group that Staff has been working with and
33 since the fall of 2008 the Technical Advisory Group has been meeting. Throughout the
34 discussions key issues came out consistently during the discussions. The first one is an issue
35 regarding the significant increase and the number for cities for housing share that was identified
36 or at least projected by ABAG for the City of Palo Alto. The second key issue is the inadequacy
37 of supply of housing sites. As we all know that the City of Palo Alto is a well built out
38 community or we are becoming a well-built community. So therefore the supply of housing sites
39 is becoming less and less. The third key issue is how to meet this new requirement, the Senate
40 Bill No. 2, which requires jurisdictions to provide a zoning district where shelters for homeless
41 are permitted by right. Another issue that was identified throughout the discussion was the lack
42 of affordable housing in the City of Palo Alto. Although we have been developing more market
43 rate units we also need more moderate income rentals as one of the key issues. One major issue
44 is insufficient funding to develop affordable housing.

45
46 As I go on another issue that was identified throughout the discussion is any additional housing
47 will have impact on traffic as well as impact on existing infrastructure and facilities including
48 schools, parks, sewer system, and there is that negative public perception on high-density

1 housing in most cases. There needs to be a standard for determining locations where higher
2 density would be appropriate in the city. The last but not the least is how to balance housing
3 needs and commercial/retail space needs.
4

5 Just to give you a background on why we need to develop a Housing Element it is the only
6 element of the Comprehensive Plan that needs to be certified by the state. There are some
7 requirements by state law. One is the Housing needs assessment. The Housing Element needs to
8 have the analysis on both the existing needs as well as the projected needs, as projected by
9 ABAG and the number is provided to us. The Site inventory and analysis is also a requirement.
10 It is not just identifying adequate numbers to meet the RHNA numbers but also analysis that
11 talks about the adequacy of the infrastructure that supports the development of those sites for
12 housing. There is also a requirement for the analysis of constraints on housing. Some of the
13 constraints could be regulatory agreement, zoning that will prevent development of multifamily
14 housing, impact fees could be viewed as constraints on housing. So we need to develop some
15 analysis and responses to those constraints.
16

17 In addition, the Housing Element needs to have housing programs. These are sort of like the
18 action plans that we need to take in order for us to accommodate or meet the fair share housing.
19 The quantified objective, the Housing Element based on state law needs to identify certain
20 numbers of housing by income levels. How many are for very low income, how many housing
21 units will be for low income and moderate income, as well as the above moderate income.
22

23 Again, last but not the least is consistent with the Comprehensive Plan. For instance, in our
24 Housing Element we cannot have sites that are identified as residentially zoned yet in other parts
25 of the Comprehensive Plan they are identified as commercial or retail spaces or commercial
26 sites. So the Housing Element has to be consistent with the other elements of the
27 Comprehensive Plan.
28

29 This was not part of my Staff Report but it was my understanding that previously or last year
30 there were some issues that were referred by the Planning Commission, the City Council, and the
31 Planning Department to deal with a sustainable Housing Element. Cathy, would you like to
32 present?
33

34 Ms. Cathy Siegel, Advance Planning Manager: Good evening Commissioners. We have given
35 you a list like this before but we wanted to go over it again now just to refresh everybody's
36 memory. There are certain issues that have come up over the last several years. One is
37 specifically the loss of rental housing stock. We have a program in the current element H-29 and
38 predecessor Housing Elements had a similar program, which was meant to discourage the
39 development of rental housing sites into ownership housing. Some aspects of that program are
40 really not considered advisable based on various court cases and state laws. So we do need to
41 look at how we can restructure that program to continue to try to preserve existing housing stock,
42 especially rental housing stock.
43

44 Also, just in general, preservation of housing and neighborhood character is very important.
45 Especially specific housing types that are somewhat unique such as cottage courts and small
46 units, second units, and things like that.
47

1 Again, the third bullet item here that we have been asked to look at is limitations on unit size,
2 especially in mixed use projects. We have had a number of mixed use developments that have
3 been approved and almost uniformly the residential units are very, very large and spacious,
4 luxury, often three bedrooms or more with generous square footage. So we are going to be
5 looking at limitations and/or incentives to encourage smaller units in mixed use developments.
6

7 There is a pretty long list of referrals from the Council that came out of the BMR program study
8 that they asked us to examine and study further in the context of the Housing Element Update. I
9 don't know that I really need to list these all. You do have the material, you can read them, and
10 we don't want this presentation to take too long.
11

12 Then going to the last slide here, senior housing has been identified as something we should
13 specifically look at carefully. Most senior developments have been done with PCs. I think
14 maybe they all have been done with PCs. So to look at ways to facilitate senior housing but
15 doing it with zoning changes and development standards so they don't all have to continue to use
16 the PC process.
17

18 Then again this goes back to mixed use. Currently we allow a mixed use project to either pay the
19 commercial housing fee or provide BMR units, whichever is the greater of the two requirements,
20 but not having to meet both of those requirements. So to look at some ordinance revisions and
21 policies about that.
22

23 Then I did you want to go over the timeline?
24

25 Mr. Turner: Yes. Finally, we would just like to go through a timeline where the Planning
26 Commission will have an opportunity to review and provide more input as we go along in
27 developing the Housing Element. On December 9, in two months we will be coming back to the
28 Planning Commission for the Housing needs, the existing policies and programs. In March 2010
29 we will be presenting the criteria for selection of the housing site inventory. For the succeeding
30 months of April and May we will be coming back for discussion on proposed policy and
31 programs as well as a review. In June we are hoping to come back to the Planning Commission
32 for the review of the inventory of the sites. Then finally in July, hopefully in July 2010 the
33 Planning Commission will have the opportunity to review the draft of the Housing Element prior
34 to its submittal to the state for approval. That concludes our presentation. Thank you.
35

36 Ms. Caporgno: I just want to add that we had talked to the Commission previously about a Joint
37 Session with Council regarding the Housing Vision. Tonight that is one of the reasons we
38 wanted for this discussion to start, and we are hoping that that meeting with the Council will be
39 in January or February after the new Council is installed. We can then discuss what their
40 direction would be but we were hoping that you have an opportunity now to kind of discuss what
41 you think the vision statement should be. We wanted to focus more tonight on the vision
42 statement for housing than you did on the other vision statements because you are going to be
43 reviewing those subsequently and this one will be reviewed again also, but this kind of
44 preparatory to that session with Council.
45

46 Chair Garber: Thank you. Commissioner Fineberg would you like to give us a report on the
47 Technical Advisory Group?
48

1 Commissioner Fineberg: Yes, thank you. Technical Advisory Group for the Housing Element
2 Update has met almost on a monthly basis since the fall of 2008. There are about 15 members of
3 the community that come from several different cross-sections of the community. Some are
4 long-term advocates for affordable housing. Some work for affordable housing groups. Some
5 are School Board members, community members, and neighborhood leaders, so it is a quite
6 diverse group with interest in housing. I would like to just take a moment to thank the
7 participants who gave much of their time and their ideas and energies over the course of our
8 numerous meetings.
9

10 One of the outcomes of that has been presented to this Commission tonight in the form of TAG
11 notes from our September 17 meeting. I think that that particular piece needs to be understood in
12 context that many of the ideas seem complimentary and yet some of them seem in conflict with
13 each other partly because people from the group have different values, and have different ideas
14 about the right way to approach it. I applaud Staff that they represented all the opinions and
15 didn't try and frame it in any particular way. So as you read that recognize that there has to be
16 some kind of prioritization and determination of what the overall values of the city are because
17 this does express several different perspectives.
18

19 I think a couple of things that came out of the discussions that were significant were the
20 discussion that we are not in compliance with state law. The old Housing Element sunsetted a
21 few months ago and we are not going to have a new one until 2012. I am unaware of the
22 significance of that at Council level. Whether there is anything that can be done to expedite
23 getting compliance or we simply are stuck on a path that we are not going to have a compliant
24 Housing Element until 2012. So I think that is something that if any action by this body can
25 improve that process I think that would be beneficial.
26

27 As Commissioners go through the discussions of the different pieces of reviewing the Housing
28 Element tonight the vision statement, and then on future nights policies and goals, I would invite
29 you to visit the comments that you have been given by the members of the Technical Advisory
30 Group to see where you think the suggestions from that group should fit in. I would also assume
31 that Staff will be doing that as it continues to drill down into the levels of details. That's it.
32 Thank you.
33

34 Chair Garber: Thank you. Just before we go to discussion here there are a few members of the
35 public here. If you would like to speak you may fill out cards and I will acknowledge you right
36 now. Is there anyone that would like to speak? I am not seeing any.
37

38 Okay, Commissioners we will again go down the line here. I see Commissioner Keller's light
39 on. He will go first. We will do five minutes again. I recognize like in the previous item some
40 of you would like to speak longer. If you need to go beyond those five minutes for a little bit
41 that is fine. Then we will try and get through several rounds of that so we can all hear and
42 participate on each other's ideas. Commissioner Keller followed by Tuma.
43

44 Commissioner Keller: Thank you. My first comment is I did not see in the TAG notes,
45 Attachment A, nor in the presentation from Staff see to me the one word we can talk about now
46 and no other time, which are schools. It is interesting that that word was missing from both. The
47 only time we can talk about schools and the impact on schools is when we are considering the

1 Housing Element. To me that is very unfortunate that there was not a consideration presented to
2 us about schools.

3
4 I have taken the liberty of rewriting the vision statement. So I am going to present my rewritten
5 vision statement for consideration. I did that now so I didn't have copies to hand out. Let me go
6 and it basically is parallel to the existing one. So my statement is Palo Alto will zone for a
7 variety of new housing opportunities focusing on underserved needs with consideration of
8 balance with City and school resources and a transportation network. The City is committed to
9 increasing the development of affordable housing including limiting market rate housing to
10 preserve land for affordable housing. Existing affordable or attainable housing, particularly
11 rental units, will be conserved and rehabilitated or replaced. The next two sentences are
12 unchanged. Palo Alto will continue its strong commitment to supporting agencies that assist
13 households with special needs. The City will foster an environment free of discrimination and
14 the barriers that prevent choice in housing. Then I have rewritten the last two sentences. It will
15 place special emphasis on underserved communities in particular senior housing and non-family
16 oriented housing. It will make special consideration of impacts on the schools and City and
17 community resources. So I present that and I will reserve the balance of my time for later.

18
19 Chair Garber: Thank you. Commissioner Tuma.

20
21 Vice-Chair Tuma: So the first thought and I actually need some feedback on this is we have I
22 think it is fair to say that there is generally a desire for more affordable housing, and there is
23 generally a desire for probably less market rate housing. My concern is that in some ways while
24 on the face that may seem fine there may be a conflict here, which is one of the key mechanisms
25 for getting affordable housing built is through the BMR program related to market rate housing.
26 So I think one of the things we need to think about as we get further down the road is are there
27 strategies for sort of fixing that conflict? Some of the things that were mentioned earlier during
28 the presentation are things like allowing smaller BMR units or different types of BMR units in
29 order to get the numbers of BMR units up. I think more creative thinking or maybe even looking
30 at best practices, other jurisdictions, other things people are doing. I don't think we are ever
31 going to get rid of that sort of conflict but I think we need to think about ways that we can
32 leverage the market rate housing that will get built in such a way that it maximizes the affordable
33 housing. I don't pretend to have the answer to that question but I think it is something that bears
34 study and thought. I think one of the things that would also be helpful for this Commission and
35 for the Council and for the public as we go forward is some more information about how
36 opportunities are created for affordable housing other than strictly as a result of building market
37 rate housing, having a BMR requirement, but other mechanisms. We have seen of this happen,
38 the Tree House project is one that comes to mind. So I think educating everybody on the
39 realities of how this happens. I think it is great to think about well we could build lots of
40 affordable housing and very little market rate but is that vision or thought going to ever become a
41 reality? How do we do that? So that is something that I think is extremely important as we go
42 into looking at the Housing Element to understand that a little bit better.

