



**COMPREHENSIVE PLAN UPDATE
CITIZENS ADVISORY COMMITTEE
SUBCOMMITTEE
LAND USE & COMMUNITY DESIGN ELEMENT**

September 8, 2016

Downtown Library - Community Meeting Room
270 Forest Avenue, First Floor
Palo Alto, CA 94301
1:00 PM TO 4:00 PM

TITLE: Land Use and Community Design Element Subcommittee Discussion
FROM: Elena Lee, Interim Planning Manager,
Planning & Community Environment Department

Background

To date, the CAC has had six meetings to discuss the Land Use and Community Design Element, and the subcommittee has met five times. At the August 16 meeting, the full CAC reviewed and discussed the Draft Land Use and Community Design Element. The full CAC discussed a range of policy issues. The August 16th packet, including the draft element, is available at this location:

<http://www.paloaltocomplan.org/cac/citizens-advisory-committee/#August 16, 2016>.

Based on that discussion at the CAC, the following next steps were identified:

- The range of growth management policies and programs included in the Draft Element appears to accurately represent the range of options that should be forwarded to the Council for discussion, although some CAC members have submitted written comments addressing specific components of the growth management policies and programs.
- Five issues need more work. The existing policy and program language in the August 16th Draft Land Use and Community Design Element that addresses each issue is presented below.
 1. Affordable housing
 2. Urban forest
 3. Coordinated Area Plans
 4. Basements
 5. Performance Measures

An additional meeting of the Land Use subcommittee was scheduled to formulate recommendations for issues #1 through 4 and bring those back to the full CAC at the September 20th meeting. During the same period, the Sustainability subcommittee will meet on Tuesday September 6th to discuss issue #5, performance measures. The staff plans to update the Land Use Subcommittee on the results of their discussion.

Note that the September 20th meeting will also be the first full CAC discussion of the Natural Environment Element.

What to Expect at the Meeting

At the outset of the meeting, time will be given over to public comment from members of the community. Speakers will be allowed up to three minutes to share their thoughts on land use and community design, ideally with a focus on the remaining outstanding issues on the subcommittee's agenda. Time limits are necessary to ensure that there is an opportunity for members of the public to express their opinions, while also ensuring that the subcommittee can complete the agenda set out for the meeting.

At this meeting, our goal is to identify final policy or program revisions and/or new options to take back to the full CAC for incorporation into the Draft Land Use and Community Design Element before it is referred to the City Council for their review. The agenda divides the subcommittee meeting into two main parts. In the first part, we will discuss the outstanding issues raised at the full CAC. In the second part, staff suggests starting with Goal 10 and go backwards through the Element, goal by goal, to identify and discuss any additional issues subcommittee members would like to raise. This suggestion responds to members' concerns that at previous meetings, the subcommittee has not had time to make it all the way through the Element or has had rushed discussions of later goals.

Affordable Housing

During the meeting, some CAC members expressed that the current Draft Element does not do enough to distinguish between encouraging or allowing market rate housing and encouraging or preserving affordable housing. Some members asked for policies and programs about affordable housing to be added or strengthened in order to preserve income diversity in Palo Alto. Below are all the current policies in the Land Use Element that specifically address affordable housing. The Subcommittee should provide guidance on whether these need to be strengthened.

The current policies and programs that address affordable housing provision in the Draft Element are:

Policy L-1.4 Promote infill development in the urban service area, compatible with its surroundings and the overall scale and character of the city, to ensure a compact, efficient development pattern. (PTC Policy L1.7) [Previous Policy L-5] [L1]

Program L1.1.1 Work with property owners, developers, neighbors, and neighborhood associations to identify barriers to infill development of affordable, below market and attainable housing and actions that attempt to remove these barriers. [(PTC Program L1.7.10) (Edited)] [L2]

Policy L-2.3 As a key component of a diverse, inclusive community, allow and encourage a mix of housing types, sizes, and affordability, particularly smaller units and senior housing. [NEW POLICY] [L40]

Policy L-3.3 Support efforts to preserve more affordable housing units such as cottages, other small homes, and rental housing units in existing neighborhoods. [NEW POLICY] [L46]

Program L3.3.1 Explore revising development standards to discourage the loss of housing units or the replacement of rental housing units to ownership housing units. [NEW PROGRAM] [L47]

Policy L-3.4 Support the creation of workforce housing for City and school district employees as feasible. [NEW POLICY] [L48]

Program L3.4.1 Collaborate with PAUSD in exploring opportunities to build workforce housing.] [NEW PROGRAM] [L49]

