



**COMPREHENSIVE PLAN UPDATE  
CITIZENS ADVISORY COMMITTEE  
DRAFT MINUTES**

**TUESDAY, AUGUST 16, 2016**  
Rinconada Library – Embarcadero Room  
1213 Newell Road  
Palo Alto, CA 94303  
5:30 PM TO 8:30 PM

1 **Call to Order: 5:31 P.M.**

2 **Co-Chair Garber:** It is 5:31. Robin, would you please call roll?

3 Present: Emberling, Fine, Garber, Glanckopf, Hetterly, Hitchings, Keller, Kleinhaus, Kou,  
4 Levy, McDougall, Moran, Nadim, Packer, Peschcke-Koedt, Summa, Sung, Titus,  
5 Uang, Uhrbrock, van Riesen

6 Absent: Filppu, McNair, Wenzlau

7 **Oral Communication:**

8 **Co-Chair Garber:** Thank you. We'll go from there to Oral Communications. I have four cards.  
9 If there's anyone else that would like to speak, please fill out a speaker card, and you will each  
10 have 3 minutes to speak. The first speaker is Betty Jo Chang. There is a microphone over there,  
11 and it should be on. You'll have three minutes from your start.

12 **Betty Jo Chang:** My name's Betty Jo Chang. I'm a Palo Alto resident, a renter. I live just down  
13 the road on Newell Road. I want to thank you. I want to thank you for your time and the  
14 enormous effort you all have put into this important work on our Comprehensive Plan. Palo  
15 Alto could not remain the forward-looking City that we must remain without the outstanding  
16 efforts of City staff, Council, Commissions and Citizen Advisory Committees such as this. I  
17 honor your efforts, and I thank you for your service. I come before you today about a threat to  
18 the residential housing vision so widely shared by Palo Alto residents. This threat was brought  
19 to my attention by the proposed 11-bedroom, 14-bath, 7,400-square-foot, single-family



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1 residence being proposed for the corner of Newell and Embarcadero Road. Four of these  
2 bedrooms and six of the baths are in a basement. This particular project is a veritable poster  
3 child for the deleterious effects of what I believe to be some troublesome oversights in our  
4 planning processes that I request that you address. Details and reasons for these requests are  
5 enumerated in my memo that's in your packet. My specific requests with respect to the Comp  
6 Plan are FAR. I request that residential basement exclusions from the FAR calculations be  
7 eliminated for this exclusion perversely incents construction of housing stock inappropriate to  
8 flood-prone areas as well as increasing occupancy densities in excess of those defined in our  
9 Comp Plan. Occupancy rates. I request that you develop a policy requiring planning review of  
10 potential occupancy density for new residential projects, and that you figure out a way to  
11 prevent the repurposing of single-family residential housing to high-density, rental hotel use.  
12 Climate change planning. I request that basement bedroom construction be prohibited east of  
13 El Camino Real and that climate change planning is strengthened with respect to sheet flood  
14 risks from the extreme storm events we expect from global warming. Flood hazard regulations.  
15 These regulations are currently only applied to the FEMA-designated SFHA insurance zones,  
16 leaving us no regulatory oversight of residential construction with respect to flooding  
17 elsewhere in the City. All of Palo Alto is a floodplain. I request that the Comp Plan recommend  
18 applying appropriate portions of the Flood Hazard Code to construction in areas that are not  
19 currently deemed SFHA. I note in this regard that storm-generated sheet flooding of a foot or  
20 more has occurred in Palo Alto really often. I'm very worried about this. I'm too old to be able



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1 to rescue the poor neighbors who will occupy those four new, flooded basement bedrooms up  
2 on the corner. We have no business building basement dwellings on a floodplain. When I read  
3 the draft Comprehensive Plan, I see a widely shared vision of what we want our neighborhoods  
4 to be. I'm grateful for your efforts on behalf of us all to build and protect this vision. I seek  
5 your help in correcting the issues noted above, issues that place it at risk. Thank you for your  
6 time.

7 **Co-Chair Garber:** Thank you. Speaker Number 2 is Becky Sanders. You'll have three minutes.

8 **Becky Sanders:** Good afternoon. My name is Becky Sanders, and I am the founder of the  
9 Ventura Neighborhood Association plus a private citizen living in Ventura. I just wanted to call  
10 people's attention to a lively conversation that I saw on Nextdoor today, talking about the  
11 calculations that would be necessary to alleviate the housing costs, bringing them back down.  
12 Anything that we do for housing has to be regional. Palo Alto cannot absorb the region's  
13 demand. If we say that we needed to double the housing stock in order to house everybody  
14 that wants to work in Palo Alto, we would need to build 52.5 million square feet of housing, and  
15 that would comprise—and if we pop the height limit up to ten stories, that would be relatively  
16 21 blocks at ten stories. That is maybe a little bit of a reductio ad absurdum, but if you really  
17 wanted everyone who wanted to live here and work here to live here, that's what it would take,  
18 would be taking down Professorville and Downtown North. Let's get a little realistic about what  
19 we can and cannot do to solve the housing problem. I live in south Palo Alto which is the  
20 Ventura—I live in Ventura neighborhood, which is adjacent to the Park Boulevard-Page Mill



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1 Corridor that is really slated to see some major changes. I already had seen (inaudible) changes  
2 that we haven't been happy with. There's some big massing at the Olive Garden that was  
3 approved. 451 Page Mill is just a behemoth, unbelievable. Then the lovely Park Plaza with the  
4 naked lady statute is getting ready to come online, and then there's the whole Fry's proposed  
5 deal and all that property along Park Boulevard. Oh, my word. Why should one area of the City  
6 have to solve not only the entire City's housing problem, but the whole region's housing  
7 problem? Are you serious? We are already dying from, not literally, cars sweeping through  
8 Ventura to avoid the world's worst intersection, pollution, noise. We are a parking lot. People  
9 park in Ventura so that they can walk or bike to their work and take advantage of whatever  
10 subsidies they get for doing so. We are the least protected neighborhood in Palo Alto. Just  
11 because we're unprotected and we're broke doesn't mean that we should tolerate or enjoy that  
12 position. We have wonderful block parties. We have wonderful neighborhood events. We  
13 really want to preserve our neighborhood quality of life just like every other neighborhood in  
14 the City of Palo Alto would like to. I think I just lost all my time talking about the housing. Dang  
15 it. We want more parkland. Thank you. Fry's, parkland at Fry's. Thank you. And also parkland  
16 at the AT&T site that is getting ready to be divested by AT&T right across from Boulware Park.  
17 You could buy that and add it to Boulware Park. Thank you.

18 **Co-Chair Garber:** Thank you. Our next public speaker is Leannah Hunt, three minutes.

19 **Leannah Hunt:** Good evening. Thank you for serving our community. I'm a residential realtor.  
20 I've been a resident for almost 50 years in Palo Alto. I am currently serving on the Board of



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1 Directors of the Silicon Valley Association of Realtors, on the California Association of Realtors,  
2 and I represent on the National Board of Realtors the 4,300 realtors of Silicon Valley. I'd like to  
3 address the issue of the basements, which you have been considering in a number of your  
4 committee meetings and subcommittee meetings. I have attended a couple of those. I wanted  
5 to stress the importance of the possibility—that you recognize the importance of these  
6 basements which have been utilized now for many years in town. I recall back in 1972-73 when  
7 the Perry Family built their basement on Cowper Street. There was alarm raised by a number  
8 of residents. You felt there was a lot of water generated which shouldn't have been pumped  
9 and that this was injurious to the water table. In fact, hydrologists and USGS specialists back  
10 then determined that there was no endangering situation to the water table. This water that  
11 was pumped was really a small, insignificant amount compared to the regular water tables.  
12 Now, in more recent years back, I believe, in 1988, staff did an exhaustive study again on the  
13 issue of basements. Similarly, as I understand it, they determined that the pumping of the  
14 water was an insignificant factor to our water table. Obviously, we've been involved with the  
15 drought, so the issue of water has been on the public's minds. The decisions you are making  
16 are going to affect the Comp Plan for a number of years to come. I want you to understand  
17 that in our community over the years, of course, our prices have increased, and the price of our  
18 footage, of course, is astronomical. In fact, for houses that have been lived in, your land alone  
19 is three-quarters of the price. Thus, you have families who are seeking the construction of  
20 basements when they're doing a total rebuild or, in fact, many of the remodels incorporate



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1 basements. I encourage you to keep the current guidelines; thus, not including basement FAR  
2 in the total allowable FAR. The one issue that I will raise, though, is the issue of the excavation  
3 that is done by the contractors. I know that former Mayor Betsy Bechtel, who lives on Lowell  
4 Street, was very alarmed when the neighboring house was torn down and the contractor  
5 excavated clear up to the property line. I think those excavations should be only to the 6-foot  
6 or, in some cases, the 8-foot allowable side-yard setbacks. It can be injurious to trees and other  
7 vegetation, let alone possibly fencing and so forth. I think that would be a good solution and  
8 perhaps placate a lot neighbors that are concerned. In addition to the basement issue, I do  
9 want to discuss the height requirement. I've sat on the corridor task force. I've sat on three or  
10 four other committees.

11 **Co-Chair Garber:** Your three minutes ...

12 **Leannah Hunt:** There's no question that we have to develop more housing.

13 **Co-Chair Garber:** If you can summarize.

14 **Leannah Hunt:** Think about that issue of 50 feet and not adhering to that.

15 **Co-Chair Garber:** Thank you. Our next speaker is Gita Dev, if I'm pronouncing that correctly.  
16 You'll have three minutes.

17 **Gita Dev:** Thank you. My name is Gita Dev. I'm a representative of the Sierra Club, the local  
18 Loma Prieta Chapter. Particularly with the sustainable land use committee, I've attended a  
19 couple of meetings. We've been watching from afar, and we want to thank you for a much  
20 more detailed and thoughtful process than we see in most of the other cities on the Peninsula.



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1 That's no surprise. I do want to compliment you on that. We are involved with general plan  
2 updates in many cities on the Peninsula. Therefore, what I bring to you is, to some extent, our  
3 experience based on—I'm sorry—what we have been seeing happening in some of the other  
4 cities. One of the things that you are taking up is new, and other cities are looking at it with  
5 interest, and so are we. That is the performance metrics and the performance standards. The  
6 one comment that we would have to you is these are being developed. They're not yet in our  
7 opinion ready for prime time. I think significant progress has been made, but a lot more  
8 thought needs to go into them for them to be implemented with any degree of success.  
9 Therefore, I would suggest two things. One is that you take some more time to go through the  
10 definition, the understanding of development performance standards and community  
11 sustainability performance standards. We went through the list with the sustainability  
12 committee last time. We didn't come to the land use committee, but I know it was discussed.  
13 What I've seen in here does not in fact reflect, I think, all the issues that were raised. There  
14 were some important issues raised. That's one item. The second item I would bring up is the—  
15 the other thing is that in some way, instead of just referring to it as two words in the general  
16 plan, that you make it an appendix or something so that it is attached to the Plan somehow.  
17 Otherwise, it's too loosey-goosey, and it's only under staff review. Sometimes that makes it  
18 hard for the public to be able to see what's going on. The other item I would bring up is the  
19 caps and the triggers. Having seen what's happened in other cities, Menlo Park, Mountain  
20 View, a number of other cities, the idea of having annual caps is kind of a good idea. If you



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1 attach it to triggers, it gives you some flexibility. If you don't put a cap, what happens in like  
2 Redwood City, Menlo Park—these are 15-year, 20-year general plans—in the first year or the  
3 first two years or the first three years, the entire capacity gets absorbed. You have to then  
4 make a decision like now do we stop, which some people want to do, and others saying let's ...

5 **Co-Chair Garber:** If I can have you sum up.

6 **Gita Dev:** ... start over. I would just suggest to you that that's something to keep in mind. It's  
7 important to keep some control over the growth. Thank you.

8 **Co-Chair Garber:** Thank you. Our next speaker is David Fuchs. You'll have three minutes.  
9 Maybe you'll hear a buzzer.

10 **David Fuchs:** I've been a homeowner on Newell Road for over 30 years, just a couple doors  
11 down from 1710 Newell, which it sounds like is going to turn into a single-family residence with  
12 11 bedrooms and 14 bathrooms. I've never been in a house in Palo Alto for a single occupant  
13 with 11 bedrooms and 14 bathrooms, and I'm really wracking my brain as to what this thing is.  
14 That's the question I've got. All I've come up with is bordello, and I'm hoping that's not it.  
15 Thank you.

16 **Co-Chair Garber:** Thank you. Our next speaker is Rita Vashell. Rita Vrhel, I'm sorry. Rita, you'll  
17 have three minutes.

18 **Rita Vrhel:** Thank you. I was going to talk about different things, but I saw the red flag of  
19 basement construction not being a problem in Palo Alto being waved, and I couldn't resist. The  
20 EIP report that Ms. Hunt referenced has been pretty much widely questioned and possibly





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1 discredited, because it did not take into effect the cumulative value of multiple families  
2 pumping out water. It reviewed one project. Todd report, which later had additional  
3 information. As we all know now, all cities are required to have a groundwater management  
4 plan. Palo Alto City is in discussion with their neighbors regarding the shallow and deep  
5 aquifer. The Perry Family many years ago had the advantage of a high water table and no  
6 drought. We are now in our fifth year of drought. I would like to remind everyone that the  
7 single-family home at 736 Garland was the first house metered by the City of Palo Alto and  
8 pumped out 30.88 million gallons. One house. This is enough to fill the Eleanor Pardee Park up  
9 to a height of—I think it was 70—the football field 71 feet high. It's also 600,000 50-gallon rain  
10 barrels. Personally, I think this is obscene. We have produced a video, which I can hopefully  
11 show at the next meeting. Now, what I wanted to talk about was that the land use—I would  
12 really encourage that the CAC represent the views of all the community members and  
13 residents. It certainly is a controversial topic. I know that housing is on everyone's mind right  
14 now, and it certainly is on the previous speakers. Personally I think that, since basements are  
15 being referred to in real estate ads as lower levels, they should be included in the FAR. We are  
16 seeing palaces being created. This certainly does price out the average person out of the  
17 housing market. I know there is a house on South Court that was purchased, torn down and  
18 later sold—this year I believe—by Zach Taylor for \$8.1 million. This is not possible for most  
19 people that live in Palo Alto. I would also encourage this group to continue all the cumulative  
20 and annual caps in place. We have seen a tremendous growth in traffic congestion, which is on



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1 many residents' mind. I also think that it would be wise to have a 50,000-square-foot annual  
2 cap on growth over at the Stanford research project at least until many of the projects now in  
3 the development or building stage in Palo Alto come online, so that we actually know what the  
4 cumulative effects of the traffic already in place will be. Thank you.

5 **Co-Chair Garber:** Thank you. Catherine Martineau.

