



# COMPREHENSIVE PLAN UPDATE CITIZENS ADVISORY COMMITTEE NATURAL ENVIRONMENT AND SAFETY ELEMENTS

**Tuesday, December 13, 2016**

Rinconada Library – Embarcadero Room  
1213 Newell Road  
Palo Alto, CA 94303  
5:30 PM to 8:30 PM

**DATE:** Tuesday, December 13, 2016  
**TO:** Citizen Advisory Committee (CAC)  
**FROM:** Elena Lee, Interim Planning Manager,  
Planning & Community Environment Department  
**TITLE:** CAC –Natural Environment Element and Safety Element Discussion

## What to Expect at the Meeting

This meeting will be the fourth CAC discussion of the Draft Natural Environment Element, focusing on all eight goals of the Element, and the third CAC discussion of the full Safety Element. We will have approximately an hour for the Safety Element discussion and 1.5 hours for the Natural Environment Element. The background and outstanding issues for each element are described separately, below.

The meeting will begin with a public comment period, followed by CAC discussion of the entire Safety Element, in order to discuss the content and key issues from the November 15<sup>th</sup> CAC meeting. A review of the entire Natural Environment Element will follow, in order to discuss issues highlighted at the November 30<sup>th</sup> Natural Environment subcommittee meeting. The meeting will also include time to recognize the service and accomplishments of the CAC so far and celebrate the holiday season, as well as discussion of next steps in the CAC process as some members move on to new Council and Planning Commission positions.

## Natural Environment Element

To date, the CAC has had three meetings to discuss the Natural Environment Element, and the Natural Environment subcommittee has met four times.

The Natural Environment subcommittee met first on August 30<sup>th</sup> to discuss the overall organization of the element. A draft element reflecting this input was presented to the CAC on September 20<sup>th</sup>, when the CAC reviewed and discussed its overall organization and some goals. On October 5<sup>th</sup>, the subcommittee met again to discuss Goals N-5 through N-8 in detail. The CAC then discussed those goals on October 18<sup>th</sup>. On November 1<sup>st</sup>, the subcommittee reconvened to discuss Goals N-1 through N-4,

which were revised and presented to the CAC on November 15<sup>th</sup>. Finally, the subcommittee met on November 30<sup>th</sup> to discuss the entire Element in its revised form and made additional changes.

This staff report and the attached policy framework covers all 8 Goals of the Element.

### **Update from the Natural Environment Subcommittee**

As noted, the Natural Environment subcommittee met for the fourth time on November 30<sup>th</sup> to discuss the entire Element. The focus of the subcommittee discussions was to review and refine the changes made to the policy framework in response to the feedback from the full CAC.

This meeting was attended by the following experts, who provided background information and policy input:

- Walter Passmore, Urban Forester, City of Palo Alto
- Phil Bobel, Assistant Director of Public Works Department
- Gil Friend, Chief Sustainability Officer, City of Palo Alto
- Kristen O’Kane, Assistant Director, Community Services
- Shiva Swaminathan , Senior Resource Planner

Outcomes of these discussions are summarized below.

### **Natural Environment Element Policy Framework Changes**

Since the CAC’s last review of the draft Natural Environment Element, the eight goals have been re-organized based on CAC input. Most notably, Goal 4, Water Resources, now contains all of the water infrastructure-related policies previously located in the Safety Element. Additionally, Urban Forest and Understory has been moved up from Goal N-3 to Goal N-2, now followed by Goal N-3, Creeks and Riparian Corridors, so that the creeks goal and water resources goal are adjacent.

The new sequence of the eight goals is reflected in the list of changes below and in the attached policy framework. Tracked changes in the framework illustrate insertions and deletions from the existing Natural Environment Element based on PTC revisions, City staff input, CAC and subcommittee input, EIR mitigation measures, and S/CAP strategies.

#### **Vision and Introduction**

- The urban forest has been added to the list of natural environments to be protected and preserved.
- The clause “urban areas will retain as much nature as possible” has been added to the Vision.
- The health benefits of the urban forest have been highlighted.
- The first sentence of the Introduction now stresses that the Element addresses preservation as well as management.

