



PLANNING & TRANSPORTATION COMMISSION MINUTES

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Wednesday, May 24, 2006
SPECIAL Meeting at 7:00 PM
Council Chambers
Civic Center, 1st Floor
250 Hamilton Avenue
Palo Alto, California 94301

ROLL CALL: 7:05 PM

Commissioners:

Patrick Burt - Chair
Karen Holman – V-Chair
Lee I. Lippert
Paula Sandas
Phyllis Cassel
Annette Bialson - absent
Daniel Garber

Staff:

Curtis Williams, Consultant
Melissa Tronquet, Deputy City Attorney
Julie Caporgno, Advance Planning Manager
Zariah Betten, Executive Secretary

AGENDIZED ITEMS:

1. Comprehensive Plan Work Plan

Chair Burt: Good evening. At this time we would like to convene the Planning and Transportation Commission meeting for Wednesday, May 24, 2006. Would the Secretary please call the role? Thank you.

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

Chair Burt: At this time we provide the public with an opportunity to speak on items that are not on the agenda. I do not have any speaker cards so we will be proceeding into our single agenda item for tonight.

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

3
4 Chair Burt: Our item is the Comprehensive Plan Work Plan. A review of the work plan and
5 timeline for a Comprehensive Plan Amendment that would extend the horizon year of the
6 Comprehensive Plan to no later than 2020, to update the land use map, to review, if appropriate,
7 the Comprehensive Plan policies and program and update the environmental analysis. So would
8 the Staff like to make an introductory presentation?

9
10 **NEW BUSINESS**

11 **Public Hearings:**

- 12
13 1. **Comprehensive Plan Work Plan** – Review of Work Plan and Timeline for a
14 Comprehensive Plan amendment that would extend the horizon year of the
15 Comprehensive Plan to no later than 2020; update the land use map, review, if
16 appropriate, the Comprehensive Plan policies and program and update the environmental
17 analysis.

18
19 Ms. Julie Caporgno, Advance Planning Manager: Thank you, Chair Burt. As you will recall we
20 originally scheduled this item for April 19 but because of your full agenda for that evening it was
21 continued to tonight. We have provided the Commission with a Work Plan for amending the
22 Comp Plan based on the direction from the Council described in the Council Colleagues Memo
23 that was attached to your April 19 Staff Report. The work plan is scheduled to be discussed by
24 the City Council on June 5 so tonight will be the only opportunity for the Commission to provide
25 comments on the work plan.

26
27 The focused work plan that Staff has developed would extend the horizon year of the Comp Plan
28 up to the year 2020 and includes four main work items. The first is to update the growth
29 assumptions and existing conditions and we would be incorporating recent planning studies and
30 new data in the base conditions. We would also be identifying a realistic growth rate for
31 development through 2020 and this would be done through study sessions with the Planning
32 Commission and the community. The second major work item would be to review and update
33 the land use map and land use designations where appropriate. We particularly singled out the
34 Fabian Way, West Bayshore area, East Meadow Circle, that was an area that we recently had a
35 design charette for the East Meadow Circle area but there has been neighborhood concern about
36 conversion of industrial lands to residential development. So that is an area that we think it
37 would be appropriate for focused review for appropriate land uses. Then the other area would be
38 looking at the existing Fry's Electronics site and properties surrounding that area because the
39 amortization for Fry's on that site will expire in 2019. Then we would evaluate the existing
40 definitions for nonresidential land use designation and determine if housing should be restricted
41 or disallowed under those designations since that has been a focus of the Council. It may be that
42 allowing housing in nonresidential areas is adversely effecting retail uses going into those areas.
43 Another focus of the review would be looking at Comp Plan policies and programs and
44 modifying where appropriate. We would look at all of the programs that are in the Comp Plan
45 for relevance and clarity. As you know, when we have reviewed the implementation plan status
46 report there have been some that we have completed and we would delete those or modify those

1 where the Council direction has changed over time. We would also focus on policies that allow
2 conversion of nonresidential land to residential uses getting back to the issue that I previously
3 described. Then we would add or strengthen policies that limit the loss of retail serving uses
4 since this is also a concern of Council. We would incorporate policies and programs addressing
5 or strengthening provision of public services where applicable because that has also been a
6 concern of Council. As we had mentioned in the Staff Report we would avoid changes to the
7 Housing Element. Any changes to the Housing Element would have to be submitted to the state
8 for review. The housing needs allocation for our next Housing Element should be provided in
9 the next few years. So we will be updating the Housing Element probably around the year 2009
10 or 2010. Then the fourth thing that we would do is update the environmental review for the
11 Comprehensive Plan. An EIR had been prepared for the 1998 Comprehensive Plan. We would
12 be preparing a new EIR and in that EIR we would look at the service needs of schools, parks,
13 and libraries in addition to all of the other required analysis that is required under the California
14 Environmental Quality Act.

15
16 Then as another item the Council has directed us to incorporate significance thresholds that
17 would be used in the EIR into the Comprehensive Plan. So we would be developing, well we
18 use significance thresholds now for environmental review but we would in effect be approving
19 those so that we would be consistently applying them for all development review projects that
20 would be coming through the City.

21
22 Consistent with the Council direction the focus of the work plan is to ensure that sufficient public
23 services are available to serve any housing development and that sufficient land for
24 neighborhood serving retail is preserved. As I mentioned, the work plan is structured for that
25 purpose and also we would use the Planning Commission meetings as a venue for public
26 participation and input in the amendment process unlike what had been done for the
27 Comprehensive Plan where I know that there was a special task force that was formed. Because
28 of the focused review for this Comprehensive Plan Amendment we were hoping to use the
29 Planning Commission as efficiently as possible. Then as the ongoing review body for the
30 amendment the Commission would be closely involved in the preparation and content.

31
32 The two-year timeline for completion of this amendment we admit is very aggressive but we feel
33 it can be accomplished if the extent of the amendment is limited to the work items identified. As
34 you can see we are anticipating that we would have the consultant contracts going to Council in
35 September. We would be sending to the Commission the significance thresholds that we are
36 proposing to use in the environmental document in August. The Council would be accepting the
37 significance thresholds in September. Then from July of 2006 to June 2007 we would basically
38 be working on the project itself, defining what the project analysis would be and also the
39 consultant would be working on the existing conditions for the EIR. Then subsequent to that the
40 consultant would be evaluating in the EIR process the defined project, basically the Comp Plan
41 Amendment. The EIR would circulate in March of 2008 and we would hope to go to
42 Commission with the Final EIR probably in June of 2008 and to Council with a certification and
43 amendment approval in July 2008.

44
45 The other thing I would like to mention is this timeline is very preliminary. I have had some
46 discussions with consultants but obviously since we don't have any contract scopes we have kind

1 of just described generally what we are envisioning. So when we come back in September 2006
2 with a consultant under contract the actual timeline would be much more defined.

3
4 In order for the work plan to be implemented with the existing Staff work priorities must be
5 shifted. The Council had asked us to identify what we couldn't do in order to go forward with
6 the Comp Plan Amendment. Since we aren't proposing to add any permanent positions current
7 staff would have to be reassigned to work on much of the amendment with the exception of
8 specialized and technical tasks. As indicated in the supplemental information that we sent to you
9 last week the Zoning Ordinance Update work program and timeline for completion would be
10 compressed because we think it is really important that we get through that process. So the other
11 items that would be delayed pending completion of the amendment would be updating of the
12 Baylands Master Plan document to reflect changes over the last 17 years which you know has
13 been put on a backburner numerous times. We would also have to delay preparation of design
14 guidelines for commercial properties in the Baylands area and finalizing the El Camino
15 Schematic Master Plan. Also, Planning Staff's involvement in various city development
16 projects, the special projects area, would probably also be reduced to some degree. Planning
17 Staff would be involved but not to the extent that they have been previously. That concludes our
18 overview of the work plan and we are here for questions.

19
20 Chair Burt: Thank you. Would Commissioners like to ask questions of Staff prior to hearing
21 from the public? Paula.

22
23 Commissioner Sandas: Julie, one of the things that is mentioned in here and you mentioned it in
24 your report is that the Planning and Transportation Commission would be used as the vehicle for
25 periodic public review. I am just wondering is there any plan at all to do some sort of special
26 noticing? We have heard at a variety of previous Planning and Transportation Commission
27 meetings from people who said they didn't get the notices from all the usual sources. So I am
28 just wondering if there will be any plan for any kind of special notices.

29
30 Ms. Caporgno: Curtis you might want to add something because of the noticing that has been
31 done for the Zoning Ordinance Update, but we would do everything we can to make it as
32 extensive as possible. I don't know if the concerns that have been expressed have been with
33 regular development review projects or special projects. It is probably a smattering of
34 everything. We would do everything we can to make sure that the appropriate organizations are
35 notified as well as individuals. We had talked about actually doing this for the remaining
36 portions of the Zoning Ordinance Update and for the Comprehensive Plan Amendment also. We
37 could meet with the neighborhood organization leaders to find out the most effective way of
38 getting the message across to their neighborhood groups. I think part of the problem when we
39 have gone to neighborhood meetings and there hasn't been a good turnout is that people who
40 received the notice don't understand what it is. So if they have some advice to make it more
41 effective we will be more than happy and pleased to accommodate them.

42
43 Chair Burt: Karen.

1 Vice-Chair Holman: Along those lines, last week at our Retreat we did talk about a number of
2 ways to possibly make noticing more effective including language and notifications and who to
3 go to. So those might be some guiding principles.

4
5 Chair Burt: Okay. So far I only have one speaker card and it is Rachel Samoff. Rachel, you
6 will have up to five minutes to speak

7
8 Ms. Rachel Samoff, Palo Alto: I am happy to be here tonight. You don't need the normal
9 announcement of name and address I take it.

10
11 Chair Burt: Yes, please repeat your name for the record.

12
13 Ms. Samoff: I am Rachel Samoff. I am here as the Chair of the Childcare Advisory Committee
14 that is advisory to the City Manager. We are really pleased that the Comprehensive Plan is going
15 through this process. Palo Alto is going through some pretty fundamental changes and I think it
16 is great that the City is approaching this in a really thoughtful manner.