6 **Catherine Martineau:** Thank you. Good evening. I'm Catherine Martineau. I'm the Director of  
7 Canopy, and I'm here to talk about the development and community performance measures  
8 and to ask that you include urban forestry metrics in them. There is a little mention of urban  
9 forestry in the development. It's pretty unspecific, and there's nothing in the community  
10 measurement. Again, I've expressed this on multiple occasions in front of this committee, in  
11 front of several subcommittees. There was a meeting about the Sustainability Plan and the  
12 Comp Plan. I was there too. I've seen the injection of the word trees in several areas, and I'm  
13 happy about that. It's not just that. It's really about recognizing the role that the natural  
14 environment, trees in particular, play in sustainability, in public health, and in overall resilience  
15 of our urban community. I'm back from a conference in Los Angeles last week, where  
16 Dr. Gretchen Daily of Stanford was the keynote speaker. She was talking about the multiple  
17 countries around the world and big cities around the world that enshrine nature and the way  
18 nature works into their sustainability plans. I think it would be weird if Palo Alto was running  
19 the other way. I do not understand the downside of recognizing this. She said the days of not  
20 valuing trees and nature are behind us. I sure hope they're behind us. In Palo Alto, I thought



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1 they had been behind us for decades. Now it looks like we're retreating from that. I don't quite  
2 understand why. Again, let's use some metrics from the Urban Forest Master Plan. It's not just  
3 my opinion. It's not just the opinion of Canopy. Some of your members here understand this  
4 notion. The Planning and Transportation Commission, when they approved the Urban Forest  
5 Master Plan, were emphatic about the fact that urban forestry metrics and goals should be  
6 included in each element of the Comprehensive Plan, not just the Natural Environment  
7 Element. Thank you.

8 **Co-Chair Garber:** Thank you. Our last speaker is Esther Nigenda. If there is anyone else that  
9 would like to speak, please hand over or fill out a speaker card, and you'll be speaking next.  
10 Otherwise, this is our last speaker.

11 **Esther Nigenda:** Good evening. I am an emergency services volunteer, but I am speaking for  
12 myself. Up to this past year, I have never given the land use of basements a second thought.  
13 Out of sight is out of mind. You might be wondering how I've linked basements and emergency  
14 services. The answer is simple: climate change. Scientists tell us that with climate change we  
15 can expect to see stronger and more frequent storms and subsequent flooding, longer-lasting  
16 drought, sea level and groundwater level rise. All hazards we in emergency services are  
17 expected to address in the present by mitigating and preparing for them and in the future by  
18 helping in response and recovery. The advantages of mitigation are that it costs four to five  
19 times less than response and recovery, and most important no human life is hurt or lost. The  
20 mitigation I am requesting from this commission is that all underground construction be also



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1 carefully considered in Palo Alto land use policies. How do basements tie into climate change?  
2 A 2014 document titled "Basement Development," a supplementary planning document from a  
3 London borough, makes various associations between climate change, its effects and  
4 basements for climate change. To try to slow down the rate of climate change, cities are trying  
5 to reduce their carbon footprint by reducing their energy use. The document just mentioned  
6 states the embodied energy involved in the construction of basements can be considerable.  
7 Energy-intensive construction. Materials required for structural purposes, such as steel and  
8 concrete, reduce ability for natural lighting and ventilation. This document proposed that for  
9 energy efficiency and sustainable design considerations, basements should be limited to no  
10 more than one story. For floods. Because of their low-lying nature, basements particularly in  
11 areas with high water tables are more likely to flood. Additionally, basements decrease the  
12 amount of land available to store and absorb water and change the flow path of the water.  
13 Coupled with changing water patterns, basement constructions can make floods more severe  
14 and increase neighborhoods' chance of being flooded. For drought. Not only are all basements  
15 energy intensive, basements built in areas with high water tables require pumping out the  
16 water. Additional energy is required. To make matters worse in my opinion, we're throwing  
17 away almost all that water. As Rita mentioned, 30.88 million gallons of groundwater were  
18 pumped out for just one basement on Garland Drive. Twelve times the amount of water we  
19 have stored in El Camino Park Reservoir for emergency purposes. That water, which we will  
20 need in a severe drought, ends up in the Bay and contributes to sea level rise. In a time of



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1 climate change and the need to minimize our carbon footprint, I suggest it makes sense to  
2 study a change in how and how many because of their cumulative impacts and where those  
3 basements are built. Thank you.

4 **Co-Chair Garber:** Thank you. I have no more speaker cards. We'll move to our next agenda  
5 item.

6 **Staff Comments:**

7 **1. Recap of City Council Discussion on Draft Transportation Element.**

8 **Co-Chair Garber:** Staff, would you like to give us a recap of the Council discussion on the draft  
9 Transportation Element last night?

10 **Hillary Gitelman:** I would love to. Thank you to everybody for your hard work on the  
11 Transportation Element. We delivered that to the Council last night. Some of you were there  
12 and stayed late into the evening. I thank you for that and for watching on television if you  
13 couldn't stay with us in person. Unfortunately, the Council didn't really get to a discussion of  
14 the element. I think they understood the amount of work that the CAC had put into it, but they  
15 just ran out of time to do a thorough review. We've tentatively scheduled to bring it back to  
16 them in mid-September, and we'll keep you informed of that date. I think if I had to summarize  
17 the comments we did get out of them in just a few minutes of their review, one would be about  
18 their focus. As they did on community services, they really focused on the length and the  
19 number of programs. I'm anticipating when we get their comments, one of the things they'll be  
20 asking us to do is streamline to the extent we can and try and prune it back a little, which is to



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1 be expected. At least one member of the Council brought up again this relationship between  
2 the Comprehensive Plan and the S/CAP. I think we all understood already that that's a priority  
3 of the Council, for us to make sure that these two documents are synchronized in some way.  
4 We are, as I said, going to schedule a time to finish the conversation with the Council. I think  
5 their intention is to give staff comments and direction on the next iteration and not to send it  
6 back to the CAC for more work until you get through all the other elements. They know how  
7 much work you have on your plate. We shared with them last night the schedule that's in your  
8 packet this evening for our conversation. They know just how much work you've done and how  
9 much there is still to do. That's why I think they're going to wait to send it back to you until we  
10 get through the rest of the elements. Happy to answer more questions. If not, we can move  
11 on.

12 **Co-Chair Garber:** Don.

13 **Don McDougall:** Hillary, did they not also suggest that when the Transportation Element comes  
14 back, the Land Use Element should maybe be connected with it?

15 **Hillary Gitelman:** One of the Council Members made that suggestion, and it wasn't really  
16 picked up by others. It was the Council Member who said, "Why is this taking so long?" We can  
17 only do what we can do. We're hoping this evening that you will move the Land Use Element  
18 forward. If you do, we will schedule to bring that to Council just as soon as we can. At this  
19 point, last night kind of put us a little bit back on our heels.



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1 **Don McDougall:** I was there. I understand. I'm not proposing that they were correct in doing  
2 that. I just wanted to get your take on whether that was an issue or not. Thanks.

3 **Co-Chair Garber:** If there's nothing else, our next item is Meeting Attendance and  
4 Subcommittee Membership.

5 **Agenda Items:**

6 **1. Meeting Attendance and Subcommittee Membership**

7 **Co-Chair Garber:** In your packet, you will find a memo on the subcommittees. It's in the very  
8 back; although, I pulled it to the front of mine. If you haven't looked at that, would you please  
9 look at it and let us know if you're seeing your name some place where it shouldn't be or if  
10 you're not seeing your name where you think it should be? Hopefully this should be complete  
11 and reflect when we asked everybody where they wanted to be four or five months ago now.  
12 On the other side of that, you will see the rules for the Comprehensive Plan Update, for the  
13 CAC. This is the formalization of what Arthur had reported on when we last met. If you have  
14 questions about that, we're happy to go into it. One thing I will report is that staff did speak  
15 with two of the CAC members that are on the cusp of being asked to step away because they  
16 hadn't attended enough meetings, but they have reassured staff that they will be here going  
17 forward. They are going to continue to be with us fortunately.

18 **Heidi Emberling:** I'm not listed on the community services committee, which I served on.

19 **Co-Chair Garber:** Thank you. Yes, Ellen.



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1 **Ellen Uhrbrock:** I was amazed on the list of the subcommittees to discover the transportation  
2 work had been completed.

3 **Co-Chair Garber:** Would staff like to speak to that?

4 **Hillary Gitelman:** I guess our thought was that the committee had delivered to the CAC a draft  
5 that the full CAC has transmitted to the Council. At some point, the Council's revisions will  
6 circle back to the full CAC. We're not anticipating at this point that we'd have to reconvene the  
7 subcommittee.

8 **Ellen Uhrbrock:** The subcommittee on transportation, as you understood it and I should, is  
9 completed, done?

10 **Hillary Gitelman:** As far as we know. I mean, unforeseen events may occur. We wanted to  
11 maintain that list of membership in case we needed it and to acknowledge your service. At this  
12 point, we're not anticipating it having to reconvene. That could change. In fact, this is a good  
13 segue. Elaine is going to cover the schedule next. Maybe we should skip to that, unless there  
14 are further questions on the membership of the committees.

15 **Ellen Uhrbrock:** I see that's true for the land use and community design committee too.

16 **Co-Chair Garber:** As of this moment. Arthur.

17 **Co-Chair Keller:** Whether the land use subcommittee has completed its work will depend on  
18 whether we today forward the Land Use Element to the City Council. If we do, then it will have  
19 completed its work. If we choose to refer it back to the land use subcommittee, then obviously  
20 it wouldn't have completed its work.





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1 **Co-Chair Garber:** Steve.

2 **Stephen Levy:** At our last subcommittee meeting for land use, we were told that the  
3 sustainability subcommittee thought it would be beneficial to meet with us. We thought that  
4 back also. I don't know formally whether that involves us meeting again. It's a separate  
5 committee. I'd certainly like to pursue the opportunity of meeting with them. There were  
6 issues of performance and quality of life and stuff that we both thought would be beneficial.

7 **Co-Chair Garber:** I was just checking with my Co-Chair. We hadn't heard that, but perhaps  
8 staff.

9 **Elaine Costello:** I quite frankly don't remember that.

10 **Don McDougall:** I'll speak for sustainability.

11 **Co-Chair Garber:** Don.

12 **Don McDougall:** I'm sorry. I agree with Steve. There was lots of conversation about the  
13 usefulness of meeting together.

14 **Co-Chair Garber:** Arthur.

15 **Co-Chair Keller:** I understand that for the first meeting of the Natural Environment Element  
16 and the Safety Element that the sustainability committee and the appropriate subcommittee  
17 will meet, but for subsequent meetings of that element subcommittee—in other words, the  
18 sustainability committee will meet at the first time but not subsequent times. Our original  
19 intent was that the sustainability committee would meet to kick off an item and not continue to  
20 meet multiple times, because we didn't want to create a super committee that basically writes



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1 on every element. That was not our original intent. On the future elements, for natural  
2 environment and for safety, the sustainability committee will meet once, the first time, jointly  
3 with the element committee, and then the element committee will carry it forward.

4 **Co-Chair Garber:** To your point, Don, you're recommending that that meeting that Steve is  
5 suggesting occur.

6 **Don McDougall:** The sustainability committee looked at the—this goes to tonight's  
7 conversation I think—development performance measures and the community performance  
8 measures and frankly had a list of—I don't know what it adds up to—30 items that we thought  
9 maybe could be discussed as being in the development requirements, development standards.  
10 We weren't proposing all of them. We were just saying that that should be reviewed as a list,  
11 because we weren't sure that the five that were presented were the same or were appropriate.  
12 Then we said, "Since we've got that list in front of us, maybe we should look at which ones of  
13 those apply to both development and community." We had that conversation. That  
14 conversation was carried over, I believe, into the land use subcommittee and created some  
15 confusion and differences of opinion. I understand that Hillary helped us out by saying, "A lot  
16 of that stuff is already in the requirements, so you don't need to talk about it."

17 **Co-Chair Garber:** Let me interrupt.

18 **Don McDougall:** That's not helping us. We don't think what we have here is good at this point.



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1 **Co-Chair Garber:** Right. Let's hold that conversation until we get into the point. Let's finish  
2 this particular topic on if everybody believes that they are in the right subcommittees. I think  
3 we are. Annette, do you want to be—is there a subcommittee that we're missing?

4 **Annette Glanckopf:** I just wondered how late—since some of these elements are not going to  
5 be discussed for a bit, can you join them maybe at some other point in time? I'm not sure how  
6 many subcommittee meetings each group will have. I'm sort of interested in the natural  
7 environment one, but six meetings of that might be a little ...

8 **Co-Chair Garber:** I'm not sure I can answer that question right now.

9 **Annette Glanckopf:** When we actually start meeting, we could join a committee.

10 **Co-Chair Garber:** Yeah, if we are under our limit.

11 **Annette Glanckopf:** That was my question.

12 **Co-Chair Garber:** Yeah. You should just apply and let us know.

13 **Annette Glanckopf:** Just let you know.

14 **Co-Chair Garber:** Yeah. Hillary, did you have a note before we move on?

15 **Hillary Gitelman:** Actually no. I want Elaine to address the schedule, and then I'll ...

16 **Co-Chair Garber:** Let's move on to our next agenda item and talk about the schedule. Jennifer,  
17 did you have a comment on the committees?

18 **Jennifer Hetterly:** I was just going to say I am over-committed on the committees, but I will  
19 discuss it with the Chairs at another time.



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1        **2. CAC Schedule**

2        **Co-Chair Garber:** Let's move on to our next item. Elaine.

3        **Elaine Costello:** I think over-committed is a good segue into this topic. You all have been  
4        amazing. You committed for a year, which is now up. You've had 31 meetings of combined  
5        subcommittee and CAC meetings. You've done just an amazing job. The Transportation  
6        Element went to the Council unanimously. You've worked really hard on the Land Use Element.  
7        You've had six land use subcommittee meetings, and the CAC has met four times on the land  
8        use. Anyway, we realized and we've heard some feedback from you that this is getting—some  
9        people are feeling really over-committed. We took a look at what could we do about that. We  
10       took a look at the schedule, and we realized that first the news is that it's been year, but it's not  
11       done. We're about, you might say, half way. An optimistic view is that it's going to take 'til May  
12       of next year to finish. We looked at how do we streamline this and how do we focus on what  
13       works and try and make good use of your time, because your time is really valuable. You've  
14       spent a lot of it. Here's some ideas we had. We did add time to the schedule to reflect the  
15       additional meetings on land use and transportation. We added more time than was originally  
16       scheduled. I'm sorry that it refers a number of times to the Natural Resources Element and  
17       natural resources. I realize it should be the natural environment. We added some more times  
18       on the Natural Environment Element subcommittee and more discussion of that, trying to be a  
19       little bit more realistic about how long it's going to take and trying to help you—we're going to  
20       try and be more organized as we approach it, so we know what topics we're going to get.



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1 Those are some of the efforts that we're making. Another thing is that instead of having—like  
2 after the Council makes comments, has the transportation brought back, we're recommending  
3 that you go through all of the elements one-by-one, knowing that there's some overlap that's  
4 going to be useful to revisit, but to try and get through all of the elements and then look at it as  
5 a whole and look at the Council's comments at that point. Based on what they said last night,  
6 that sounds like something the Council can work with as well. Finally, we looked at the  
7 subcommittees and said, "Is there a way that we can have some of the subcommittees meet  
8 jointly?" For example, what we've added here is that the sustainability committee, just as  
9 Arthur said, would meet at the first meeting of with the natural environment subcommittee on  
10 the Natural Environment Element and also on the Safety Element. We did find on land use—I  
11 think we're hearing a little reflection of that—that we went to the sustainability committee,  
12 and it went this way. Then we went to the land use committee, and it went that way. When  
13 they're together, it's better and it's also just a much more efficient use of your time. Several of  
14 you are on both, which is just a really heroic effort to try and do that. We are going to try and  
15 look at ways that we can stay within the quorum but also combine some of the subcommittees,  
16 having them meet jointly so that some of the discussion—a potential to reach consensus and  
17 recognize differences happens sooner. With that, we will be starting on just talking about that.  
18 The sustainability subcommittee will be meeting jointly with the natural environment and with  
19 the safety at those first meetings. That's the approach that we are taking. It is our hope that



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1 we can work with you to make good use of your time, to be organized and to get this finished  
2 within a year and a half versus the year that you committed. That covers the schedule.

