



ARCHITECTURAL REVIEW BOARD

MINUTES: April 20, 2023

Council Chamber & Zoom

8:30 AM

Call to Order / Roll Call

The Architectural Review Board (ARB) of the City of Palo Alto met on this date in Council Chambers and virtual teleconference at 8:30 a.m.

Present: Chair David Hirsch, Vice Chair Peter Baltay, Boardmember Kendra Rosenberg, Boardmember Osma Thompson, Boardmember Yingxi Chen

Absent:

Oral Communications

Veronica Dao, Administrative Associate III, stated there was one raised hand on zoom.

Shani Kleinhaus, resident and Santa Clara Audubon Society advocate, provided public comment regarding her participation in the public meeting regarding the new fire station on Middlefield where she heard the ARB felt the fire station design should be higher standard. As a resident of the area, she believes the current design of the building fits the community and the new design feels cold and industrial. The new design doesn't make her feel safe and provides for reception and meeting areas when those are available for use in the library that is two steps away. All the glass on the new design could impact the birds negatively. Her hope is the ARB will reconsider their views on making the station more upscale and modern. The primary use is to be functional for the neighborhood and not so much with the design.

Agenda Changes, Additions and Deletions

Senior Planner and ARB Liaison Claire Raybould reported there were no Agenda changes, additions, or deletions.

City Official Reports

1. Transmittal of 1) the ARB Meeting Schedule and Attendance Record, 2) Tentative Future Agenda items and 3) Recently Submitted Projects

Senior Planner Claire Raybould reported upcoming projects include the 3001 El Camino Real affordable housing project and 1020 East Meadow which is going to be a revision to an existing research and development building owned by Google. Their plan is to have a large two-story equipment enclosure proposed. On May 18, staff bring forth the remodel to a retail façade for Our House in the Stanford Shopping Center. The 123 Sherman project will return to the ARB. The project for 360 Waverly is a new preliminary review application that staff had originally hoped to include on the May 18 Agenda, however,

due to scheduling conflict with the Architect, they have requested it be moved to the June 15 hearing. June 1 staff is expending to include 3200 Park Boulevard development agreement return. If everything moves as expected The North Ventura Coordinated Area Plan (NVCAP) study session may also be included on the June 1 Agenda for review of the draft. New projects include the 300 Lambert that was submitted as a builders remedy project and is an SB330 pre-application.

Action Items

2. Chair and Vice Chair Elections

Chair Hirsch stated that Boardmember Thompson had to leave early, the Ad-hoc that is scheduled may have to be changed and opened the floor up for nominations.

MOTION: Vice Chair Baltay moved, seconded by Boardmember Thompson, to nominate Boardmember Kendra Rosenberg as the Vice Chair of the Architectural Review Board effective beginning the next meeting.

Boardmember Rosenberg commented that she happily accepted the nomination.

VOTE: 5-0-0-0

MOTION: Chair Hirsch moved, seconded by Boardmember Thompson, to nominate Vice Chair Peter Baltay as Chair of the Architectural Review Board effective beginning the next meeting.

Vice Chair Baltay accepted the nomination.

VOTE: 5-0-0-0

Boardmember Thompson congratulated her colleagues for the new positions.

Vice Chair Baltay thanked his colleagues for their confidence.

3. Discuss the Draft Annual Report and Work Plan, Suggest Changes and Recommend Submission of the Draft Work Plan to City Council.

Boardmember Rosenberg commented that she's been keeping notes over the last year of issues that keep coming up and inquired if now would be the appropriate time to bring those up as they work on the Draft Work Plan.

Ms. Raybould responded that would be helpful and she provided the board with a brief overview of the current status of the Draft Annual Report and Work Plan that will be submitted to City Council. The main goal with the Work Plan is a focus on reviewing projects. The second goal was refining and possibly providing more clarity in the objective standards of the ARB.

Chair Hirsch commented that the ad-hoc spent a good bit of time on the objective standards and has determined there are a good number of things they would like to discuss with the Board as a whole and that should be brought forward as an item.

Manager of Current Planning Jodie Gerhardt stated the reason they included the Objective Standards in the study session for the Work Plan was to allow enough time for the ARB to discuss changes and recommendations and still have time to keep the project moving since any actual changes to the Objective Standards require approval from City Council.

Chair Hirsch requested clarification if the changes to the work plan needed City Council approval or the time required from staff needs City Council approval.

Ms. Raybould stated if time is going to be used by staff in the next Fiscal Year (FY), it needs approval from City Council, as a directive for staff to work on the Objective Standards as part of the Work Plan.

Chair Hirsch inquired of the timeline for submitting the request to City Council.

Ms. Raybould answered it's due before City Clerk before the end of May to satisfy noticing requirements for June review. The exact date is currently uncertain.

Chair Hirsch asked how that effects the ARB's scheduling of their discussions.

Ms. Raybould explained once it goes before the Council, assuming they approve further staff time, staff will begin drafting something to bring before the ARB. What is currently laid out is a review to provide a better understanding of what specific changes should be made before fall of 2023 in drafting exact code changes, with the expectation that within the next FY staff would bring forth modifications to codes for Council approval. Ms. Raybould continued and stated Project Goal three is a catch all of things that the Board has an interest in working on. Council directed staff to bring forth a preliminary schedule for development of new coordinated area plans through out the city for San Antonio, California Avenue, downtown and El Camino Real areas. Staff are working on that schedule and as they decide what they are moving forward with and what can move forward, staff anticipates that any coordinated area plan would include involvement from the ARB. If the Boardmembers of the ARB have items they feel should be reviewed, this would be where staff could incorporate those, mostly likely with a summary of high/low priority item within that third goal.

Boardmember Rosenberg stated this is the perfect segway into the items she previously referenced, and her first item is already listed under staff's low priority list: Coordinated area plan for San Antonio area. Her notes indicated they kept running into that San Antonio corridor issue over and over again and she confirmed if San Antonio was also listed. There are three smaller items a) roof top terraces, more defined rules, and regulations for both multifamily residential and commercial.

Chair Hirsch indicated that was a good idea and asked staff where they were with rooftop terraces, what's allowed currently.

Ms. Raybould stated currently rooftop terraces are allowed, however there are weird nuances in the code in that if it is on the second floor it does not count as the common open space, however if it's on the ground floor or third floor it does. Generally, rooftop terraces are allowed for commercial, the catch is that if it's done on a commercial building you have to add an elevator and stairwell. If a building is already over the height limit, it can make it impossible to do a rooftop terrace. For the downtown area, there have been some code revisions that are currently in the code that allow for rooftop terraces and allow for those height exceptions.

Boardmember Rosenberg commented that leaves room for the assumption that the elevator has to be a certain distance from daylight plane in terms of not being front and center.

[crosstalk]

Ms. Raybould replied there are some specific guidelines of how it needs to be designed so it's less visible, she was not aware of what those were off the top of her head.

Boardmember Rosenberg added one of the items was in regard to one of the recent multifamily projects that was doing the rooftop terraces, but they were near a residential area and possible encroachment on their neighbors privacy.

Boardmember Rosenberg recollected there was a proposal for California Avenue to make some potential changes to allow rooftop terraces, and that possibly came up, however that project is no longer moving forward. The downtown area does have specific requirements set forth for distance from residential. It seemed that was more of an issue with potential noise than a question of privacy.

Boardmember Rosenberg continued with the item of parklets and suggested that was something Boardmember Thompson had mentioned previously.

Boardmember Thompson responded that Boardmember Chen and Vice Chair Baltay were on the subcommittee for the parklets, and those changes were approved.

Boardmember Rosenberg's final requests were bird glazing and Light Reflective Values (LRVs). The ARB keeps returning to "that white is too white"; other nearby towns have set standards so it can't be too bright white or too dark. If that's a change Palo Alto would have an interest in, it could be a good time to take it into consideration for a more uniform standard and not so subjective.

Ms. Raybould stated the bird friendly guidelines that helped in developing that has been something in their Comprehensive Plan since it was adopted in 2017, and was something of interest in moving forward, bird friendly guidelines. That's an interesting addition.

Chair Hirsch asked if Ms. Raybould had anything to add with the description of the goals.

Ms. Raybould stated that was the last goal.

Chair Hirsch inquired if there was anything from The South of Forest Area Phase 2 (SOFA 2) Coordinated Area Plan (CAP) or SOFA Phase 1 that was missing and inserted into this draft.

Ms. Raybould responded that the objective standards do not apply to the SOFA 1 or SOFA 2 districts the way they have been written. The objective standards that were created under 1824, because SOFA is its own specific zoning districts, those objective standards do not apply. Staff intends to bring forward an attempt to create objective standards for SOFA 1 and SOFA 2.

Vice Chair Baltay requested an explanation of why they do not apply.

Boardmember Rosenberg inquired about the locations of SOFA 1 and SOFA 2.

Ms. Raybould explained that SOFA is south of Forest area, south of downtown over towards the Peninsula Creamery area.

Boardmember Thompson inquired if that was SOFA 1 or SOFA 2.

Ms. Raybould replied she would have to pull up a map to say the exact boundaries.

Chair Hirsch inquired if the area reaches Alma.

Ms. Raybould explained she believed it expanded to Alma.

Boardmember Chen stated she believed SOFA 2 expanded the area of SOFA 2.

Chair Hirsch inquired about the history of what prompted SOFA 1 and SOFA 2.

Ms. Gerhardt stated she didn't know if staff was prepared for the conversation and she wasn't present when it came about, she believes that there was a hospital in the area that was taken down and the City needed to plan for what was going to happen in the area, which was the major push to have the two different plans.

Chair Hirsch asked the hospital had been where the present Oak Court project is.

Ms. Raybould answered it was Palo Alto Medical Foundation and in part in the Roth building at 300 Homer.

Chair Hirsch commented that it probably included the site on which Oak Court was built, Section 8 housing.

Ms. Raybould replied there were a number of areas it included.

Vice Chair Baltay commented he's fine with the three project goals; notwithstanding the comments that Boardmember Rosenberg made, he believes the items spelled out are significantly more important and he recommended the ARB keep their focus as tight as possible. On the first project goal where it says lower priority, he suggested the verbiage "new office spaces that will exasperate the City's job/housing imbalance" be changed to "nonresidential commercial and institutional projects" he doesn't believe it's necessary to elaborate why they are important or not important. Office is not institutional. He recommends they remove the phrase that says, "that will exasperate the City's job/housing imbalance", it's a bit of a political value statement. It should stay neutral.

Boardmember Chen commented there are a lot of housing projects coming in and it's priority but for the housing community there are other things that they also wanted to develop as well such as the service uses and also maybe some commercial. There are a lot of projects along San Antonio that are housing, but there needs to be a balance of services such as schools and retail and medical.

Vice Chair Baltay stated his understanding is that project Goal 1 represents the standard work that the ARB does, they review projects that are in the development process. For whatever reason they are elaborating which ones are high or low priority and he doesn't know how that actually affects how staff treats things.

Boardmember Chen stated her comment towards Goals 1 and Goals 3.

Vice Chair Baltay questioned if there was a need to label high or low priority on projects.

Boardmember Thompson questioned why they even have anything under low priority because commercial institutional and residential makes up the bulk of their review and it doesn't make sense to say it's a lower priority when it's 80% of what they end up reviewing.