17
18 Any new development impacts the basic infrastructure of any community. Childcare is a very
19 important part of that infrastructure. It plays a really critical role in enabling parents to be
20 dependable, productive employees and also a critical role in providing the crucial early
21 childhood education that is necessary to produce a productive, creative, skillful workforce for the
22 future. Also, well-placed childcare centers can reduce traffic flows as Palo Alto grows and
23 acquires more housing. It is also important to the vitality of Palo Alto that we be able to
24 continue to attract young families to the city. Childcare benefits make local residents even more
25 desirable to employees such as service workers who insure our safety and protection as well as
26 others whose households and children insure a mix of occupancy and a future workforce to
27 replace people who are aging.

28
29 So we urge the Commission and the City to consider the consequences for the supply of
30 childcare in Palo Alto each time a new development comes before the City. Including this
31 stipulation in the Comprehensive Plan Amendment will be a step forward toward maintaining an
32 adequate supply of spaces for the community's youngest children in early childhood centers
33 while their parents are at work. I don't believe that childcare has really been on that list of items
34 that is either required in some manner or other it is just a matter of course that when new
35 development comes up we look at how it is going to impact childcare. We are really
36 encouraging the City to do that and we hope to be participating fully in this process. Thank you.

37
38 Chair Burt: I have one question for you. The childcare community was one of the constituencies
39 that came to my mind when Commissioner Sandas was talking about different ways that we may
40 be able to give noticing to the community and make sure that they are informed and have the
41 opportunity to be engaged in the process. Would you be able to share with Staff maybe what
42 would be, we certainly have PACC is one group but how we might be able to make sure that we
43 use those entities that are providing childcare as a way to disseminate information about this
44 process as it goes forward?

45
46 Ms. Samoff: To sort of the broader population?

1
2 Chair Burt: To the childcare users.

3
4 Ms. Samoff: Yes, I would be very happy to work with the City on that.

5
6 Chair Burt: That would be great, I think. Thank you.

7
8 We do not have any more speaker cards so at this time we will close the public hearing and
9 return to the Commission for questions and discussion. I think by the nature of what we have
10 before us tonight it seems to me that it would not be out of place for Commissioners to intermix
11 questions and comments. This has some characteristics of a study session almost tonight as we
12 are going through this consideration. So feel free to comment or question as you see fit. Lee.

13
14 Commissioner Lippert: Thank you. I think it was maybe about five years ago that we became
15 the Planning and Transportation Commission. I think that sort of postdates the last drafting of
16 the Comprehensive Plan. Would we look at transportation differently now when looking at this
17 update?

18
19 Ms. Caporgno: Since I wasn't here when the previous Comprehensive Plan was developed I
20 can't completely answer that. I know the Transportation Division would be an active participant
21 in this update and it would be coming to the Planning and Transportation Commission. So I
22 know that we would be fully evaluating the transportation aspects of the Comprehensive Plan but
23 I can't really speak to the process that was undertaken for the last Comprehensive Plan. Curtis,
24 do you have something to add.

25
26 Mr. Curtis Williams, Consultant: I wasn't here then either but the Comprehensive Plan right
27 now, developed then, has a lot of links between transportation and land use already in there. I
28 think it is incumbent on us to go back and look at those. A lot of the interest that has been
29 generated by the conversion of industrial to residential lands has spurred additional questions
30 about traffic impacts, access for transit for resident, etc., especially since some of these are senior
31 projects and that kind of thing. So I think there will be a little bit more focus probably on that
32 connection between Planning and Transportation both on the transportation modes as well as
33 traffic impacts. I think Julie mentioned updating the traffic analysis and traffic model for the
34 impacts for the EIR process of looking at that in an updated way as well.

35
36 Ms. Caporgno: I know that the Comprehensive Plan now does not include our level of service
37 and that would be incorporated through the significance thresholds that would be embodied in
38 the Comprehensive Plan. So there would be that additional information but as far as the
39 participation process I know that the Transportation Division will be actively involved and
40 meeting with you as we go through this process. They will be sitting at this table with us.

41
42 Commissioner Lippert: Just off the top of my head I would like to just list a half a dozen things
43 that I think have changed all within the last five years. One is the cost of gasoline that is going to
44 make public transportation far more appealing to a lot of people including carpooling and
45 Transportation Demand Management. Global warming which we see on the horizon that is
46 going to possibly be a much bigger topic in fact I believe that the City Council has even had

1 some discussions with regard to Palo Alto being a little bit more environmentally friendly. So
2 again, I think it is going to be very important to look at reducing auto emissions. Another thing
3 that is probably significant is the Baby Bullet Train. That wasn't even on the horizon five years
4 ago and now we have this semi-high speed train running through our city and the Palo Alto Train
5 Station has become a far more significant transit node on the peninsula. Light Rail, we have
6 Light Rail that comes all the way up to Mountain View and stops right at the border. That
7 wasn't there five years ago.

8
9 Commissioner Cassel: It was expected.

10
11 Commissioner Lippert: So those are just a couple of items that I think are pretty significant and
12 have changed in a way that maybe transportation should be far more integrated into the general
13 Comprehensive Plan this time around.

14
15 Chair Burt: Phyllis.

16
17 Commissioner Cassel: The Planning and Transportation Commission had a redefinition of its
18 title so that other people would realize that the Planning Commission had always considered
19 transportation as part of its range of items to be discussed. I think we have discussed more since
20 we had transportation added but we certainly considered transportation part of what we were
21 looking at. Most Planners do it. It's just that people began to say, "I think we need a separate
22 Transportation Commission" and that would have separated the two, which didn't seem wise.
23 When we did the Comprehensive Plan we spent a lot of time trying to look at transportation, not
24 to say that these changes that you are talking about haven't happened, but we tried very hard to
25 look at long-range at transportation issues and not just look at a 12 year span because it just
26 wasn't long enough when you start looking at major transportation issues. So the Light Rail was
27 on the horizon. We knew it was coming. We made some recommendations to bring it up El
28 Camino Real I don't know whether that got into the Comp Plan but it was discussed in detail. I
29 can't remember specifically but generally we were trying to write it so it would be in longer
30 perspective and encourage public transit and that kind of thing at that time. That doesn't mean it
31 does need to be looked at but we were trying very hard to integrate them.

32
33 I have a number of questions but I have one on maps. We were originally delaying the
34 discussion on the Zoning Map until we finished the Zoning Ordinance. Now we are talking about
35 redoing the map for the Comprehensive Plan or looking at it and deciding whether we need to
36 redo it. Are you planning to do both maps together, the Zoning Map and the Comprehensive
37 Plan Map simultaneously since these two projects are coming close together?

38
39 Mr. C. Williams: That is a good question. It probably depends on the extent to which the
40 Comprehensive Plan Land Use Designations trigger a need for the Zoning Map to be consistent
41 with that. So if there are areas where that is the case then I think we are probably going to have
42 to dovetail those two. To this point in the Zoning Ordinance Update though what we have talked
43 about is putting off any mapping until after. I don't think there has been anything that has been
44 designated that we need to remap yet.

1 Commissioner Cassel: I thought that we had not talked about that deliberately because you were
2 going to wait. So we haven't really had a discussion if we wanted some mapping done.

3
4 Mr. C. Williams: I think it would be appropriate to have that discussion as part of the Comp
5 Plan discussion because those are those kinds of issues of whether it is really the appropriate
6 intensity or use for a particular area and it should mesh with the Comp Plan.

7
8 Ms. Caporgno: I think that what we were looking at from a Comp Plan perspective is really
9 focusing on those two areas that I mentioned, East Meadow Circle and the Fabian Way/West
10 Bayshore area and then the general area around Fry's and possibly if there are any other areas
11 that come up in our discussion tonight. Those are the ones that we would think basically would
12 be looked at. We aren't going to look at or we are not proposing to look at everything citywide.
13 It would be really a focused look at any changes and then probably as Curtis mentioned if it
14 renders the Zoning Maps inconsistent then those changes would be made accordingly.

15
16 Chair Burt: Just a follow up to that. I am still a little bit confused. Throughout the ZOU process
17 it has been laid out to us that we would not address the Zoning Map until the completion of the
18 district definitions and all of the revisions involved with the districts were done. When I look at
19 the ZOU work program I don't see anything about the Zoning Map at all. Is that a change in the
20 intention or what has happened there? That seems very substantive to go over.

21
22 Ms. Caporgno: I will try to answer this first and then, Curtis, you may want to add something.
23 My understanding is that the Zoning Ordinance Update if there were going to be changes to the
24 map it would be done in the second phase. What we are looking at right now is trying to get
25 through the first phase, which is getting the Zoning Ordinance itself changed. Then we would
26 embark on the Comprehensive Plan and then as Commissioner Cassel pointed out or asked and
27 we responded if there were changes to the map that would require rezonings we would do those
28 and then subsequently we could do any other rezonings that would be needed. I think that we
29 didn't want to put the Zoning Ordinance Update off now since there have been so many years
30 that have been devoted to it we wanted to get that through at least the ordinance changes before
31 we embarked on the Comprehensive Plan. We just don't have the Staff resources to make the
32 Zoning Map changes too and do this in a timely fashion. So I think since the Council wants to
33 go forward with the Comprehensive Plan Amendment this is our way of evaluating it. We put
34 phase two of the Zoning Ordinance off until after the Comprehensive Plan Amendment was
35 completed.

36
37 Chair Burt: Okay. So you are saying that phase two which was the Zoning Map change would
38 follow the completion of the Comp Plan update and not be integrated within that?

39
40 Ms. Caporgno: There would only be integration if there were something that a Comp Plan map
41 change would require a zoning change also. If there were other changes to the Zoning Maps that
42 were desirable but there weren't any Comp Plan changes then that would be put off until after
43 the Comp Plan Amendment completion. Can you follow what I am saying?

44
45 Chair Burt: It is and so then I would just like to say as a comment to that that that's an important
46 change and I think that should be highlighted as an alternative to the Council and not necessarily

1 we may or may not choose to make a formal recommendation on that sequence tonight. I think it
2 needs to be very clear to the Council that that's a ramification of this because it just seems buried
3 in here and it is significant. It is a major aspect of what our entire work plan was going to be and
4 instead it is kind of implied. It should be explicit that there is a critical decision that the Council
5 will have to make on that subject. Who was next? Paula.