3 **Co-Chair Garber:** We have a—Shani, let's start with you. If others have comments—Lisa, Heidi.  
4 Shani, please go ahead.

5 **Shani Kleinhaus:** I submitted comments on this, but I'm on both sustainability and land use. I  
6 think that what I see in front of me does not reflect the full recommendations of both. There is  
7 some things here that look really good and capture what we said, but there's a lot that both  
8 committees said that is not in here or I just don't understand. I'd like to understand better. I  
9 think that we're not done. The land use at least needs to meet again. Whether it's jointly with  
10 sustainability or not, I don't care. I'm in both, so it doesn't make a big difference in my time. I  
11 would have the same comments probably. I think there's more work on this, and we cannot  
12 assume that it's going be done and already finished today. I don't know if now is the best time,  
13 but I would like to make a motion that we do not finalize this item today, and that we do have  
14 another meeting of the land use subcommittee. Thank you.

15 **Co-Chair Garber:** Thanks, Shani. Lisa and then Heidi.

16 **Lisa Peschcke-Koedt:** I think it's important to keep the work going, but I personally am not  
17 going to be able to commit to going into next year. I think it'll be almost two years from when  
18 we started rather than the original one that we committed to. I think from the subcommittees I  
19 won't be able to do those. I'll think about it tonight. I really, really enjoy working with all of you  
20 and meeting you. I'm starting to see that I won't be able to see it through to the end. I think it



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1 might be a good time to step out now. I'd like to stay through today, and then I'll see how the  
2 meeting goes. I'll most likely come back to you, Dan and Arthur, at the end and just let you  
3 know that if you want to replace me, if someone wants to come in, in the middle. Otherwise,  
4 I'm leaving in the middle.

5 **Co-Chair Garber:** If you come back to talk to me about that, you'll have to bear having your  
6 arm twisted.

7 **Lisa Peschcke-Koedt:** I'd certainly be willing to stick with the second commitment, which was  
8 up 'til December. I've planned my life to do that, but beyond that I can't. I'm looking at this,  
9 thinking it's probably not worth continuing after tonight. I'm really very much honored to work  
10 with you all. If I don't get a chance to say good-bye and thank you, I just wanted to say it now.

11 **Co-Chair Garber:** Let me just ask by a show of hands, are there others that would have trouble  
12 sticking through this to the bitter end, at least as it's currently projected? Three and a half.  
13 Thank you. Heidi and then Arthur.

14 **Heidi Emberling:** Thanks. There are still meetings on this next year's worth of meetings that  
15 coincide with School Board meetings. I know you're keeping them on Tuesdays. If you want  
16 school representative, that's probably not a good idea. I mentioned these three exact dates in  
17 July, but they're still here. I guess that's a message. I may hand it off to another Board Member  
18 as well. We usually rotate on our committees every year. Who knows? I may not be in this  
19 position after November. I don't know if I should hand it off now or wait. Those are just things



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1 to consider. I think it's important to have a school voice, though, just from the comments I'm  
2 going to make tonight. It's important to have it, I think. Thank you.

3 **Co-Chair Keller:** Thank you. I think we had switched from the second Tuesday of the month to  
4 the third Tuesday of the month to accommodate the School Board meetings. It's unfortunate  
5 that the School Board took our night or vice versa. Anyway, we did make a change to  
6 accommodate that early on. I appreciate that.

7 **Heidi Emberling:** (inaudible)

8 **Co-Chair Keller:** Yes, I understand. There's an interesting thing to me about this. First of all,  
9 having the land use and sustainability committee meet together, I believe, would exceed the  
10 quorum, because both committees are quite large. I'm not sure everybody attends both  
11 meetings, but they basically exceed the quorum. There's more than nine people on both  
12 meetings and, therefore, I think it would be a majority of the committee, which we're trying to  
13 avoid because of the Brown Act in terms of subcommittee. The second thing is that it seems to  
14 me that we may be trying to do something—I'm getting a little bit into the schedule thing, but I  
15 think this is relevant for schedule. We may be trying to do something for which an additional  
16 meeting on land use or an additional number of meetings on land use isn't going to solve the  
17 problem. The problem is that we are trying to rush the process of coming up with these  
18 standards for developments and community standards. I've been thinking about this for the  
19 last couple of days as I've been going through this and realizing from the discussion that Don  
20 said about there are different issues and coming this far along. We're not going to get it done





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1 in a month or two. I think that is a mistake, to rush it forward, lock it in the Comp Plan, and  
2 make our schedule happen like that. I'm wondering if what we should instead do is stick to the  
3 stuff without having locked in these standards. Instead have a policy that we will work on  
4 having standards and a program that says that we will develop standards, and thereby sort of  
5 defer the process further, but in the meanwhile we keep the current process of caps and things  
6 like that and that we add to it standards once they're available. I think that we're never going  
7 to agree on this. The Council is going to have a hard time figuring out what to choose from  
8 them anyway. I think we're better off not rushing to do the wrong thing.

9 **Co-Chair Garber:** That was Arthur. Annette, I have you after Doria. I have a few people ahead  
10 of you, Doria. I've got Steve, then you and then Annette. Steve.

11 **Stephen Levy:** Two points. I think it's incorrect to think that the Business and Economic  
12 Element will take one subcommittee meeting and come back. I've been waiting more than a  
13 year to discuss how the Comp Plan affects not only the business environment but the physical  
14 health of the City. It's a piece of sustainability to me. We had a long discussion in our  
15 subcommittee that sustainability is not just physical things like water or traffic. It affects the  
16 diversity, the type of people here, the type of community, and I will argue for fiscal. Even  
17 without that, I know Hillary disagrees. I think it's not remotely realistic to think that those  
18 important elements can be handled in one meeting. What I read in the schedule is you have a  
19 subcommittee meeting and then you come back for a recommendation on the element. The  
20 prior experience, that's just not going to work for me. The second thing is I'll tease Arthur a



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1 little bit. The argument that Arthur just made about the difficulty in defining and reaching  
2 agreements for performance standards is precisely the argument I would make why it's  
3 unrealistic to adopt caps based on arbitrary numbers with absolutely no information  
4 whatsoever. I don't expect Arthur to agree with me, but I don't agree with him. I think equals  
5 are equals.

6 **Co-Chair Garber:** Thank you. Doria, then Annette.

7 **Doria Summa:** I take it we're still on the scheduling item.

8 **Co-Chair Garber:** We are.

9 **Doria Summa:** I agree with Shani's comments about land use. I don't think it's finished. I also  
10 agree with Arthur that we're rushing this. Being a year behind or six months behind and also  
11 knowing that we're rushing it, it's very difficult for me to come up with a good solution. I  
12 haven't thought of one yet. Arthur's solution may be right, and I think we should consider it.  
13 Another thing about the schedule. You just talked about we'll go over the elements at the end.  
14 For instance, transportation will come back to us at the end. Would we be able to change  
15 elements at the end? That's what I worry about with regards to schedule. Also, some people  
16 are on both land use and sustainability, just so you know, so you don't have to double count  
17 them.

18 **Co-Chair Garber:** Yeah. Actually I was going to remind Arthur. When I did the math, we  
19 actually would only end up with eight, so we'd be one less. Four of the five members are  
20 already on the natural environment.



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1 **Co-Chair Keller:** I think you're talking about natural environment. We're talking about land  
2 use, which already has nine.

3 **Co-Chair Garber:** Yes, understood. I'm sorry; I misunderstood. Annette.

4 **Annette Glanckopf:** A couple of comments. I'm getting a little concerned about the influence  
5 the sustainability committee, with all due respect, has on each element. I think it's a little bit  
6 too much. I think that needs to be considered. I also would like to speak to the continuity of  
7 the group, because several of the folks have decided that maybe we can't commit that much  
8 time. I don't think this group should add people to it. I think there's a lot to be said with the  
9 continuity and the collaboration, especially since we're going to get to some end goal where  
10 everything's going to come back together. I think really the Co-Chairs and staff need to  
11 consider that plus the whole issue of—maybe this is the elephant in the room, but I'll just  
12 mention this. Very soon in the schedule, four CAC members are running for Council. It's very  
13 likely that some of them, maybe all of them, will be elected. That will drop the numbers of the  
14 group down. What are we doing to do? Are we going to have a smaller group? That's  
15 something to consider. Can the Council Members, if for some reason they'd like to continue on,  
16 do that? That's something to think about. I also think that the land use, the performance  
17 measures to me are over the top. Right now, it's just a laundry list. A lot of these things have  
18 not been thought out very well. They're all good ideas, but to actually analyze them, you would  
19 have to have a cast of thousands. Maybe that's great, Hillary. We'll get you a couple more  
20 people on your staff. How would you ever measure the number of homeowners paying more



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1 than 50 percent of the household income for housing? It's very, very intensive. I would never  
2 answer a question like that. Again, I'm worried about the composition of the group and then  
3 also the Land Use Element, which is not for prime time.

4 **Co-Chair Garber:** Shani, you've already spoken. Let me just make sure that nobody else would  
5 like to speak. I'm not seeing any other cards raised, so go ahead.

6 **Shani Kleinhaus:** There were a lot of other little items on the Land Use Element that we didn't  
7 really have time to get to at the committee. There were so many important things that even  
8 those did not get done. I agree with Arthur that we could spend another three months on it. I  
9 think that at least one more meeting for land use with or without sustainability is needed for  
10 those, at least to identify where the conflicts are, so somebody can decide this is what I want  
11 out of those or something. Right now things are simply missing, and there is a lot of other  
12 comments. As we can see in all the letters that were submitted for today, there's a lot more  
13 work to be done there. I don't expect staff to be able to do that, so I would like to have another  
14 meeting.

15 **Co-Chair Garber:** Understood. We're going to have more conversation about that in one  
16 moment. I just have one clarification for staff. I think it was answered as part of Doria's or  
17 maybe it's part of Doria's question as well. Is it staff's intention then that in May is when we  
18 would actually do—one of our efforts in May would be to find ways to streamline, condense,  
19 consolidate, trim, etc.. Is that the thought?



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1 **Hillary Gitelman:** I think it's possible that the Council in their review may ask staff to do some  
2 of that. In May, the committee would look at the changes that have been made. It would be  
3 tracked, so you would be able to see what we'd done and weigh in.

4 **Co-Chair Garber:** Understood. If there are no more comments, I'm seeing no—I'm sorry. Amy,  
5 I apologize. I will look to my left. Go ahead.

6 **Amy Sung:** I'm currently serve on the land use. I am wondering when we schedule the  
7 subcommittee meetings, usually it's short notice. By the nature of how we schedule it,  
8 oftentimes we cannot accommodate everybody's wishes. I noticed that there are certain  
9 people who just constantly couldn't make the schedule, because the meetings are scheduled  
10 during the work hours. Because of that, I'm wondering could we have a replacement of those  
11 who constantly couldn't make it to those schedules. I do notice that during the discussion I  
12 usually fall into this minority voice. I think maybe if there are people who could interject some  
13 different opinions and ideas into our land use. Indeed I would like to have more meetings to  
14 discuss about the land use. If I listen to some of the comments during our full committee  
15 discussions, some of the policies and programs shouldn't be in the Comprehensive Plan but  
16 instead should be in the zoning. I just wondered who would be in a position to say what  
17 belongs to the Comp Plan and what belongs to the zoning and regulations. Thank you.

18 **Co-Chair Garber:** I'm sorry.

19 **Co-Chair Keller:** (inaudible)



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1 **Co-Chair Garber:** Follow my lead, Arthur. We'll see where we go. If there are no other—  
2 Hamilton. The schedule. Go ahead.

3 **Hamilton Hitchings:** This is on topic. First of all, I think it would be very much appreciated by  
4 some of the CAC members if there were options for evening meetings. This gets to Amy's  
5 point. Not everybody can do meetings from 10:00 to 1:00 or from 1:00 to 4:00, especially  
6 considering we're extending it an additional year. I think it's appropriate to accommodate  
7 those folks who have 9:00 to 5:00 or 8:00 to 6:00 jobs. That would be a request. I know the  
8 staff has resisted this, but I want to lean in on that request as we go forward. The other thing is  
9 I think for committees that are already ongoing—for example land use, we've had five  
10 meetings. We've done incredibly detailed discussions. There's a lot of context. Bringing in new  
11 people kind of resets the process. I think for meetings that have already started, we shouldn't  
12 be changing around the committee membership. Thank you.

13 **Co-Chair Garber:** Hillary.

14 **Hillary Gitelman:** I'm hoping that this is going to wrap up the discussion of schedule. Hamilton,  
15 we hear you, and we'll give that request some additional thought. I did want to clarify that our  
16 original schedule had us going through December of this year. The revised schedule is still  
17 optimistic, but it shows us adding five or six months to the process. I hope those of you who  
18 committed through December will consider staying through December. To Annette's point, I  
19 think after the November election there will be an opportunity for the City Manager and the  
20 City Council to think about whether the composition of this group needs to change. It seems



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1 like if you could all just hang in there until December, we would be in a better position to make  
2 informed decisions, and we could get an awful lot of work done between now and then. With  
3 that said, we're going to talk about land use tonight. If you all think land use isn't ready for  
4 prime time and needs to go back to the committee, I think our recommendation is that it be a  
5 joint meeting of sustainability and land use, which I think we can do because of the overlap  
6 without reaching a quorum. I think some of what you're seeing in terms of the unresolved  
7 nature of these lists is that we went back and forth between the two committees. If we got all  
8 the people in the room at one time, we might be able to get to the endpoint. When we get into  
9 the land use discussion, I hope if we need another meeting, we can use that direction.

- 10 **3. Action: Land Use & Community Design Element**  
11 **a. Introduction of Draft Element Framework, Including Growth Management Policies**  
12 **and Programs (Staff)**  
13 **b. Report from the Land Use Subcommittee**  
14 **c. Discussion of Draft Framework**

15 **Co-Chair Garber:** Let's move into our next agenda item here, and let's lead with that question.  
16 By a show of hands, who feels that the item—we could move this to the Council after this  
17 evening's meeting? Let me just ask if anybody believes that we can do that this evening. Okay.  
18 Does anybody want to try just having a building on University Avenue? Or Lytton, yes, thank  
19 you. Arthur and I have had some reservations about asking the group to vote on the topics that  
20 you have received in the memo. We did want to—there was some expectation that we would  
21 do some voting, but I wanted to open that conversation up before we start the report from the  
22 subcommittee. Are there other thoughts that people may have about whether they feel that



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1 we should be voting on those items that were in the memo versus not voting on those? We'll  
2 go with Elaine, and then Ellen, then Jennifer, Doria, Steve, Adrian. Go ahead, Elaine.

3 **Elaine Uang:** I'd like to see us have input from the whole committee on the options. I am not  
4 terribly convinced that the two options that the subcommittee came up with for each of the  
5 items listed here are necessarily the options we should be voting for. I also have another item  
6 that I'd like to add and to receive input on. I don't know if I should mention that now or if I  
7 should mention that as part of the later discussion.

8 **Co-Chair Garber:** I would hold that for the later discussion. I'm really interested to get some  
9 opinions from people as to whether they think we should vote or not vote, and then we'll open  
10 up the conversation. Our thought was that we would use that memo as a way of organizing our  
11 conversation this evening. Ellen.