Vice Chair Baltay suggested striking it all together and again questioned why even have priorities.

Ms. Raybould stated that City Council asked them to make a priority list, but the ARB doesn't have to identify high or low priority.

Vice Chair Baltay suggested they put everything under high priority.

[Crosstalk]

Chair Hirsch commented this is a response to what Council has been stating all along.

Ms. Raybould commented that she believed the only thing staff might use it for was if they had three projects that are trying to get on a hearing, they would prioritize the housing project over the office project in terms of getting on that hearing.

Boardmember Thompson stated she thinks it makes sense to leave housing as a high priority, but she doesn't know that everyone else should be pushed down. She's in favor of striking everything off the lower priority list.

Boardmember Rosenberg commented there could be a way to phrase that should conflict arise, housing would be given priority in terms of time slot.

Vice Chair Baltay stated he agrees, it's an administrative thing they shouldn't get involved in.

Unanimous consensus from the Board was that all the text be removed under lower priority.

Vice Chair Baltay continued and commented on the second goal he had previously noted to strike the comments about SOFA 1 and SOFA 2 however, after staff's explanation it sounds like it's important to leave that. His addition would be to include "modifications to address SB 9 and SB 330 requirements".

Boardmember Thompson inquired what related to 330.

Vice Chair Baltay explained any additional regulations that the ARB may have to be involved in, such as what they are doing now with SB 9.

Ms. Gerhardt stated nothing new applies to 330, it's just a freezing of standards.

Vice Chair Baltay stated his addition would be the modifications to address only SB 9, as SB 9 would be an important thing to work on.

Boardmember Thompson questioned if this meeting would be the last opportunity to discuss SB 9 or if staff anticipated there being additional opportunities in the future.

Ms. Raybould stated Chief Planning Official Amy French had a better understanding, and provided a brief summary that City Council had directed staff share the objective standards with the ARB, staff anticipates the additional study session at this meeting to finish out an overarching conversation about those standards. Staff will then seek community and developers participation for feedback regarding SB 9

projects and how these objective standards are being utilized in the field or how they may need to be modified. Based on the feedback from community outreach and the ARB, staff will then draft changes to those objective standards. Sometime before the end of the year staff are expecting additional State Code legislative changes, which will also need to be incorporated.

Boardmember Thompson commented she supports making the addition requested by Vice Chair Baltay as it sounds like this will be a long running project.

Chair Hirsch inquired if feedback from the ARB already provided will be incorporated prior to community outreach.

Ms. Raybould responded that the community outreach will include the same existing objective standards that the ARB has been reviewing, so there will be a single change and not multiple changes prior to creating the draft.

Chair Hirsch asked if the changes suggested by the ARB would also be provided during community outreach.

Ms. Gerhardt responded that once they move to the next Agenda item, that could be discussed more in depth; there's two pieces to the SB 9 project. First, staff would like to get the existing ordinance permanent. The second piece is to take a deeper look into the objective standards to see what changes need to be made. The second part does not have a time frame. Getting the ordinance to be permanent has a very short time frame.

Chair Hirsch inquired what ordinance change staff seeks to be made permanent and if it includes the language of the objective standards.

Ms. Raybould replied that the ordinance references the objective standards and then gives the Director the authority to make changes as needed to those objective standards; it's an administrative ordinance, that is already existing as an interim ordinance. Staff look to put it before City Council before it sunsets. Staff can summarize the ARB's feedback; they look to also provide independent feedback for what they are experiencing through the process so to incorporate all of the feedback.

Chair Hirsch commented each of the ARB Boardmembers have had experiences within their careers that would likely benefit as feedback and has been partially addressed. SB 330 is a totally different aspect from SB 9 as SB 9 mostly pertains to individual houses which the ARB hasn't reviewed until now, but their comments may still be of use. Chair Hirsch inquired if SB 330 applied to all areas of the City.

Ms. Raybould answered it applies to all areas and there are no expected changes to SB 330 that requires ARB review with respect to changes. There is a set list of seventeen items that applicants have to provide to the Planning Department to freeze the standards, when they've met those requirements the SB 330 application is deemed complete. There really isn't anything to add to a work plan with respect to SB 330.

Ms. Gerhardt added that SB 330 prohibits the jurisdictions from imposing subjective design standards, which was why all the objective work was done.

Boardmember Thompson commented that all of the work done on the objective standards was in response to SB 330.

Vice Chair Baltay stated SB 330 isn't something the ARB needs to reference in the study session and inquired about Boardmember Chen's opinion on the responses regarding SB 9.

Boardmember Chen commented that she wrote her questions down before the meeting.

Vice Chair Baltay stated they've identified four high priority items and no low priority because the Board believes all the items are high priority. The reason City Council is requesting the report from the ARB is to help them make the decisions regarding which things will be done and which won't, and feels they aren't meeting their duty by not including low priority items. When he looks at the list, he believes the most important items pertain to the SB 9 regulations, possibly secondarily the townhomes. The other two could be pushed into lower priority if they wanted to take the tough stand of helping to make a decision.

Boardmember Rosenberg agreed with Vice Chair Baltay and felt going back to the first item, they should maintain a separation of high priority and low priority, with an understanding that the priority difference is quite minimal, and when push comes to shove, they should be acknowledging it in Project 01 as well.

Vice Chair Baltay commented that Project 01 is the processing of applications and it's not for the ARB to decide which projects staff should focus on, and he's not sure he would want that responsibility.

Boardmember Rosenberg replied that was fair.

Vice Chair Baltay stated he'd like to think processing of applications happens in a logical way of when they come in and when they pay the fees and doesn't believe having priorities makes sense for Project 01.

Boardmember Rosenberg stated she heard what Vice Chair Baltay was saying but if City Council was requesting the ARBs opinion on selecting priorities, and they had to choose, which one would it be; however, doesn't have a concern with leaving it the way it was written.

Boardmember Thompson commented she believes it's implicit. If the ARB is just saying what their priority is, then everything else is not high priority. The point seems mute.

Boardmember Rosenberg inquired clarity of if that meant everything was listed in high priority and everything else is scratched.

Vice Chair Baltay stated that the ARB just won't be mentioning anything.

Chair Hirsch stated the Council is going to review the item and every other agency in the City and they aren't going to be terribly concerned about which one is high or which one is low. He believes they can eliminate most of the low priorities, it seems reasonable to do that and just live with the high priority list. He believes when they say for example that sign review is a low priority, the entire commercial façade, that's significant but otherwise it works.

Boardmember Rosenberg added that for Project Article II, she doesn't believe anything should be scratched from the list all together, but possibly move items from high priority to low priority.

Boardmember Thompson agreed and stated she could support that as well.

Boardmember Rosenberg clarified that that Townhomes and SB 9 could be high priority and the other two, SOFA and modifications for objective standards, could be moved to low priority.

Chair Hirsch commented that SOFA finished up what they've been doing and will end up being a significant priority. Particularly in areas such as Alma where there could be significant future changes.

Vice Chair Baltay commented he has been to countless City Council meetings in which Mr. Lait had indicated to Council he was unable to work on projects due to lack of resources.

Chair Hirsch suggested the City will add new hires.

Vice Chair Baltay commented he feels only some of the things will be done if the ARB doesn't suggest which items that they feel are most important. City Council will be lacking the guidance of the ARB, and they will make decisions based on other values that don't have the input of the ARB, which goes against the point of going through this process. They are all important.

Ms. Gerhardt commented that she would like to echo the Vice Chair's comments.

Vice Chair Baltay stated he feels that SB 9 requirements are really very important in Palo Alto right now. They've got to remain as a high priority. They already have objective standards, they aren't perfect in any revision, but that's not as important. SOFA 1 and SOFA 2 do not get many applications. It's a touch place to develop and seems less critical than the other items.

Chair Hirsch stated that he agrees, and added for clarity that there are SB 9 standards, same with multifamily, and both are imperfect.

Vice Chair Baltay agreed and commented that Ms. Gerhardt is likely going to hear from the ARB that the SB 9 standards are less perfect than the current objective standards.

Boardmember Rosenberg commented that in part, SB 9 is State ruled and regulated, and there is a very comprehensive list of what it should and should not be based on the State. The ARB's job is to figure out how to implement it in Palo Alto, and what the best methods are to make sure the State rules and regulations apply gracefully within the City's boundaries. SB 9 is new and likely a bit more pressing. They don't want to make mistakes they have to fix later, so she would rather take the time now to be thoughtful in how they want to implement it versus seeing what shakes out over the next few years.

[crosstalk]

Boardmember Chen commented that she understands SB 9 needs many improvements, however asked the ARB to consider the scale of each of the projects, townhomes and multifamily projects are much larger scale and generally are in better locations along major streets. SB 9 projects tend to be on smaller sub roads. It's hard for her to push SB 9 to the top of the priority list.

Vice Chair Baltay stated his suggestion is to keep townhomes and SB 9 projects as high priority, and agreed it's hard to differentiate which is more important. SB 9 will be mostly for single home residential, and townhomes are larger projects.

Boardmember Chen requested clarification if the third one which is based on the implementation of objective standards, are the ones that the SB 330 projects refer to; if that's the case, those would also be important.

Ms. Raybould responded that SB 330 is not what requires implementation of objective standards. It references that, but any housing accountability act project is only subject to the objective standards and any project going through a state density bonus process is only subject to the objective standards. This item was intended to just reference as staff gets applications for townhome projects or other projects going through the objective standard process, as well as projects that are not subject to those objective standards. Learning from those and understanding what objective standards staff wished they had and where there was possible lack of clarity on the objective standards that may need to be more specific or revised for more flexibility, or something along those lines as they move through that process.

Chair Hirsch inquired what staff feels would be critical and if they felt SOFA 1 should be eliminated.

Ms. Raybould replied she echoed Boardmember Chen's thoughts about the scale of a project and also note that with respect to modifications to SB 9, the way that process works is if somebody can't fit solely within those objective standards there is a process laid out for that discretionary process. For larger housing developments, if there is not an objective standard, they can simply point and say there is no objective standard, or it doesn't apply due to it not being uniformly verifiable. From that perspective and from Boardmember Chen mentioned regarding scale, staff would likely prioritize the larger multifamily projects. SOFA 1 and SOFA 2 objective standards are going to be important to move forward quickly and changes to more clearly defined townhomes are likely going to be fairly important as well.

Chair Hirsch commented he hears a bit of a difference between the ARB and staff. The Board feels SB 9 is important so it may be that everything should be left on the list the way it is. This reflects the Board's opinion.

Boardmember Thompson suggested moving the third bullet, the modifications of the existing standards to the lower priority so there's one thing noted as a lower priority.

Boardmember Rosenberg agreed with Boardmember Thompson which would provide some differentiation which would be helpful for Council and of the items on the list, the objective standards are in pretty good shape and there aren't any urgent or pressing issues. Of the items on the list, if the Board has to choose, and she believed they should, it seems to be the last urgent.

Ms. Raybould noted that as they move through modifications based on implementation, it could be more helpful to have a few more projects to work off from. Staff would likely be looking to start modifications once they had more.