Policy L-6.9 (BUILDING HEIGHTS - OPTION 3-7 “approval” votes) Building height limits up to a maximum of 65 feet may be considered for areas well-served by transit, services and retail as a way to facilitate a mix of multifamily housing, including affordable units, units targeted to seniors and other special needs populations, and micro-units designed to accommodate younger members of the workforce. [NEW POLICY] [L105]

Program L6.9.1 Revise the Zoning ordinance to establish criteria and conditions that must be met in order to allow building heights up to 65 feet. Criteria shall address affordability of the residential units; compatibility with surrounding land uses; sensitivity to context; proximity to transit, services and retail; and mitigation or avoidance of adverse impacts on traffic and parking conditions. [NEW PROGRAM] [L106]

Policy L-6.10 (BUILDING HEIGHTS - OPTION 4-10 “approval” votes) Building height limits over 50 feet may be considered for areas well-served by transit, services and retail as a way to facilitate a mix of multifamily housing, including affordable units, units targeted to seniors and other special needs populations, and micro-units. [NEW POLICY] [L107]

Program L6.10.1 Revise the Zoning Ordinance to establish criteria and conditions that must be met in order to allow building heights higher than 50 feet. Criteria shall address affordability of the residential units; compatibility with surrounding land uses; sensitivity to context; proximity to transit, services and retail; and mitigation or avoidance of adverse impacts on traffic and parking conditions. [NEW PROGRAM] [L108]

Urban Forest

At the CAC meeting, the concern was raised that the urban forest metrics and policy linkages to the Urban Forest Master Plan should be added or improved. The urban forest and trees generally are referenced in the policies and programs below in the Draft Element. In the Land Use and Community Design Element, the urban forest is primarily addressed as a component of Palo Alto’s unique character and identity and as a component of the design and appearance of the City. It is important to note that the Natural Environment Element also includes a Goal N-3, “A Thriving “Urban Forest” That Provides Ecological, Economic, and Aesthetic Benefits for Palo Alto,” with a number of policies and programs that support the implementation of the Urban Forest Master Plan and the protection of trees as a natural resource.

The current policies and programs that specifically address the urban forest in the Draft Land Use Element are shown below. The Subcommittee should provide guidance on whether these need to be strengthened, noting that the urban forest is addressed in two elements and we want to avoid duplication.

Policy L-3.8 Ensure that new basements do not negatively affect adjacent homes or the existing tree canopy. [NEW POLICY] [L3]

Program L4.2.1 Prepare a coordinated area plan for the South El Camino corridor from Curtner Avenue to West Charleston Road, as shown in the diagram below. The plan should articulate a vision for the corridor as a well-designed complete street with an enhanced pedestrian environment including wider sidewalks, increased building setbacks, public open spaces, safe pedestrian crossings at key intersections, trees and streetscape improvements. Mixed use residential and retail development on

shallow parcels should be encouraged to support a more walkable and bikable environment along the corridor, with appropriate transitions to the surrounding single-family neighborhoods. The plan should also foster improved connections to surrounding destinations. [NEW PROGRAM] [L4]

Policy L-4.5 Ensure all Regional Centers and Multi-Neighborhood Centers provide centrally located gathering spaces that create a sense of identity and encourage economic revitalization. Encourage public amenities such as benches, trees, kiosks, restrooms and public art. [Previous Policy L-21] [L5]

Program L4.5.3 Study the feasibility of using public and private funds to provide and maintain landscaping and public spaces such as parks, plazas, sidewalks and public art within commercial areas. [Previous Program L-16] [L6]

Program L4.5.4 Identify priority street improvements that could make a substantial contribution to the character of Centers, such as widening sidewalks, narrowing travel lanes, creating medians, restriping to allow diagonal parking, and planting trees. [Previous Program L-18] [L7]

Policy L-4.7 Ensure that University Avenue/Downtown is pedestrian-friendly and supports bicycle use. Use public art, trees, bicycle racks and other amenities to create an environment that is inviting to pedestrians and cyclists. [Previous Policy L-24] [L8]

Policy L-4.13 Enhance the pedestrian environment along South El Camino Real redesigning the street to provide wider sidewalks, increased building setbacks, safe pedestrian crossings at key intersections, trees, and streetscape improvements, consistent with the recommendations in the Rail Corridor Study and the Grand Boulevard Design Guidelines. (Previous Program L-33 to be transformed into ongoing policy) (Consistent with Comp Plan Draft EIR Mitigation Measure AES-1) [L9]

Policy L-4.16 In Town and Country Village, encourage improvement of pedestrian and auto circulation and landscaping improvements, including maintenance of existing oak trees and planting additional trees. [Previous Policy L-34] [L10]