12 **Ellen Uhrbrock:** I personally like the idea of taking things to a vote. To me, it helped guide my  
13 study for tonight's meeting, because I could follow it and then I could read it in the (inaudible).  
14 It helped me prepare. This is really what I focused on when I was getting ready. I also  
15 recognize that I don't really know the difference between a performance measure and a cap  
16 measure. I want to know who designed it and what they hope to get out of it and will the data  
17 be eligible to go into the open database that they're going to design. I'm in favor of educating  
18 Ellen on what it's all about, and then I'll vote.

19 **Co-Chair Garber:** We had Jennifer, and then Doria.





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1 **Jennifer Hetterly:** I don't think that this group should vote on any controversial options,  
2 whether it's these particular ones, whether it was the height limit. Who knows what else might  
3 come up? I think it's divisive to the membership and to the process. I think I've said this  
4 before. It exacerbates an us versus them dynamic within the committee. It raises questions on  
5 both sides about balanced representation on the full committee as well as on the  
6 subcommittees. It gives the false impression of majority community preferences when we're  
7 really just a group of volunteers who were interested and available. Rather than fighting over  
8 which option is best, what we ought to be doing is seeking consensus among the entire group  
9 that, taken together, all of the options presented actually identify the key questions and  
10 controversies. I think Council, not the CAC, should be weighing them against the interests of  
11 the community at large.

12 **Co-Chair Garber:** Thank you. Doria and then Steve. Annette, did you want ...

13 **Doria Summa:** What Jennifer said was so much better than the way I was going to put it. I do  
14 agree that the way this group was formed, and it's not perfectly split. The vote could just  
15 depend on who's sick that day or whose kid had a school play. I don't think it represents  
16 democracy in a way we would like it to represent democracy. I do agree that the important  
17 thing is for the Council to see the real options that we wanted. I am against voting. It's not  
18 really a vote. It's really like a straw poll. I had to leave the last meeting in the middle, but I read  
19 the minutes. People are constantly dissatisfied with this straw poll or voting process, it seems  
20 from reading the minutes. I vote no on votes.



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1 **Co-Chair Garber:** Steve and then Adrian.

2 **Stephen Levy:** I find myself in agreement with Jennifer and Doria. I'm happy to vote if you  
3 want, but I don't think it leads anywhere. If we did vote, I and I expect lots of others would  
4 spend a whole lot of time quibbling over the wording of the options. For the later discussion,  
5 Elaine and I both have another issue, not to vote on but for which we both think the traditional  
6 process of this committee of bringing forward all options has been not successful in this one  
7 area. We'll talk about it later.

8 **Co-Chair Garber:** Adrian and then Arthur. Annette, did you want to ...

9 **Adrian Fine:** Thank you. Obviously the Land Use Element is pretty much the heart of the Comp  
10 Plan. I think a lot of these issues are kind of too extreme in one way. It's like should we have a  
11 cumulative cap or not. I'm not sure that's a helpful vote for Council and for the community  
12 actually. What may be helpful, if we want to continue looking at these couple of issues, these  
13 seven or so here, is what are the pros and cons. If we did have a cap, what does that mean for  
14 the City? How is it good, how is it bad? If we don't have a cap, how's it good, how's it bad?  
15 What may be best and my suggestion for tonight's meeting is for everyone in here to get  
16 everything else off their chest actually. I didn't notice hotels in here. That's something I have a  
17 lot of thoughts about. Maybe it's about some of the land use designations themselves. These  
18 seven issues are a good start. I'm not sure I'd be in support of voting for them, even if I can't  
19 vote. I think rather than voting, it may be helpful for this committee to actually look at the pros  
20 and cons of each of these issues.



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- 1 **Co-Chair Garber:** Thank you. Arthur, then Jason, and I think that's the end of the comments.
- 2 **Co-Chair Keller:** Thank you. I think that it is best that we spend our time as multiple people  
3 have said. Rather than voting on discussing the pros and the cons of that, because part of our  
4 job is to, when we have alternatives, give the pros and cons analyzed to the Council. If we  
5 spend our time hashing out the vote or hashing out the decisions, that's one thing. If we  
6 actually go into pro and con, I agree that that's much better. The second thing is that our  
7 choices are not necessarily very refined. Like Elaine, I can think of a number of variations on  
8 things that might be better. I'm not going to go into specifically what those were. I could think  
9 of variations that would certainly make sense. Finally, the issue is that I do think that this  
10 committee should have some sort of consensus—I'm not sure if this is a vote or what—in terms  
11 of whether we go forward with these standards as being in the Comp Plan as adopted. In other  
12 words, whether the performance measures are actually to be decided in the next month or so  
13 and locked into the Comp Plan or whether it is something that we will allow more time and  
14 allow that to be a study to be done and compare what other cities are doing, compare what the  
15 best principles are and evaluate rather than rushing that forward. I would be for the latter. I  
16 think that's something that we may wish to have a straw poll about, because that's a decision  
17 on how we move forward as a committee in terms of our drafting process as opposed to what  
18 the document contains.
- 19 **Co-Chair Garber:** Thank you, Arthur. Amy and then Bonnie. Jason, I'm sorry. I apologize.



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1 **Jason Titus:** I agree with what everyone's been saying around I don't think voting actually  
2 achieves our goal. I do think there's something valuable that we could do that comes from  
3 hopefully some aggregation of our conversation, in that there are certain areas that clearly  
4 people care a lot about. Some of them are covered in this vote, in the items that were listed on  
5 what we should we vote on; although, I think probably not all of them. It seems like it would be  
6 useful for us to be able to clearly convey to Council here are the topics that we discussed a lot,  
7 and here are ones that there was general agreement on, and here's the ones that actually had  
8 differing opinions. I know that we try and come up with that, but I wonder if there was a  
9 reason why we felt that we needed to vote. I wonder if there might be other ways that we  
10 could convey this. I just came off vacation, and I was reading Kindle. They have the "how many  
11 times were certain things highlighted." What are the items that, as everyone's going through,  
12 they're calling out, going "this is great"? Even if it's everybody going "this is really great, I'm  
13 glad we had this thing," that's valuable information. It's also valuable information to say there  
14 are two decidedly different views on this and, Council, you should debate this and discuss it.  
15 People who care about it can come to that Council meeting and support what they care about,  
16 but it's not going to be decided by us voting here. I think the wording and all the issues raised, I  
17 would agree with.

18 **Co-Chair Garber:** Thank you. Amy, then Bonnie. I think that's our last speaker. No, sorry.

19 **Amy Sung:** Actually I hear everybody saying, but I actually wanted to just go back to Elaine's  
20 idea. To vote, I think, maybe is not the right word. Maybe we're just doing a polling to see



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1 what the temperature of a particular idea. For example, some of the documents—we had gone  
2 through these revisions, and I see items being crossed out. Does that mean at the moment that  
3 we need to bring it back for discussion and do we need to take a temperature of how important  
4 that particular item that has been crossed out needs to be brought back? I think that we need  
5 to make (inaudible) to find out if certain items that have been discussed warrant a second look.

6 **Co-Chair Garber:** Bonnie, Shani and then Annette. Then that's the end.

7 **Bonnie Packer:** I agree with what everybody's been saying. What I would recommend is that,  
8 when we come to the part where it says discussion by the committee as a whole and we go  
9 around, when we go around we just focus on one topic, that each of us refrains from reading all  
10 the notes that we sent in already or that we don't comment on every little goal that we had to  
11 comment on. We have the opportunity to submit that in writing. We use the very little time  
12 that we have left this evening to focus on the topics that are set out in what was going to be the  
13 vote. Those are the things we want to talk about, the caps or no caps, what to be included.  
14 These are the controversial areas. I ask the Chairs to control our discussion so that we stay on  
15 topic and we can respond to each other and we have a meaningful discussion instead of this  
16 linear thing that we've had in the past where it just jumps from one topic to another. That's  
17 what I would recommend. I think it would make our discussion richer.

18 **Co-Chair Garber:** Thank you. Shani and then Annette.

19 **Shani Kleinhaus:** I agree that there is no need for a vote. It's not helpful. To Adrian's point of  
20 pros and cons, I'm not sure we all interpret those things in the same way. They may be



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1 oppositional. To me, it may be more helpful to tie that to the EIR in some way, to the different  
2 scenarios. This belongs in this scenario. If they all belong to all, then maybe not. There's still  
3 things I don't fully understand here. More about what will it do than pro and con, because  
4 that's kind of loaded. About more research and what is happening in other communities, I  
5 think that's a good point, Arthur. I just think the idea at the beginning of all the performance  
6 measures was sustainability measures. Now, we see these as already required as part of the  
7 Green Building Code, so let's look at other things as performance measures. I'm getting really  
8 confused. If the requirements are requirements and the performance measures on a per  
9 development project are different than that, I'm not against it. I think it's potentially good to  
10 have that. I'm kind of not sure where it takes us. That's part of what I want to see explanations  
11 on.

12 **Co-Chair Garber:** Thanks. Annette.

13 **Annette Glanckopf:** First of all, I'm going to make this really simple. Let's take childcare off this  
14 list because it's really a zoning issue. This is my issue, so thank you, thank you for including it. It  
15 doesn't even fit with all these other things anyway. If we were going to really have an in-depth  
16 discussion, I'd put basements on, which is much more significant, but a lot of that is either  
17 building or zoning also. My only other point is I have to respectfully disagree. If we ever get to  
18 go around in a circle, we should be able to talk to whatever we think is really important to  
19 share.



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1 **Co-Chair Garber:** Arthur and I were just saying we're not going to have time to be able to  
2 segment it at all. You'll be able to speak on whatever you like. Let's move on. Hillary, will you  
3 kick off the subcommittee, and then we'll have the subcommittee speak.

4 **Hillary Gitelman:** I would love to. I will try and be concise. We went at great detail through  
5 the table in our last discussion. The table's been revised somewhat, and there are tracked  
6 changes. This is on page 6 and 7 of your staff report. I'm not going to go through it. I just  
7 wanted to say that the land use subcommittee did a lot of work, going deeper into these  
8 options. The results of their conversation is reflected in the draft policies and programs and in  
9 the discussion on pages 12, 13 and 14 of your staff report. At a real high level, what this section  
10 of the report provides is a good discussion. Ellen, if you're looking for a discussion about what  
11 the cumulative cap is today, it's right here. What the options are the subcommittee talked  
12 about carrying forward if the cap is applied to office, if it's applied to office plus hotel. We  
13 identify in these paragraphs—it's really just a page and a half of those quantitative figures that  
14 the subcommittee was able to reach agreement on. Where they weren't able to reach  
15 agreement, the idea that the quantitative values would be filled in at some later date after  
16 some program to undertake further study or whatever. It varies in a few of these cases. We  
17 deal with, at the bottom of page 12, the cumulative cap. At the top of page 12, the options for  
18 that. On page 13, the annual limit options. If you remember, we were talking about an annual  
19 limit that could either apply Citywide or Citywide minus the Research Park. There's a discussion  
20 about how those options could proceed. I'm delighted with the discussion you had about if



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1 we're going to vote, maybe vote that we've captured the options rather than trying to choose  
2 our horses tonight. All the committees working together have done a good job on these  
3 growth management options. I'm hoping that you will focus on this issue particularly this  
4 evening in the time we have left and this issue of the performance measures. I think we've  
5 heard great comments tonight about how this is an issue that still needs some resolution.  
6 There are a couple of things we could do. Arthur has suggested one, that we really defer this to  
7 a program. The other thing we could do is refer it back to a joint meeting of the two  
8 committees, so the two committees get to a meeting of the minds. I don't know what  
9 possessed me, but I went back and reviewed some early minutes from a Council meeting where  
10 they were talking about the vision and goals for the different elements of the plan. In there,  
11 they seemed to suggest that if we had these kind of measures, the right place for them would  
12 be in the implementation section. I'm kind of thinking along the lines of Arthur. If we just  
13 identify the purpose of the development performance measures and the community  
14 performance measures and some of the topics they will address, we can defer the details and  
15 the specifics of them to a later discussion on implementation. That's just one suggestion about  
16 how we could frame this. I'm hoping that we will go around starting with the land use  
17 subcommittee members, focus on growth management options, and this question of how we  
18 deal now or later with the performance measures, the two different types, and see if we can't  
19 get to closure on those things in the time remaining.





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1 **Co-Chair Garber:** I'm going to start just as they are listed here in this handy, little handout of  
2 the subcommittee members. We'll go down the list, and then we'll open it up to the rest of the  
3 group, and we'll go around the room. Amy, as the first person here on the list for the land use  
4 and community design, you will have three minutes, 2 1/2 minutes. We'll try and get through  
5 everybody here.

6 **Amy Sung:** Thank you. What I really wanted to touch upon is a few items. The first one is the  
7 use of basement. We heard the public comment about the concern of dewatering. I think that  
8 Dan wrote a very good memo from last meeting. Also, I mentioned that I had dug into City's  
9 memo. That was a report put together in 2008 and then later was referenced. The last time it  
10 was referenced it was a report put in 2015, so it was just last year. A lot has been addressed.  
11 Dewatering seems to be the major community concern. What I learned from the expert input  
12 is that the water goes back to our Bay. In a way, according to the experts, they say that it took  
13 a detour and eventually returned to the Bay. I remember somebody (inaudible) really in the  
14 broad base in the concern about dewatering. The biggest concern of dewatering really is about  
15 all the water that is taking water out of its original source, transport it artificially to another  
16 location. What we see that the basement construction just does not rise to the complaint for  
17 us to talk about regulating its impact. That is my first concern. The second one, I actually  
18 wanted to go back to the cap and the performance base. I have always been in favor of no cap  
19 but maintaining that I don't have the level of expertise to fully understand the impact of what  
20 that cap will mean. I have spoken to somebody who is doing planning. That cap provides a



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1 level of certainty. For those people who are doing this for a living, that is important. I just think  
2 for us to give a recommendation we need to have a broader education to understand what we  
3 are deciding on. Thank you.

4 **Co-Chair Garber:** Thank you. Annette and then Alex.

5 **Annette Glanckopf:** I'd be happy to be last. I'm not really sure what we're commenting on.

6 **Co-Chair Garber:** We're just opening up. It's a broad discussion. We're not focusing, but it's all  
7 on land use.

8 **Annette Glanckopf:** Anything.

9 **Co-Chair Garber:** Yeah.

10 **Annette Glanckopf:** Maybe I'll just go ahead.

11 **Co-Chair Garber:** The only thing, I ...

12 **Hillary Gitelman:** I guess I'm interested in understanding if anyone—how people feel and  
13 whether we have the options that we need to present to the Council or if you think there are  
14 some that we missed somehow.

15 **Annette Glanckopf:** I think we spent almost the entire time talking about the topics that were  
16 sort of on the survey. Just as far as this element, we really didn't do justice to the end part of  
17 the element. I do think that it's not ready. I do think we should have another meeting. I don't  
18 think we should meet with sustainability, because it'll be all focused on these questions. As far  
19 as I'm interested in, as far as opinions, I don't think the performance measures are ready for  
20 prime time. Even if we refine them immediately, I would always go with the hybrid. I do think



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1 we do need to control the annual rate of development and the total rate of development. I'm a  
2 little bit more neutral on some of the numbers that we talked about. We spent the entire time  
3 talking about that and these performance measures. I personally feel, as I said before, the  
4 performance measures are way too many. We've got such a shopping list with what the  
5 sustainability committee threw in and these. I just think it's unmanageable. When you start  
6 talking about measurements, you need a crisp list. I would have no more than five. Maybe the  
7 performance stuff is easier to quantify, but the community measures are all really very high  
8 level. I think you're going to have a very, very challenging time trying to get your hands around  
9 some of this. It's almost like what comes out of the Palo Alto Citizens Survey, which seems to  
10 be going downhill every year as far as the quality of life. That's really my summary of that. I  
11 think the area that our group has not spent enough time on—I agree with Amy—is the area of  
12 basements. I think some of the things that I'd agree with in the memo that Dan wrote and  
13 some of it I don't understand with some of the concepts of how you measure things. In any  
14 case, I do think it's a very significant area as we talk about growth. The FAR could be discussed  
15 as a zoning issue. The real issue is what effect ...