Chair Hirsch commented that it seems they really haven't tested out objective standards very much at all. It really is important to keep their focus on objective standards and stay flexible enough so changes can be made. That was the original intent. Changes would be made throughout the year when needed, and there will be opportunities to see where those improvements will be important.

Boardmember Rosenberg asked Chair Hirsch if he were looking at the four items on the list and had to number order them, what order would he give them.

Chair Hirsch stated he would put the modifications on SOFA 1 and 2 as the least important.

Boardmember Thompson inquired if it's possible the thought process behind SOFA 1 and 2 being lower priority is due to the ARB not being sure of the details of the project, and if they did know they may change their opinions.

Vice Chair Baltay commented that is the whole point of putting their expertise out there. If they don't know, they can't say.

Boardmember Thompson added that putting something in lower priority doesn't mean it won't be done.

Ms. Gerhardt responded that she believes they should think of lower priority as a secondary priority and not the bottom or last.

Vice Chair Baltay stated he could support ranking the items 1-4. He believes that would be extremely helpful for Council. If that is a direction the ARB wanted to head, townhomes would be number one on his list.

Chair Hirsch commented he doesn't believe they are going to see too many townhome projects coming forward.

Boardmember Rosenberg stated she had to respectfully argue that there's been several to include Acacia, Fry's because often they are part of multifamily units to include a row of townhomes whether detached or attached. Thinking in terms of San Francisco townhomes may not be correct, but most of the multifamily projects have a row of townhomes as part of the project.

Chair Hirsch stated he's fine with her sentiment but that it isn't the highest priority.

Vice Chair Baltay inquired which of the four items Chair Hirsch would list as number one on the priority list.

Chair Hirsch commented that he believed SB 9 would be highest priority.

Boardmember Rosenberg stated she believed townhomes would take priority over SB 9, but not by much.

Boardmember Chen agreed with Boardmember Rosenberg .

Boardmember Thompson commented she doesn't know how she feels about ranking them 1-4 but one thing they could do is move one thing to the lower priority as a group and her vote would be the objective standards that had already been approved.

Chair Hirsch stated his opinion is that SOFA 1 and 2 would be lowest priority.

Ms. Gerhardt added for clarity that SOFA 1 and 2 are also currently wrapped up in the Housing Element and it's likely those may need to go first based on the Housing Element requirements.

Boardmember Thompson believed the Board needed to listen to staff regarding SOFA 1 and 2 because the Board isn't fully familiar with the details of the projects, and staff knows what's coming in the future.

Chair Hirsch suggested providing a priority list rather than ranking them.

Ms. Gerhardt explained Ms. Raybould currently had in her notes to remove the third bullet of the modifications to existing standards from the high priority list and down to the secondary priority list and

add SB 9 to the high priority list. The only thing they don't have is three high priorities. It might be helpful to do some ranking in that case, but not required.

Boardmember Thompson requested a straw pull to make sure the Board is okay with that change.

Chair Hirsch added that he and Boardmember Chen spent a fair amount of time on objective standards and had a number of items they felt could be questioned or discussed further with the entire Board. He didn't want to miss that opportunity.

Vice Chair Baltay commented that's why he feels comfortable with ranking it lower, because they did a great job in getting the standards to where they are.

Boardmember Thompson added it also doesn't mean they will never get to it, and they aren't referring to the townhomes, only everything else.

Vice Chair Baltay stated that it's worth bringing up that he and Chair Hirsch had a meeting with the Planning Director a month or two ago and they pushed pretty hard that they need to get the townhome regulations updated. He pushed pretty hard back stating they don't currently have the staff available. He believed the Board is being naive by not focusing hard on what's really important. If they leave the townhomes up in the air, the ARB's input is nothing. The hard decisions have to be made in terms of what items should be given ample focus. Boardmember Chen made a great point in that townhomes are larger projects that have a greater visual impact on the town.

Boardmember Thompson commented that she's fine with the order that was presented on screen by Ms. Raybould.

Boardmember Rosenberg commented it's listed in an order but not number ranked, and she's good with that as well.

Vice Chair Baltay recommended that instead of saying high and low priority, in order of priority they put townhomes first, SB 9 second, SOFA third and objective standard modifications fourth. That way they've given a clear direction of what they think of as a Board.

Boardmember Thompson repeated that she believed the way it's written as presented on screen with the changes Ms. Raybould made, where it says "in order of priority" is sufficient.

Vice Chair Baltay stated he's good with the way it's written.

Boardmember Rosenberg stated that she's good with the way it's written.

Boardmember Chen stated it looked good to her.

Chair Hirsch stated he would support leaving it written as presented.

Boardmember Rosenberg mentioned three items she'd like considered as additions to include rooftop terraces, parklets, bird glazing and Light Reflective Values (LRV).

Vice Chair Baltay commented he believes rooftop terraces are important but not nearly as important as the other items, and they tend to get wrapped up in subjective standards as it's review. He believes they

would be wiser to keep in mind they want regulations regarding these items as they work through objective standards.

Boardmember Rosenberg agreed that was fair enough, they would end up under objective standards.

Boardmember Thompson commented she agrees that rooftop terraces can be subjective depending on the project and it might be better to not add more regulation to that, but she does like noting bird safe glazing and LRV, which could be added as low priority items for Project Goal 3.

Boardmember Rosenberg questioned if they too should be wrapped up into objective standards. They are small items however they keep surfacing again and again. It's not necessarily items that need more regulation, but they could use more clarity and could be as simple as include them as checkboxes for requirements that applicants can meet and move on.

Chair Hirsch inquired if it was necessary to include it if Planning already had resolution on those requirements.

Boardmember Rosenberg stated that was a good question to consider.

Ms. Gerhardt confirmed there are no current standards for bird glazing. There is staff implementation of the Comprehensive Plan along with push from the community to have better bird safe glazing, but there are no detailed standards in the zoning code.

Boardmember Rosenberg commented that townhomes the windows are small and not really a big deal, it's the projects with 90% of the façade window glazing that create an issue. It may just be a short conversation; some sort of clarity would help for the projects that are predominantly glazing.

Boardmember Thompson stated an important factor would be the district location. The Baylands would definitely need that, which may be a reason to list it under Project Goal 3 because those are more district specific. It's a good conversation to have because there's a lot to talk about when it comes to bird safe glazing.

Chair Hirsch commented that there are a significant number of other communities that have already simply answered the issue and the code already exists. They don't have to go very far to find what works well and use similar regulations.

Ms. Gerhardt agreed that other cities have already done the work so they could do a short process and use what's already been created elsewhere, or they can do a longer process and delve deeper into it. This work plan is asking Council what their priorities are, those then become staff priorities.

Boardmember Chen wanted to continue the conversation about the Comprehensive Plan and area planning under Project Goal 3, and inquired about community service uses in addition to the housing so that it could all be addressed at the same time and not piece by piece as the community grows.

Ms. Gerhardt commented that was a good question. Those are things that are part of the Housing Element and part of the Comprehensive Plan. The Comprehensive Plan has ratios included and already baked in for the number of community related services in ratio aspect to housing.

Chair Hirsch commented that if the City builds according to the Regional Housing Allocation Needs (RHNA) requirements and multiply that number by 2.3 which is the number of population you would get for the number of housing units, it would be an additional 13-14,000 people which is more than a 20% population increase in Palo Alto. It's a necessary perspective to consider the impacts of that over the next ten to fifteen years. Very serious future planning will need to take place if the RHNA numbers stand true.

Boardmember Thompson questioned if the ARB was encroaching too much on the Planning and Transportation Commission's (PTC) purview.

Ms. Raybould replied that she agreed, the purpose of the work plan is to focus on what things would be coming before the ARB in the next year, what the Board is talking about is definitely part of the long-term growth of the City and that's more in line with the PTC and City Council's purview. The ARB's purview is more about how that growth will be designed in specific areas throughout the City as the growth builds out.

Boardmember Rosenberg understands the boundaries on those topics but supports Boardmember Chen's concerns and commented that as the ARB, they could make a statement to Council and the PTC along the lines of... although it's beyond the scope of the ARB, they strongly encourage them to make sure it's on their dockets for what they will be tackling going forward and it should be make a priority.

Ms. Gerhardt replied that's already baked into the system, there are a lot of people already thinking about this and the City has development impact fees that help pay for new parks and new facilities and things of that nature, sometimes projects even have to add new sewer lines if what's there can't hold the intended capacity. It's a great question and she wanted to help the ARB understand the process, however those sorts of things are already baked into the Comprehensive Plan and have been thought about as part of the Housing Element process. Rates have just been raised for park impact fees to the point where developers are not happy with the City, but the cost of land is significant they need the appropriate fees to make sure they do have the new parks as they are needed.

Boardmember Chen commented she appreciates staff comments and she's glad people are thinking about it and considering it; however, it's not just about collecting fees. The land is hard to find, they need to also consider land availability for those future uses, as they allow developers to come in and build out the City.

Boardmember Thompson stated she would propose scratching rooftop terraces from the Work Plan list entirely and propose they straw pull on what's left of the list as presented with the amendments by Ms. Raybould.

Vice Chair Baltay commented he doesn't not support LRV being on the list because he believed it's overreach and it's not as high in priority in terms of the relevance to everything else listed.

Boardmember Rosenberg explained she's not trying to overreach with added restrictions, she'd just like to see a minimum standard to be set to that as a Board they are not debating project by project that the white being used is too white.

Vice Chair Baltay stated that it should just be part of the objective standards.

Boardmember Rosenberg that was fair enough.

Vice Chair Baltay explained that he believed there's a whole section of materiality in the objective standards where this is a standard that the Director can update every so often where this might even already be in there, and if not, this could fit in that section.

Boardmember Rosenberg agreed.

Ms. Raybould commented she was going to suggest that staff has noted the idea and can likely find a way to resolve that.

Chair Hirsch stated if they wanted to, they could add a Board motion of items they wanted staff to look into.

Ms. Gerhardt disagreed because the Agenda item was the work plan, staff is not able to do any additional work on the Work Plan that has not been approved by City Council.

Boardmember Rosenberg reiterated she had no issues at all with the LRV and glazing falling under the objective standards and rooftop terraces could be listed as a separate item.

Boardmember Thompson stated she didn't know if she viewed bird friendly under objective standards yet, she feels like there is more to it than just glass.

Boardmember Rosenberg replied she would argue that it's a material selection choice, so it feels in the vein of that.

Boardmember Thompson commented that bird glass is, but it's written here as bird friendly guidelines so it's not just glass, it's landscaping, positioning, orientation.

Boardmember Rosenberg agreed Boardmember Thompson was right.

Boardmember Thompson said other cities have created bird friendly design guidelines, and suggested scratching what's highlighted under Project Goal 3, they would be able to approve what is currently written.

Vice Chair Baltay stated he could support that.

Boardmember Rosenberg stated she could support that.

Boardmember Chen stated she supported that.

Chair Hirsch stated he supports that as well and commented the first item on the list regarding San Antonio Way had just come to the attention in the news and a very large industrial area is possibly being offered to the city with an arrangement to develop it with a whole new mix of housing. It's the area beyond JCC between Fabian Way and San Antonio Road.

Ms. Gerhardt stated they are doing a home key project at the end of San Antonio near the Baylands.

