



ARCHITECTURAL REVIEW BOARD
MINUTES: November 16, 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 8:34 a.m.

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

Absent:

Oral Communications

None

Agenda Changes, Additions and Deletions

Senior Planner and Architectural Review Board (ARB) Liaison Claire Raybould indicated 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 and Architectural Review Board (ARB) Liaison Claire Raybould reported there will be two regular scheduled meetings in December and the January 4, 2024 meeting will be cancelled. They are pushing out the North Ventura Coordinated Area Plan (NVCAP) to a date uncertain due to long ranger planning staff beginning in early December, the hope is to pick that back up with the addition of staff. There will be a preliminary architectural review for 70 Encina next to Town and Country on the December 7 meeting and December 21 has scheduled 824 San Antonio Road for an assisted living project. There are a few projects in the works for staff, one being 660 University Avenue, which may also come forward. There are no new pending projects other than 70 Encina.

Chair Baltay inquired about an ARB retreat in early January.

Ms. Raybould answered she was still waiting for Board confirmation from all members and looking to hold the retreat on January 11, 2024.

Chair Baltay confirmed they had all received notification to put that date on their calendars.

Study Session

2. STUDY SESSION: Summary of Focus Group Review and Feedback on the Existing Senate Bill (SB) 9 Standards

Chair Baltay requested that staff provide an overview summary and suggested the Board then go through Appendix B line by line to provide the feedback staff is requesting, which could then lead them into Appendix A. He would like to set a timer for comments to that they can complete the list during the meeting.

Chief Planning Official Amy French introduced the item and provided a summary recap of the inception of SB 9 objective design guidelines with an interim ordinance. During that time staff were instructed to work on a permanent ordinance with the Planning and Transportation Commission (PTC) and with the ARB to develop objective design standards. In addition, requested staff to see which of the Eichler standards could be used for the objective standards. Recently Council replaced the interim ordinances with a section in Title 18 with a couple things to note, applicants whose projects that do not meet all of the objective design standards can still be processed through an Individual Review (IR) for new two-story homes or second floor additions, and neither the ARB nor the PTC has any role in the SB 9 projects themselves for developments or lot splits. Those are processed ministerially as building permit increments only. Attachment B has the draft revisions based on the IR guidelines, and have been reordered based on project components, in an attempt to make them more user friendly based on the type of project that is proposed. Attachment A shows the side by side comparison of existing standards vs. proposed versions. The staff report also shows the standards that were recommended for deletion based on the focus group feedback from the three meetings already held. Staff requested a review by their consulting architect Arnold Mammarella who is attending this meeting and will be available for questions. Emily Kallas is the presiding staff member for the project and the staff member who processes the SB 9 applications. Staff's plan is to return to City Council with a resolution most likely in January.

Planner Emily Kallas explained that the standards have been reorganized. Previously they had been ordered based on the Individual Review guidelines due to the SB 9 Objective Standards needed to be based on existing standards subjective regulations so they could be made objective. They have now been reorganized by both category and which part of the building the standards are regulating. Section A applies to all SB 9 projects and generally starts at the higher level of site planning, garage design, roofs, focal points, windows, etc. Section B applies to two-story homes, two-story homes adjacent to one story homes; this applicability was not changed, only clarified as part of the adopted Objective Standards. Section C applies to large lots, with the intent that certain rules apply differently based on the size of the lots. Section D calls out the SB 9 standards that apply to existing substandard lot in which second stories are not allowed. Section E are the standards that apply specifically to Eichler guidelines in Eichler neighborhoods. The modifications were limited as they also were already adopted as part of the Objective Design Standards, they are more easily called out with the reorganization.

Chair Baltay provided a brief background about Mr. Arnold Mammarella and his role in the Individual Review process for the City and expressed an interest in seeing his recommendations.

Mr. Arnold Mammarella explained he focused on how closely the changes would mirror the standards in the IR guidelines, which apply to two-story homes and second story additions in Palo Alto, and often contextual based in terms of design of neighborhoods and neighbors as it pertains to the location of the

property. As lots get smaller it becomes more difficult to build to standards, particularly when adding multiple units, IR guidelines don't necessarily pertain to lot subdivisions. His concern is that, while some of the changes made it more simple and easier to build, they also make it less likely to not end up with a big box house next to a single story house. He felt they stripped out a little too much content from where it was with the crosswalk.

Chair Baltay requested Mr. Mammarella stay on the line and be included in the discussion regarding the changes presented by staff and noted that his first point of reference included questioning the definition of a large lot. Chair Baltay asked Mr. Mammarella to explain.

Mr. Mammarella stated that when he looked at the definition included in the standards, it indicated large lots as 5,000 or more square feet (sf), and then it listed a single family parcel as 10,000 sf prior to a lot split. You can split a lot and not get equal lots. If a lot is smaller than 10,000 sf, you may end up with a lot that is more than 5,000 sf and one that is less. The next point is if they want the difference to be 5,000 or more, or 5,000 sf. How that is worded could make a difference between a large lot category or a small lot category.

Ms. Kallas agreed they should be consistent about saying 5,000 sf or more, and explained it was a typological issue on her part and confirmed that will be cleaned up. With respect to the intent, although the lot would not need to be split equally, that also means that the rules would not need to be applied equally.

Chair Baltay stated he thought that the guidelines applied to a project in its entirety and questioned how that would not be the case in the instance of a non-equal lot split.

Ms. Kallas explained that the way the building permit process is structured, each building (or house) would be on it's own building permit, so they are reviewed separately even though they run tandem. She also agreed that if it were more than four standards, that could be unwieldy.

Vice Chair Rosenberg inquired if the language is being cleaned up because everything above 5,000 sf is large.

Ms. Kallas answered this is just part of the local objective standards, it is not part of the State Law. The minimum lot size for doing an urban lot split under the State law is 3,200 something, she would look up the actual number. In practice the majority of the projects showing interest in pursuing SB 9 have been very large lots. The designs that manifest from splitting very large lots versus building multiple units on a smaller lot are very different in terms of design, sight planning, topology, et cetera. The changes here reflect that.

Mr. Mammarella stated it does change the standard as the guidelines will now not apply to smaller lots, additionally for better clarification of where a 5,000 sf lot applies within the guidelines.

Boardmember Adcock commented that note about this means a single family lot prior to a lot split worth 10,000 or large seems unnecessary and requested clarification that C1. – C4. would only apply to the larger lots.

Ms. Kallas confirmed yes, C1-C4 only applies to larger lots.

Mr. Mammarella pointed out the most substantial change would be in C4, and if it applied to lots smaller than 5,000 sf.