16 **Co-Chair Garber:** Please finish up.

17 **Annette Glanckopf:** Let me finish my point. I really do think that basements do have an effect  
18 not only on the water table. I think Esther was brilliant in her comments on the emergency  
19 issue of it. Definitely affects where you excavate against people's property. Again, it's zoning,



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1 but I think that really needs to be restricted as far as the size of basements and how it abuts to  
2 your neighboring properties. Anyway, that's three minutes.

3 **Co-Chair Garber:** Alex and then Hamilton.

4 **Alex van Riesen:** Do you just want the people who were there at the meeting to go first? I can  
5 weigh in later. I wasn't at the last meeting.

6 **Co-Chair Garber:** If you want to go ahead, go right ahead. Otherwise, I'll put you at the end of  
7 the list. You want to wait? We'll wait. Hamilton and then Steve.

8 **Hamilton Hitchings:** I think that performance measures are an innovative tool that have  
9 potential to help address a lot of the issues that Palo Altans have raised around livability.  
10 However, this is a ...

11 **Co-Chair Garber:** Do we still have sound?

12 **Hamilton Hitchings:** You're going to extend my time for this. However, if performance  
13 measures are not implemented properly, they may not be effective and achieve their desired  
14 outcome, which is why I favor an "all of the above" approach for this Comp Plan while we try  
15 out performance measures and see if they work well. When the next Comp Plan comes around,  
16 if they've been performing well and we've been using them, I would be in favor of having them  
17 become a primary form, but I'd like to see them prove themselves while they overlap with our  
18 existing methods for regulating growth. In terms of whether we should have performance  
19 measures in the current Land Use Element, I am a little bit hesitant just to defer it to a future  
20 committee or group who may not reflect the broader view of Palo Altans that we have in this



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1 room, which is why I'm in favor of having them listed in the element and also doing what Arthur  
2 said, which is where you have a program and policy to go and refine them further and expand  
3 them out in detail as a separate document. We need an overarching sense of what are the  
4 performance measurements. This is the right group of people to define that. I do think we are  
5 going to have to spend a little bit of time on that in order to get it right. This element is not  
6 ready to go to the Council at this time. Both is the answer to how we do the performance  
7 measures. Staff's attempt to streamline the performance measures was well-intentioned, but  
8 unfortunately zoning is not comparable to being in the Comp Plan. Zoning can change, and  
9 things that are in the zoning today can be removed and considered consistent if they weren't  
10 also in the Comp Plan, which is why the performance measures need to be in the Comp Plan. I  
11 think performance measures—I'm plagiarizing from Don, so I want to give him credit for this. I  
12 think performance measures are the wrong term. What we're really talking about is  
13 development requirements. This is Don's point, which I agreed with. We should re-label them  
14 development requirements. This is at a very high level; this is the Comp Plan. We're naming  
15 what they are, not getting into specifics which can be done as part of zoning or somewhere  
16 else.

17 **Co-Chair Garber:** Please finish your comments.

18 **Hamilton Hitchings:** I would also like to see the language around community measures  
19 strengthened so it's not just about measuring but actually achieving these things such as trip  
20 caps and canopy cover as well. I also think we need to remove the last sentence about



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1 development in excess of the cap may be permitted during a reevaluation process if the  
2 percentage of commute trips. The problem with that is percentage of commute trips is just one  
3 of the many reasons we have that cap. There's another important concept which is Scenarios 5  
4 and 6 of the DEIR. This is specifically targeted at staff, so please pay attention to this point.  
5 Scenarios 5 and 6 are supposed to be endpoints on the different scenarios. When you include  
6 all of the growth measures for housing in both Scenarios 5 and 6, it doesn't differentiate them.  
7 For example, there's no reason that the height limit increase should be in both Scenario 5 and  
8 Scenario 6. It should only be in Scenario 6. Furthermore, I'll point out that I actually believe we  
9 can actually meet ... Sorry, I lost my place. Somewhere in here, there's a thing—we can  
10 actually meet, I believe, all the housing requirements without raising the height limit. The last  
11 point I wanted to make is there's been a lot of talk in Palo Alto about increasing affordable  
12 housing, but there's been very little talk about requiring below-market housing. I understand  
13 that when you upzone something, it creates incredible wealth for the property owner. The  
14 property owner isn't necessarily entitled to 100 percent of that when you upzone, which is why  
15 I think that if—I feel it's a little bit disingenuous to talk about the need for housing and things  
16 like the height limit without having some of that wealth that's created go to the people that the  
17 whole idea was for. That's why I'm in favor of raising the percentage of below-market housing  
18 for any multiunit house in Palo Alto to 25 percent. It used to be—it's currently 15 percent. For  
19 anything that goes above 50 feet—I'm opposed to 50 feet. Anything that goes above 50 feet,  
20 I'd like to see 50 percent of that incremental space go to below-market housing This is



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1 something I feel strongly about and it is going to actually affect how I vote for the City Council  
2 Members. We need to put some wood behind the arrow of affordable housing. Thank you.

3 **Co-Chair Garber:** Thank you. Steve and then Shani.

4 **Stephen Levy:** My comments are based on the idea that this is a document for the next 14 or  
5 15 years. It's not a document for 2017 or 2018 or what bothers us right now. In response to  
6 your question, Hillary, in almost every case, I think the staff has brought forward options that  
7 are reflective of the discussion. As I will say now so we don't run out of the agenda, I think we  
8 failed on the concept of area plans. If you think not of what the staff can do in the next year or  
9 two, but what the staff can do in the 15-year Comp Plan, given all the discussion at Council  
10 about projects in Downtown and Cal. Ave.. They are the areas most in need of discussion of  
11 specific area plans to set guidelines for the area. I really urge that that alternative be brought  
12 forward to Council as part of the menu of area plans. I agree with Arthur that determining the  
13 specifics of the performance standards is very difficult now, but I don't think the idea of having  
14 performance standards is the main means not to regulate growth as Hamilton said—I hope he  
15 misspoke—but to regulate the impacts of growth which is what bothers people. I think we  
16 need a flexible approach. That's what performance standards do. They try and regulate the  
17 impacts of growth. Just as I don't know what the specific performance standards are, I have no  
18 idea of how to determine what a cap would be or what the impact of a cap would be on the  
19 economics or fiscal impact of the City or on the operation of the Research Park. It's a pig in a  
20 poke, and it deserves as much further study as the development of performance standards. It



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1 is really the idea that we are all here to discuss the challenging impacts of growth, not the  
2 growth per se, that leads me to really oppose any set limits in the absence of knowing how  
3 successful we are in parking, how successful we are in traffic, how successful we are in handling  
4 the impacts of the existing residents. The focus on new growth is misplaced since for water  
5 conservation or energy conservation or trip reduction, it's the existing workers and the existing  
6 residents where the major impact will be.

7 **Co-Chair Garber:** Thank you. Shani and then Doria.

8 **Shani Kleinhaus:** To answer the question of what's missing, we're still missing the option of no  
9 performance measures. I don't know that that's absolutely—from the discussion and the  
10 confusion of what these would be and what would they measure and do, we want them to  
11 measure only with a nexus to development or do we want them to apply to cumulative impacts  
12 on the community. All these things are still very confusing. I don't think we probably have an  
13 understanding of what they would be and how they would be used. Because of that, I think we  
14 should have the option of no performance measures, also just to complete the set kind of. In  
15 terms of the performance measures, we talked about development-related performance  
16 measures, and we talked about community performance measures. For some reason quality of  
17 life was deemed not a good description of these community performance measures. I would  
18 say livability. I think when we talk about community, we're looking primarily about social issues  
19 which are critically important if we're going to have performance measures. We need to look  
20 at diversity. We need to look at housing and affordability and all of that. I really like that in "C"





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1 under Table 2, we're looking at housing for seniors and people with special needs, but I don't  
2 think that's the right way to do it. I don't know what is yet, and that's partially why I wanted to  
3 go back and revisit this. It's really important. I just don't know. This is policy. It's not really  
4 performance measures. I would call it livability maybe. I don't know what's wrong with quality  
5 of life. It's social fabric. There's so many things here. Community kind of leaves the  
6 sustainability part that started it all out. That started with how would we deal with the impacts  
7 to the community, and that's where the sustainability came in. It's morphed into something  
8 very different. I'm not disappointed with that. The question is what do we do with that. I  
9 agree that we still need to talk about basements. I also think about the airport. People are very  
10 concerned with the noise and activity at the airport. I went to ask them, and apparently one  
11 cannot regulate hours at airports. It's like a freeway; you can't close it.

12 **Co-Chair Garber:** Please complete your ...

13 **Shani Kleinhaus:** Let me see. I guess that's okay.

14 **Co-Chair Garber:** Were you done? I didn't mean to cut you off.

15 **Shani Kleinhaus:** It's all right.

16 **Co-Chair Garber:** Doria, then Jennifer and then Alex.

17 **Doria Summa:** Quickly at a high level, I agree that this is not ready to go to Council. I think the  
18 subcommittee needs to spend—we spent most of our time on the performance measures and  
19 community measures and these choices that we're now not going to vote on, which is good.  
20 We need to go through this line-by-line. When I looked at the back of this, I was shocked by



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1 things that are omitted and things that were added. I'm concerned that the City Council last  
2 night, at least some of them, expressed a concern that we have not retained enough of the  
3 original Comp Plan, and this was meant to be an update and a tweak. I do want to regulate  
4 growth. I'm sorry. To me, mitigating the impacts is not enough, because the growth itself is an  
5 impact. It's there. The buildings are there. The extra people are there. I think it's important to  
6 emphasize that the Comp Plan is the highest level policy issue for what we want our community  
7 to be, what we want to live. I understand at some point quality of life became a controversial  
8 term, but this draft de-emphasizes quality of life to a dangerous point. I was thinking, as I was  
9 working on this yesterday, why don't we have a quality of life or a livability subcommittee.  
10 Sustainability was also considered a dirty word, and yet it's throughout this Plan. In the City  
11 evolution section, where there is a sustainability and resilience section, there should definitely  
12 be something called livability or quality of life. It's what it's all about to me. With regards to  
13 the performance measures, I don't ever recall the community performance measures. I don't  
14 ever recall talking about the housing cost burden, and I don't understand how we would—  
15 maybe I forgot; it's possible. I don't understand how you gather that information and how you  
16 compare the burden of the cost of housing yourself in Palo Alto for different groups, especially  
17 different age groups, people that are new here. That seemed kind of strange to me, especially  
18 since I didn't remember it. I think in the development performance measures, it should go  
19 further under Letter D which is open spaces. It should contain stronger language there. I am  
20 concerned about the performance measures in general. I'm interested in how to make that be



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1 truly meaningful, instead of just something we say and isn't practical enough or understood  
2 well enough to be utilized to make our City better. I am very concerned about the basement  
3 issue. There's a lot of people concerned, not just from the water. I'll just finish. Another  
4 speaker, Catherine Martineau—I also think this Comp Plan ignores the urban forest in a way  
5 that is truly shocking, especially L-7.7 says protect large oaks only. That should be all trees, and  
6 it should emphasize the protected trees. It should be all mature trees. They all count. Thanks.

7 **Co-Chair Garber:** Jennifer and then Alex.

8 **Jennifer Hetterly:** I'm looking at the chart, which I really like. Thank you, staff. Starting with  
9 monitoring development, we need to monitor market-rate housing and include a trigger for  
10 future constraints. This Comp Plan encourages housing development. No matter how many  
11 times it says that what we want is a diverse and affordable community, we all know that the  
12 vast majority of what we (inaudible) is market-rate housing units. I don't think anyone around  
13 this table doesn't believe that. We can't afford to double down on unchecked growth like we  
14 did with office. We have to monitor market-rate housing growth and build in triggers for the  
15 imposition of appropriate controls to preserve capacity down the road. Performance measures  
16 and caps. I agree with Hamilton. The hybrid approach is the best way to go. This does do a  
17 pretty good job of capturing the range of options with or without caps. Performance measures  
18 are meaningless if they're unclear or if they don't work or if they're not enforced. Both types of  
19 measures in here need further work. I think everyone agrees about that. The Comp Plan  
20 should be explicit that if performance measures are not achieving the desired management of



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1 impacts, caps will be imposed or reduced and performance measures will be strengthened  
2 going forward. I don't see that next step included here. Existing regulations have proven  
3 inadequate to manage impacts. Development performance measures should include targets  
4 that go above and beyond the existing standards along with the so-called new measures that  
5 are listed in the staff report. It seems to me the point of testing performance measures, which  
6 a public speaker said is an innovation in city planning, is to identify and achieve metrics that will  
7 effectively reduce impacts sufficiently to justify elimination of hard caps and height limits and  
8 that kind of more arbitrary designation. As such, the measures should correlate to the full  
9 range of specific impacts we want to manage better. I hear everyone concerned about how  
10 we're going to arrive at final performance measures. Perhaps our role shouldn't be to define  
11 the specific performance measures, but rather to identify the range of impacts that we want  
12 them to address. I do think we need to specifically articulate those in whatever we put  
13 forward. In the other category, enforcement should be emphasized. Program L-1.8.1 aka L-12  
14 is insufficient. The program should call for compliance oversight and strict penalties for failure  
15 to comply with Code or required performance measures. Finally on basements, basement  
16 incentives create a lurking threat of illegal conversions. We should add a new program under  
17 the illegal conversions policy, which is L-3.2-something, to scrutinize new projects with  
18 basement bedrooms for potential occupancy in excess of single-family residential density limits  
19 as well as risk of illegal conversion to short-term rentals. The project cited in multiple public  
20 comments today is not the first nor will it be the last that simply doesn't pass the smell test for



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1 what we want in our single-family neighborhoods. There must be a mechanism in the Comp  
2 Plan for screening out such projects. I have much more detailed comments in writing. I hope  
3 you'll all read them.

4 **Co-Chair Garber:** Alex and then Jason.