Chair Hirsch stated it's on this side of 101, beyond JCC. It's an active area for development and unrelated, but he wanted staff to keep an eye out for it. It could end up being a very large and significant project.

Vice Chair Baltay commented as long as he's been on the ARB, they've been mentioning to City Council the City needs design guideline standards for San Antonio Road. This would be part of what Chair is talking about.

Boardmember Thompson inquired if bullet point one of high priority is the same as bullet point one of low priority.

Ms. Raybould answered it's slightly different. The Housing Element that is moving forward to Council for adoption on May 8, is identifying areas that are zoned general manufacturing (GM) within that area near Fabian Way and San Antonio Road, would allow for housing at a higher density rate. Currently in GM zoning housing is not an allowable use. In order to allow for that, there would have to zoning standards made for the GM. The timeline on that is very tight. They are anticipating by January 1 of 2024, they would have to adopt standards to allow for that because that is part of meeting the RHNA allocation.

Chair Hirsch thanked Ms. Raybould for the clarification and commented on the importance of all of that within that area due to the intended higher density and questioned if PTC would be involved in that.

Ms. Raybould stated that any zoning changes require Council approval and PTC recommendation.

MOTION: Boardmember Thompson moved, second by Boardmember Chen, for the ARB to approve the Work Plan as it is present onscreen by staff.

VOTE: 5-0-0-0

THE ARB RECESSED FOR A 10 MINUTE BREAK

Study Session

4. Study Session to Review and Discuss the City's Local Objective Standards for Senate Bill 9 (SB 9) Residential Units and Urban Lot Splits Previously Approved by Council Along with the City's SB 9 Interim Ordinance 5538. The Planning and Transportation Commission Recommended a Permanent Ordinance to Replace the Interim Ordinance on February 8, 2023. Environmental Assessment: Not a Project. For More Information Contact Amy French at Amy.French@cityofpaloalto.org.

Vice Chair Baltay commented he will not recuse himself further on this discussion. He had previously out of concern that projects he has would benefit from SB 9 regulations, with more study he realized he does not have any financial benefits from what the SB 9 regulations might be, now or in the future, and his input on the matter might be quite valuable and important.

Ms. Raybould stated staff does not have anything new, the study session is meant to continue from the last time it was discussed. At the last hearing, they went over in detail the items related to massing and heard the Board's comments in regard to daylight planes and setbacks. She suggested they move on to questions related to site planning and privacy requirement recommendations.

Senior Planner Amy French stated this is the second Study Session continuing from March 16, 2023 Agenda Item 2. Staff intends to convene a group of stakeholders in the coming months to ensure sufficient feedback from the community, and resulting from a request by Council, plan to review the SB 9 projects that have already been submitted through the process to date to provide case studies for when they return to Council. Those case studies will include lessons learned, and potential refinements to the standards. City Council will be reviewing the permanent ordinance that references the objective standards, which can be modified even after the ordinance is approved. There will be legislative sessions at the State level in the fall, and as a result of those sessions, staff expects further changes to SB 9 regulations.

Chair Hirsch inquired about clarity on the timeline of the process and if the ARB's comments will receive a response.

Ms. French replied that the plan is staff will convene a focus group of architects, ARB representation will also be invited. There is currently no plan to return to ARB with full responses to the Board's comments, rather staff will continue to gather their comments during the current study session, add to it the focus group comments and PTC comments on the standards, and return to the ARB at that time. Staff will keep the ARB informed of when they expect that to take place, but it will not be a quick turnaround. As a reminder, Ms. French offered there is also verbatim minutes of the PTC meetings for anyone interested.

Ms. Raybould commented that the intent would then be to make feedback draft changes before returning to the ARB.

Chair Hirsch inquired if there were any public comments.

Ms. Dao stated there are no public comments in person or raised hands on zoom.

Chair Hirsch requested staff pull up a slide show he made regarding SB 9. He focused on four issues with SB 9. With regard to contextual side massing setbacks next to single story homes, Item 1.5, and second story floors being setback seven feet of the first level for 50% of the depth of the structure along a property line, he recapped a summary of Boardmember Rosenberg's comments from the previous meeting regarding allowing the daylight plane to be the ruling factor instead of setbacks with respect to not imposing neighbors further restrictions penalizes the new homeowner and stated this was a common opinion of the ARB. With regard to the setbacks next to the single-story homes, Item 1.5A, a proposed structure shall have a one-story building volume of at least 15-foot wide and 15-foot deep at the front side of the house set forward of any second-floor street facing wall place... this item is too restrictive. Neighboring house should not dictate new project planning, form, or require minimum size. Step backs can be a useful way of achieving unobtrusive massing without creating a projection from the front massing wall. The next item is 2.5 Massing Placement, Chair Hirsch believes all examples of non-compliant and possible design decisions should be bulleted and showed photos of examples. The fourth issue is in regard to Entry Types, Item 4.4, Contextual Porch Entries. The porch idea is okay, but Chair believed this item is too restrictive and only appropriate in a designated special district, by legal description for an entire block or district. These four are very important decisions and he feels they are not addressed in what they are studying in this study session.

Ms. Raybould commented with respect to the last item, making a change like that doesn't require an administrative change, she respects his opinions regarding the item, they can have an objective standards because it's not a requirement. The Individual Review (IR) guidelines, which was the basis of the objective standards, one of the key elements is looking at the context of the neighborhood and how the projects for buildings fit in with the neighborhood. The idea of that specific objective standard related to the IR guidelines, staff are interested in the ARB's opinion, but they have similar regulations in the code that have been there for years about contextual garage placement and contextual setbacks. Speaking in general, [Video Skipped]... it seems like at the last study session there was a lot of focus on the concerns with the step backs and looking to the daylight planes more to regulate the massing of the buildings. There was a strong consensus from the Board that there needed to be changes related to that. Staff heard those comments and understood that those are key concerns of the ARB, but she didn't want that to be the only thing that gets discussed.

Chair Hirsch commented that what he heard from Ms. French is that there are going to be no changes made as this goes out, he believed changes need to be made prior to it going out.

Boardmember Thompson commented that was not exactly what she heard. She heard that staff are collecting comments from everybody, and they do intend to make changes once those comments have been received.

Ms. Raybould clarified that everything being looked at is already in the code. All they are doing now is making the ordinance permanent, so it remains in the code. The Director has authority under the ordinance, as it's currently written, to make changes at any point in time to the objective standards. Staff anticipates making a single thorough change once they've heard from the ARB, PTC, and the community focus group of architects.

Chair Hirsch stated that being the case, he would like to see the ARB comments included in what is presented to the other groups.

Ms. Raybould replied staff could definitely do a summary of ARB comments and include it in the information presented to the PTC and the focus group.

Boardmember Rosenberg inquired if the goal of the study session is to review what is written as an interim set of rules for SB 9, and to make changes to what they feel should be changed going forward.

Ms. Raybould responded that it's currently interim, it will be finalized and will continue in the permanent ordinance because they have to return to Council immediately to allow it to remain in the code, otherwise it's going to sunset.

Boardmember Rosenberg questioned if the changes should be made prior to it becoming an ordinance.

Ms. French responded that on May 15 staff will return to Council with the ordinance itself. The ordinance will allow them to continue to have objective standards as they are, which are currently being used. As time goes on and after the case studies are completed, the object standards will be refined and changed based on the information from the ARB study sessions, PTC's recommendations, and the feedback from the focus group. Due to the regulations that are expected to change on the State level, there will definitely be changes made going forward.

Boardmember Rosenberg requested clarification on the goal of this study session is to make sure they are approving this so that on May 15 City Council can adopt it and make it permanent.

Ms. French replied no, the goal of today is only to receive feedback and finish the feedback from the ARB so staff can move forward to the next phase which will be collect further comments from various resources throughout the next coming months. The only thing going before Council is the zoning code that refers to using objective standards, so they can continue using objective standards. Staff will not be showing anything new to the Council on May 15. The only purpose of May 15 is to make the interim ordinance which allows staff to use objective standards, be made permanent before it sunsets. Changes to the objective standards can then be made as deemed necessary once the ordinance is made permanent.

Boardmember Rosenberg requested the presentation from the last meeting be shown again since it's not included in the packet.

Boardmember Thompson inquired if diagrams will be included in the objective standards and stated she had a number of questions related to the diagrams.

Ms. French responded that's a great idea and would be a very good comment to add as a suggestion and brought up the IR crosswalk that was created for Council, which explains the IR guidelines as they relate to SB 9 project objective standards.

Project Planner Emily Foley explained that diagrams might be an interpretation of objective standards as they make the changes and that is something staff would definitely want to prepare. Using diagrams could be a suggestion with a request to make it a priority for staff to work on.

The other Boardmembers agreed that the use of diagrams makes sense.

Chair Hirsch commented about the suggestion of trees on the perimeters of lots at every 25 feet and stated that if a lot is only 50 feet, where the planting takes place has a big impact on the location of the structure on that piece of property and a diagram might be helpful.

Ms. Foley answered the guidelines for the trees every 25 feet is for interior lot lines and intended for privacy screening. It does not apply to the front property line.

Chair Hirsch stated that it starts at the front of the property.

Boardmember Rosenberg commented that a diagram might be helpful here.

Boardmember Thompson inquired about the format of the study session with regard to Board member comments and if it was going to be by Boardmember.

Boardmember Rosenberg commented it might be helpful to move item by item instead. She finds that more helpful with the ARB back and forth discussions, and they should maybe start off where they ended last time rather than being repetitive with the items they've already discussed and allow Vice Chair Baltay to provide comments on those items since he was recused from the previous study session.

Vice Chair Baltay commented that relative to the daylight plane regulation, it's well suited for this type of project whereas specific setbacks and specific dimensions of single-story massing adjacent to other single-

story housing will prove cumbersome and what concerns him is it will produce poor quality design. He'd like to stress that an important element is the ability to have vertical elements blending with horizontal elements. To restrict that to always be behind a one-story piece is almost like designing with one hand behind your back. It's important to have the ability to make some things tall. The focus should be on privacy and compatibility.

Boardmember Rosenberg agreed and stated that aesthetic impact and compatibility versus privacy and impact compatibility. Her overall critique of these standards is that: while the IR has good elements for large new housing projects, it doesn't work in the scale and context of SB 9. There will be very tight property lines on some of those projects and the over arching goal should be less focused on the aesthetic and focus more on privacy and how to be a good neighbor with regard to wind flow and daylight.

Vice Chair Baltay commented he supports using daylight planes as a massing regulation and not using the other elements such as one-story elements for specific dimensions. It's a wonderful tool for privacy and sun blocking and wind. It's a good design restriction to use. They might consider putting exemptions to the daylight plane for small amounts, the way the IR does now. It would allow the two-story verticality but limits the impact on neighbors because it's small.

Boardmember Rosenberg suggested moving on to item two where they left off.

Chair Hirsch stated he had comments under item 1.1 regarding driveways.

Boardmember Rosenberg commented that she supports the driveways because it allows cars to park off the streets which is more conducive to bicycle safety. No, they don't want the postage stamp housing with two cars in every driveway, however, if there's no driveway at all, cars will have to park in the street and bikes will have to maneuver around the cars. There needs to be a balance of aesthetics with functionality of the bike paths and safety.