6
7 Commissioner Sandas: The question I have has to do with the ZOU completion. It seems like
8 we have quite a few things to complete. I am wondering if I have just missed the boat but is
9 there a timeline for completion of those in light of this and I just missed it?

10
11 Ms. Caporgno: The supplemental information that we put in your packets last week shows a
12 compressed timeline in which we are going to try to batch the remaining sections. That schedule
13 is just for Planning Commission because we have no way of controlling the Council agendas. If
14 we could get it through Planning Commission then it is not a lot of Staff effort from Planning
15 Commission to Council. So that is what we were attempting to do.

16
17 Commissioner Sandas: Thank you. I thought I had read it and I was looking through the pages
18 and I didn't see it. It is on the back page page four of the supplemental. So this is just, as you
19 just mentioned, it is just for the Planning and Transportation Commission review and we will
20 have it off our plates and it will be in the Council's hands. That will effectively free up your
21 ZOU Staff to take on the Comp Plan Amendment?

22
23 Ms. Caporgno: Yes. If we can start to transition them, the less work that they would have to do
24 on the ZOU the quicker, easier and more effective the transition. Once we get through Planning
25 Commission then it is more of scheduling a Council meeting and Staff would have to attend but
26 we are not anticipating that there would be much work for the Staff in that interim period of
27 time. So they could be working then on the Comprehensive Plan. The next six months or so
28 with limited Staff that I have in Advance Planning and not including the Zoning Ordinance
29 Update Staff we could probably start working on the consultant contracts and doing some of the
30 background data preparation and that sort of thing. So we wouldn't get into the throws of it until
31 early or mid 2007 when we are anticipating that the Zoning Ordinance Update will be off our
32 plate.

33
34 Commissioner Sandas: Can I ask one more, Pat? On page three of the supplemental sheet item
35 C is what is not included in the ZOU work program. I am curious about number five, the form
36 based codes steps one through four why is that not included? There are a lot of things that are
37 not included but form based code is a topic of interest to me so I am curious.

38
39 Mr. C. Williams: The reason that it is not included, and just for your information, the step five
40 of the form-based code is what you saw in the PTOD as the context based design. So we will
41 continue to have that as part of the mixed use. The steps one through four are more the process
42 steps, sort of what to think of. We are looking at ultimately if we don't go back into the Zoning
43 Ordinance putting that in the zoning technical manual but it wouldn't be within this timeframe.
44 The reason it is out of there is it takes a lot of time. What we tried to do with this process is
45 streamline it to the point where there are some things we are not going to be able to get to and in
46 doing that the form based code takes the consultant's time to draw up, have us review it, but

1 there are also if you remember a lot of kind of dialogue boxes in there that say to look at this and
2 look at that. That takes a lot of Staff's time sitting down with that detail. It is a great concept but
3 if we are going to get done by early 2007 there is not time to do that as well as step five.
4

5 Ms. Caporgno: One of the things we had discussed is that some of these work items that we
6 identified as not being included don't prevent us from coming back later and working on them if
7 it seems to be necessary. It is just that we identified the items that we thought were the most
8 important and were imperative to get those incorporated in the Zoning Ordinance now. Then we
9 could always go back and ones that weren't as necessary we could address later.
10

11 Chair Burt: Lee and then Karen.
12

13 Commissioner Lippert: I just want to follow up on Chair Burt's question with regard to the
14 process of the completion of the ZOU and then looking at the Comprehensive Plan Amendment.
15 Is it an update or an amendment?
16

17 Ms. Caporgno: We are calling it an Amendment because we were trying to distinguish it. We
18 thought an update looks globally at everything and 'amendment' was more focused. We wanted
19 to acknowledge that we are going to be making changes but they weren't going to open
20 everything up because we thought that the major policies and programs in the Comprehensive
21 Plan are still valid. So that is why we are amending it as opposed to updating it.
22

23 Commissioner Lippert: Okay. What I was going to say is what might be worth looking at or
24 doing is to have closure on the Zoning Ordinance Update (ZOU) and then taking care of the
25 Comprehensive Plan Amendment but then going back and looking at the ZOU, I won't call it a
26 ZOU amendment but a ZOU adjustment based on the new Comprehensive Plan. Really the ZOU
27 that we are doing right now is really geared towards the Comprehensive Plan 2010 and then we
28 are having this Comprehensive Plan Amendment that takes us all the way out to 2020. Well, we
29 are getting really close at 2008 to the point where we are going to begin to start to implement this
30 Comprehensive Plan Amendment from 2010 to 2020. So the land uses need to be looked at in
31 terms of the ZOU again.
32

33 My biggest concern is when we went through the ZOU with the GM and the LM districts in
34 some ways it almost is like a downzoning. We are taking away property rights and my concern
35 is triggering something that would be similar to what has happened with the Fry's site where we
36 have an amortization timeline and it keeps getting stretched out further and further and further.
37 So my concern would be that we would want to make sure that whatever we do is easily
38 implementable then and there when the Comprehensive Plan Amendment is fully adopted and
39 goes into play. Does that make sense?
40

41 Ms. Caporgno: Actually, that makes very good sense. We kind of thought about that. It is kind
42 of a cyclical thing. We will finish the Comprehensive Plan and go to the next phase of the
43 Zoning Ordinance. We know the Council wants to work on the Comprehensive Plan now but we
44 didn't want to put the Zoning Ordinance Update, what you currently are working on for so many
45 years, on hold because we thought that that was a real disservice to the community. So that is
46 why we tried to come up with a way of getting through most of it and as you pointed out to come

1 back and then make any further adjustments based on the changes that are made through the
2 Comprehensive Plan amendment or things that you just didn't get to originally.

3
4 Commissioner Lippert: In addition to that we have a Comprehensive Plan, we have a current
5 Zoning Ordinance, these should not be obstacles in the way of how our city grows or develops
6 either.

7
8 Chair Burt: Karen.

9
10 Vice-Chair Holman: I think Commissioner Lippert hit the nail on the head. There is really a
11 delicate balance here and how to approach what the work plan is that has been laid out is again a
12 delicate balance about keeping the Commission and the public informed of what the current data
13 is as far as what is going on so that that can inform in light of that information because that is
14 why we are doing the Comp Plan adjustment while we are making decisions on the zoning that
15 we are going to be putting into place. Otherwise we are going to be chasing our tails. So it is
16 really quite a challenge. It is really a delicate balance.

17
18 There were a few things that I noticed that were not mentioned here that weren't included in the
19 ZOU work program. One of them is the Open Space District that this Commission has had
20 considerable conversation about. I don't see that listed at all. There is a list, and I didn't write
21 them all down, but there is a list of things that are follow up items to the ZOU which aren't
22 mentioned here either as things that aren't included in the ZOU work program. One of them was
23 we were going to revisit DHS, detached houses on small lots, that was something that needed to
24 be revisited. This Commission had decided that we would look at conservation districts also as a
25 follow up to the ZOU. There are a number of things that aren't included here and I don't expect
26 them all to be included but we shouldn't lose sight of the fact by not listing them that those
27 things do need to be addressed.

28
29 Julie, you mentioned that the Baylands update is going to be put on hold again. You mentioned
30 one other thing that was put on hold and you said something about commercial and I didn't catch
31 exactly what you said so if you could say that again, please.

32
33 Ms. Caporgno: We are about ready to engage in a contract with an urban design consultant to
34 develop commercial guidelines for commercial properties in the Baylands. Virginia Warheit in
35 our department had worked on design guidelines for the Baylands, the open space area, for
36 signage and that sort of thing but we didn't develop anything for commercial properties. So that
37 was something that we were going to do and it still may be able to be done but it is not going to
38 be done as quickly. We could probably still get them involved but it is just that the Staff that
39 were working with the urban design consultant is going to be engaged in working on this. So we
40 identified the areas that are going to be delayed or put on hold. Some of those we may be able to
41 do some work on but it is not going to be the focus; they are going to be placed on the
42 backburner. With the Comprehensive Plan, I would assume there are going to be peaks and
43 valleys there. There are going to be some times in which the Staff isn't having to devote their
44 entire work to the Comprehensive Plan and they can pick up some of the pieces of these other
45 studies but you won't be seeing them in the near future.

1 Vice-Chair Holman: I guess I would point out, I know Staff is well aware of this as well as some
2 of the Commissioners so I will point out for the Council and anybody there that might not know
3 that the Planner who has been working on the update of the Baylands Master Plan or really the
4 compilation of it, if there was any way to free up that Planner to finish this program it would
5 really be quite a great service to the community because of the expertise that exists there.
6

7 Something else that is mentioned a couple of times but is not included in the ZOU work program
8 and I am wondering why is the prohibition or reduction in number of existing units on a site.
9 Why would that not be included? This is a community that talks long and hard and passionately
10 about housing units and generation of those and affordability of housing units and yet this is
11 something that seems to me personally a huge omission from what is being considered. So why
12 would this not be considered? It came up when we had discussions about cottages. It came up
13 when we had discussions about multi-family housing. It comes up regularly. So why would this
14 not be included?
15

16 Ms. Caporgno: What we are attempting to do with this is under Program H-29 is come up with a
17 better definition or interpretation of the policy and program in the Comprehensive Plan to
18 address it. We are not making any changes to the Housing Element but maybe doing something
19 that would address this as opposed to having to deal with it now in the Zoning Ordinance
20 Update. We just don't think it is a ZOU issue, yet I know this is a big issue for the community
21 but I think it is going to take some of Staff time to work on it in the Zoning Ordinance and it
22 hasn't been developed yet and the ZOU may not be the appropriate vehicle for addressing it.
23 Curtis is doing a lot of the work on actually writing the Zoning Ordinance and his time is going
24 to be needed for other things. So we are hoping that we could address it but not through the
25 Zoning Ordinance Update. So that is something that we are not putting on the backburner
26 completely and we will be getting back to you with how we are going to address that. We have
27 had some discussions with Steve about it so we are just not proposing to include it in the ZOU
28 work program.
29

30 Mr. C. Williams: Maybe we can come to you with a strategy on that when we bring the multi-
31 family back to you and get feedback there and see if that approach might work.
32

33 Vice-Chair Holman: I have a handful of more questions but I will pass the mike.
34

35 Chair Burt: Phyllis? Are you ready, Dan? I have couple if not.
36

37 Commissioner Cassel: I have questions. I guess my concern is in this compressed timeframe it
38 is a very rough timeframe. It appears to me that what is going to need to happen is that you are
39 going to have to have more than one item working at once just because of the times and the
40 noticing and stuff. So I presume you are coming in with draft ordinances at this point. We have
41 discussed everything here in some way or other at some time. Are you coming with a draft
42 ordinance that we will do a study session on and then you will pick up the public concern and
43 then you come back with a final ordinance and then you go to City Council with it? Is that the
44 plan?
45

46 Mr. C. Williams: You are talking about the ZOU schedule?

1
2 Commissioner Cassel: Yes.