5 **Alex van Riesen:** First, I just wanted to say I think that just listening to this and missing the last  
6 meeting, I really appreciate my subcommittee team. It's an impressive group of people who  
7 have put in an immense amount of work, I'm sure, as all of us have. I just think we have a tiger  
8 by the tail here. I just wanted to say I agree with Hamilton about the "all of the above,"  
9 especially as a transitional mode to move from just the hard and fast cap into the direction of  
10 performance measures. I'm confused as to why the Stanford research project would not be  
11 included in caps or performance measures. It struck me—maybe there's just a lot I don't know  
12 because I haven't been doing this as long as many of you. I would suggest that the hospital, the  
13 university, the research project all have a huge impact on our City and on our daily life. They  
14 need to be included in some really clear way in the way we think about the future of our City.  
15 It's not clear to me that that's captured in this. I wanted to add a particular addition to the  
16 reevaluation segment of the cumulative and Downtown cap. It's on page 5. I wanted to  
17 change—I thought it was a very creative idea to change it as a trigger to 67 percent of  
18 development. I just wanted to include the word 67 percent of proposed development. I  
19 thought if we wait until it's 67 percent of development, you're too far gone, and then you have  
20 other stuff in the pipeline and it doesn't really affect things. I thought the trigger should be the



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1 67 percent of both completed and pipeline projects. I would just suggest that change. I also  
2 think we should included hotels in caps and development. Why would they not be a part of any  
3 development plan or cap or limit, given the limitations we have in the City? I just want to agree  
4 with Jennifer and Hamilton on this housing versus affordable housing. I think the language in  
5 here needs to be strengthened significantly, that the inclusion of affordable housing needs to  
6 be the more prevalent discussion. I just want to highlight this with a brief anecdote. If you  
7 were at the meeting last night, those of us who went, it had nothing to do with us, but it was  
8 good drama. It was this two-hour conversation about the Lytton building. One of the things  
9 that was really apparent was—I kind of felt for the developer. By the end of it, he'd spent five  
10 years on this thing, and he'd gotten passed by the ARB, and the City Council just hammered him  
11 8-1 and shut it down. I realized there's some mass confusion going on right now about the  
12 direction of the City. What's true is the zoning laws. He passed all the zoning laws, but he  
13 didn't really fit into the vision of where the City wants to go. It seems to me that the bigger  
14 issue here is we're behind. We're chasing change versus leading change. I feel like before we  
15 do anything relative to this discussion about basements, everyone in Palo Alto will have a  
16 basement in like three months. That's how it works. People see it and go, "That's a great idea."  
17 They dig a big hole, and they have a room to rent out. We're going to have to figure out a way  
18 to move more quickly in responding to this. Last night was an interesting experience in that.  
19 Thank you.

20 **Co-Chair Garber:** Jason and then Adrian.



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1 **Jason Titus:** One thing I wanted to do was agree and back-up Steve on saying when we say that  
2 we don't know about which performance measures are the right ones, it's also true that we  
3 don't know which cap is the right cap. Either is equally arbitrary at the moment. We're saying  
4 50,000 square feet a year. How do we know that actually makes a difference for traffic or  
5 pollution or noise? Should it be 40 or 70 or whatever? We in this room won't have the time to  
6 come up with what the right numbers are or the exact measures, but I do think there's some  
7 value in saying here are the factors—I think we have some of this already—that we think are  
8 the things we want to mitigate. When we as a group say that we're concerned about elements  
9 of growth and how they impact our community, we should just be able to say because of X, Y  
10 and Z. It's about traffic. It's about noise. What are the things that we want to mitigate, and  
11 then what are measures that we feel might be good performance measures around that. There  
12 should probably be an actual investigation. Guess what? We're not the only city in the world  
13 that has had such problems. All around the world people have tried to figure out how do you  
14 measure and mitigate these things. Can we find good examples of performance measures we'd  
15 like to track and then go after those and design towards them? I feel like that actually helps  
16 people who are developers and such who are trying to say, "Before I start on this five-year  
17 journey to try and do something, will I end up getting blocked?" If you have a sense of what are  
18 the performance measures that you're going to be measured on, you can get a sense of I should  
19 think about how my traffic impact can be reduced, think about these things. You can at least  
20 give people a sense of what their risks might be. As well, help the City Council and others in



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1 actually making sure that as things are implemented, they're done in a way that mitigates the  
2 things that concern us most. That's it.

3 **Co-Chair Garber:** Thank you. Adrian and then Don.

4 **Adrian Fine:** Thank you. As a number of folks have mentioned, I'm not sure the performance  
5 measures herein or in general are ready for inclusion in the Comp Plan. As far as I've studied  
6 and learned about performance measures, they're generally used in a way to get desirable  
7 development, not necessarily to add restrictions on top of an existing Zoning Code. Our Zoning  
8 Code already is pretty thick. These seem to add a whole lot more spectrums and different  
9 measures and parameters for development, and I don't think we should let quality of life or  
10 sustainability become cover for slowing growth. That's kind of where I saw these performance  
11 measures coming from. I also think there's a bit of an issue in terms of just chasing metrics  
12 rather than addressing the underlying issues, which are do we want a great vision for our  
13 community, what do we want it to become, where do we want to grow, where do we not want  
14 to grow. If we spend all this time just figuring out new metrics to measure, we're just chasing  
15 our own tail. There's a few specific ones also which really, really concern me. One of the  
16 performance metrics or one of the community measures was maintain household income by  
17 census tract. That sounds like Palo Alto's planning to continue being a city for a whole lot of  
18 rich people. I was really concerned by that one. There were also ones about school impacts.  
19 It's clearly illegal. It's repeatedly been shown in state courts you cannot evaluate development  
20 decisions based on school impacts. I don't know what to say beyond that. That's my take on





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1 performance measures. I think there are some good things that have been used kind of well in  
2 industrial districts for some areas, in like King County in Washington. They come out of the  
3 genesis there that you may not want a butcher or a smelter near a home, things like that.  
4 Inclusion at a high level in a Comp Plan like this, I don't think we're ready to do that.

5 **Co-Chair Garber:** Thank you. Don and then Elaine.

6 **Don McDougall:** Thank you. From the beginning, I've been an advocate of the whole idea of  
7 measurements. I do like the idea of referring to them as development requirements. I really  
8 don't believe there are too many development requirements here. There's four or five new  
9 ones, the additive, and then there's the green building requirements. There's a list of 30 or  
10 whatever here we're already doing. I don't see any reason why those can't be called out in one  
11 form either as a group or called out individually within the plan, because they do define what it  
12 is we want from developers. In terms of what I'll call community quality measures, again I don't  
13 think there's too many. There's only ten listed here. I might argue, as people have, whether  
14 schools or income or whatever should be in the list. You're never going to control what you  
15 don't measure. I think we need to start measuring some of these things as community quality  
16 measures, if nothing else to get a baseline. If we debate what they are for the next five years  
17 and then decide to start collecting, we're going to have missed the opportunity to collect a  
18 baseline and understand. Maybe we don't have to put them in place as something that we  
19 violently use, but let's put them in some place that helps us understand and learn about our  
20 community. I totally agree with the "all of the above" strategy. In the short term, keep some



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1 cap in place so that we don't have explosion. In the meantime, collect some measurements  
2 that we can understand. I do disagree that it should be for the whole 15-year period. I think in  
3 fact we could come up with agreeable measures after some defined period of time that didn't  
4 have to wait for the full 15 years. I do see the measures also—Hillary, the requirement or  
5 suggestion and obvious impetus is to find a way to get S/CAP and what we're doing here to  
6 come together. I think these measures could be an opportunity for us to show the integration.  
7 The S/CAP has measures, and we have measures, and they're consistent. I think that works. I  
8 think measures that eventually eliminate the caps would make sense. On the coordinated area  
9 plans, I just want to comment that 4.2.1 defines the El Camino coordinated plan, and 4.2.3  
10 defines the Fry's one. Arthur helped me one night when we were talking about coordinated  
11 area plans, that a coordinated area plan is a thing. It's not something here and something there  
12 and sometimes bigger and sometimes smaller. It's a thing. One of the policies here should be  
13 to say there should be a coordinated area plan. Define it in here or not define it in here.  
14 Another policy or program should list El Camino and Fry's and Cal. Avenue and Downtown and  
15 whatever. Let's let Council decide which ones they can afford to fund and move ahead with  
16 and whatever, rather than us making that decision now. I agree with earlier comments that  
17 Downtown and Cal. Ave. deserve that kind of consideration. In the current writing, the  
18 description of the Comp Plan that you would have for Fry's and a description of the Comp Plan  
19 you would have for El Camino are two different things. They're two different descriptions here.  
20 I think Arthur would agree that they should be. A plan's a plan, so it should be consistent. As



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1 an out-of-the-blue, totally different approach—by the way I really think that the only regional  
2 center we have is Stanford. I think it's causing us to think improperly about Downtown and  
3 University Avenue by calling it regional as opposed to multi-neighborhood. I think what it's  
4 used for, the people that come there, the kind of businesses that are there, the kind of  
5 development we want in terms of retail, the kind of development we want to protect is not  
6 regional. I want to say in general that I would really like to make sure that as we finish this  
7 off—I agree it's not finished—that we put in more of what we want. Affordable housing or  
8 whatever else we agree we want, and put in less of what we don't want. I think we spend too  
9 much time on let's make sure we define all the things we don't want as opposed to the things  
10 we do want. I do want to say the comment about last night's Council. I was very disappointed  
11 that one Council Member thought the two years that we're spending on this, that our job was  
12 just simply to tweak the old plan. I thought the Mayor was very articulate in answering that by  
13 saying he really thought the circumstances had changed substantially and that it deserved more  
14 than just a tweak. I hope we're not sitting here just tweaking. I want to say one more thing.  
15 Somebody said sustainability is a bad word. I'm not even sure I disagree with that as a noun. I  
16 think sustainable is a very good word. A sustainable city, a sustainable park, sustainable trees,  
17 whatever it is. As an adjective, sustainable has real meaning. I think the comment—I'm  
18 agreeing with the comment about sustainability has lost its meaning maybe, but sustainable  
19 does have real meaning. Thank you.

20 **Co-Chair Garber:** Thank you. Elaine and then Mark.



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1 **Elaine Uang:** I want to spend most of my comments highlighting two things that I think have  
2 been omitted from the Plan. I think we really need to surface those and present those as  
3 alternatives or elements of different policies to Council. The biggest one, which Steve has  
4 already mentioned, is really to—Don just mentioned—surface the Downtown area and the  
5 California Avenue area along with Fry's. Not just Fry's, but the whole California Avenue area as  
6 well as almost all of ECR, El Camino, not just south El Camino Real. Those all need to have  
7 coordinated area plans at least listed under Policy L-4.2. There's a number of reasons for this.  
8 I've mentioned this on multiple occasions, both for the Transportation Element and for the  
9 Land Use Element. There's a lot of talk about we need to integrate those two things. The  
10 coordinated area plan is one of the most organized and powerful ways that we can do this.  
11 There's a lot of talk about metrics. Metrics need to be measured within certain geographies.  
12 We need to define certain boundaries, and the coordinated area plan is the tool by which we  
13 can measure and define certain impacts and certain triggers of growth. We really need to put  
14 Downtown, University Avenue, California Avenue back into Policy L-4.2 either as programs—  
15 again up to Council and future staff members to determine whether they have the bandwidth  
16 to tackle these things. As part of a long-range, 15-year vision, to exclude the Downtown area  
17 and the California Avenue area, which after Stanford Research Park are major economic  
18 engines and hubs. To not be able to plan for housing, retail, community services in a  
19 coordinated way and to be able to measure impacts, specifically traffic I think. That would be a  
20 huge oversight on our part, and we would have wasted two years just not doing the right thing.



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1 Plus, this is a tool that the neighboring cities have used. We don't really need to look very far.  
2 Mountain View already does this. They have 37 precise plans, and maybe that's too many. We  
3 don't really even have—we have maybe 1 1/2 coordinated area plans. I just also want to—I am  
4 a little concerned that as a committee we haven't looked at the land use map at all. We haven't  
5 really looked at how much land is actually allocated to what use. 3 percent of our land, just to  
6 finish, is designated for multifamily dwellings. That's 3 percent out of 26.2 square miles. We  
7 have protected the Baylands, protected the Foothills. Once you take that out, that's great. Still  
8 only 3 percent of the total area of Palo Alto is allowable for multifamily residential, and only 0.7  
9 or 0.8 percent allows mixed use. When you slice that even further, you'll find that the  
10 allocations for housing under that is very, very small. I think we really need to look at where we  
11 can do certain things, really have a hard conversation, which we have not had, about where it's  
12 appropriate to do things and where it's not. Really think about 15 years. We've lost a lot of  
13 people. We're maybe excluding a lot of existing residents from staying here in the future.  
14 These are not just tied to people. People mentioned climate change. I sent you a link, and I  
15 hope you all ready it. There is another inconvenient truth. To achieve climate change goals  
16 California statewide and in individual communities, we really need to think about removing the  
17 barriers to sustainable land use.

18 **Co-Chair Garber:** Thank you. Mark and then Ellen.

19 **Mark Nadim:** A lot of the issues I want to talk about have been mentioned. For the options, I  
20 do agree with a lot of the speakers that it's very hard to have objective options or metrics to



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1 measure what the development is when to apply these metrics and like that. As for the  
2 basements that have been talked about earlier, maybe we should also have a depth of how  
3 deep a basement can be. Having a two or three-level basement, that's ridiculous in a  
4 residential area. Besides to ventilate the multilevel basement is a major energy consumption,  
5 adding to the carbon footprint. As for multi-residential properties or developments, so far I  
6 have not seen that are being developed for multi-residential. I'm surprised why other cities are  
7 having a lot of developments and multi-residential buildings. In Palo Alto, all we're hearing are  
8 office buildings being developed. Whatever we have in the future for development of south of  
9 El Camino and California Avenue should have retail on the ground floor and all multi-residential  
10 for the stories above that. That's basically what I wanted to say. Thank you.

11 **Co-Chair Garber:** Thank you. Ellen and then Julia.

12 **Ellen Uhrbrock:** I thank everybody. I think I've gotten 2 minutes worth of ideas of what  
13 performance plans would be and what caps would be. That's very helpful that we are  
14 discussing this. I really do see that you haven't finished the job of what you need to do, and  
15 you need to keep having meetings of your committee. I did come up with the idea that  
16 performance standards are an ideal thing to do a real pilot program of two or three selected  
17 areas that you want to test out to see. This takes very careful design that covers the area, and  
18 something that you want to follow through, and you want to know what you want out of the  
19 statistics, and how you're going to use them. I see so many studies that end up with just lots of  
20 numbers that get filed away, and people don't understand them or read them or put them to



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1 use. I think we've got a wonderful opportunity to do good pilot studies for something that  
2 might be very, very beneficial to Palo Alto in the next 10, 15 years.

3 **Co-Chair Garber:** Thank you. Julia and then Lydia.

4 **Julia Moran:** Like Ellen said, I think there have been so many great comments tonight. I would  
5 strongly agree with Steve that it's the impact of growth that we should be looking at, not  
6 growth as a whole. With that, listening to what Jason was saying about what exactly should we  
7 be measuring and focusing on those goals, I think that the performance measures as they are  
8 need a lot of work. They're not there today, but they are the best way to regulate the impact of  
9 growth going forward. In particular, I agree that the, like Adrian, housing cost burden especially  
10 in a city like Palo Alto where there are a ton of people who have investment income and not  
11 household income, it's potentially a bad measure to use. In regards to the basements, the  
12 report that Dan gave last meeting was great. I would be in favor of putting that to zoning. The  
13 quality of life, I feel like it makes sense to measure quality of life. I get that. I think someone  
14 commented last meeting—it had an impact on me—that if we do measure quality of life, it  
15 needs to be very detailed and specific, because it can also be a way of being very  
16 discriminatory. It's important that's very clear what we're trying to say when we use that. Like  
17 Steve and Elaine were saying, I'm all in favor of coordinated area plans. I think there's clearly  
18 very specific areas that we really should be focusing on. Forgive me; I thought that was still in  
19 here. I think that should be in here. That's it.

20 **Co-Chair Garber:** I apologize. Lydia and then Heidi.