Boardmember Chen agrees with the idea of creating more off-street parking. When thinking about the regular single-story development compared to SB 9 projects, the major difference is SB 9 can have higher density and what would impact the community would be the parking issue and privacy between those potential four units and to their adjacent lots. These are two issues that need to be addressed.

Boardmember Thompson commented she didn't want to open the driveway can of worms, but she had a slightly different opinion. In general, the trend is to have less car ownership and to have less cars on the street in general. The nice thing about having less driveways is you get more building frontage, and more eyes on the street if there are cars on the street. There is a benefit to not making driveways huge. She doesn't have an issue with the way it's currently written.

Boardmember Rosenberg added it also includes that they are encouraging shared driveways, and that would definitely be good for SB 9 projects. But again, you are penalizing rather than incentivizing to encourage something. Encouraging a shared driveway would definitely be the way to go without saying they can't have a driveway. Particularly when what was a single-family lot is now four families. If each family has two cars, the math isn't going to work for what's going to fit on the curb.

Ms. Foley added the 18-foot driveway is only within the front setback; once they go back 20 feet, they can widen it to a width that can be accommodated on the site.

Ms. Raybould stated the current standard is twenty foot maximum allowed by the code, the 18 foot is a slight reduction from that.

Boardmember Rosenberg stated she's okay with that, her comment was more in response to comments that the 18 feet should be reduced even further, and she supports the way it's currently written.

Vice Chair Baltay commented he would encourage them to strongly consider the width of the planting strip. A two-foot planting strip is too restrictive in that it takes up too much space on what will be very narrow properties. It should be at most, one foot. He would prefer to regulate it by saying they need to have a landscape strip and not give a width to that.

Boardmember Chen agreed with Vice Chair Baltay, generally speaking the SB 9 standard should be in line with the IR and she was not able to locate the information regarding the parking strip along the side yard. It specifically stated in the objective standards that the parking strip needs to be between the driveway and interior lot line. It's too specific and is too wide considering there may be a shared driveway between the front units and rear units. The two feet planting strip would in addition to that would make the buildable area too narrow.

Ms. Foley stated this would be a case where the shared driveway would be incentivized because then they wouldn't need to separate those driveways. There would be one driveway along that shared interior lot line compared to if the driveways were aligned with the outside sides of the house, where the landscaping would be providing separation from the neighboring lots.

Ms. Raybould commented that the idea of the two-feet wide strip was an interpretation of the IR guidelines and the intent of that was to provide sufficient space to actually have a tree grow in that area. Trees aren't always required in some of the areas. There have been past projects that have done one foot landscaping between. Public Works often wants some sort of area along the edges of the property lines that provides for run-off.

Boardmember Thompson noted there was a long discussion about this at the last meeting.

Boardmember Rosenberg agreed, she doesn't want to see them get hung up on an item that's already been discussed, with their objections already made clear. They can definitely look around in other communities that have only a fence between properties and water run-off is a problem in those areas. Arguments can be made for both sides, they are having a repeated discussion about something they've already determined is an item in which the ARB has already provided comments. There are a lot of items to cover, she wants to ensure they get covered.

Ms. Raybould summarized that staff is hearing that two feet is too wide.

Boardmember Thompson added that out of the last meeting the point was also made that it was to minimize the view of the carport. Moving on to 2.1, this was an item she felt a visual would have been helpful.

Ms. Foley stated staff does not have a visual, but they did summarize it so that it may be better explained. On Item 2.1A, it says in cases where properties are adjacent to a single-story home with less than 500 square feet on the second floor, they are considering it primarily a one-story home.

Boardmember Thompson provided annotation on the screen for visualization.

Vice Chair Baltay suggested that regulation not be contingent on the neighbors house and say that two-story elements can not be more than 50% of the width of the property.

Boardmember Rosenberg agreed that makes sense.

Vice Chair Baltay stated you still have daylight planes and setbacks. Maybe the property isn't the correct ratio, possibly do it 50% of the property less the setbacks, or a better way to phrase it would be not more than 50% of the entire buildable area. It seems odd that it would be restricted based on the neighbors as neighbors change.

Boardmember Thompson stated the verbiage of no greater than 50% of the front façade's visible wall area on the first floor isn't clear and inquired what the façade's visible wall area means.

Ms. Foley explained that porches are counted, which would make it the full house width.

Ms. Raybould commented she had someone recently ask about that and the way she interpreted it was that the term wall is anything that contributes to the massing.

Boardmember Thompson commented she would support not basing it off the neighbor as well. On 2.2C, second floor wall plate height and inquired the definition of a wall plate height.

Ms. Foley explained it's a floor to ceiling interior wall height measured on the exterior wall, in case there is a vaulted ceiling.

Vice Chair Baltay and Boardmember Rosenberg both stated this is a case where it makes better sense to use the daylight plane.

Vice Chair Baltay stated it's very difficult for an architect to fix what a wall plate is, and they are constantly adjusting it to meet the daylight requirements and that's the objective.

Chair Hirsch stated that 2.1A is a similar issue regarding the front façade visible wall and inquired why would it be limited to 50%.

Ms. Foley explained this was to limit it for consideration of the impact of a two-story house adjacent to a one-story house. The intent is to limit the width of the second floor so not to overwhelm the neighbor. In the practice of implementing the guidelines over the last several years, it's been interpreted as having more of a boxy style house with two-story wall planes is not preferred directly adjacent to one-story houses. For 2.1A specifically, this only applies when it is adjacent to a one-story house or a house with a similarly second story footprint.

Chair Hirsch commented that in the case of his own house, he was required to limit the footprint of the second floor based on the daylight plane because at the time it was built his neighbor was a one-story house. His neighbor is now a two-story house. He believes 2.1A limits more than it should.

Ms. Foley stated that all of staff's interpretations are limited based on the neighbors and welcomes the feedback from the ARB. She doesn't necessarily disagree with any of the points being made, but she does

believe it would be a better use of time to continue for ARB's feedback on the other items as well rather than continue with the back and forth on a single item.

Boardmember Thompson inquired about 2.2A in relation to the flood zones and not letting it be higher based on the assumption that those flood numbers could change, and possibly increase.

Ms. Foley replied that the exact wording is that it may be set at the minimum allowed above grade to meet code requirement which is nonprescriptive in case they change in the future and in all cases the proposed house would be allowed to build at the code requirement for a flood zone. In terms of being above what that minimum is, in some of the neighborhoods it might be 4.5 feet above existing grade, and again when looking at the context of one single-story home particularly if it's in an Eichler track and a flood zone, it's to help with the balance of the neighbors.

Ms. Raybould stated she understands Boardmember Thompson's point and there are some areas of the city, particularly out by the Baylands, that Federal Emergency Management Agency (FEMA) is looking at potential map changes to increase the height, she's not sure how many single-family residential areas, but as an example, 2850 W. Bayshore did design their buildings based on the expected changes to the FEMA map regulations because they didn't want to have to come back in the future to make changes. Staff are trying to minimize the starting point of the height to try to minimize the overall massing of the project. There could be additional language worked into this item to consider potential change in the accommodation.

Vice Chair Baltay inquired what staff means by the term Eichler Track.

Ms. Foley replied they have adopted Eichler guidelines, and those guidelines include a map of recognized Eichler neighborhoods. She will look into whether or not the standards do a good enough job of referencing that document.

Vice Chair Baltay clarified that those are not necessarily single-story overlay neighborhoods.

Ms. Raybould confirmed he was correct. Only some of them are.

Vice Chair Baltay commented to his colleagues that brings up the inherent contradiction in Palo Alto that if the neighborhood wants to preserve single-story Eichler aesthetics, they can only get a single-story overlay if three quarters of the neighbors agree, which preserves that character of the neighborhood. There's been an enormous amount of conflict from neighborhoods that don't want to do that. As the City does the SB 9 regulations that's going to become more and more of an issue because there will be more density. The way it's being written is too restrictive and he suggests rather than saying Eichler tracks, use "single-story overlay neighborhoods". People who want to preserve the Eichler track should then create a single-story overlay to get that protection.

Boardmember Thompson inquired if Vice Chair Baltay's comments were related to Item 2.2A.

Vice Chair Baltay stated that it is, the first thing it says is Eichler track rooftops.

Boardmember Rosenberg stated 2.2C is what Vice Chair Baltay was referencing.

Vice Chair Baltay stated 2.2A also references "in Eichler tracks".

[crosstalk]

Ms. Foley commented there are several references to Eichler tracks so if they would like to address it is one single comment.

Boardmember Thompson replied she doesn't feel it can be addressed as one because there are some cases where it doesn't matter, it's not talking about a second story. There's one in regard to porches, and percentage of porches on a street and in an Eichler style building you wouldn't have a porch, you'd have a recessed courtyard at the entry and that can serve as a porch but that doesn't have anything to do with it being single-story necessarily.

Vice Chair Baltay stated his comment is more general than two stories. It's more for the many Eichler type homes who want to preserve that style. You can't gain more square footage without going vertical. A better approach would be to define more carefully what these neighborhoods are, either you can get a single-story overlay, or it could be made a historic district. If that architectural style is that important, let's make it historic and then baked into the SB 9 regulations there are protections for that.

Boardmember Thompson inquired about Eichler neighborhoods that do have second story additions. Some of them are very nicely done, very sensitive to the neighborhood and setback so they don't compromise the character of the style, and the eaves are in congruence with the building. She doesn't want to exclude Eichler homes that are doing second stories or that would have permit second stories in their neighborhoods.

Vice Chair Baltay suggested imagining those additions on lots that are half that size. It gets that much more difficult as it's already a design challenge to put a second story addition on an Eichler successfully. To now do it on a narrow lot, it's doubly difficult. What they are trying to set up standards that both allow these things but also make it easy and successful. If they bake into the rules for protections for Eichler style architecture, they are making it really difficult to develop them under SB 9.

Boardmember Thompson stated she wasn't sure she followed his point and requested clarification on if he was excluding Eichler homes in the standards and not give special attention to them.

Vice Chair Baltay stated that was correct. He believes they should give special attention to the buildings that have single-story overlay zoning which is an established thing, or buildings that are in historic districts which is already there and offered an example of if he has a 30 foot lot and he has to do an Eichler style building, and knew he was going to want to add a two story mass at some time, as an offset to that horizontal element, by way of a staircase or maybe a bedroom over the living room, that's not allowed under these type of guidelines because it's a two story mass.

Boardmember Thompson replied he would if it was less than 50% and it followed....

Vice Chair Baltay stated the other things overrule it.

Boardmember Thompson stated she believes that's a question mark.

Vice Chair Baltay responded that he was just pointing out that these are the kind of questions they are going to struggle with, and architects will struggle with them as they work through it. He's noticed that

the Eichler neighborhoods are doubly restrictive for new development that doesn't conform to that aesthetic.

Boardmember Rosenberg interjected that she'd like to address 2.2B and 2.2C, those two items tie back to previous conversations and being too restrictive about how tall the ceilings are allowed to be. As an example, 2.2B the height from finished floor to second floor shall not be more than 10 feet-6 inches, this is so dependent on the structure that's being used. Truss systems between floors, you might want a 24" truss system and then you're restricted to having an 8'6" first floor. Some of these are an inside issue. It's inside the house and doesn't affect the neighbor or the outside, all of the items that are inside the mass need to be scrapped.