43
44 I have some of what I think are probably fairly obvious comments about the vision statement
45 itself. Some of this in some ways is incorporated through what Commissioner Keller was talking
46 about. I think that the sentiment in the city has changed and gone away from the desire to
47 aggressively pursue additional market rate housing. I think to recognize that some market rate
48 housing is going to get built and plan for it is in my view a better way to look at it instead of

1 aggressively pursuing more of it. Again, I would agree with Commissioner Keller's sentiment
2 on the – I don't know that there is necessarily a desire for an emphasis on family housing but
3 again a recognition that some of it will get built so let's plan for it in a smart way.
4

5 I want to go to a couple of comments on the goals. In particular Goal H-1 right now deals with a
6 supply of affordable and market rate housing that meets Palo Alto share of regional housing
7 needs. In my view the appropriate thing to do there is delete the portion that says, 'share of
8 regional housing,' and leave it as a desire to provide a supply of affordable and market rate
9 housing that meets Palo Alto's needs. My vision or my view as we go forward is that as we look
10 at the Housing Element we should first and foremost look at what Palo Alto needs, and what
11 Palo Alto wants, and then put it in the context of the larger picture. I recognize that as we get
12 forward into the legal requirements that may present some issues and I am sure those issues will
13 get discussed.
14

15 A couple of seconds left here. Goal H-5 says Reduce housing expenses for energy. I think the
16 more important emphasis instead of expense is need. It is reduce the need for energy as opposed
17 to just the expense. I will leave it at that for now.
18

19 Chair Garber: I will go next. I will voice my general support with the thrust of Commissioner
20 Keller and Commissioner Tuma's comments. The one thing that I will mention here is that the
21 one thing that I find missing from the vision clearly stated is an acknowledgement of the **premise**
22 of R-1 single family homes and the key role that it plays in this community in the image of what
23 this community is. As a result I would end up thinking of Policy H-2 really becoming H-1
24 because I do think that is the most primary thing, not to make less of the needs that our
25 community has for other types of housing etc., but that is the heart of the community.
26

27 The second thing I will simply mention on the heels of some of Vice-Chair Tuma's comments is
28 that this Commission will be looking for some direction from Council on whether the City will
29 pursue a housing policy that is in conformance with state requirements versus not. That can be a
30 conversation that presumably will take place over a series of different events including a
31 potential Joint Session, etc. If that decision happens, and I leave it to Staff to make the
32 determination, but it may be prudent for us to pursue a two-track strategy where we look at what
33 happens to the Comprehensive Plan if it is to conform to state law versus if it doesn't. I am
34 thinking specifically of a response to ABAG, etc. I leave it at that. We will go to someone else.
35 Anyone? Commissioner Martinez.
36

37 Commissioner Martinez: I was I don't know whether I can say amused, but kind of struck last
38 week by the fact that in a project we were reviewing there was very little discussion about the
39 BMR housing that was being proposed. Perhaps that was because there were bigger issues to
40 look at but I think it was because it was so insignificant. I would suggest that we get away from
41 the terms of calling what we are needing to do high-density housing or higher density housing,
42 because in my view it is not really high density. It is 20 units to the acre or whatever it proposes
43 to be. Beyond that I would propose that the Housing Element as a strategy try to look for smaller
44 developments, smaller developments as part of larger developments, smaller developments in all
45 areas of the city across zoning districts, and as Commissioner Keller proposed in his statement
46 that we really broaden the sites in the parts of the city that we are looking for housing.
47

1 I think the idea that we are going to find high density housing unit sites has been acknowledged
2 as that's going to be pretty difficult to do. If you gave me a day and a VTA bus pass I would
3 find you 20 sites or 25 sites, or a great number of sites where housing would be appropriate. I
4 think we have to change the nature of our focus and sort of lower the idea of the densities that we
5 are looking for for these sites. Thank you.

6
7 Chair Garber: Commissioner Fineberg.

8
9 Commissioner Fineberg: The statement I made in our previous discussion about vision
10 statements regarding having a sentiment of where we want to go in growth also applies to this
11 conversation. How do we know what the right mix or the right number of houses is unless we
12 have a sense as a community of how much we want to grow? Again, I will go to both extremes.
13 If at the end of this century if, in 2100, we want to be a city of one million people we can divide
14 that up by decade and say that is where we need to be in ten years. If we say we only want to be
15 100,000 then we have a very small rate of growth and we have a much smaller challenge and
16 then we can say which are the parts and pieces, if we don't need market rate housing, we can
17 focus on affordable housing and which categories. I have not seen an articulation of where we
18 want to go as a community. I have not heard Council say it. I haven't heard this body say it. I
19 haven't frankly seen a discussion with the community talking about that. Without that sense of
20 direction we are responding to the places that ABAG push us or to simply complying with
21 technical requirements of state law and it is not a discussion of where we as a community, the
22 residents, businesses, the developers, all of us want to go. So I would like to see that discussion
23 to give us some direction.

24
25 In terms of some specifics within Housing Element Update one comment that came to us from
26 the Technical Advisory Group was that as a Charter City the City is not required to comply with
27 the Comprehensive Plan when we develop projects. I would love to hear the City Attorney talk
28 about that and whether that points to a need for us to amend our City Charter so that we follow
29 what we make as our policies and visions or whether we continue to be free and get to ignore it.

30
31 Mr. Donald Larkin, Assistant City Attorney: We have a consistency requirement within most
32 aspects of our zoning code. There isn't a consistency requirement in our charter but it is in our
33 zoning code. If you wanted to ensure that it was there and wouldn't be changed without a vote
34 of the people then a Charter Amendment could be made, but as of right now we are required to
35 be consistent with the Comprehensive Plan.

36
37 Commissioner Fineberg: I didn't quite get the full gist of that. So when would we not be
38 required to be consistent because we are a Charter City.

39
40 Mr. Larkin: We are because it is in our ordinance. We don't have to have an ordinance that
41 requires consistency with the general plan.

42
43 Commissioner Fineberg: Okay, thank you.

44
45 Chair Garber: Commissioner Holman.

1 Commissioner Holman: Appreciate Commissioner Keller's penning of a new statement. Having
2 only heard it once I didn't catch the term diversity in it but I hope it is there and I trust we will
3 get to see that again.
4

5 I agree with pretty much everything I have heard, once again. There are some things that I think
6 would help inform us too. In other words, how does our housing impact fee stand in relation to
7 what the 'norm' is of other communities? One thing and I don't think it was mentioned in the,
8 perhaps it was, in the TAG comments about buying existing buildings that are already integrated
9 into the community, whether it is a six-plex, cottage court, small apartment building, or whatever
10 and using our impact fees to buy and rehab those. Recognize in here that it is both a green
11 practice as well as a better economic return. Those housing units are also already integrated into
12 the community.
13

14 I can't help but mention this. This is a bit of a detail but I just think it is something we ought to
15 think about. Over the last several years we have talked about first source hiring and I have been
16 a proponent of that for a long time. We don't have an ordinance that can require that. I think
17 especially when it comes to mixed use projects that most especially include retail I think it would
18 be a practice that would be found to be very, very beneficial to the retail owners and managers.
19 It doesn't require a hiring it just requires a first pass and first acknowledgement in the
20 opportunity for those people who live within a short radius.
21

22 I agree with Commissioner Fineberg about what the vision is and what we plan to be in this
23 community. It speaks again to context that I referenced having to do with the other vision
24 statements.
25

26 Also, I would like to see the quality of life issue addressed in whatever our vision statement ends
27 up being here. Whether it is the quality of life of the people who live in the housing units,
28 whatever size they are, or the quality of life and how overdevelopment of housing affects the
29 quality of life for the rest of the community. I think that's it for the moment.
30

31 Chair Garber: Commissioner Lippert, why don't you go and then we will take a quick break of
32 five minutes.
33

34 Commissioner Lippert: Listen. Do you hear it? Do you hear it? I don't think you hear it. I
35 know Staff hears it. So please let me tell you what I hear. SB 375 is here. During previous
36 reviews of the Comprehensive Plan Update I alluded to this before but I don't think anyone is
37 listening.
38

39 SB 375 and AB 32 contain significant changes largely because it links land use planning to
40 transportation thereby reducing greenhouse gas emissions, mandating creation of sustainable
41 regional growth plans. As a result California Air Quality Resources Board doubled greenhouse
42 gas emission reduction targets that local governments must meet through land use planning.
43

44 SB 375 is now the law of the land. Please allow me to illustrate. One, SB 375 significantly
45 arranges the RHNA, the Regional Housing Assessment Need process and provides significant
46 breaks under the California Environmental Quality Act, CEQA, for certain types of transit
47 oriented projects particularly housing. If we ignore SB 375 the PTC and the City Council along

1 with the citizens of Palo Alto will become marginalized and unable to implement our own
2 Comprehensive Plan Update.

3
4 SB 375 contains five important components we must be aware of and need to understand. The
5 first is the creation of regional targets for greenhouse gas emissions reductions tied to land use.
6 Number two, requirements that regional plan agencies create a plan to meet those greenhouse gas
7 emission reduction targets even if the plan conflicts with local plans. Three, a requirement that
8 the regional transportation funding decisions be consistent with this new plan. Four, tethering or
9 linking together regional transportation planning and housing efforts for the first time. Five, new
10 CEQA exemptions, and requiring streamlining for development projects to conform to new
11 regional growth plans even if they conflict with local plans.

12
13 There are three elements to SB 375 that you need to be aware of. The first one is greater
14 efficiency from new vehicles. We have nothing to say about that. That has to do with the EPA
15 and the federal and state government. Number two, reducing carbon content of fossil fuels.
16 Again, we have nothing to say about that. That falls on state government. Three, changes in
17 growth patterns that reduce overall driving. Regional or metropolitan planning organizations
18 will be focusing on implement the third element.

19
20 Beginning in 2010, that is just four months away, the metropolitan organizations will be required
21 to create sustainable community strategies that layout how greenhouse gas emission reductions
22 will be met. Technically these strategies will be part of regional transportation plans, this is
23 important because it tethers the sustainable strategies to federal transportation funding. These
24 sustainable strategies also incorporate the RHNA, or the Regional Housing Needs Assessment,
25 requirements to provide housing to accommodate all income groups.

26
27 Further, SB 375 changes the state housing element law in one very important way. For the first
28 time it links transportation and housing but under SB 375 all transportation and housing planning
29 processes remain under an eight-year amended schedule. Now this is the rub. The penalty for
30 jurisdictions that don't meet the Housing Element schedule must prepare a new Housing Element
31 every four years.

32
33 For us just imagine for a moment at least one ever term for a Planning Commissioner or a City
34 Council Member having to update and wrestle with our Comprehensive Plan Housing Element.
35 Just imagine that for a second. It is a waste of valuable City resources, our time, and doesn't
36 leave much time to focus on other important planning issues. Further, it undermines the City's
37 planning process because applicants will still be able to make use of important caveats in SB
38 375.

39
40 The most important provision of SB 375 has to do with CEQA exemptions and review
41 streamlining. Under SB 375 certain types of development projects are now exempt from CEQA
42 or qualify for streamlined reviews. These are residential, mixed use, and transit priority projects.
43 Specifically CEQA review does not have to cover growth-inducing impacts and it does not have
44 to cover project specific or cumulative impacts.

45
46 Transit priority projects are projects that meet the following criteria. One, they contain at least
47 50 percent residential uses, have a minimum net density of 20 units per acre, have a floor area
48 ratio for a commercial portion of the project at .25, and Staff can correct me if I am wrong.

1 Okay, be located within half a mile of a rail stop, bus line, or ferry terminal, and within
2 15 minutes walking distance. Under the law development projects can qualify for a full CEQA
3 exemption if they are no bigger than eight acres or 200 units, they can be served by local utilities,
4 they will not have a significant impact effect on historic resources, and that means the demolition
5 or removal of those resources, the building exceeding energy efficiency standards, and they
6 provide any of the following: five acres of open space, 20 percent moderate income housing, ten
7 percent low income housing, or five percent very low income housing. Just simply by meeting
8 our local 15 percent low-income housing they have already qualified.
9

10 Now the battle regarding ABAG housing numbers is over. You may not agree with the results
11 but we have appealed twice and the numbers are the numbers. If we choose to ignore the
12 numbers then others will take advantage of SB 375 and other state legislation, and tell Palo Alto
13 what they can and can't do. We can move on and meet the challenges of crafting realistic
14 housing visions for meeting SB 375 goals. Thank you.
15

16 Chair Garber: Thank you. Let's take a five-minute break and reconvene. Let us reconvene.
17

18 As a reminder to the Commissioners, you may remember that Commissioner Lippert actually
19 had gone to Sacramento to attend the seminar there on SB 375 and AB 32. His comments really
20 amount to a report. Thank you very much again for that.
21

22 Julie, you have some comments before we do our next round.
23

24 Ms. Caporgno: I just want to bring to the Commission's attention that we had handed out,
25 because of Commissioner Lippert's comments, to you tonight a notice about the first in a speaker
26 series that we are going to be convening kind of to help the Commission and Council provide
27 some background information regarding sustainable development and how we deal with the
28 Comprehensive Plan. The first one just happens to be implementing SB 375. We are having
29 representatives from both ABAG and Regional Planning Joint Policy Committee that will be
30 presenting that evening. So it just kind of feeds into what Commissioner Lippert was discussing.
31 We definitely encourage all of the Commission to attend. We will be sending this out or the
32 Council has been notified and we will be notifying the public and all the other Boards and
33 Commissions.
34

35 Chair Garber: Thank you. If we follow the same order we had last time but I am seeing a light
36 from Commissioner Martinez. Would you like to start this session off? Okay. Commissioner
37 Keller would you like to start off again?
38

39 Commissioner Keller: Thank you. I appreciate the comments from the various Commissioners
40 and I appreciate Commissioner Lippert informing us from the wonderful time he spent learning
41 about SB 375. I think that is very useful for us to understand and I appreciate that we will have a
42 seminar coming up that will talk about that.
43

44 One of the things interesting is that it is incumbent upon us according to the Regional Housing
45 Needs Assessment, Allocation I believe is the word for A I believe. That we zone for the amount
46 of housing according to the RHNA but not that we actually cause the housing to be built. The
47 City of Palo Alto is in general not a housing developer, but namely that we identify where
48 housing can exist and create appropriate policies. The extent to which this housing is built

1 means that in the future we will have to identify yet more sites, which will be interesting and
2 challenge. To the extent that the housing is not built in the next Housing Element it means that
3 those sites can rollover to a future Housing Element. So in some sense because we will be
4 judged with a new RHNA in several years we then will have to identify a new list of housing
5 sites that can also include the ones we have and meet the new RHNA. So that is my
6 understanding of RHNA and I am getting nods from Staff.