3
4 Mr. C. Williams: Yes. Basically what we are looking at is first of all trying to limit the number
5 of issues that we change in these various chapters and we are going to really highlight those key
6 changes but we anticipate a study session with the Commission at which time we may or may
7 not have a preliminary draft for you and then it probably depends on how much community input
8 we have had before then. If we have had some before then we may be prepared to put a draft in
9 front of you at the study session. If not, then we will probably do some follow up between that
10 and coming back to you with the ordinance. But that is essentially at a study session on each
11 grouping and then come back with the ordinances.

12
13 Commissioner Cassel: The ordinance will have to be no more than four weeks from the study
14 session because one, you have noticing so it has to be at least two weeks and if you do a study
15 session and then you go out to the community and you come back in four weeks with the
16 ordinance and you may have a second meeting on that ordinance, we have not exactly been
17 moving these things through fast, and then it would be ready to go to Council in a month?

18
19 Mr. C. Williams: Well, we don't have the Council on that agenda or work program. It will be
20 ready once it is through the Commission the work is basically done. The ordinance has been
21 written and so it is just a matter of forwarding the Commission's recommendations.

22
23 Commissioner Cassel: Except that while everyone has it in their brain it needs to get to City
24 Council.

25
26 Mr. C. Williams: That would be nice.

27
28 Commissioner Cassel: If you only do one at a time then you will never keep up with it. I would
29 think you would have to have a study session this month and an ordinance drafting next month
30 and then next month you are also doing a study session and then the next month you are doing a
31 study session in the month you are doing an ordinance in order to keep the timing.

32
33 Mr. C. Williams: That is basically what we have outlined is like a study session in June/July. It
34 looks like it will probably be July 12 on the commercial zones and mixed use and performance
35 standards, that group of topics. Then coming back in the July/August time period, probably in
36 August, with the specific ordinance. Again, I think we will probably have a preliminary
37 ordinance when we come to you in July and we will try to do some outreach before we come to
38 you in July as well. So we talked last week at the study session some about ways to try to get to
39 the community earlier and get some of that input on how they think they can best be involved.
40 We are going to try to implement those through this process so that we can touch base on those
41 key issues before we come to you and then have your study session. Yes, it is ambitious. We
42 know there is no guarantee things are going through one Commission session but again we think
43 it is going to be very difficult to move seriously into the Comp Plan update with the Zoning
44 Ordinance still out there.

1 Commissioner Cassel: Well, we have been working on all of these issues a lot. There isn't
2 anything coming to us that we haven't worked on at some point already. So it would seem like
3 we are ready to keep moving on it. My concern is that you are going to have to have some
4 overlap in order to meet the requirements.

5
6 Mr. C. Williams: Absolutely we do.

7
8 Ms. Caporgno: I think that we realize that it has been dragging on and you have seen aspects of
9 all or most of these chapters. That is why we were anticipating that we would be able to move it
10 forward. We were given the direction that we needed to come up with a work program that
11 would fit into around two years with available staff. So this is the best that we could come up
12 with and Curtis feels not maybe comfortable but that it is doable that we could achieve this if we
13 limit the work that has to be done. I think what I had mentioned earlier and Curtis kind of
14 expanded on and we had talked about at your Retreat last week was that working with the
15 community groups to try to limit the community meetings. We know how effective the
16 community meetings were for the PTOD ordinance. Maybe there are some of these chapters that
17 won't have the impact on individual areas so if it just comes through Planning Commission for
18 study session and recommendation we won't have to go to the community as much. What we
19 are hoping to work with the community leaders to try to develop a plan that will enable us to
20 actually implement this.

21
22 Chair Burt: I would like to jump in at this point and point out what I perceive to be an elephant
23 in the room. That is that we have been working on the ZOU for several years now. We have not
24 been able to proceed at the pace that we all had wanted to. The community, the Council, the
25 Commission and the Staff had all wanted to proceed at a more rapid pace. In recent months it
26 has been slowed down by staffing constraints. Now we are talking about adding another major
27 project in between the two phases of the ZOU and we are talking about doing the ZOU in a
28 timeline and a pace that is more rapid than we have been achieving over the last several years.
29 That somehow magically it is going to accelerate. The elephant that I see is that there isn't
30 adequate staffing to be able to do this. We have had Curtis leading the charge on the ZOU and
31 the time availability of both in-house staff and what to date has been Curtis as a part-time
32 consultant on this have been the limitations on how fast we could go. Now, if Curtis is moving
33 into a different full-time role Curtis needs a Curtis in order for this to happen. I just don't see
34 how this is going to be achievable without adding additional staffing and that staffing could very
35 well come in the form of outside contract services. Julie, you look like you want to jump in
36 there.

37
38 Ms. Caporgno: When I had said we aren't adding staffing I meant City staffing. There is
39 contract staffing and Curtis can speak to this. There is I believe there is someone in his firm that
40 he has indicated would be able to kind of step in and fill a void when he transitions. So we are
41 anticipating that there will be continued involvement with at least the same level of staffing or
42 maybe even a little bit more staffing. We have been told that we can't add any more staff
43 positions. In order to do the Comprehensive Plan even if we could hire somebody, an added
44 position, we need to have people who are familiar with the City in order to work on this because
45 they need to know policies, programs, etc. So we really do need to work with the existing staff.
46 We are going to supplement with some outside consultants for specialized work areas in the

1 Comprehensive Plan but for the policies and programs it really will be in-house. We are relying
2 on the staff that has been working on the Zoning Ordinance. Curtis.

3
4 Mr. C. Williams: Well, just a couple of things. One is that we are also filling Susan Mickelson's
5 position. So we are getting pretty close to being able to interview for that. Secondly, I just
6 wanted to clarify that someone in my office is not necessarily the consultant – that is just one
7 possibility out there. We have talked about the need to look around and see if we can find a
8 contract person that does have some real life zoning experience that can step in right away and
9 give us some help but we certainly appreciate those comments and know that this is very
10 dependent on having some bodies.

11
12 Chair Burt: I think it is going to be important for us to lay out in our recommendations to
13 Council that even though we appreciate that Council is not wishing to add full time staff
14 positions that the ZOU to date has been led by a contract person in the form of Curtis and that
15 continuing even at the pace that we've been over the last three to four years would be dependent
16 on adding comparable contract services. I think it should be treated as a necessity. Even with
17 doing that I am skeptical about our ability to achieve these timelines on completing the ZOU,
18 completing the Comp Plan Amendment and then moving right back into a phase that would be a
19 combination of the Zoning Map and some tweaking of the ZOU based upon the Comp Plan
20 Amendment. I think on the one hand if you don't set aggressive goals you have no prayer of
21 meeting an aggressive timeline. On the other hand we have to have aggressive goals that are
22 within the realm of what is achievable. Maybe not exactly what will be achieved but they have
23 to be plausible. I don't know whether these are plausible my gut is that we may be setting a
24 timeline that is already outside of what is plausible. I may be mistaken on that but based upon
25 what we have been able to accomplish in the last three to four years it doesn't seem out of line to
26 say that. Julie.

27
28 Ms. Caporgno: Again, I haven't been involved with the Zoning Ordinance Update closely until
29 the last couple of months. My understanding in talking to some of the other consultants that
30 have been working with Curtis, namely Rick Williams who has been working on the mixed use
31 chapter and some of the other chapters and Kevin Gardner, I think they feel that they have a lot
32 of work that is completed. You have been working on this for a very long time. I know it is
33 extremely aggressive but it may look more daunting than it is because there is a lot of this that
34 has been done, it just hasn't come back to you. So we are hoping to achieve this. Again, I
35 realize that it is extremely aggressive. You were mentioning before about having somebody
36 come in and fill Curtis' position. We do have the contract money that is reserved for that and
37 will be able to be utilized for that. So that is going to happen it is just a matter of finding the
38 appropriate person to be able to do it. So that is why we feel that this may be very optimistic but
39 we think that there is a chance of accomplishing it.

40
41 Chair Burt: Thank you. Lee.