Chair Baltay inquired if there is a second floor size limitation for lots less than 5,000 sf.

Ms. Kallas explained that this update would remove that, there is currently the same 35% limitation for the smaller lots. Through the focus group it was brought up that there was a desire to be able to guarantee there will be two bedrooms and a bathroom on the second floor. Staff felt that was reasonable and limiting the sf to 30 or 35% because it was 31 adjacent to one story houses, which has also been added. Staff often apply this to IR projects, particularly when they are on larger lots and a larger house. The intent was to keep it for the larger lots, with the understanding that it would be overly restrictive for smaller lots with smaller development.

Chair Baltay suggested they eliminate the specificity of 10,000 sf and define a larger lot as 5,000 or more sf, and questions if 5,000 should be considered a large lot.

Several people questioned again the verbiage and cut-off of 5,000 sf.

Ms. Kallas commented that from an implementation perspective it would be cleaner to say 5,000 sf or larger.

All Board members agreed.

Chair Baltay stated that would be included in their recommendation and started the process of going through the items in Attachment B.

Items A1 and A2 found no ARB comments.

Boardmember Chen inquired if Item A3: Contextual Porch Entries was going to be handled in the same way as Contextual garage placement for IR guidelines that exclude corner lots and flag lots when counting the fifty percent.

Mr. Mammarella stated they don't really have a written zoning standard as part of the IR guideline it would depend on how it was counted. The way it currently reads it would not eliminate those corner lots.

Boardmember Hirsch stated his concern is that it's a forcing situation that if there are a certain number of houses that have porches and then one older house that doesn't have a porch, would the next house in line still be required to have a porch.

Ms. Kallas stated that to Boardmember Chen's point this is intended to be applied in a manner that is consistent with the way they do contextual front setback, they can add language to make the applicability statement match better. To Boardmember Hirsch's question, if there is a six unit block and three have porches, and three of them don't, that is at least fifty percent. If any of the houses on the block were to be rebuilt, it would be required to have a porch, regardless of if the existing house had one or not.

Boardmember Hirsch commented that he doesn't find that to be sensible citing that there are already a great mixture of styles and details in Palo Alto neighborhoods, and questioned what it is that requires the City to enforce requirement of a particular porch onto the front of a building. The sort of requirement

would limit style choices such as modern design or a Spanish style which is quite prevalent currently in Palo Alto.

Ms. Kallas responded that a large overhang was previously discussed as being counted as a porch, she would need to take a closer look to make sure that language did not get lost in the process.

Mr. Mammarella explained that this originated from IR Guideline 4 which deals with the visual character of street facing façades and entries. Typically, under IR, they look at the neighborhood in general during a house review. The question to answer is how much the ARB wants it to apply to the IR guidelines.

Boardmember Adcock commented she's concerned that eight feet could be a substantial size in relation to properties with a single car garage, which is also 8 feet.

Vice Chair Rosenberg recalled that when it was previously discussed, the ARB settled on six feet by eight feet to allow it to be usable, looking at it today she agrees it's a rather large area to require people to have, the requirement it's based on is that it's three feet deep. More contextually based sizing may be more optimal.

Chair Baltay responded to Boardmember Chen's comment regarding contextual pattern and believed it should be more than fifty percent. Concerning what defines a porch, that is a significant amount of space removed from the overall interior footprint. Additionally, there were concerns about if it should be required at all.

Mr. Mammarella believed that the six by eight likely came from a different objective standard and there was likely thought behind unifying the numbers, more than 50% is sensible if there is a pattern you want to protect. It is difficult to go block by block and have porches different sizes based on what already exists, choosing a size that could work uniformly would be more efficient. Six by eight feet would be his recommendation to keep the guidelines consistent.

Ms. Kallas commented when they get to B2, this standard will likely make more sense. That standard is regarding one story roof forms as part of the massing of a two story house. The intent is to have the porch be a substantial one story element.

Vice Chair Rosenberg asked if that was to create a division of the massing and the volume of the house.

Ms. Kallas confirmed that was correct.

Chair Baltay and Boardmember Hirsch stated they were going to have a problem with B2, and this standard should be kept separate. He strongly supports requiring porches on houses in Palo Alto, he'd like the ARB to produce a minimum definition of what makes a porch. Six by eight is too much.

Vice Chair Rosenberg suggestion six feet wide by four feet deep.

Boardmember Adcock stated six feet wide for a minimum is a decent size, it's enough for a door and a place to keep shoes and could work for lots that have narrow frontage. This is a minimum; they can always make it bigger. Taking an extra foot out of the footprint is asking a lot.

Boardmember Chen suggested making it four feet deep as opposed to six feet deep.

Chair Baltay stated his experience with four feet deep porches is they do not allow enough room to place a chair. He has found five feet works well.

Mr. Mammarella agreed that shallow porches tend to not look natural, his preference would be five feet deep by five feet wide. There is always the option to recess the porch into the building.

Boardmember Hirsch commented he originally felt five feet would be the better option, he slowly viewed four feet as a possibility. Five feet is better for a porch with furniture, however in driving through town, he's noticed everyone has a chair on the front porch, however no one is ever sitting in them. Porches are useful in terms of a place to drop shoes, front façades of buildings, it's more decorative. He's more concerned about the contextual issue of the neighborhoods with rigid restrictions, which generally happens by zones or districts.

Chair Baltay asked if the ARB might consider 4.5 feet by six feet.

Boardmember Chen stated she believes eight feet wide is more reasonable, considering many houses have double doors. Minimum 4.5 feet with double doors would look more like an entry feature.

Chair Baltay commented that more than six feet will constrict the other aspects of the building design in too many ways. Making the porch a continuation of the width in the building massing doesn't restrict the rooms on either side projecting forward of the entry. By making it eight feet, that essentially says to make the entry hall eight feet as well. That becomes restrictive unless they further modify the design of the rooms. On a hundred foot deep lot, you can't afford to give up six feet of the front setback.

Mr. Mammarella stated for recessed porches five to six feet wide is sufficient, four feet may be sufficient in depth, he would not make it less than four feet.

Chair Baltay stated that more than fifty percent of the block is the baseline of if it should be required and between five and six feet wide is a good compromise, with a depth of 4.5 feet. Majority consensus showed the ARB believed porches should be regulated.

Mr. Mammarella commented that he believed staff's intent wasn't factoring what to and what not to regulate as much as it was to replicate IR guidelines in the form of Objective Design Standards, which is an almost impossible task.

Chair Baltay moved on to item A4: Driveways and asked for comments. Seeing none he moved on to Item A5: Planting Strip.