## Goal N-1: Open Space

- The wording of Goal N-1 was revised to include health as a benefit of open space.
- A reference to the Natural Systems Map was added to Policy N-1.1 regarding preservation and enhancement of Palo Alto's interconnected natural and landscaped areas.
- In Policy N1.2, the Baylands were added to the list of Palo Alto's network of open spaces.
- Program N1.4.1 was revised to call for periodic review of the City's CEQA thresholds regarding lists of special status species, to include species that have been recommended by professionally recognized scientific experts. Program N1.4.2 now explains that the City's Site and Design (D) Review Combining District is an example of an overlay tool.
- New Program N1.6.1 continues the existing consultation with the Community Services Department and Urban Forester to review proposed development, consistent with City practices already in place.
- Redundancies between the Land Use and Natural Environment Elements were cleaned up by combining policies that were very similar and shifting closely related policies to the Natural Environment Element so that all policies and programs on parkland acquisition and expansion are consolidated in the Natural Environment Element.
  - New Program L8.1.4 of the LUE, which read *"Explore opportunities to dedicate City-owned land as parkland to protect and preserve its community serving purpose into the future"* is combined with New Program N1.10.2 reads "Pursue dedication of undedicated publicly-owned recreation, open space and conservation areas..."
  - Program L8.1.3 read *"Explore ways to dedicate a portion of in-lieu fees towards acquisition of parkland, not just improvements."* It is now added to Goal N-1.
  - Programs on using land over the Caltrain tracks as linear parks and encouraging dedication of new parkland were moved from the Land Use Element and are now Programs N1.10.5 and N1.10.6, respectively.
- In Policy N1.9, two development criteria in the foothill portion of the Planning Area were reworded to state that projects should be not be visually intrusive, instead of hidden from view, and should retain existing vegetation.
- New Program N1.10.3 would establish a mechanism that would enable the City to assess and respond quickly to land acquisition opportunities as well as a long-term funding strategy that would enable the City to move quickly when parkland purchase opportunities arise.

## Goal 2: Urban Forest and Understory

- In Program N2.6.3 attaining various canopy size targets was highlighted as goal of tree planting programs.
- The idea of avoiding net loss of tree canopy at the neighborhood level, which had been inadvertently deleted in revisions before the November 30 subcommittee meeting, has been reinstated as part of Program N2.6.3.

- New Program N2.10.2, regarding community appeals of tree removal, was revised to clarify that revisions to the appeals process will also consider expanded opportunities for community members to appeal tree removals.
- **Land Use Element Overlap:** The Land Use Element includes a section under Goal L-9 on the urban forest.
  - Policy L9.11 read *“Recognize the urban forest as City infrastructure to be maintained in accordance with applicable guidelines and requirements.”* It has been merged into Policy N2.2: *“Recognize the importance of the urban forest as a vital part of the City’s green infrastructure network that contributes to public health, resiliency, habitat values, appreciation of natural systems and an attractive visual character which must be protected and enhanced.”*
  - Policy N2.10 reads *“Coordinate City review by the Urban Forester, Planning, Utilities, and Public Works Departments, of projects that might impact the urban forest.”* Policy L9.10 reads *“Involve the Urban Forester, or appropriate City staff, in development review.”*

### **Goal 3: Creeks and Riparian Corridors**

- The multiple benefits of creeks were moved from Policy N3.2 to Policy N3.1 for clarity and simplicity.
- Program N3.3.1, which calls for updating the Stream Corridor Protection Ordinance to adopt a setback along natural creeks, contains a program option: The first, and original option, which is the same as the current Comp Plan, calls for a *100-foot* setback along *“natural creeks in open space and rural areas west of Foothill Expressway.”* The second option is to establish a larger, *150-foot* setback along those creeks. In addition, language concerning exceptions and exemptions was revised for clarity.
- In addition, Map N-4 was added to the Element to show the areas that would be affected by the larger setback requirements west of Foothill Expressway.
- In Program N3.3.3, the third bullet point, calling for an update to the Stream Corridor Protection Ordinance that would address the use of mulch in order to minimize impacts to ground-nesting species, was deleted.
- Program N3.8.1 now mentions daylighting.