7
8 So I guess the number is being changed to eight years instead of seven and a half years. I guess
9 that is easier to compute because seven and a half is kind of weird. Roughly there are
10 somewhere on the order of 12 Housing Elements through the end of this century, 12 times seven
11 and half or 12 times eight more or less, through the end of the century. If you look at the
12 Regional Housing Needs Allocation to Palo Alto, the current one, it is about ten percent of our
13 existing housing stock more or less. What is interesting is this ten percent never mind that it is
14 about double what it was last time, last time it was much less, it was just barely over half of what
15 it is now. I am not going to assume that that will grow exponentially at that rate. Let's just
16 assume for the moment that we are for as far as the eye can see, namely through the end of the
17 century, we are given a ten percent growth rate which is referred to as a ten percent compound
18 annual growth rate.

19
20 Now there is a person no less than Alan Ackerson who is the one who basically worked on
21 Sustainable Seattle. I co-hosted him coming to Palo Alto giving some seminars at the early part
22 of this decade, century, millennium, whatever you want. He had this wonderful song about
23 exponential growth and how exponential growth is just not achievable.

24
25 Chair Garber: You are not going to be singing to us, are you?

26
27 Commissioner Keller: No I am not. I am just simply referencing his saying about exponential
28 growth. Interestingly enough if you keep on a ten percent compound growth rate, and it is not
29 annual, it is obviously compounded per Housing Element. It means that by the time the end of
30 the century is reached compared to now we will have grown by – we will be 3.14 times as big in
31 population as we are today. Considering that we are 60,000-plus in population today based on
32 this straight-line projection of periodic compound Housing Element growth we will be 195,000
33 residents in 2100, in 90-some years. I won't be around then. My kids might be around then.
34 Their children, my grandchildren might be around then if they live in Palo Alto. I am not sure I
35 would want to come back and see what Palo Alto is like with 195,000 residents in our town.

36
37 I think that speaks to what was mentioned by Commissioner Fineberg. In particular there is a
38 notion that the projection for ABAG in 2035 is 90,000-plus residents, which is a significant
39 increase from what we have now. So they are expecting that compound annual growth rate that
40 is in our RHNA to continue on through 2030-2035. That is kind of frightening to me. So I am
41 interesting in figuring out what kind of Housing Element we can create that creates a sustainable
42 Palo Alto, a livable Palo Alto from my point of view of what livable means. In particular that
43 means moderating our growth and it means that preserving housing sites, preserving the ability
44 to grow in the future and not shooting our wad in the next seven years. Thank you.

45
46 Chair Garber: Commissioner Tuma.

1 Vice-Chair Tuma: There is one component of the existing vision statement that I failed to talk
2 about last time. The whole sentence says, “The City is committed to increasing the development
3 of affordable housing, market rate housing,” and then the next clause is what I want to focus on,
4 “including converting nonresidential lands to residential or mixed use.” That may have been the
5 vision or I guess it was the vision back when this was last written. I don’t believe that it is the
6 vision now. I think what we want to go towards is a balance. We want to be careful that there is
7 not an entire pendulum swing here. I think it is a balance. I think this perhaps in hindsight was
8 one extreme, and I am not sure we want to go to the other extreme, but I think we need to talk
9 about a balance of those uses as opposed to what is currently there emphasizing those types of
10 changes.

11
12 The other is actually a question for Staff. On page 3 it talks about the Housing Element and what
13 the statutory requirements are. The last bullet point talks about quantified objectives. Can you
14 tell us what that means?

15
16 Mr. Babiera: What it means is we just need to identify the types of housing based on the income
17 levels or by income categories to be constructed, rehabilitated, and conserved over the planning
18 period of the Housing Element.

19
20 Mr. Curtis Williams, Planning Director: There is a pretty standard format that the state looks at
21 for Housing Elements and Quantified Objectives Tables. They essentially have the different
22 breakdowns of the housing affordability levels, and then what the need has been identified as,
23 and what you are projecting that you are going to achieve. So there are numbers in all those
24 slots. That is part of the format that is required for the Housing Element.

25
26 Ms. Caporgno: Yes, and you have seen that many times it is just that you have not heard that
27 terminology.

28
29 Vice-Chair Tuma: Okay. I was just trying to figure out what exactly that meant in terms of what
30 workload we might have.

31
32 Without going through all of the comments or the notes from the TAG, I have lots of specific
33 questions but I am not sure that this is the right place to address them. Conceptually or
34 procedurally how will we/you use those comments and notes? In other words, there are some
35 areas in there, some of the comments that are clearly inconsistent in my view with the current
36 policies. There are some comments or notes in here that again in my view are not relevant. How
37 do we take the work that the TAG did, because there is a lot of good work in there and
38 incorporate it into what we are doing? If we are not going to talk about that tonight when are we
39 going to talk about it and how does that work?

40
41 Ms. Caporgno: I think that you are going to be getting feedback from – I guess these are just the
42 TAG notes on this one item but the TAG has been addressing different items. The purpose of
43 the TAG was to provide Staff with input so that we could then provide the Commission with
44 what we felt was a good Housing Element or the different policies and programs that also
45 complied with the direction that we got from the Commission and Council to date. Then we will
46 also provide you with this background information so that you will understand where they were
47 coming from. Then obviously Commissioner Fineberg can weigh in also because she is
48 participating. So even though we may not be incorporating all of this information or these

1 positions into the document or the Housing Element that comes to you you will have benefit of
2 knowing where they were coming from.

3
4 Vice-Chair Tuma: Okay. That's fine. That's it for now, thanks.

5
6 Chair Garber: I am next and then Martinez and Fineberg. A couple of comments. It occurs to
7 me that I think the last time that the Commission addressed the topic of population in Palo Alto
8 was actually not all that long ago and it was part of one of the Stanford conversations. It might
9 be interesting to pull out some of that date to take a look at it because as I recall we were talking
10 about it relative to some of the area planning work that we were about to get into surrounding the
11 Fry's site. If I am recalling there were a couple of different scenarios about what that population
12 would be and what the impacts would be. That might help inform the conversation at some
13 appropriate time.

14
15 A couple of other items. Perhaps one thing that would also be worth pursuing in here, and it is
16 an item that has come up a number of times on the Commission and in particular by
17 Commissioner Holman, and that is the relation between housing and open space and personal
18 open space. That is something that we might want to incorporate in this in some manner.

19
20 One of the Housing Element issues referred by Council, PTC, or Planning Management, is your
21 second bullet there, housing preservation and conservation. There a bunch of issues in there that
22 I think we need to be careful about parsing because there are issues of historic nature, there are
23 issues of character, there are issues of housing types, and I think there are different concerns for
24 each one of those three that need to be addressed and it is hard to sort of deal with them all in one
25 group. So just a heads up on that one.

26
27 Then finally, for this round, under Goal H-5, which is reduced housing expenses for energy, I
28 needed to go back to the Comprehensive Plan to understand what that was really addressing.
29 What it is really addressing is leveraging the buying power of Palo Alto's Utilities to create
30 lesser cost utilities for the homeowner. Interestingly enough it has been remarkably successful in
31 doing if I am recalling my numbers correctly. The homeowner is now buying electricity for
32 about one-fourth of what PG&E customers are purchasing electricity for. It seems to me that this
33 particular goal needs to be re-missioned if you will, and it is probably the perfect place to talk
34 about reducing impacts to the environment that the Housing Element presents. Then that would
35 be a great entrée presumably into a number of the green objectives, goals, and concepts that the
36 City is embracing. That is it for this round.

37
38 Commissioner Martinez, and then Fineberg, and then Holman.

39
40 Commissioner Martinez: I have a couple of questions of Staff. On your report under Housing
41 Element Law there is a sentence that read, "The law does not require local governments to
42 provide housing to meet all of its identified need, but it requires that the community plan for the
43 needs of all their residents." What does that mean? What do we do?

44
45 Mr. Larkin: I can't remember which of the Commissioners alluded to it before. It doesn't
46 require that we actually construct all of the housing that we are identified as needing but it does
47 require that we plan for it and make available the locations to build that housing.

1 Commissioner Martinez: Okay, I get it. Then a small question in regard to the question about
2 shelters not requiring conditional use permits. Do we even have a shelter in this city?
3

4 Mr. Babiera: We do.
5

6 Commissioner Martinez: Okay.
7

8 Mr. Larkin: We participate in a rotating shelter within the city. It is the Hotel de Zinc, which is
9 named after a former Police Chief. Various churches participate it is not a single fixed location.
10

11 Commissioner Martinez: Okay, good because there are others like women's shelters and like
12 that that fall under that same condition or state law, right? Okay. I think that is it for now.
13 Thank you.
14

15 Chair Garber: Commissioner Holman and then Lippert. I apologize. Commissioner Fineberg,
16 Holman, and then Lippert.
17

18 Commissioner Fineberg: Commissioner Martinez's first question about zoning for housing
19 rather than building for housing brings to mind a question that did come up in TAG discussions.
20 Something that I think maybe if Staff could address might be very helpful. Palo Alto has a, I
21 will characterize it, different way of zoning for housing than many of our neighboring
22 communities. Until recently housing and Staff please correct me if I don't quite this out right,
23 but housing is allowed in all zoning designations except for GM and maybe one or two other
24 areas. Recently, two maybe three year ago, we also imposed the use of a Conditional Use Permit
25 in order to build housing in Research and Light Industrial areas. Other than where it is
26 prohibited and where there is a CUP we are allowed to build housing in all zoning designations.
27 Does that benefit us any way in terms of having identified sites for housing or must they have a
28 proactive zoning designation and be on the housing list?
29

30 Ms. Caporgno: To qualify for the ABAG allocation you have to first of all be on the Housing
31 Inventory and your zoning has to be restrictive enough to limit it for housing so you don't have
32 the flexibility of developing it as some other type of use. You can have mixed use and it has to
33 be at a certain density too, it has to be 20 units per acre, so lower densities can't be placed on the
34 inventory. Now you can get credit for those if you develop housing within that timeframe of the
35 Housing Element, you get credit for the housing that is developed if it is not on the inventory,
36 and it doesn't meet those requirements. But as far as providing that inventory with the sites you
37 have to meet the criteria that I just mentioned.
38

39 Commissioner Fineberg: Great. Thank you. The other question I have is regarding whether or
40 how ABAG considers crediting us for the retention of existing properties. So let's say there is a
41 small cluster with three cottages. They can be torn down with a 7,000 square foot home built on
42 it and we have net lost two units. If we had any type of zoning or enticements that kept the
43 retention of those extra two units would we get credit? Can we somehow structure things so we
44 get credit for the retention of those units?
45

46 Ms. Caporgno: Currently that is not allowed under the ABAG criteria. I think that we wouldn't
47 really get credit because they are looking at additional housing units. So they are anticipating

1 that everything we have we will maintain the same amount of dwelling units and then this is
2 additional housing for the population that is envisioned to be added to California.

3
4 Commissioner Fineberg: Do they ding us when we lose units and then we have to dig out from a
5 negative?

6
7 Ms. Caporgno: When we report out, because there is a housing tech document that accompanies
8 the Housing Element itself. It kind of gives the state all of the statistics on where we are with
9 housing, but to date that hasn't occurred either that they have dinged us for loss of housing.

10
11 Commissioner Fineberg: Okay, thank you.