Vice Chair Rosenberg suggested including language for an exemption for shared driveways. Chair Baltay agreed and assumed that it is not an interior lot line created by a lot-split, which would be highly restrictive.

Ms. Kallas confirmed the intent was for the existing lot lines, not the new urban lot split line and a shared driveway would most likely be along the new line.

Chair Baltay moved on to Item A6: Driveway Materials.

Boardmember Hirsch believes grey concrete not being allowed is overly restrictive.

Chair Baltay inquired what the IR restrictions include.

Mr. Mammarella stated the IR doesn't generally restrict color, only the amount of pavement, with the request to soften the larger areas in order to blend more with landscape.

Ms. Kallas stated they can remove the color limitation; the intent was not to encourage wider driveways and discourage decomposed granite. They definitely didn't want to discourage feasible options.

Boardmember Hirsch commented there are so many options for driveways that the descriptive options in the guideline that's allowed is too limited.

Vice Chair Rosenberg suggested the intent was to ensure the wide driveways are not asphalt, restrict the one material, and call it a day.

Ms. Raybould requested a definition of wide driveway; the city allows up to 20 feet paved driveways.

Vice Chair Rosenberg stated in the scenario of shared driveways, that ten foot piece may be better as asphalt. The back in area or turn arounds would need to be transitioned from asphalt.

Boardmember Adcock questioned if a ten foot wide asphalt drive isle would be allowed on non SB 9 projects.

Ms. Raybould stated the city allows up to twenty feet.

Ms. Kallas stated the zoning code allows a driveway up to twenty feet, however through the implementation of the IR guideline 1-Keypoint 1, to minimize paving in the front yard, a narrower approach is required.

Chair Baltay questioned if it would make more sense to put a restriction on the width of the driveway, perhaps utilizing a percentage of the lot width with a minimum amount.

Ms. Kallas agreed that could certainly be an alternative way of meeting that intent. There is a zoning code limitation that states no more than forty percent of the front yard setback can be impervious paving.

Boardmember Adcock stated that applies to all SB 9 projects, it's not necessary to add another layer of restriction. Senate Bill 9 projects should not have limitation above and beyond any other project.

Chair Baltay added that the materiality of the driveway has never been regarded as a factor; Ms. Raybould agreed generally upon inspection it's the width of the driveway that is the focus. They regulate loose material within the first ten feet of a public right of way, which is a regulation by Public Works.

Mr. Mammarella stated that previously the driveway allowance was a maximum of eighteen feet.

Ms. Kallas responded that particular standard was moved to the large lot section.

Chair Baltay suggested pushing Item A6 back to staff to produce some allowance based on the percentage of the frontage of the lot to determine the maximum width and depth allowed and remove the material regulation. All ARB members agreed.

Vice Chair Rosenberg added that the concept of pie shaped lots should be considered, thus a minimum should also be clarified. Chair Baltay agreed.

Chair Baltay moved on to A7: Garage Locations.

Boardmember Hirsch provided an example of a setback garage and felt it was reasonably massing. Chair Baltay disagreed.

Mr. Mammarella commented that when the original guidelines were formulated, the community came forward with the need for some review process. Streetscapes were dominated by garages at that time. Other than an Eichler house situation, putting a garage back from the forwardmost plane of the house was considered a reasonable and direct way to achieve that.

Boardmember Adcock finds the standard restrictive in that there are many contemporary designed houses that are off the Eichler type, which can be successful with the garage being the front feature of the home. It feels like a very targeted restriction that may apply only to certain houses while limiting others. A possible median may be to say the garage does not go forward of the rest of the house.

Vice Chair Rosenberg stated there's no point in regulating specifics because they can build a carport to the line of the set back and that's it.

Mr. Mammarella felt it needs to be worded clearly otherwise it leaves it open for the garage to be the most forward plane, which opens the question of which is the forward plane, columns in front of a house or the house wall. He suggested going with the building wall being the forwardmost plane.

All ARB members agreed.

Ms. Kallas suggested that this likely was intended for side facing garages, the IR guideline states the garage must be subordinate to the design of the house.

Chair Baltay stated when you put an objective restriction on that it becomes very restrictive, he asked staff to soften the verbiage. All ARB members agreed.

Chair Baltay moved on to Item A8: Garage Door design and materials.

Boardmember Hirsch and Vice Chair Rosenberg believed this standard could be deleted.

Mr. Mammarella stated that as part of the approval process, the IR guideline criteria states that the carport or garage and garage door design shall be consistent with the selected architecture style of the home. The intent was to find part of the style of the home that could be relatable to the garage that the viewer can objectively see.

Boardmember Adcock felt it doesn't seem objective enough and is quite subjective.

Boardmember Chen commented she agreed with Mr. Mammarella.

Ms. French stated staff could add the work or to read and/or.

Chair Baltay moved on to A9: Garage door size. Seeing no questions, he continued to A10: Roof Decking, and noted that it conflicts with B6, which talks about second floor balconies. Chair Baltay requested better clarification.

Ms. Kallas explained a balcony is attached to a wall face; a roof deck is on the roof.

Boardmember Adcock requested the word above be added into the standard for clarification.

Ms. Kallas agreed.

Vice Chair Rosenberg pointed out the intent was to prohibit residences from building roof decks that allow a 360 degree view of their neighbors.

Chair Baltay suggested clarity be made in the definition of a roof deck versus a balcony.

Vice Chair Rosenberg stated in terms of high density context, roof decks invite issues with privacy, noise, and parties.

Ms. French stated anyone wanting a roof deck would have to go through the IR review and those guidelines would likely enforce not allowing one.

Chair Baltay commented he is okay with the standard providing it is clear in the definition of what a roof deck is. All members agree.

Chair Baltay moved into Item A11: Roof Height for Varied Roof Pitches and commented that he is for making the height of the buildings contingent on the roof pitch slope; he doesn't believe they should tell them what type of roof to have, thus he is for scrapping A12 and A13. Both are too restrictive.

Mr. Mammarella referenced 2.2D and commented that in the existing standards, there are a few that limit the height of the first floor above grade and the plate heights on the first and second level that were deleted from Attachment B. One of the standards the ARB should look at pertains to the parapet height being one foot over the second floor roof height. The question comes into play when there is a flat roof, and how to measure it. His recommendation is to include it with the parapet height and make an additional standard. Otherwise, there could be a flat roof on a tall parapet which would make it seem much taller.

Ms. Kallas stated the reason they deleted that standard was because in zoning, they already measure the height to the top of the parapet. The existing code already discourages it. The definition of the height in the R-1 zoning district states that the height shall be measured to the highest point of the structures roof including wall parapets, staff felt that was clear enough to not need a separate regulation on the parapets.