### **Goal 4: Water Resources**

- Policy N4.7 and associated programs were revised, based on input from City Public Works staff, to clarify that Palo Alto does not have jurisdictional authority to regulate groundwater. The Santa Clara Valley Water District (SCVWD) is identified by the State as the agency responsible for groundwater management and is legally required to prepare a groundwater management plan. Rather than *“Regulate groundwater use...”* the Policy now begins with *“Ensure regulation of groundwater use...”* Similarly, Program N4.7.1 now calls for advocating for the SCVWD to prepare a high-quality groundwater management plan, as opposed to stating that the City shall

prepare such a plan itself. This is consistent with the fact that the City of Palo Alto ultimately does not have regulatory authority over groundwater supply, but can serve an important advocacy role in the SCVWD process.

- In Program N4.11.3, insecticides have been added to the list of common materials that can impact local quality.
- The word “pavement” was added to Policy N4.12 to express that first, paving of any kind should be minimized, and then second, what paving is necessary should be impervious to the extent feasible.
- The more technical language at the end of Policy N4.14 has been removed at the suggestion of the subcommittee and Public Works staff.
- In Program N4.16.1, “Expand existing recycled...” was changed to “Evaluate the expansion of existing recycled...”
- Policy N4.17 references the City’s Recycled Water Ordinance. That language can be found here and has specific requirements for dual plumbing in projects within the Recycled Water Project Area, over a certain square footage or a certain number of new toilets (link): [Recycled Water Ordinance](#)

#### **Goal 5: Air Quality**

- Program N5.2.2 was revised by recognizing that excessive idling by residents, auto-dependent businesses, and schools are concerns.
- Policy N5.4, regarding mitigation of all potential sources of odor and/or toxic air contaminants, is expressed as a policy, consistent with the current Comp Plan.

#### **Goal 6: Noise**

- In Policy N6.6, the reference to a proposed project subject to CEQA was changed to a proposed project that is subject to the city’s development review process.
- In Program N6.6.1, potentially impacted areas were expanded to include publicly-owned conservation land.
- Program N6.11.2 was broadened by deleting “large commercial” so that the City can participate in forums regarding any airport in the region.

#### **Goal 7: Energy**

Many of the following changes to the energy Goal are technical clarifications and based on input from City staff experts from Utilities and the City Manager’s Office.

- The clause “for both long-term and short-term energy supplies” was added to Policy N7.1
- Policy N7.2, regarding advancement of a “smart” energy grid, was upgraded from Program to Policy.
- Program N7.2.1 now begins “Promote the adoption...” rather than “Implement incentives for...”

- Program N7.2.2 was added to “Assess the feasibility of using life cycle analysis and total cost of ownership analysis for public and private projects.”
- Policy N7.3 now reads “Prioritize the identification *and implementation of...*”
- Program N7.4.1 now requires “higher local efficiency standards that are cost-effective” in addition to incorporation of state and federal standards.
- Program N7.6.1 now includes energy storage as an improvement to building codes that demands exploration.
- Policy N7.7 has been revised to stress that it includes both existing and new buildings.
- New Program N7.7.2 calls for exploring the transition of existing buildings from gas to electric or solar water and space heating