12
13 Chair Garber: Commissioner Holman and then Lippert.

14
15 Commissioner Holman: I am going to go back. The state law change relevant to SB 375 what
16 did Staff and officials know about what was being proposed and did we participate or not?

17
18 Mr. Williams: I am not aware the City participated in that. I am not positive that we didn't in
19 some way. I know that was two years ago or so that the legislation was passed and I don't recall.
20 I don't think the City did. I know the League of Cities was involved but the City specifically I
21 don't believe was involved in that legislation. We would have to check around and see if anyone
22 else knows that but I don't think we were.

23
24 Mr. Larkin: I think Curtis is right. I don't believe the City had any direct involvement other
25 than through the League of Cities.

26
27 Just in terms of what we knew, I think City Staff has been to classes and has learned about the
28 impacts of the legislation and what it means. It is a radical change in the sense that it does all of
29 those items that Commissioner Lippert identified are in there. It is not a radical change in terms
30 of the consequences for having a noncompliant Housing Element. There are other provisions of
31 state law that take away some of our ability as a local agency to control development if we don't
32 have a compliant Housing Element. AB 375 somewhat expands on them but it is not a new
33 creation with this legislation.

34
35 Commissioner Holman: What exemptions are there from it? I guess one thing, and this is going
36 to sound I hope not punitive because a number of us have heard about this and weren't any more
37 active I guess, but that we didn't participate at the state level is kind of disappointing. It sounds
38 like we didn't.

39
40 What are the limitations of application 375? For instance, we do have very, very limited
41 locations that you could build housing assuming we wanted to put 10,000 more units here. We
42 have very, very limited possibilities for that. So what are the limitations? What aspects of
43 CEQA are or aren't excluded from consideration?

44
45 Mr. Williams: I don't want to really play expert on SB 375. I think that is why it will be
46 instructive to have these couple of gentlemen that are very knowledgeable about it. Let me just
47 stress that while I think Commissioner Lippert accurately framed the issue one of the key
48 elements at this point is that it is incentive-based. It is not a mandatory. What it is going to do is

1 prescribe this process of developing sustainable community strategies and transportation
2 networks that are regional transportation networks and that kind of thing. At this point in time,
3 when I say this point in time we are talking about a few years from now once the air quality
4 models are developed, transportation models are developed, then ABAG is involved in terms of
5 Housing Element issues. The implications in the near future are probably that transportation
6 funding, housing funding, maybe some other infrastructure funding will probably be withheld
7 from cities that are not consistent in some ways with that strategy, and developing it. There are
8 some what are called I think 'alternative development strategies' or something like that that can
9 be also created in lieu of that. So there may be a somewhat different approach that is allowed but
10 I don't know that that could be done on a citywide basis or it has to be done at a more regional
11 kind of basis. So there is a lot of complexity to it. There is a lot to shake out. I think there is
12 going to be a lot of discussion over just the modeling, the air quality modeling, and the
13 assumptions that go into that, and transportation modeling and the assumptions that go into that,
14 etc.

15
16 The CEQA exemptions I was telling Commissioner Lippert at the break that I need to go back
17 and look because there are a lot of conditions that you have to meet. When I looked through
18 them at one point I could see that it appeared to me that there was always something that might
19 keep any project I was familiar with in Palo Alto from meeting all of what it had to meet to
20 comply with that CEQA exemption. Also, some of the CEQA exemptions are tied to having a
21 sustainable community strategy consistent with this thing so it is not even sort of eligible, but
22 there are the other ones he was mentioning the transit oriented or whatever the title was for it that
23 do have specific criteria. As I recall it didn't seem to me that the projects that we see could meet
24 all of those criteria. So we will get more information on that as well as having this. Now that
25 the subject is surfacing here we will try to get the specifics on exactly how those exemptions
26 might apply.

27
28 Commissioner Holman: I find that somewhat encouraging because I find it very ironic, as I do
29 with ABAG in general, that while their premise is that it is a green approach such that if you
30 build more housing units then people are going to live in them and work in the same
31 communities where they live. Of course there is no evidence of that particularly. There are just
32 too many options that are available to people so it is not a conclusion I think that can be drawn as
33 a broad-brush approach. I find it reassuring what you are saying at least to the extent that I
34 understood it. That we are not going to just build housing or they are not trying to get
35 communities to build housing regardless of what CEQA findings might be and then violate the
36 environment by building housing to reach their goal of reducing the impacts on the environment.
37 So I look forward to learning more.

38
39 Chair Garber: Commissioner Lippert.

40
41 Commissioner Lippert: First of all, I want to start out by saying that transportation and housing
42 are really opposite sides of the same coin. If we don't deal with providing adequate diversified
43 housing here in Palo Alto we are going to deal with the ramifications of increased traffic.

44
45 The result of having more individuals commuting into Palo Alto is going to be increased traffic.
46 It is almost a self-fulfilling prophecy. If you have increased traffic the level of service goes
47 down so what happens is less people wind up driving and they actually wind up taking more
48 public transportation. So I look at level of service, decreasing the level of service coming in as

1 almost a self-fulfilling prophecy in terms of more people, more ridership on public transit
2 particularly the train.

3
4 What I do want to say is that as greenhouse gas emissions increases regionally if we don't
5 address the **tenets** of SB 375 transit funding and affordable housing funding will become
6 encumbered. The net result is that I think this is both unethical and immoral.

7
8 Where I think we have an opportunity is for us and Staff to begin to identify the conditions and
9 goals of SB 375 and in finding sustainable community strategies and transit priority project areas
10 within Palo Alto so that we can be more proactive rather than being reactive. I think that is
11 where we really need to begin to look at that in terms of our Housing Element.

12
13 The last thing I just want to say is I had a couple of comments on what Staff had presented
14 earlier today, particularly the whole issue of legal ramifications of converting rental housing to
15 condominiums or not permitting that. Maybe one of the ways we can deal with that is to begin to
16 look at smaller units being permitted to actually be converted to for sale units, because those are
17 going to be the most affordable, the most attainable. The larger units that are built say the ones
18 that are almost luxury apartments might have to remain rental housing units thereby getting both
19 parts. It is just a thought.

20
21 Chair Garber: Commissioners, another round. Commissioner Keller.

22
23 Commissioner Keller: Thank you. I was following SB 375 last year when it was passed. I was
24 actually offered a statement to sign from an environmental organization, which I shall not name,
25 to sign in support of SB 375 and I declined to do that on behalf of my consulting company.

26
27 One of the things that I followed along on this, and having read the various sheets that were
28 given to me about the summary of 375, is that although in earlier iterations of that legislation as
29 it was moving forward there were mandates. All the mandates from my understanding have been
30 removed from SB 375. All SB 375 is focused carrots. In other words, it is a we will provide
31 housing funding, transit funding, ties to meeting SB 375. So it is a mostly carrot and not stick
32 approach. That being said, I wish to point out that we get pitiful little housing money to begin
33 with and that it is the City that is not eligible for housing money but a lot of our housing is being
34 built by entities other than the City, which are still eligible for housing money. This came up
35 when we talked about the Housing Element a year or two ago.

36
37 Secondly, we get not very much transit funding. In fact our transit funding is likely to be
38 decreased. We have seen over the last few years, and historically over the last decades since we
39 decided to join what became VTA in the 1970s is transit in Palo Alto consistently cut. How
40 many people remember that there was an 82, 84, 86, and 88 bus? Now it is only an 88 bus of all
41 of those. Okay?

42
43 Secondly, the other thing that is interesting is that transit is being focused on those sites, those
44 communities, which are increasing density dramatically, which basically means transit being
45 focused on San Jose. So don't expect any transit dollars coming to Palo Alto. Therefore neither
46 of those carrots is really much of a carrot for us.

1 That being said, I do think that it makes sense to have housing near transit, to have housing and
2 transit oriented development, and to focus our high density housing near transit. I wish to point
3 out that the Metropolitan Transportation Commission's own data says that jobs within a half mile
4 of transit are twice as transit inducing as housing near transit. That jobs and housing near transit
5 combined are even more transit inducing. So we find that the City of Palo Alto's jobs density,
6 which includes Palo Alto and part of Stanford, the job portion of Stanford, is the second densest
7 jobs district in the entire Bay Area, second only to the Downtown San Francisco jobs district.

8
9 So what does this mean? This means that if you compare this to other places that promote transit
10 use the New York metropolitan area has more than half of the daily transit riders in the entire
11 country. They do that precisely because of the jobs/housing imbalance. There are gobs of jobs
12 in Manhattan and relatively little housing in Manhattan, and all the transit routes focus people so
13 they can get to Manhattan from a wide geographic area and bring them in there. You don't
14 improve transit use in the New York metropolitan area by putting housing in Manhattan. You
15 promote it by adding more transit that has been happening over essentially a century. The New
16 York City subway started in 1904 and so it is over 100 years old.

17
18 Transit here, we have Caltrain is basically it, and the rest of the transit is not very effective. We
19 can do more to promote transit use through jobs than we can through housing but yet the focus of
20 ABAG and SB 375 and the state focus on housing is flawed when transit can be much more
21 improved by dense jobs than by near transit.

22
23 Think about cities like Sunnyvale and Santa Clara, which essentially have job sprawl. We
24 complain a lot about housing sprawl. We don't seem to complain at all about job sprawl. Those
25 cities have job sprawl and there is almost no transit use in those cities in comparison to get there.
26 It is so hard to get there. It is so hard to get to those jobs from transit. On the other hand, I will
27 close by pointing out that the Downtown University Avenue train station is the second highest
28 used Caltrain station in the entire line, second only to Downtown San Francisco terminus. So
29 essentially what we have is transit use being done in Palo Alto and we don't get very much more
30 transit use by building housing in Palo Alto. In fact, if you think about Palo Alto residents going
31 to work, more Palo Alto residents get to work by biking and walking than by taking any form of
32 public transportation. So building housing in Palo Alto is not going to drive transit use in any
33 appreciable amount.

34
35 Chair Garber: Thank you. Commissioner Tuma.

36
37 Vice-Chair Tuma: First a question and then depending on the answer a comment. As I am
38 understanding this whole discussion we are having about SB 375 it is driven by the dilemma or
39 question or concern about whether or not we will submit a legally complying Housing Element.
40 Is that what triggers the whole issue here? Am I understanding that properly? In other words, if
41 we were to submit a compliant Housing Element would we be concerned about SB 375?

42
43 Mr. Williams: I think it is probably too early to tell how those exactly going to dovetail. I think
44 generally in this case probably if we did submit a compliant Housing Element my guess is that it
45 would probably be consistent with what SB 375 is driving towards.

46
47 Vice-Chair Tuma: Okay.

1 Mr. Williams: But again, SB 375 isn't really going to have anything specific for at least a couple
2 of years anyway.

3
4 Vice-Chair Tuma: Okay. That leads to my comment. I am not sure whether this goes into the
5 Comprehensive Plan or how we deal with this, but my heartburn with the RHNA allocation and I
6 think this was also expressed by Council, is the methodology. The fact that the methodology
7 doesn't address the issue that in part Commissioner Keller was just referring to which Palo Alto
8 is a regional jobs center. Instead the RHNA looks at this artificial city boundary and says you
9 have this many jobs you need this much housing. So what I would hate to do is wake up at the
10 time we are about to get our next RHNA allocation and go gosh, this methodology is still wrong.
11 So I think the City really needs to think about I don't know whether it is a lobbying effort, a
12 legislative effort, how we would accomplish a change to the methodology. We complain about it
13 now. We complained about it when we got the numbers. I don't want to be sitting around
14 complaining about it again five or six years from now when we get the next set of numbers. We
15 should be thinking about how we can affect a change on the methodology.

16
17 I don't know what the plan is. I know there is only so much time in the day and only so many
18 resources that we have but this is a real big significant issue obviously. As far as I can tell the
19 only way we are going to change it is to get a change to the methodology. I don't know whether
20 this is something that is going on at the City Attorney's Office. Julie looks like she has an
21 answer for me so that's great. My point is whatever it is that we are doing let's be long-range
22 thinking about it and lets work on the methodology change and the recognition of job centers and
23 try to get it more regionally based instead of local jurisdictions.

24
25 Ms. Caporgno: I was just going to explain to you the process that they undertook the last time. I
26 think they contacted all the cities and then the cities that were interested in participating notified
27 ABAG and then ABAG selected this group from those cities. Council Member Burt is our
28 ABAG representative. I know he is very interested in this. The committee consisted of elected
29 officials as well as staff from various jurisdictions whichever jurisdictions they selected. So
30 possibly if express a lot of interest in participating and the fact that we weren't able to participate
31 previously we may have an opportunity to be apart of that group.