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1 **Lydia Kou:** In terms of metrics, I completely agree with Don and everybody else here that we  
2 do need to have some sort of way to evaluate and measure the growth that we've been  
3 experiencing and not just leave it to aspirational goals. In terms of the desired approach that is  
4 on Table 1, I agree with Jennifer that we do want to monitor as well residential development. I  
5 wanted to move it a further step in terms of actually having measurements to monitor both  
6 market-rate as well as low-income. Also I noticed that as we go forward into reevaluation, I  
7 don't see any place that has enforcement or compliance in this growth management. I think  
8 that would be great if we could add that in. Additionally, I noticed that in the performance  
9 measures for community performance measures, Number 2, it just measures the VMT. I  
10 thought we had agreed in the previous conversation that we were going to add in the LOS to  
11 measure local impacts for traffic. On the development measures, I do agree with Don and  
12 Hamilton to change it to development requirements. Under "B," I'd like to add in the loss of  
13 smaller homes such as cottages and existing ADUs. Any single-family home that's looking to  
14 build new and demolish, they shouldn't be demolishing the ADU. Also to add in Item No. E,  
15 requiring these multi-development residential properties to include sufficient parking. Also I  
16 don't think we ever really said to restrict building multifamily or housing due to school impacts.  
17 I think that we always said that we want to look at how much of that will impact schools, so  
18 that we don't deteriorate the quality of education here. I want to clear that up. Also lastly, just  
19 one thing. The Stanford Research Park, it says over here not to include it in the cap, to consider





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1 not including it in the cap, but we actually don't know how much traffic they're displacing to the  
2 neighborhoods nearby. I do want to have measurements on that as well. Thank you.

3 **Co-Chair Garber:** Thank you. Heidi, then Bonnie.

4 **Heidi Emberling:** Thank you. I don't want to repeat what others have said, so I agree with  
5 Jennifer and Hamilton's comments. I would like to look at a range of impacts in terms of the  
6 performance measures. I think we need to focus on what is the purpose of these measures. In  
7 looking at the ones that were chosen for PAUSD, just to explain a little bit about how PAUSD is  
8 funded. We're a community-funded district, so more spending per student means that we have  
9 lost students in our community. We're not paid by student. We're community-funded, so if  
10 you put a measure to maintain or improve funding levels per student, it will mean that we are  
11 declining in enrollment. Do you understand? Is that not clear? Rather than what they call  
12 revenue limit school districts in the State of California who benefit from the local control  
13 funding formula for education, we are community-funded. We rely on property taxes to fund  
14 our schools. Those don't change based on how many students come into our community. It's a  
15 fixed amount. If we pay more per student, it means we have fewer students. Does that make  
16 any sense? You would want people to be leaving our schools if you had this measure here. I'm  
17 not sure who brought that up, but that's probably counter to what you meant. Class size is  
18 something that's considered in a wide variety of value statements about tradeoffs between  
19 librarians, nurses versus class size. If you're trying to look at the purpose of that in terms of—I  
20 can only guess it was a conversation about over-crowding. That's not the metric that would be



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1 used for that. I would look at our Palo Alto Citizens Survey in terms of satisfaction with our  
2 school level, if people are satisfied with the schools. Right now, they're earning 97 percent  
3 approval rating, so we're doing very well in terms of satisfaction. When you get down to these  
4 numbers, it doesn't make any sense with—I don't know what the purpose is of putting these in  
5 here. I just wanted to clarify that. These are things we can't really control unless you're talking  
6 about controlling birth rate.

7 **Co-Chair Garber:** Thank you. Bonnie and then Lisa.

8 **Bonnie Packer:** It's interesting being almost last, because I got the benefit of all your good  
9 ideas. In the comments I submitted—I want to just comment on those. I say why I oppose caps  
10 or limits on nonresidential growth. I called it a non-analytical, political sledgehammer, because  
11 the caps are not based on any analytics or any data. After the last meeting, I asked staff, "Do  
12 you have data? Do we know how much square footage is possible to build given the zoning in  
13 the areas that you're considering?" We do something like that for the Housing Element, where  
14 we estimate how many units can be built based on the zoning of a particular sight, and we add  
15 those all up to get the RHNA numbers. I don't see that kind of study being done to come up  
16 with the numbers that would help a committee like us decide on what's an appropriate cap.  
17 We don't have the ability to decide on numbers. The things we want to control, like traffic and  
18 greenhouse gases, we address that in the Transportation Element. If those things come to pass,  
19 a lot of the things that were triggering the initial limit on nonresidential, on commercial growth  
20 that's in the existing Plan, it was all base on traffic. If traffic is reduced because of all these



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1 great ideas we have in the Transportation Element, a lot of the things that we're concerned  
2 about, that we think commercial development is contributing to, will be addressed through the  
3 transportation measures. Other things we could do, other than a cap, we can address our  
4 concerns about the jobs/housing imbalance, having more housing by looking at the Zoning  
5 Code. Changing the FAR, for example. Making it easier to build more residences in the  
6 Downtown area, wherever we want them, by allowing a greater floor area ratio for residences  
7 would get you that. The counter would be you would reduce commercial development.  
8 Indirectly, you could put a limit on growth without having an arbitrary cap. I'm saying there are  
9 other tools to manage growth, rather than these political sledgehammers. I think Elaine hit on  
10 a great way to deal with—can I just—the issue of measuring all these. We've been talking  
11 about measurements on a communitywide basis versus the measurements that apply to a  
12 development. Most of us have been commenting on these communitywide measures. If we  
13 look at it in the context of a coordinated area plan and we have certain measures and some  
14 committee decides when these measures reach a certain point, then we might look at  
15 evaluating growth, managing growth, with some kind of number, but not before. Don't create  
16 a cap and then have measures. Have measures which may or may not generate a discussion at  
17 the Council level for instituting a cap in a certain area of town. What I've heard from the  
18 discussion here is that maybe we can turn this all around by putting the metrics first and  
19 maybe, if we really need to have a cap, if it makes the politicians happy, say we're doing  
20 something, then they do it. The cap, by the way, should not include conversions, because what



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1 does that accomplish. It should only include net square feet. I don't know if it should include  
2 hotels. I don't have enough information about that. If you're looking at a coordinated area  
3 plan, you would get more information about whether there should be hotels there or not. We  
4 need to fine tune this instead of having these broad-based sledgehammers. I think I'm way  
5 above my time, so I will stop.

6 **Co-Chair Garber:** Thank you. Lisa and then Arthur and then myself. That'll conclude it.

7 **Lisa Peschcke-Koedt:** A couple of things, and more going back similar to what Hamilton said,  
8 what I care most about in all of this. There are really two things. One is below-market and  
9 affordable housing to increase the diversity in Palo Alto. I'm seriously worried about the more  
10 wealthy including probably some of us around the table. The mixture is bad. I loved having a  
11 real mixture of everything, races and economy and politics and everything, growing up here. I  
12 think we're losing it. That's Number 1 for me, and I'll come back to that. Number 2, which isn't  
13 so much but it's around our trees, our parks, our Baylands. It's just the natural environment  
14 here, I think. Those are the two big things I would hope that we can improve and preserve over  
15 time. They to me are timeless in a way that in any plan I would always want them there. On  
16 the below-market, we've talked about this. I think anything we decide to do around height  
17 limits, density. I think multifamily units is a really good way to do that. It has to make  
18 monetary sense to developers, but there should be something in it for the City. We should only  
19 allow those kinds of things when it's getting to those goals, getting to probably multifamily,  
20 below-market, a mixture of it. I also agree with public speakers; we can't solve the whole Bay



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1 Area's problem. I would also hate for us to be an enclave of only the wealthy and entitled. I  
2 think that's wrong. We should have some of that as part of it. As far as the way forward, I am  
3 hearing and I agree we have more work to do. I apologize I can't commit into next calendar  
4 year. I do want to say I have very much enjoyed being part of this. I'm very honored. Thank  
5 you.

6 **Co-Chair Garber:** Lovely to have you. Arthur.

7 **Co-Chair Keller:** First, I agree with the sentiment of Hamilton. I think that we need an "all of  
8 the above" strategy. We have caps now. We have annual limits, and we can adjust them. We  
9 shouldn't remove them until we do metrics that we don't have. It's a chicken and egg problem.  
10 We have these things; we should keep them. The metrics we need to study. If you look at an  
11 example. This is a metric: the (inaudible) affordable housing; allow flexible height limits to  
12 facilitate a mix of multifamily housing including affordable units, micro units and housing for  
13 seniors and people with special needs. That's a wonderful idea, but that's a policy. It's not a  
14 metric. How do you measure that? I agree with the idea of having these as the development  
15 performance measures as being development requirements. Our zoning rules have numeric  
16 rules, and they also have compatibility standards. We've been focusing for years on  
17 development rules and ignoring the compatibility standards. The Council is finally waking up to  
18 the compatibility standards, and people are calling foul because we're now finally enforcing our  
19 rules. We will add to those, I hope—thanks to the suggestion of Don—these development  
20 requirements. They should be added. I don't think we're ready for them. The column with the



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1 community performance measures, it's not clear how measurable they are. They don't have  
2 goals associated with them. If you don't have a goal associated with it, you can't tell whether  
3 you're ahead or behind or how you are in reaching that. They can't have that until then. We  
4 can't have them there. We need to study this further. We have a Bicycle Pedestrian Plan. We  
5 have a Baylands Master Plan. We have an Urban Forest Master Plan. We should do a similar,  
6 detailed study for the performance metrics. We can have, however, have policies and  
7 programs associated with how we use these metrics and what examples of metrics would be.  
8 To put this set of metrics in the Comp Plan would be a grave mistake. With respect to the  
9 Stanford Research Park excluding, it's not just a trip cap. It's also level of service on key  
10 intersections along Charleston-Arastradero Road and along Page Mill Road. Those are  
11 important. Also how long it takes to traverse those corridors. That's part of it. We've been  
12 growing the Stanford Research Park. There are developments going on now for which there are  
13 TDMs that aren't really measured. Finally, in terms of coordinated area plans, I don't have a  
14 problem with extra coordinated area plans thrown in, but Fry's is urgently needed because  
15 development is pending. The south El Camino Real has been pending since the 1998 Comp  
16 Plan. That's long overdue. Let me respond finally to some of the comments that were made  
17 about the School District and school impacts. It is illegal under state law to consider school  
18 impacts as part of the decision as to whether or not to approve a specific project. it is,  
19 however, not illegal and is encouraged, I think. It was in our existing Comp Plan to consider  
20 school impacts as part of zoning changes, as part of rezonings, and as part of the Comp Plan



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1 process. That is when you consider school impacts. The School District funding is not fixed. It  
2 goes up every year with increases in property tax. There was a mistake this year in terms of  
3 counting property tax that didn't exist because of exemptions, but it does go up each year. The  
4 question is whether school enrollment exceeds the rate of growth of property tax or school  
5 enrollment is slower than the increase of rate in property tax as adjusted by inflation.  
6 Satisfaction is what we call in economics a trailing indicator. Leading indicators are things like  
7 school capacity, overcrowding, class sizes. Those are leading indicators because that leads to—  
8 dissatisfaction comes later on. We need to focus on leading indicators, not trailing indicators.  
9 Thank you.

10 **Co-Chair Garber:** Thank you. I don't think I'm going to be able to offer anything else that hasn't  
11 been said on these various topics of growth and its management. I would like to talk about a  
12 couple of other things. One briefly and one longer. My sense is that the draft that we have  
13 includes quite a number of things that have been expressed and is missing quite a number of  
14 other things that have been expressed but haven't been captured. There hasn't been an  
15 opportunity to consolidate that in some way. As just one example—I don't mean to harp on it.  
16 Forgive me, Shani. The concern about birds and their interaction with buildings and things is a  
17 real concern. The City of San Francisco includes that in their zoning, but it's not a part of their  
18 Comp Plan, as way of an example. The topic of basements, I think you all know my feelings on  
19 that. I'll mention just two things with that. The Comp Plan doesn't address garages, how many  
20 garages there needs to be on a block. It doesn't address living rooms. It doesn't address



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1 occupancies, how many bedrooms there should be in the R-1 zone. Basement is a use. It is  
2 appropriately addressed in the zoning as opposed to the Comp Plan. The issues that may affect  
3 basements and other things are appropriate in the Comp Plan. I'm saying this not as a way of  
4 trying to diminish the importance of this conversation. It's a very important one, and there are  
5 real impacts there that need to be mitigated or eliminated, if that's possible. I too sat through  
6 the Council's conversation last night of the item that came on the review of the building on  
7 Lytton. I had begun to recognize that I was seeing, in a certain way, the future of Palo Alto. I  
8 don't mean that in the physical manifestation of future. What I began to realize, much to Alex's  
9 comments, was that there is this problem with people that are trying to do work not  
10 understanding what needs to be done. There is nothing that controls or manages that. The  
11 theory of the process that exists in Palo Alto today and throughout almost all of America is that  
12 you have zoning, you have building, you have building ordinances, you have zoning laws. They  
13 create broad rules by which to operate over large pieces of land. The details are worked out  
14 through not rules, but forums—in our community, we call them Commissions and Architectural  
15 Review Boards—to figure out what the details are, because the zoning never is specific enough  
16 to deal with every circumstance. I've spoken to this before. The community, we can no longer  
17 talk in broad generalizations about things. Every corner is different, and every corner is unique.  
18 If I am a block from the train station versus at the train station, it's a completely different set of  
19 requirements that has to be understood. There is no way that zoning can ever address all of  
20 those issues and those details. There is no way for the Comprehensive Plan to do that either,





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1 because it literally has to be done block by block. The only thing that does allow us to do that in  
2 a broad, general way, is by using area plans. Forum code can often be used. It only exists in  
3 Palo Alto in one place, and that's around the pedestrian transit area at California Avenue, but  
4 it's only an option—if the applicant doesn't want to employ it, they don't have to. That allows  
5 us as a community to define almost exactly height, sizes, shapes, locations of doorways,  
6 locations of driveways, down to a very fine, minute place. It is with the City telling the people  
7 how they can actually develop, that you can avoid some of the things that Alex was talking  
8 about, where somebody's been in the pipeline for five years, thinks that they're doing the right  
9 thin only to find out that they're not. It makes the City tremendously responsible for what it is  
10 it's supposed to do. I don't know any other way, any other tool, other than going through plans  
11 that allows us to do that. We need to focus on the places that have the largest impact to us. I  
12 agree with Arthur. Fry's, priority. South Palo Alto, priority. It's been on the books for a while.  
13 I've argued before that we should be including the transit center because of its key to our  
14 future and the way that we want to use our community. That should be extended down  
15 University Avenue, and we should be telling people how it is, how big, how many floors, where  
16 the entrances, and make that easy so that we get what we want, one, and two, people know  
17 what to build. I'm interested in trying to flush that out. When I said I was sensing the future,  
18 the future is what we're doing right now. It is not going to be—I don't believe it is going to be  
19 in creating a very detailed, and really good zoning. It's going to change, but the zoning is only  
20 going to take us so far. It's not going to take us where we want to go. I don't think the



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1 Comprehensive Plan is going to be able to do that either. It's going to be meetings like this that  
2 are going to occur, but we need to think about it in very broad areas, not parcel by parcel but  
3 areas that are very important to us, University Avenue, California Avenue, El Camino and San  
4 Antonio, etc. We need to think about those things as whole pieces and how we want those  
5 things to perform. Finally, the Research Park, what is unique about Stanford is that they own all  
6 of their property. The problem that we have in getting what we want out of Palo Alto right now  
7 is that everybody owns little pieces. It's so hard to create sweeping change. We can talk about  
8 caps. We can talk about growth limits. This has nowhere near the impact on us and our  
9 community than an area plan will. And area plan far outpaces that, especially if we're trying to  
10 get "what it is we want." The "what it is we want" is the future, and it is trying to create the  
11 process like this to grapple through these various details to get there. I could go on (inaudible).  
12 I'll stop. We've got 22 more minutes. Hillary, will you take us to a discussion about next steps?