### **Goal 8: Climate Change and Climate Adaptation**

- The City’s zero net carbon goals were strengthened and updated in Program N8.1.1
- Policy N8.2 now calls for “reducing greenhouse gas emissions” rather than “*seeking to* reduce greenhouse gas emissions”.
- Program N8.2.1 was revise so that the S/CAP is periodically updated in a manner that is consistent with the timeline established in the S/CAP itself.
- Program N8.3.1, which calls for protecting the Municipal Services Center, Utility Control Center, and Regional Water Quality Control Plant from the impacts of sea level rise, is a former policy that has been reworded and turned into a Program.
- Policy N8.4 now ends “while protecting the natural environment” to emphasize that responses to sea level rise should both protect life and property and avoid damaging the natural environment.
- The subcommittee discussed adding a policy that would discourage the City from obtaining electricity from centralized concentrated solar thermal projects. However, this policy has not been added, based on feedback from Utilities staff. Though imposing this limit would not be a major constraint now, this policy would constrain the City’s ability to respond to future changes in technology and/or costs within the next 15 years. However, the City Council will retain the ability to impose limitations on specific energy sources.

### **Safety Element**

The CAC discussed the initial draft of the Safety Element policy framework at the October 18<sup>th</sup> meeting. At that meeting, the CAC expressed support for the work of the Safety and Sustainability subcommittees and offered suggestions for refinement. These suggestions were then presented to the Safety subcommittee on November 3<sup>rd</sup>, whose revisions were then delivered back to the CAC on November 15<sup>th</sup>. The draft Element attached to this document reflects changes to the Safety Element policy framework suggested at the November 15<sup>rd</sup> CAC meeting.

Most notably, at the request of the CAC, all water-infrastructure related policies and programs were moved into the Water Resources Goal of the Natural Environment Element. That action left only Telecommunications & Cybersecurity and Power policies in Goal S-4: Infrastructure.

Telecommunications & Cybersecurity was moved to Goal S-3: Humans Caused Threats, and power policies were moved to Goal S-1: Community Safety. Now without policies or programs, Goal S-4: Infrastructure was removed. Finally, Emergency Management policies were moved into Goal S-1: Community Safety.

The result is the following Safety Element framework:

- Goal S1: Community Safety
  - Public Awareness
  - Community Safety
  - Emergency Management
  - Power
- Goal S-2: Natural Hazards
  - General Safety Measures
  - Earthquakes and Geologic hazards
  - Flood Protection and Awareness
- Goal S-3: Human-Caused Threats
  - Hazardous materials
  - Solid Waste
  - Telecommunications and Cybersecurity

### **Goal S-1: Community Safety**

In response to CAC suggestions for a more logically organized goal, Community Safety now contains Emergency Management and Power policies/program—both subheadings previously located at the end of the Element.

- Program S1.1.3 was expanded so that emergency drills involve the elderly and those special needs.
- Program S1.1.5 was clarified so that businesses are encouraged to have disaster preparedness, mitigation and recovery plans, not simply business continuity plans.
- New Program S1.3.1 was added, to explore the use of urban design principles to increase safety in Palo Alto.
- Block Preparedness Coordinators were added to the list of safety programs in Program S1.5.1.
- In Program S1.5.3, collaboration with Emergency Services Volunteers was added.
- New Policy S1.6 was added, calling for work with the PAPD to develop effective, transparent law enforcement strategies that protect the privacy and civil liberties.
- Program S1.7.1 was revised so that the need for satellite police station locations, in addition to staffing changes, is monitored and reviewed.

### **Goal S-2: Natural Hazards**

- In Policy S2.6, the type of rehabilitation promoted was specific as seismic rehabilitation.
- New Program S2.6.1 was added. It encourages neighborhoods to pool resources for seismic retrofits.
- Program S2.6.2 was revised so that the idea of establishing sunset dates for TDR projects is more clear.
- In Program S2.6.3, the phrase “soft-story construction” was replaced with “seismically-unsafe construction”.
- Program S2.10.1 now references the Baylands Master Plan as a guide for shoreline development regulations.