42
43 Commissioner Lippert: I just wanted to comment. As a person who has been involved in the
44 D&E Committee now for the last year or year and a half a lot of the Zoning Ordinance Update
45 has been accomplished. I think there are fewer than half a dozen chapters that we have left. We
46 have the mixed use, the commercial districts and then we have the village residential and I can't

1 think of any others that are left to be done. With Rick Williams and Kevin Gardner working on
2 those sections why can't they just be sort of wrapped up warts and all for us to finally see? They
3 are not perfect the last time I saw them but they were like 95 percent there. One other comment
4 associated with that before you get into answering my question is there still has to be the
5 department reorganization that has to be done. Without a reorganization there really isn't a
6 department prepared to pick up the Comprehensive Plan and move with it. My comments are to
7 the Commissioners but they really are to Council that here we were working on completing the
8 LM and GM zone when something awful happened which is it became out of balance with the
9 general Comprehensive Plan Housing Element which threw us into PTOD section which then
10 impacted the Zoning Ordinance Update. So what I think I am trying to say is that if we would
11 stop meddling with the work maybe some of it might actually get done.
12

13 Ms. Caporgno: I just want to respond that I know Rick Williams would love to bring everything
14 to you. We just thought that would be a little bit overwhelming to have everything come to you.
15 So that is why we broke it out into these groupings. We felt that it would be easier for the public
16 as well as the Commission to handle it in the groupings. He feels comfortable with the way it
17 was broken out. Curtis you might want to add something to that but that was one of the options
18 that we did consider. We just thought it would just take too much effort on everyone's part and
19 you wouldn't be able to focus. We thought this was more effective.
20

21 Mr. C. Williams: Just to add that the mixed use is really where the most design is that is left in
22 the ordinance and you will be seeing that in July along with all the commercial districts and the
23 performance standards.
24

25 Commissioner Lippert: I just want to light a fire under you guys because potentially we might
26 lose two sitting Commissioners and we would be bringing on two new Commissioners. In which
27 case there is a very steep learning curve here. I am not even talking about politics here I am
28 talking about just learning. So my word of caution to you is that I think you really need to put
29 your money where your mouth is and just get it to us so that we can digest it and get it moving
30 here to Council. Otherwise that is going to be another obstacle in our way.
31

32 Chair Burt: Okay. Dan and then Paula.
33

34 Commissioner Garber: If I am getting the big picture here correctly your proposal is really to try
35 and clean up the ZOU over the next six or seven months, doing some of the prep work in the
36 background that is a minor thing relative to the Amendment to the Comprehensive Plan and then
37 to dive into the Comprehensive Plan once the zoning update is complete. Am I getting that
38 right? Once the Comprehensive Plan work starts you are putting on hold the items that you have
39 on your page three including the four items that were mentioned the Open Space District, the
40 ZOU follow up and the detached houses on small lots, the Baylands update and the prohibition
41 of numbers of units on a site. Is that right?
42

43 Mr. C. Williams: Baylands update was not a Zoning Ordinance Update.
44

45 Commissioner Garber: Thank you. Just so I can get a sense as to how big the effort is here this
46 is going on in addition to all the 'normal activities' that you have to take care of, the various

1 applications, etc. If you were at 100 percent now how much is doing the zoning and/or the
2 Comprehensive Plan going to take? Does that take 30 percent of the resources?
3

4 Ms. Caporgno: I would say and I am just offering a guess. You need to remember there are two
5 divisions now in the Planning Department. There is Advance Planning and Current Planning.
6 Current Planning would continue processing. Advance Planning has a couple of people that are
7 devoted to special projects or special studies. Those are the people that would be moved into the
8 Comprehensive Plan Amendment. There is actually one who is working on area studies and two
9 that would work on the Zoning Ordinance Update. So we would have three people basically
10 available to work on the Comprehensive Plan Amendment but they wouldn't be able to do the
11 other work that they currently are doing.
12

13 Commissioner Garber: Which is the ZOU?
14

15 Ms. Caporgno: Well, there would be the ZOU and also they do some special projects working
16 with other departments when they are processing special projects. We would still be involved to
17 some degree but not to the degree that we have been. Then the Baylands update and the El
18 Camino Master Plan.
19

20 Commissioner Garber: Okay. Then the actual product of the Comprehensive Plan Amendment
21 as you are describing it are you imagining that that is taking out some chapters and sliding in
22 new ones?
23

24 Ms. Caporgno: I am imagining that it is going in and there will be edits to the existing chapters.
25 We wouldn't add any new chapters or I am not envisioning adding any new chapters. It would
26 just be revising some probably more than others but focusing on the areas that I addressed. So
27 we may be adding some new policies, eliminating some programs, maybe adding some programs
28 and then again focusing on the Land Use Map and any changes that we might make in those
29 areas that I identified.
30

31 Commissioner Garber: So then finally, the suggestion that you had made at the beginning in
32 response to some of the items that Commissioner Lippert and Holman had mentioned was adding
33 a task into your timeline where you would be discussing the scope and how to interlink the
34 learnings from your Comprehensive Plan item to the ZOU tasks as opposed to trying to come to
35 some conclusion tonight or some other time? You were going to essentially add that to the
36 agenda of tasks that we have to go through in the next couple of months.
37

38 Mr. C. Williams: Specifically relative to the mapping?
39

40 Commissioner Garber: Mapping was one. I think there was another.
41

42 Ms. Caporgno: I think it was H-29 that Commissioner Holman had raised. It was Program H-
43 29. Those were the only two areas that we would come back to you with.
44

1 Commissioner Garber: Where you would expect that there would be some impact that you
2 would have to take learnings from one into the other. So there is some risk of you having to redo
3 some work in the Zoning Ordinance Update as a result but you would manage that.

4
5 Mr. C. Williams: I think that would be very targeted but yes I think we have to be consistent
6 with the Comp Plan and the Zoning Ordinance. So we have to do what we have to do to keep
7 them consistent and then I do think we need to plan on coming back with that H-29 in some form
8 or another.

9
10 Commissioner Garber: In your schedule as you have it outlined now you think that time period
11 of where those learnings will occur is probably fall of next year.

12
13 Ms. Caporgno: Yes.

14
15 Commissioner Garber: Okay. Are we ready for a motion?

16
17 Chair Burt: I don't think so. Paula.

18
19 Commissioner Sandas: One other question. Back to the very, very stiff timeline that you have is
20 there the possibility that any wiggle room can be built in? I know you are trying to start the
21 Comp Plan Amendment process so you are butting up against that. I am wondering if there is
22 any push it ahead a little bit room in any way just so that we don't end up in trouble if something
23 were to go wrong.

24
25 Ms. Caporgno: I am assuming you are referring to the timeline for the Zoning Ordinance
26 Update. Okay. I think that there probably is a little bit of wiggle room. It is going to be
27 dependent upon the staffing level. We don't know, there could be a lot of changes that occur but
28 we felt that if we could get the bulk of it done by late winter or early spring of 2007 we would be
29 able to probably meet the general schedule that we outlined. Then again, we don't even know as
30 I mentioned before, as far as the Comp Plan timeline. That is kind of a best estimate because we
31 don't have any consultants on board. When we go out for consultant contracts there may be
32 some changes there too. So that was kind of based on the general discussions we have had with
33 consultants and that was our feel for it. If we could get through most of the Zoning Ordinance
34 Update by spring of 2007 we would be in pretty good shape.

35
36 Commissioner Sandas: Good. So what your timeline shows here is that you are hoping to finish
37 January/February of 2007 but what you are saying is maybe March/April if it stretches out that
38 far you will still be within a good timeframe?

39
40 Ms. Caporgno: Yes, and we know that we are not going to be getting to Council in
41 January/February so given the Council agenda it probably won't be until maybe March or April
42 that we would get through Council. So it is just a matter of trying to get through this and
43 gradually reducing the workload so that the workload can be increased for the Comp Plan
44 Amendment.

45
46 Chair Burt: Karen.

1
2 Vice-Chair Holman: I have a few clarifying questions. The first thing that is shown coming to
3 us is the commercial zones, mixed use zones and the performance standards. If I am not
4 mistaken this would include El Camino and the El Camino Design Guidelines have yet to go to
5 Council for approval. So is that not putting the cart before the horse? I guess my question is if
6 that is accurate, at least the most recent information I had, why would we doing commercial first
7 as opposed to having the guidelines go to Council for adoption to guide us whether that is in
8 keeping with what they would want to see as part of the ZOU?
9

10 Mr. C. Williams: We think that the changes that would be made are changes that we think
11 respond to the Comprehensive Plan whether the El Camino Guidelines exist or not. So I think
12 they are appropriate to evaluate and what we are probably talking about is whether to move
13 buildings closer to the street and secondly whether to make mixed use in a manner that is not
14 reliant on the underlying RM zoning, the multi-family zoning. We talked about that before and
15 how that constrains mixed use. So those two factors. They would help enable the El Camino
16 Guidelines as they are used now to function without requiring Variances and DEEs and such.
17 But by the same token those policies that drove that are in the Comp Plan and those are a couple
18 basic changes that we would be suggesting with the commercial and mixed use. I don't see that
19 that's a conflict or that we have to have the El Camino Design Guidelines discussion before we
20 could come forward with that. Do you know what the timeline is for that going to the Council?
21

22 Ms. Caporgno: I believe that the sequence would probably be, even though the ARB has been
23 using the draft guidelines and that the guidelines aren't approved by Council that if they are
24 going to be approved by Council it would happen after the zoning chapter is approved. I would
25 think that we would want to make sure that the guidelines did comply with zoning district. I
26 think if that is the case, they don't even need to go to Council because the ARB has the ability to
27 adopt their own guidelines for development. I know Karen you have had the concern about the
28 consistency with the guidelines and the Zoning Ordinance. We are hoping that the Zoning
29 Ordinance when it comes forward to you that there isn't that issue in the future. Again, as Curtis
30 pointed out the guidelines were developed to be consistent with the Comprehensive Plan.
31

32 Commissioner Lippert: As a former member of the Architectural Review Board, the ARB for
33 the last four maybe even five years has been overriding the El Camino Real Guidelines with the
34 DEE process because so many projects have not been able to comply with the guidelines. So for
35 instance the RM-15 setback regulations as a matter of course just about every single mixed use
36 project that has been built along El Camino Real has had to look at that in some way, shape or
37 form. All that the rewriting of the El Camino Real Guidelines would do is basically formalize
38 some of the things that they have been doing in the hearing process. So until those guidelines
39 have been drafted or revised it is just a matter of that body still looking at it in public hearing
40 format. That's all.
41

42 Vice-Chair Holman: That kind of really was exactly my point is that we have an ARB review
43 process that is using design guidelines that significantly supercede, for good or for bad I am not
44 making judgment on that, our zoning and development standards. I just think it is a backwards
45 process.
46

1 The other thing having to do with commercial is as Commissioner Lippert mentioned we do have
2 a couple of current Planning Commission members who may or may not be reapplying for a seat.
3 So we have some critical mass of institutional memory here. From my memory and I am open to
4 being corrected here what it seems like we have spent the least time looking at in terms of the
5 ZOU is the commercial zones and the mixed use. What we spent a fair amount of time looking
6 at is multi-family, cottage cluster, village residential. So I guess I wondering why those
7 wouldn't come back to us before the commercial so that we make sure that we capture that
8 because you have September/October on this current schedule coming back to the Commission
9 in ordinance fashion which would be potentially two-sevenths of a new Commission looking at
10 those. So I was wondering why commercial and mixed use were chosen first given that body of
11 knowledge in multi-family, cottage cluster, etc.