Mr. Mammarella stated he understood the regulation, however felt that it could be made clearer to the average reader that the height includes the height of any parapets.

Chair Baltay moved into Items A12 and A13: Roof Type Variation and Roof Pitch Variation.

Boardmember Hirsch stated he's bothered that it's limited to two.

Vice Chair Rosenberg recalled they went with the standard because of the smaller scaled homes and not wanting too much variation in the design, however it's really not worth regulating at all. She would be good with scraping them both.

Boardmember Chen stated that these are for objective design standards and there should be limitations. The standards are pretty restrictive, she would be good with raising that limit to three.

Boardmember Adcock stated she felt it was not necessary to regulate.

Mr. Mammarella responded this is where using objective standards becomes difficult.

Chair Baltay stated the ARB recommendation is to strike them, with one member stating loosen the standard a bit.

Chair Baltay moved on into A14 and A15 : Gable Roof Forms and Bay Windows.

Mr. Mammarella explained A 14 came about because he was seeing many projects come in with too many roof forms on the roof, by limiting it to three forms on the street side, it limits the chances of chaotic buildings that have too many gables. The bay windows became a problem because they are not counted as floor area. Builders were attempting to put one in every unit facing the street to gain footage.

Vice Chair Rosenberg commented she can imagine the type of roof where there is a series of smaller dormers and questioned if there should be a limit on how many dormers are allowed within a particular style of house. Vice Chair Rosenberg suggested possibly three gables and three small dormers.

Ms. Kallas stated in the case of this standard they include dormers as gables, and noted this only applies to street facing façades. It could also be moved to further regulate the large houses.

Boardmember Hirsch agreed with staff's assessment particularly for smaller and larger buildings.

Boardmember Adcock questioned if it made sense to regulate this at three when it also includes dormers for any size lot.

Boardmember Chen added she was also looking at a house facing streetside and there are two story houses with three-story dormers and a gable above the garage and possibly at the entry, and inquired if they could exclude the dormers from this standard or limit the width of wall to form a dormer to discourage wide gable roofs.

Vice Chair Rosenberg suggested restating the standard to say that if people want dormers, they need an IR to show they don't have too many dormers.

Chair Baltay commented he has not seen a lot of well-designed houses with a lot of dormers. He has also not seen anyone do a bay window for any reason other than to capture additional floor area. He is comfortable with the restriction. Applicants have the option to return to IR if they have a design reason for needing three dormers plus gables. All members agreed.

Chair Baltay moved forward to Item A16: Façade Visual Focal Point.

Boardmember Hirsch expressed his dislike for the use of the term focal point regarding the façade of a house and inquired what the intent was for focal point as there are many elements on a house that make the elevations work.

Boardmember Adcock commented that the title of the standard is focal point however what it regulates is windows and doors. All the elements listed are fenestration of some kind. To Boardmember Hirsch's point, is it a visual focal point or façade fenestration that they want to regulate.

Mr. Mammarella commented there are two points, the guideline speaks to the focal point [TIMESTAMP 1:47 Audio Interference], the existing regulation 4.1A allows either option of glazing of a large window as

well as a roofed or trellis porch at least six feet deep and eight feet wide, no more than twelve feet tall. At some point, someone thought that was the approach they would take and should be focused more on the glazing. He has seen houses proposed with no street facing glazing, just a wall so the ARB may want to consider that as a possibility as well, with the option to add a porch.

Boardmember Adcock agrees with adding the porch as an option.

Chair Baltay believes it was not restrictive as a twenty foot window is not that big.

Boardmember Adcock commented if they add a porch to it, it's a variety of front treatments.

Ms. Kallas responded that this is one standard that makes sense to look at Attachment A to see where they started versus where they ended up. In the original standard they removed porch because there were other areas that provided more detailed porch regulation.

Chair Baltay commented due to there not being much restriction, he was happy leaving it as written.

Boardmember Hirsch posed the scenario in which the front of the house becomes passive, and the side of the house becomes the place of entry.

Boardmember Adcock replied that this is likely one of those cases in which the project would have an IR.

Chair Baltay stated four members support the item as is, one member does not.

The next two items are A17 and A18: Window to Wall Detailing and Window Patterns.

Mr. Mammarella commented that these two items are objective, and the IR guidelines support the use of materials and detailing and if a window is recessed or includes trim. Foam under-straight is not allowed with the cast limestone, only when the foam underlay is stucco over. The look for supportive use and detailing.

Chair Baltay inquired if there was a way for staff to catch that.

Ms. Kallas answered they likely wouldn't catch it prior to the final inspection, it would be discussed at that point. This has come up in the past when the window trim changed substantially, or the bay windows weren't constructed properly; the owner was required to make changes.

Vice Chair Rosenberg liked the way the items were written and would keep it as is.

Chair Baltay stated those are fine the way they are.

The ARB took a 25 minute break.

The ARB returned with all members present.

PUBLIC COMMENT

Ms. Dao stated there were no public comments.

Seeing none, Public Comment was closed.

Chair Baltay began discussion of Attachment B, Section C – Large Lots and commented that the projects seen in the past have been ones that should have been considered based on individual cases and not the square footage of the lot, not the frontage. The second floor size should be regulated based on the size of the lot, thus eliminating the need to define a large lot. The opposite holds true, when you have a substandard lot, there's a need for specific regulations. When 5,000 square feet is considered a large lot, he hasn't seen any regulations that are different for those than for anything else.

Ms. French reminded the Board that it's not only 6,000 sf R-1 lots, but it also includes residential estate zone as well, RE, and R1-10,000. There are larger lots that aren't captured.

Chair Baltay questioned the regulation for determining the specific size of driveways on larger lots.

Ms. French explained she believed it was derived from the 40% paving in the front yard, as the lots get bigger, they would need to define what a large lot is, otherwise it's not objective.

Chair Baltay stated he's comfortable with the maximum of an eighteen foot driveway, and for smaller lots there's a percentage that kicks in prior to reaching that eighteen foot maximum, he's not comfortable with putting constraints on what is considered a large lot.

Ms. Kallas explained the intent was for lots that are greater than 5,000 sf, it is more like a typical IR project than it is like an SB 9 cottage type development.

Chair Baltay suggested looking at each one individually and began with C1: Driveway Width.

Boardmember Adcock questioned if a regular lot could go up to twenty feet width, and this is putting the lot size in that category, why would it now have a limit of eighteen feet.