### **Goal S-3: Human Caused Threats**

- New Program S3.1.2 calls for minimizing the risks from biohazards in the City, including Level 4 biohazards. Note that these materials are also extensively regulated at the State and federal level.
- New Program S3.1.3 calls for strengthening development review requirements and construction standards for projects on sites with groundwater contamination.
- New Policy S3.3 requires property owners to disclose the presence of contaminated soil or groundwater, identify potential health impacts, and remediate contamination.
- Program S3.8.2 consolidates the solid waste recycling programs established in previous Programs S3.1.3, S3.1.4 and S3.1.6. The latter three programs have been deleted.
- Policy S4.3, supporting federal and state legislation regarding recycling, has been deleted. The CAC had concerns about singling out a single out a specific City lobbying effort, and not others.
- In Program S3.12.2, “maximum” has been replaced with “high.”
- In Program S3.12.3, “off-grid” has been removed.

## **CAC Schedule and Next Steps**

As discussed at previous CAC meetings, the CAC schedule was developed to ensure that current CAC members have the chance to review as many elements as possible before the end of 2016 when several CAC members are leaving. Thanks to the work of CAC members, the completion of the Safety and Natural Environment Elements on December 13 leaves only one Element to be reviewed, the Business and Economic Element. The CAC has previously completed and recommended to the Council the Community Services, Transportation and Land Use Elements. The CAC will start the review of the Business and Economics Element at the January 17, 2017 meeting.

The work of the CAC is coming to an end. Below is the schedule of next steps for the CAC. After the Business and Economics Element, the remaining CAC topics are Implementation and the Introduction and User’s Guide topics. While the CAC is completing its work, the Council will be holding meetings to discuss the CAC’s recommendations.



MONTH	CITIZENS ADVISORY COMMITTEE (CAC) SCHEDULE OF MEETINGS & TOPICS	SCHEDULE OF SUBCOMMITTEE MEETINGS AND TOPICS
December	<ul style="list-style-type: none"> <li>Recommendation on Natural Environment and Safety Elements (December 13)</li> </ul>	
January 2017	<ul style="list-style-type: none"> <li>Discussion of the Business &amp; Economics Element (January 17)</li> </ul>	<ul style="list-style-type: none"> <li>CAC Business &amp; Economics Subcommittee reviews the revised Business and Economic Element</li> </ul>
February	<ul style="list-style-type: none"> <li>Recommendation on Business &amp; Economics Element (February 21)</li> </ul>	<ul style="list-style-type: none"> <li>CAC Implementation Subcommittee reviews Implementation Plan</li> </ul>
March	<ul style="list-style-type: none"> <li>Discussion and Recommendation on the Implementation Plan (March 21)</li> </ul>	<ul style="list-style-type: none"> <li>CAC Governance Subcommittee reviews Users Guide/Governance Topics</li> </ul>
April	<ul style="list-style-type: none"> <li>Discussion and Recommendation on the intro/users guide/governance topics (April 18)</li> </ul>	
May	<ul style="list-style-type: none"> <li>Final CAC Session (“Putting it all Together”) (May 16)</li> </ul>	

## Attachments

- A. December 13 Draft Natural Environment Element -Clean
- B. December 13 Draft Natural Environment Element –Tracked
- C. December 13 Draft Safety Element Element -Clean
- D. December 13 Draft Safety Element Element – Tracked
- E. Comp Plan Monthly Schedule
- F. Digital Commenter Feedback on Safety – provided as link only:  
[http://www.paloaltocompplan.org/wp-content/uploads/2016/12/AttF\\_DigitalCommenter\\_SAF\\_20161207.pdf](http://www.paloaltocompplan.org/wp-content/uploads/2016/12/AttF_DigitalCommenter_SAF_20161207.pdf)
- G. Public Comments – provided as link only: [http://www.paloaltocompplan.org/wp-content/uploads/2016/12/AttG\\_PublicComments.pdf](http://www.paloaltocompplan.org/wp-content/uploads/2016/12/AttG_PublicComments.pdf)
- H. November 15<sup>th</sup> CAC Meeting Minutes – provided as link only:  
[http://www.paloaltocompplan.org/wp-content/uploads/2016/12/AttH\\_CAC-Minutes-November-15-2016.pdf](http://www.paloaltocompplan.org/wp-content/uploads/2016/12/AttH_CAC-Minutes-November-15-2016.pdf)