12
13 Mr. C. Williams: I think because when we met with the Commission before about multi-family
14 there was a lot of background work you asked us to do in looking at small lots and some things
15 like that that is going to take Staff some time to work up. We think a lot of the mixed use has
16 come to you before. We have had discussions and we have had study sessions with you and with
17 Council on that. We think on the commercial side frankly that there is very little change that we
18 are going to be suggesting to the commercial zones themselves other than how mixed use plays
19 into that and developing the performance standards to assure the compatibility with residential
20 particularly low density residential. The design effort as far as Rick and Kevin go they are there
21 practically on the mixed use. We are ready to bring that forward and to expedite this. We
22 thought that was the next thing that was sitting there ready on the table to bring to the
23 Commission. Then in the meantime start to try to pick up as we get an additional staff person or
24 two working on it to do some of the research that goes into the multi-family to bring that back to
25 you.

26
27 Ms. Caporgno: Curtis has mentioned this before and correct me if I am wrong but the
28 performance standards I think Staff feels that they are very important to get to the Commission
29 and to get to the public because that will quell some concerns about how these districts are
30 viewed. So that is one of the things that we are hoping to get to you in this next phase because
31 some of the requirements for the performance standards obviously would be implemented for all
32 the districts.

33
34 Vice-Chair Holman: I think just maybe one more question at this moment, which is parking. If I
35 understood correctly during our Retreat last week that Staff is not anticipating really changes to
36 the parking standards that we currently have.

37
38 Mr. C. Williams: That is correct. I think we will be talking about those adjustments and sort of
39 fine-tuning that adjustment direction in probably a more stringent manner than exists right now.
40 It is very open-ended right now but the parking rates themselves we don't anticipate revising
41 those, proposing different ones or proposing new parking rates for mixed use, transit oriented or
42 anything like that.

43
44 Vice-Chair Holman: Maybe just one more question back to commercial and mixed use
45 especially commercial just for a moment. I would anticipate that what might be included in this

1 to some fair extent is a consideration of some of the uses that are currently allowed. It seems like
2 there is need for some clarity about some uses. Is that anticipated as a part of this discussion?
3

4 Mr. C. Williams: There is some particularly in terms of the definition of uses. We are going
5 through a series of meetings in the next few weeks with the Current Planning Staff and reviewing
6 those uses and trying to clarify those where they need to be clarified. There are a couple of new
7 uses that aren't in our Zoning Ordinance like assisted living and some of the telecommunications
8 things that we need to get in there. So we will be dealing with that. The use tables themselves I
9 don't think are going to change much but the definitions we do need to do some updating on.
10

11 Chair Burt: I would like to return to an item that Paula brought up at the beginning, which is
12 essentially the public participation issue. We have certainly had that as an important component
13 of the ZOU but I think it will be even more so within the Comp Plan Amendment. I think we
14 kind of found our stride in the California Avenue PTOD after getting off to a misstep initially in
15 inadequate public participation. We had a very effective public participation that in the end
16 brought various interest groups together and had their input included and frankly their input was
17 valuable and resulted in a better product and one that what initially looked like they were
18 divergent interest groups seemed to come to agreement on and something that is likely to be
19 going to Council and have very little dissent as a result of that process. It takes longer to get
20 there but we have all seen setbacks like the second unit process where we put all this time in and
21 then it got shot down at Council for whatever reasons. So the point being that as painful as it
22 maybe is it is probably better to invest in that public process at the outset then to not be
23 successful in the end. Having said that, we throughout the ZOU process talked about some other
24 tools for communication to the public and stakeholder groups in the public that I think have been
25 lost sight of and we maybe need to be more deliberate and focused as we go into the Comp Plan
26 Amendment but frankly also for the completion of the ZOU.
27

28 One thing I just noticed recently when I went to the City website and wanted to double check on
29 one of our meeting dates, I had never used the calendar of public meetings to look for our
30 meeting dates, we are not on there. Most of the Boards and Commissions are not on the
31 calendar. So the public who goes to the website calendar and it says a list of Council and Boards
32 and Commission meetings and there are Council meetings and a couple Council committees and
33 sporadic things but it is not comprehensive at all. I know that there is an effort to update the
34 website but even before that is done we need to make sure we are utilizing it adequately.
35

36 Second, we have the City Pages publication and while that doesn't come out frequently enough
37 to have a bunch of timely noticing it certainly would be a tool to spend a lot of time to explain to
38 the public what is coming up in this Comp Plan Amendment and for that matter an update on the
39 ZOU. I haven't seen that being utilized as a tool. Another one that is very comprehensive that I
40 brought up a year or two ago and we haven't used it is that all of the schools have hardcopy
41 newsletters that go out every one or two weeks depending on the school and within that is a
42 public kiosk. Those 10,000 parents in the city read those newsletters, let me tell you, they do.
43 That hopefully is something that through the City-School liaison we could get that utilization
44 because those groups not only PTAs but the parents themselves have an interest in these issues
45 that we are going to be dealing with. I would think that the school district would be perfectly
46 willing to include those notifications in those newsletters. Then there are these other various

1 stakeholder groups. We have done a more effective job of reaching out to different
2 neighborhood groups and as much as I think that has been very valuable and very important they
3 are not the only interest groups in the community. We have organizations like Avenidas. We
4 have organizations like PACC and various other ones like that. I think we need to take a step
5 back and say what other really active organizations in the city that reach hundreds or thousands
6 of people should we be tapping into to try to get this information disseminated. So those are
7 some comments on noticing. I am sure there are other ways that we could do this creatively and
8 those are all ways that really are near or are cost neutral to do.

9
10 The other general item that I wanted to return to is this one of what is not included in the ZOU
11 work program. We had been for the last couple of years calling this a parking list, which are
12 these carry over items that we weren't going to be able to address during the ZOU. I never really
13 liked the term because we have parking describing automobiles and it gets a little confusing. So
14 maybe it needs to be called 'carry-over items' or somebody can come up with a better name for
15 it. This is the first that I have heard that the University Avenue PTOD wouldn't be within the
16 ZOU when we addressed the California Avenue PTOD and started addressing it five or six
17 months ago I remember specifically asking that question. I was told that we would be addressing
18 the University Avenue PTOD as part of the ZOU. I think that needs to be a discussion within the
19 Commission if we are going to change course in that regard and not just have it show up as a
20 change. Then Vice-Chair Holman mentioned the Open Space District, which I think, is very
21 important and I am not at all sure that I feel comfortable with deleting it. So those are a couple
22 of items.

23
24 Then the other thing is I know there are things we have talked about including on this list that
25 aren't showing up. If we go through this process and Staff over the last three years and I realize
26 that is an extensive period of time and trying to recapture this is not easy but we have to have a
27 placeholder location that doesn't risk that we lose sight of some of these things that Staff says we
28 cannot address that right now in the ZOU but we will address it as a follow up and some of them
29 are disappearing. We just can't do that. We have to somehow figure out a way to recapture
30 them. Curtis.

31
32 Mr. C. Williams: I just want to clarify that there are sort of two categories for this list at this
33 point. The "parking list" was items that we talked about would not be in the primary ZOU
34 scope. That is not what this list is supposed to be so we need to add that. I think that is a good
35 point. We ought to put everything on one list that we want to get to at some point in time. The
36 other items, this list in front of you, are essentially things that we did think we were going to get
37 to and in order to streamline this process these are what we have suggested we wouldn't do at
38 this point. So they were intended to be done. Six months ago University Avenue PTOD was on
39 our to-do list. What we are saying now is if we want to get through by early next year, and this
40 goes to Paula's question, is that some things are not going to be dealt with at this time. I think if
41 you feel strongly about certain issues let us know. The Open Space one is a little bit different in
42 that it is actually part of the chapter on Special Purpose Districts I think it is called in this list.
43 You are right essentially we are not suggesting substantive changes to that. We would probably
44 reformat it but it would come back to you so there would be opportunity for some discussion but
45 we are not looking to create substantive changes to that at this point. So it should either be
46 incorporated into the work program or it should be on this list as something to get to later.

1
2 Chair Burt: So this item C then we might describe as items that are being proposed to be deleted
3 from the ZOU work program.

4
5 Mr. C. Williams: Right.

6
7 Ms. Caporgno: I think what we are saying is it is not included in the ZOU work program that we
8 are proposing to expedite in the next eight months but it would be placed on the parking list that
9 Curtis had referred to before of other things that you had wanted to address and we could come
10 back to them later. We were trying to get at the things that we felt were the most necessary to be
11 completed now.

12
13 Chair Burt: Right, but I want to make sure we have clarity not only to the Commission because
14 we have been talking about this and I don't think I am the only one who wasn't quite clear on
15 what was here, when this goes to Council I want to make sure it is very clear. These are things
16 that were in the ZOU work program and are being proposed to be deleted from the ZOU work
17 program and put into a parking list that would be addressed at some future date hopefully.

18
19 Commissioner Garber: Curtis, you seem to suggest that this group would be delayed until the
20 Comprehensive Plan exercise was completed then they would be addressed prior to the other
21 items that are already on this parking lot list. Am I getting that right?

22
23 Mr. C. Williams: That would be the thought at this point in time. I think when we get to that
24 point we would probably have to reassess and see what the Commission's priorities were.

25
26 Commissioner Garber: Okay.

27
28 Chair Burt: Lee.

29
30 Commissioner Lippert: I just wanted to follow up on your comment earlier in terms of engaging
31 the public as well. There is the public noticing process but there is also a communications
32 department within this organization. I don't think that we often times use that tool in the City's
33 toolbox to engage the public. We use it for different campaigns, I am sure they use it for
34 instance for the Green Energy Program. It would be great if we could somehow engage the
35 communications group in this in terms of getting the word out and encouraging the public to
36 come. I like the use of the word 'stakeholder' which you use several times because I think that
37 elevates the whole thing and it puts it beyond the public. They are also property owners that live
38 here, there are merchants that come in to the City, and there are people that commute into the
39 City every day. So I think the idea of stakeholder really says we are looking at a whole variety
40 of groups other than the citizens of Palo Alto.