32
33 Vice-Chair Tuma: What I am hoping for is a much more proactive approach. Instead of
34 whatever process they outline and we get to participate and we get to be a piece of that, I would
35 advocate that the City take a proactive approach and again I don't know what the mechanisms
36 are, I don't know if there is legislation that we could get implemented, or how we would go
37 about it. But instead of being subject to however they choose to design the process for the input
38 I think we could be more proactive about affecting a change so that when their process begins we
39 have already done our homework and we have already laid the groundwork. Legislation takes an
40 awfully long time to work its way through the process. So if that is a possible route or outcome
41 we should be proactive instead of reactive to whatever process they put in place.

42
43 Mr. Williams: If I could just make one additional comment. I think legislation is probably the
44 only way. I don't think that Palo Alto would have a chance of prevailing in terms of
45 methodology at the ABAG level. There are too many other players involved, it is just one tiny
46 little piece of that. Obviously we are a tiny little piece of the state too. the issue of how we deal
47 with both projections as well as housing need estimates being done at more of a sub-regional at
48 least basis rather than on a city by city boundary is something that can be dealt with at the state

1 and it has been done to some extent in some other areas of the state. There has been specific
2 legislation that enabled number one, San Mateo County to get together and sort of decide as a
3 county how to distribute it within its county. So it allowed them to balance some things out. I
4 don't know if that worked out real well or not. I think there was legislation a couple of cycles
5 ago for some southern California county to do something like that as well. There is always some
6 kind of language that does allow some cities to sort of ban together and sort of share those
7 numbers. That is a very hard thing to do. I think in fact we had some solicitation from Mountain
8 View or someone else nearby as to whether we wanted to participate in that kind of effort. I
9 think it was only three cities and you could tell that if somebody is gaining the housing someone
10 else has to compensate in some way. But the idea of doing that is possible and maybe that is an
11 issue at our Joint Session with the Council that we can include in the Staff Report and raise if the
12 Council and Commission want to sort of go that direction and get something started that way.

13
14 Ms. Caporgno: I don't want to belabor this but I was in a meeting with Senator Simidian early
15 on after we received our numbers. At that time he had indicated that there wasn't much at the
16 state level as far as changing the legislation for the ACD process, that it probably was likely at
17 least during this period of time. I agree with Curtis the idea of looking at it sub-regionally I think
18 that actually the state and ABAG encouraged that this last time. San Mateo County did do it.
19 We got the information really late that was part of the problem. When we were notified that you
20 could do this there was like a month or so that we had to get together, get our City Council and
21 the groups together. So it really was one of those things that I think we were kind of interested
22 in it but there didn't seem to be a lot of interest in the County in general. So that is something,
23 and we will see what happens with San Mateo County. I think most of those cities have gotten
24 compliant Housing Elements so it seems like it may have worked for them. So maybe to pursue
25 that in this ensuing period of time and see if that works.

26
27 Chair Garber: I am going to skip myself and go to Martinez, then Fineberg, Holman, and Lippert
28 again. Commissioner Martinez.

29
30 Commissioner Martinez: Thank you. That is an important discussion. When I am sort of
31 looking at the big picture I come back to the planning bill of rights and look at our vision
32 statements. It says to us we will aggressively pursue diversity of housing types for Palo Alto
33 residents. That is a need regardless of SB 375. I should know that my son works in the Senate.
34 So I would like us to look at focusing on the goals and how we can strengthen those to reach the
35 housing outcomes that we ideally would like to see in our city.

36
37 That goes back to Commissioner Keller's first statements about looking at our Zoning Ordinance
38 and how we can promote more housing in our city. I think I would like to leave it like that that
39 we come back to the looking at the next phase of this really look at strengthening those goals
40 over what has been presented tonight. Thank you.

41
42 Chair Garber: Commissioner Fineberg followed by Holman.

43
44 Commissioner Fineberg: I would like to echo comments a couple of my fellow Commissioners
45 have made regarding the phrase in the vision statement that was introduced in the 1996-2006
46 vision statement. I take issue with the inclusion of the language at the end of the sentence that
47 says will include converting nonresidential lands to residential or mixed use. The previous
48 Comprehensive Plan did not include that. That language I think is in part responsible for our loss

1 of retail, for our loss of certain areas where we now have land use conflict with housing where
2 there was office, and some other unintended consequences that were not desirable. So would
3 echo comments of other Commissioners earlier that have said we need to consider the removal of
4 that phrase as we go forward.

5
6 A couple of other quick comments. When we considered transit and its effect and how it plays
7 with housing. I think it is important to recognize that transit within Palo Alto is not a level
8 playing field. There are large, significant parts of town that are not served well by public transit.
9 The City shuttle doesn't serve them. The Marguerite doesn't serve them. The bus schedules are
10 infrequent and the routes are poor, and continuing to decrease. So some of the generalities that
11 may work and may apply near University or near northern California Avenue simply don't hold
12 in other areas that were built in the traditional suburban model. When you are in an area that
13 does not have viable public transit routes when the level of service through key intersections is
14 decreased you don't have the option of public transit. What you do is, and I will speak
15 specifically for when you are on the very southern end of town, you get in the car and drive out
16 of town to Mountain View. From where I live it takes me less time to get to Valley Fair in San
17 Jose than it does to get in Sanford mall. The impact of that is my tax dollars go to San Jose and
18 that is something we are doing to ourselves. So I don't think it is fair to just say people will take
19 buses. Maybe we need to consider getting buses into those areas. A different discussion.

20
21 One other quick thing I might want to introduce into the conversation at this time. There is a
22 concept called a LULU or a Locally Undesirable Land Use. Palo Alto has several huge job
23 engines that while they are fantastic for our economy, fantastic for the brain trust, fantastic for
24 every measurable criteria you could ever come up with they create traffic, and that creates a
25 locally undesirable land use or condition. I don't know whether that concept and how LULUs
26 are dealt with in other areas such as at airports or garbage dumps, whether the way the law
27 allows LULUs to be treated would provide us with any sort of out of the box ways of considering
28 how we can handle having those job engines in our midst.

29
30 The last thing is that we have a job/housing imbalance and we are considering today the Housing
31 Element that requires us to zone land for housing because we have too many jobs. Is there a
32 concept of the opposite that in communities that have too many houses do they have what might
33 be called a 'job element' that requires them to zone for their jobs? Right now it is a one-way
34 street. We have to build houses but the jobs keep coming here. So you have this equilibrium
35 that you can never balance because with every new job you just have to keep building new
36 housing. So it is just this growth engine versus one way you could really achieve a balance is
37 where there are houses, inducements to get the jobs there then it balances for the goal of keeping
38 things local. That might have environmental goods but it would conflict our desire to have as
39 healthy an economy as we can locally. So I am not necessarily advocating for that but otherwise
40 the jobs/housing imbalance is simply just something that is a growth engine here. So thank you.

41
42 Chair Garber: Commissioner Holman and then Lippert.

43
44 Commissioner Holman: Thank you. I am going to be pretty brief. Again, I am pretty much in
45 concurrence with the comments that have been made. I think when we first started this
46 Commissioner Keller referenced something about schools and schools not being included in the
47 considerations. I am looking forward to seeing what the conditions are that would have to be
48 met in terms of application of this law. The other thing having not to do with land use or the

1 environment even is what the economic burden is. Communities are not going to be getting state
2 funding. We will be lucky to get any state funding for transportation purposes. The state is
3 taking away some of our local dollars now, “borrowing.” That is not going to change in the
4 short-term. We won’t likely ever get that money back. Housing units create a financial drain on
5 the community. They provide assets as well but they also provide the economic drain that we
6 can’t also ignore when looking at this in context. It is easy to sit in a chair and talk about the
7 flaws in something and how do we resolve it is something very different. I just don’t want us to
8 forget about the economic aspects of building a considerable number of housing units. It is a fact
9 that cannot be ignored. I also want to know how that is addressed or not in SB 375.

10
11 Chair Garber: Commissioner Lippert.

12
13 Commissioner Lippert: First of all I want to answer Commissioner Fineberg’s question with
14 regard to a city that has housing/jobs imbalance and that is Atherton. I don’t use Portola Valley
15 or Woodside because they are in Open Space but Atherton is actually wedged in between two
16 urban communities and they only have one use, residential, single family, minimum of one acre.
17 They don’t have any retail or office uses either. So that is the community that does have a
18 housing/jobs housing imbalance.

19
20 Chair Garber: I believe their jobs element is Palo Alto.

21
22 Commissioner Lippert: About a week ago, it was last Wednesday in fact, Mayor Drekmeier and
23 the City Council made some statements regarding Palo Alto’s reduction of greenhouse gas
24 emissions. So I think those are particularly important that we are going to begin to take a look at
25 that. That is one of the reasons why us looking at SB 375 in terms of our Housing Element is so
26 important.

27
28 I don’t see anything in the vision statements here that is antithetical to SB 375. What I am
29 saying here in fact is we need to put some meat on those bones. That is how we do it, by
30 beginning to look at SB 375 and being proactive rather than reactive.

31
32 We live in an auto-dependent landscape. Southern California has seven parking spaces for every
33 car. There may be homeless people but there are no homeless cars in LA. Now the reason I say
34 that is that CEQA is about saving the suburbs. It is about preserving level of service. It is not
35 about preserving the Sierras, the oceans, or what we consider to be the open spaces. That was
36 what it was setup to do, was to protect those natural resources. Today it is being used to prevent
37 growth rather than solve environmental issues. That is the rub. That is the reason why with
38 SB 375 it begins to take the wraps off of requiring CEQA review for sustainability, and these
39 kinds of developments. I just think it is so important to us to begin to look at how we can
40 incorporate the **tenets** that make up SB 375 and begin to incorporate. So what I am suggesting
41 here is in our vision statement beginning to look at things like half-mile radius around transit
42 centers and that those begin to be viable sites for higher density development. Looking at our
43 current bus routes and along El Camino Real where we have zoning for mixed use buildings and
44 begin to build into our vision statement those aspects of SB 375 that coincide with the types of
45 zoning that we have. I am not suggesting that we begin to poach R-1 zoning and turn it into
46 multifamily housing in any way. What I am beginning to do is say let’s begin to look at where
47 we can begin to be effective.

1 In closing, I just want to say if it is any consolation SB 375 is supported by the Natural
2 Resources Defense Council, the Sierra Club, the Urban Land Institute, as well as developers. It
3 is agreed upon as common ground by both environmentalists and the development community.
4 My hope is that we can begin to find common ground here on the Commission where we can
5 begin to implement some of those or achieve some of those goals that are outlined in SB 375.
6

7 Chair Garber: Thank you. Commissioners, any final comments? Commissioner Keller.
8

9 Commissioner Keller: Thank you. First of all, housing credit doesn't matter. Saving housing
10 units or building more housing than you are supposed to doesn't matter. We didn't get any extra
11 credit for the housing we built in the last Housing Element. In fact, basically it raised
12 expectations for ABAG this time. So it is sort of like no good deed goes unpunished. We built
13 extra market rate housing, so there, build even more now. That is the reality. What happened
14 instead is because we exceeded the amount of market housing we were required to build, we
15 were allocated last time not required to build but allocated last time, the housing that was
16 approved but not yet built could be rolled over into this Housing Element. That is what
17 happened. We didn't get credit for it. We simply rolled it over because it wasn't built yet.
18 Okay?
19

20 Smaller units are a great idea it is a good way to get extra units for the Housing Element. First
21 source hiring, great idea, it reduced vehicle miles traveled and greenhouse gases. One interesting
22 factoid is that Palo Alto employs a larger percentage of its residents within our own borders than
23 any city on the peninsula between San Francisco and San Jose excluding those two cities. We
24 employ a larger percentage of our residents. Over one-third of Palo Alto residents who are
25 employed work in our city, and a significant amount of those people even work at home.
26

27 Another thing as pointed out by Pat Burt, when he was Commissioner before he became Council
28 Member, when we looked at this years ago is that the ABAG Regional Housing Needs
29 Allocation is based 40 percent on the projected growth of Palo Alto. That projection being done
30 by ABAG, which means there is a circularity they said Palo Alto should grow, and then they
31 forced Palo Alto to grow based on that projection which seems to be sort of double counting. I
32 appreciate the remarks of Atherton having a limited number of jobs. I actually think Atherton
33 has a fair number of jobs they are called maids and servants.
34

35 I would be thrilled to think about a cooperative analysis for Santa Clara County comparable to
36 San Mateo County. But there is no one big city in San Mateo County. In San Mateo County the
37 biggest city is San Mateo. All the other cities, there is a relatively narrow band of divergence
38 between the smallest city in San Mateo and the largest city in San Mateo County. So it is
39 possible to come up with a regional kind of thing. If you do an allocation in Santa Clara County
40 based on population you wind up with San Jose getting all the votes. Okay?
41

42 So here is my proposal. For the next RHNA, because I do understand that according to state law
43 we can cooperatively with another city allocate our RHNA to them if they are willing to take it.
44 Now considering that our RHNA is 2,000 or 3,000 somewhere around that number of housing
45 units, considering that San Jose's RHNA is in the 100,000 range, why don't we just agree to give
46 San Jose all of our RHNA for the next Housing Element, all of our transit funding that we don't
47 get, and all of our housing funding that we don't get, and even our CDBG money that doesn't

1 amount to much? We can say here, you take this in your Housing Element. You build it all and
2 we don't have any. I would be happy with that.