Vice Chair Baltay reiterated they should just rely on the daylight plane.

Boardmember Rosenberg inquired if they would like to discuss parapet height as it relates to the daylight plane.

Vice Chair Baltay stated same comment.

Ms. Raybould inquired which one was the same comment.

Boardmember Rosenberg answered 2.2D. It should be scrapped and rely on the daylight plane, and imagine you want to put a parapet wall to hide a rooftop AC unit, as long as it's within the daylight plane, what does it matter if it's one foot above the roof plane or if it's three feet above the roof plane to hide that AC unit. This entire series of nitpicky little items is being very restrictive to already very restrictive items when there is a very straight forward solution which is respect the daylight plane. And then if we wanted to discuss which items can puncture the daylight plane, like maybe allow an exception for a chimney, maybe it's a TV antenna, or a dormer here or there. The over-arching guidelines for a lot of these items should be the daylight plane. Items 2.2B, and 2.2C shouldn't be there at all and 2.2D should refer to the daylight plane.

Vice Chair Baltay and Chair Hirsch agreed.

Boardmember Thompson continued with item 2.5 and the reference to the garage space not being allowed for Eichler homes.

Ms. Foley stated at minimum it would need to be a pop out, but it could also be the full width of the first story. So, it could be an 8 x 12 pop out.

Vice Chair Baltay stated that this seems to require it be a pop out.

Ms. Raybould stated that this was one of the items that was mentioned in Chair Hirsch's previous comments, and he gave a couple of visuals of projects that might not meet this.

Vice Chair Baltay inquired if that was coming out of the IR guidelines, he didn't recall seeing that kind of thing.

Boardmember Thompson confirmed the IR guideline is on the left.

Vice Chair Baltay read that the IR guideline says IF you have smaller volumes do them this way.

On item 2.5 it says you have to have that.

Boardmember Thompson stated it might be objective enough to say to locate smaller volumes in front of larger volumes because that's the guideline and it's pretty objective.

Boardmember Rosenberg agreed and requiring that sort of sizes, going back to Chair Hirsch's photos, the one with the cottage look with the very steep slopes, but the popout there was only two feet deep. To require an 8-foot depth with 12 feet, again, it's over restrictive. It's dictating the architecture in a way that it shouldn't be.

Chair Hirsch commented that in the general construction of objective standards, there's discussion about modulations of the front of buildings which really could satisfy something like this, such as a bay window as a popout, pushing the entry back; there's so many ways one could do something like this to modulate the front of a building to give it scale. To make this form a single-story form, it isn't helpful to an architect.

Vice Chair Baltay stated that was good advice, they should focus on some sort of stipulation regarding required modulation, it will be more successful.

Ms. Foley appreciated the comments and made note of them and objective standard 4.1A may refer to the kind of idea that the Board is referring to, where it requires either a large window as a focal point, or some type of roofed or trellis area.

The ARB was good with 4.1A.

Boardmember Thompson continued with 2.6 regarding unused attic spaces shall not exceed 5 feet in height and 2.6B says no exterior wall shall exceed 22 feet in height as measured from existing grade to eave of parapet portions of wall were two other questions for her. She thought it might be dictated by zoning but then saw the IR guideline was avoiding tall wall heights and large unused attic spaces.

Boardmember Rosenberg also requested clarification of the difference between an unused attic space and a used attic and if putting mechanical equipment in the attic would then qualify it as a used attic space.

Ms. Raybould commented that is a good question and explained that the way staff has defined it previously is more if it counts to floor area. If you have a steep type of roof, just by the form you end up having attic space. As long as it's less than 5 feet in height, staff does not count it, in historic buildings they don't count it regardless. Staff has differentiated between unused and used by if it has a permanent stairwell into the space and if it has windows. They've used the modifiers to help them understand if it's going to be used as a room or just extra space because they happen to have a roof form that created the space.

Boardmember Chen inquired if it matters if the space is conditioned or not conditioned.

Ms. Raybould stated that if it has a permanent staircase leading into the space, staff counts it towards floor area and count it as used whether it is conditioned or not conditioned and the reasoning for that is often people would create it not conditioned and then come back later and condition it.

Boardmember Rosenberg stated this is something they run into often on different projects and different cities all have slightly different rules and regulations and her frustration has always been people love to put up HVAC units in the attic, and sometimes they are taller than five feet. Then you have to lay it on its side, and it functions better vertically. She understands the intent, however, she finds them exceedingly frustrating. There are better ways to regulate it.

Vice Chair Baltay added ... it's the daylight plane. The trick would be to raise the ceiling inside, and that's done all the time.

Boardmember Rosenberg stated there are additional costs in meeting the requirements and not affecting the outside roof plane. She doesn't have anything specific regarding SB 9 projects, it's just a general frustration she has.

Boardmember Thompson stated she finds 2.6B confusing. It sounds like it would be dictated by zoning, however if the intent is to avoid tall wall heights....

Boardmember Rosenberg interjected that also goes back to daylight plane.

Boardmember Thompson stated tall wall heights is just saying you can't have a plane that goes from floor to roof.

Boardmember Rosenberg drew an example on the screen and understands why its there. If you're trying to create a vertical mass, but she's not sure if it's covered by zoning.

Boardmember Thompson stated it depends on the architectural style.

Vice Chair Baltay agreed.

Chair Hirsch agreed and he wondered if a certain percent of the house could be above the daylight plane.

Boardmember Thompson added, or a certain percentage of the entire allowable height as part of the façade could take up the building so that the building is not at 100% at the max zoning. Maybe it's something like 50% of the exterior wall height or less can go to the roof.

Chair Hirsch commented that he notices the houses that are very vertical in shape and frequently they are on the driveway side of the building so the impact on a neighbor isn't significant at all, particularly if the rest of the house steps down.

Boardmember Thompson stated she needs to leave the meeting and wanted to say that there are four more sections she would like people to take a closer look at, which are 3.3, 4.3, 4.5 and 5.2D, and she will leave the hard copy here if that's helpful to the group.

Boardmember Rosenberg inquired if the Board would like to pause this item since it is an ongoing conversation and Boardmember Thompson has to leave. They can continue with the other points at the next available meeting. There is no urgency, they aren't trying to hit the May 15th deadline.

Chair Hirsch agreed he thinks it's better to wait.

Boardmember Thompson stated she's open if that's what the other Boardmembers would like to do. She doesn't want to hold anything up.

Boardmember Rosenberg stated since there is no urgency, her preference is to have everyone available, giving their full and complete input. It's very illuminating.

Boardmember Thompson inquired if that's okay with staff.

Ms. Raybould commented that she believes that's fine, the only thing she would note is that they don't fore see it coming back to the ARB before July, based on a number of items, but there is no specific urgency.

Boardmember Thompson summarized they did make it through item 2. They can start at 3. Maybe they could just do a segment at each meeting!

Ms. Raybould requested they make a motion to continue. She doesn't know if it's required.

Chair Hirsch stated it's a study session so it's not required and added that for the record he will not be available for the second meeting in July.

Vice Chair Baltay stated he thinks they should move to continue this item to a date certain, so they have it Agendized and requested that Ms. Raybould suggest a date.

Boardmember Thompson stated she will now be present for the meeting on June 15.

Boardmember Rosenberg also requested from staff that when the package comes up again, they get the full list again.

Boardmember Thompson requested diagrams as well if it suits everyone.

Ms. Raybould stated the best option based on scheduled absences and holidays would be August 3. May and June are booked solid. Sometimes something gets pulled, they could be more flexible. It would be more helpful if they could leave it as a date uncertain.

MOTION: Vice Chair Baltay moved, Boardmember Rosenberg seconded, to continue the item to a date certain of May 18.

VOTE: 5-0-0-0

Ms. Raybould requested if they could consider reappointing someone for the Ad-hoc committee portion.

Boardmember Thompson nominated Vice Chair Baltay.

Chair Hirsch stated Vice Chair Baltay is busy, he will do it.

Boardmember Rosenberg commented that the ad-hoc committee portion has people patiently waiting for the meeting to end and suggested they pause the meeting to take care of them and then reconvene to continue the ARB Agenda.

THE ARB RECESSED FOR A 10 MINUTE BREAK

MOTION: Vice Chair Baltay moved, Boardmember Rosenberg seconded, that the meeting continued at a time certain of 12:20 p.m.

VOTE: 4-0-0-1 (Boardmember Thompson Absent)

5. Ad Hoc Committee Report: Objective Standards Phase 2 for Townhomes

[video resumed with meeting in progress]

Ms. Raybould stated they could put it up on screen and add it to the website. They also have it available in back of the Chambers.

Chair Hirsch commented that he feels this is still raw, and the way they conducted the study for this item was significant. They spent a lot of time looking at Sterling Court, East Meadow, JCC, Arbor Real, Alma Village, Oak Court, Menlo, San Mateo, Foster City in the Redwood area, Dublin, Livermore, Mountainview and a number of others. He recommends as they move forward with townhomes since the entire Board requested that they prioritize it, the Boardmembers take a trip and look at some of those mentioned. Some aren't far, and recommended Arbor Real in particular and Alma Village. JCC and Oak Court are different types of construction, but the architecture is very interesting in both.

Chair Hirsch and Boardmember Chen alternated reading through the suggestion from their ad-hoc committee for the Revised regulations for townhomes – objective zoning, which can be found [here](#).

Vice Chair Baltay commented that his experience is every townhomes vary on item three: No more than 3 attached Townhomes within a cluster of 5 units or 4 in a cluster of 6 units can repeat the same elevation, window format, surface pattern and cornice height. The maximum number of attached units with common walls shall not exceed 7 units.

Chair Hirsch stated on the Fry site they were all the same.

Boardmember Rosenberg stated it's important to note because often townhomes are identical. She believed that diagrams would also be helpful for this item.

Boardmember Chen suggested staff bring up some of the images from the other presentation, they could use some of those for examples.

Chair Hirsch explained that later they will find they requested end units require something different all together, in the earlier items they were mostly talking about the middle units.

Vice Chair Baltay requested clarification on differentiation between the middle units or just the middle units from the end units.

Chair Hirsch stated the middle ones themselves would need variation between them, then stated he saw Vice Chair Baltay's point with a cluster of 5 units and explained the example on the screen.

Vice Chair Baltay stated he needs a better definition of variation for item 3 to work.

Chair Hirsch clarified that in a cluster of 5 units, the three middle could repeat, with a change in roofline, as that's an extra improvement.

Vice Chair Baltay stated the example on screen is successful and the regulation should be reworded.

Chair Hirsch agreed.

Vice Chair Baltay stated the question will come up that if you regulate the two end units being different by requirement, then what's the point of the added regulation.

Boardmember Rosenberg stated she prefers a bit more modulation than what is being shown on the screen. The center units have repetitive white and windows. She understands the windows being the same, but she would like to see more variation in materiality.

Vice Chair Baltay and Chair Hirsch felt it met the minimum standards.

Boardmember Rosenberg asked if it was a group of four units, would it change their opinion. It would be very repetitive. In three units its likely ok, but if you add a fourth unit it changes the appearance to look large and repetitive. If they require variation on the end units, at least one of the internal units should also be different. There should be no more than two side by side units that are similar. It breaks it up more.

