

To: Land Use Subcommittee serving the Citizens Advisory Committee

From: Dan Garber & Arthur Keller

Date: August 23, 2016

Subject: Draft Basement Policy & Program Language

We offer draft language for the Land Use Subcommittee for consideration in your discussion of basement policy and programs as part of your recommendation to the larger CAC committee. This draft language is designed to replace Policy L-3.8 and Program L-3.8.1 that was in the draft Land Use Element that was presented to the CAC on August 16, 2016.

Note that these policy and program suggestions would support policy and programs that are aimed at conserving the City's and regions groundwater aquifers which are yet to be developed as part of the Natural Environment Element.

**Policy L-3.8** Recognize that residential and commercial basements have both positive and negative impacts on our community and environment and that both need to be better understood and articulated. [L-3.8, revised]

**Program L-3.8.1.** Reach out to homeowners, neighborhood groups, commercial property owners, professional and other stake holder groups to discuss the positive and negative values and uses of basements in our community. Consider the relationship of basements to adjacent properties and setbacks, nearby trees, the water table depth particularly near flood zones, hazardous materials, and nearby wells, both during and after construction. Update the zoning ordinance as needed to incorporate the learnings of this outreach. [L-3.8.1, revised]

**Policy L-3.9** The construction of new residential and commercial basements shall not negatively affect adjacent properties. [New Policy]

**Program L-3.9.1.** Study residential and commercial subsurface construction methods and practices that have negatively affected adjacent properties. Update the zoning ordinance to avoid these impacts or require mitigation of them. [New Program]

**Program L-3.9.2.** Develop prescriptive subsurface construction strategies that dramatically reduce or avoid the need to utilize the City's Storm Water system. To make these strategies more advantageous to the property owner, consider making the City fees to utilize these strategies less expensive and approvals more streamlined than current requirements. Update the zoning ordinance to incorporate the learnings of these programs. [New Program]

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A redlined version of this draft language:

**Policy L-3.8** ~~Ensure that new basements do not negatively affect adjacent homes or the existing tree canopy.~~ [NEW POLICY]  
[L53]

Recognize that residential and commercial basements have both positive and negative impacts on our community and environment and that both need to be better understood and articulated. [L-3.8, revised]

**Program L3.8.1** ~~Evaluate the City's policy of excluding basements from the gross floor area and maximum floor area ratio limits in the zoning ordinance and consider zoning revisions to limit basement size and increase basement setbacks from adjacent properties.~~ [NEW PROGRAM]  
[L54]

Reach out to homeowners, neighborhood groups, commercial property owners, professional and other stake holder groups to discuss the positive and negative values and uses of basements in our community. Consider the relationship of basements to adjacent properties and setbacks, nearby trees, the water table depth particularly near flood zones, hazardous materials, and nearby wells, both during and after construction. Update the zoning ordinance as needed to incorporate the learnings of this outreach. [L-3.8.1, revised]

**Policy L-3.9** The construction of new residential and commercial basements shall not negatively affect adjacent properties. [New Policy]

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To: Land Use and Sustainability Subcommittees serving the Citizens Advisory Committee

From: Arthur Keller & Dan Garber

Date: August 23, 2016

Subject: Draft Performance Measures

We have drafted Performance Metrics policy and program language that the Sustainability and Land Use Subcommittees may find helpful in their discussions. We believe that this language is neutral with respect to the various positions and allows fairly the drafting of development requirements and community livability metrics during the life of the updated Comp Plan. This draft language is below:

**Policy L-1.18** Hold new development to the highest standards in order to maintain Palo Alto's livability and achieve the highest quality development with the least impacts. [L33, unchanged]

**Program L1.18.1** (development requirements) Create a list of additional development requirements, such as trip reduction, preservation of existing affordable dwelling units, and preservation of tree canopy, to ensure that new development is of the highest quality with the least impacts. [L34, revised]

**Program L1.18.2** Update the zoning ordinance to ensure that new development, whether residential or non-residential, conforms with quantitative development standards, neighborhood compatibility standards, and additional development requirements, as well as other new or revised policies elsewhere in this plan. [new program] [Note the explicit reference to Policy L-3.1 regarding neighborhood compatibility.]

**Policy L-1.19** (community livability metrics) The city shall monitor key community livability metrics on a regular basis. [L3, revised]

**Program L1.19.1** Perform a study of community performance metrics in areas such as greenhouse gas emissions, traffic, jobs, housing, schools, and parks, including best practices by other governments. Create a list of community performance metrics and a schedule for monitoring these metrics. [new program]

**Program L1.19.2** Based on trend data gathered over time of the community performance metrics, periodically consider whether to revise downward or upward, retain or eliminate the annual limits on growth and individual area or Citywide cumulative growth caps in the Land Use element. [new program]