41
42 Then following up with regard to the actual work plan itself. One thing I want to be very careful
43 of here is that anytime you have a great amount of work that needs to be done by a very small
44 group of people you really have to have a triage process by which you can say that these are the
45 priorities. If the priorities aren't getting done then there are things that really have to fall by the
46 wayside. I think that this list, your parking list, or the pending items whatever it is I would not

1 feel comfortable for instance having the village residential or the multi-family residential
2 element move if we haven't dealt with the commercial and that hasn't been closed. The reason
3 being that again we are losing our institutional memory. Well, village residential is basically
4 new and we are all on a learning curve here for village residential whereas we have some
5 seasoned members that are familiar with the commercial aspects. So if we can get those
6 elements done that is a positive right there. If we don't get it done and we are mired down in that
7 and village residential I think it is really going to impact the whole Comprehensive Plan
8 Amendment process.

9
10 Chair Burt: I think we are about ready to entertain a motion. I just wanted to try to wrap up
11 what goes after the timeline that we have for the ZOU completion and then we have a timeline
12 for the Comp Plan Amendment. We may not be able to establish a timeline for these next three
13 things but I think it is important to put them out there with clarity perhaps with the sequencing
14 even if they are not with the timing. Those three things are the Zoning Map revision, the
15 changes to the ZOU that would be necessitated by the Comp Plan Amendment and the carry-
16 over items also known as the parking list so that the Council really sees that we have phase one
17 completion of the ZOU, phase two completion of the Comp Plan Amendment and then among
18 these other three things would be what would follow in either an undetermined sequence or
19 perhaps a proposed sequence that would go to Council but either way that they really have got
20 the big picture of where we have to go after those first two phases. Karen wants to comment.

21
22 Vice-Chair Holman: Yes, just a follow up on that. I think your points are well taken. I guess
23 what I am wondering is it three points or four points because C on page three of the second Staff
24 Report, the addendum Staff Report, you are calling that the parking lot items. Is there then a
25 fourth category of the things that aren't on the list that were intended earlier to be follow ups to
26 the ZOU? Maybe that is a fourth category.

27
28 Chair Burt: My understanding was that these items under C would be folded in with the things
29 that had previously been identified under the parking list. Although some of these may be more
30 substantive. So within that parking list there is probably a whole ranking that needs to be done
31 as well. Some of them are minor, some of them are major, some of them are more imminent in
32 their need to be done and some of them are less imminent. So I appreciate that that would take
33 some work to look at that list more comprehensively but what I had understood Staff to mean is
34 C and the parking list would be folded together and then some differentiation would have to
35 occur once you start looking at those.

36
37 Mr. C. Williams: I think at this point we would have to at least emphasize for the Council's
38 benefit that A through F or G were items we did anticipate getting into with this and items K
39 through N are items that we didn't anticipate getting to with ZOU but we were going to get to
40 them afterwards. So they at least have that sense of priority.

41
42 Chair Burt: Right and that they would be clear on that first half that the deferral of those items is
43 a consequence of moving the Comp Plan Amendment forward at this time.

44
45 Mr. C. Williams: A direct consequence.

1 Vice-Chair Holman: I appreciate that clarity. Thank you.

2
3 Chair Burt: Dan, you thought you might be ready to make a motion.

4
5 MOTION

6
7 Commissioner Garber: I am with the suggestion that I would be happy to look for amendments
8 too. I would like to move that we accept the Staff's recommendation as it is written with the
9 following additions. I am going to suggest this in a certain way and we can see where that goes.
10 That we add two tasks to the Staff's recommendation one that occurs at the very beginning of the
11 process which looks to prioritize the items which are within the ZOU that are being done
12 immediately and the ones that are being delayed until after the Comprehensive Plan. So that
13 discussion of the items that were in the groups that were previously described, the ones on page
14 three under item C and the ones that are in addition to that can be fully discussed and you can
15 bring back to us recommendations for how to think about that. Then the second task would be
16 added someplace towards the fall of 2007 to address the learnings that have occurred with the
17 development of the Comprehensive Plan Amendment and their impacts on the ZOU issues
18 specifically policy H-29 and the Baylands I think was the other one. Is that correct?

19
20 Mr. C. Williams: The rezoning.

21
22 Commissioner Garber: The rezoning, yes, thank you. That is the extent of my motion at the
23 moment.

24
25 SECOND

26
27 Commissioner Lippert: Second that.

28
29 Chair Burt: Okay, so motion by Commissioner Garber, seconded by Commissioner Lippert.
30 Commissioner Garber you would like to speak to your motion.

31
32 Commissioner Garber: Yes, thank you. I think the discussion that has occurred this evening has
33 been very good. One of the things that is not specific in the motion but I think is important to
34 recognize is the emphasis that the Commission is placing on the suggestion that the Staff take the
35 learnings from the PTOD efforts and outreach with the community and apply that to the process
36 that is implicit with the execution of the Comprehensive Plan. Also, to continue the sensitivity
37 that Commissioner Lippert has brought up as well which is the attention to the transportation
38 issues. That is it for my comments at the moment.

39
40 Chair Burt: Lee.

41
42 Commissioner Lippert: I think that Commissioner Garber has said it succinctly. It really covers
43 a lot of the discussion that we have done here and distills it down in a way that the City Council
44 can understand it.

45

1 Chair Burt: Let me make sure that I understand the motion clearly so that in addition to the two
2 additions that were stated the primary portion of the motion would be to forward to the Council
3 the work plan and the timeline for the completion of an amendment to the current 2010
4 Comprehensive Plan and to extend its horizon through 2020, update the Land Use Map, modify
5 if appropriate the Comp Plan policies and programs and update the environmental analysis. Are
6 all of those aspects to be included in the motion?
7

8 Commissioner Garber: Yes. I will consider that a friendly amendment. Thank you.
9

10 Chair Burt: Well, than rather than an amendment I think we need a clarification that that is the
11 body of the motion. You alluded to it but I think it is very important for the record that we are
12 clear on it.
13

14 Commissioner Garber: Thank you.
15

16 Chair Burt: I would like to ask a clarifying question because the ZOU timeline ties into the
17 timeline for the Comp Plan. So maybe this is first a question for Staff. We don't want to make
18 the ZOU timeline absolutely binding in its timing but should it be part of this motion to
19 incorporate that as the preceding aspect to initiation of the Comp Plan Amendment or do we just
20 leave it alone as supplement information?
21

22 Ms. Caporgno: I would suggest that you don't need to incorporate it that you might want to put
23 in your motion, this is just my suggestion, that you have reviewed with Staff what items are
24 going to have to be delayed and your recommendation on that if you accept those or if you have
25 any other changes. We will include that same information in the CMR to the Council it is just
26 that as far as the timeline this is what we are anticipating getting through and all of this is
27 predicated on that occurring for the Comprehensive Plan Amendment to go forward. So if you
28 are receptive or agree that these are the items – that the Zoning Ordinance is going to be
29 compressed in this fashion and that you are recognizing these other items will have to be delayed
30 in order for this work to be undertaken.
31

32 Chair Burt: And those other items are the ones listed under section C.
33

34 Ms. Caporgno: The other items are the ones that I mentioned including the Baylands Master
35 Plan, etc. The modification to the Zoning Ordinance Update includes C.
36

37 Chair Burt: Okay, so Commissioner Garber do you wish to include that additional information
38 in your motion and if so, could you spell it out?
39

40 Commissioner Garber: Well help me here. The motion that I had described added a task where
41 essentially it would give Staff an opportunity to give us a comprehensive list of the things that
42 are both a part of C as well as the things that were not a part of item C and come back to us
43 essentially with a plan soon, June 14 or whatever. It would give the Commission then a view of
44 all these different items as well as an alternate way of thinking of them.
45

1 Chair Burt: So my understanding the difference between what you just stated and what I
2 understood Julie to state is that you would be seeking some greater granularity and prioritization
3 of those items. What may be appropriate to include in this motion is the acknowledgement that
4 those items in C would not be part of the ZOU work program that would precede the
5 commencement of the Comp Plan Amendment and that the other two major Staff projects of the
6 Baylands Master Plan and the El Camino Master Plan.

7
8 Ms. Caporgno: And the Baylands guidelines as well as limitations on work on special projects.

9
10 Chair Burt: That those would be impacted by our recommendation to adopt this Staff proposal.

11
12 Ms. Melissa Tronquet, Deputy City Attorney: Chair Burt if you want to consider that you are
13 going to have to reagendaize it because what is on your agenda for tonight is giving the Council a
14 recommendation on the Comprehensive Plan work plan and not ZOU tasks.

15
16 Commissioner Lippert: I also would like to chime in here if I might. The one thing that I think
17 we get in trouble with is micromanaging. I think that Staff should be able to come back to us
18 with a realistic work plan now that we have discussed fully what some of our concerns are with
19 regard to getting work done and beginning to prioritize these things. That is why I don't think it
20 is important that we either adopt the specific work schedule that is here in great detail. We really
21 need to hear from Staff in terms of being able to meet certain milestones. This is all part of a
22 critical path planning in which you have to put them on a chart and you have to show that this
23 task is going to take this time period and it effects this to the next step and the next step and the
24 next step. I don't know if you use critical path charting at all in your office but maybe that is
25 something to consider in terms of managing the workflow here.

26
27 Chair Burt: Dan.

28
29 Commissioner Garber: Perhaps the way that it could be worded that might be helpful is to
30 acknowledge that to accomplish the work of the proposed Comprehensive Plan Amendment the
31 Commission acknowledges that other work that the Advance Planning group would otherwise be
32 doing will have to be delayed. As part of the first task is to give the Commission an overview of
33 what that work is so that the Commission has opportunity to provide feedback and input.

34
35 Chair Burt: Melissa, is that appropriate to include within the motion or should that be just
36 comments?

37
38 Ms. Tronquet: What you could do is forward the Staff's recommendation to the Council with an
39 acknowledgement that other tasks are going to have to be rearranged.

40
41 Chair Burt: Okay. As part of the motion or as comments?

42
43 Ms. Tronquet: You could include that as part of the motion that you acknowledge that other
44 tasks will have to be deferred.

45
46 Chair Burt: Okay. Dan, do you wish to incorporate language to that effect?