13 **Hillary Gitelman:** Yes, thank you. I'm going to go out on a limb here and say that based on  
14 what we've heard this evening, we have a little more work to do on this element. I think we  
15 have spent a lot of time and put a lot of energy into capturing the growth management options  
16 that we want to present to the Council. I did not hear a lot of comments other than people  
17 stating their preference for one or the other of these approaches. I think we've captured the  
18 universe of those. I'm suggesting we kind of put that aside. We did that. We really try and  
19 focus on a handful of big issues that have been raised by a number of you this evening in some  
20 final changes to this draft. Actually I have five areas that I got from all of your comments. I love



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1 your thoughts on this. I'm going to get to how I think we could approach this. The first one, the  
2 point was made that we need to make sure the policies in here are supportive of affordable  
3 housing goals and policies we already have in our Housing Element, what we have all  
4 articulated about our desire for a community with some income diversity and not just a wealthy  
5 enclave. That's kind of one policy area where I think the committee agrees we need to maybe  
6 charge the subcommittee with just making sure we ace that one. Another topic would be the  
7 urban forest. We have this value in Palo Alto around our urban forest. We're hearing from the  
8 advocates and from some of you we didn't ace that one yet. We need to ace it. Number 3, the  
9 suggestion that we haven't yet fully realized the opportunities posed by these coordinated area  
10 plans, so a follow-on action that would look much closer detail to geographic areas of the City.  
11 Easy to do. Let's just put in a program or policy and ace it. Number 4, basements. I'm going to  
12 suggest that we are never going to get to consensus on basements, and we should charge our  
13 subcommittee with coming up with some options on basements, whether it's policies or  
14 programs, frame what some of the options are. This is something we're going to have to defer  
15 to the Council as different ideas. Number 5, this is really the hard one, the performance  
16 measures. I think we should charge our subcommittee or maybe the two subcommittees,  
17 sustainability and land use meeting together, with defining the purpose of each of these  
18 performance measures. To this point, we've called them development performance measures  
19 and community performance measures. The committee has to define the purpose and the  
20 topics that fall in each bucket. We are not as a group going to get to the definition. I think



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1 Arthur's right. That's going to take a significant effort by people than us around this table. If  
2 the committees can just get us that far, to the purposes and the topics that we want to  
3 recommend to the Council, I think we will have made great strides. My recommendation for  
4 next steps, and I'm interested in your thoughts, is we charge the subcommittees, land use and  
5 sustainability, to meet together to tackle these five issues and go goal-by-goal through the rest  
6 of the element. Just don't look at the growth management options any more. We've done  
7 that. We've beaten it to death. Look at everything else. Go goal-by-goal and make sure that  
8 we've iced these issues. At our next full committee meeting, the committee's recommendation  
9 would come back to this full group. I would also like to start with just an introduction to natural  
10 resources, so that we would try and do two things at our next meeting. Finish up land use and  
11 have an intro that would lead into the October meeting on natural environment. That's a  
12 proposal. I'd love to hear your thoughts.

13 **Co-Chair Garber:** We can get everybody if everybody goes 1 minute. I have Bonnie, Lisa, then  
14 Doria, Hamilton, Arthur. Bonnie and then Lisa.

15 **Bonnie Packer:** I was just thinking that to make—to have us keep our focus on the high-level  
16 issues, as Dan pointed out, some issues are in the level of Zoning Code changes. The issue of  
17 basements is a very hot issue now. I don't see why the Planning Department can't prepare a  
18 staff report and go to City Council and recommend some zoning changes outside the Comp  
19 Plan. I'm just wondering if that's something that—you've been hearing from the community.  
20 Why don't some of these things that are—they're important. I'm not saying they're not.



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1 They're not at a Comp Plan level. You can just say the planning department's going to go before  
2 the City with a recommended zoning change about basements or something.

3 **Co-Chair Garber:** Thank you. Lisa, then Doria.

4 **Lisa Peschcke-Koedt:** I liked Hillary's approach to the next steps even though I won't be there.  
5 The basement one, it was just one thought for maybe the subcommittee that is working on it.  
6 Even though we may not agree to what extent there should be basements, it sounds like there's  
7 one thing we all care about, which is the groundwater preservation. Maybe at a minimum, we  
8 could capture that. If there's building that has a lot of groundwater coming out, there needs to  
9 be some way to capture and contain it. I know that's somewhat expensive, but it's less  
10 wasteful. It might be something there we can put forward even if we can't agree to—if there  
11 are no basements, then that probably goes largely away. If there are any basements, then the  
12 issue is there.

13 **Co-Chair Garber:** Doria and then Hamilton.

14 **Doria Summa:** A couple of things. I don't think we should limit the land use to one extra  
15 meeting. I really think we need to go through the whole thing, not just the big five. Also I  
16 wanted to make a couple of comments. Since you brought it up, which I wouldn't have though  
17 to do here before 11 Lytton. The appeal process is a very important part of our democratic  
18 system. Also I do believe it was made clear from the Council that they did not feel that that  
19 project was compliant. I think it's a shame that someone wasted five years. I think it's a shame  
20 staff and other people had to look at it for five years. I wanted to make that point. Finally, I



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1 wanted to respond to another comment by one of the committee members. The land use  
2 distribution in the current Comp Plan pie. If you take out parks and preserves, half of what's  
3 left is residential. I don't know if anybody in this room wants to eliminate our parks and open  
4 spaces. Half is residential. I really feel that we have tried to address getting more residential by  
5 having mixed-use projects with no office, just retail and housing. None of those will be single-  
6 family. I think we've done a lot to address that. I think we have a pretty good amount of land  
7 open to residential use. Thanks.

8 **Co-Chair Garber:** Thanks. Hamilton and then Arthur and then Steve.

9 **Hamilton Hitchings:** Thank you. I'd like to start by agreeing with Hillary. I thought was an  
10 excellent summary of the topics for us to address at the Land Use Element. I also think Arthur  
11 really nailed it with his land set of comments. I want to fully endorse what he said. Don, I think  
12 you misunderstood me when I was talking about performance measures. What I was trying to  
13 say was we should be defining and using and implementing and actually using these  
14 performance measures during this Comp Plan. I'm not proposing we take a leap of faith off a  
15 cliff and eliminate all caps before having actually put these into place and test them. What I'm  
16 suggesting is we're actually using them. The caps are just going to become less important and  
17 irrelevant if the performance measures are truly working. To Steve Levy, I want to make sure  
18 you're listening. I was actually sort of talking about both growth and growth impacts. The  
19 fundamental assumption is that if you can fully mitigate growth impacts, you don't need to limit  
20 growth. You can't fully mitigate impacts. That's the problem. You build a 100-foot building, it's



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1 going to cut off a lot of people's view. It's going to change how things work. There are going to  
2 be growth impacts in terms of traffic and people and stuff. I lived in Hong Kong for a couple of  
3 years. I loved it, but it's a very different environment, and then Palo Alto. It's actually about  
4 both the growth and growth impacts. There have been some talk in this meeting about how  
5 these arbitrary numbers. These are numbers that have been in place for decades in Palo Alto,  
6 like the caps. They're not arbitrary, and they're not sledgehammer. We've been using them  
7 since, I think, the '70s. I'm not exactly sure about the history. They haven't been that effective.  
8 That's the big problem. That's why some of us are pushing for annual caps until we find out and  
9 develop these tools that really do mitigate in a better way, such as performance measures or  
10 development requirements, the growth impacts. Thank you.

11 **Co-Chair Garber:** Thanks. Arthur then Steve then Amy. Anyone else?

12 **Co-Chair Keller:** Firstly, I think that basements should be handled by a program to create a  
13 zoning ordinance on it, and that's it. We don't need to make a decision on that, just a program  
14 saying do it, do something, whatever that zoning ordinance should say. Secondly, I think we  
15 have a confusion because single-family residential land use includes low-density residential,  
16 name R-2 and RMD. We need to create separate low-density residential land use designations  
17 so that we're not confusing what's R-2 and RMD from what's R-1 and RE, residential estate. The  
18 issue is that those need to be separated out. Then it would be clear what's single-family  
19 residential, what's low-density residential. It makes it clear where the transitions are to higher-  
20 density residential. I think there are a lot of issues for the sustainability committee to do. Only



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1 one of those things involves some consideration of these performance measures. The  
2 committees have spent too much time on the performance measures, and we should really put  
3 it off. I would actually suggest that the land use committee meets alone, not with the  
4 sustainability committee. The sustainability committee has done its job to recommend some  
5 possible performance measures. I think the land use committee alone should be sufficient to  
6 figure out how to incorporate the performance measures in goals and programs, policies and  
7 programs on how to move this forward and how to take the work of that and suggest it further.  
8 Finally, the problem is that we need to come up in policies and program the idea of creating  
9 measureable performance metrics. We should start measuring the ones. I agree with Don that  
10 staff can go ahead and start measuring proposed metrics so that when the study is done to  
11 figure out what the metrics should be. We have some examples of the metrics and see how  
12 well they're being measured. Thank you.

13 **Co-Chair Garber:** Amy. Is there anyone else that would like to speak? I apologize. I'm sorry.  
14 It's Steve, and then Amy.

15 **Stephen Levy:** Hillary, there were two areas that the subcommittee agreed on, that have kind  
16 of dropped off. One was this idea you have in here of more timely review. It's what Don said.  
17 It may be the way to get some kind of compromise between temporary caps and permanent  
18 flexibility. The other was the idea that sustainability needed to be broadened to include people  
19 factors, not just physical factors. We haven't talked about that at all. For the housing  
20 affordability, I would like you to brief the subcommittee on what's in the Housing Element. My





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1 experience is that the word affordable housing means subsidized housing for low income  
2 residents. Our goal in the Housing Element is to increase affordability, which is a broader  
3 concept. For example, teachers don't qualify for subsidized housing. Before we get into it and  
4 get in a trap of whether we're only talking about low-income housing as opposed to the  
5 diversity that Lisa talked about, we could use a primer. Hamilton and I, if we got in a room,  
6 could settle the thing. I'm worried, Hamilton, that the focus on growth misses the enormous  
7 opportunity to reduce the impacts not of growth but of the existing residents. For water, you'd  
8 never just consider growth. You want the existing residents to reduce their use. Why not for  
9 traffic. I still think if we got in a room, we could work it out.

10 **Co-Chair Garber:** Thank you. Amy and then Shani. I believe that's our last speak unless  
11 somebody else wants to raise their paddle. Go ahead, Amy.

12 **Amy Sung:** Thank you. Yes, actually thank you to Steve for clarifying that. Affordability is to  
13 broaden the population that can afford the property in Palo Alto. If I can go back to Heidi's  
14 comments, our school is supported by property tax. It is collectively (inaudible) that provides  
15 for our streets and pavements and all sorts of repairmen. That also supports our schools, and  
16 that makes our schools so outstanding. I also hear that we wanted to have this metrics and the  
17 measurement because we can achieve goals. I am sitting here wondering—this is something  
18 new. If we wanted to implement it, it looks like we should implement it in parallel with the cap.  
19 I wonder what does a cap achieve. What kind of goals that having the cap actually achieves? Is  
20 it implicit to the goals that is embedded there but is not articulated out. In that sense, having a



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1 measurement, like Don supported, we need to have a measurement that is based on data. Can  
2 I just finish real quickly? I believe that Fry's site is really overdue, is important. However,  
3 University Avenue and California, the area plan is equally important because that is to build for  
4 the future and not to catch-up.

5 **Co-Chair Garber:** Thank you. Shani.

6 **Shani Kleinhaus:** Thank you for putting together the list. I think it's pretty good. I'm not sure  
7 how much we can do on the basements beyond what Arthur says, which is to start working on  
8 it and solve all these issues. I'm not sure we need to spend a lot of time on it. I think it's urgent  
9 also, and we don't want to wait until this Plan is finished before we start acting on it. The City  
10 should really do something quicker. The airport, I think we asked for more information. I don't  
11 know enough about it to understand if what we have is good enough or not. I know they're  
12 going into compliance issues now, trying to figure out the Master Plan. It would be nice to have  
13 more information on that. I agree with Doria that there is other things that still need to be  
14 polished. It would be good to have time for that as well in the meeting, not just look at this five  
15 issues or four issues if basements are taken offline. Still have time for looking at all the  
16 comments on specific policies and looking at where there are conflicts that maybe need to be  
17 fleshed out. When it's just a small twig that would probably not cause any conflicts, the  
18 language should be cleaned up a little bit.

19 **Co-Chair Garber:** Jason, the last word.



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1 **Jason Titus:** I did want to make sure—just to add to the voices, saying that it seems like the  
2 idea around saying let's look at specific areas, as you would say Dan, seems to be a very good  
3 answer for a bunch of the issues. How do we have coordinated area plans for the most  
4 important areas that really address the fact that a bunch of the concerns that people have are  
5 very different by region. If we can make sure that we have that come out and say at least  
6 something as a potential recommendation that would be very valuable.

7 **Co-Chair Garber:** I think that's it remarkably.

8 **Feedback for Continuous Improvement:**

9 **Co-Chair Garber:** I think we have the next thing on our agenda is Feedback for Continuous  
10 Improvement if any of you have anything. Hillary, what's coming up next?

11 **Hillary Gitelman:** We're going to be in touch with the land use subcommittee and the  
12 sustainability subcommittee about meeting. I know there's a difference of opinion about  
13 whether they should meet together. We're going to convene the land use subcommittee and  
14 invite the sustainability subcommittee members to join in, to talk about the issues we've  
15 discussed and go goal-by-goal through the Land Use Element one more time. At our next full  
16 CAC meeting, that group of individuals will report back. We will also put on the agenda an intro  
17 to natural resources, just so we start getting our feet wet on the next topic. As you'll find out,  
18 it's not one topic. It's multiple topics.

19 **Co-Chair Garber:** Thank you. Annette.



**COMPREHENSIVE PLAN UPDATE  
CITIZENS ADVISORY COMMITTEE  
DRAFT MINUTES**

1 **Annette Glanckopf:** You asked for improvements. Getting the packet out early. I got it Friday  
2 night. I was out, had company all weekend. That is really a tough thing to do. If we could make  
3 that happen a little earlier. I thought we were shooting for Thursday night. That's my  
4 recommendation.

5 **Co-Chair Garber:** I'd also note that we didn't get minutes from the subcommittee, which would  
6 have been helpful for me at any rate. Did we get them, and I didn't see them? We don't have  
7 them. That's why I didn't see them. Arthur.

8 **Co-Chair Keller:** I'm wondering whether the expectation from the land use subcommittee is  
9 that you think you will be able to get through all the issues in one meeting. Whether you'll  
10 need more than one meeting, can we have a sense of that?

11 **Annette Glanckopf:** Not with sustainability. Performance measures could be one meeting  
12 period.

13 **Co-Chair Keller:** Doria, you want ... You want to be on microphone?

14 **Hillary Gitelman:** Why don't we see how far we get? So far the group has been extremely  
15 productive. I have no cause to doubt that won't happen again. We'll report back.

16 **Future Meetings:**

17 September 20, 2016 - Rinconada Library - Embarcadero Room  
18 Topic: Natural Resources Element

19 **Adjournment: 8:27 P.M.**

20 **Co-Chair Garber:** May I hear a motion to adjourn?

21 **Co-Chair Keller:** So moved.



**COMPREHENSIVE PLAN UPDATE  
CITIZENS ADVISORY COMMITTEE  
*DRAFT MINUTES***

- 1 **Co-Chair Garber:** So moved by Arthur and seconded by Annette. It is 8:27. We are three
- 2 minutes early. We'll see you next month.