Mr. Mammarella explained that specific to the driveway size, the IR guidelines restrict zoning code to some extent in many places, including to minimize paving in the front for the driveway. Objective standards are less than twenty feet, the bigger issue with this section is there are four different standards put on a special section for large lots, is there a need for a whole other section. The first three of the standards are straightforward and cover whether it's a small lot or a large lot. The last one is the crux of the issue, second floor size. As lots are subdivided, it becomes more difficult to build the allowed square footage without having more space on the second floor. The SB 9 allows you to divide the 5000 sf lots, Item C4 is likely the big discussion item.

Chair Baltay stated he agrees completely. Regarding item C4, there should be a regulation for the size of second floors based on the size of the whole property rather than trying to create a category of what triggers that. There should also be some minimum allowance for second floors in all conditions, possibly using a sliding scale method based on the size of the property.

Ms. Kallas stated they removed the 35% allowance on all of them and left it only on the large lots based on feedback from the focus group that it was too restrictive on the smaller lots.

Chair Baltay clarified that a lot less than 5000 sf no longer has a restriction on the size of the second floor.

Ms. Kallas explained the existing restrictions on the second floor size includes the second floor is not allowed under the underlying R-1 setbacks, so it needs to be at least six feet from the side and twenty feet from the rear, realistically due to the daylight plane, it needs to be slightly more constricted from that, which would naturally limit the size.

Chair Baltay questioned if that is the case, why limit the second floor at all if there are already envelope restrictions based on daylight plans and setbacks. Further restrictions mean larger lots will have smaller second floors, and that shouldn't be the intent.

Mr. Mammarella commented that the original intent of limiting a second floor size was discouraging larger second floors in neighborhoods with mixed single story and two story homes, which is how the 35% was originally derived. Daylight planes can be tricky because it will effect the massing of a house, but there are cases in which a fifty foot wide lot would require the second floor to be built with an eleven to twelve-foot step back, however the first floor doesn't have to be built to the four foot side setback. This would create a large box type building potentially next to a single story home.

Ms. Kallas referenced standard B13, which does require an additional two foot allowance for the daylight plane. It was rephrased to measure eight feet down rather than from ten feet up. That would take a one story concept into consideration. Perhaps the additional space between buildings would be potentially sufficient considering there is already a 22-foot height limit if the project is boxy. This type of project is one in which all the regulations have to be looked at as a whole rather than what any given one may say.

Chair Baltay suggested moving C1 through C3 into section A, and treating them as additional requirements for all projects, and discuss C4 further to potentially not base that on large lot definition.

Ms. Kallas commented that if a minimum is established, that could be another way of approaching it. The focus group did not much care for C2, and rather than moving it, they might consider deleting it.

Chair Baltay stated he would get rid of C2 in all circumstances. Applicants should be able to design how they want their front walks to be.

Vice Chair Rosenberg stated that A4 covers driveways, C1 shouldn't necessarily be moved to create a new item under section A, merge it with A4 and regulate a minimum driveway width, a percentage of frontage coverage, and a maximum of eighteen feet. All Boardmembers agreed.

Mr. Mammarella commented that C2 was created with the intent to discourage people from designing space to park their cars in the front yards.

Vice Chair Rosenberg suggested regulating that the pathway next to the driveway does not touch the sidewalk.

Chair Baltay suggested making the regulation effect the collective width of the driveway and the walkway, whether or not they are connected, minimum could be fourteen feet. That would get to what they are trying to regulate which is paved surface area. A percentage could also be used, that is an objective clear standard.

Ms. Kallas added that none of the objective standards override the R-1 zoning; SB 9 changes density and setbacks, the zoning requires 60% pervious in the front yard.

Ms. Raybould confirmed that the code still says that they can have twenty foot wide and four foot wide halfway. To Mr. Mammarella point, even if they weren't meeting the 60% there's an allowance to still have a twenty foot and a four foot and they would push it together and end up with a very wide paved area.

Ms. Kallas responded that would be where the IR guidelines would also need to be applied.

Boardmember Adcock agreed with the percentage idea, one way to eliminate a large paved area is to add that if 50% or more of the walkway is adjacent to the driveway, it counts as the square footage of the driveway area.

Chair Baltay added that a driveway width is determined by the average of the first ten feet from the curb cut, they could make it wider as long as it's ten feet back; and add to the regulation that the width of the driveway includes any adjacent walkway within that first ten feet if there is a separation less than a certain amount. That would regulate the paved area, and not have cars parked all over the front yard. If the intent is to discourage the number of cars at a house based on the size of the lot, that should be stated and produce a definition of size for a one car or two car driveway, and if they want a two car driveway, there has to be a certain amount of frontage to accommodate that.

Mr. Mammarella stated this is all great input and they can work on rewording the standard to be clearer.

Chair Baltay recapped and stated ARB consensus was that they would like staff to take C1 and C2 and merge it with A4 based on their comments.

Vice Chair Rosenberg commented she would argue that four feet is a large space, two feet is more appropriate, and is actually covered in A5 for covered driveways. They should be consistent and have both planting areas be two feet.

All ARB members agreed.

Chair Baltay moved on to C3: Garage Width and inquired if there is a restriction for smaller lots for two car garages, if all other parameters are met.

Ms. Kallas answered that currently there is not a restriction, the feedback from the focus group was that this item was too difficult to achieve on narrower lots, additionally pie shaped lots yielded a lengthy discussion.

Vice Chair Rosenberg proposed they treat this item similarly to the driveway. There's a minimum and everything above that is a percentage.

Chair Baltay commented that as it reads now, there's not a minimum, if he had a small lot he can have a two car garage, but once he gets over 5000 sf, he's not allowed to have a two car garage.

Ms. Kallas replied that when combined with the other standards about garage location, considering porch configurations, they end up not being able to accomplish that.

Chair Baltay felt that was something they shouldn't try to regulate, and if they do, it should be moved to section A with Vice Chair Rosenberg's idea to set a minimum and everything above that is based on a percentage of frontage.

Boardmember Adcock commented that her concern was with the 30% on a large lot.

Chair Baltay stated it's 30% of the front façade so it would be the frontage less the setbacks.

Boardmember Adcock responded that would eliminate the ability to have a two car garage.

Ms. Kallas clarified a front facing two car garage, a side facing two car garage or detached garage would be allowed.

Mr. Mammarella suggested possibly saying they are allowed a one car garage in all cases and if the lot frontage exceeds a certain width, they are allowed a two car garage and define what the frontage width would be.

Chair Baltay stated they are on board with that, and he will leave figuring out the percentage to staff.

The last item in Section C regards second floor size, Item C4.

Chair Baltay commented that all of this and the notion of large lots is something that he doesn't support.

Vice Chair Rosenberg agreed and stated all of section C can be regulated in Section A by providing a minimum, a percentage, and when applicable a maximum.