3
4 Let me point out that even the idea of the Housing Element here in terms of promoting reduced
5 vehicle miles traveled, the average commute for somebody working in Palo Alto, wherever they
6 live is 16 miles, the average commute distance. The average commute distance for somebody
7 living in Palo Alto working anywhere is 11 miles. So essentially by putting an extra housing unit
8 in Palo Alto you are essentially reducing the commute distance by five miles. Now there is no
9 reason to believe that that housing unit that you build in Palo Alto means that the person is going
10 to work in Palo Alto. Only about one-third of the people live in Palo Alto and are employed or
11 work in Palo Alto. And that is the highest percentage of anywhere along the peninsula except for
12 San Jose and San Francisco. The thing is that people who live in Palo Alto are two-thirds more
13 likely to work outside so they are just going to commute somewhere else. So it doesn't really
14 mean there is going to be reduced commuting. Two-third of the commutes into Palo Alto and
15 two-thirds of the commutes out of Palo Alto are by single occupancy vehicles and that is not
16 going to change. Basically the percentage is practically the same within and outside Palo Alto.
17 The main difference in commutes is that for people commuting into Palo Alto they are more
18 likely to take transit or people living in Palo Alto are more likely to walk or bike. So essentially
19 we need to more, we can do more to promote our jobs to reduce vehicle miles traveled through
20 Transportation Demand Management as I mentioned earlier to reduce vehicle miles traveled, but
21 that going to be much more effective, anything we can do to reduce greenhouse gases and
22 vehicles miles traveled than any amount of housing we build.

23
24 Chair Garber: Commissioner Lippert, and then anyone else. I am not seeing anyone else. So
25 Commissioner Lippert you have the final word.

26
27 Commissioner Lippert: Thank you very much. I don't know what a factoid is but I do have a
28 fact. The largest city in San Mateo County actually was San Francisco until San Francisco
29 annexed San Mateo County. Today the largest landowner in San Mateo County is the County
30 and City of San Francisco. They also happen to be the largest employer in San Mateo County.
31 So I am just sharing that factoid with my fellow Commissioner.

32
33 In closing I just want to say something. This week I happen to make a trip up to the second floor
34 in the Utilities Department. In the Utilities Department they have a number of historic
35 photographs including one of a City Council Member that actually looked a lot like Council
36 Member Burt taken back at the turn of the century. But there is also a photograph of looking
37 down University Avenue from University Circle before University Circle was built. There is a
38 marquee that actually spans the street, several marquees, and on that marquee I think we are all
39 familiar with it, it says Palo Alto. I would say that looking at that street I would say there would
40 be very few of us that would be comfortable living in a Palo Alto back in that day and time.
41 High technology, high-tech wasn't even thought of back then. Electricity was high-tech. The
42 streets are basically boardwalks and the street is basically mud.

43
44 So in putting together this vision of our Housing Element of the Comprehensive Plan what is
45 important here is that future generations will look back at Palo Alto and perhaps say to
46 themselves how did they ever cope? How did they ever manage? How could they be so
47 inefficient? How could they not see all of the environmental crises we are facing today? How
48 could they be irresponsible?

1
2 Chair Garber: Okay. Let us move on. Thank you for all of your comments. Congratulations we
3 also are I would say just exactly at our two hour mark.
4

5 Item number three is the Annual Report to Council. I had forwarded to all of you the lists of the
6 items that were in front of the Commission in the 2007-2008 fiscal year, and the 2008-2009
7 fiscal year and wanted to get your input as to what trends you would like to propose be included
8 in the Report to Council. Any Commissioner care to go first? Commissioner Keller. I should
9 mention that the Chair did receive suggestions for these trends from Commissioner Keller and
10 from Commissioner Martinez. If I may I will ask them to repeat them now. Thank you.
11 Commissioner Keller.
12

13 3. P&TC Annual Report to Council
14

15 Commissioner Keller: Thank you. So in terms of 2007 and 2008 I believe we had, in old ones
16 we had eight trends, is that right?
17

18 Chair Garber: I can check. I believe it was eight.
19

20 Commissioner Keller: I thought for 2007 and 2008 there were three trends that were worthwhile
21 considering. The first trend is that the City has missed or is at risk of missing or delaying several
22 opportunities to work with Caltrans to improve traffic flow in the bicycle network in Palo Alto.
23 The intersection of El Camino and Page Mill Road that came up in the Pepper Tree traffic
24 calming at that time. The onramp to 101 south from San Antonio Road and that came up in
25 among other things with respect to **the Ciardella's** and things like that. There are various
26 comments about that. The bike overpass across 101.
27

28 The second trend is that VTA continues to reduce bus service for Palo Alto and they reduced
29 service for 22, 35, and 88. The third trend for that year was with respect to GM and LM zones
30 having transition in particular for 940 East Meadow Drive, housing replaced LM. For 1101 East
31 Meadow Drive housing replaced LM. For 901 San Antonio housing and community center
32 replaced GM. For 2370 West Bayshore housing replaced LM. There may be others that I have
33 missed.
34

35 Chair Garber: I am sorry those examples are in support of which trend?
36

37 Commissioner Keller: The trend that there are transitions of land away from – there is erosion of
38 GM and LM zones.
39

40 I don't remember whether 195 Page Mill Road is in this timeframe but that would also be an
41 example of a conversion of that form.
42

43 Chair Garber: Okay, thank you.
44

45 Commissioner Keller: May I continue?
46

47 Chair Garber: Yes.
48

1 Commissioner Keller: With respect to 2008-2009 I have some different trends. So the first three
2 trends continued that I mentioned the last time. Then there is a fourth trend that I added to this
3 which is that Design Enhancement Exceptions are being granted inappropriately. In particular,
4 278 University Avenue came before us and we and the City Council had heartburn with the DEE
5 for the 50 foot height limit. There was a study session of August 27, 2008 that considered other
6 examples but I did not have those study session notes handy. In that we particularly looked at
7 the issues of DEEs.

8
9 I can come back later and talk about issues and impacts unless you want me to do that now.

10
11 Chair Garber: Let's come back to it.

12
13 Commissioner Keller: Okay, thank you. Then I will reserve time for later.

14
15 Chair Garber: Thank you. Commissioner Martinez, could you share your various trends with
16 us? If you are willing.

17
18 Commissioner Martinez: Actually I wasn't really prepared to talk about that. My main point
19 was really to take issues of the day and sort of reflect back on perhaps how they got us here or
20 what their status was in 2007-2008 or 2008-2009. I took transportation, our economy, housing,
21 and I think one other and just tried to pull some items from your list that sort of reflected sort of
22 what was going on at the time. My whole purpose was to try to do a very concise point and I
23 think I titled it sort of '25 Hot Topics' or something like that to really point out the things that we
24 felt were the most relevant to then and to now, and not to revisit most of the items that the
25 Council had seen.

26
27 I understand there is a precedent for trying to stay with the format that was previously used and I
28 respect that. I am hoping for the next report that I get a chance to sort of pipe in and sort of give
29 my view again of sort of how we should be looking at our conversation with the Council.
30 Basically, since I wasn't present, sort of an outsider's view at what I would be looking for in a
31 concise report to the Council. Thank you.

32
33 Chair Garber: Thank you. Commissioners? Commissioner Keller, how about some impacts?

34
35 Commissioner Keller: So in terms of the impacts and recommendations I didn't see that much
36 change in terms of 2007-2008. I didn't identify any more although in my edits I had written little
37 tiny things throughout. The main thing that I want to point out is that I did see an additional
38 impact in 2008-2009, which became apparent to us. It was that project approval process results
39 in incomplete analysis of development effects.

40
41 Chair Garber: State that again. I'm sorry.

42
43 Commissioner Keller: Project approval process results in incomplete analysis of development
44 effects. Let me read what I wrote to explain it. The negative impact is the project approval
45 process sometimes allows too early commitment to project specifics, for example, Alma Plaza.
46 Involves inappropriate use of DEEs, for example, 278 University Avenue. Or limits the ability
47 of the PTC to provide specific feedback on projects or to approve them with binding conditions,
48 for example, College Terrace Center, which we dealt with.

1
2 Recommendation, revise the project approval process to enable early imposition of restrictions
3 but approvals late in the process when the full scope and impacts of the project are known.
4 Include in the CEQA analysis of the project the cumulative impacts of nearby pending,
5 anticipated projects. That was a problem with the Elk's Club and the Hyatt. Those were
6 piecemealed out. Evaluate how traffic impacts should be determined when there is new
7 development replacing one or more buildings that have been partially or completely vacant for
8 an extended period of time rather than assuming a hypothetical full occupancy as a baseline.
9

10 So have been hearing a bunch of stuff that people talked about over a period of time and I think
11 that that sort of captures a bunch of different things people have been talking about. Thank you.
12

13 Chair Garber: Commissioner Tuma.
14

15 Vice-Chair Tuma: I would just add to the project approval process some sort of recommendation
16 or mechanism where there is absolute deadlines for submission of materials from applicants. If
17 those deadlines are not met that the matter automatically has to be kicked until there is adequate
18 opportunity for the public and the reviewing body to analyze the information. We had several
19 situations in the last two years where modifications to a project were presented literally at the
20 eleventh hour to Council but prior to the public, the Planning Commission, or even Council
21 Members having adequate opportunity to review that information. So I think there somehow
22 needs to be a mechanism that just simply prohibits that and doesn't allow for people to say oh
23 well, let's just keep it moving forward anyway. I don't know exactly how we would define that
24 but something. I heard over and over, even Council Members when this information was given
25 to them bemoaning the fact that they got it, they really shouldn't be doing this, they shouldn't
26 allow it in the future, but they will allow it that time. That has to stop.
27

28 Chair Garber: Thank you. Commissioner Fineberg and then Holman.
29

30 Commissioner Fineberg: Is it okay if I go back to the three trends for the 2008-2009?
31

32 Chair Garber: Of course.
33

34 Commissioner Fineberg: Okay, great. First one is the adequacy of parking in mixed use
35 projects. I think that we have gotten a lot of feedback from the public that it is inadequate,
36 though I am not certain Staff has been able to analyze whether that is just anecdotal and isolated
37 information or in fact overwhelmingly accurate. So I think that points to a need to have Staff
38 study impacts.
39

40 Chair Garber: Was that for mixed use projects?
41

42 Commissioner Fineberg: I am sorry, multifamily. Excuse me. I did misspeak. Multifamily.
43 Thank you. So I think we need to better understand those impacts and then if it is simply
44 anecdotal, adequate response, and if indeed there is a significant issue we then need to address it
45 or consider addressing it appropriately through zoning.
46

47 The second one, I have the benefit of 20/20 hindsight. The question is whether we could have
48 potentially spotted issues with private streets. I view the action by private residents as an

1 indication that maybe the process failed to work the way the citizens would have wanted. So the
2 citizens acted. So I question looking at the parking in multifamily the same way that we should
3 be proactive rather than forcing our residents to use blunt instruments.
4

5 So acknowledging that maybe we missed putting up a red flag on the private streets issues. We
6 did have some study sessions. So the second issue is maybe we missed and should have run up a
7 red flag on that.
8

9 The third issue where I think we maybe almost are missing running up a red flag is the general
10 category of Planned Community and PC zoning. The impacts are varied depending on what the
11 project is and it can be anything from the lack of administrative enforcement of the PC benefits
12 or how the project review process is working. Much of that has to do with the work that is
13 ongoing of the PC Subcommittee. I think that we know that we get much public feedback that
14 the public is not, no matter which side of a project they fall on pro or con, the process isn't
15 working. That's it.
16

17 Chair Garber: Thank you. Commissioner Holman.
18

19 Commissioner Holman: Yes. Several things and mine are kind of more lumped than per year
20 because some of the projects that we saw went across the timeline.
21

22 An issue for me is as we saw in several projects the issue of public and private open space.
23 Exceptions are being granted, especially in the PC projects but other projects too. It seems like
24 public and private open space are both being minimized. It is a quality of life issue. It is an
25 environmental issue.
26

27 Having to do with Site and Design process. The process that I am supposing that we are going to
28 follow for a most recent project that came before us it seems appropriate that we would
29 recommend a change perhaps that we do Planning Commission, ARB, and back to Planning
30 Commission.
31

32 There is a split of consistency or cohesive planning and decision-making when it comes to
33 application of DEEs and Variance. I have three topics there. One is as we discussed before, and
34 some of this is consistent with our last report that we did for 2006-2007. DEEs are being I think
35 as Commissioner Keller reference, that DEEs are still being inappropriately assigned given their
36 intention for minor application. Variances and DEEs are both being counted in ways that do not
37 inform members of the public or decision-makers or recommending bodies as to the extent of
38 those exceptions. That is also consistent with previous report and that has not yet changed.
39

40 One of the things that I would say that would eliminate some of this tension and the desire on the
41 part of applicants to go for Design Enhancement Exceptions, and this would be under
42 Recommendation that the DEEs and Variances both be under the purview of the Planning and
43 Transportation Commission. That will stop this divided, no you can't touch that, no that is ARB,
44 no this is your purview, no that is not your purview. We have all found ourselves caught and
45 stuck with that and not able to make cohesive comments on projects.
46

47 With setbacks on a number of projects that have come before us the issue of again adequate
48 setback to allow for adequate sidewalk passage and plantings is an issue that I think has gotten

1 even more extensive in the more recent past, but also on projects that are on the list here. Not
2 only do we have setbacks that don't gain popular support in the community, but aside from that
3 they don't promote the best use of the public paths. They also don't allow for adequate growth
4 of trees. The buildings are so close to the curb that trees can't grow adequately there. You can
5 go up and down El Camino and see that.