Policy L-5.2 Provide landscaping, trees, sidewalks, pedestrian paths, and connections to the citywide bikeway system within Employment Districts. Pursue opportunities to include sidewalks, paths, low water use landscaping, reclaimed water, and trees in renovation and expansion projects. [Previous Policy L-43] [L11]

Policy L-9.5 Enhance the appearance of streets and other public spaces through regular maintenance as well as tree and landscape planting and care of the existing canopy. [Previous Policy L-70] [L12]

Policy L-9.8 Treat residential streets as both public ways and neighborhood amenities. Provide and maintain continuous sidewalks, healthy trees, benches, and other amenities that promote walking and “active” transportation. [Previous Policy L-17] [L13]

Program L9.8.1 Review standards for streets and signage and update as needed to foster natural, tree-lined streets with a minimum of signage. [NEW PROGRAM] [L14]

Policy L-9.10 Incorporate the goals of the 2015 *Urban Forest Master Plan* into the Comprehensive Plan by reference in order to recognize the many benefits of trees in the urban context and foster a healthy and expanded tree canopy throughout the City. [NEW POLICY] [L15]

Program L9.10.1 Establish incentives to encourage trees, and low water use plantings in new development throughout the city. [NEW PROGRAM] [L16]

Program L9.10.2 Update City requirements regarding trees and other landscaping that capture and filter stormwater within surface parking lots to take advantage of new technology. [(Previous Policy L-76) (NEW PROGRAM)] [L17]

Policy L-9.11 Design public infrastructure, including paving, signs, utility structures, parking garages and parking lots to meet high quality urban design standards and embrace technological advances. Look for opportunities to use art and artists in the design of public infrastructure. Remove or mitigate elements of existing infrastructure that are unsightly or visually disruptive. [Previous Policy L-79] [L18]

Program L9.11.2 Continue the citywide undergrounding of utility wires. Minimize the impacts of undergrounding on street tree root systems and planting areas. [Previous Program L-80] [L19]

Coordinated Area Plans

Coordinated area plans are intended to guide development in a specific area of the city and to achieve goals and objectives established by City Council that complement and supplement the vision described in the Comp Plan. While a coordinated area plan is a valuable tool for building a shared vision for the future, developing one is a time and resource intensive undertaking that requires extensive community outreach and dedication of considerable staff time to complete. Over the course of two full CAC meetings in March and April 2016, the CAC considered the intensive resources and time required to develop a coordinated area plan and formulated policies to prioritize the Fry's Site and South El Camino Real for coordinated area plan processes, as these locations represent the areas of greatest opportunity for positive impact. However, at more recent CAC meetings, some members have expressed that additional areas should be identified for Coordinated Area Plans, specifically all of the California Avenue area (not just the Fry's site), Downtown (including connections between the Transit Center and University Avenue), and all of El Camino Real (not just the southern segment). Other CAC comments have suggested adding a program that directs the City to continue the preparation of the California Avenue Area Concept Plan" since that Plan has not been adopted by Council.

The current policies and programs that address Coordinated Area Plans in the Draft Element are shown below. The Subcommittee should provide guidance on whether these policies should be expanded to add more additional area plans.

Policy L-4.2 Use coordinated area plans to guide development in areas of Palo Alto where significant change is foreseeable. Address both land use and transportation, define the desired character and urban design traits of the areas, identify opportunities for public open space, parks and recreational opportunities, and address connectivity to and compatibility with adjacent residential areas. [NEW POLICY] [L20]

Program L4.2.1 Prepare a coordinated area plan for the South El Camino corridor from Curtner Avenue to West Charleston Road, as shown in the diagram below. The plan should articulate a vision for the corridor as a well-designed complete street with an enhanced pedestrian environment including wider sidewalks, increased building setbacks, public open spaces, safe pedestrian crossings at key intersections, trees and streetscape improvements. Mixed use residential and retail development on shallow parcels should be encouraged to support a more walkable and bikable environment along the corridor, with appropriate transitions to the surrounding single-family neighborhoods. The plan should also foster improved connections to surrounding destinations. [NEW PROGRAM] [L21]

Program L4.2.2 Consider preparing a coordinated area plan for the portion of San Antonio Road not included in the East Meadow Circle Concept Plan. [NEW PROGRAM] [L22]

Program L4.2.3 Prepare a coordinated area plan for the Fry's site and surrounding area. The plan should describe a vision for the future of the Fry's site as a walkable neighborhood with multi-family housing, ground floor retail, a public park, creek improvements, and an interconnected street grid. [NEW PROGRAM] [L23]