Boardmember Hirsch stated that the allowable second floor has already been mentioned and the advisory architectural group objected to it because they are looking for the possibility of the second floor being two bedrooms and a bathroom. Item C4 is going to come back to the daylight plane.

Chair Baltay asked for ARB consensus to take item C4: Second Floor Size and add that to the discussion and regulation regarding second floor houses in Section B and make the item regarding size first on the list. All Boardmembers agreed.

Chair Baltay commented that existing daylight plane regulations while modified, are the single best way to control the massing and the appearance of two story buildings. He would support a minimum square foot being allowed regardless, and some sliding scale much like the FAR regulation, just on second stories.

Boardmember Hirsch questioned what the reason was for reducing the height of the beginning of the daylight plane.

Ms. Kallas explained that during IR projects, they consider the context of the property next to it, and as a way of making that objective, B13 requires the same "under two feet of the daylight plane" that's been implemented across the board for IR projects adjacent to one story houses.

Boardmember Hirsch noted that his is a two story house that was originally next to a one story house that has since become a two story home. In the current economy, they will likely see an uptick in those types of projects. If he had been held to the current regulation as it's stated, he would now feel a bit cheated.

Chair Baltay zoned in on the maximum floor area for second floors first, then move into massing and daylight plan restrictions which will move it up or down. Section D is regarding flagged lots and substandard lots. That is where the regulations are for second floor size as related to the buildable lot size and such. This as well, should be in the second floor section.

Ms. Kallas stated the intention was to make the applicability as clear as possible due to the number of standards that there are, they wanted to make the standards that don't apply to most projects as plain as possible.

Mr. Mammarella commented that when SB 9 came through, the flagged lots were studied because in the current code specific to Palo Alto, second stories are not permitted on flag lots. As the subdivision of lots might occur under the Urban Lot Split (ULS) they may get side by side lots and also flag lots. There was consideration of if it is a flag lot, should it not be mostly one story to the extent feasible to be consistent with the existing code.

Ms. Kallas the clarification is that this is for flag lots that already exist, it does not apply when you create a flag lot with an urban lot split.

Mr. Mammarella stated that's why he brought it up, he doesn't believe the existing regulations are written that way nor was it considered. When the standard was written, it was for when a flag lot was created. It's an open topic, but a question that needs to be answered. For the SB 9 projects do they want to treat flag lots like any other lot.

Chair Baltay suggested there be a separate regulation regarding flag lots that are developed under SB 9, and the City should decide if they want to allow second stories on those. That's a big decision that is not within the ARB purview. However, with a substandard lot, that should be included with all the other lots that are being regulated, regardless of the size.

Boardmember Hirsch inquired why they allowed second stories on flag lots in the past.

Ms. French answered that in the R-1 zones, Palo Alto's codes do not allow creation of new flag lots unless there are two homes on the property already, and one of them is historic. Prior to the prohibition of flag lots in the R-1 zone, there were flag lots in the R-1 zone that may have had existing two story.

Chair Baltay posed the question that the idea of now allowing two story development on a flag lot is a substantial change from the current zoning.

Ms. French confirmed yes, however, they are talking SB 9 projects that have to be ministerial.

Vice Chair Rosenberg agreed that this is a bigger regulation that they are prepared to resolve today. Flag lots have a long standing rule of no two stories, City Council is the body to determine if that is allowed. Once that has been determined the ARB can figure out how to regulate it.

Boardmember Hirsch added that there aren't that many, maybe it would never come up.

Chair Baltay disagreed and recollected that they see something of this sort about once a year and inquired if SB 9 requires that they allow story stories on flag lots.

Mr. Mammarella stated he doesn't believe they specifically require it, but it requires the minimum amount of development that it prescribes which is two 800 sf units. Item D1, which has already been reviewed by City Council, the intent for the flag lot was to allow second story only to the practicality that it's infeasible to do a one story and meet required minimum floor area. But it was only tested for flag lots,

it wasn't tested for a substandard lot. Breaking the substandard into a flag lot with two separate lots makes sense because you don't have the exact same issues.

Chair Baltay stated he did the math for a substandard lot, and it seemed to work okay.

Ms. Kallas commented that if they are not doing an Urban Lot Split, it's four 800 SF units per lot, there can be a total of four units under SB 9, with or without an urban lot split. Two units on two new lots, or four units on an existing lot.

Chair Baltay confirmed the existing clause and stated he supports regulating flag lots can only build one story, and substandard lots should be put back into the second floor section.

Ms. Kallas summarized Chair Baltay's suggestion is to separate the flag lot from the substandard lot and on the substandard lots use the 35% calculation (or different based on prior ARB feedback) and because of the zoning precedence not allowing second stories on flag lots that should be continued, even for SB 9 projects, she will need to check if prior to the Objective Standards that is something that can be achieved or if every application will be requesting an exception.

Planning Manager Jodie Gerhardt clarified that on the substandard lots there is also a one story restriction, but often not all of the FAR will fit in that configuration.

Ms. Kallas stated that the SB 9 ordinance specifically states that lots created by an urban lot split will not be considered substandard, but there is the consideration of when it's a substandard lot before it gets subdivided or if it doesn't get subdivided and there is an SB 9 project, staff doesn't want to further subdivide in order to build a second floor.

Chair Baltay stated he continued to push for all second story floors there should be a maximum SF allowed on the second floor and the regulation proposed in D1 will be conflicting because it requires a determination of what the buildable lot area will be, essentially establishing what the setbacks will be, which already vary depending on the type of build. It's quite complex and he would rather see a more simple FAR type regulation for second stories with a minimum amount plus some sliding scale depending on the lot size, is allowed in all cases except flag lots.

Vice Chair Rosenberg believes there should be a minimum of 400 feet with a sliding scale above that, but there should not be a maximum for the larger lots that have 2000 SF second stories. In this case it would be a minimum allowed, not a minimum.

Chair Baltay called for ARB consensus.

Boardmember Adcock expressed concern for potential cul-de-sac flag lots that could be split, would that restrict those lots more than any other.

Chair Baltay stated that it does because current City code does.

Boardmember Adcock posed the question of what happens if they split a flag lot, and they can't get the FAR within one story.

Boardmember Chen commented that in that case the single story overlay would apply.

Chair Baltay commented that privacy issues have always been a concern regarding splitting flag lots and Palo Alto's City Council made the choice not to allow second stories on flag lots, with a very clear set of instructions of how that's enforced and regulated. It's a standard that's been in place for a long time. As long as that standard is not in conflict with SB 9, it should be rewritten, and certainly not by the ARB. The opposite applies to substandard lots where it's next to impossible to get the maximum development without two stories. To ignore that would be foolish.