6
7 When looking at parking considerations we saw this for Alma Plaza for instance. That is
8 probably the greatest example of this. We can't look at projects from lot line to lot line. The
9 impacts and considerations are broader than that. I am speaking of context once again. We can't
10 assume that because one property owner isn't responsible for overflow parking on the adjacent
11 property we also can't assume that overflow parking doesn't still happen and then apply a lesser
12 parking ratio for the project adjacent to a project that is known to be under-parked. What
13 happens as a result of that as we saw on 101 Alma and we have seen also at the Hyatt project
14 prior is that we get pushback from the community because of their concerns, which have often
15 maybe not always but have often turned out to be true, we end up compromising our ability to
16 provide good connectivity through and to projects.

17
18 I agree 100 percent if not 150 percent with Commissioner Tuma's comment about submission of
19 late materials.

20
21 The Planned Community Zone projects that we see, Commissioner Keller said this very well on
22 a more recent project, but it still applies to most Planned Community projects that we including
23 Alma Plaza. Because as a City we don't conduct pro formas I would suggest that we should
24 consider to the extent that is, I really almost don't like the word feasible, that is readily and
25 reasonably attainable that we do do pro formas. What we are faced with is zoning changes that
26 grant considerable exception and density of projects in exchange for public benefits that – or I
27 should say without any knowledge of what the balance is. It doesn't have to be a quid pro quo, I
28 am not that regimented. However, when you have no idea of what we are getting in exchange
29 for what we are giving we are really making decision in the dark. Commissioner Keller's
30 comment for something more recently was we are doing faith-based zoning.

31
32 Chair Garber: Question? When you use the word pro forma are you asking for view into a
33 particular project's financial viability? Is that what you are asking about?

34
35 Commissioner Holman: Yes, there are some basic numbers that could be generated about how
36 much a project costs to build per square foot, that sort of thing. Right now what we are looking
37 at is if we get any information it is just an applicant saying that well, I can't afford to do that, and
38 we are making decisions based on that kind of general information. Or we are using the numbers
39 that an applicant provides with no input from any kind of peer evaluation of that or City
40 weighing in on that. So I think Vice-Chair Tuma has some comments.

41
42 Chair Garber: Vice-Chair Tuma.

43
44 Vice-Chair Tuma: I don't know that it is necessarily overall financial viability of the project so
45 much as it is analysis of the public benefit that we get. What does that cost and what does it take
46 for the applicant to in a sense recover that cost? So I am not sure that it is the overall financial
47 viability of the project so much as it is if we are giving a public benefit in a certain amount and
48 the argument that the applicant is making is well, this is costing me X so I have to have a way to

1 recoup that. In my view the pro forma or the financial analysis you would look at is what does it
2 cost to provide that benefit and therefore should there be some relationship between that cost and
3 the additional density or whatever else it is that the applicant is asking for. It is that tradeoff that
4 at least to me is more interesting and more appropriate.
5

6 I think if we start getting into looking at the overall financial viability of a project we may be
7 getting into an area where it is not appropriate.
8

9 Chair Garber: Let's not debate the pros and cons of this at this time. Let's just collect the
10 information because we can schedule debate later.
11

12 Commissioner Holman: Just to be clear, when I am speaking of pro forma I am referring to
13 those aspects of the project that Commissioner Tuma refers to as well. So we are speaking the
14 same language here.
15

16 The other things I note from the projects that we looked at are two other things. We still have
17 the issue of the Tentative Map process that has not been resolved. The other thing, which I have
18 mentioned a few times is that we also while in – when did we start this? At my fingertips I don't
19 see my mark on it. We started the G Overlay conversation quite some time ago. We have had
20 two projects that have come to us. One was pretty much concurrent with that and another since
21 that without benefit of having had any further discussion on the G Overlay. So my concern and
22 issue here is that we do project-by-project consideration without forwarding in a timely fashion
23 also the broader policy and zoning and land use issues that we have brought forward for
24 consideration. So we are letting those languish. We have Edgewood Plaza that will be coming
25 to us and yet we have not had the discussion about G Overlay yet. One could argue that that also
26 is a Planned Community Zone but we still, I believe, need to have the G Overlay discussion so
27 that we know what our bases are and what our good practices might be. I think that covers pretty
28 much my comments.
29

30 Chair Garber: Thank you. Commissioner Keller, did you have your light on? Commissioner
31 Keller.
32

33 Commissioner Keller: Two things about the notion of at least partial or financial pro formas. I
34 agree with Commissioner Tuma that it makes sense to have the information so that the amount of
35 public benefit is commensurate with the benefit to the developer of the increased zoning
36 provided to that developer. When a developer makes reference to the un-affordability, financial
37 affordability, of doing something then essentially the developer should not be allowed to hide
38 behind that statement without releasing the financial pro forma. In other words, put up or shut
39 up kind of thing. If you want to use a claim then you have to justify that claim with the
40 necessary data.
41

42 I do point out that the PC ordinance now does require some disclosure of financial information
43 that we have not been getting. There is information in there about residential rents and
44 residential for sale units that are in the ordinance that I have never seen even though we have had
45 several PCs of that kind. So that is an incomplete capturing of the information that is actually in
46 the ordinance.
47

1 I would like to put a finer point on the point about parking mentioned by Commissioner
2 Fineberg. To me the issue is that the inadequacy of parking in multifamily projects, particularly
3 those with large units and with enclosed private garages. Those seem to be the most
4 problematic. Essentially once you get to two bedrooms the amount of parking required does not
5 go up. Two bedrooms, 20 bedrooms, same number of parking spaces essentially. Private
6 garages essentially make it that much more easy to use the space for storage rather than for
7 parking. While [REDACTED] limit to those that is the situation we have come up with that have
8 been the most egregious is the combination of those two.
9

10 Other than that I basically agree with pretty much the extent of the comments that have been
11 made. I guess our subcommittee will have a lot of work to do when we assemble this and put it
12 together.
13

14 With respect to Commissioner Holman's comments, which I agree with pretty much, I think that
15 the challenge will be for us to tie those to particular projects because we have identified these
16 trends based on the projects. So we will have to go back and identify that this thing came from
17 these projects or whatever. That is going to be our challenge.
18

19 Chair Garber: Commissioner Tuma you wanted to get a word in there.
20

21 Vice-Chair Tuma: I just want to say to Commissioner Holman if she has already done that work,
22 if you have already identified in your mind projects from the last two years because you sort of
23 lumped those years together it would be great if you would just forward that information to us.
24

25 Commissioner Holman: It would probably be easier if you don't mind if I talk with one of you
26 by phone as opposed to typing this all up.
27

28 Chair Garber: Maybe we could talk this Sunday like at 1:30? One of us will talk with her. We
29 will call her.
30

31 Commissioner Holman: I had one other one to add.
32

33 Chair Garber: Yes. Commissioner Holman and then Lippert.
34

35 Commissioner Holman: This is related to the Tentative Map issue. It has to do with what
36 projects get reviewed by Planning Commission and Council, or at least Planning Commission, as
37 opposed to those projects that get reviewed just by the ARB. Again, I would refer to the
38 Tentative Map, not only that process but also because there are larger projects the Commission
39 doesn't see we really weigh in so late that we get no input at all. I don't have the magic numbers
40 here, but it would seem to me that projects of certain sizes should come automatically to the
41 Planning Commission whether they conform with zoning or not. So I am going to just throw out
42 there some tentative numbers, and I am not married to these. If a project is let's say two acres or
43 more, or if it has 15 housing units or more, or it has and I don't know what the total square
44 footage should be but an FAR of X, a total number of square footage of X if it is a mixed use
45 project that it should come to the Planning Commission. There are a few reasons for that. I
46 think we have seen some disappointment in the community pretty broadly with the Hyatt project,
47 with the Elk's project we saw only the Tentative Map. I won't go any further down that road. It
48 just makes sense that the community should have more than an eight o'clock in the morning

1 opportunity and daytime opportunity to weigh in on such projects. I think projects of larger than
2 some such sizes deserve a more thorough vetting. I think we will doing not only the public a
3 better service because hopefully we would come up with a better result, but also give public
4 opportunity to weigh in, give the Commission and Council opportunity to weigh in.
5

6 Chair Garber: Thank you. Commissioner Lippert. I was about to say that I agreed with just
7 about every comment that was made here and then Commissioner Holman made that last
8 comment and I totally disagree with that. I am not going to debate that one but I think a lot of
9 that stems from this community having buyer's remorse. We see a project such as the initial
10 Alma Plaza project, which was a proposal to do a complete redevelopment with retail and then a
11 small housing component, and this community got really scared about it and sent the developer
12 away, which would have had a real supermarket as well. There was a lot of pushback on the part
13 of the community and the net result of that was that they came back with more housing and less
14 retail. I see this again and again, with Hyatt Rickey's site where there was a hotel proposed there
15 with some housing and there was pushback or the Palo Alto process and the net result is we
16 wound up with more housing. So I am not going to go any further with that.
17

18 I wanted to raise a different point that is a trend I see, which is the whole issue of public versus
19 private streets. It sort of slipped through the cracks. We see that coming up again and again and
20 again. The net result of that I believe is the neighborhood parking issues from multifamily sites.
21 So if the private streets were meant to deal with the standards of what our public streets have and
22 there are street easements placed upon those then they would need to come up with adequate
23 parking within the development that matches the street pattern of the city.
24

25 Chair Garber: Thank you. Commissioner Keller.
26

27 Commissioner Keller: I appreciate the comments of Commissioner Lippert with respect to the
28 public and private streets. I think I agree with those as being issues.
29

30 With respect to Alma Plaza I think that there were several proposals. I don't want to rehash this
31 too much. The first proposal basically said a gigantic supermarket compared to Palo Alto
32 standards along with a little bit of housing and few other stores, which is not really a
33 neighborhood center. The next proposal was somewhat smaller grocery store, the same amount
34 of non-grocery store retail, in other words very little, and more housing. The last proposal we
35 had was a smaller grocery store, about the same amount of non-grocery store retail, and more
36 housing. The community never complained about the amount of retail. They complained about
37 the amount of retail devoted to a single grocery store. The community I think would have been
38 very happy if that had been broken up similar to the way Alma Plaza is now built out and was in
39 existence alive 20 years ago, which was a moderate size grocery store with lots of other retail
40 making a viable retail center and a modest amount of housing that provides the periphery to
41 provide buffering. That is not what anybody ever saw.
42

43 With respect to the Hyatt, what happened there is the process was trumped because the developer
44 realized that our housing rules allowed housing anywhere. Therefore the developer said I am
45 going to take my marbles home and put housing anywhere. If we had prior to 2006 passed the
46 ordinance that mean that CS zoning had to have mixed use we would not have seen what was
47 built at the Hyatt. We would have seen a mixed use thing.
48

1 So I think the issue is it is easy to blame the Palo Alto process on what was developed. The
2 problem is that the Palo Alto process is reactive to what the community looks at and says I don't
3 like this. The problem is that we are not doing what my fellow Commissioner Karen Holman
4 refers to as zoning for what we want. We do very little of that. We should zone much more for
5 what we want where. In addition, we should do a lot more in terms of being proactive of
6 describing what it is we want in those particular sites. Not only the nature of it in terms of
7 zoning but also the kinds of developments we want. Part of the problem is that there is a process
8 I alluded to when we look at a PC zoning we only have the ability to say no. We are developing
9 processes I understand in terms of having straw votes so we can say this is what we want. So the
10 developer can't come back and say he got answers all over the map because one Commissioner
11 said X, six Commissioners may have said Y, or five Commissioners may have said Z, but the
12 developer didn't get that consensus sort of straw vote where we can basically say this is what we
13 want and provide a voice to that. We also don't have the ability to initiate with conditions,
14 which are binding and thereby allow the process to move forward and trust that when it comes
15 back to us it will be along those processes. So flaws in how the PC process works and flaws in
16 terms of our ability to describe a vision for what kind of land use we want essentially is what
17 makes the Palo Alto process even worse. It is easy to say no at the end and hard to say yes to
18 what it is we really want because we can't say what we really want. We have not had a process
19 for doing that.