Vice Chair Baltay suggested it might be helpful to come up with a better definition of what qualifies as variation. There are half a dozen different items that could qualify. Stipulate a certain number of variance required, and then they could pick from the of the number of options that qualify as variation. The floor plan would still be the same, but the materiality of the exterior would be varied.

Boardmember Chen stated number 4 covers that and continued with the list.

Boardmember Rosenberg inquired regarding item 4F, why require the four-foot minimum if you also allow a Juliet-balcony, why have a minimum size at all.

Vice Chair Baltay answered that a Juliet-balcony has no physical space at all and commented that the intent behind items 3 and 4 makes a lot of sense and is very important. Another way to handle it would be to define a list of elements that can be varied, such as A-F on item No. 4, you could add to that list window fenestration pattern, size, scale, proportion, roof forms, building materials, and then various units should be differentiated from each other and on any run of units, no more than two units can be the same. It gives the design more flexibility and then provide staff with what they meant by variation by way of a check list.

Boardmember Rosenberg stated that's a great idea. She supports that method.

Chair Hirsch stated he was trying to follow a similar format to the objective standards and continued with item 5. Alma Village was the one with stucco. The actual part of the Alma project that faces the street is the parking side. He found that interesting, it's an internal street in the development and they treated it very simply with a broad color in stucco. It was all one color, but the form was dominant. He suggested they defer until they can get a photo.

Chair Hirsch continued on Item 6: Townhomes located on major streets or boulevards or facing two streets can exceed the RM 30 height requirements by a full story or partial story but cannot exceed the 50-foot height limitation. Emphasis on increasing the importance of the street is achieved by selecting two or more of the following: a) Increase the scale of the entry area and doorway b) Increase the window dimensions and their surrounds and the cornice dimension c) Provide the front areaway within the property with a defined structure that separates it from the sidewalk and the neighboring home d)

Increase the height of the building by a full story or a partial story consistently on all units or at end units or in a consistent repeating pattern of units.

Ms. Raybould commented that RM 30 has a height limitation of 40-foot height limitation.

Vice Chair Baltay inquired if the standards could change the zoning code.

Ms. Gerhardt replied no, they cannot. What can be done is a DEE process, where they do allow the tower elements. They do also have the mini variances process that is still uncharted territory.

Vice Chair Baltay inquired if they found any that were taller than 35 feet.

Boardmember Chen stated the questioned the JCC project because it had the podium for the garage below and the unit was above the garage.

Vice Chair Baltay inquired if there are single family townhomes that have stair allowances for third floors, and inquired if there was code that allowed for a fourth story.

Ms. Raybould stated that Fire requires some portion of the roof come down to twenty-seven feet with a certain slope from there and there can't be many steps up from that.

Chair Hirsch said it would be useful, but they could limit it as Ms. Gerhardt had said, and maybe the end unit had a feature with a raised area on the top floor.

Boardmember Chen commented that it doesn't have to be an end unit, it could also be a corner unit. The Arbor project was "L" shaped and the corner unit facing both streets was taller.

Boardmember Chen continued with Item 7: All Townhomes projects on all sites greater than 2 acres must have one street of the longest dimension with a sidewalk and street trees. The intent was to make the property more pedestrian friendly and provide more opportunities for landscaping.

Vice Chair Baltay inquired about the interpretation of street of the longest dimension.

Boardmember Chen stated if there is a rectangular shape on the side, there is a longer street frontage and then a shorter one.

[TIMESTAMP: 4:29:55 Speaker did not have their mic on]

Chair Hirsch replied this is one of the things in the Mountainview project they found, it's a new thing.

Vice Chair Baltay suggested it might make sense to require all streets to have a sidewalk with trees.

Boardmember Rosenberg agreed.

Ms. Raybould inquired about all streets because streets that have vehicular access to the garages would be difficult to make that requirement.

Boardmember Rosenberg stated they could make a refinement by saying the longest pedestrian facing should have sidewalks and street trees, or where the porches and front doors are located. It should be required on every front face of every townhome project. It's one of the joys of the Brownstone district. It makes it very desirable and very walkable and pedestrian friendly.

Boardmember Chen stated Alma could be used as an example as it has one end side that faces the garages.

Staff found and displayed a picture for item 5 and massing variation.

Chair Hirsch stated it's all stucco and has been around for a while and it's still in good shape. The windows are all defined, and the form work is interesting with variation on some of the projections with multiple color variations.

Vice Chair Baltay commented that the multiple color section of Item 5 should be part of the acceptable ways of doing variation. Color is one tool that can be used to get variation between the units.

Chair Hirsch agreed and confirmed that Item 5 should go into Item 4.

Vice Chair Baltay stated the colors in some percentage to the way it's being written, color variation of at least 70% if it's trim or something like that.

Regarding the street discussion in Item 7, what they are really trying to do is have a pedestrian pathway into the entrance of each unit that is landscaped and distinct from the vehicular access.

Chair Hirsch stated Sterling court has a linear passage, so you get into two house from one area. Each house had a garage in the front and because they were separated each side had a tree because there's a sidewalk.

Boardmember Rosenberg stated that she believes the intent with Item 7 is that every pedestrian facing sidewalk long or short should have a sidewalk and street trees.

Chair Hirsch agreed, it is that simple.

[crosstalk]

Ms. Raybould noted that Item 8 was discussed pretty extensively at the last meeting. There is already a standard in the objective standards.

Vice Chair Baltay inquired what that standard is.

Ms. Raybould responded if it's more than one acre they have to have two prototypes if it's more than three acres you have to have three separate prototypes.

Boardmember Chen stated at one of the previous meetings Ms. Gerhardt provided a pretty clear definition on what the typology means, and she listed three different types of typology, and explained their intent was to prevent developers from cutting the units short by a unit and still consider the typology of the one missing.

Ms. Gerhardt commented when they are talking about wholly different unit types such as a condo versus a townhouse, that's already in the code.

Chair Hirsch replied no that's not what they were talking about and inquired about Sterling Court.

Ms. Gerhardt explained that Sterling Court has attached townhome, detached townhomes and possibly condos. It has very different housing types, but she was able to get that into the objective standards that are currently written.

Vice Chair Baltay asked if that standard is relative to the size of the development.

Ms. Gerhardt replied that was correct. It's different unit type but the exterior is going to look different.

Ms. Raybould stated the objective standards currently states: A diversity of housing types such as detached units, attached rowhouse townhomes, condominiums or apartments, and mixed use are required on large lots. Less than one acre is a minimum of one housing type, one to two acres is a minimum, or two housing types or more than two acres is a minimum of three housing types.

Vice Chair Baltay stated that's not referring to architectural type specifically and he could support that, it's already baked into code; and inquired how Item 8 is different than what Ms. Raybould read.

Ms. Raybould stated that she's not sure it is and that was her point.

Chair Hirsch commented that maybe they need to talk about the aesthetics of it. The first part of the item could be exactly what's in the code already, and then they should say in which they should be integrated in looks.

Vice Chair Baltay commented they talked a bit about items 3 and 4 with regards to variations between the units. Those are architectural design things they are looking for and inquired if that couldn't apply across the board with housing type, and if so, it may accomplish that goal.

Chair Hirsch stated that wording could be added, it applies to all housing types.

Vice Chair Baltay the housing type is not a design variation, rather a use variation that are regulated by zoning codes.

Ms. Raybould stated the objective standards already have a lot of very specific requirements and they're related to typology. It could certainly apply to townhomes the way it is currently written in the code, but these additional things may add more clarity to what's expected of townhomes.

Boardmember Chen continued with Item 9: Pedestrian paths on the side of housing clusters that connect the front to the rear and located between the townhome clusters where the unit entry is on the opposite side must be a minimum of 12 feet wide with a minimum 4-foot sidewalk and the adjacent areas fully landscaped. Bay windows of 2-foot projections may penetrate this area as long as no windows directly face each other across its width.

Vice Chair Baltay requested going to Item 10 as well since they seem related.

Boardmember Chen read Item 10: All major, general public pedestrian passages between clusters must be a minimum of 16 feet wide. A minimum 4 feet perimeter of planting areas and pedestrian amenities such as seating areas must be incorporated in the design and are required throughout the pedestrian way. Such amenities can include bicycle racks or other mobility devices.

Chair Hirsch stated when you have a public passage which is different from a private passage.

Boardmember Rosenberg stated this feels like paseo widths and when they talk about the long edge and the short edge, and she has zero issues with it being clear for a major pedestrian pathway and then a minor pathway. Her minor comment is that number 9 states a minimum 4-foot sidewalk and number 10 doesn't designate a minimum sidewalk, she would assume that on Item 10 they might want to go a little bit wider. If there is a sidewalk instead of a big paved area, maybe a minimum of six feet would make more sense.

Ms. Raybould inquired what is meant by public because these are private sights that aren't necessarily designating areas on their site as public and asked if public is meant to be more a shared pathway between different townhomes.

Chair Hirsch stated it was meant to go east to west on Fry's where there's a connection to the public street for people to walk from the public building to the project.

Ms. Raybould stated those are not public streets.

Chair Hirsch stated they are designated as private areas.

Boardmember Rosenberg clarified that because these townhomes are considered private areas, they are talking about anywhere that anyone in the townhomes can use, but the intent is not to create a public park.

Ms. Raybould clarified her question was the areas that may have a public easement over it versus being a shared public pathway, for example the shared pathway that goes down the Fry's site, which is part of an open common space.

Boardmember Rosenberg stated maybe the word common is better than using the word private.

Chair Hirsch stated he was good with that.

Ms. Raybould commented that she would note that the question is coming up in the current standards that references public, and staff is interpreting it to mean communal.

Vice Chair Baltay commented he believes Items 9 and 10 make a lot of sense and are very important, he doesn't believe the dimensions are big enough and what they may want to do is regulate at a high level the distance between the buildings. When you have two rows of townhomes facing each other the question is really how far apart they have to be. Usually, the walkways are at the ends of the units.

Chair Hirsch recommended they look at the Alma project for retrospect, he believes those were a 12-foot dimension, but he's not sure.

Boardmember Chen commented that Item 9 is more between the two end units corridor where you go from the front to the rear.

Vice Chair Baltay inquired if they could just say that there are two types of outdoor communal pathways, ones between the ends of units and ones between the lengths of units, and then define the distances or the landscaping treatment between them.

Boardmember Rosenberg commented she would persuade that there are minor thoroughfares and major thoroughfares. The long extensive ones are wider, more plantings and the minor ones still need plantings but could be shorter in width.

Vice Chair Baltay questioned how they would define that objectively.

Boardmember Rosenberg said it goes back to the long streetside that was mentioned in one of the objective standards. The longer the thoroughfare, the wider it needs to be.

Chair Hirsch stated then 16 feet is minimal and needs to be more.

Boardmember Rosenberg suggested the minor thoroughfare should be a minimum of 16 feet wide and the major thoroughfare should be the width of one of the down homes, maybe 25 feet.

Chair Hirsch commented that this raises the issue of how long to string these things together as well.