Chair Baltay asked for a straw pull vote on first: have staff determine the size of second floors based on minimum amount plus some ratio to the property size. All Board members agreed.

Vice Chair Rosenberg proposed keeping Section D relative to only flag lots by removing any context of substandard lots.

Chair Baltay suggested saying flag lots have to follow the current underlining zone and standards.

Boardmember Hirsch argued to allow second stories on flag lots which would great a larger buffer between properties and the use of proper landscaping would eliminate privacy concerns.

Boardmember Adcock commented that excluding flag lots is creating a double standard, because there a ¼ acre flag lots and ¼ acre regular lots. If regular lots are allowed to use SB 9 to build that guest house but flag shape lots are denied the opportunity that the State is providing everyone else, it's a double standard.

Vice Chair Rosenberg stated she completely agreed and if all the lots surrounding the flag lot build SB 9 ADUs and two story units, which would be a problem. She agrees, however, does not feel it's within the ARB's purview to make that decision.

Boardmember Adcock suggested asking City Council to weigh in on it, as the standard as it is now, does not follow the essence of SB 9.

Ms. French chimed in that staff fully expects SB 450 to come back to the legislature and the point of that was to modify the SB 9 regulations with a focus to not regulate SB 9 projects with different standards. In a sense, following current standards for flag lots follows the point of SB 450 because two stories are currently not allowed on flag lots, for what that's worth. Separating flag lots from substandard lots is a good clear starting point that would make it easier to amend it later if dictated by State Legislature.

Chair Baltay again summarized that staff should separate substandard from flag lots, make substandard second floors with a set minimum as the first item under Section B. Staff can figure out the calculations. There should be a minimum allowed in all cases and some scale hinged on the property size or development parameters.

Ms. Raybould confirmed that this will be going to Council and staff can bring that as a discussion topic as well.

Chair Baltay asked for ARB consensus that they agree that second stories are regulated by floor area at a minimum level plus some equation that goes beyond that. All members agreed.

Chair Baltay stated that Section D, for flag lots, should there be no additional regulations or should existing flag lots have additional regulations. Boardmember Chen was invited to state her opinion.

Boardmember Chen agreed that flag lots should have the equal options as a substandard lot, but the difference is compared to the standard lot, flag lots have four neighbors and overlook four backyards. In that case, they should keep the flag lot one story requirement as it is.

Chair Baltay stated that the ARB had a straw poll of 3-2 that flag lots should have additional regulations and direct staff to figure out how to process that.

Chair Baltay moved into Section B item B1: Second Floor Location and B2: Single Story Building Forms. There were no concerns with Item B1.

Boardmember Hirsch commented that he has a significant problem with the forcing of a form in front of another form, but it's an arbitrary regulation.

Mr. Mammarella stated the intent was to apply in the case of it occurring next to a one story home, and the case when it occurs not next to a one story home. When bound by two one story homes, it gives one approach to managing mass and scale, but it doesn't say it's the only approach. In that case, he can see where they don't have a one story house in front of it and it would work fine. When bound by one story homes, it would essentially allow a two story house to be set directly next to one story homes which would defeat one of the basic principals of the guidelines. That's where eliminating the other sections of the guidelines with the step backs, 1.5A and 1.5B, which are contextual step backs, is more important. It would benefit them to visit the part of the standard that was deleted to ensure they are addressing the whole nature of the IR guidelines, which was to respond to specific context. They deleted 1.5A and 1.5B and those are more important than B2. This also comes up a lot, even with neighbors complaining.

Chair Baltay confirmed that when adjacent to a one story home, he believes this regulation is more important.

Mr. Mammarella confirmed that is correct. And it's not sufficient in size to make much difference.

Boardmember Hirsch commented that the ARB generally uses the daylight plane as the operative control over this kind of an issue relative to a smaller house on the neighboring property.

Mr. Mammarella stated that the daylight plane does some control at the side of the lot line, but not so on the front volume of the house.

Chair Baltay commented he understands his concern but is opposed to the standard being a blanket regulation. The IR guidelines are expressly designed to try to fit new buildings adjacent to smaller one story buildings, however the SB 9 is explicitly trying to get cities away from that and fit larger buildings in with smaller buildings. There's a bit of a conflict with the intention of this item.

Ms. Kallas explained that specifically with 1.5A the ARB and focus group had provided clear feedback that they want this regulated by the daylight plane rather than the guideline and additionally the work step back was generally confusing and the intent of 1.5A was to require a one story building form is not necessarily what the title of front massing step back might convey. Focus group feedback indicated that fifteen feet by fifteen feet was way to large for small structures.

Chair Baltay inquired if there was any way to merge the two to keep the contingencies of the eliminated 1.5A regarding being adjacent to one story houses but keep the sizes closer to the six feet forward and ten feet width.

Ms. Kallas read the IR guideline 1.5 and showed examples on screen of what would be allowed and what would not be allowed, the feedback was to rely more on the daylight plane regulations than call out specific step backs.

Mr. Mammarella stated his opinion is that eliminating 1.5A and 1.5 B and replacing them with B2 steers away from the IR guidelines intent.

Chair Baltay asked if it would be possible to merge them and reduce the sizes, so they respond more to the ARB and focus group prior feedback that 15' x 15' is quite large.

Ms. Kallas returned to Item B2 and noted that the measurements had been decreased with the change that was made in the regulation.

Chair Baltay argued that the daylight plane is a significant regulation that accomplishes most of what these regulations intend, particularly on smaller lots which is going to be the result of SB 9 legislature. Large properties are different, and he agreed with Mr. Mammarella's point.

Mr. Mammarella stated he is less concerned about the sides because the daylight plane regulations are in place, his concern lies with the front where the daylight planes are not in place currently.

Boardmember Adcock stated that B2 as it reads does not say it applies when adjacent to a single story, which means it's saying no houses whether next to a single story or two story can have a two story form without doing part A or part B which is very prescriptive.

Chair Baltay confirmed that's the source of the ARB's issue with his points; and stated he supported adding the language of when adjacent to a single story building, but the size of it should be proportional to the size of the property frontage using some sort of scale, or with an allowance of a six foot projection with a minimum of ten foot width or 30% of the building frontage width. All Board members agree except for Boardmember Hirsch because of the wording that says there has to be some one story form that projects forward. Boardmember Chen supported using the same language that was used prior for abutting lots that are single story.

Mr. Mammarella suggested the ten foot forward is probably the minimum and the width could be related to the lot width.