20
21 Chair Garber: Commissioner Holman. We are talking about stuff that is really not related to our
22 report here. We need to talk about trends as opposed to rehashing old projects here but if you
23 have something to add, please do.

24
25 Commissioner Holman: Thank you. I was realizing that I didn't remember seeing the CIP in
26 here. Maybe I just overlooked it.

27
28 Chair Garber: Interesting.

29
30 Commissioner Holman: Here it is on 5-6-09 but I don't remember seeing it in 2008.

31
32 Chair Garber: Page and item number? Are you looking at this?

33
34 Commissioner Holman: On page 5 of 5 it is on 5-13-09. I don't remember seeing it in 2007-
35 2008. I may have just overlooked it but I don't recall it. My point here has to do with process
36 for the CIP. I won't have all the comments, but I think it might benefit actually, and I apologize
37 I just thought of this this evening. It might benefit our process as we go forward and review the
38 CIPs in the future that we beforehand enunciate the issues that we see and want to have
39 addressed in the CIP. We have done that to some extent and there have been great improvements
40 in that. I think we maybe could learn somewhat from what happened on the California Avenue
41 tree situation to see if there was something that was overlooked. It did have a process it was
42 supposed to go through that didn't happen. It sort of overlooked somehow three bodies that were
43 supposed to review the project. One of the things I notice consistently when we have CIPs that
44 come in front us is there is a statement that evaluates too often whether something is
45 categorically exempt from CEQA out the shoot. I think we need not do that. That might provide
46 another trigger. So I will try to say this more concisely. If when the CIP comes to us if there
47 isn't just kind of this tendency to say categorically exempt from CEQA, category exempt from
48 CEQA, but rather the project comes to us with an understanding that the environmental analysis

1 on most projects might still need to be done. That might help catch the eye of those who are
2 supposed to be following process. There might be other things that other Commissioners have to
3 offer too.
4

5 Chair Garber: Commissioner Fineberg.
6

7 Commissioner Fineberg: The CIP process of review and approval is another trend that we do
8 have the benefit of hindsight on and I would concur with Commissioner Holman's comments. I
9 would also like to add that having a revised process from beginning to end of CIP review, I
10 understand a great deal of that is Council's purview, but one of the things I think that would be
11 derived from a better process there is increased public participation on the front end. Given that
12 that is one of Council's priorities I think it might benefit if that is one of our recommendations
13 that we cite that enhanced public participation. The CIP is kind of the discretionary spending in
14 the budget. It is the one place where residents can say this is what we need and why. Right now
15 it is more Staff is saying here is what we have gotten, here is what we are going to do with it. So
16 I think having that public component in there would be a very valuable addition. Then on the tail
17 end of it the implementation of the review being changed. So the recommendation would be
18 something that I think Council has already started, the Finance Committee I believe
19 recommended reviewing the process, but I think it would benefit if we recommended pieces of
20 that change, one of them being the public participation and two being the implementation
21 reviews on the tail end.
22

23 Chair Garber: Commissioner Lippert.
24

25 Commissioner Lippert: Just one other trend I see and it may in fact not be a trend it just may be
26 a byproduct. I think I have seen more affordable housing projects, BMR projects, come before
27 us in the last two to three years than I have in the 12 years that I have been on the ARB or the
28 Planning Commission. That may very well be a factor of just an increased amount of
29 multifamily housing being built. But those projects are standalone and I am thinking of Tree
30 House, Bridge Housing, and the on Fabian. So there are a whole variety of below market rate
31 housing projects that I have seen come forward. As I said I don't know if it is just a byproduct of
32 the fact that there are more multifamily housing projects being built.
33

34 Chair Garber: Okay. Thank you all. The one thing that the subcommittee will also be looking
35 at is some of the data that the City issues to look to see if there are trends there. One comes to
36 mind immediately and that is in the 2008-2009 is the significant decline in building permits
37 being issued which potentially has a very significant impact on our community in a variety of
38 ways. This reflects most likely the economic issues that our community is dealing with, in
39 particular the lack of available funding for projects, which will likely have a significant and long-
40 term impact on our community. We will be informing you of those when we get you a draft
41 report.
42

43 I don't see any other lights. Let's check what else we have to do here. We have no minutes to
44 approve.
45

46 **APPROVAL OF MINUTES:** None.
47

48 **REPORTS FROM OFFICIALS/COMMITTEES.**

1
2 ***COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.***
3

4 Chair Garber: I have one more Council Representation duty this coming Monday. November is
5 being taken by Commissioner Lippert. Does anybody want to take the couple of times that the
6 Council meets in December to be the rep then? Any one?
7

8 Vice-Chair Tuma: Sure, why not.
9

10 Chair Garber: Commissioner Tuma. I don't think we have anything else here. Let's hear from
11 Commissioner Keller and then we will go to the Director.
12

13 Commissioner Keller: I have been looking at the issues of high-speed rail lately. Two decisions
14 that have been made in the not too distant past concern me about the issue of the potential for
15 high-speed rail. One of those is the seating of right-of-way along Embarcadero Road to Town &
16 Country. If it comes to pass that high-speed rail is under-grounded at that intersection what we
17 will wind up with is that on Embarcadero Road it will probably rise to the surface and have an
18 intersection with Alma Street, in which case we will need that right-of-way back. I am
19 concerned about what might happen there.
20

21 The second thing is respect to 195 Page Mill Road. That is a zero lot line project where I believe
22 it was allowed with the required landscaping that shields it being on the Caltrain right-of-way. I
23 am not sure if that is compatible with the plans for high-speed rail as they are currently
24 envisioned. Therefore it would be worthwhile checking with Caltrain to see whether in fact that
25 zero lot line and the use of right-of-way on the Caltrain side is still something that they would
26 agree with. Thank you.
27

28 Chair Garber: Commissioner Fineberg, then Holman, and then Planning Director.
29

30 Commissioner Fineberg: Quick question for Staff. On Monday night the Green Building
31 Ordinance went to Council. You will have to forgive me but my memory is a little rusty. I
32 thought that the Green Building Ordinance when we heard it a year ago was going to come back
33 to us because we were interested in revisiting it after one year of experience. So is it going to
34 come back to us now after Council or is my memory false and it was not to come back to us?
35

36 Mr. Williams: It did come back to you. It was basically a report on the first year.
37

38 Chair Garber: I was remembering a report.
39

40 Commissioner Fineberg: Okay, thank you. False memory.
41

42 Chair Garber: But the report we will see at some point.
43

44 Mr. Williams: You saw the report at that point ofwait a minute.
45

46 Chair Garber: I thought there was a formal report that is going to get issued to the Council and
47 then we will see it at that point.
48

1 Mr. Williams: We can send you what the Council got. What they saw on Monday was
2 documenting the number of projects and that. Of course there have not been a lot that have
3 really been finalized with the data.
4

5 Chair Garber: If that is email-able I would be very interested in seeing that. Also, as a quick
6 note if you could email the PowerPoint presentation that you had the Housing Element. I don't
7 think it was in an email previously. Commissioner Holman.
8

9 Commissioner Holman: Yes, having to do with future meetings. Since the one CIP item that
10 was in our two year analysis was conducted in May is this CIP that is the future budget item is
11 that a preliminary so we can weigh on these other issues as opposed to the May review?
12

13 Mr. Williams: Do you want to go ahead and report on the CIP?
14

15 Ms. Caporgno: We had a discussion actually today, but we knew this was coming. On Tuesday
16 night the Administrative Services Department, the budget folks, are taking a report to the
17 Finance Committee describing the change process that we are going to be implementing this
18 year. We will be coming to the Planning and Transportation Commission on November 4 to
19 discuss the CIPs from last year, your comments that you made in the letter that was sent to
20 Council, and you will have an opportunity to suggest any other CIPs that you think should be
21 incorporated this year into the program. Then that will be going through the process. Whatever
22 Staff does incorporate that goes to Council will also include any items that you have identified
23 even if we haven't incorporated them so that the Council will have the opportunity to review
24 those also.
25

26 Then you will have the same exercise at the end of the process that you undertook this past year.
27

28 Chair Garber: One moment Commissioner Keller. Commissioner Holman, would you like to
29 finish up? Or do you have something else?
30

31 Commissioner Holman: I did. Is yours a follow up related to this?
32

33 Commissioner Keller: Yes.
34

35 Commissioner Holman: Okay.
36

37 Commissioner Keller: We had talked about getting the list of infrastructure backlog items so
38 that we know what needs to be done as opposed to merely knowing what is proposed to be done.
39 I assume that list will be part of the November 4 meeting?
40

41 Ms. Caporgno: When we talked about it today that wasn't discussed. I can check with public
42 works tomorrow.
43

44 Mr. Williams: Was that in the letter from the Commission?
45

46 Ms. Caporgno: It is in the letter.
47

48 Commissioner Keller: I believe it is in the letter.

1
2 Mr. Williams: Then they are going to provide responses to that. So we will mention that to
3 them.

4
5 Commissioner Keller: I believe we had asked for it so we know the universe of all the projects
6 that might exist so we can say this one should be done sooner even though it is not on your list.
7 Thank you.

8
9 Commissioner Holman: The other topic is the Palo Alto Bowl Tentative Map. Thank you
10 Curtis, my understanding is that several changes have been made to the project since it came
11 here. I just thought the Commissioners might be interested in it because we had numerous
12 comments on that project. I thought the Commissioners might be interested in a bit of an update
13 on that in addition to looking at the map if you wouldn't mind.

14
15 Mr. Williams: I don't know if I recall.

16
17 Commissioner Holman: When it comes to us would be fine.

18
19 Mr. Williams: We will provide that detail when it comes to you. Just real quickly I know most
20 of the changes that the ARB has looked at were made in response to Commission comments.
21 Then the ARB is pushing for refinement of some of those like opening up some of the area along
22 El Camino as far as being more pedestrian oriented. It is not changing uses per se but having
23 some of the sort of nonresidential component of it up on the street and having less of a residential
24 feel there. On the Monroe side the sidewalk that was out to the street they pulled some of that,
25 not all of it, but a good portion of it back in to wrap around the trees on the inside of the trees
26 instead of being at the street curb basically. Then the three homes that are along Monroe they
27 have made some changes to those and the ARB is still looking for further changes to make them
28 somewhat more compatible with the homes in neighborhood. I think with the thought that the
29 homes that are on the interior of the development maybe aren't as critical to make that kind of
30 change with. When we bring the map to you we will detail those changes for you at that time as
31 well, and any others.

32
33 Commissioner Holman: Thank you very much.

34
35 Chair Garber: Planning Director you had some other things for us.

36
37 Mr. Williams: Actually the main one was the CIP. We just wanted to report to you. We will get
38 you a copy of the report that goes to the Finance Committee next week but it basically process
39 oriented. Just for you information, it also is going to suggest that we visit with a number of other
40 Boards and Commissions early in the process too to get initial input on that. Then as Julie
41 mentioned we will be coming to you on November 4.

42
43 Then I think you probably already know but just in case, tomorrow night is another community
44 meeting on the California Avenue trees at Escondido School, at 6:30.

45
46 Chair Garber: There is a prompt for Staff about TAG.

47
48 Ms. Caporgno: There is a TAG meeting tomorrow.

1
2 **NEXT MEETING:** Special Meeting of October 28, 2009 at 6:00 PM
3
4 Chair Garber: Commissioner Holman, your light is on. Did you have anything else? With that
5 we are adjourned. It is 10: 26. We make up for half an hour from our last meeting.
6
7 **ADJOURNED: 10:25 PM**