Policy L-4.3 Encourage broad community involvement in the planning process for proposed development, including the participation of neighborhood associations, particularly for developments proposed in the South El Camino Real corridor, San Antonio Road, and the Fry's site and surrounding area as an integral part of the preparation prior to completion of coordinated area plans. [NEW POLICY] [L24]

Policy L-6.2 Use the Zoning Ordinance, design review process, design guidelines, and Coordinated Area Plans to ensure high quality residential and commercial design and architectural compatibility. [Previous Program L-48] [L25]

Basements

As noted in the August 16 staff report, the CAC has received detailed public comments on the issue of basements. Most of these suggestions are likely to be most appropriately located in the Natural Environment Element where the topic of water quality is addressed, or in the Safety Element, where the topic of flooding is addressed. Currently, the Land Use and Community Design Element addresses the topic of basements in terms of their potential neighborhood impacts (Policy [L47]) and proposes a program to consider basements during the calculation of gross floor area (Program [L48]). During the August 16 meeting, several CAC members commented that procedures to review and approve basements, and criteria for basement design and construction, should be addressed in the Zoning Code rather than the Comp Plan. An additional program has been suggested to revise the Zoning Code's treatment of basements to address growing community concerns.

We also received suggested new language from CAC members which is attached. The Subcommittee should provide guidance on whether the current policies should be changed.
Current Draft Element policy and program:

Policy L-3.8 Ensure that new basements do not negatively affect adjacent homes or the existing tree canopy. [NEW POLICY] [L26]

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, including greater setbacks, to limit basement size and increase basement setbacks from adjacent properties. [NEW PROGRAM] [L27]

Additional Outstanding Land Use Element Issues

The following CAC member comments raised substantive ideas that have not been resolved. If subcommittee members would like to discuss any of these or add options for policy language for consideration by the full CAC, please bring them up during the meeting so that they can be vetted with the full group.

1. To strengthen the Element's support for affordable housing, add a policy or program to raise the required percentage of below-market housing for any multi-unit residential development in Palo

- Alto from 15 to 25 percent, as currently required, and allow heights over 50 feet if 50 percent of the total square footage above the existing limit would be allocated to below-market housing.
2. Revise Policy L-1.9 [L13] as follows: “Sites within ~~or adjacent to~~ existing commercial areas and corridors are suitable for hotels. ~~Give preference to housing versus~~ Prohibit hotel use on sites adjacent to single family neighborhoods.”
 3. Regarding the conversion of non-residential development potential in CC and CS zoning districts to residential FAR, add the words “Net loss of retail uses shall not be allowed” to Program L1.13.4 [L22].
 4. Under Goal L-3, Policy L-3.2 [L44] and Program L3.2.1 [L45], add a new Policy to scrutinize basements for illegal occupancy and/or short-term rental use.
 5. Replace the word “development” with the word “unit” in Policy L-3.7 [L52] regarding the relationship of new multi-family development to the street.
 6. Under Goal L-4, add “traffic lights” to the list of priority street improvements.
 7. Under Goal L-4, Downtown should be classified as a “multi-neighborhood center” instead of a “regional center.”
 8. A CAC member suggested deleting Program L4.9.1 [L72], which calls for both preserving adequate parking supply and reusing parking lots at the Stanford Shopping Center.
 9. Add a new program under Policy L-6.12 [L111] to develop special regulations for Eichler neighborhoods.
 10. Remove the language prohibiting office uses described in both Program L6.13.1 [L113] and the Mixed Use Land Use Definition.
 11. Under Goal L-9 regarding parks and outdoor gathering spaces, delete the last sentence in Policy L9.7 [L164] “Ensure that each residential neighborhood has such spaces.”
 12. Move policies related to planning for school impacts from the Community Services and Facilities Element to the Land Use Element.
 13. Add a new policy requiring a Conditional Use Permit for any new or expanded private school.

Performance Measures

The full CAC discussed the list and organization of performance measures but did not arrive at consensus. The Sustainability subcommittee will meet on Tuesday, September 6 to review possible options for performance measures and formulate recommendations to bring back to the full CAC. A summary of the outcome of this discussion will be provided at the September 8th meeting.

Next Steps

Land Use subcommittee recommendations will inform development of the revised full preliminary draft element, with narratives, maps, and supporting graphics. The preliminary draft will be circulated in the packet ahead of the CAC meeting scheduled for September 20, where the CAC will review and comment. It is anticipated that the discussion on September 20 will result in staff edits to the draft Element, which is tentatively scheduled to be presented to the City Council later this fall.

Attachments

Attachment A: August 16th Draft Land Use Element

Attachment B: CAC comments - Draft Basement Policy and Program

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]

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