Chair Baltay cautioned that pushing it forward too much is very restrictive on property development. They are looking for a visual relation to a one story neighbor. They need to figure out what the minimum forward would be needed to achieve that relationship.

Item B3: Contextual First Floor Eave Height.

Boardmember Chen raised concern regarding the flood zone and asked for clarification on the 24-inches and if it is already included.

Ms. Kallas answered it would be 24-inches instead of eighteen.

Boardmember Chen commented that it is fairly common for the new house building flood zone to raise their finish floor level two feet above the grade level, which is already 24-inches. If their neighbors do not meet the current flood zone regulation and have an eight foot plate height, Boardmember Chen inquired how that would work.

Ms. Kallas commented that the flood zones are a sensitive area when doing the IR, it may be a case where they would need to be substantially higher. The other option would be to step up the porch to a first floor eave height that's not out of the flood zone and walk up additional steps more recessed into the building form house that is out of the flood zone, while having the first floor eave that relates better to the neighbors.

Chair Baltay noted that Vice Chair Rosenberg left the meeting and moved into B4: Contextual Second Floor Eave Height and requested an explanation of what this item is regulating.

Ms. Kallas explained the intent is to be similar to the first floor eave height in the context of having second floor eaves to relate to, the applicability may need to be clearer that it's relating to existing second floor eaves.

Mr. Mammarella commented that it often comes up that two story homes on each side, but they aren't nearly as large or tall as the person who wants to build.

Chair Baltay inquired if this applies to one two story neighbor or both.

Mr. Mammarella answered that it applies to either the average height of both two-story neighbors, and to the height of one two-story neighbor; it doesn't necessarily apply if you are bound by two one-story neighbors.

Chair Baltay stated he's okay with it the way it is, the remaining Board members agreed.

B5: Garage Height and Mass; Chair Baltay expressed concern with the way it's written because you can't have a two story mass at a garage.

Mr. Mammarella commented he didn't believe that was the intent; he believed the intent was for a free standing garage form.

Ms. Kallas was under the impression that the intent was to require some type of roof element to help break up the massing, it didn't restrict there being a second floor, but there needed to be some sort of roof overhang if there wasn't a step back to the second floor; and recommended changing it to say there needs to be some type of roof element, the IR process has done that fairly frequently.

Boardmember Adcock commented that at fifteen feet there wouldn't be room to put a second story over the garage, the subtext to that could be this applies when there is not occupied space above the garage or have some other regulation for if there is occupied space above the garage it's set back a certain limit.

Chair Baltay asked if the daylight plane regulates this.

Ms. Kallas stated that the FAR calculation would limit it to seventeen feet in height if there's nothing above it, at the point of seventeen feet it would start counting twice towards FAR. The fifteen feet is lower than that, but the bigger fix would be that it's not clear that occupied second floors are allowed over the garage

space, which would also affect the intent of having the garage be subordinate to the rest of the house or there be a step back if the garage is the same plate height as the first floor. There are a lot of moving pieces to this one.

Chair Baltay stated his issue is there could be a gable type fourteen foot garage with a bedroom above it that would work quite successfully but this standard would prevent that.

Mr. Mammarella responded that was not the intention and it needs to be reworded.

Chair Baltay suggested it be removed all together.

Boardmember Chen commented there should be some wording regarding no living space above the garage and it could state that the maximum garage wall plate height shall not exceed ten feet. Limit the plate height, not the roof height.

Boardmember Hirsch agreed that it should allow the possibility of a second floor above it, based on the daylight plane.

Ms. French added they aren't trying to eliminate the second story, rather make it not be a two story wall straight up.

Chair Baltay noted that in some cases that could be acceptable.

Boardmember Adcock commented they are parsing the maximum garage plate height which makes complete sense to a single story garage, the part that limits occupied space over it should be removed. If they regulate the plate height, it's not necessary to regulate the roof height.

Chair Baltay explained he's been designing two stories with gabled ends with careful focus on inseting metal windows with a clean steep roof pitch and they are very attractive and compatible to Palo Alto. That they of front facing with a single story element on the side to provide balance. Making regulations that make it impossible to design those without going through IR is counter to what the end goal is. That would work particularly well on narrow small lots.

Boardmember Chen stated she's seen examples of that where it wasn't necessary to break up the vertical façade with a horizontal element.

Chair Baltay stated ARB consensus was to keep B5, list just the maximum garage plate height shall not exceed ten feet.

Chair Baltay moved on to B6: Second Floor Balcony Limitations and stated he could support that with the exception of changing the five foot high privacy wall and the size limitation. They should not go beyond what is currently in the standards, five foot balconies seem to be the number preferred.

Ms. Gerhardt commented that the current number on IR houses is five feet with a window, but on balconies they are doing 5.5 feet for the side walls. Sometimes there are no privacy impacts on front balconies, but since this is a ministerial process, they have to assume there will be privacy issues.

Chair Baltay noted the multifamily privacy regulations are quite different and inquired if there is a way to simulate those regulations on SB 9 properties.

Ms. Kallas stated that with multifamily there is more flexibility in what the height is, which is not the case on residential balconies.

Mr. Mammarella commented that it's easier to get high quality data for the large multifamily projects, that data often isn't readily available for the single family developments, they need to consider the simplicity of the review as well as the simplicity of the rule.

Chair Baltay recalled that from a 5.5 foot view on the balcony they could not be able to look down at an angle sharper than 45 degrees into a neighboring property.

Ms. Kallas stated that neighbors won't be able to comment on these, the intent is to ensure they aren't allowing something that the neighbors would bring forth grievances.

Chair Baltay stated this is a very sensitive issue in Palo Alto and possibly they should let the intent be what it is.

Boardmember Hirsch commented there should not be limitations on front façade balconies and regulated balconies in the rear should be allowed.

Ms. French noted the time and since this will not go before Council in December, recommended the remainder of the items be continued to a date certain of December 7, 2023 which would also allow Vice Chair Rosenberg to participate.

Chair Baltay stated he will take Ms. French's advice, and noted they got as far as Item B6 and will continue to a date certain of December 7.

Approval of Minutes

3. Draft Architectural Review Board Meeting Minutes for October 19, 2023.

Chair Baltay asked for comments or a motion.

Boardmember Adcock had a minor correction on page 43, first paragraph, "they would be considering VRF system", not BRF.

MOTION: by Boardmember Hirsch, seconded by Boardmember Chen, to approve the meeting minutes for October 19, 2023 as amended.

VOTE: 4-0-1 (Rosenberg absent)

Boardmember Questions, Comments or Announcements

None

Adjournment

Chair Baltay adjourned the meeting at 12:55 p.m.