1
2 Commissioner Garber: Sure.
3
4 Chair Burt: Lee, do you wish to include that in your second?
5
6 Commissioner Lippert: I accept that.
7
8 Chair Burt: Okay. Further discussion? Karen.
9
10 Vice-Chair Holman: Clarification on what the current motion is, please.
11
12 Commissioner Garber: Let's try this again. The Commission recommends – I would like to
13 make a motion.
14
15 Chair Burt: Excuse me. You already have a motion on the table so what you either need to do is
16 clarify your motion and restate it.
17
18 Commissioner Garber: Okay.
19
20 Chair Burt: Or retract the prior motion.
21
22 Commissioner Garber: I will clarify the motion. The motion should read as follows, the
23 Planning and Transportation Commission will forward to the Council the Staff's work plan and
24 timeline for the completion of an amendment to the current 2010 Comprehensive Plan that will
25 extend its horizon year through 2020, update the Land Use Map, modify if appropriate the
26 Comprehensive Plan policies and programs and update the environmental analysis. And, further
27 recommends that two tasks be added to the Staff's timeline the first of which is to address a work
28 plan for the ZOU tasks that will be impacted by the work of the Comprehensive Plan
29 Amendment and two, a task that will allow the learnings from the Comprehensive Plan to be
30 transferred back to the ZOU. By task I mean efforts that are shared with the Commission.
31 Further, that the Commission acknowledges that the work of the Comprehensive Plan
32 Amendment will impact the currently planned work of the Advance Planning group.
33
34 Chair Burt: Okay. So that is a restatement of the motion. It doesn't require a second unless the
35 seconder has any problem the way it was clarified.
36
37 Commissioner Lippert: I had a comment that they were supposed to get back to us with a more
38 detailed list.
39
40 Commissioner Garber: That is fine.
41
42 Commissioner Lippert: I accept that.
43
44 Chair Burt: Okay. Other comments? Phyllis and then Karen.
45

1 Commissioner Cassel: Well, I had a couple comments I wanted to make. One is before the
2 discussion on what should go first or next I really urgently feel we should be doing the mixed use
3 section first. We have worked on it extensively and it is impacting development projects that
4 come forward to us more than any other section of the Zoning Ordinance. So it would be great
5 to get that moving.
6

7 I want to recognize as we have had our discussion the difficulty in meeting the six-month zoning
8 work plan. We all know there are a number of reasons here that this takes us a long time. I think
9 the City Council which dropped the ZOU from a priority status this year would need to pick that
10 up again next year in 2007 and do with it as it is trying to do this year with the library issues and
11 the police department issues and that is to actively push towards getting this resolved. Make sure
12 that these items get on their agenda and get on their agenda rapidly when they come to them with
13 some kind of priority. If it means an extra study session or an extra meeting or whatever that it
14 becomes, once we finally get to it and do the work on it, that it then is very high on their priority
15 list so that the Staff can then work on the Comp Plan and you can work on the Comp Plan issues.
16

17 I am disappointed that we did not finish this before we went into this Comp Plan and that we
18 have lost these other items. There have been a number of reasons that's happened. I have been
19 working on this for six years or more and that is a long time. When I came on last time people
20 said,"You should go on the Commission again, Phyllis, because we are going to finish the
21 Zoning Ordinance Update and in the two years when it is done then you can resign and someone
22 else can take over." Here I am four years later, and we aren't finished and it should be.
23

24 I think in addition the Council should in the year 2007 make the ZOU the priority to get through
25 that and then in 2008 they do the same thing to the Comp Plan. It then should become very high
26 on their priority list so that they are actively seeking the information as it comes to them, that it
27 gets on their agendas and if it is not getting to them find out why.
28

29 Chair Burt: Thank you. Karen.
30

31 Vice-Chair Holman: I would like to offer if I could as far as number of words is concerned a
32 very minor friendly amendment but as far as importance a very important amendment. That is
33 the understanding that some items that are currently in the work program will have to be delayed.
34 I think it might be important to state that that is the Baylands Master Plan and commercial
35 standards for development in the Baylands if you would accept that as a friendly amendment.
36 The reason I am saying that is because it has been put on hold several times. The Baylands are
37 really a nationally recognized resource and I think it is critical for the Council to know more
38 specifically what is being put off.
39

40 Commissioner Garber: That is fine.
41

42 Commissioner Lippert: Okay, I will accept it.
43

44 Vice-Chair Holman: The other comment that has been mentioned several times tonight is the
45 public participation and how really, really important that is. Something that hasn't been
46 mentioned tonight is when we look at the timeline here for the review of some of these items we

1 have June/July and July/August and those are certainly summer vacation times. So it creates and
2 poses an even more challenging prospect than it would under other circumstances, a timeline
3 being one but certainly the time of the year being another. So I think that public outreach is
4 exceedingly critical. I support all the comments that have been made to that end previously this
5 evening.

6
7 MOTION PASSED (6-0-0-1, Commissioner Bialson absent)

8
9 Chair Burt: Anyone else wish to speak? I think I have made my comments as well. So we can
10 vote on the motion. All those in favor say aye. (ayes) Opposed? That passes by a six to zero
11 vote with Commissioner Bialson absent. Curtis.

12
13 Mr. C. Williams: I wanted to add that we did hear your comments on the public participation.
14 Julie and I just chatted briefly and we are going to try to put that up front as something that we
15 will develop first thing in a Comp Plan program as well as implementing it right away with the
16 ZOU.

17
18 Chair Burt: Paula.

19
20 Commissioner Sandas: You guys have done a good job with that so far and I have complete
21 confidence that you will manage that just fine.

22
23 Chair Burt: Lee.

24
25 Commissioner Lippert: I have one other afterthought. Utility bills. You can include a flyer in
26 the utility bill.

27
28 Chair Burt: Okay. That concludes our item for tonight. We had scheduled on the agenda
29 Approval of Minutes but those minutes will be available for us at the next meeting for approval.

30
31 ***APPROVAL OF MINUTES:*** None.

32
33 Chair Burt: I have one question but do other Commissioners have any questions or comments or
34 announcements.

35 Commissioner Cassel: The City Attorney has a comment.

36
37 Chair Burt: Melissa.

38
39 ***REPORTS FROM OFFICIALS/COMMITTEES.***

40
41 Ms. Tronquet: I just wanted to make a quick clarification on the AB1234 Ethics Training
42 because I understand there was confusion about the training dates. First Planning
43 Commissioners are required to attend one of the training sessions. The training session intended
44 for Board and Commission members is on June 27 from six to nine here in Council Chambers.
45 If you can't make that date there is also one on June 7 at the same time here or you can give me a
46 call and I can help you find other options.

1
2 Commissioner Garber: June 27 or May 27?

3
4 Ms. Tronquet: June 27.

5
6 Commissioner Garber: So the 7th or the 27th.

7
8 Chair Burt: Thank you. That is very valuable because previously we were told that we could not
9 attend the June 7 session when we were asked that.

10
11 Ms. Tronquet: It would be preferable if you attended the June 27 but people have called saying
12 they were going to be out of town so if you are unable to make June 27 you can come on June 7.

13
14 Chair Burt: There is no fee?

15
16 Ms. Tronquet: There is not.

17
18 Chair Burt: As a comment I think that addresses the concerns that I was going to bring up. I was
19 concerned that the notice that we received first stated that as we were aware of this new state law
20 and I don't think that we necessarily were aware. So if there is supplemental information that we
21 should be provided prior to the Ethics Training on the legal mandate I would appreciate getting a
22 copy of it because the City Attorney alluded to an awareness that we do not have.

23
24 Ms. Tronquet: I think it was communicated to different Boards and Commissions and Councils
25 on different levels. It is a new state law that requires ethics training for all Council Members,
26 Board and Commission Members and various other positions.

27
28 Mr. C. Williams: We will get you the information.

29
30 Chair Burt: And the time on June 7 would be what?

31
32 Ms. Tronquet: It is 6:00 to 9:00 PM and the same on June 27.

33
34 Chair Burt: I think that eliminates the other issue, which was that the options that were given to
35 us were ones where Commissioners were going to have to pay fees to take a mandatory ethics
36 training.

37
38 Ms. Tronquet: If those times don't work call me because it is a statewide requirement so there
39 are a lot of training sessions going on throughout the Bay Area and we can help you find one.

40
41 Chair Burt: That is what I was thinking. We should be able to arrange a reciprocal arrangement
42 with a neighboring city. Great.

43
44 ***COMMISSION MEMBER QUESTIONS, COMMENTS, AND/OR ANNOUNCEMENTS.***

1 Chair Burt: I should just make sure people are aware that the reason I will not be able to be at
2 the June 27 Ethics Training is I will be away also for the June 28th meeting which is the 901 San
3 Antonio Road. Karen.

4
5 Vice-Chair Holman: Me as well on the 28th.

6
7 Chair Burt: Well maybe we should look at our agenda. We have at most five members we don't
8 know whether Annette is available or not. We don't have a meeting on July 5th and I just don't
9 know whether that is an option Staff would want to consider rescheduling.

10
11 Mr. C. Williams: Let me check with various parties involved and Steve and see if that is a good
12 option. Would everybody up here be available on the 5th?

13
14 Chair Burt: Everybody here would be available on the 5th? Paula would be gone on the 5th.

15
16 Karen, you are saying you don't participate in which item?

17
18 Vice-Chair Holman: That item I don't participate in because of a conflict so that is why I am not
19 available on the 28th nor would I be available on the 5th.

20
21 Chair Burt: I see. So we have one Commissioner who is conflicted and it really wouldn't
22 change things in terms of number of Commissioners. We would have to have a fill-in for the
23 Chair position is all. So we will work those things out presuming that this item will stay on the
24 28th.

25
26 We probably should attempt to fill the August Commission Representation. Council basically
27 takes a hiatus through almost all of August, is that correct? Are there no meetings in August?
28 Okay so we don't have to worry about it. It is not applicable and we won't worry about
29 September at this time.

30
31 Unless we have any other reports or questions we are done for the evening. Thank you very
32 much.

33
34 ***NEXT MEETING:*** Regular Meeting of June 14, 1006

35
36 ***ADJOURNED: 9:05 PM***