Ms. Raybould commented that she's trying to imagine current projects; one has the building at the front with four frontages facing the sidewalk and then the ends of units on the other side. It would be hard on some of the smaller sites to have that 25-foot width and she would note that where there are two buildings running a full length, that common space between might be different than where you had the full length of the building with a couple of end units and there's some open area because that's where the cul-de-sac comes in, it still provides a more open type of design. Some of the projects coming in now are smaller sites.

Boardmember Rosenberg commented they do need to take into consideration there are streets and what they are talking about are just pedestrian only walk throughs. She would possibly be okay with dropping the minor to 12 feet and the major thoroughfare to 16 minimum feet, possibly 20.

Ms. Raybould suggested maybe if it's intended to be their main common area, it could be wider.

Chair Hirsch stated common areas are entirely different.

Vice Chair Baltay stated the space between the units is going to be a common area, that's an important function of it. It's important to have the space between the areas as not just a pathway but a communal area. His rule of thumb is the space should be as wide as the building is tall.

Boardmember Rosenberg stated she would argue that the length of the pathways should matter as well. The width should be dependent on how long the pathway is.

Chair Hirsch added, or if it comes to a plaza or crossing path, it should become much larger.

Vice Chair Baltay suggested making a regulation that it has to be made as wide as the building is tall. That's very clear.

Boardmember Rosenberg stated she would argue again, if it's a short path, there isn't a need for it to be as pronounced.

Vice Chair Baltay agreed and stated they really ought to define the space between units that are facing each other, the sides with entry doors. Every townhouse development has it, there must be a way to define that. If you make it as wide as the building is tall it gives the developer some flexibility rather than

stipulating a specific size. It could be hard to regulate because they would have to define the height of the building at the edge of the paseo, and he questioned if that was something they could require.

Ms. Gerhardt responded yes, they could say a building that is twenty feet tall needs the paseo to be thirty feet wide, but it sounded like if the top floor was set back by a specific amount, then only the front wall would be measured.

Ms. Raybould asked if this is intended only when the frontages face each other.

Vice Chair Baltay answered yes. The idea would be when you have two strings of townhomes adjacent to each other, it's the space between the narrow edge of each unit. They would need to find a way to define that. Possibly add a definition of a major and minor access. A major would be the length between the frontages, a minor would be between the ends of units, or any other secondary pedestrian access.

[crosstalk]

Ms. Gerhardt suggested they work off of the front door. If two front doors are facing each other they would have this requirement.

Vice Chair Baltay stated almost always townhomes are rectangular shaped and in a row.

Ms. Raybould disagreed in that there are several projects going through that do not have that. They are always going to have the vehicular access will always be facing each other because they are trying to have one street that serves parking. They need to consider the smaller projects in which the parking faces each other, and the frontages face the other way.

Chair Hirsch stated Alma Court is that way and they have the main street with parking and then they had the really narrow corridor that leads to the front stoop area.

Vice Chair Baltay stated not all developments will have a major access. His idea of a major access is when you have two rows of units with the pedestrian entrances facing each other. If they don't have the situation, then the regulation doesn't apply. It can be stated as such.

Chair Hirsch agreed with that.

Boardmember Rosenberg agreed with that.

Chair Hirsch continued with Item 12: A Cul-de-Sac arrangement of parking entries between clusters is permitted. Vehicles in such a parking scheme cannot cross a pedestrian path that provides access to the unit entries on the opposite side or connects to another series of units with garages across an intervening pedestrian path. There are two different kinds of cul-de-sacs.

Ms. Raybould noted that a lot of developers are having the type of cul-de-sac arrangements as seen on the screen, but it is undesirable from a planning perspective because it can't be serviced for trash.

Chair Hirsch stated in the case of the building shown Arbor Real, they take the garbage to the main street. There are trees and landscaping. It's a successful project, however he agrees with the area between the frontal facing units should be wider. The cul-de-sacs work very well. It's worth the trip to look at the project.

Chair Hirsch continued with Item 11: Tandem parking is permitted for a maximum of 50% of the units but must be equally distributed between the clusters.

Ms. Raybould stated this was another item that had a significant discussion at the last meeting and wasn't sure if they needed to go over it again.

Chair Hirsch questioned if they got the 50% part correct.

Boardmember Chen thought they got it down to 40%.

Chair Hirsch stated the Summerhill project uses tandem parking and it works quite well.

Vice Chair Baltay argued that Summerhill was not very dense and wasn't built for profit.

Vice Chair Baltay commented he could support Item 11 and 50% seemed like a good amount.

Boardmember Rosenberg agreed and said that the Summerhill image tied in well with number 13: All Townhome projects 30 units or greater must provide centrally located common green spaces.

Vice Chair Baltay stated it works well for him. He isn't sure if the numbers are correct but the concept behind it is good.

Boardmember Chen continued with Item 14: The design of the Townhome project must integrate its internal pedestrian, bike, and vehicular system with the surrounding areas in order to maintain the connectivity and continuity.

Boardmember Rosenberg inquired if they go into one driving area, could they maneuver around the townhomes but can't get through to the other side and if the goal is that they can get through to the other side. Sometimes there's one entry and exit for vehicular access into townhomes.

Chair Hirsch stated the intent was so they could travel the whole project. Arbor Real was a good example of that one, or Alma.

Boardmember Rosenberg added she doesn't understand why Items 14 and 15 are separated and requested more clarification between the two.

Vice Chair Baltay commented connectivity for bicycles isn't something that is regulated, it's something that has to be done otherwise the units can't be accessed and believes what Chair Hirsch is looking for is the quality of the connection.

Chair Hirsch commented he's like to refer to the Bayshore project. It's connected to the pike path and the park. He had those types of connections in mind for Items 14 and 15.

Vice Chair Baltay agreed, and asked how that requirement would be objectified and suggested for projects of a certain size, there needs to be more than one entrance and exit point from the project. There should be multiple ways to get to parking, or the bike path or the park. There may only be a need for one vehicular outlet but there should be multiple pedestrian access points based on the size of the property.

Boardmember Rosenberg agreed there was a project last year that had only one small entrance and exit and it was built right next to Greer Park. The ARB argued they wanted more than one access and it ended

up being a sticky point. There should be, to Vice Chair Baltay's point, multiple non vehicular access points so the communities aren't gated with only one access point.

Vice Chair Baltay commented that will be difficult to regulate. Possibly for event unit there will be at least one, possibly two access points on each side that fronts public property or has a public right of way.

Boardmember Chen inquired if they should separate the vehicular access from the pedestrian access items, those two are different.

Boardmember Rosenberg agreed.

Chair Hirsch agreed.

Vice Chair Baltay commented he would be inclined to not regulate the vehicular access points. Good design has more access points. Whether it's pedestrian or vehicular, would likely depend upon the design. If they were to say that every project should have at least two ways to get into it from a public right of way that people could either walk or drive into the property and for each addition side of the property that faces a public right of way, you have to another public access point.

Boardmember Rosenberg commented that's where she would separate them. There has to be a minimum of one vehicular ingress and egress with a minimum of two pedestrians.

Chair Hirsch wasn't sold on there being only one vehicular access point.

Boardmember Rosenberg commented she wasn't sure they needed to regulate that as it would be more site specific. The goal of the ingress and egress is to connect the property to the areas around it. They don't want to end up with the small communities that are gated off from everything around them.

Vice Chair Baltay stated he didn't understand Item 16: Orientation of clusters to provide adequate natural light.

Chair Hirsch commented it's not specific and applies to dimensions that they've been discussing between townhomes.

Boardmember Chen agreed it's not objective. If Item 10 is updated to say the width between the buildings should be the height of the buildings, Item 16 could be removed.

All Boardmembers agreed.

Boardmember Chen stated it's almost 2 p.m. and she needed to leave soon.

Boardmember Rosenberg suggested reading the last four items and they could think about them.

Boardmember Chen read the last four items:

Item 17: Required setback dimension of units from the public street and sidewalk to the building footprint. Description of the required planting, width of the required pathway and separation and privacy of adjacent entries.

Vice Chair Baltay stated they already have that in the objective standards.

Item 18: Regulations for the inclusion of a specific location and number of parking spaces for guests and maintenance worker parking with limitations on the distance or convenience to all townhome units. This ruling recognizes that this type of development is much denser than other single family residential zones.

Chair Hirsch stated he felt they should give specific percentages and there should be a minimum dimension of X from any given unit within the development.

Vice Chair Baltay agreed, there isn't a regulation for that and there needs to be.

Ms. Raybould stated staff would take some concern with that because it was in the zoning code as 10% and City Council very specifically removed it to allow for housing projects.

Vice Chair Baltay suggested that be one of the things they discuss with City Council, so they understand the ARB's concerns about it. He believes Item 18 should be listed on the ARB's document.

Item 19: Regulations for privacy such as distances from window to window or required offsets.

Chair Hirsch stated they already have that.

Vice Chair Baltay stated they do however, it was designed for larger buildings. It would be really cumbersome for townhomes.

Chair Hirsch agreed.

Boardmember Rosenberg this also is in regard to the distances from one window to another window. With the coverage of the paseo, that handles it.

Vice Chair Baltay stated he felt this was overregulation.

Chair Hirsch stated JCC property was in mind with this one.

Boardmember Rosenberg stated they could encourage developers to angle windows or have shading devices. They can't regulate placement of windows.

Ms. Raybould added that was a huge discussion point with Sobrato, with the total width of the building and meeting building code requirements for safety egress it gave them almost no flexibility with window placement.

Item 20: Garbage collection and delivery/loading area should be designed to allow the vehicle to enter and exit safely, ideally without having to back up.

Vice Chair Baltay inquired if there are existing standards regarding garbage collection and service for townhomes.

Ms. Raybould stated there is a zero-waste division and under Title 5 of the code there are set requirements. The City works with Green Waste who hauls the waste.

Vice Chair Baltay inquired if the objective standards referenced those requirements would that suffice.

Ms. Raybould agreed she believed so. This goes along with Item 12. They don't want to encourage cul-de-sacs, but if they are adding that, they have to have some sort of trash enclosure to accommodate for how that trash will be picked up.

Vice Chair Baltay suggested they wrap this item up and the subcommittee take the comments and draft another list like this that is a little tighter. He does not believe the ARB should ask staff to get involved with that.

Chair Hirsch asked staff where this would go in the zoning and how it would be incorporated.

Ms. Gerhardt stated they did a work plan that will be taken up before Council and explain how important this is and they can direct staff accordingly. Once the work plan is approved by Council, staff can work on incorporating it into code.

Ms. Raybould stated making code change requests require taking it before the Planning Commission prior taking it up with City Council. The work plan will be going before Council in June. That does not require going before PTC.

Vice Chair Baltay stated he would like the document to be cleaned up and made tighter prior to the work plan going before Council. There's been a lot of work done on it, he would like it to be clean.

Boardmember Rosenberg thanked the subcommittee, it was an incredible amount of work put into the document.

Approval of Minutes

6. Draft Architectural Review Board Meeting Minutes for March 16, 2023.

MOTION: Boardmember Rosenberg moved, seconded by Boardmember Chen , to approve the meeting minutes for March 6, 2023, as amended.

VOTE: 3-0-1-1 (Boardmember Baltay abstained, Boardmember Thompson absent)

Boardmember Questions, Comments or Announcements

None

Adjournment

Chair Hirsch adjourned the meeting.